

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

September 22, 2020

**Ontario City Hall
303 East "B" Street, Ontario, California 91764**

6:30 PM

SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT CITY OF ONTARIO PLANNING COMMISSION MEETINGS

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario Planning Commission Meetings are being conducted via Zoom Conference and there will be no members of the public in attendance at the upcoming meeting of the City of Ontario Planning / Historic Preservation Commission. In place of in-person attendance, members of the public can observe and offer comment at this meeting remotely in the following ways:

WELCOME to a meeting of the Ontario Planning/Historic Preservation Commission.

TO VIEW THE MEETING:

- **VISIT THE CITY'S WEBSITE AT THE FOLLOWING ADDRESS:
www.ontarioca.gov/Agendas/PlanningCommission**
- **THE LINK FOR THE ZOOM MEETING WILL BE LISTED AT THE WEBSITE ADDRESS ABOVE AT LEAST 72 HOURS BEFORE THE MEETING**

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING:** Submit your request to speak no later than 4:00 PM the day of the meeting by either (1) emailing your name, telephone number, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov or (2) by completing the Comment Form on the City's website at: www.ontarioca.gov/Agendas/PlanningCommission.

Comments will be limited to 5 minutes. If a large number of individuals wish to speak on an item, the Planning Commission Chairman may limit the time for individuals wishing to speak

to 3 minutes in order to provide an opportunity for more people to be heard. Speakers will be alerted when their time is up, and no further comments will be permitted.

In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.

2. **COMMENT BY E-MAIL:** Submit your comments by email no later than 4:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Planning Commission for consideration before action is taken on the matter.
3. **COMMENT BY TELEPHONE:** Submit your comments by telephone no later than 4:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Planning Commission for consideration before action is taken on the matter.
4. **COMMENT BY MAIL:** To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 4:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Planning Commission for consideration before action is taken on the matter.

LOCATION WHERE DOCUMENTS MAY BE VIEWED: All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.

ROLL CALL

DeDienmar __ Gage __ Gregorek __ Reyes __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Presentation to Planning Director Cathy Wahlstrom

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning/Historic Preservation Commission on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Planning/Historic Preservation Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of August 25, 2020, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV20-006: A Development Plan to construct 226 single-family dwellings on 53.79 acres of land generally located at the northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (File No. PSPA14-002, SCH #2004011009), certified by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. (APNs: 0218-321-17 and 0218-321-30) **submitted by Lennar Homes of California, Inc.**

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Planning/Historic Preservation Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

HISTORIC PRESERVATION / PLANNING COMMISSION ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND HISTORIC DISTRICT DESIGNATION REVIEW FOR FILE NO. PHP18-028**: A request for a Local Historic District Designation of the Graber Olive House Historic District as Historic District No. 8, located at the northeast corner of East Fourth Street and North Columbia Avenue, within the College Park Historic District, at 301 East Fourth Street, 315 East Fourth Street, 405 East Fourth Street, and 406 East Harvard Place, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines; (APNs: 1047-543-01, 1047-543-31, 1047-543-30, 1047-543-20) **submitted by Clifford Graber II. This item was continued from the August 25, 2020 Planning Commission meeting. City Council action required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 21065

2. File No. PHP18-028 (Local Historic District Designation)

Motion to recommend Approval/Denial

- C. ENVIRONMENTAL ASSESSMENT LANDMARK DESIGNATION REVIEW FOR FILE NO. PHP18-029**: A request for a Local Landmark Designation of a single-family residence, a Contributor to the Designated College Park Historic District, located at 301 East Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines; (APN: 1047-543-01) **submitted by Clifford Graber II. This item was continued from the August 25, 2020 Planning Commission meeting. City Council action required.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 21065

2. File No. PHP18-029 (Landmark Designation)

Motion to recommend Approval/Denial

- D. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND ZONE CHANGE REVIEW FOR FILE NOS. PGPA19-009 AND PZC19-003**: A General Plan Amendment (File No. PGPA19-009) to modify the Land Use Map (Exhibit LU-01) component of The Ontario Plan, changing the land use designation from Rural Residential to Low-Medium Density Residential on 0.21-acre of land and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation change, and a Zone Change on the project site (File No. PZC19-003), from AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) to MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre), generally located west of 1524 and 1526 South

Euclid Avenue. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-061-16) **submitted by Blaise D'Angelo. This item was continued from the August 25, 2020 Planning Commission meeting. City Council action is required.**

1. CEQA Determination

Motion to recommend Approval/Denial of an Addendum to a previous EIR

2. File No. PGPA19-009 (General Plan Amendment)

Motion to recommend Approval/Denial

3. File No. PZC19-003 (Zone Change)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN AMENDMENT FOR FILE NOS. PGPA19-003 AND PSPA19-003: A General Plan Amendment (File No. PGPA19-003) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 23.8 gross acres of land, from Low Density Residential to Medium Density Residential, in conjunction with a modification to the Future Buildout Table (Exhibit LU-03) consistent with the proposed land use designation change, and an Amendment to the Esperanza Specific Plan (File No. PSPA19-003) to establish row townhomes as a permitted land use and increase the maximum allowed density within Planning Area 4, from 6.26 to 14.0 dwelling units per acre. The project site is generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-302-01) **submitted by Christopher Development Group, Inc. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. **File No. PGPA19-003** (General Plan Amendment)

Motion to recommend Approval/Denial

3. **File No. PSPA19-003** (Specific Plan Amendment)

Motion to recommend Approval/Denial

F. **ENVIRONMENTAL ASSESSMENT, TRACT MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-010 (TM 20285) AND PDEV19-030:** A

Tentative Tract Map (File No. PMTT19-010, TM 20285) to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots, in conjunction with a Development Plan (File No. PDEV19-030) to construct 126 multiple-family dwellings generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-302-01) **submitted by Patrick McCabe, Christopher Development Group, Inc.**

1. **CEQA Determination**

No action necessary – use of previous EIR

2. **File No. PMTT19-010** (Tract Map – TM 20285)

Motion to Approve/Deny

3. **File No. PDEV19-030** (Development Plan)

Motion to Approve/Deny

G. **ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN AMENDMENT FOR FILE NOS. PGPA19-008 AND PSPA19-011:** A

General Plan Amendment (File No. PGPA19-008) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 10.49 acres of land, from School to Low-Medium Density Residential, in conjunction with modification of the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation change, and an Amendment to The Avenue Specific Plan (File No. PSPA19-011), changing the land use designation on the project site from School to Low-Medium Density Residential, generally located at the northeast corner of La Avenida Drive and Manitoba Place. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), certified by the City Council on January 27, 2010. This application

introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-652-27) **submitted by Ontario Schaefer Holdings, LLC. City Council action is required.**

This Item is being requested to be continued to the October 27, 2020 meeting.

1. **File Nos. PGPA19-008 & PSPA19-011** (General Plan Amendment and Specific Plan Amendment)

Motion to continue to the October 27, 2020 Planning Commission meeting

- H. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA18-003:** A Development Code Amendment proposing to: [1] revise current provisions regarding the regulation of Accessory Dwelling Units, replacing an Urgency Ordinance previously approved by the City Council on January 21, 2020; [2] revise current provisions regarding the MU-1 (Downtown Mixed Use) zoning district, to facilitate the establishment of the Downtown District Plan; [3] establish new provisions regarding the regulation of small lot infill subdivisions, which are proposed to be allowed in Mixed Use zoning districts and the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DUs/Acre), MDR-18 (Medium Density Residential – 11.1 to 18.0 DUs/Acre), MDR-25 (Medium-High Density Residential – 18.1 to 25.0 DUs/Acre), and HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre) zoning districts; [4] revise current provisions regarding Massage Services and Massage Establishments, establishing that such uses are subject to Administrative Use Permit issuance and requirements; and [5] modify certain Development Code provisions to include various clarifications, including Chapter 2.0 (Administration and Procedures), Chapter 3.0 (Nonconforming Lots, Land Uses, Structures, and Signs), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 7.0 (Historic Preservation), Chapter 8.0 (Sign Regulations), and Chapter 9.0 (Definitions and Glossary). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). Furthermore, the project site is located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; **City Initiated. City Council action is required. This item was continued from the August 25, 2020, Planning Commission meeting.**

1. **CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15061(b)(3)

2. **File No. PDCA18-003** (Development Code Amendment)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing): Met on September 15, 2020
 - Development Code Review (Ad-hoc): Met on September 14, 2020
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

- 1) Monthly Activity Report

If you wish to appeal any decision of the Planning/Historic Preservation Commission, you must do so within ten (10) days of the Commission action. Please contact the Planning Department for information regarding the appeal process.

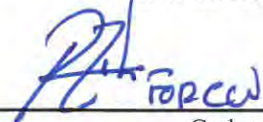
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, or prior to, the public hearing.



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **September 18, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Gwen Berendsen, Secretary Pro Tempore



Cathy Wahlstrom, Planning Director
Planning/Historic Preservation
Commission Secretary

**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

August 25, 2020

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**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

August 25, 2020

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:30 PM
in honor of Mr. James Downs' service on the Planning
Commission for the past 9 ½ years.

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman DeDiemar, Gage,
Gregorek, Reyes, and Ricci

Absent: None

OTHERS PRESENT: Development Executive Director Murphy, Planning Director
Wahlstrom, Assistant Planning Director Zeledon, City Attorney
Otto, Principal Planner Mercier, Senior Planner Mejia,
Development Administrative Officer Womble, Transportation
Manager Bautista, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

SPECIAL CEREMONIES

Ms. Wahlstrom stated that tonight was an opportunity to honor Commissioner James Downs for his service to the Planning Commission and the community at large for the last 10 years. She stated he had recently resigned and in his resignation letter he stated he had fun and gave him a sense of purpose and his service was a source of pride. He took his position seriously and was always prompt and present and participated in extra trainings and activities. She stated he was great to work with and will be missed. She congratulated him and Mrs. Downs on their 47 wedding anniversary.

Mr. Murphy stated Mr. Downs was a public servant to the Commission and the community as a whole, from his background in education and his service on other commissions and he takes the job seriously and is a voice of the community and thanked him for his service to the community and the planning department.

Mr. Zeledon presented a video to celebrate Mr. Downs' service.

Each of the Planning Commissioners spoke about their joy in working with Mr. James Downs, how much he would be missed and honored his years of service as a Planning Commissioner, with stories that had touched all of them and his service to the community in many different

capacities.

Mr. Downs thanked the commissioners for their comments and stated he had lots of fun over the years serving the City of Ontario in many capacities.

ANNOUNCEMENTS

Ms. Wahlstrom introduced and welcome our new Planning Commission Attorney, Kylee Otto, from BB&K.

Ms. Kylee Otto stated she is excited to be part of the team and is looking forward to helping in any way possible to make the commission a success.

Ms. Wahlstrom stated that several items B,C, G and H are being requested to be continued to the September 22, 2020 meeting. She stated we have received two public comments for Item A-02 which has been presented to the Commissioners, which cited concerns with traffic. She also stated items D, E, and F will be presented together.

PUBLIC COMMENTS

Mr. Mercier stated there were no Public Comments.

CONSENT CALENDAR ITEMS

Mr. Reyes requested that Agenda Item A-02 be pulled for separate discussion.

Mr. Willoughby requested that Agenda Item A-03 be pulled for separate discussion

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of July 28, 2020, approved as written.

PLANNING COMMISSION ACTION

It was moved by DeDietmar, seconded by Gregorek, to approve the Consent Calendar including the PC Minutes for July 28, 2020, as written. Roll call vote: AYES, DeDietmar, Gage, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

A-03. RECEIVE AND FILE A REQUEST BY GRACEPOINT BRETHERN IN CHRIST CHURCH TO WITHDRAW THEIR APPLICATIONS FOR A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT (FILE NOS. PDEV19-036 AND PCUP19-015): A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 6,800 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 du/ac) zoning district.; (APN: 1014-111-08)

submitted and withdrawn by Gracepoint Brethren in Christ Church.

Mr. Willoughby requested that Item A-03 be read into the record, for the Commission to receive and file the withdrawal.

As there was no one wishing to speak, Chairman Willoughby closed the public testimony

Mr. Reyes stated he was saddened by this decision by the church and he felt that the staff worked hard to work with the applicant and did everything possible to bring this forward and the design met the criteria for the city. He stated he hopes to see them come back in the future.

It was moved by Willoughby to receive and file the withdrawal. Roll call vote: AYES, DeDietmar, Gage, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-049: A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential 25.1 to 45 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-361-01) **submitted by Creative Design Associates.**

Senior Planner Mejia, presented the staff report. She described the location, surrounding area, the site plan, the ingress and egress, the floor plans, parking, open space, landscape, architectural design, and the parkway and street improvements to be made as part of the project. She stated that staff is recommending the Planning Commission approve File No. PDEV19-049, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gage wanted to know if there a parking management plan for the complex to make sure the garages are being used and for extra cars.

Ms. Mejia stated the Conditions of Approval include a standard requirement for a parking management plan.

Mr. Reyes wanted to know about concerns from the public comments which included the narrowing of the road along Benson and if this would be widened to match up with the street to the north.

Ms. Mejia stated that is correct, that the street would be widened as part of the street frontage improvements for the project.

Mr. Reyes wanted to verify that there was no direct access to Mission from the project.

Ms. Mejia stated that is correct there is no direct access to Mission, that if you are traveling north

it is the next major light.

Mr. Reyes wanted to know about zoning and where the HDR-45 zone ends and where is the single family zoning.

Ms. Mejia stated this parcel is the last parcel that transitions from HDR-45 and AR-2 is south of this project.

Mr. Reyes wanted to know if mailers were sent out to the neighbors.

Ms. Mejia stated yes and that part of this project there was some community outreach and there were 5 phone calls and 2 residents were met with to go over the project. She stated the comments were regarding the zoning and general plan and the residents south of the project were interested in doing something similar on their sites, but she explained the reasons that this would be the end of the HDR-45 zone.

Mr. Reyes clarified this parcel would be the last southern HDR-45 zone.

Ms. Mejia stated that is correct.

Mr. Ricci stated that on Benson there is a long stretch of road and that at Howard there is no stop sign and can see how speeding could be a factor and was wondering if a study could be done at the crossing of Howard and Benson and maybe mitigate the speeding, with a stop sign.

Ms. Mejia stated the engineering staff could answer these questions.

Mr. Bautista, the Engineering Transportation Manager, stated they would take the concern into consideration and could do a typical analysis for safety enhancements that can be looked at, and evaluate the speeds down in that area.

Mr. Ricci stated he was just trying to take the resident's concerns into consideration, and to ease the safety concerns as there is a school crossing and some near missed accidents.

Mr. Willoughby stated he echoed Mr. Ricci's concerns and appreciated that Mr. Bautista for being willing to look into this and would like to see if we could do something with the intersection of Howard and Benson, to make it a little bit safer.

PUBLIC TESTIMONY

Mr. Eric Chan the project architect spoke and stated staff has done an excellent job on the report and he agrees with the COA's and is available to answer questions.

Mr. Gage wanted to know what kind of parking management and enforcement in place to make sure garages are used.

Mr. Chan stated that they are still in the design phase and not really in the policy part but I am sure the management company will put in the policy manual.

Ms. Wahlstrom stated there is a condition that they have agreed to that there will be a parking

management plan and that the garages will be used for parking and not storage.

Mr. Gage wanted to know how many tandem garages are in the project.

Ms. Mejia stated there are 2.

Mr. Reyes wanted to clarify the amenities and if everyone would have access to those amenities.

Mr. Chan stated yes everyone would have access.

Mr. Reyes wanted a clarification of the site amenities.

Mr. Chan stated there would be a barbeque area, picnic tables, pool and lounge area with lounge chairs and a sitting area.

Mr. Reyes wanted to south of the building

Ms. Mejia stated it was a pool house with bathrooms.

Mr. Willoughby wanted to clarify that the pool area would be fenced and locked.

Mr. Chan stated that is correct there will be a fence and it will be locked.

Mr. Mercier stated there were no additional speakers.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Reyes, seconded by Ricci, to adopt a resolution to approve the Development Plan, File No., PDEV19-049, subject to conditions of approval and that staff would look into the intersection at Howard and Benson. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- B. ENVIRONMENTAL ASSESSMENT AND HISTORIC DISTRICT DESIGNATION REVIEW FOR FILE NO. PHP18-028:** A request for a Local Historic District Designation of the Graber Olive House Historic District as Historic District No. 8, located at the northeast corner of East Fourth Street and North Columbia Avenue, within the College Park Historic District, at 301 East Fourth Street, 315 East Fourth Street, 405 East Fourth Street, and 406 East Harvard Place, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1047-543-01, 1047-543-31, 1047-543-30, 1047-543-20); **submitted by Clifford Graber II. City Council action required.**

This Item is being requested to be continued to the September 22, 2020 meeting.

PUBLIC TESTIMONY

Mr. Mercier stated there were no callers wishing to speak on this item.

Chairman Willoughby left the public hearing open

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Gage, to continue the Historic District Designation, File No., PHP18-028, to the September 22, 2020 meeting. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- C. **ENVIRONMENTAL ASSESSMENT LANDMARK DESIGNATION REVIEW FOR FILE NO. PHP18-029:** A request for a Local Landmark Designation of a single-family residence, a Contributor to the Designated College Park Historic District, located at 301 East Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines. (APN: 1047-543-01); **submitted by Clifford Graber II. City Council action required.**

This Item is being requested to be continued to the September 22, 2020 meeting.

Mr. Gregorek wanted to know why this item didn’t go before the Historic Preservation Subcommittee before tonight’s meeting.

Mr. Zeledon stated it will go to the subcommittee before it comes back to the Planning Commission.

PUBLIC TESTIMONY

Mr. Mercier stated there were no callers wishing to speak on this item.

Chairman Willoughby left the public hearing open

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by DeDiemar, to continue the Landmark Designation, File No., PHP18-029, to the September 22, 2020 meeting. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- D. **ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NOS. PGPA18-002 AND**

PSPA18-003: A request for the following entitlements: 1) A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Light Industrial including updates to the development standards, exhibits and text changes to reflect the proposed land uses. The project site is located on the southwest corner of Riverside Drive and Hamner Avenue. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-171-21 & 218-171-27) **submitted by Ontario CC, LLC. City Council action is required.**

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT

REVIEW FOR FILE NO. PDA18-006: A Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 20027 (File No. PMTT18-009), for a 46.64 acre property located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-171-21 and 0218-171-27) **submitted by Ontario CC, LLC. City Council action is required.**

F. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NO'S. PMTT18-009 AND PDEV18-031:

A Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot in conjunction with a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet located on the southwest corner of Riverside Drive and Hamner Avenue within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport

Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-171-21 & 218-171-27) **submitted by Ontario CC, LLC.**

Senior Planner Mejia, presented the staff report. She described the location, surrounding area, current condition of the project site. She explained the community outreach including two community meetings and the comments received and the modifications that were made, in addition to the virtual presentation that was available to residents. She described the existing General Plan Land Use, the 1st Proposal and the current proposal being presented. She explained the history of the Edenglen Specific Plan, and the infrastructure required to facilitate a project here and the Development Agreement key points. She described the parcel map and the development plan being proposed, including traffic and pedestrian circulation, landscape, and building elevations. She stated that staff is recommending the Planning Commission recommend approval of the Addendum and File Nos. PGPA18-002, PSPA18-003 and PDA18-006, and approve File Nos. PMTT18-009 and PDEV18-031, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Ms. DeDiemar stated that many of the comments from residents that are opposed to the proposed development cite an increase in retail demand and she wanted to know if the residents were given a copy of the market study, which shows how much retail could be supported.

Ms. Mejia stated the market study was not provided to the residents but was discussed with some residents, as well as the lack of demand for commercial in this area. She stated that further west at Haven and Riverside there is 10 acre commercial site, for future commercial development. She stated that with the General plan update, staff will be looking at all commercial sites within the city and address the changes in the industry.

Ms. Wahlstrom stated the first market study was done by the developer and we felt that a peer review was needed, so our economic development team had a more intensive market study conducted and we did convey to the public that the study showed the area could support only 6 – 8 acres of commercial.

Ms. DeDiemar stated that one of the things the residents have stated is a greater commercial development and it has been slow coming, because of the need of residential activity to support it and she is sensitive to the residents desire to have neighborhood commercial development. She wanted to know if the residents have seen the current proposal.

Ms. Mejia stated yes that this is what was presented for the virtual presentation.

Ms. DeDiemar wanted to verify that only 8 comments were received from the virtual meeting, which could have indicated the lack of interest or a difficulty in handling technology.

Ms. Mejia stated that is correct, however one of the things staff did as part of the community outreach was put together a double-sided three-fold pamphlet that summarized the proposal changes and what the project entailed, which was not the typical postcard noticing.

Ms. DeDiemar wanted to know when they were notified.

Ms. Mejia stated it was around the end of May.

Ms. DeDiemar stated based on the comments received residents are not convinced by the additional information.

Ms. Mejia stated that several of the eight comments were an appreciation for the additional commercial however, they still wanted to see more commercial.

Ms. DeDiemar stated that some of the concerns are regarding truck traffic and wanted to know if they are aware it will be routed to Hamner.

Ms. Mejia stated a lot is perception due to the current conditions which make it hard to understand the changes and a lot of street improvements that will help alleviate some of the issues. She stated the cost of infrastructure in order to develop the site is around 7 million to start basic improvements along the large frontages, which other developers have walked away from.

Ms. Wahlstrom stated this site is tough to develop because of the cost of all the infrastructure needed and the industrial development would complete the road improvements and widening, which would enable future commercial to come here. She stated the residents have waited for years for neighborhood serving development as Edenglen was designed to be a walkable community and it is important to the community and to us as planners to keep some of this. She stated that Haven Marketplace is coming and is the start to getting retail in Ontario Ranch, although retail is changing as more people shop online, but we want to look at a complete community and keep some retail at community locations to make it walkable.

Ms. DeDiemar stated that residents are already dealing with the SCE structures and the lack of commercial is a lot to ask the residents to bare.

Mr. Gage wanted to clarify the surrounding area, that to the west is Edenglen and to the northwest is Creekside and to the north of Riverside Dr. is the San Antonio winery.

Ms. Mejia stated yes that is correct.

Mr. Gage wanted to know what is happening to the north of Riverside Drive and the project, which he remembers an upscale project with mixed-use, a vineyard theme and an upscale plaza, which was a project that Edenglen residents could be proud of.

Ms. Wahlstrom stated the winery is an asset and hope it will attract breweries, and craft manufacturing nearby. There is an application in for retail on the corner and industrial in the rear integrating the winery which will come forward to the planning commission in the coming months.

Mr. Gage stated what was approved a while back was mixed-use and retail and apartments.

Ms. Wahlstrom stated it was mixed-use and residential and retail, but no industrial.

Mr. Zeledon stated the project was going forward with retail and residential, but with the recession in 2007, the developer walked away from the project, but we still do have the Tuscana specific plan which does include retail and residential.

Ms. Wahlstrom stated that as proposed, that the west side of Riverside Dr. at Hamner would be flanked with retail on both corners.

Mr. Gage wanted to clarify that the study that was received and the commercial proposal was comparing the existing commercial including Archibald and the 60 freeway retail and other retail which was a 5 and 10 minute drive away and talked about the community has cars and they could drive places and this is the idea for commercial, but didn't we have a plan to have neighborhood commercial next to some of our newer residential area.

Ms. Wahlstrom stated yes, we look at the general plan land uses in the future and we had determined that commercial at this location of Riverside Dr. and Hamner would provide for a more walkable neighborhood retail, however market studies look more at a point in time and what the market might be able to bare right now for retail, so in the future we may better support retail.

Mr. Gregorek wanted to know what the distance was for the noticing on this project.

Ms. Mejia stated that everyone within the Edenglen residential community and everyone in the Creekside residential area, which was basically from Mill Creek to the 60 Freeway and close to 760 notices, which went well beyond what we typically do.

Mr. Gregorek wanted to clarify how many residents commented on the project.

Ms. Mejia stated 42 were received at the first community meeting and 8 from virtual meeting and 13 within the last couple days and tonight.

Mr. Gregorek wanted to know out of the approximately 60 comments if there were repeats.

Ms. Mejia stated after the initial meeting, there were 21 received commenting on the changes.

Ms. Wahlstrom stated there are several from the community wishing to speak tonight as well.

Mr. Gregorek wanted to clarify height of building 2 if it is the same or lower.

Ms. Mejia stated its about 42 feet, which is about the same height.

Mr. Gregorek wanted to clarify that building 1 is not proposed.

Ms. Mejia stated that is correct, this is where the commercial site is and the building was removed to accommodate for a future commercial project.

Mr. Reyes stated that he sees the progression that took place in the specific plan amendment have the residents been able to have a public meeting

Ms. Mejia stated we didn't have an in person meeting due to COVID restrictions, but we sent out communication in the pamphlet and had a virtual meeting and extended the comment period to late July, to allow for public participation and time to comment.

Ms. Wahlstrom mentioned to be able to maximize the community input we left the virtual meeting information on the website for the public to still be able to see.

Mr. Reyes wanted clarification on the site frontage along Riverside Dr. and that there would be a landscape median that will discourage trucks from going west bound.

Ms. Mejia stated that is correct, there will be a traffic signal at the entrance of the project and a median across the frontage of the project.

Mr. Reyes wanted to clarify that the west boundary has two types of fencing, a wrought-iron fencing with landscaping and a solid masonry wall, used to block the view if you were to the west of the project.

Ms. Mejia stated there will be 12 foot concrete tilt-up walls located in front of courtyard area to block visibility and noise and then 8 foot high tubular fencing which provides for landscape views, for the residents.

Ms. Wahlstrom stated the answer is yes.

Mr. Reyes wanted to clarify that in the northwest and northeast corner of building three in the parking lot area, you would be able to go north and south and there is nothing that divides the industrial from the future commercial development.

Ms. Mejia stated that is correct, those are all internal drive isles for traffic circulations and emergency vehicles.

Mr. Reyes wanted to confirm that there would be a future signal at the Hamner side and the Riverside side and wanted to know if those will come now or later with the development.

Ms. Mejia

Mr. Bautista stated current COAs provide for two new traffic signals to be built with the development, between building 2 and the future commercial development and between buildings 4 and 5 on Hamner.

Mr. Ricci stated the lanes on Riverside Dr. to Hamner and between Hamner and Haven have lots of traffic and wanted to know if there would be any widening of the lanes on Riverside Dr. to mitigate some of the traffic issues.

Mr. Bautista stated they will be required to widen Riverside Dr. along the frontage to the east from the SCE easement to Hamner and matching the capacity on the west, which is two lanes and a median and they will be widening and restriping.

Mr. Ricci wanted to clarify that the widening goes to where Edenglen begins.

Mr. Bautista stated that is correct.

Mr. Willoughby wanted to know if Riverside has three through lanes at Hamner and will that carry through to the SCE corridor.

Mr. Bautista stated they don't have a final striping plan yet, but what he envisions is two east bound through lanes and at Hamner the third lane will turn into a right turning lane because there aren't three lanes to feed into on the Eastvale side.

Mr. Willoughby wanted to know if on Riverside Dr. will there be a right turn lane into the development from the east bound lane.

Mr. Bautista stated it will be a shared turn lane with through lane, but we can as in interim condition put in a right turn pocket.

Mr. Willoughby wanted to know if Chino Ave and Hamner would have any improvements done.

Ms. Mejia stated no.

Mr. Bautista stated with this development there would be no improvements on Chino Ave. but the improvements on Hamner extend from Riverside Dr. to Chino Ave.

Mr. Willoughby wanted to clarify there is no sidewalk along the last portion.

Mr. Bautista stated that is correct it would be just curb and gutter.

Mr. Willoughby wanted to clarify if Hamner is going to have three or two lanes on the west side.

Mr. Bautista stated that with this development they will be widening it to accommodate four lanes however we will only be striping it for two because of the constraints to the south.

Mr. Willoughby wanted to clarify that we would have the easement for the future two lanes.

Mr. Bautista stated the curb would be built, but we will only stripe for two lanes.

Mr. Willoughby wanted to clarify that the curb and gutter and asphalt will be there and that parking would be prohibited on the asphalt area.

Mr. Bautista stated yes parking would be prohibited along the Riverside Dr. frontage and Hamner frontage.

Mr. Willoughby wanted to clarify that the 12 foot screen wall will deflect any lights coming through the drive isles.

Ms. Mejia stated that is correct.

Mr. Willoughby understands the concerns regarding traffic on Riverside Dr. and stated the development would improve some of those issues, but wanted to make sure there will be policing for truck traffic going through there.

Ms. Mejia stated that policing has increased on Riverside Dr. because it is not a designated truck route.

Ms. Wahlstrom stated yes, we have ramped up the policing effort and tickets are being given out.

Mr. Willoughby stated that with the designation of building 2 as business park and he thinks building 2 looks like a smaller industrial building, disguised as business park. He stated that there is a need for commercial there and there would be adequate roof tops to support them and more business park uses like real estate, gyms, dental offices, and other office services that would serve the community.

PUBLIC TESTIMONY

Mr. Mercier stated there were three persons wishing to speak on this item besides the applicant.

Mr. Jared Riemer, the applicant, thanked staff for the time they put into the project and all the meetings that addressed communities concerns. He stated they did solicit proposals for retail tenants at this site for about a year and the only interest was from gas stations with diesel uses, which they felt were not appropriate there, so they decided to move forward with this proposal. He stated the main challenge when soliciting tenants was that this was not a desirable location for retail to capture PM traffic from the local community. He stated that they did look at the retail study from the city, but it included the demand for the entire trade area, which is within 5 minutes and that study did miss the new Haven Marketplace development that is going in, which makes their study match what we found when soliciting tenants for market retail.

Mr. Willoughby wanted clarity on building 2 business park, and mentioned the other business park uses already in the area like north on Milliken, the Goodman Center, and Philadelphia and Haven, which have uses like a real estate firm, gym, dental and those types of uses, but this building looks like a smaller version of the industrial buildings.

Mr. Riemer stated that it may look that way, but the doors are there to create access for the loading truck and circulation, but the building will be designed to be flexible for multiple uses and consistent with new business park development. He stated the older properties that Mr. Willoughby was referring to in the area are having a high vacancy rate, with tenants that are struggling, especially with COVID.

Mr. Willoughby wanted to clarify if they are loading doors or dock doors.

Mr. Riemer stated they are a combination.

Mr. Reyes wanted clarity on what provisions along the frontage of building 2 will be done for pedestrians coming from the residential to the future development.

Mr. Riemer stated public sidewalk along the street frontage and they have created linkage with a sidewalk next to the building, for more retail access which is designed to be flexible for smaller tenants.

Mr. Reyes wanted to clarify that in building 2 if a small gym or indoor basketball court wanted to go in would they just get rid of the dock doors.

Mr. Riemer stated basically yes, you could demise the inside of the buildings to any dimensions and you can demise out the doors and they can be used for those types of businesses.

Ms. Irene Chisholm stated she was here addressing the commission once again about the

development of this land and wanted to let the commission know that she has been watching the development of South Ontario, as she has been here for 33 years. She stated she remembers going to focus groups where the invitation was sent out to community members to give their input of what was wanted for the New Model Colony and this was something that when she moved in she knew there was a moratorium on building on the ag preserve and in 1998 the City adopted The Ontario Plan and in that plan she was there giving her opinion of what should go and she remembers lots of neighborhood housing, larger commercial centers and industrial. She stated that maybe the market fell, but the neighbor city Eastvale picked up on this and since they have developed their commercial, the residents of this Ontario area have been taking that route to go to those grocery stores. She stated she is glad they are building a Stater Bros. I have watched the development with a vested interest and she wanted to make sure the property around it would look good, so that is why she is opposing this proposal. She likes the this could accommodate business park and smaller things, like churches or community gardens or food trucks. She stated when staff was counting the comments that have been made there are more people who are opposed to it, and they might not be on the line but she has been speaking for the community for a while, as a board member of the HOA. She stated the trucks and traffic is going to overload the corner and they need to push those buildings further down Hamner.

Michael and Chelsea Bowles stated in addressing the council members question regarding the information mailed out, she received the pamphlet information in the mail, and she lives in Edenglen, but it was not as detailed as the presentation tonight and is hard for the average lay person to understand and it didn't include explanations as to traffic patterns or entrances on Hamner and Riverside. She asked staff if there were any hours of operation for the industrial part of the proposal.

Ms. Mejia stated there is no time limits on operations currently within the conditions of approval.

Ms. Bowles wanted to clarify that the conditions of approval is an agreement between the applicant and the city.

Ms. Mejia stated there are no conditions limiting hours of operation.

Ms. Bowles stated that would be a concern for them in Edenglen, as they back up to the area on the west portion of the project, and she would want a limitation on hours, as nobody wants trucks delivering at 2 or 3 in the morning and having to deal with the noise. She stated right now she can hear the traffic on Hamner going up and down, so that would be an issue of concern. She wanted to know the difference in a sound barrier between a screen wall and the wrought iron, why not make the whole thing a sound wall.

Ms. Mejia stated there was a noise study done as part of the project and the noise operations from the trucks were evaluated, which influenced the way the buildings were designs so the buildings can act as a sound shield.

Ms. Wahlstrom stated we should ask the applicant what the average hours of operation are.

Ms. Bowles wanted to clarify that there aren't any tenants interested in commercial development.

Ms. Mejia stated yes.

Ms. Bowles wanted to clarify that it would be built and waiting for someone to rent the area.

Ms. Mejia stated essentially, they are reserving the land for future development, it is not part of this development.

Ms. Bowles wanted to clarify that it would still be vacant unless someone develops it, and it could stay vacant for forever.

Ms. Mejia stated we would hope someone would develop the site appropriately, and now that those last infrastructure improvements are going in and would make it more feasible for someone to come in and develop it.

Ms. Bowles wanted to clarify that this proposal could build those other buildings and the land could be left empty.

Ms. Wahlstrom stated industrial builders don't typically build commercial.

Ms. Bowles wanted to clarify that they could keep the land and are building the infrastructure.

Ms. Mejia stated that is correct.

Mr. Willoughby stated that with the infrastructure and street improvements in place it makes it more attractive for future developers.

Mr. DeAndre Lampkin, a resident in Creekside west, who purchased his home 11 years ago, because he saw the potential of the community to meet the needs and desires of a young 20 year old. He also serves as a board member for the Creekside West HOA that represents the residents of Creekside, and listens to his residents and tries to communicate some of their desires. He stated that he hopes the commission realizes, that is seems that the older Creekside becomes the more the idea of a complete community has been lost. He wonders if the potential renters just see walls when they are touring the community, around the HOA, but within those walls are thousands of people waiting for the retail to be within walking distance of their community. He hopes that when developers are looking for tenants, they are asking them to make one right turn or go one more street over, so they can see the potential customers. He stated in his interactions with the residents he has heard the residents say that they want to spend their dollars within their community, and that for a long time now the residents in South Ontario have felt like they are the stepchild of the city and forgotten, which may not be the intent, but is not without base. He stated that he feels that a lot of council members or commissioners are rarely seen holding meetings or civic engagements are restricted to North Ontario because those amenities are more desirable. He stated the residents in south Ontario have hoped for retail space for a while, maybe a smaller version of Victoria Gardens, or Dos Lagos, with pedestrian friendly retail space, where they can gather and meet other residents from their unique community. He stated they no longer want to be restricted by the walls that surround their HOAs, but want something that builds the community and meets the needs of our residents. He stated that they need places to shop and contribute to our city's economy.

Mr. Mercier stated there were no other callers for this item.

Mr. Willoughby stated the commissioners received 13 public comments and two of those have called in.

Ms. Wahlstrom read zoom comments that were posted during public testimony in chat box for the record.

- From Thanasit Piboon to All panelists : will riverside dr. will also be expanded?
- From Thanasit Piboon to All panelists : I luv to have supermarkets, restaurants, shops, banks at that corner of that riverside dr. and hammer. 🙏🙏🙏
- From Attendee : When will Chino be completed to continue to Hamner? This will help us to get out of Edenglen to travel South.
- From D'Andre Lampkin to All panelists : Another way to ensure trucks don't exit onto Riverside Dr from the proposed site is to make the entire Riverside
- From Attendee : We will then have 4 lights from Colony to Hamner?
- From Attendee : They have not been ticketing that we have seen.
- From Gregory Weaver to All panelists : If we are expecting 700 parking spaces for the warehouses; how much traffic are we expecting from the building of these facilities; not counting the trucks?
- From Gregory Weaver to All panelists : Creekside is greatly opposed. Irene Chisholm is the president of Creekside East and represents us.
- From Gregory Weaver to All panelists : that means they can run at all hours of the night (24/7)
- From Gregory Weaver to All panelists : There is no way a fence will be able to block out the noise of a diesel truck
- From Gregory Weaver to All panelists : we have sound walls between the freeway and Creekside, yet we can still hear the sounds of the diesel trucks. The sound walls will not prevent the loud noise

Mr. Riemer stated the noise study did analyze in detail the screen walls and the location of the buildings. He stated we made a decision early on to position the buildings so the truck yards and drive isles would be away from the residents. He stated that they will be doing all the street frontage, street improvements and all the utilities for the retail as part of the project.

Mr. Willoughby asked the applicant if he wanted clarity the hours of operation even though these are spec buildings.

Mr. Riemer stated these are spec buildings and we don't have tenants yet, but they will be required to follow the Ontario Municipal Code Noise Ordinances and the noise study did take 24 hour operations into account.

Mr. Willoughby wanted to clarify the median on Riverside Dr. will it continue all the way to the end of the property, the west side of the development, or to the signalized intersection.

Mr. Riemer stated he believes it will be continued to the west side of the development.

Ms. Mejia asked Mr. Bautista to expand on that.

Mr. Bautista stated that yes, they have conditioned for the median to continue along the entire project frontage.

Mr. Willoughby wanted to clarify that it goes all the way to the SCE corridor and this would prevent left turn out of the driveway onto Riverside Dr.

Mr. Bautista stated that is correct.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Gage stated he really listened to the residents of South Ontario for years and when we talked to them they always stated they felt like the stepchild and had wants and dreams of what this area could be, like when Mr. Lampkin talked about pedestrian walkable commercial retail developments that are upscale. He referred to the market study and the retail that was referred to in it, like Cardenas, which he feels the retail we have are being mismanaged, and wonders are those developments hindering future nice developments. He wonders if the vacancy of retail in the area isn't because there isn't a demand it's because the need is for upscale pedestrian friendly development need city partnership in these endeavors. He stated property north of this project there was a nice upscale pedestrian friendly project going to go there and the great recession happened and it didn't work out and that a shame it didn't go through because that is what these people have a dream of and they just lack. He stated on this project he is glad there is future commercial there and the project north which we hope to get some upscale and pedestrian friendly projects and maybe the economic department can help with this. He stated unfortunately we are in another recession with the pandemic and there's no surprise retail isn't as popular this dictates not happy with the big picture, but reluctantly approve it. He stated he feels the city has done a lot to get it to this point and in this area and hopefully we can get better retail in the future. He commented that he has been to the meetings at Creekside HOA and there are great people there.

Mr. Gregorek stated that he was part of the focus groups and they put together a comprehensive plan overall, and one of the visions was residential with lots of commercial to support it. He stated he is a little disappointed in the current plan, from 20 acres of commercial to 4 acres, and then building 2 is just a smaller industrial that is not going to serve the community. He stated the amount of truck traffic on Hamner and Riverside Dr is already awful, and trucks park down in the dairies and this project is going to increase that and it's very disappointing. He stated he and other people will drive to go to good commercial, and the people of Creekside and Edenglen deserve to have something good there. He stated he can't support this zone change at this time.

Mr. Reyes stated he wished this site plan would develop this corner as a whole. He stated he was recently at an Eastvale High end coffee and tea shop targeted that corner because they wanted to be in a high end disappointed that building 2 doesn't have a better layout and when we think about pedestrians walking the neighborhood, they should have a gym or kids afterschool area. He wanted to address the fire lane at the northwest corner of building 3 and feels this needs to be closed off for emergency vehicles only, to detour truckers from going through there onto Riverside Dr. He stated we need to redesign building 2 or take it out of the equation and look at it as part of the commercial development. He stated that the west property line boundary and his concerns with the landscape in the trees and suggested we consider something more aggressive that would screen better and something that is evergreen and hardy, that would screen the

rooftops. He stated that based on the market studies by the city and if we add up the acreage maybe then we could have something like the Dos Lagos and a pedestrian friendly area.

Mr. Ricci stated that we all have a vision of what we want there but what we don't have is the infrastructure. He stated we all want to see something nice in this area and give the people of Creekside what they want, and there were already plans in the works on the north side, but the recession, so the questions is now how do we make that first step. He stated that he feels once we start something that helps with the load of infrastructure, then the future businesses that we want can have an interest in that area. He stated he realizes building 2 is giving us reluctance to approve this project because we would like to see more commercial on the front side, but once the infrastructure is there and people will see a progressive movement and the potential. He stated he can see the concerns with the people in the area, like the noise, but even if a wanted commercial business came to that area, like a big box store, you would have 24/7 noise and he agrees with Commissioner Reyes that evergreens or some landscape is needed to dampen the noise. He stated that even though it's not optimal we need the infrastructure to help open up that area to make the appeal for others to come to the area. He stated this is a step forward and a step in the right direction, so he will be voting in favor of this project.

Ms. DeDiemar stated this is a difficult decision as Creekside has been waiting a long time for commercial development in this area, buying patterns are changing with the COVID pandemic and we don't know what things are going to look like and this property has been vacant for a long time, but if this developer is willing to put all the infrastructure to enable the development. She stated this is not ideal but this is an opportunity to move forward and we need something.

Mr. Willoughby stated retail is changing and COVID-19 has changed the retail horizon and ecommerce is growing at a rapid pace. He stated we have heard the desires of the residents for the last 10 years to get more commercial development in the area, and have pushed for that, and have gotten push back that there is not enough rooftops and it won't be supported. He stated he understands that large portion was zoned for light industrial and we are being asked to reduce the commercial, but with the cost of infrastructure the city doesn't have these funds so we need to find a developer and in turn they can build a project. He stated that the difficulty is in getting building 2 to be a true business park building, that would have multi-tenant similar to the Goodman center which is filled and is about two miles away. He stated he feels this space could be filled quickly and make it more attractive for future commercial development. He stated building 2 should be redesigned it so it's more conducive as a true business park, which would make for a much better site and a better transition to the remainder of the project.

Mr. Reyes wanted to clarify if they could approve it with conditions that building 2 becoming future commercial development or the applicant can redesign it and add the other conditions like screening and the access lane.

Mr. Gregorek stated he agrees with Mr. Reyes that if we redesigned building 2 for commercial development, I would be able to vote for this. He stated that if we have to wait with COVID and it reverts and things change, then we made the right decision and the residents are happier and it will be something we can be proud of.

Mr. Willoughby wanted to clarify building 2 can we approve with that many conditions or do we take a vote or can we propose those conditions and see if the developer is willing to work with us.

Ms. Wahlstrom clarified that the conditions they discussed are the trees along the buffer areas, something evergreen with height and the need for building 2 to be redesigned and we could come back with a design for that building and approve the remainder of the project as is and have the applicant work with staff.

Mr. Willoughby vote for approval with the conditions of working with them regarding the trees and the west side access lane and building 2.

Attorney Otto stated there are multiple motions tonight and concepts that are going forward which is the zoning General plan and the Specific Plan that are being recommended to City Council and then the more specific project that is site specific to the map and the development plan.

Mr. Zeledon clarified that if we move forward with this development as is with the General Plan and Specific Plan and condition the redesign of building 2 as business park, then all the items can move forward. He described some of the uses allowed in business park.

Mr. Gregorek redesigning building two with the uses allowed for business park.

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by DeDiemar, to recommend adoption of an Addendum to the Ontario Plan EIR, and adoption of a resolution to approve the General Plan Amendment, File No. PGPA18-002 and the Specific Plan Amendment, File No. PSPA18-003. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

It was moved by Gregorek, seconded by Ricci, to recommend adoption of a resolution to approve the Development Agreement, File No., PDA18-006, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

Mr. Reyes wanted to clarify the conditions added are limiting access between the industrial and the business park or commercial, west side screening to use larger evergreen trees for better buffer to replace the redbud trees and create more sound barrier and the redesign of building 2.

Mr. Gage wanted to clarify that the commission could have staff look at building 2 with the applicant and bring it back.

Mr. Zeledon recommended to go forward with buildings 3 – 6 and come back with the redesign for building 2 and the frontage and we could address the evergreens and truck access, with the applicant.

Ms. Wahlstrom stated that staff could bring back the redesign of building 2 to the commission.

Mr. Gregorek wanted to know if staff would have another neighborhood meeting to see what building 2 would allow for.

Mr. Zeledon stated yes, we can do that and give them time to review and comment.

It was moved by Reyes, seconded by Ricci, to adopt a resolution to approve the Tentative Tract Map, File No., PMTT18-009, and the Development Plan, File No. PDEV18-031, subject to conditions of approval and the additional conditions that Building 2 be redesigned. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- G. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA19-009, AND ZONE CHANGE REVIEW FOR FILE NO. PZC19-003:** An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Map (Exhibit LU-01), changing the land use designation from Rural Residential to Low-Medium Density Residential for a land locked parcel totaling .21 acres of land generally located west of 1524 and 1526 South Euclid Avenue; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change from AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) to MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre). Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-061-16) **submitted by Blaise D'Angelo. City Council action is required.**

This Item is being requested to be continued to the September 22, 2020 Planning Commission meeting.

PUBLIC TESTIMONY

Mr. Mercier stated there were no callers wishing to speak on this item.

Chairman Willoughby left the public hearing open

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by DeDiemar, to continue the General Plan Amendment, File No., PGPA19-009, and the Zone Change, File No.

PZC19-003, to the September 22, 2020 meeting. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

- H. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA18-003:** A Development Code Amendment proposing to: [1] revise current provisions regarding the regulation of Accessory Dwelling Units, replacing an Urgency Ordinance previously approved by the City Council on January 21, 2020; [2] revise current provisions regarding the MU-1 (Downtown Mixed Use) zoning district, to facilitate the establishment of the Downtown District Plan; [3] establish new provisions regarding the regulation of small lot infill subdivisions, which are proposed to be allowed in Mixed Use zoning districts and the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DUs/Acre), MDR-18 (Medium Density Residential – 11.1 to 18.0 DUs/Acre), MDR-25 (Medium-High Density Residential – 18.1 to 25.0 DUs/Acre), and HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre) zoning districts; [4] revise current provisions regarding Massage Services and Massage Establishments, establishing that such uses are subject to Administrative Use Permit issuance and requirements; and [5] modify certain Development Code provisions to include various clarifications, including Chapter 2.0 (Administration and Procedures), Chapter 4.0 (Permits, Actions and Decisions), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 8.0 (Sign Regulations), and Chapter 9.0 (Definitions and Glossary). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). Furthermore, the project site is located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; **City Initiated. City Council action is required.**

This Item is being requested to be continued to the September 22, 2020 Planning Commission meeting.

PUBLIC TESTIMONY

Mr. Mercier stated there were no callers wishing to speak on this item.

Chairman Willoughby left the public hearing open

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gage, seconded by Ricci, to continue the Development Code Amendment, File No., PDCA18-003, to the September 22, 2020 meeting. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Reyes, Ricci and Willoughby;

NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee did not meet.

Development Code Review (Ad-hoc): This subcommittee did not meet.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated the monthly reports are in their packets.

ADJOURNMENT

*Gage motioned to adjourn, seconded by Gregorek. The meeting was adjourned at 11:06 PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

September 22, 2020

FILE NO.: PDEV20-006

SUBJECT: A Development Plan to construct 226 single-family dwellings on 53.79 acres of land generally located at the northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan; (APNs: 0218-321-17 and 0218-321-30) **submitted by Lennar Homes of California, Inc.**

PROPERTY OWNER: Lennar Homes of California, Inc.

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV20-006, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 53.79 acres of land located at the northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan, and is depicted in Figure 1: Project Location. The project site was historically utilized for agricultural dairy purposes. The site has been cleared of all structures and is presently vacant. The natural vegetation and soil conditions that once occurred throughout the project area have been significantly altered through agricultural activities, leaving little to no native vegetation. There is an existing 255-foot-wide SCE Easement located along the western property line that contains 180-foot tall transmission towers (115kV). The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.



Figure 1: Project Location

PROJECT ANALYSIS:

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	03/13/2020

Hearing Body	Date	Decision	Action
DAB	09/21/2020	Approved	Recommend
PC	09/22/2020		Final
CC			

[1] Background — The Subarea 29 Specific Plan and related Environmental Impact Report (EIR; State Clearinghouse No. 2004011009) were approved by the City Council on October 17, 2006. The Specific Plan established the land use designations, development standards, and design guidelines, which included the potential development of 2,470 dwelling units and up to 87,000 square feet of commercial uses for the Specific Plan Area.

On April 26, 2016, the Planning Commission approved Tentative Tract Map No. 19907 (File No. PMTT14-024), which subdivided the northern portion of the project site into 108 numbered lots (Planning Area 29 – Conventional Medium Lot 4-6 du/ac), and 20 lettered lots containing a private park and a paseo (See Figure 2, Subarea 29 Land Use Plan). In addition, Tentative Tract Map No. 19909 (File No. PMTT14-025) was approved, which subdivided the southern portion of the project site into 118 numbered lots (Planning Area 28 – Conventional Medium Lot 4-6 du/ac).

On March 13, 2020, the Applicant submitted the subject Development Plan application to

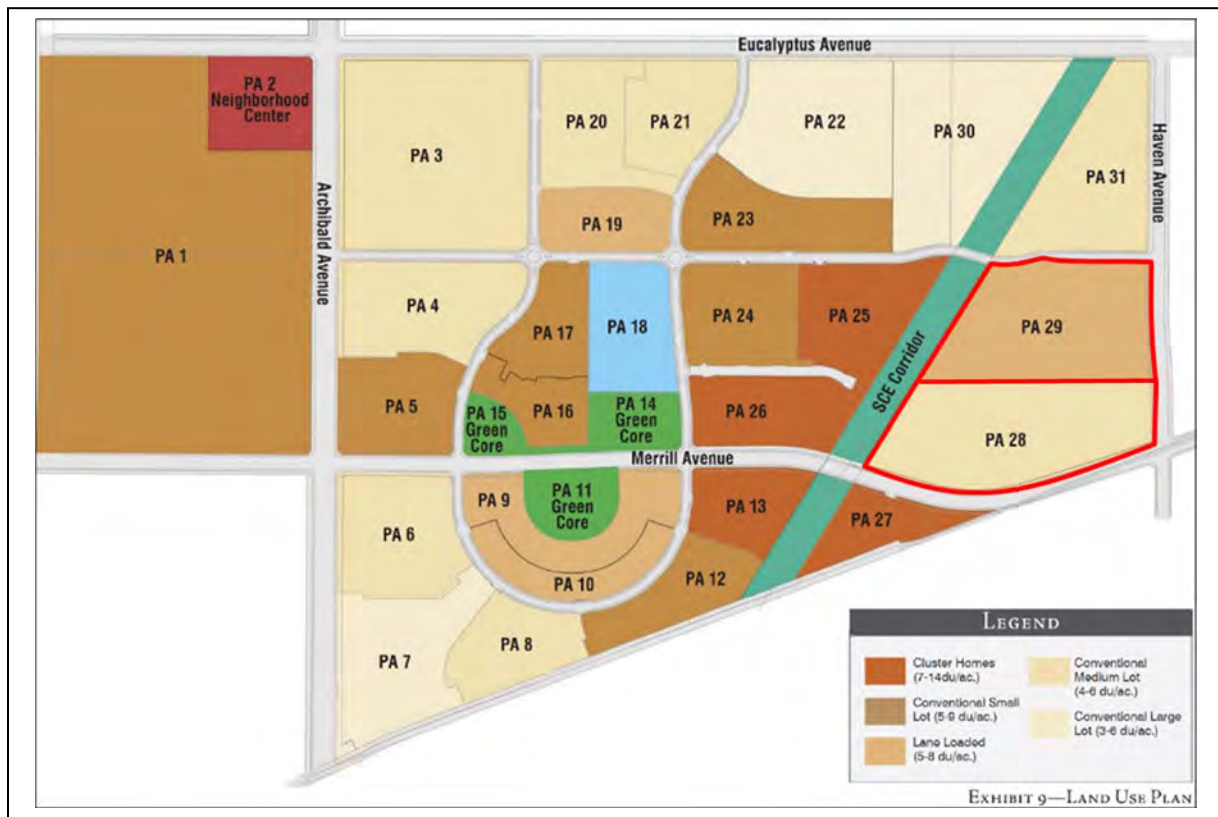


Figure 2: Subarea 29 Land Use Plan

facilitate the development of Tracts 19907 (Everly at Parklane) and 19909 (Greenly at Parklane) with conventional single-family residential homes.

On September 21, 2020, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

[2] Site Design/Building Layout — The Applicant proposes the development of 226 conventional single-family homes within Planning Areas 28 (southern Tract 19909 – Greenly at Parklane) and 29 (northern Tract 19907 – Everly at Parklane) of the Subarea 29 Specific Plan (see Exhibit B—Site Plan, attached). Overall, there are total of six floor plans and five architectural styles proposed, with each Planning Area providing three distinct floor plans that are described below.

Planning Area (PA) 28 (southern Tract 19909 – Greenly at Parklane) provides three, two-story floor plans (Plans 1-3) and five architectural styles. The Subarea 29 Specific Plan requires a minimum lot size of 4,000 square feet and a maximum 50 percent lot coverage. The typical lot dimension for this tract is 50 feet by 90 feet and lot sizes range from 4,931 to 10,915 square feet, with an average lot size of 5,517 square feet. The proposed lot coverages range from 19 to 38 percent. The proposed floor plans include the following:

- Plan 1: 2,449 square feet of living space, 4 bedrooms, loft, 3 bathrooms, 2-car garage (449 square-feet). Plan 1 provides three architectural styles including Spanish Colonial, Craftsman, and Farmhouse.
- Plan 2/2X: 2,547 square feet of living space, 2-car garage (416 square-feet), 4 bedrooms, loft, and 3 bathrooms. Plan 2 provides three architectural styles including Spanish Colonial, Farmhouse, and American Traditional. Plan 2X provides two architectural styles that include Spanish Colonial and Farmhouse.
- Plan 3: 2,700 square feet of living space, 2-car garage (416 square-feet), 4 bedrooms, loft, and 3 bathrooms. Plan 3 provides four architectural styles including Spanish Colonial, Craftsman, American Traditional, and Andalusian.

Planning Area 29 (northern Tract 19907 – Everly at Parklane) features three, two-story floor plans (Plans 4-6) and five architectural styles. The Subarea 29 Specific Plan requires a minimum lot size of 4,000 square feet and a maximum 50 percent lot coverage. The typical lot dimension for this tract is 55 feet by 90 feet and lot sizes range from 4,485 to 10,500 square feet, with an average lot size of 5,377 square feet. The proposed lot coverages range from 22 to 44 percent. The proposed floor plans include the following:

- Plan 4/4X: 2,985 square feet of living space, 3-car garage (631 square-feet), 5 bedrooms, and 3 bathrooms. Plan 4/4X provides four architectural styles including Spanish Colonial, Craftsman Farmhouse, and American Traditional.

- Plan 5: 3,105 square feet of living space, 3-car garage (637 square-feet), 5 bedrooms, loft, and 3 bathrooms. Plan 5 provides three architectural styles including Spanish Colonial, Craftsman, and Farmhouse.
- Plan 6: 3,381 square feet of living space, 3-car garage (606 square-feet), 5 bedrooms, loft, and 3 bathrooms. Plan 6 provides four architectural styles including Spanish Colonial, Craftsman, American Traditional, and Andalusian.

Furthermore, the front entrances of all homes are oriented toward the street, with a combination of shallow and mid-recessed front-facing garage entrances located 6 to 12 feet behind the front porch or living area entrance. Each building incorporates numerous design features and elements, such as single and second-story massing, varied entries, porches, a great room, and options for additional bedrooms. The first floor consists primarily of the main living area, including the great room, kitchen, and dining area; however, some floor plans include a Next Gen suite (one bedroom/one bathroom living space for guests or extended family) located near the front entrance. The second floor consists of bedrooms, bathrooms, a laundry room, and loft area. Additionally, 189 homes will provide a 2-car garage and 37 homes will provide a tandem third-car garage space.

[3] Architecture — The architectural philosophy of the Subarea 29 Specific Plan is based on architectural styles found in Ontario’s historic neighborhoods. The inspiration and design intent are to recapture the charm and essence of the historic home styles in Ontario and express them in the simple, honest manner that they originated. The proposed architectural styles include Spanish Colonial, Craftsman, Farmhouse, American Traditional, and Andalusian. These styles were chosen to complement one another through the overall scale, massing, proportions, details, and the ability to establish an attractive backdrop that will age gracefully over time.

The architectural styles proposed will include the following features (see Exhibit C—Front Elevations and Floor Plan, attached):

- Spanish Colonial: Varying gable roofs with “S” type roof tiles, stucco exterior, square windows openings, arched porch and entryways, decorative barrel tiles below gable ends, wrought-iron elements, and cantilevered elements with decorative corbels.
- Craftsman: Varying gabled roofs with flat shake roof tiles, stucco exterior with board and batten siding, brick base treatments, rafters/knee braces, and enhanced window trim details.
- Farmhouse: Varying gable, hipped, and shed roofs with concrete flat roof tiles; stucco exteriors with vertical and horizontal wood siding details; enhanced window trim details; and outlookers.

- American Traditional: Varying gable and cross gable roofs with flat concrete roof tiles, horizontal wood siding, cantilevered elements with corbels, covered porches with wood columns and brick base treatments, gable vents, and decorative window framing.
- Andalusian: Simple hip and gable roofs with “S” type roof tiles, stucco exterior, enhanced articulation at entrances, and decorative window framing.

[4] Site Access/Circulation — The project site will have primary access from Haven Avenue, which runs north-south along the eastern frontage of the project site, Parkview Street, which runs east-west along the northern frontage, and from Merrill Avenue, which runs east-west along the southern frontage (see Exhibit B—Site Plan, attached). The developer is responsible for the construction of the remaining backbone street improvements and all interior neighborhood streets necessary to serve the project.

[5] Parking — Each single-family dwelling includes a two-car garage and a driveway that can accommodate two cars. In addition, plans 4/4X, 5, and 6 provide a tandem third-car garage space, for a total of 941 off-street parking spaces provided for the project, exceeding the off-street parking requirements of the Subarea 29 Specific Plan and the City’s Development Code.

Table 1: Summary of Parking Analysis Per Unit

<i>Product</i>	<i>Number of Units</i>	<i>Garage Spaces</i>	<i>Driveway Parking Spaces</i>	<i>On-Street Parking</i>	<i>Total Spaces Provided</i>	<i>Req. Per Unit</i>	<i>+/- Parking</i>
SF – Conventional	189	2	2		756	2 per unit	
SF – Tandem Space	37	3	2		185		
Total	226	489	452	265	941	452	+754
					5.34 spaces per unit		

[6] Landscaping — The Development Plan features sidewalks separated by landscaped parkways, which provide visual interest and promotes pedestrian mobility. All homes will be provided with front yard landscaping (lawn, shrubs, and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for front, side, and rear yard landscaping maintenance, and for side and rear landscape improvements. The homeowner’s association will be responsible for the maintenance of landscaping and irrigation within all common areas and parkways of all local streets (See Exhibit D—Landscape Plan and Exhibit E—Typical Plotting).

The applicant has proposed a wall and fence plan to match the adjacent neighborhood, which is consistent with the requirements set forth within the Subarea 29 Specific Plan. Decorative 6-foot high, split-face block walls with decorative split-face pilasters are proposed for all public-facing front, side, and rear walls. The interior property line privacy

fencing will consist of a 6-foot high tan precision block with a split-face decorative cap treatment, matching the perimeter wall color.

The primary entrance for Tract 19907 will feature a neighborhood monument sign located at the north entrance, at Parkview Street and Anderson Avenue, and a secondary entry monument sign will be located at the corner of Parkview Street and Haven Avenue. Tract 19909 will feature two neighborhood entry monument signs located at the south entrance at Merrill Avenue and Grayson Way, as well as the east entrance located at Austin Street and Haven Avenue. A primary entry monument sign will be installed at the corner of Merrill Avenue and Haven Avenue (see, Attachment B – Detail Plans and Elevations).

Approved Tract Nos. 19907 and 19909 facilitated the construction of a park, sidewalks, parkways, and a paseo. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents, resulting in a park area requirement of 1.72 acres. The combination of Lot “A” of Tract 19907 and Lot “J” of Tract 19909 provide a 2.01-acre centralized park that will serve both subdivisions. The park includes a large open turf area (180 feet by 120 feet) surrounded by shade trees, tot lot, play equipment, shade structures, barbeque areas, benches, and a meandering sidewalk.

The project also includes a 0.97-acre basin located within the southern portion of the project site, at the northeast corner of Grayson Way and Kane Drive, which has been designed for dual-purpose use for both stormwater water quality and as an open space amenity. The intent is to create a safe open space for the community to utilize while maintaining the required capacity for water quality purposes. The basin has been designed with trees and landscaping on the outer edges, gentle side slopes, and a centered open space area. A meandering trail will enter the open space (basin bottom), incorporate dry/wet stream beds, and provide appropriate plant material to encourage habitat as well as provide signage to educate the community.

Two paseos are proposed along the western portion of Tract 19907 to connect to the existing 30-foot wide SCE multipurpose trail, which will include a 10-foot wide stabilized decomposed granite paseo and 20 feet of landscaping. Lastly, a 10-foot wide parkway, 5-foot wide sidewalk, and 8-foot wide multipurpose trail within the 40-foot neighborhood edge is proposed along Haven Avenue. The residents will also have access to the neighborhood park system, which include the main public park (Celebration Parks North and South) through pedestrian corridors that connect the neighborhoods to the schools, parks, and regional trail system.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of

choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

- H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

- H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

- CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

- CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed

project is consistent with the number of dwelling units (226 units) and density (4.2 du/ac) specified in the Available Land Inventory.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Mass Graded	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 28 and 29 (Conventional Medium Lot)
<i>North</i>	Vacant with Previous Agricultural/Dairy Uses	Low Density Residential	Subarea 29 Specific Plan	Planning Area 31 (Conventional Medium Lot)
<i>South</i>	Single-Family Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 27 (Conventional Medium Lot)
<i>East</i>	Vacant	Low Density Residential	SP (AG)	N/A
<i>West</i>	Residential	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 25 and 26 (Cluster Homes)

Off-Street Parking:

<i>Product</i>	<i>Number of Units</i>	<i>Garage Spaces</i>	<i>Driveway Parking Spaces</i>	<i>On-Street Parking</i>	<i>Total Spaces Provided</i>	<i>Req. Per Unit</i>	<i>+/- Parking</i>
SF – Conventional	189	2	2		756	2 per unit	
SF – Tandem Space	37	3	2		185		
Total	226	489	452	265	941	452	+754
					5.34 spaces per unit		

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	N/A	53.79 ac	Y
<i>Maximum project density (dwelling units/ac):</i>	4-6 du/ac	4.2 du/ac	Y
<i>Maximum coverage (in %):</i>	50%	TM 19907 ranges 22 to 44% TM 19909 ranges 19 to 38%	Y
<i>Minimum lot size (in SF):</i>	4,000 SF	TM 19907 ranges 4,485 to 10,500 SF TM 19909 ranges 4,931 to 10,915 SF	Y
<i>Minimum lot depth (in FT):</i>	80 FT	80 FT to 90 FT	Y
<i>Minimum lot width (in FT):</i>	Front – 50 FT Corner – 55 FT	Front – 50 FT Corner – 55 FT	Y

Planning Commission Staff Report

File No.: PDEV20-006

September 22, 2020

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Front yard setback (in FT):</i>	To Living Area – 12 FT To Porch/Balcony – 10 FT To Garage – 20 FT	To Living Area – 12 FT To Porch/Balcony – 10 FT To Garage – 20 FT	Y
<i>Side yard setback (in FT):</i>	5 FT	5 FT	Y
<i>Rear yard setback (in FT):</i>	10 FT	20 FT to 35 FT	Y
<i>Maximum height (in FT):</i>	35 FT	28 FT	Y

Exhibit A—PROJECT LOCATION MAP



Exhibit B—SITE PLAN



Exhibit B—SITE PLAN (Tract 19907: Everly at Parklane)



Exhibit B—SITE PLAN (Tract 19909: Greenly at Parklane – Southern Tract)

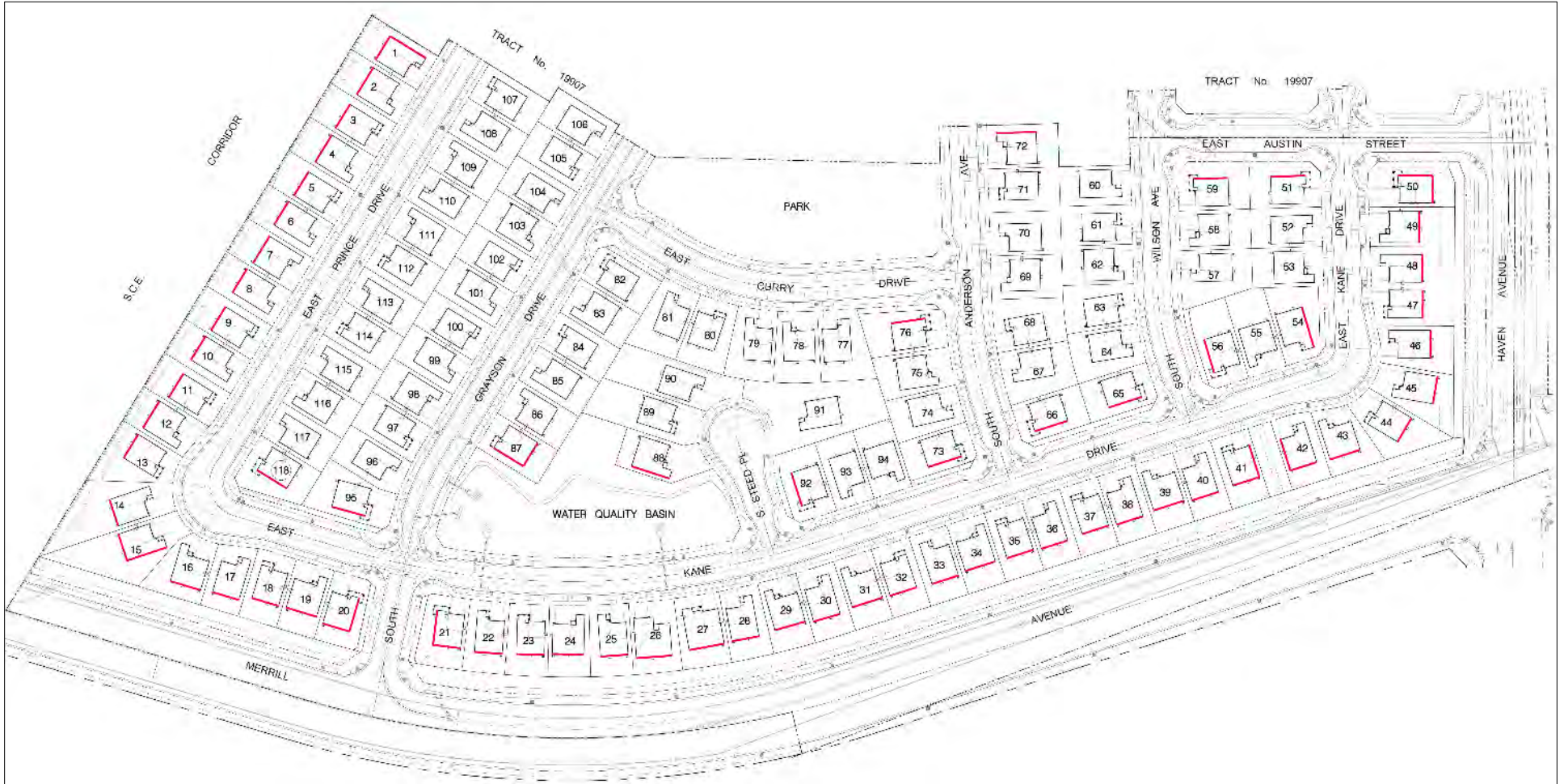


Exhibit C—PLAN 1: FRONT ELEVATIONS AND FLOOR PLAN



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"A" SPANISH COLONIAL



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"C" FARMHOUSE



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"B" CRAFTSMAN



SECOND FLOOR PLAN

FIRST FLOOR PLAN

Exhibit C—PLAN 2: FRONT ELEVATIONS AND FLOOR PLAN



Exhibit C—PLAN 2X: FRONT ELEVATIONS AND FLOOR PLAN



Exhibit C—PLAN 3: FRONT ELEVATIONS AND FLOOR PLAN



Exhibit C—PLAN 4: FRONT ELEVATIONS AND FLOOR PLAN



Exhibit C—PLAN 4X: FRONT ELEVATIONS AND FLOOR PLAN



Exhibit C—PLAN 5: FRONT ELEVATIONS AND FLOOR PLAN



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Refer to landscape drawings for wall, tree, and shrub locations

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"C" FARMHOUSE



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Refer to landscape drawings for wall, tree, and shrub locations

"B" CRAFTSMAN



SECOND FLOOR PLAN

FIRST FLOOR PLAN

Exhibit C—PLAN 6: FRONT ELEVATIONS AND FLOOR PLAN



Exhibit D—LANDSCAPE PLAN (Tract 19907: Everly at Parklane)



Exhibit D—LANDSCAPE PLAN (Tract 19909: Greenly at Parklane)



Exhibit E—TYPICAL PLOTTING PLAN



EXHIBIT F—Detailed Plans and Elevations

(Documents follow this page)

Parklane

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Greenly at Parklane

A-1	PLAN 1 (2449) - FLOOR PLANS
A-2	PLAN 1 (2449) - FRONT ELEVATIONS
A-3	PLAN 1 (2449) - SPANISH COLONIAL "A" ELEVATIONS
A-4	PLAN 1 (2449) - SPANISH COLONIAL "A" ELEVATIONS ENHANCED
A-5	PLAN 1 (2449) - CRAFTSMAN "B" ELEVATIONS
A-6	PLAN 1 (2449) - CRAFTSMAN "B" ELEVATIONS ENHANCED
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A-33	PLAN 3 (2700) - ANDALUSIAN "E" ELEVATIONS ENHANCED
A-34	PLAN 3 (2700) - ROOF PLANS
A-35	PLAN 3 (2700) - ROOF PLANS

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Everly at Parklane

A-36	PLAN 4 (2985) - FLOOR PLANS
A-37	PLAN 4 (2985) - FRONT ELEVATIONS
A-38	PLAN 4 (2985) - SPANISH COLONIAL "A" ELEVATIONS
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A-50	PLAN 4X (2985X) - SPANISH COLONIAL "A" ELEVATIONS
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A-52	PLAN 4X (2985X) - FARMHOUSE "C" ELEVATIONS
A-53	PLAN 4X (2985X) - AMERICAN TRADITIONAL "D" ELEVATIONS
A-54	PLAN 4X (2985X) - ROOF PLANS
A-55	PLAN 4X (2985X) - ROOF PLANS
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A-57	PLAN 5 (3105) - FRONT ELEVATIONS
A-58	PLAN 5 (3105) - SPANISH COLONIAL "A" ELEVATIONS
A-59	PLAN 5 (3105) - SPANISH COLONIAL "A" ELEVATIONS ENHANCED
A-60	PLAN 5 (3105) - CRAFTSMAN "B" ELEVATIONS
A-61	PLAN 5 (3105) - CRAFTSMAN "B" ELEVATIONS ENHANCED
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A-64	PLAN 5 (3105) - ROOF PLANS
A-65	PLAN 6 (3381) - FLOOR PLANS
A-66	PLAN 6 (3381) - FRONT ELEVATIONS
A-67	PLAN 6 (3381) - SPANISH COLONIAL "A" ELEVATIONS
A-68	PLAN 6 (3381) - SPANISH COLONIAL "A" ELEVATIONS ENHANCED
A-69	PLAN 6 (3381) - CRAFTSMAN "B" ELEVATIONS
A-70	PLAN 6 (3381) - CRAFTSMAN "B" ELEVATIONS ENHANCED

A-71	PLAN 6 (3381) - AMERICAN TRADITIONAL "D" ELEVATIONS
A-72	PLAN 6 (3381) - AMERICAN TRADITIONAL "D" ELEVATIONS ENHANCED
A-73	PLAN 6 (3381) - ANDALUSIAN "E" ELEVATIONS
A-74	PLAN 6 (3381) - ANDALUSIAN "E" ELEVATIONS ENHANCED
A-75	PLAN 6 (3381) - ROOF PLANS
A-76	PLAN 6 (3381) - ROOF PLANS
A-77	WRITTEN COLOR SCHEMES

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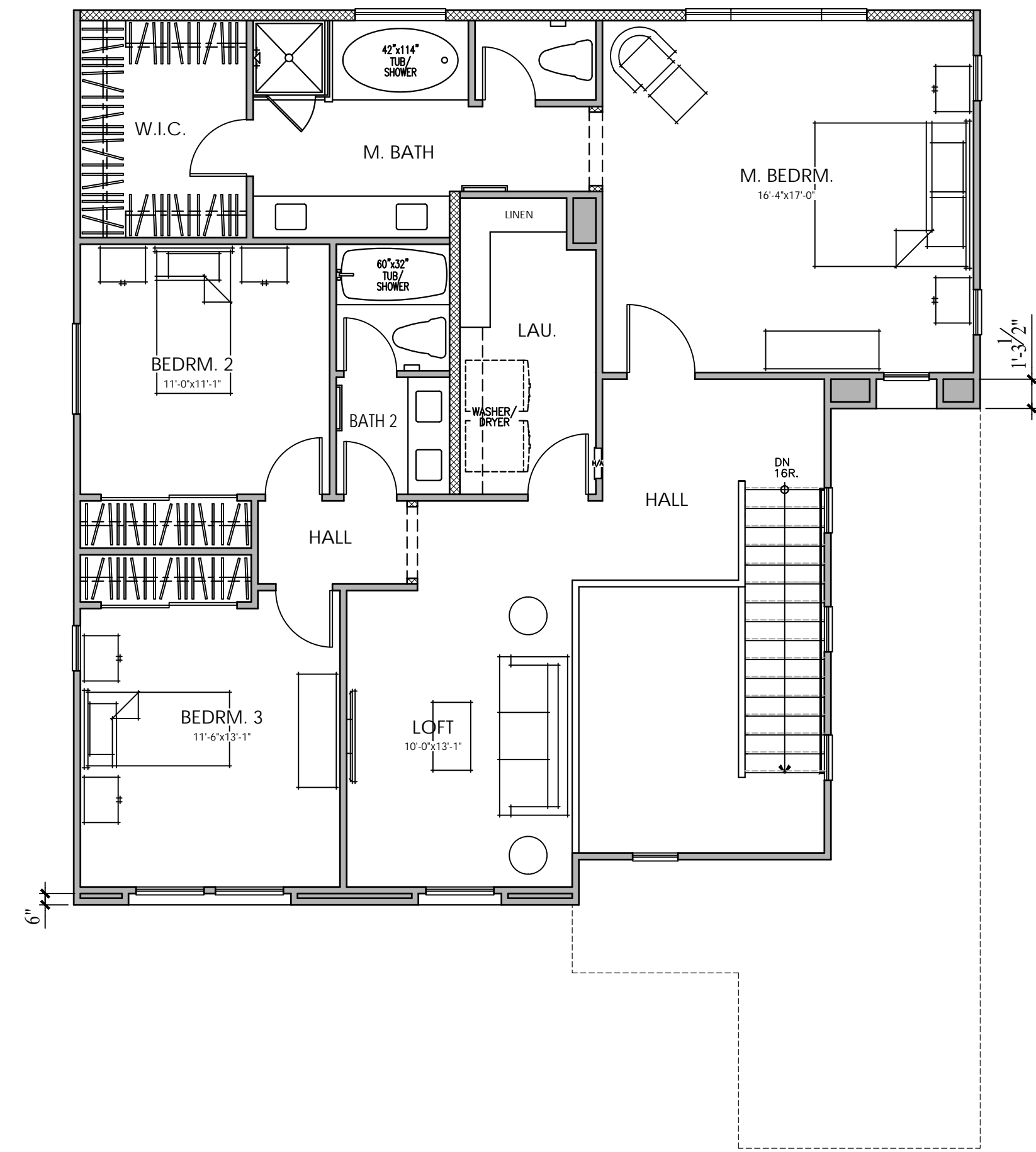
Parklane

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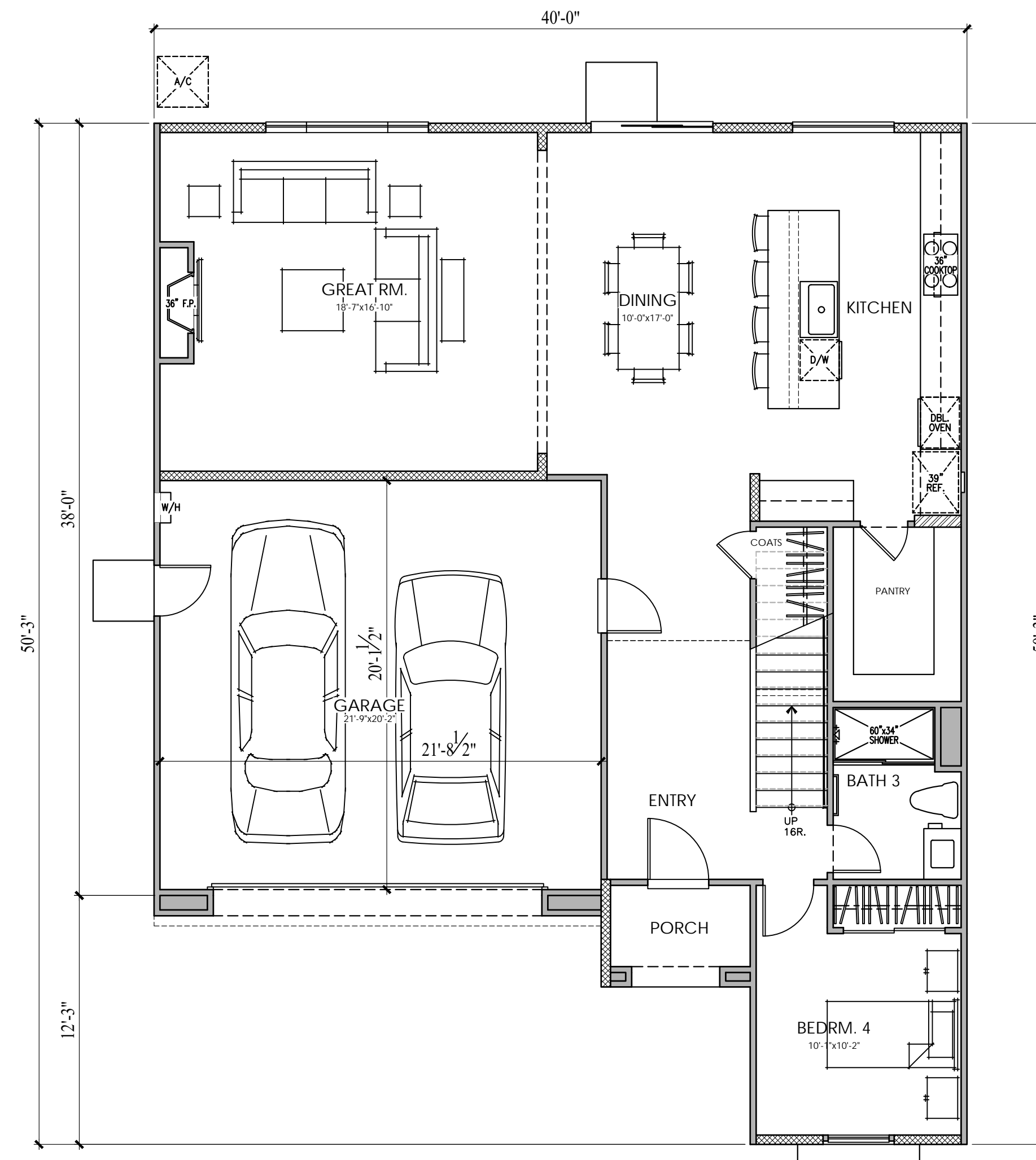
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SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA TABULATION

CONDITIONED SPACE	
FIRST FLOOR AREA	1,197 SQ. FT.
SECOND FLOOR AREA	1,252 SQ. FT.
TOTAL DWELLING	2,449 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	449 SQ. FT.
PORCH "A"	37 SQ. FT.
PORCH "B"	37 SQ. FT.
PORCH "C"	68 SQ. FT.

PLAN 1 (2449)
4 BEDROOM, 3 BATH, LOFT

Greenly at Parklane

ONTARIO, CA

40.2.2449.50.G2.3BA.99.K2.IY.MB2.FY.SLV

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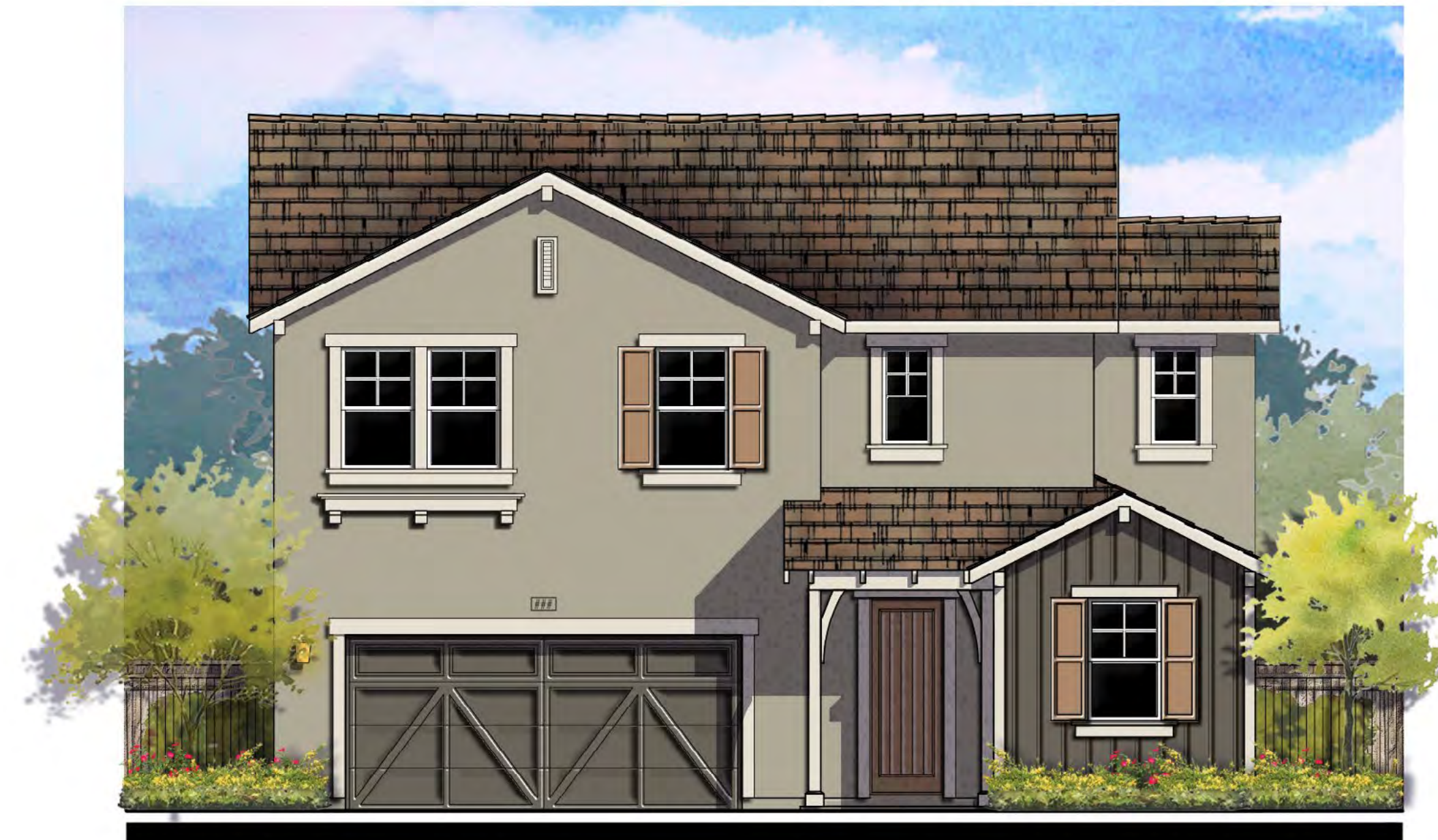
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"A" SPANISH COLONIAL



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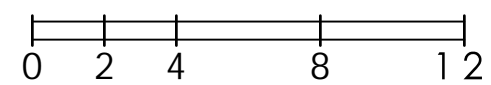
"B" CRAFTSMAN



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"C" FARMHOUSE

PLAN 1 (2449)
FRONT ELEVATIONS





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM



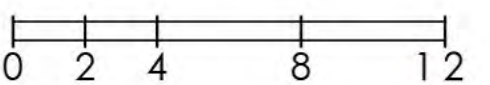
LEFT

COLOR SCHEME 1
PLAN 1 (2449)

"A" SPANISH COLONIAL - ELEVATION

Greenly at Parklane

ONTARIO, CA





ENHANCED RIGHT



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ENHANCED REAR

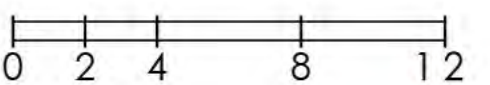
MATERIALS LEGEND
(WHERE OCCURS)

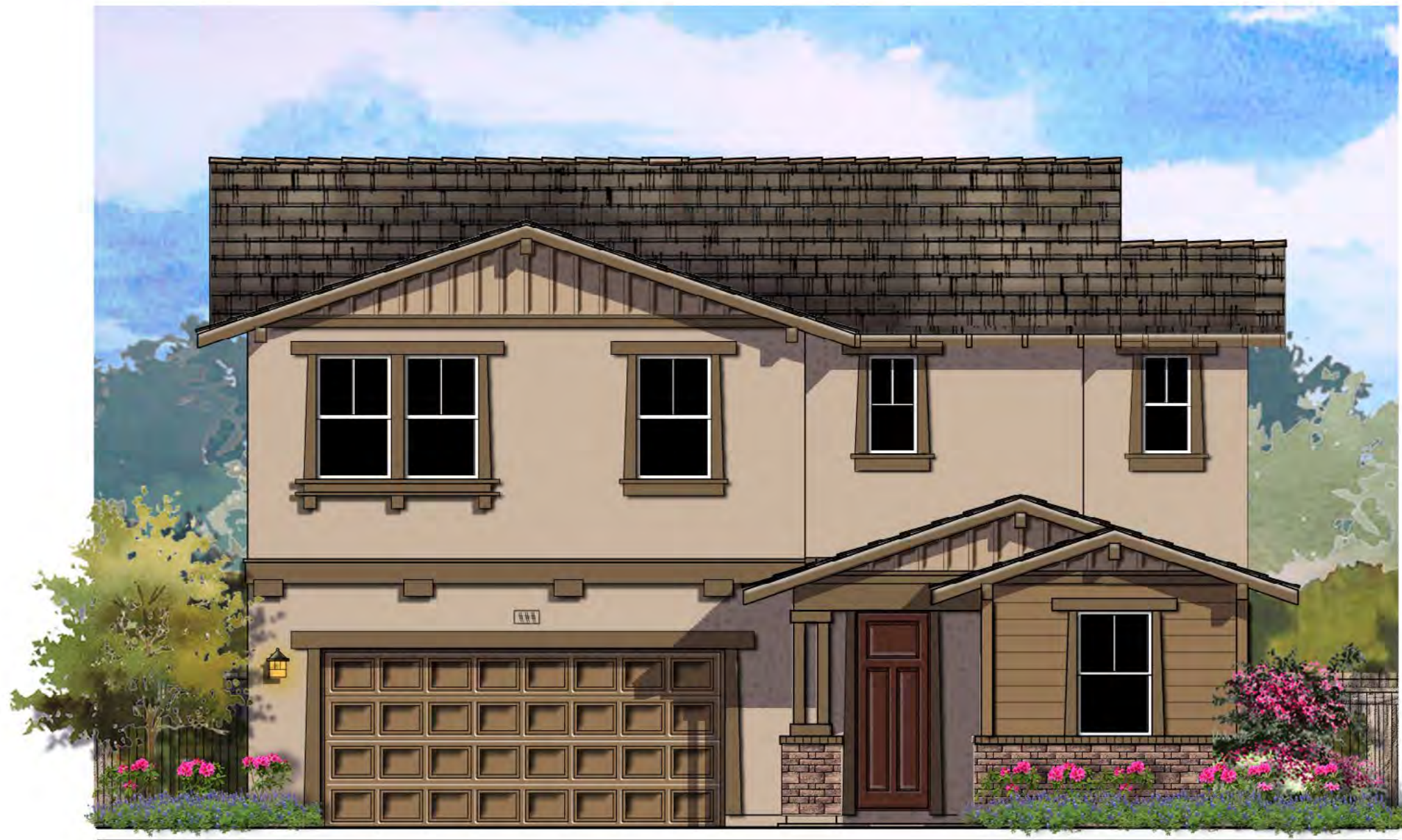
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL / KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 1

PLAN 1 (2449)

"A" SPANISH COLONIAL - ELEVATION

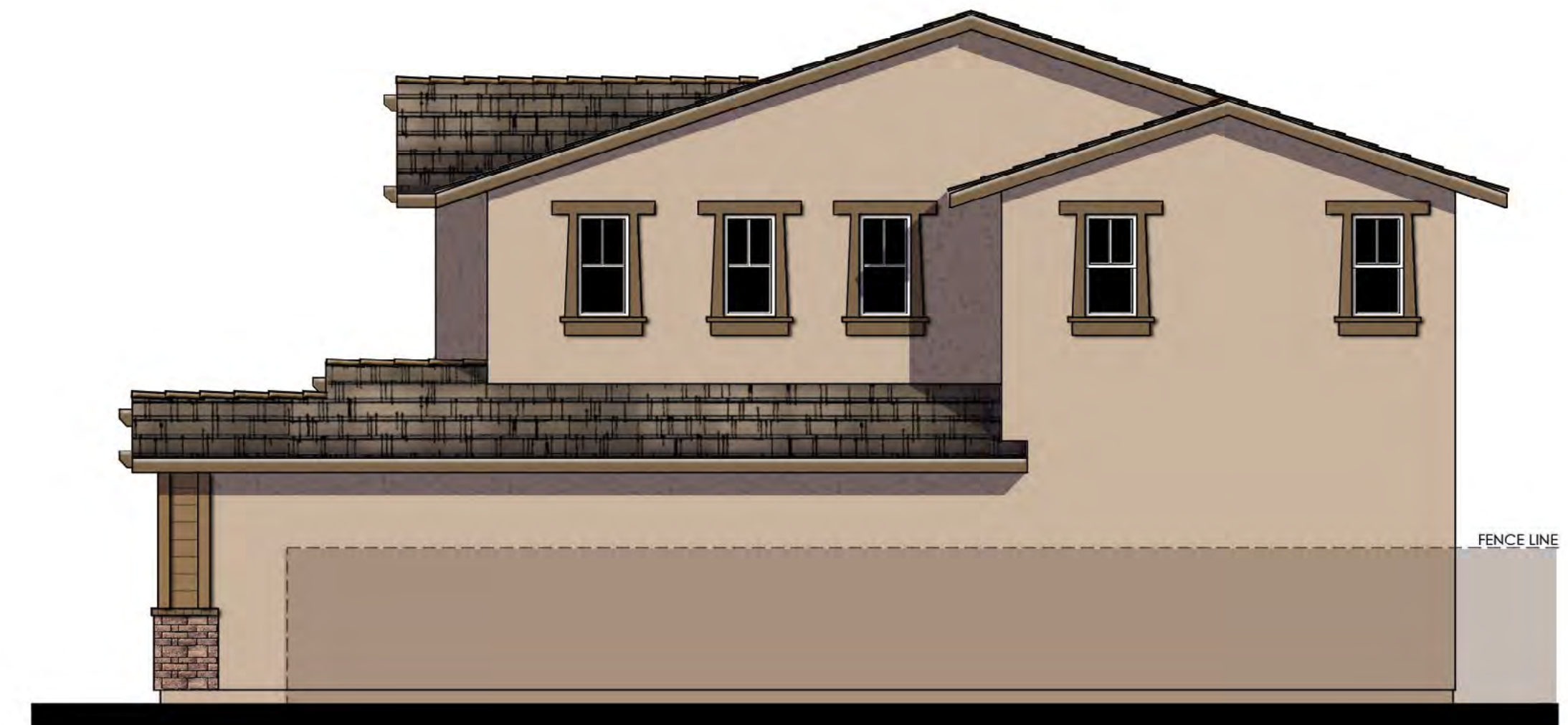




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FRONT



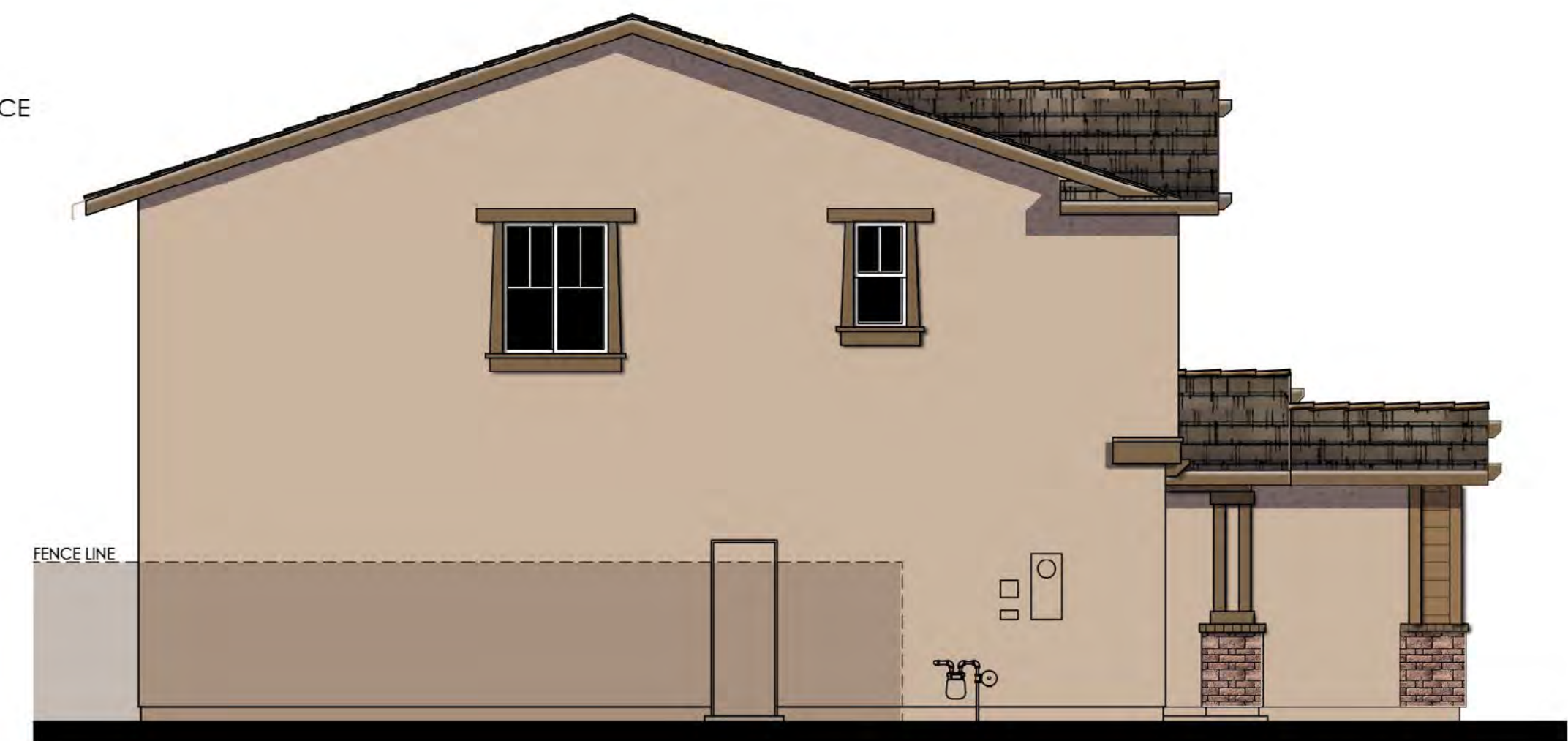
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER



LEFT

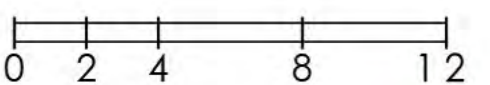
COLOR SCHEME 5

PLAN 1 (2449)

"B" CRAFTSMAN - ELEVATION

Greenly at Parklane

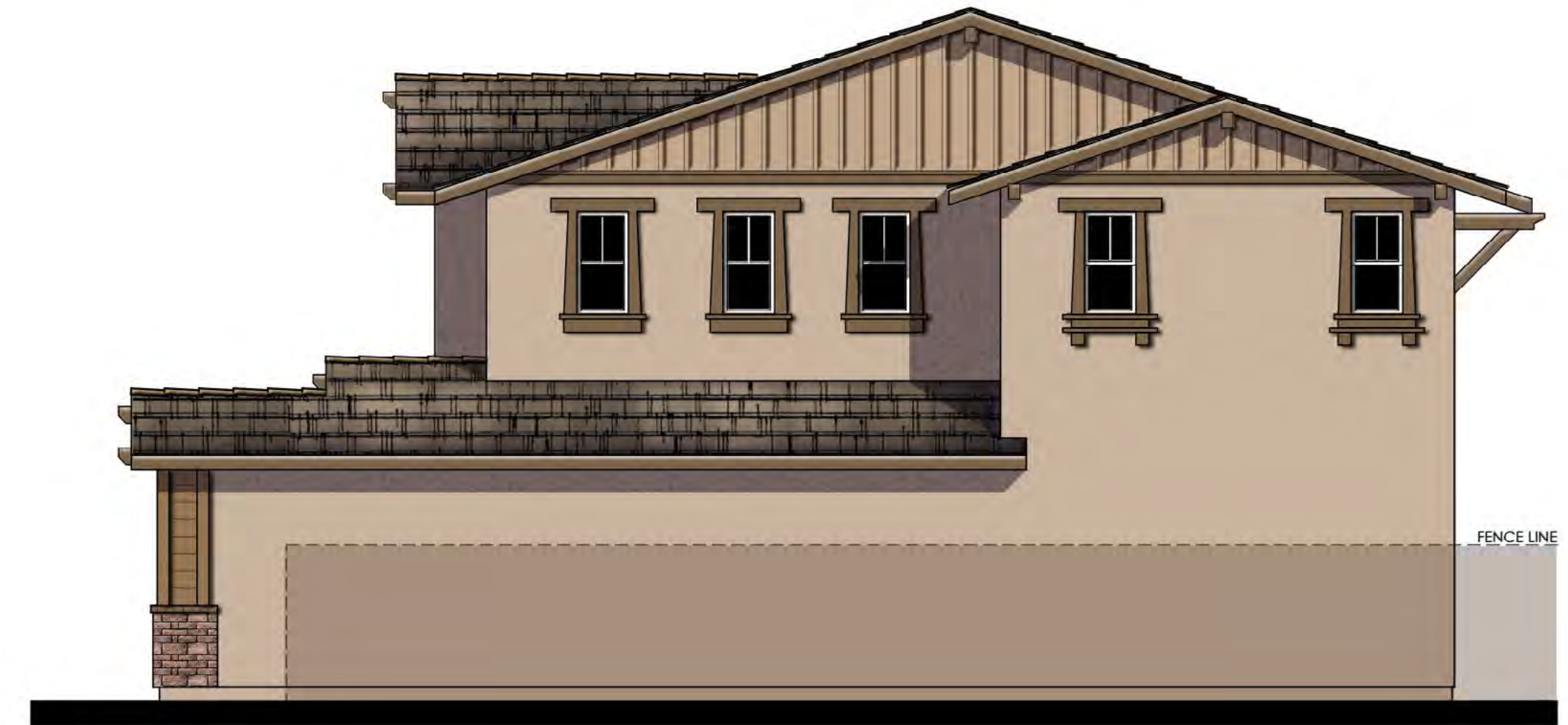
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ENHANCED REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER

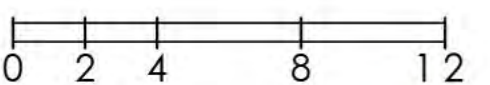
COLOR SCHEME 5

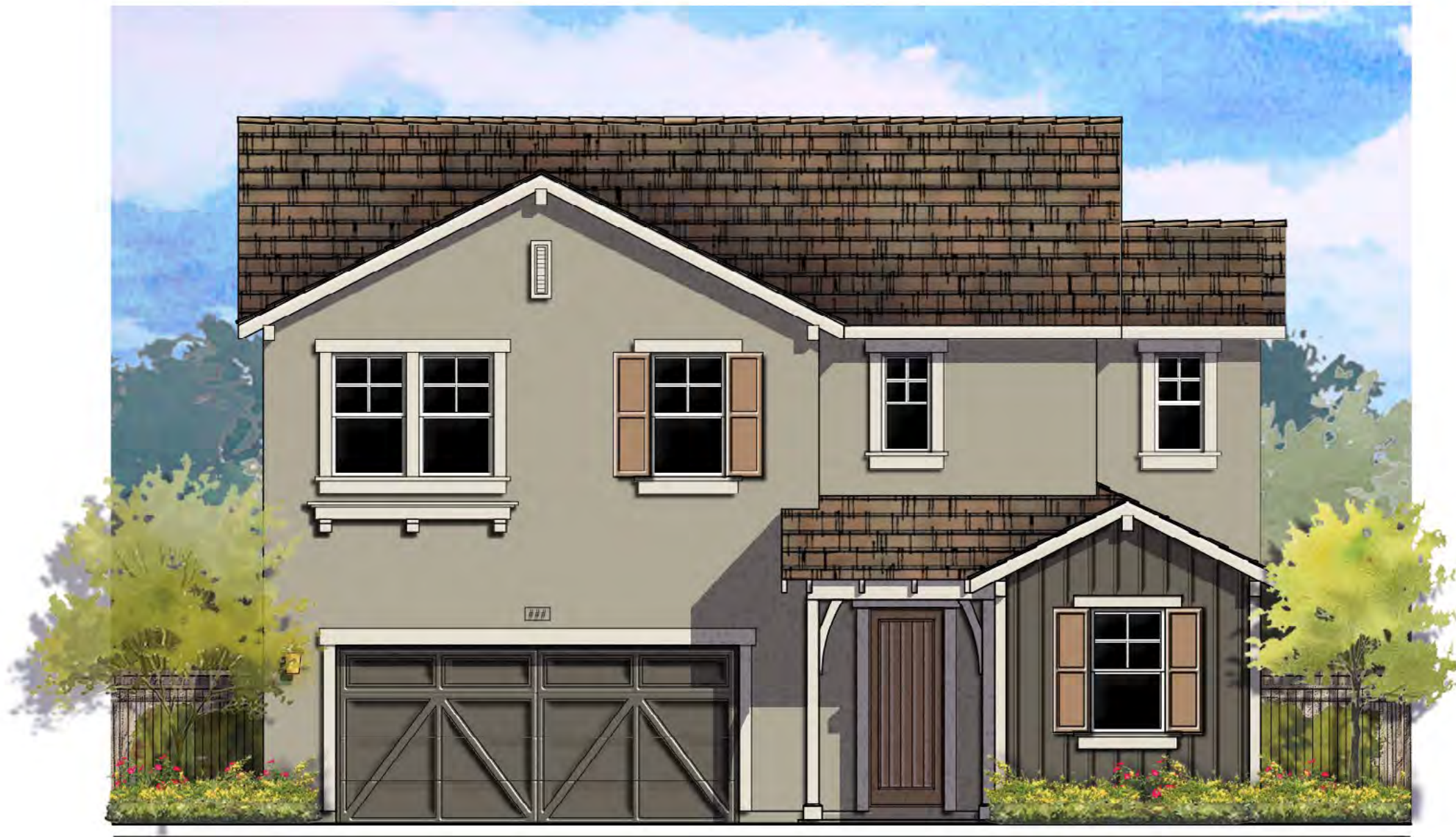
PLAN 1 (2449)

"B" CRAFTSMAN - ELEVATION

Greenly at Parklane

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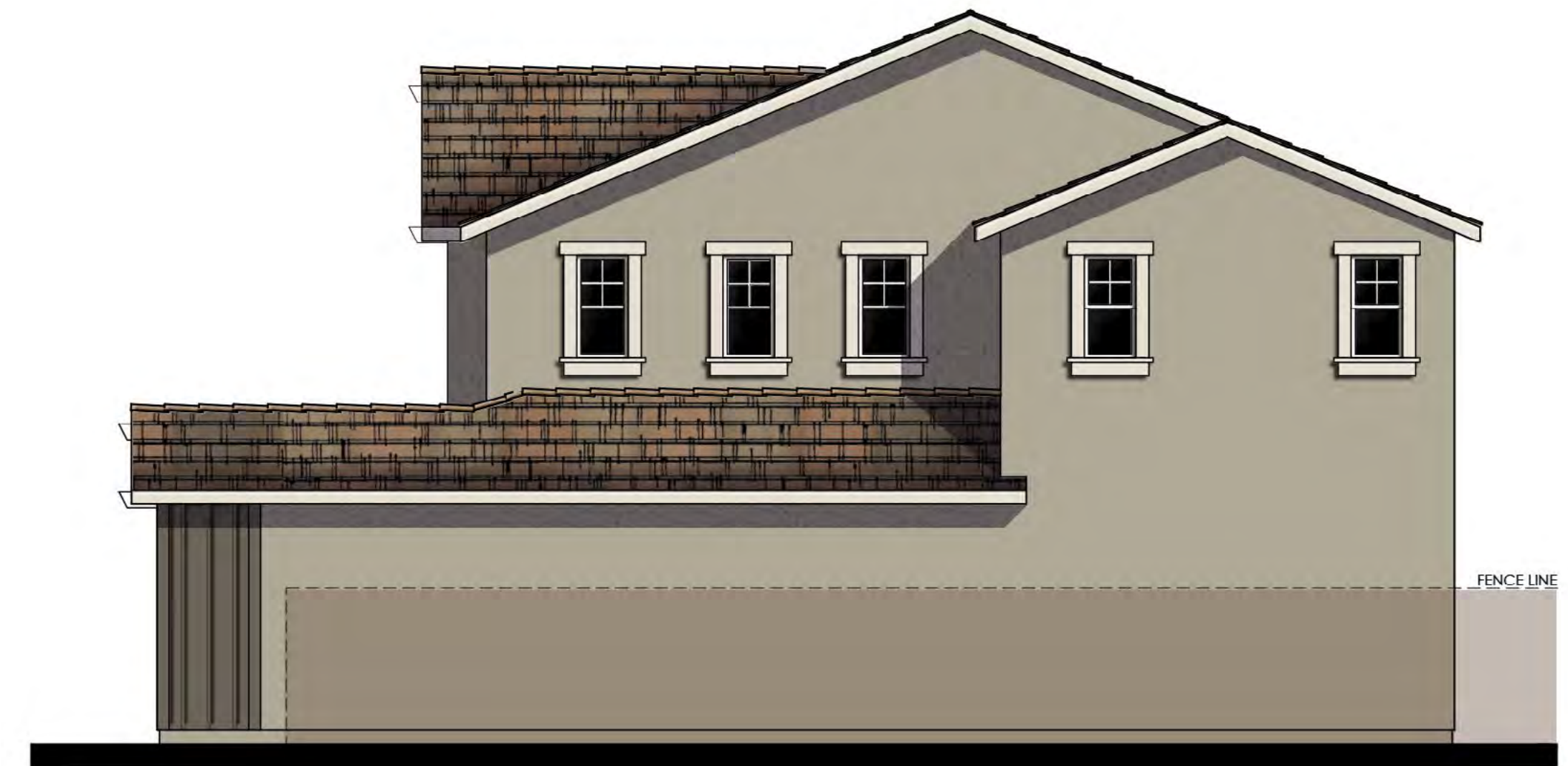




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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SID
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECOR.



LEFT

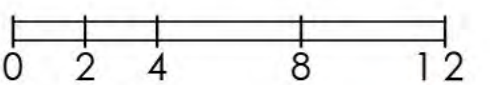
COLOR SCHEME 9

PLAN 1 (2449)

"C" FARMHOUSE - ELEVATION

Greenly at Parklane

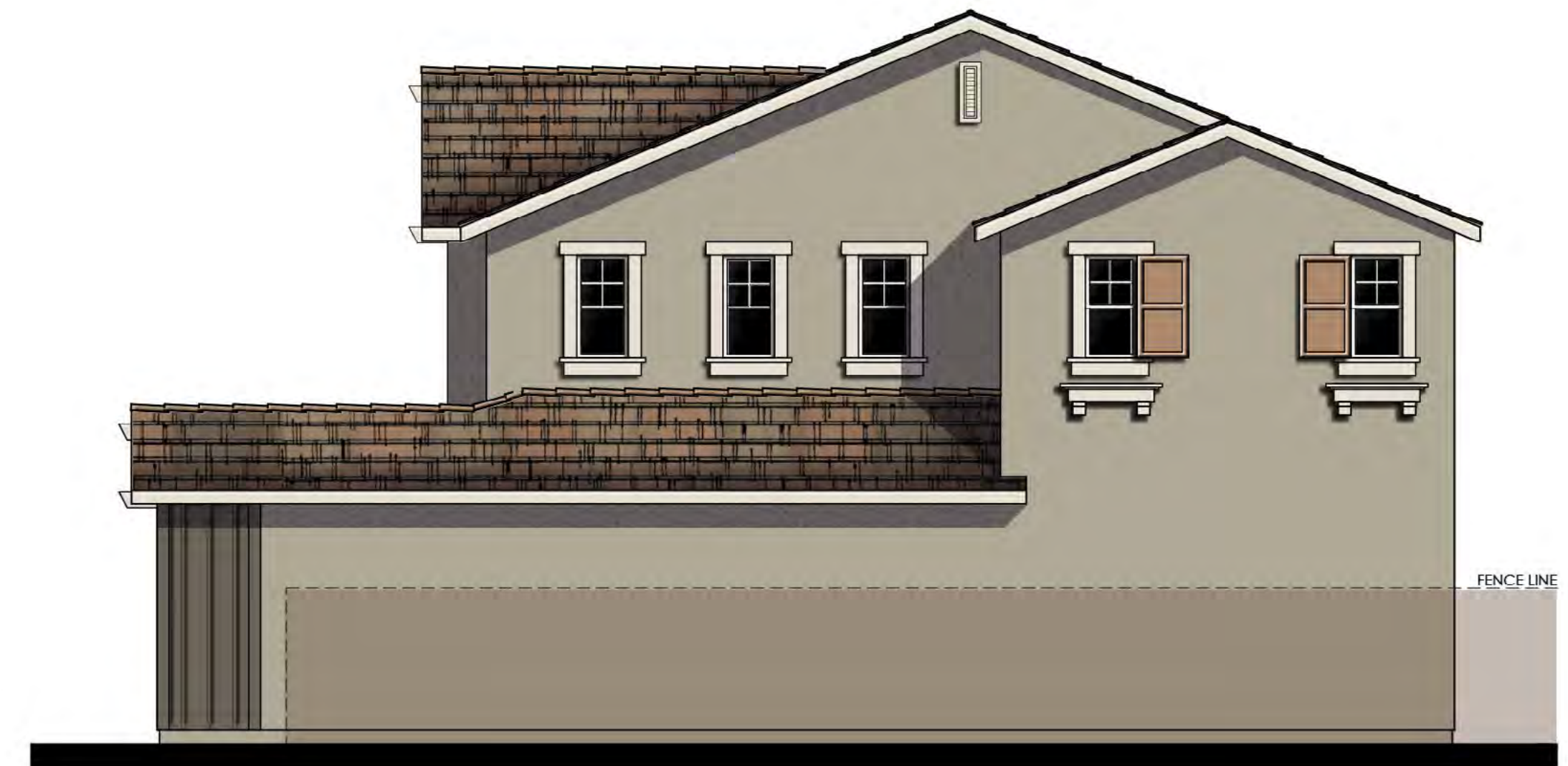
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ENHANCED RIGHT



ENHANCED REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KN
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECK

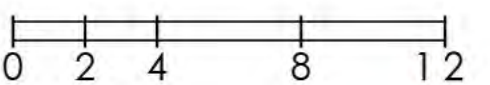
COLOR SCHEME 9

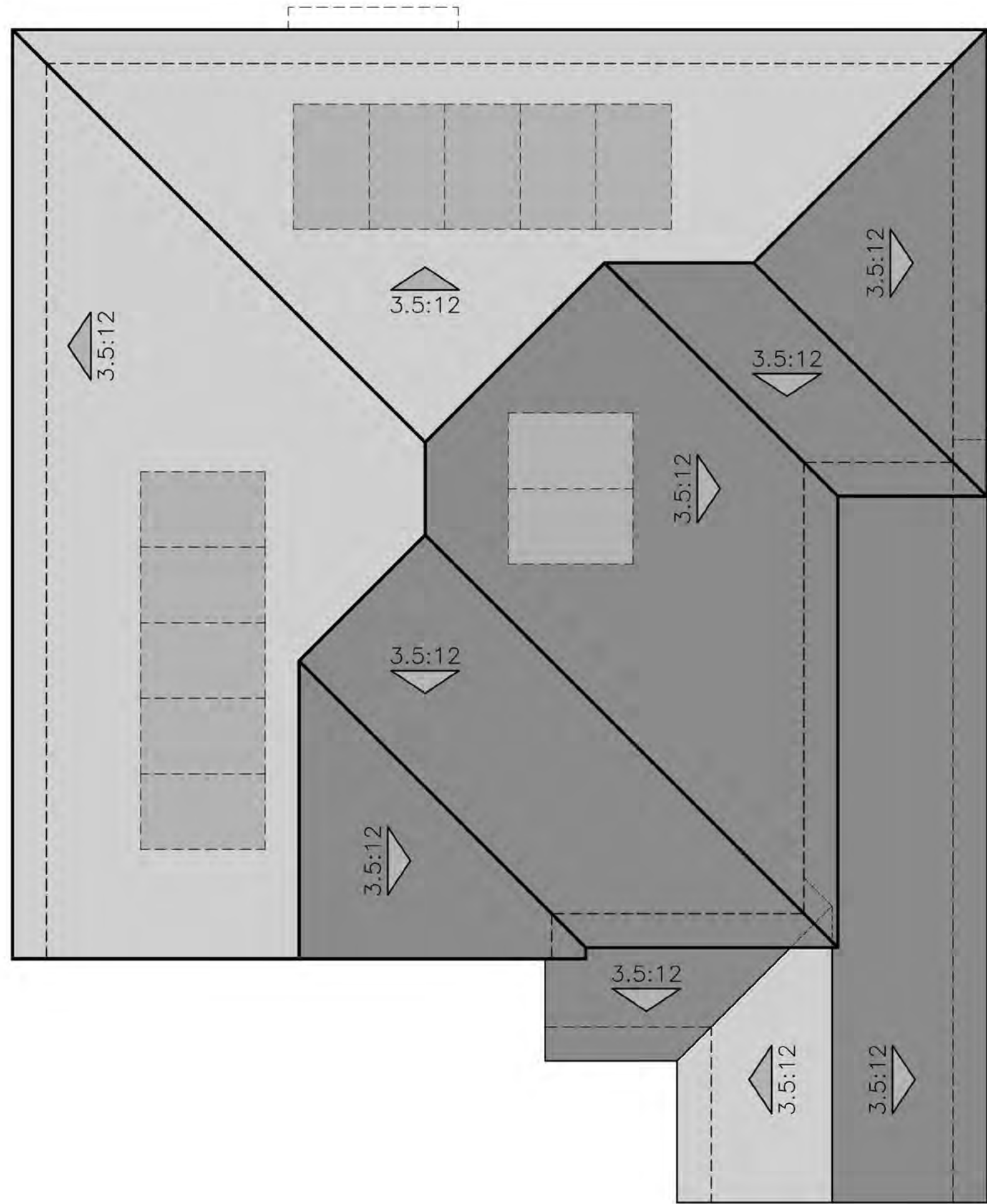
PLAN 1 (2449)

"C" FARMHOUSE - ELEVATION

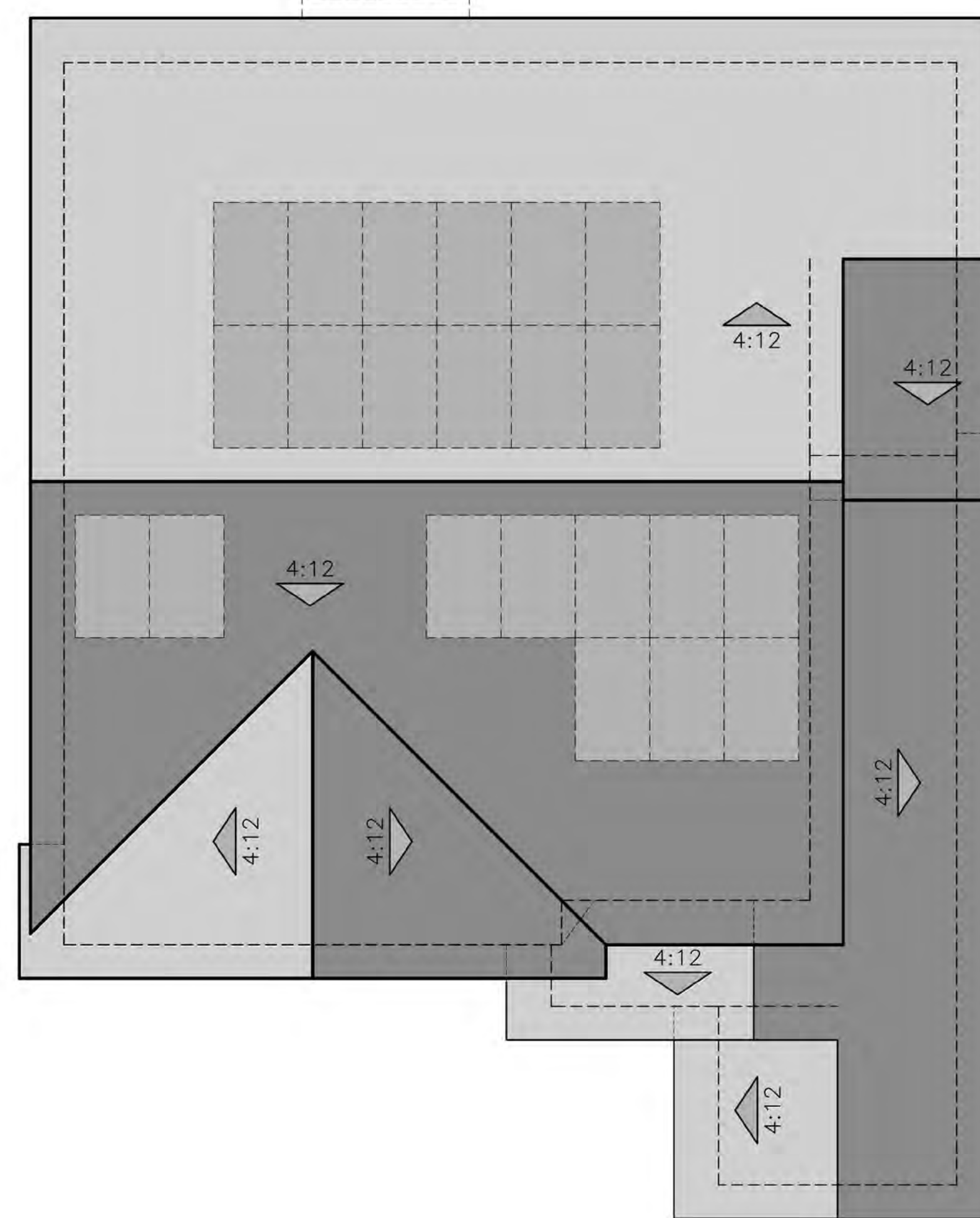
Greenly at Parklane

ONTARIO, CA

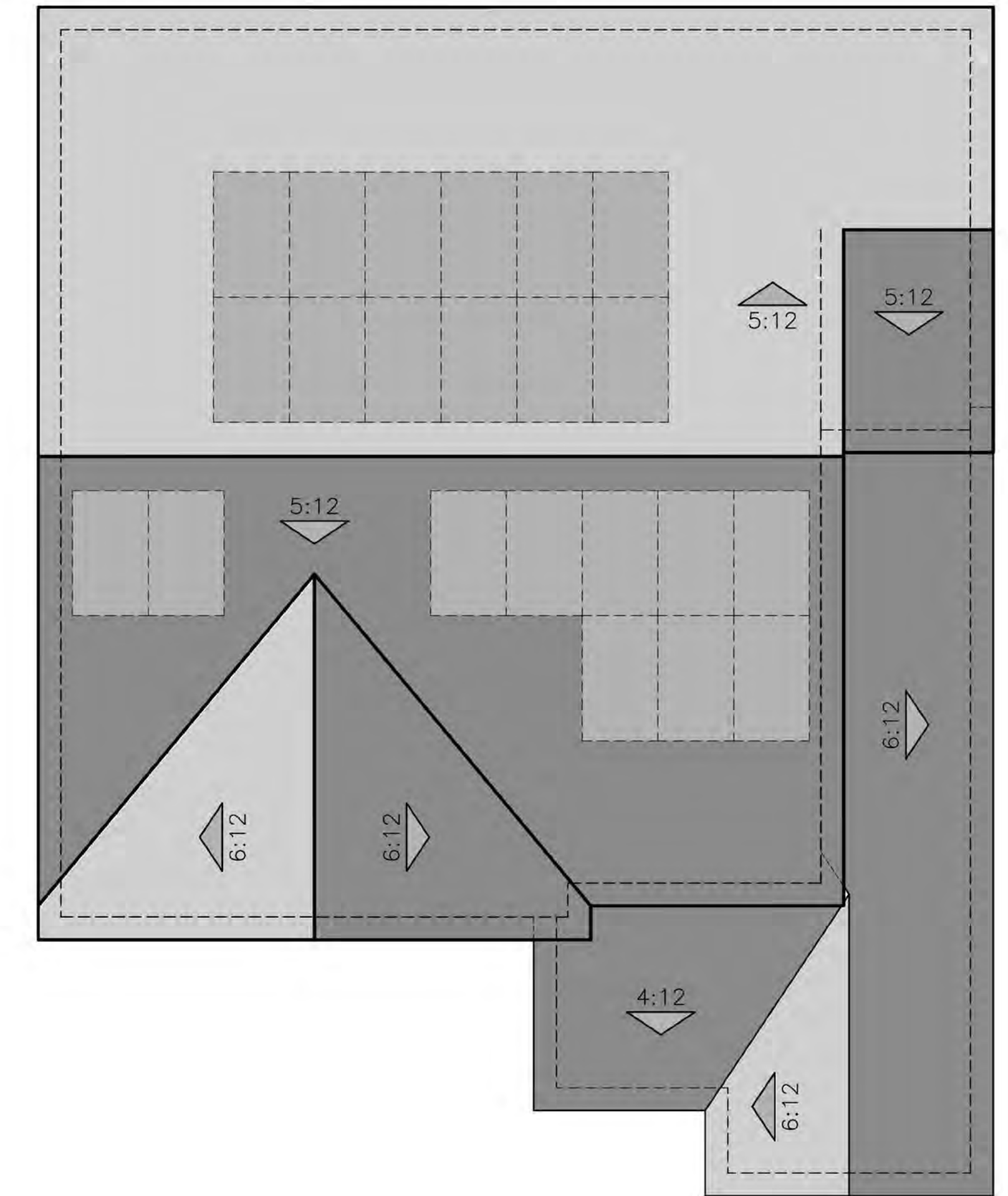




"A" SPANISH COLONIAL

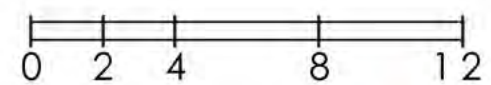


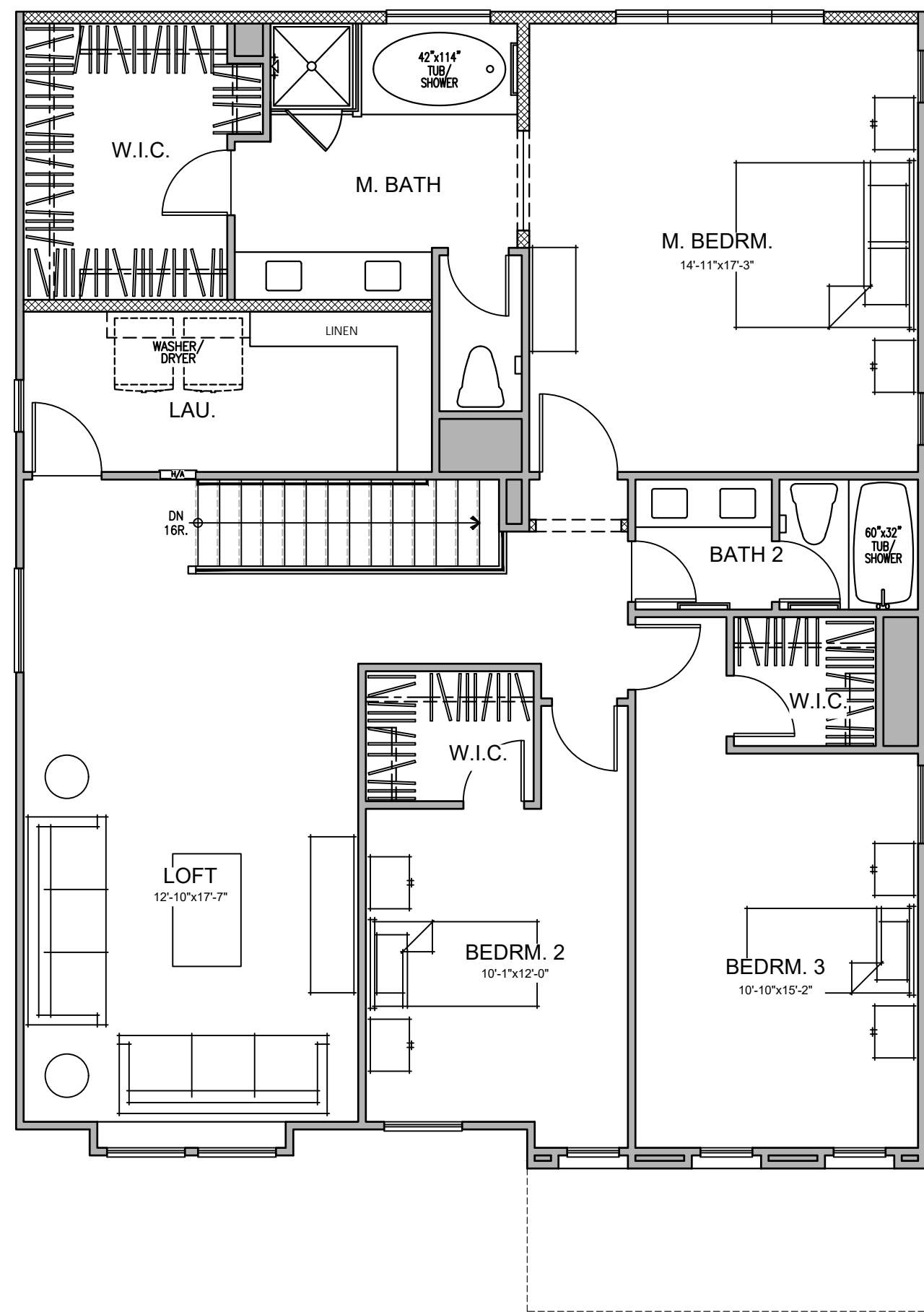
"B" CRAFTSMAN



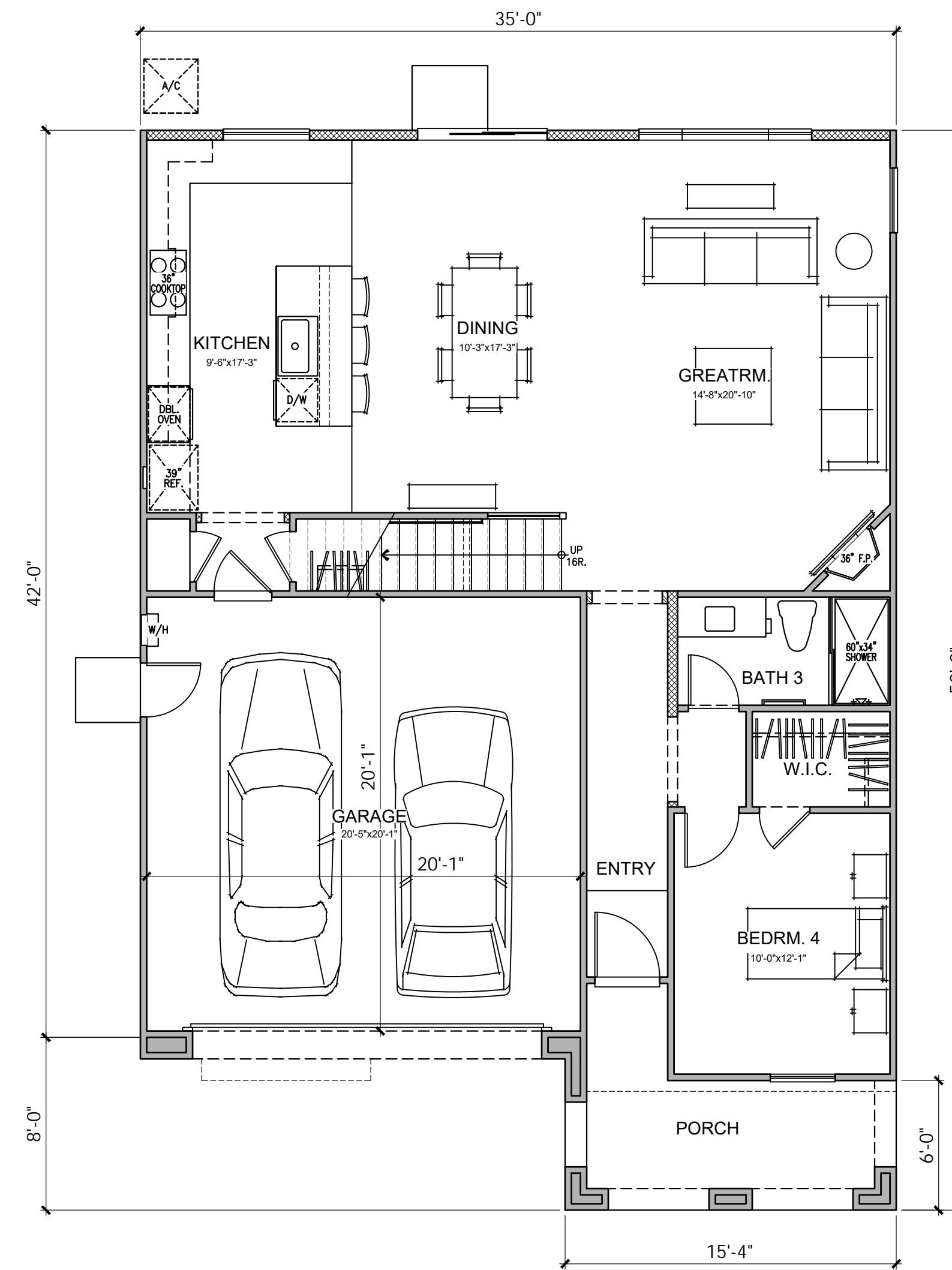
"C" FARMHOUSE

ROOF PLANS
PLAN 1 (2449)





SECOND FLOOR PLAN



FIRST FLOOR PLAN

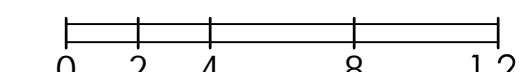
**PLAN 2
AREA TABULATION**

CONDITIONED SPACE	
FIRST FLOOR AREA	1,066 SQ. FT.
SECOND FLOOR AREA	1,481 SQ. FT.
TOTAL DWELLING	2,547 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	416 SQ. FT.
PORCH "A"	111 SQ. FT.
PORCH "C"	111 SQ. FT.
PORCH "D"	112 SQ. FT.

PLAN 2 (2547)
4 BEDROOM, 3 BATH, LOFT

Greenly at Parklane

ONTARIO, CA



35.2.2547.46.G2.3BA.99.K2.IY.MB2.FY.SLV

LENNAR

06/04/20
A-10

Kevin L. Crook
Architect
Inc
PLANNING + ARCHITECTURE

#19123



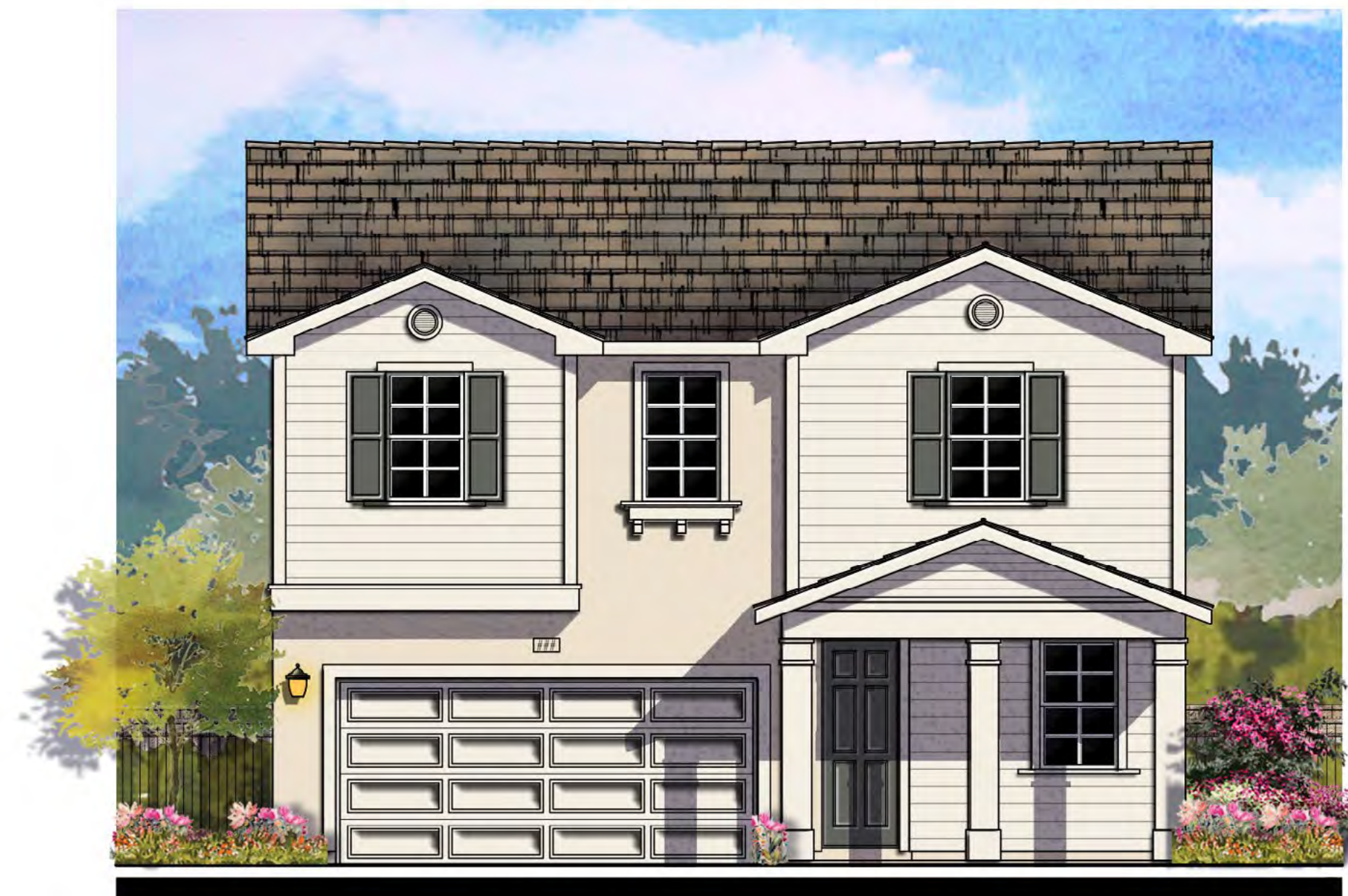
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"A" SPANISH COLONIAL



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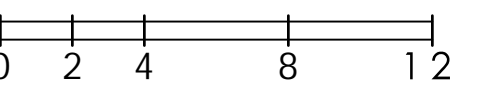
"C" FARMHOUSE



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"D" AMERICAN TRADITIONAL

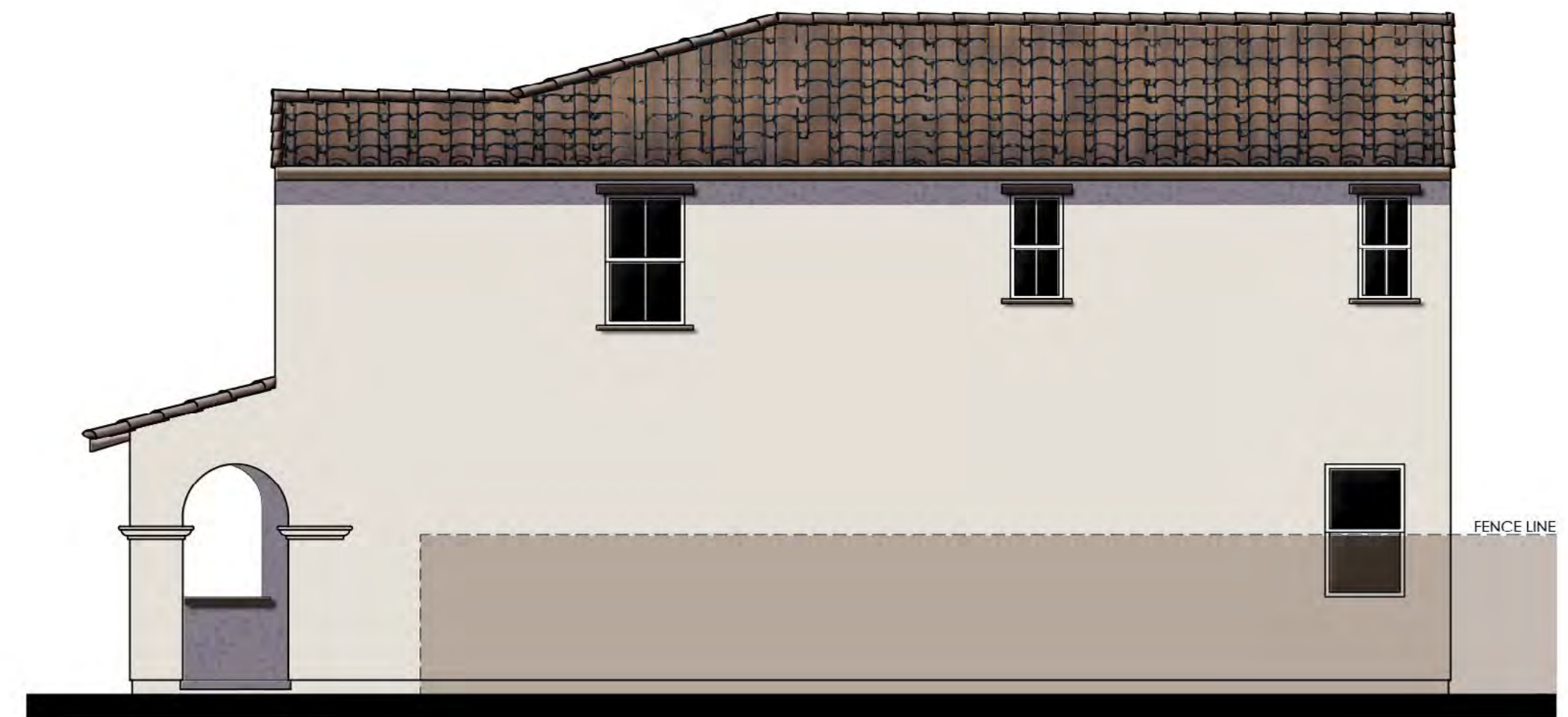
PLAN 2 (2547)
FRONT ELEVATIONS





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FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM



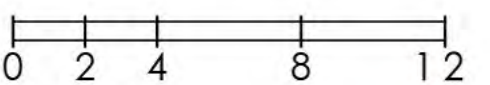
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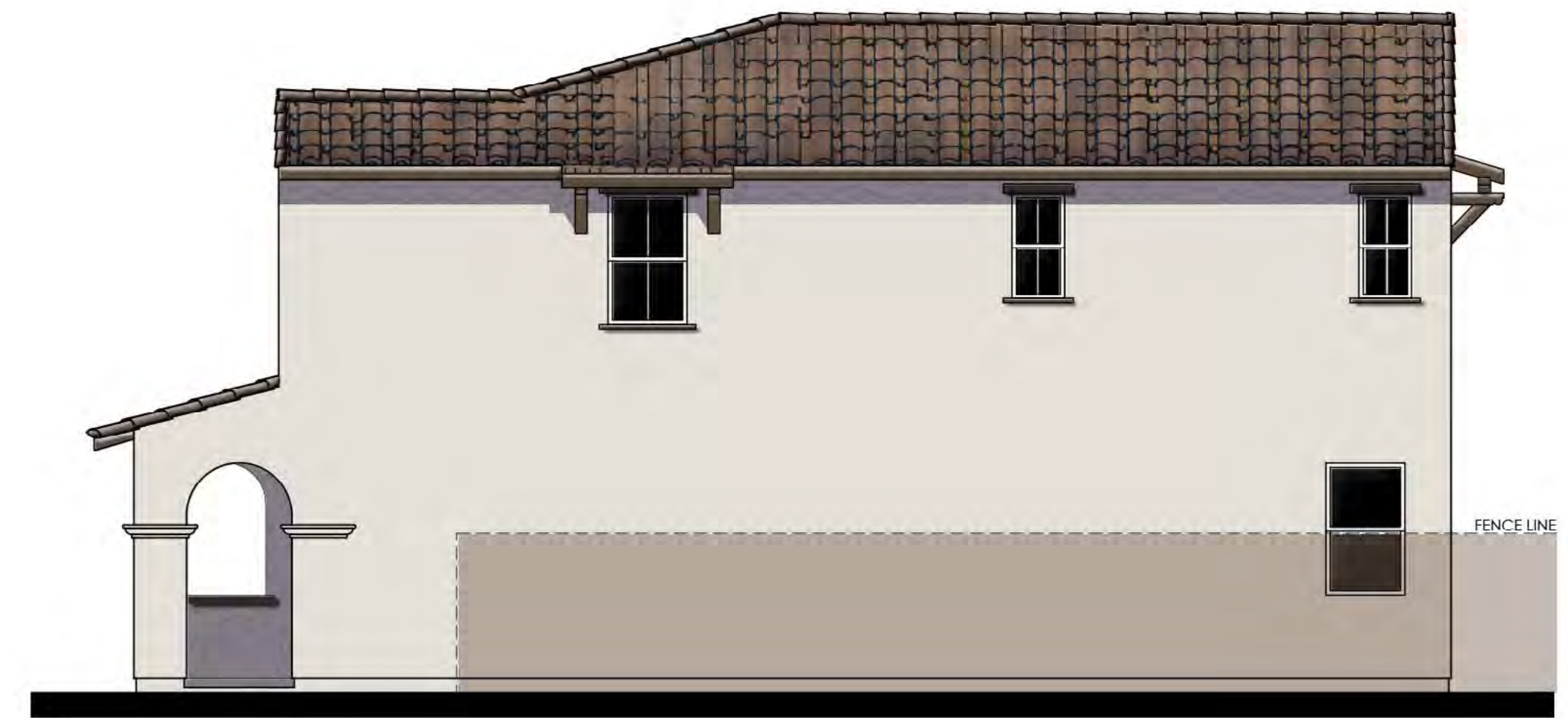
COLOR SCHEME 2
PLAN 2 (2547)

"A" SPANISH COLONIAL - ELEVATION

Greenly at Parklane

ONTARIO, CA





ENHANCED RIGHT



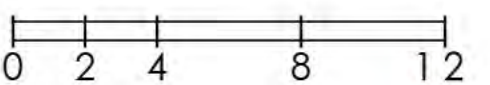
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ENHANCED REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL / KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

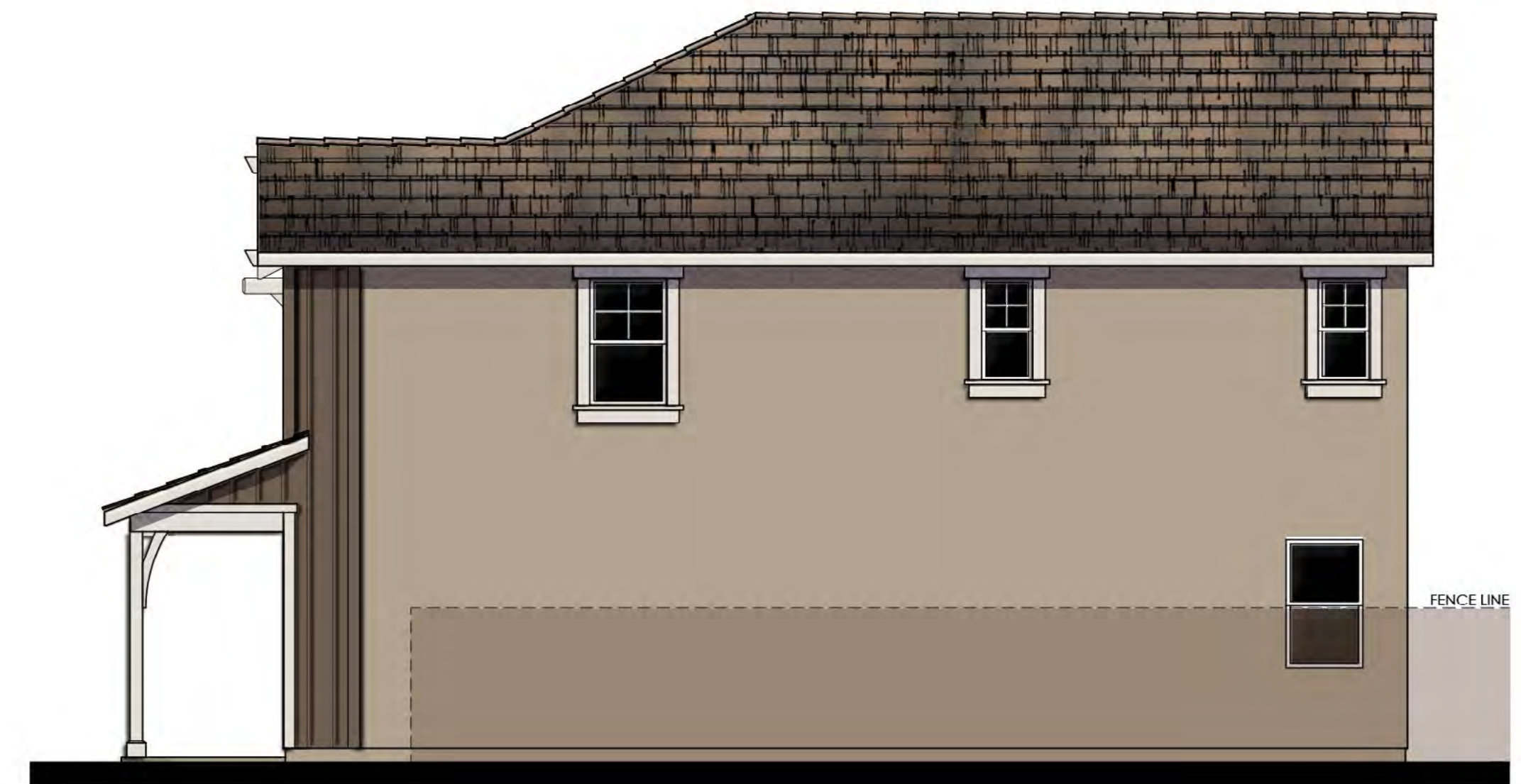
COLOR SCHEME 2
PLAN 2 (2547)
 "A" SPANISH COLONIAL - ELEVATION





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FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORATIVE RAILING



LEFT

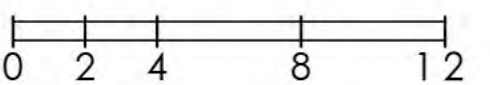
COLOR SCHEME 10

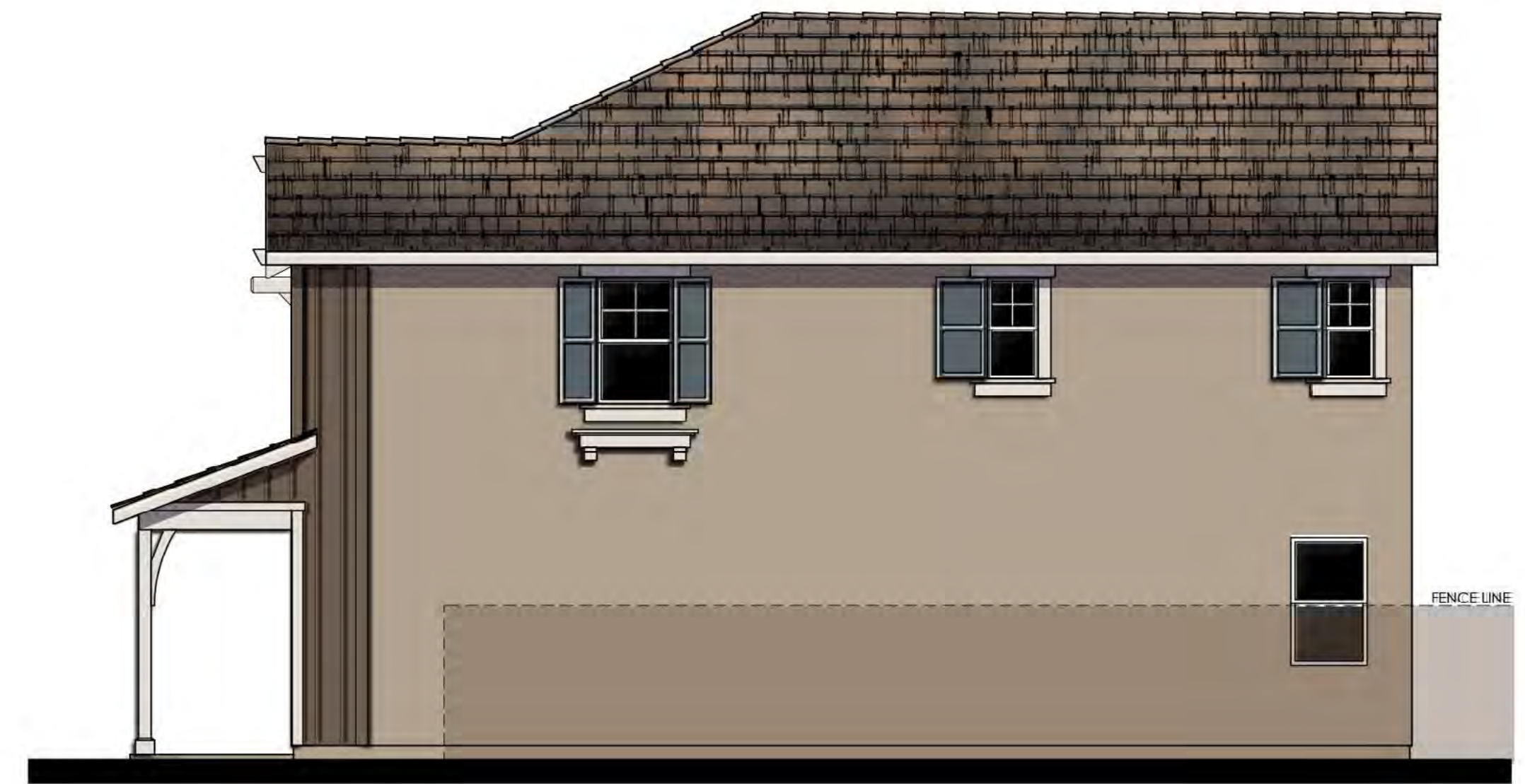
PLAN 2 (2547)

"C" FARMHOUSE - ELEVATION

Greenly at Parklane

ONTARIO, CA





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ENHANCED REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORATI

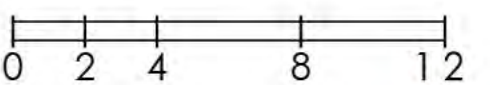
COLOR SCHEME 10

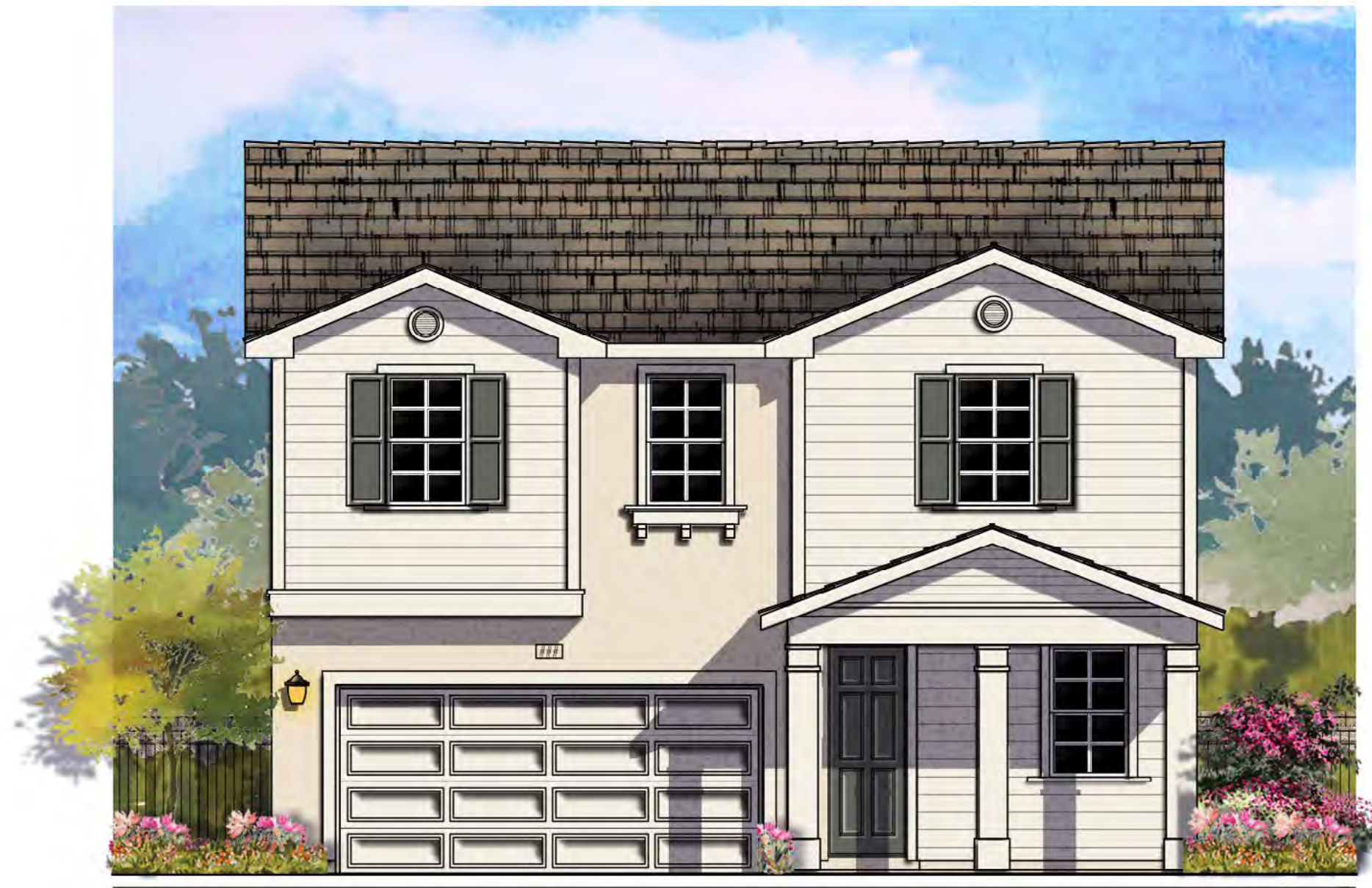
PLAN 2 (2547)

"C" FARMHOUSE - ELEVATION

Greenly at Parklane

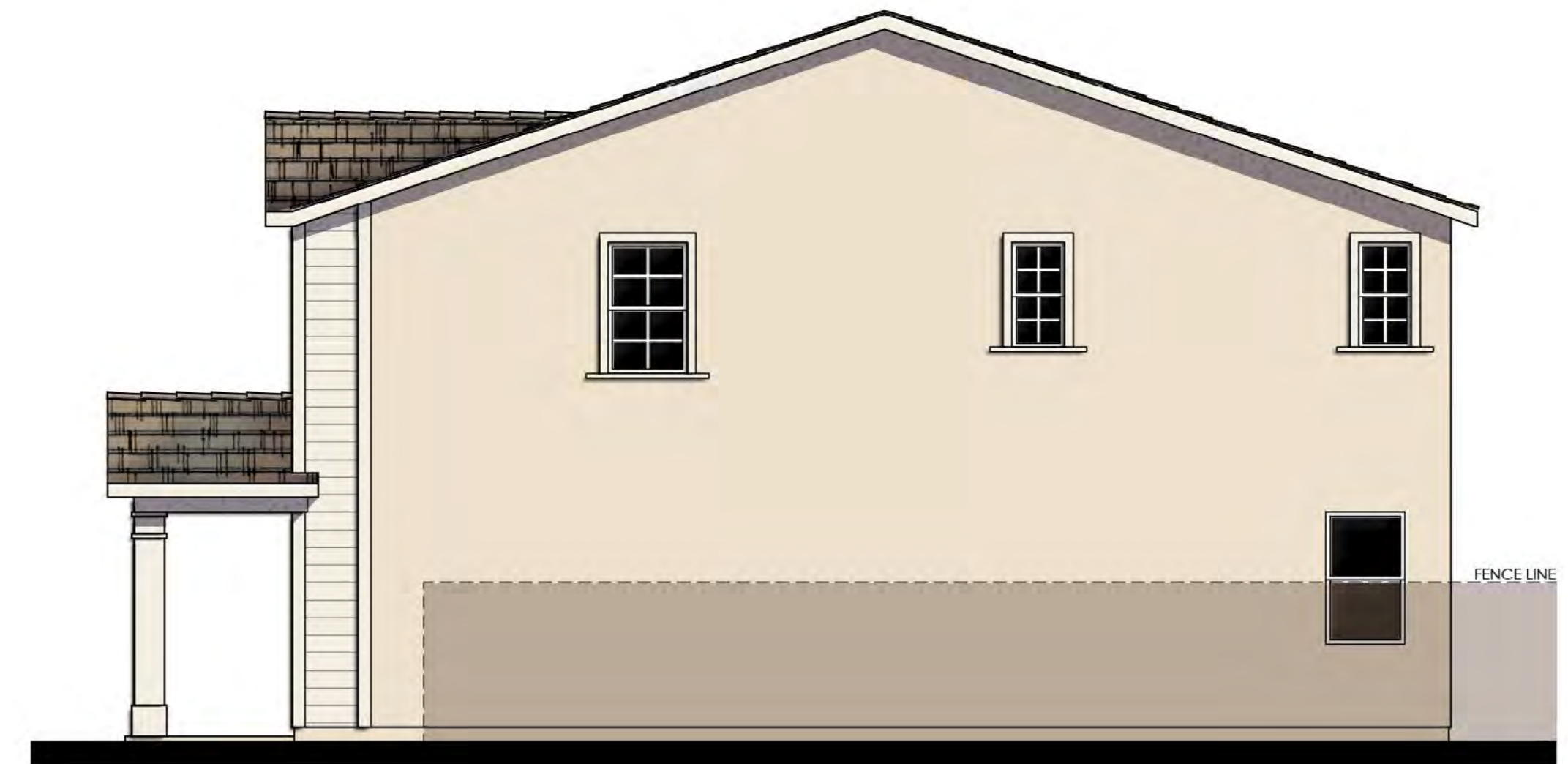
ONTARIO, CA





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FRONT



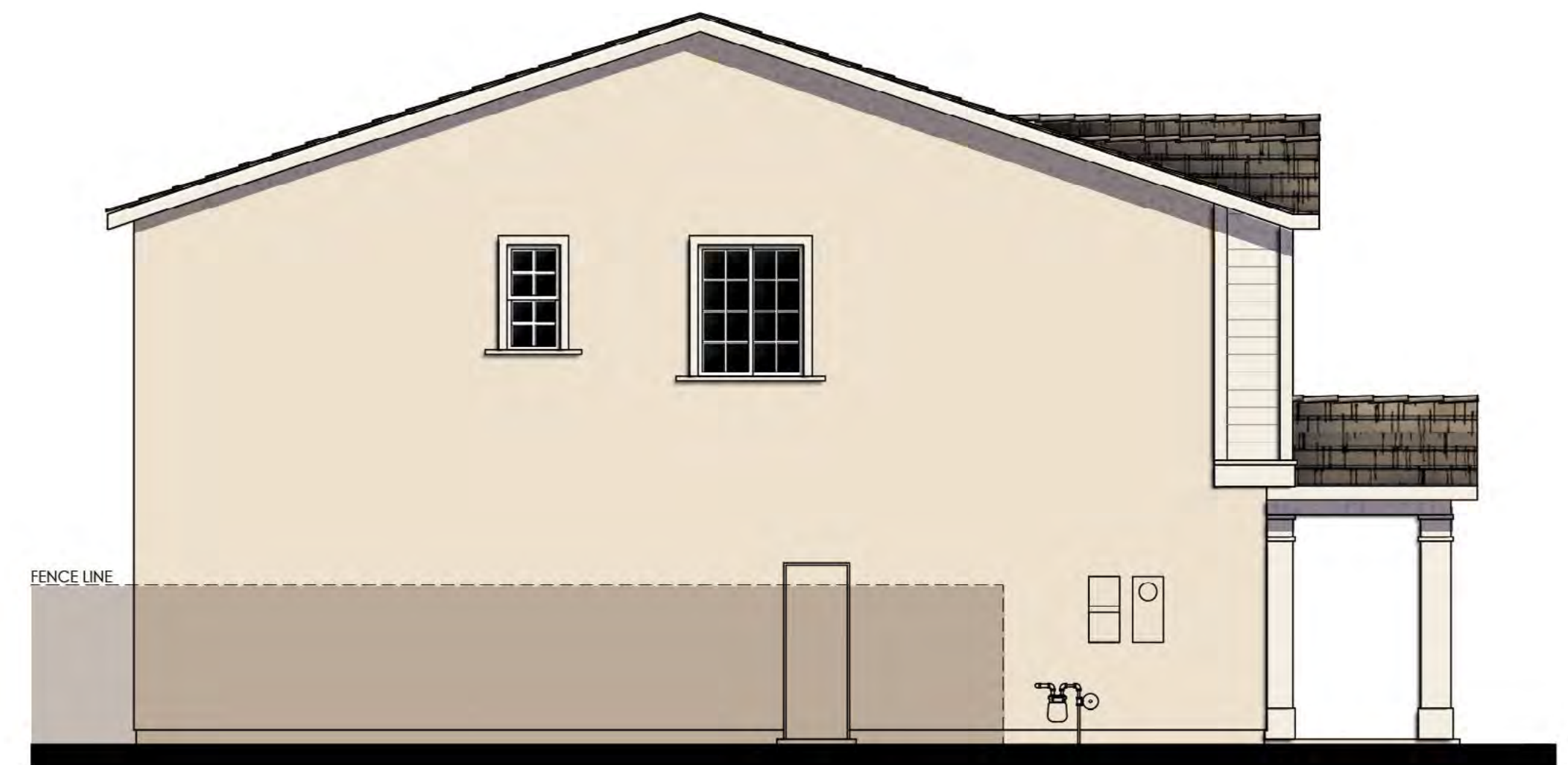
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM

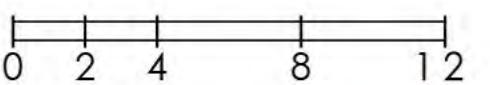


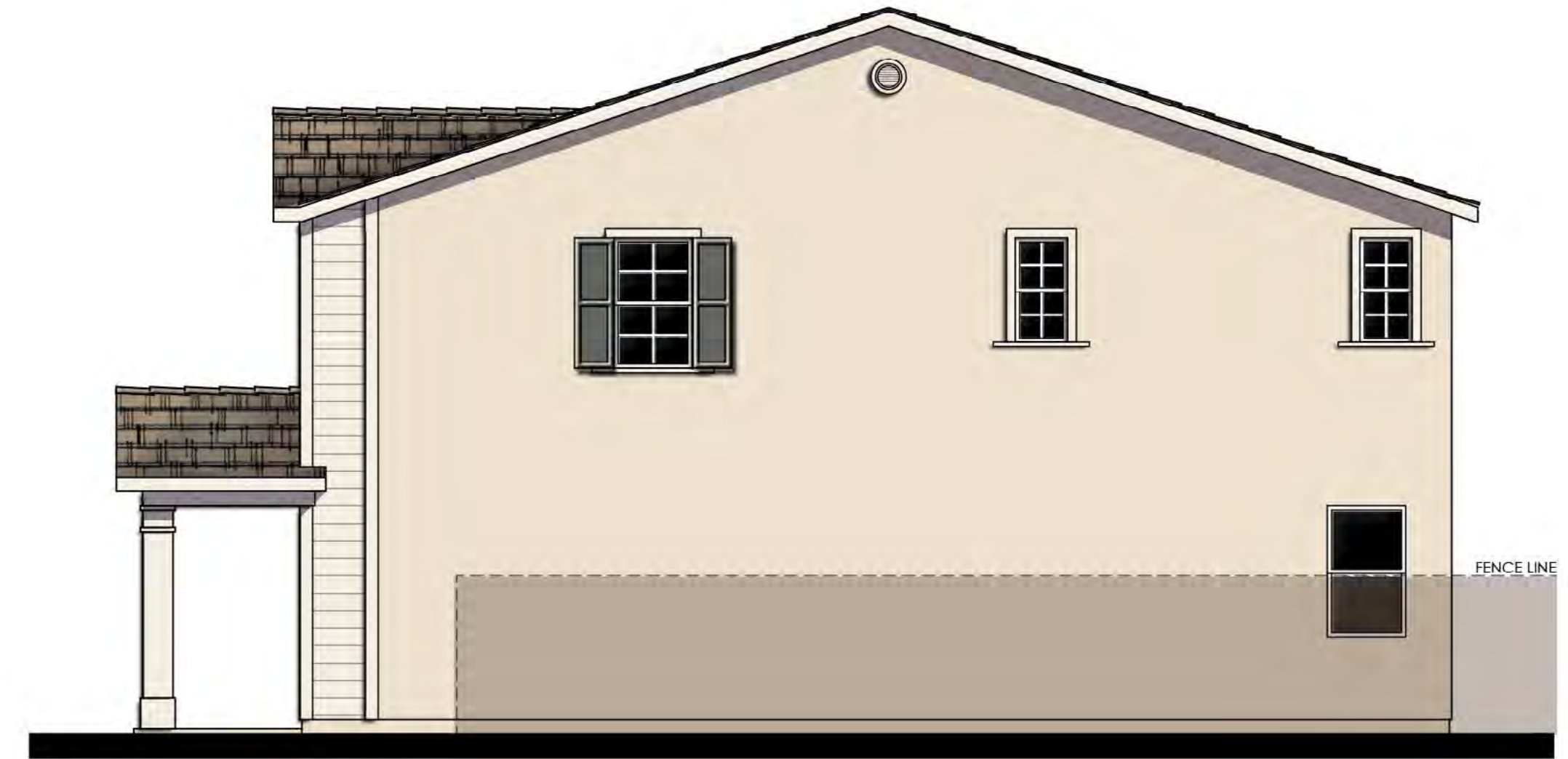
LEFT

COLOR SCHEME 14

PLAN 2 (2547)

"D" AMERICAN TRADITIONAL - ELEVATION





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ENHANCED REAR

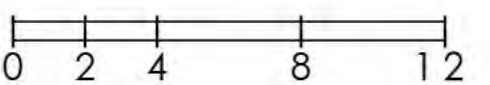
MATERIALS LEGEND
(WHERE OCCURS)

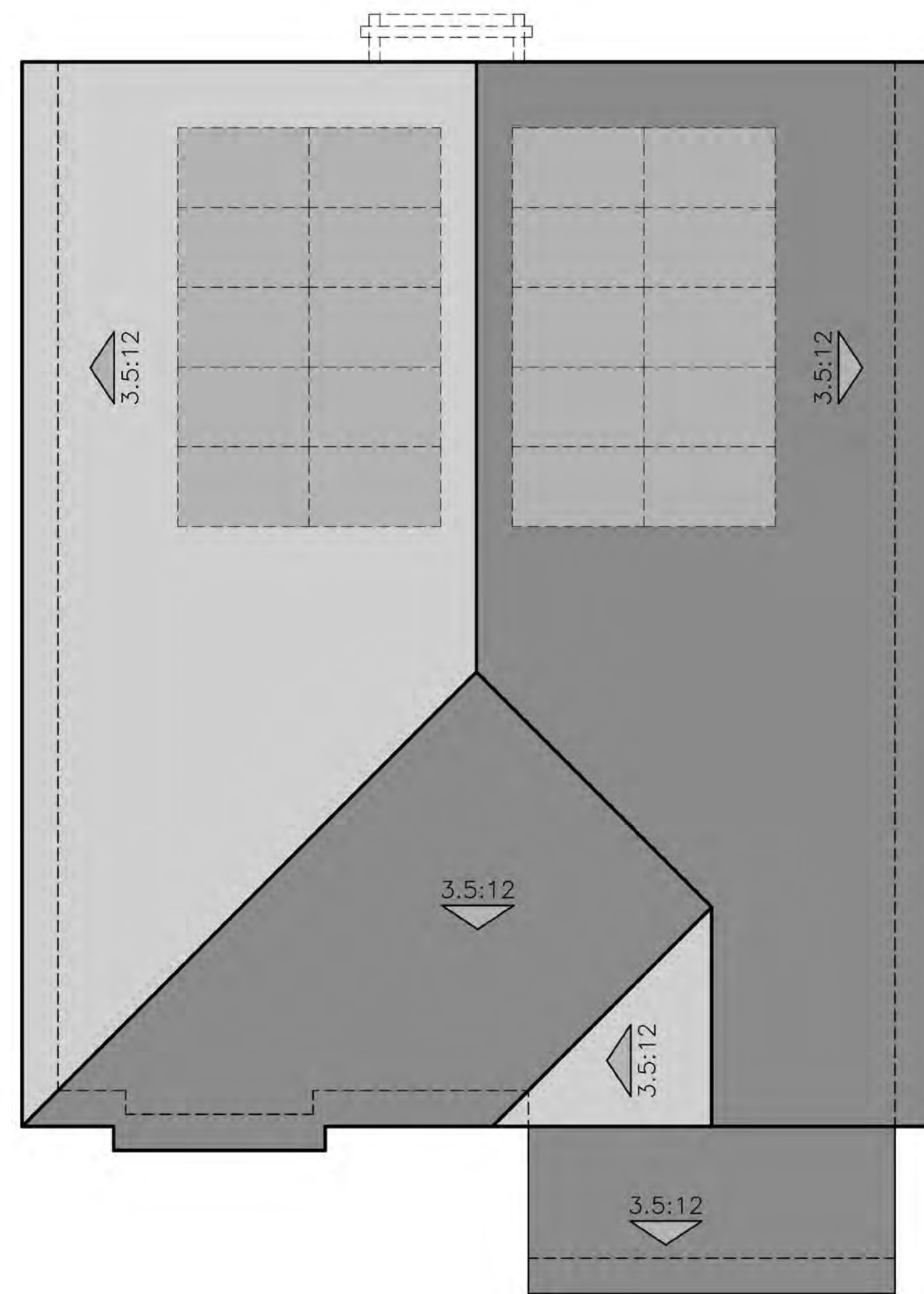
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM

COLOR SCHEME 14

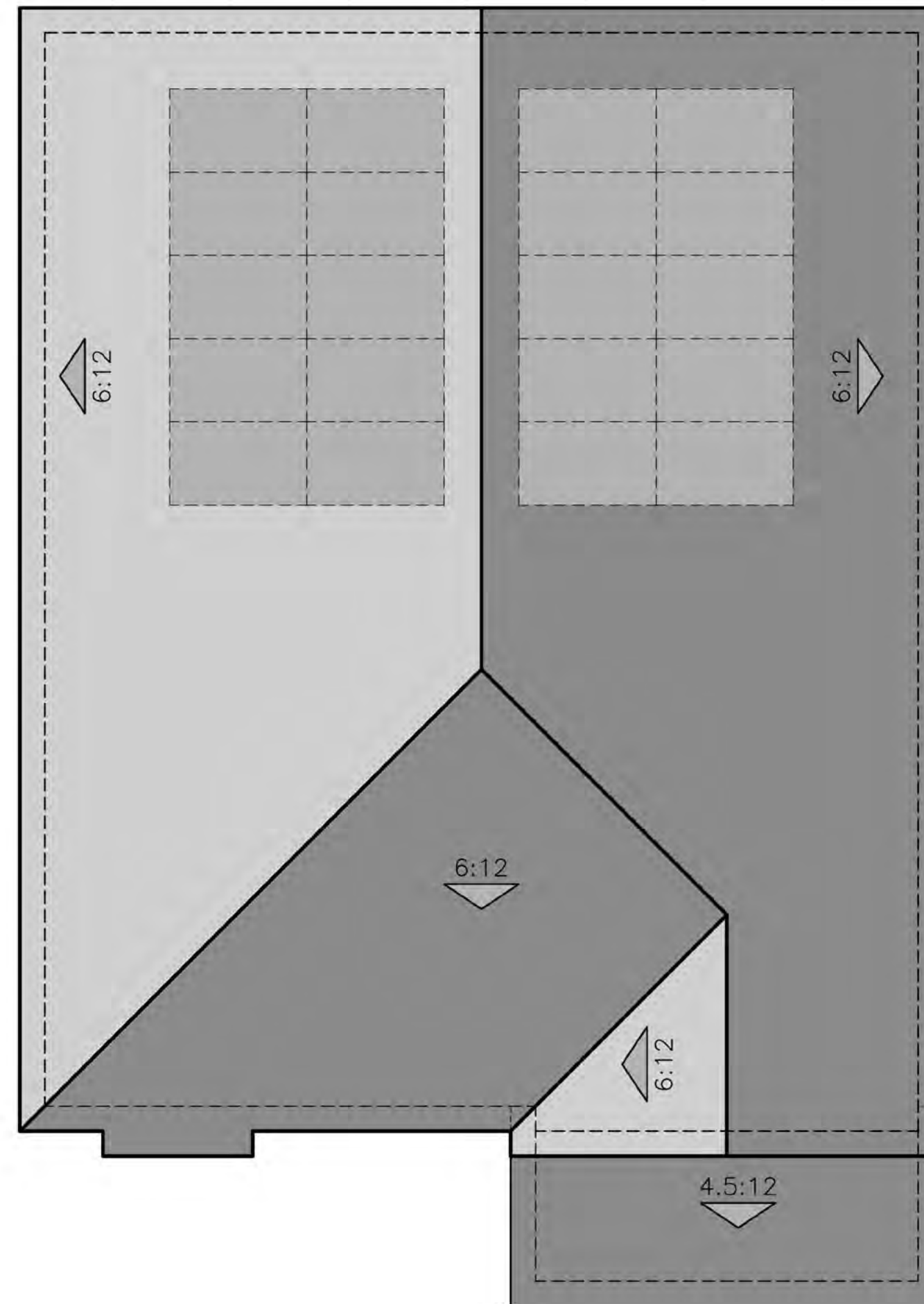
PLAN 2 (2547)

"D" AMERICAN TRADITIONAL - ELEVATION

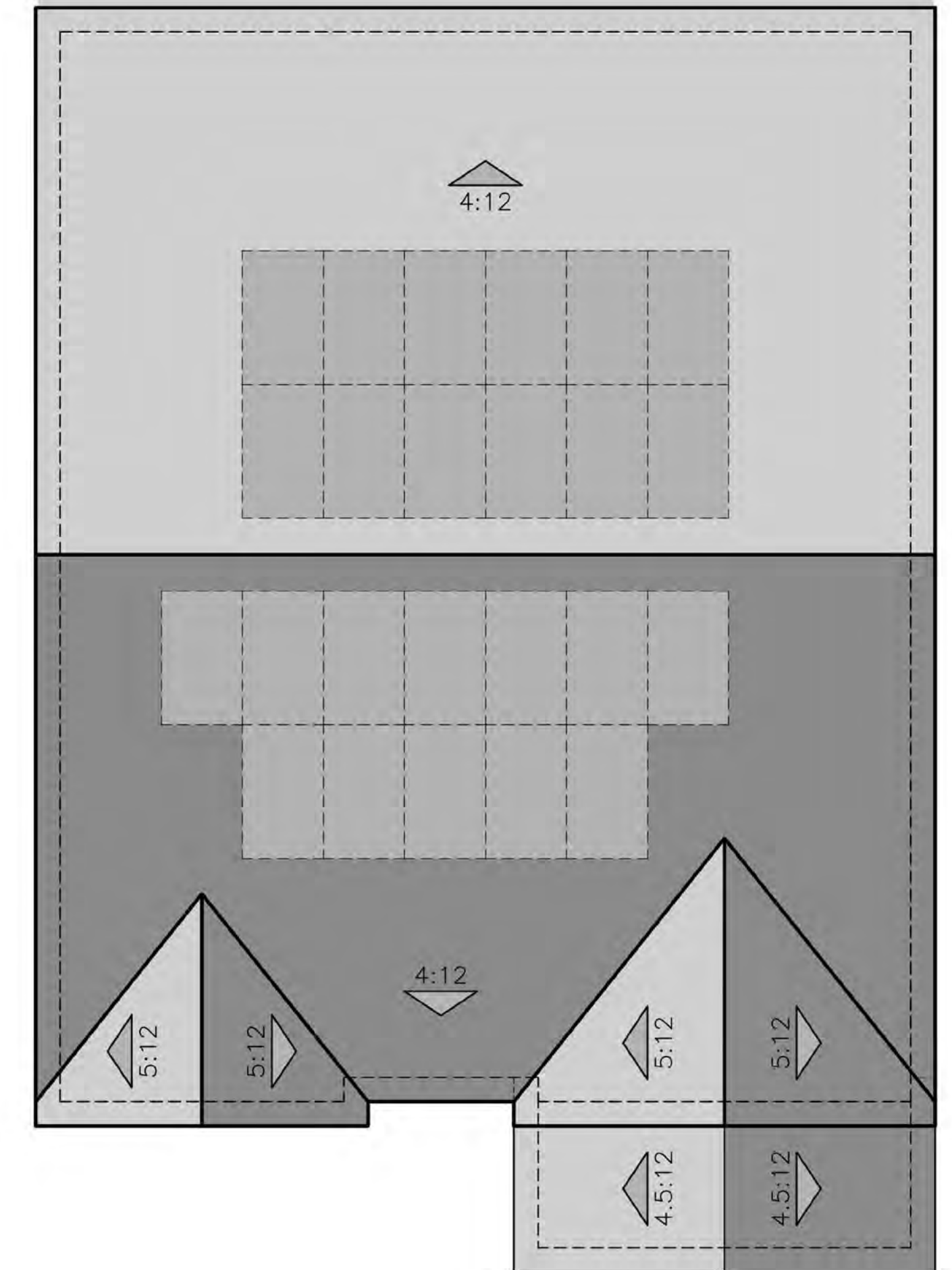




"A" SPANISH COLONIAL

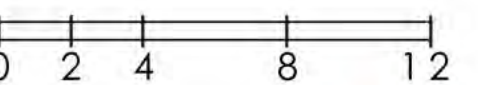


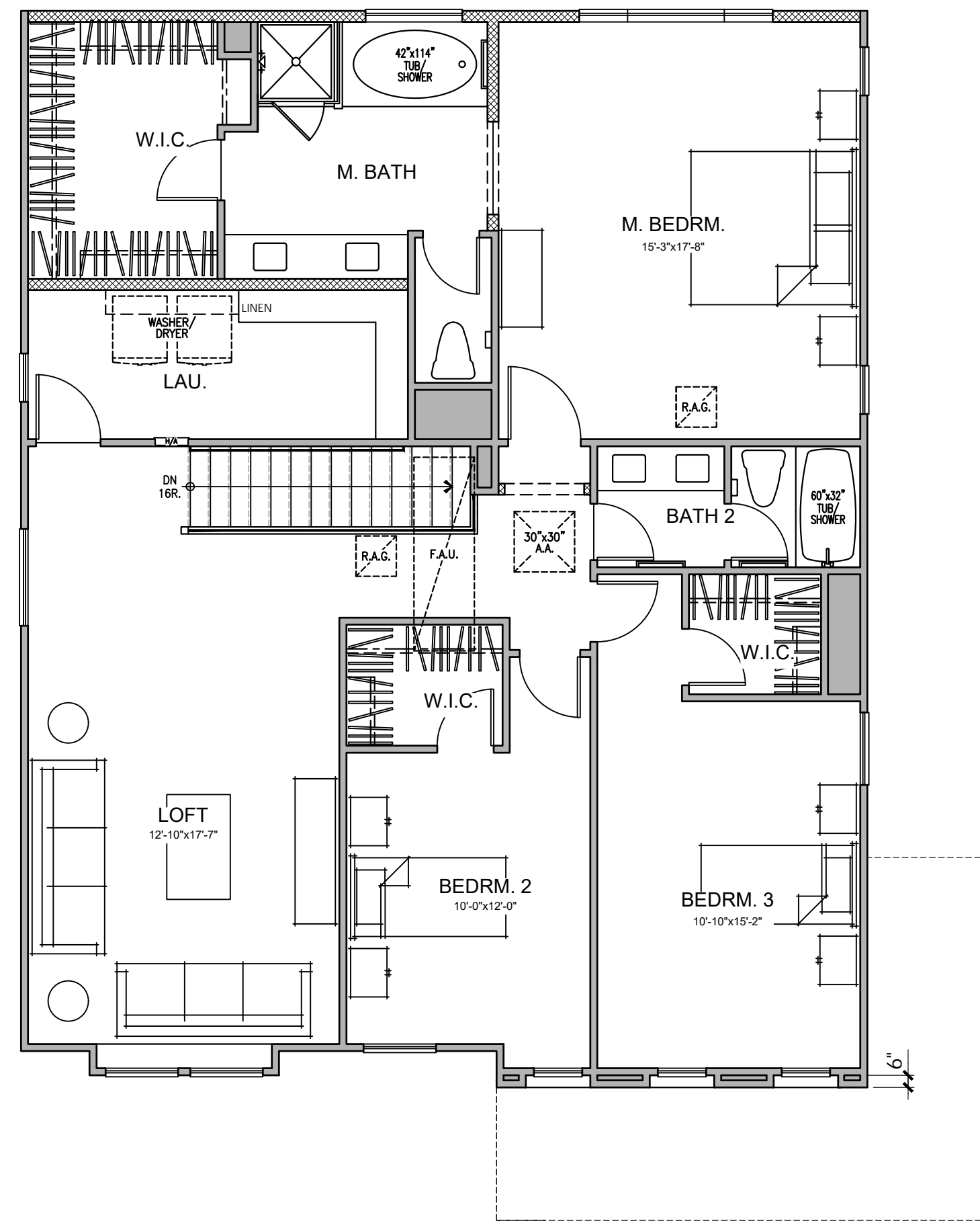
"C" FARMHOUSE



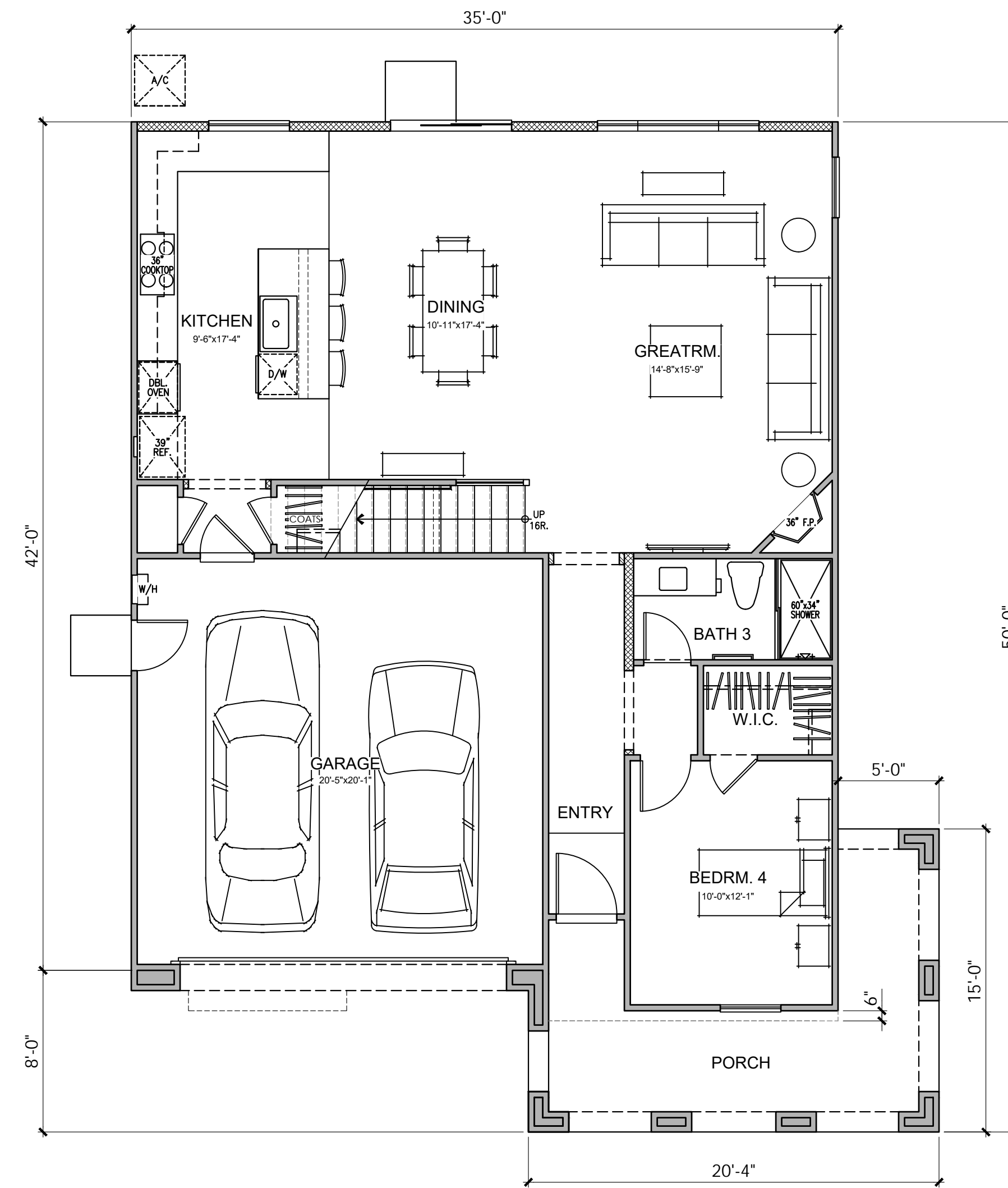
"D" AMERICAN TRADITIONAL

ROOF PLANS
PLAN 2 (2547)





SECOND FLOOR PLAN



FIRST FLOOR PLAN

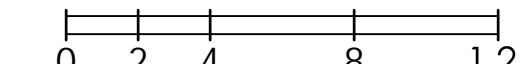
AREA TABULATION

CONDITIONED SPACE	
FIRST FLOOR AREA	1,066 SQ. FT.
SECOND FLOOR AREA	1,481 SQ. FT.
TOTAL DWELLING	2,547 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	416 SQ. FT.
PORCH "AX"	186 SQ. FT.
PORCH "CX"	186 SQ. FT.

PLAN 2X (2547X)
4 BEDROOM, 3 BATH, LOFT

Greenly at Parklane

ONTARIO, CA





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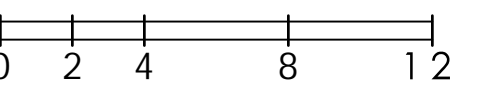
"A" SPANISH COLONIAL



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"C" FARMHOUSE

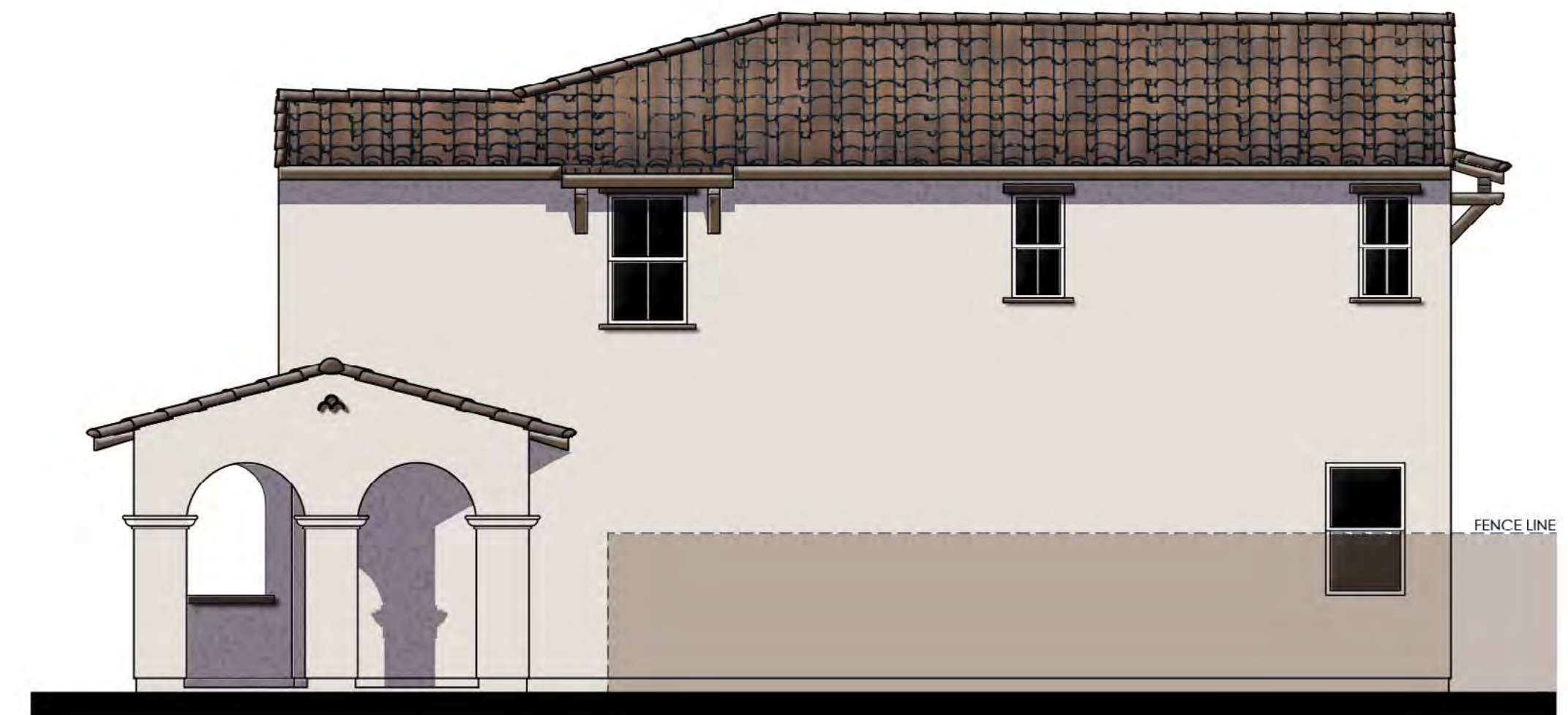
PLAN 2X (2547X)
FRONT ELEVATIONS





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FRONT



RIGHT



REAR

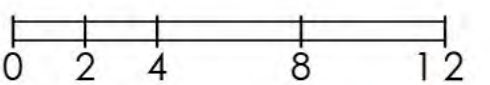
MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 2

PLAN 2X (2547X)

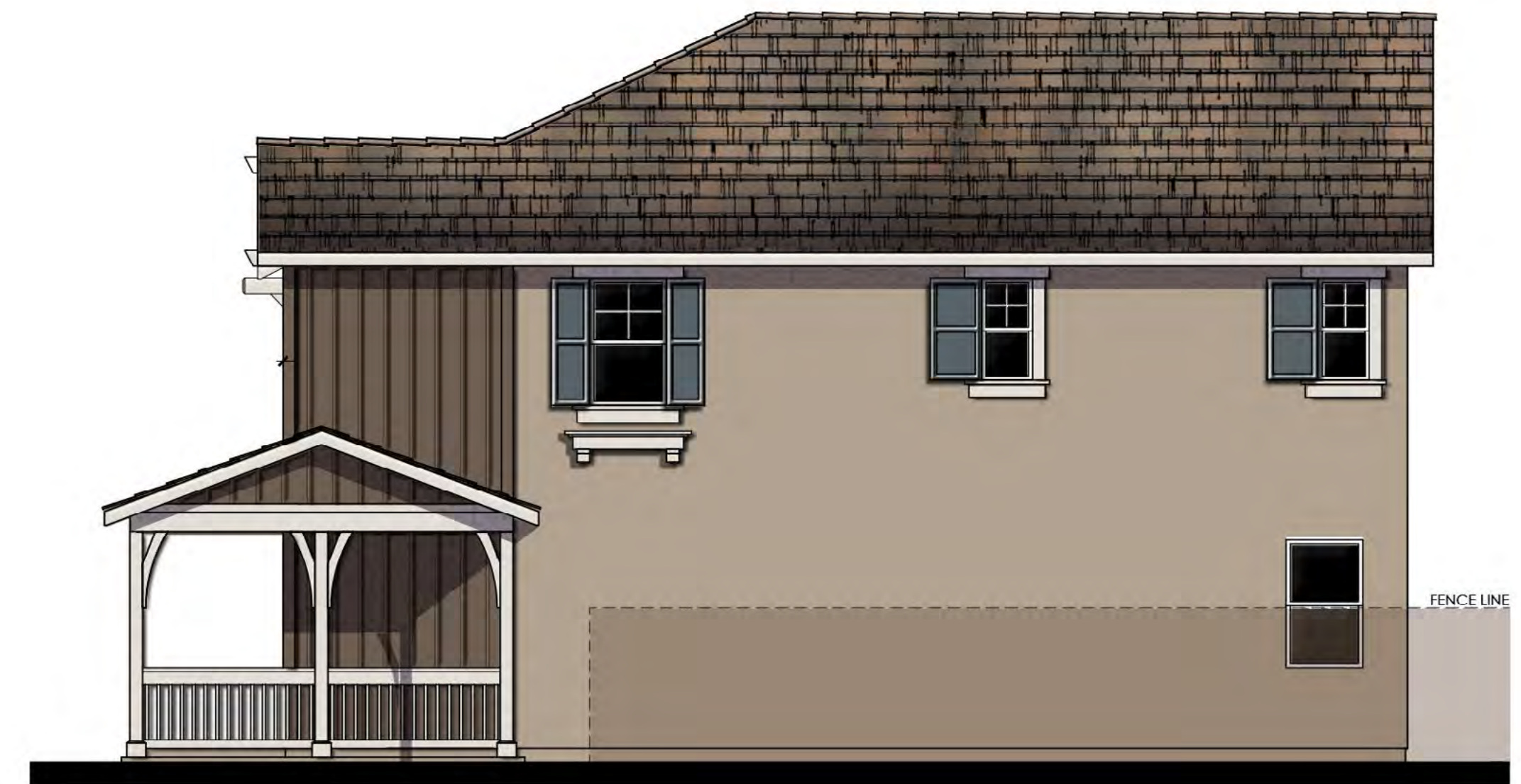
"A" SPANISH COLONIAL - ELEVATION





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FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE F
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORA

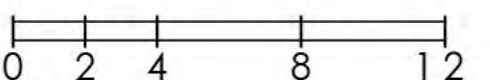
COLOR SCHEME 10

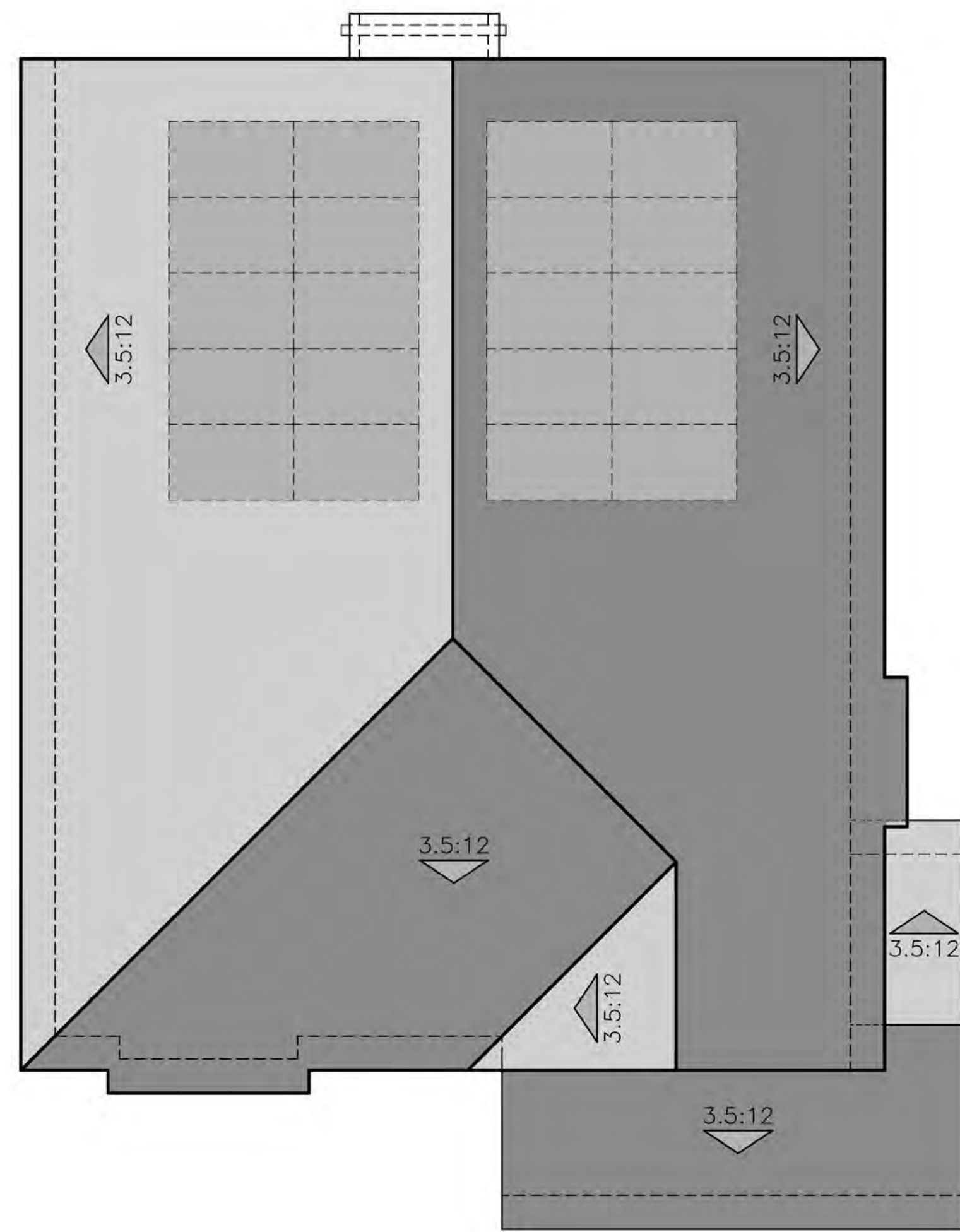
PLAN 2X (2547X)

"C" FARMHOUSE - ELEVATION

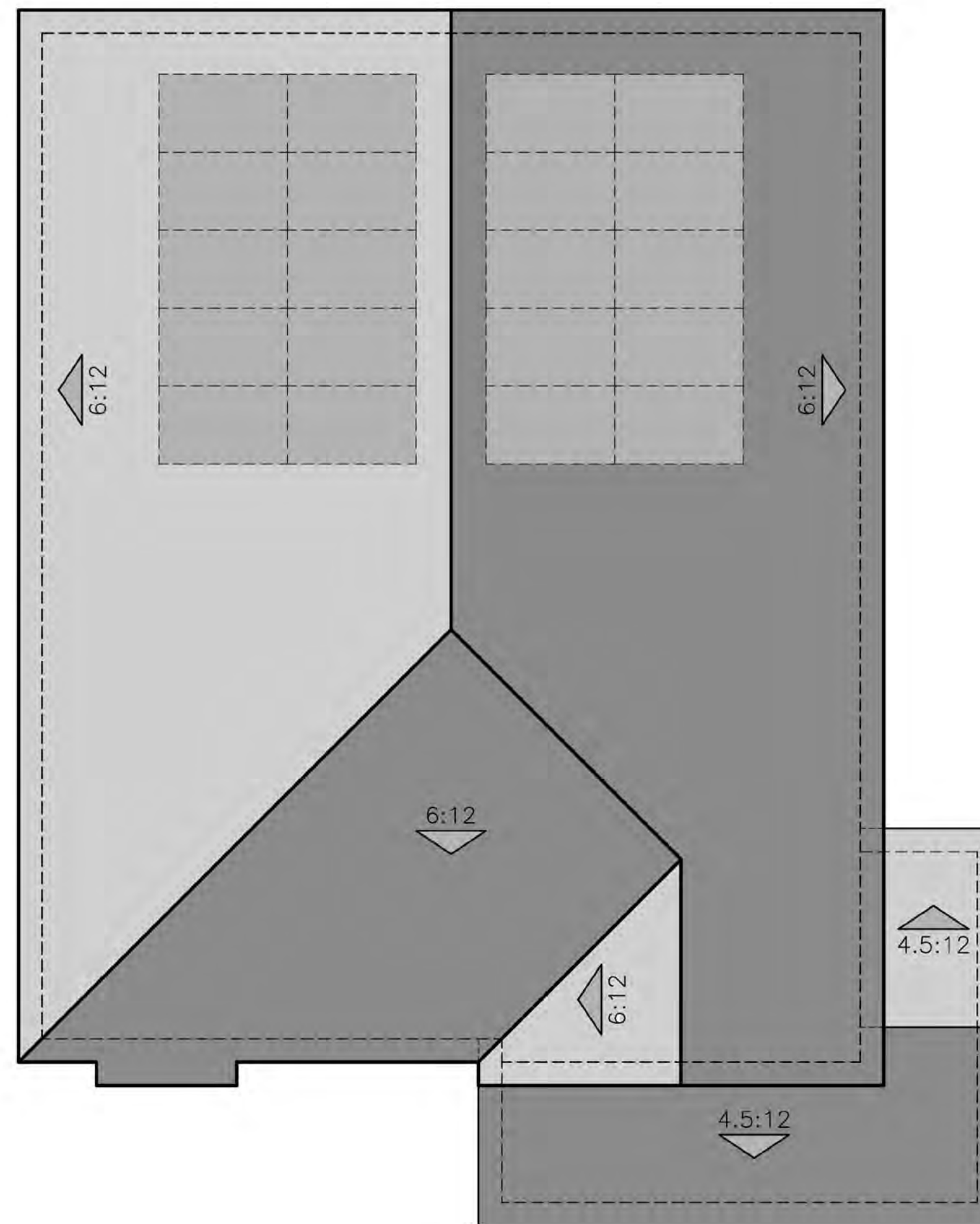
Greenly at Parklane

ONTARIO, CA



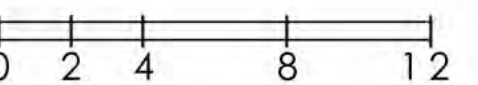


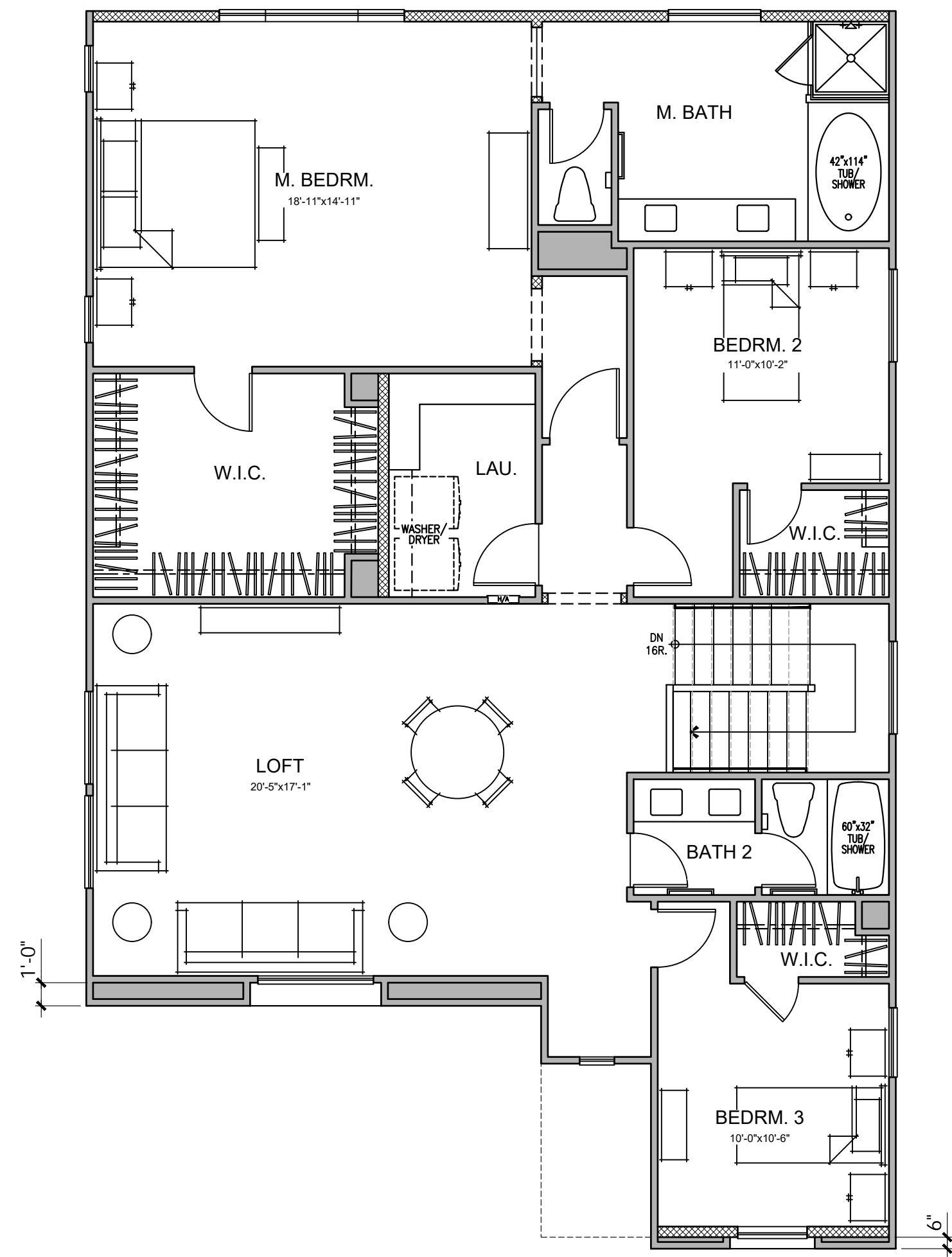
"A" SPANISH COLONIAL



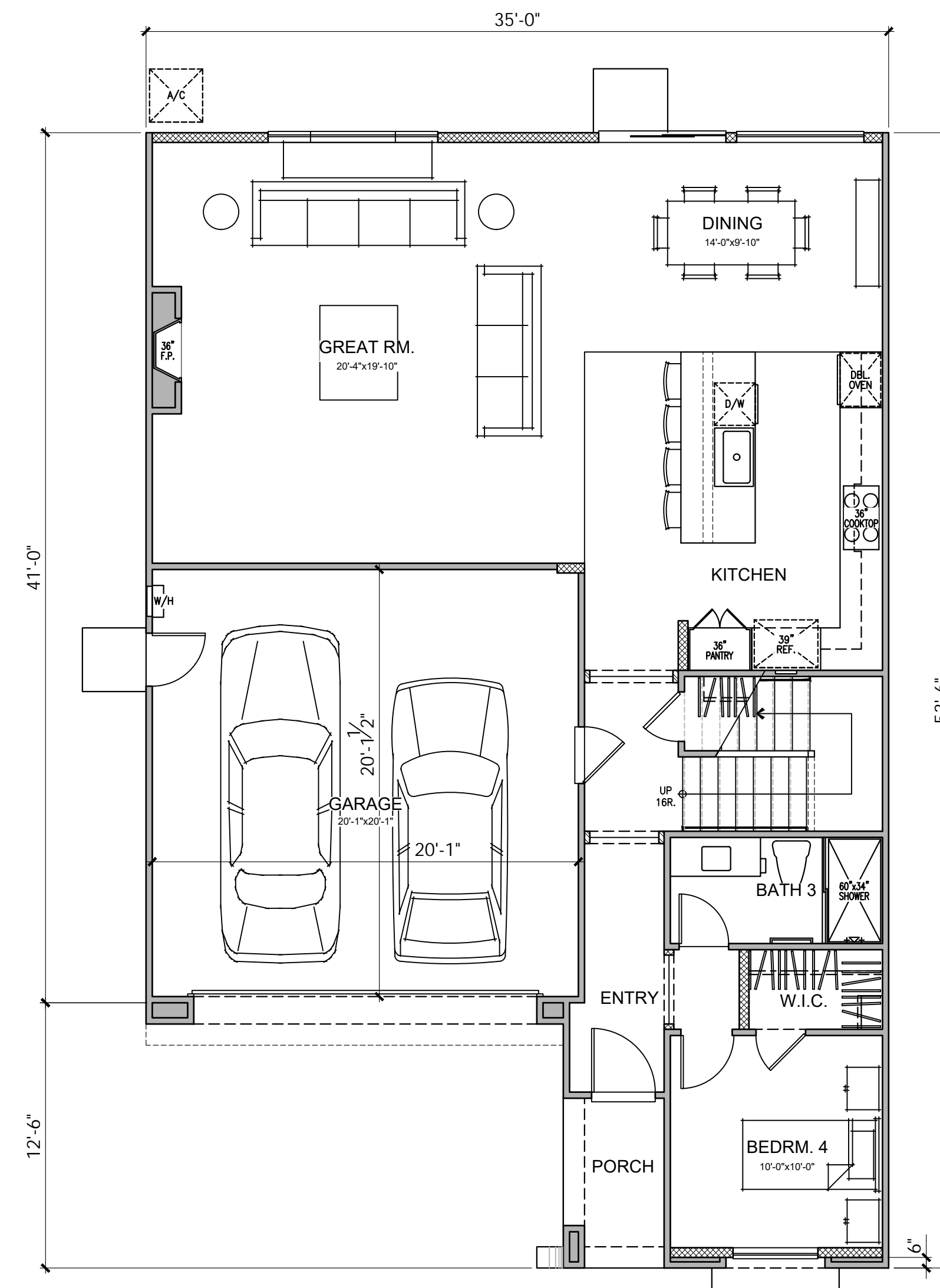
"C" FARMHOUSE

ROOF PLANS
PLAN 2X (2547X)





SECOND FLOOR PLAN



FIRST FLOOR PLAN

PLAN 3
AREA TABULATION

CONDITIONED SPACE	
FIRST FLOOR AREA	1,167 SQ. FT.
SECOND FLOOR AREA	1,533 SQ. FT.
TOTAL DWELLING	2,700 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	416 SQ. FT.
PORCH "A"	36 SQ. FT.
PORCH "B"	112 SQ. FT.
PORCH "D"	31 SQ. FT.
PORCH "E"	36 SQ. FT.

PLAN 3 (2700)
4 BEDROOM, 3 BATH, LOFT

Greenly at Parklane

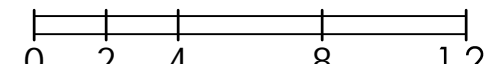
ONTARIO, CA

35.2.2700.46.G2.3BA.99.K2.IY.MB2.FY.SLV

LENNAR

06/04/20
A-24

Kevin L. Crook
Architect
Inc
#19123





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"A" SPANISH COLONIAL



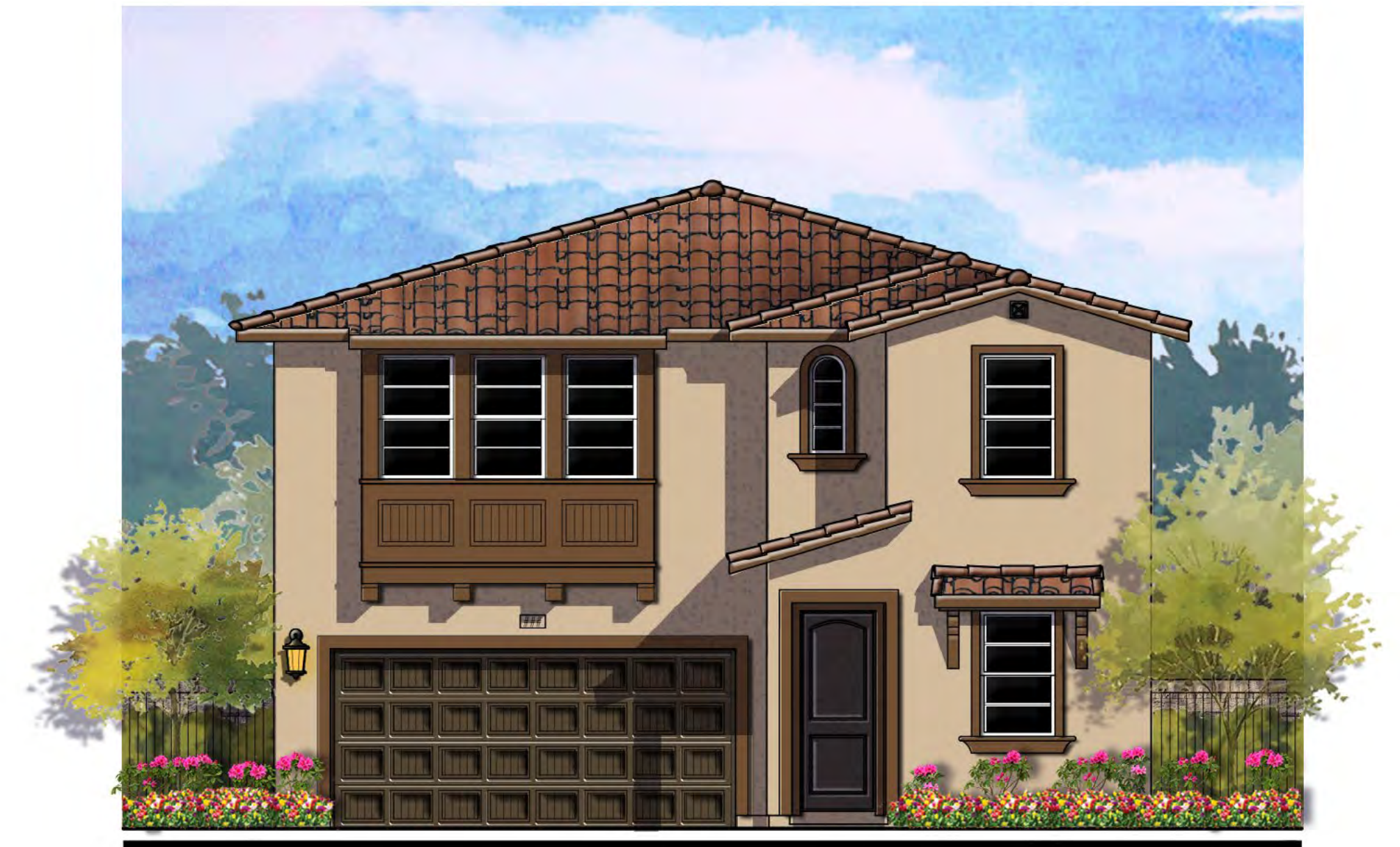
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"B" CRAFTSMAN



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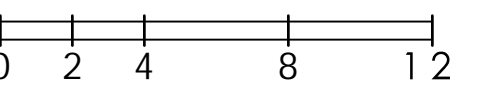
"D" AMERICAN TRADITIONAL

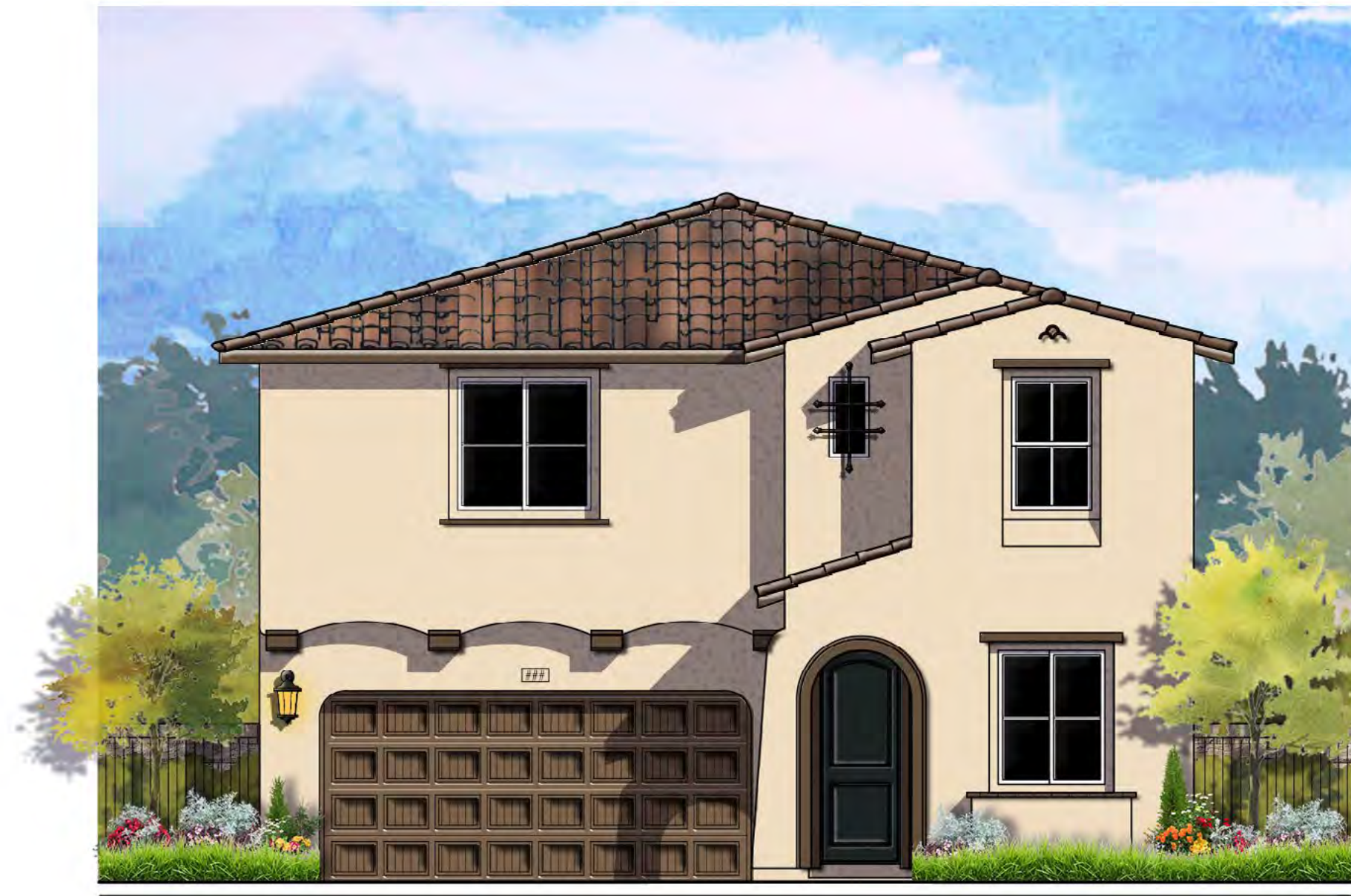


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"E" ANDALUSIAN

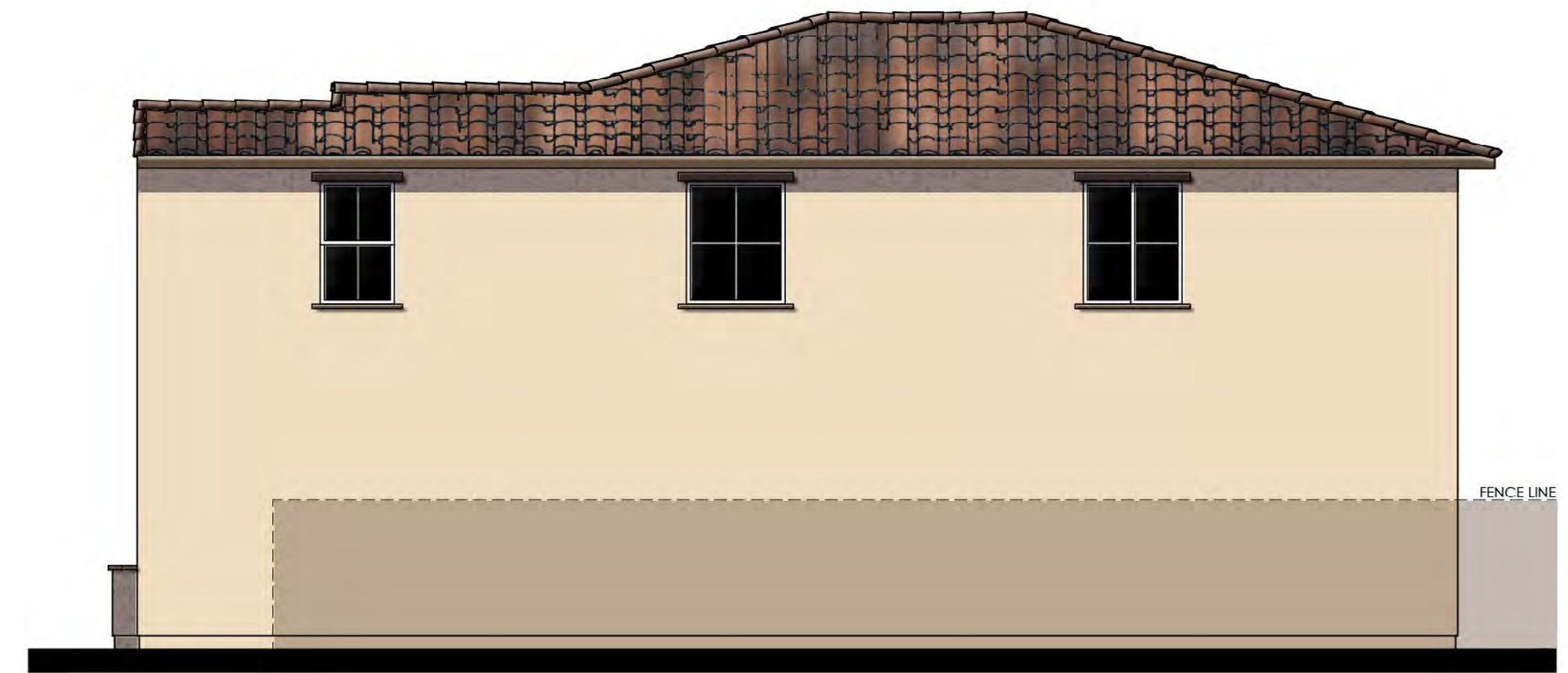
PLAN 3 (2700)
FRONT ELEVATIONS





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FRONT



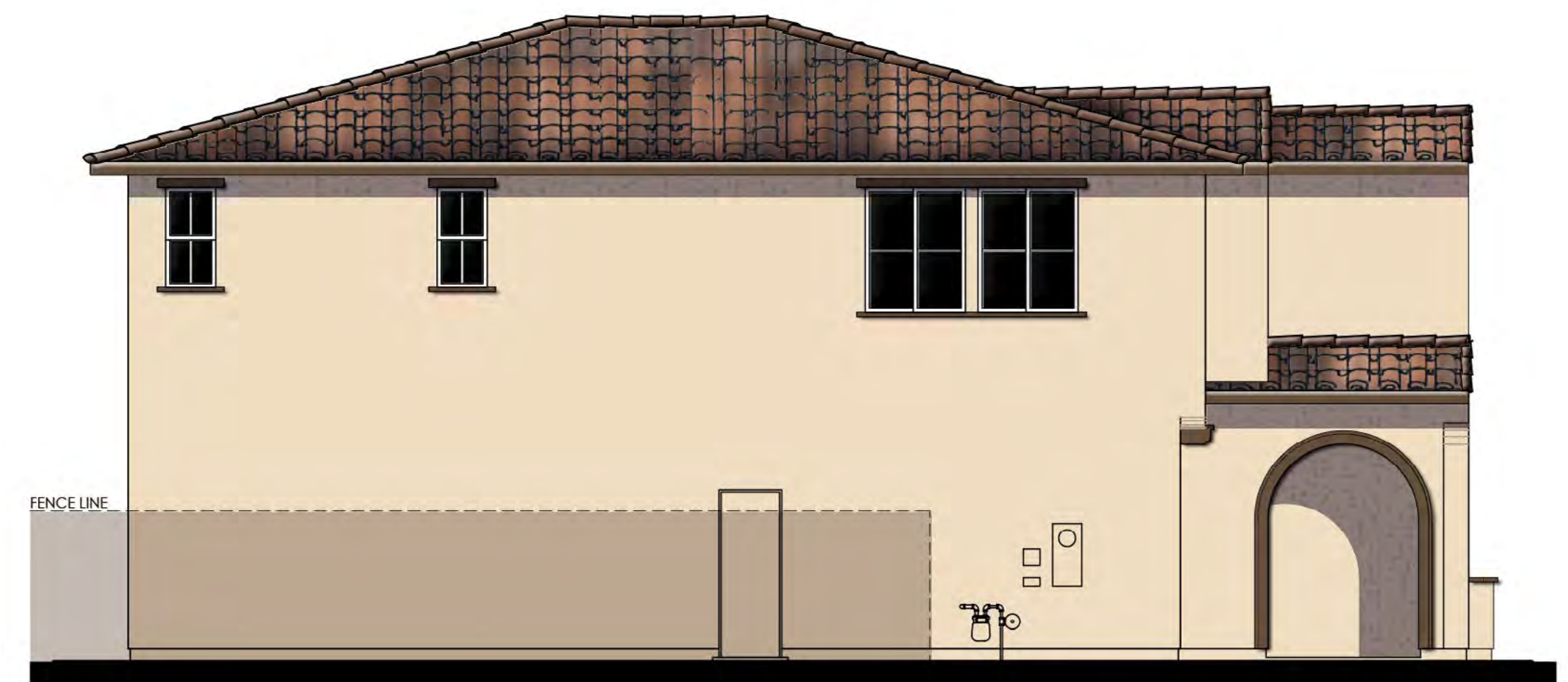
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM



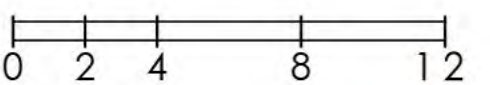
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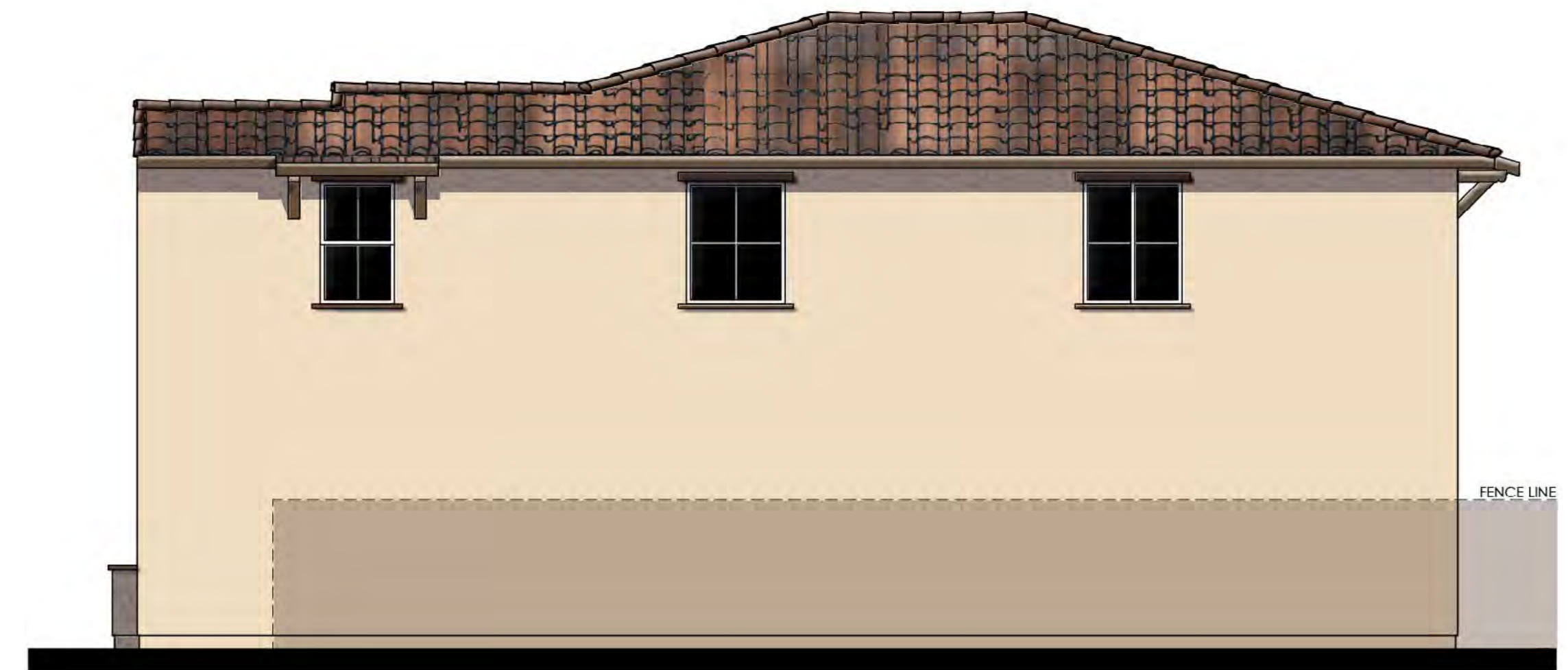
COLOR SCHEME 3
PLAN 3 (2700)

"A" SPANISH COLONIAL - ELEVATION

Greenly at Parklane

ONTARIO, CA





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ENHANCED REAR

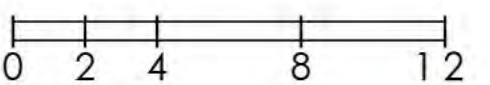
MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 3

PLAN 3 (2700)

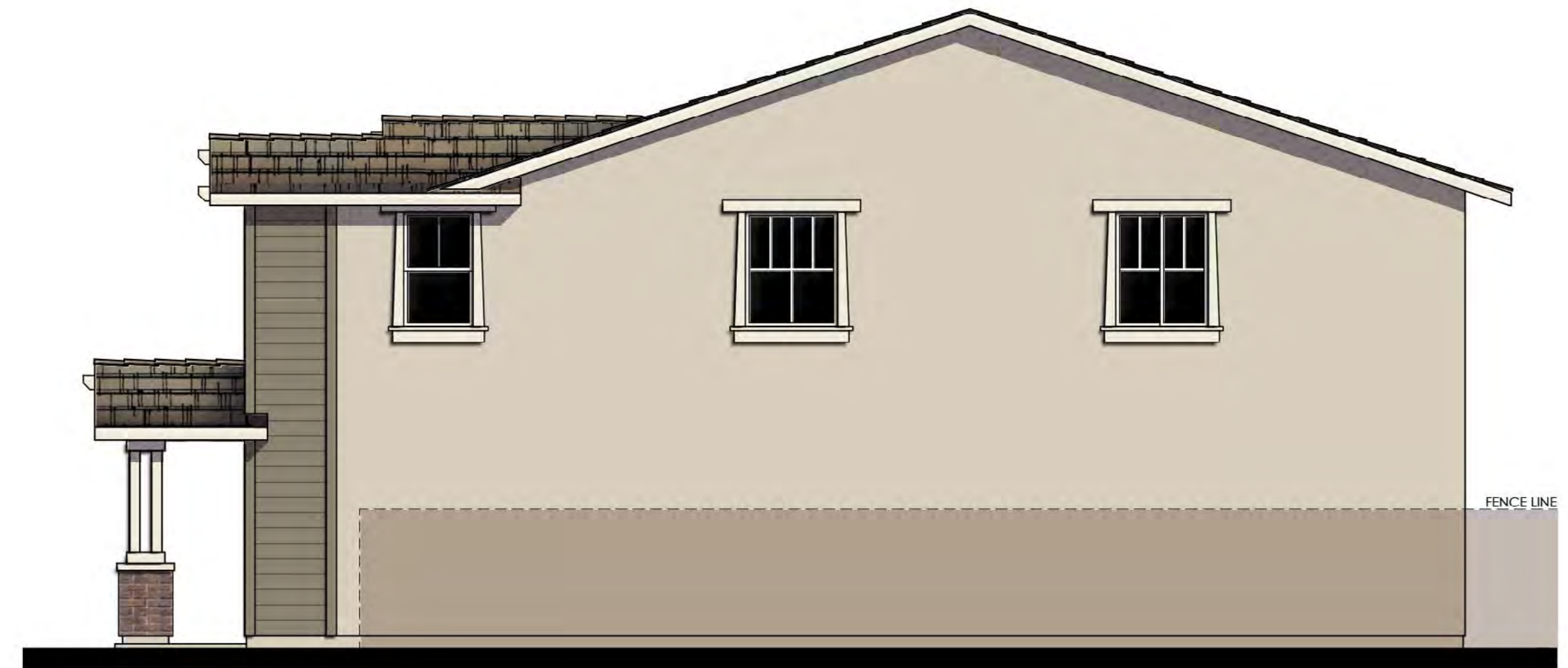
"A" SPANISH COLONIAL - ELEVATION





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FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER



LEFT

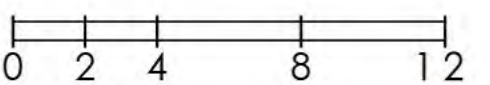
COLOR SCHEME 7

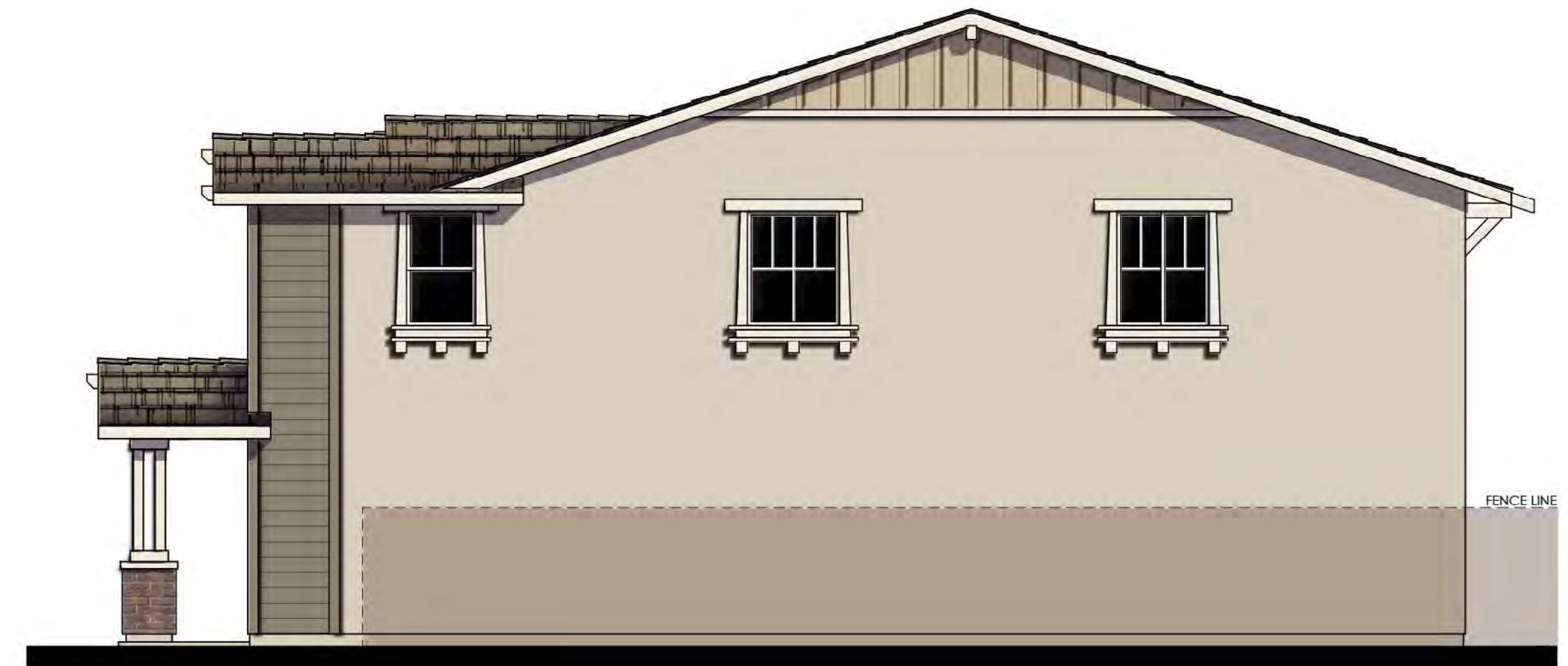
PLAN 3 (2700)

"B" CRAFTSMAN - ELEVATION

Greenly at Parklane

ONTARIO, CA





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ENHANCED REAR

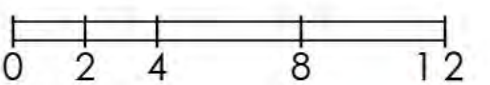
MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER

COLOR SCHEME 7

PLAN 3 (2700)

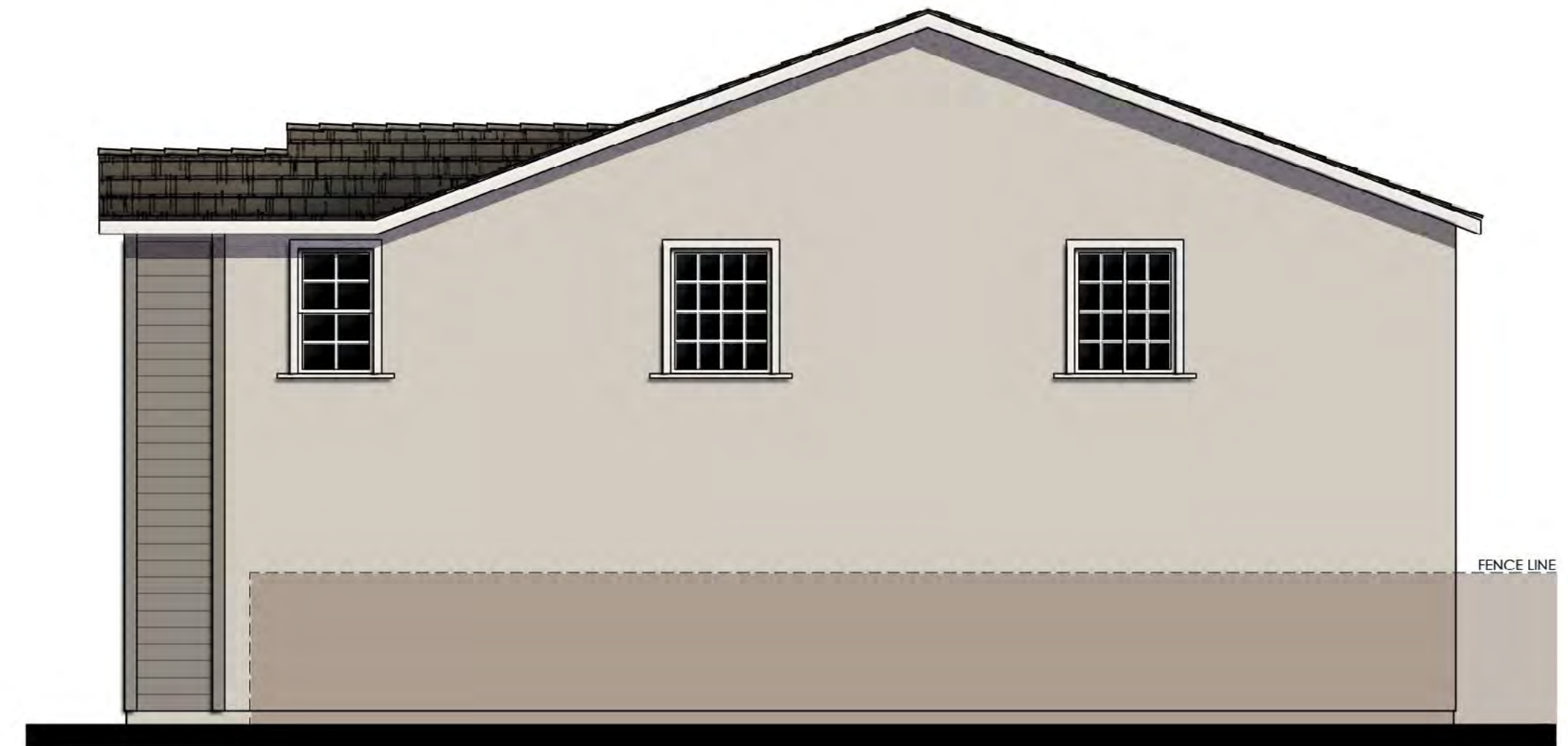
"B" CRAFTSMAN - ELEVATION





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FRONT



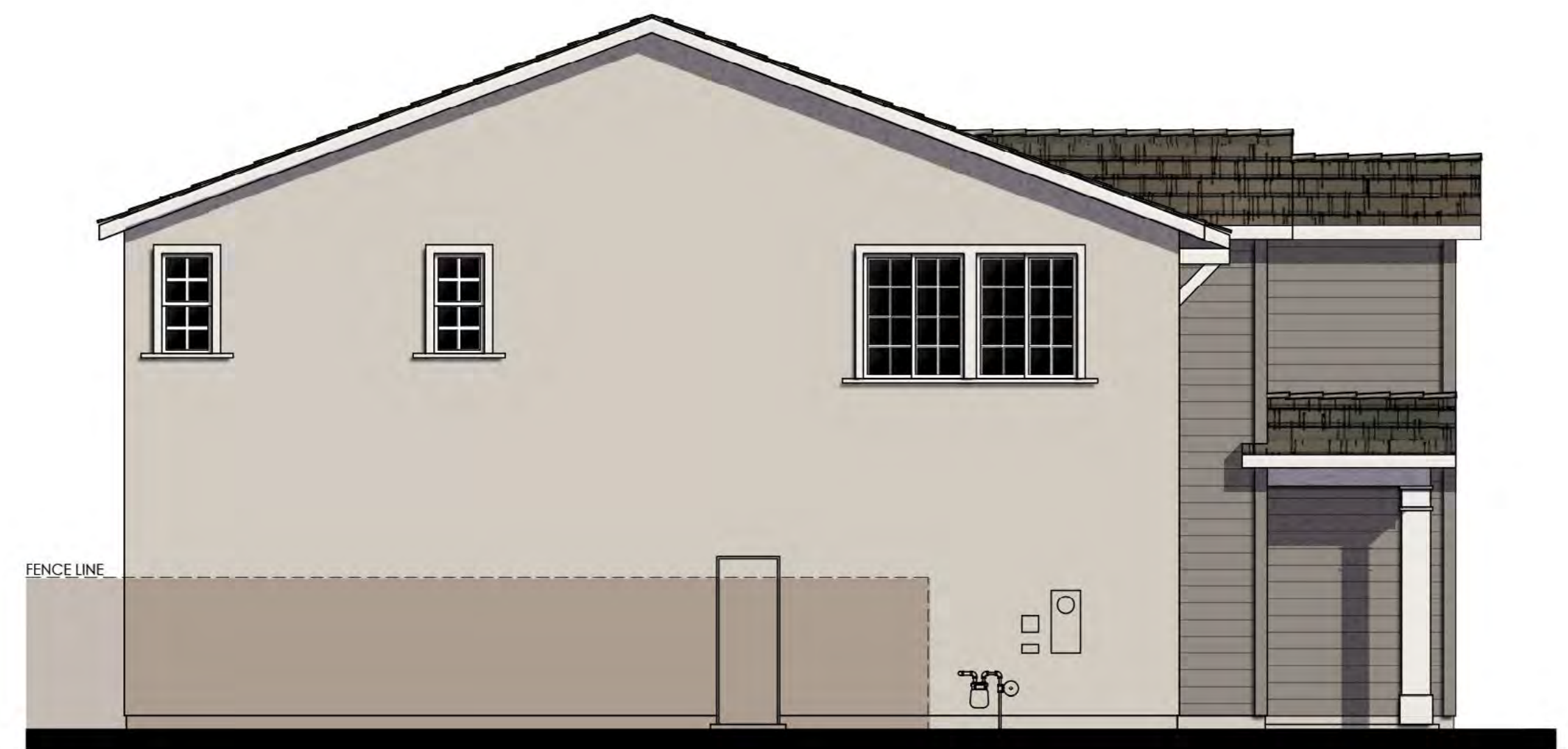
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REAR

MATERIALS LEGEND
(WHERE OCCURS)

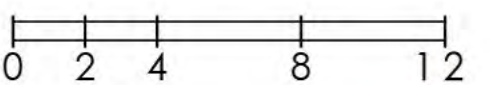
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- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM

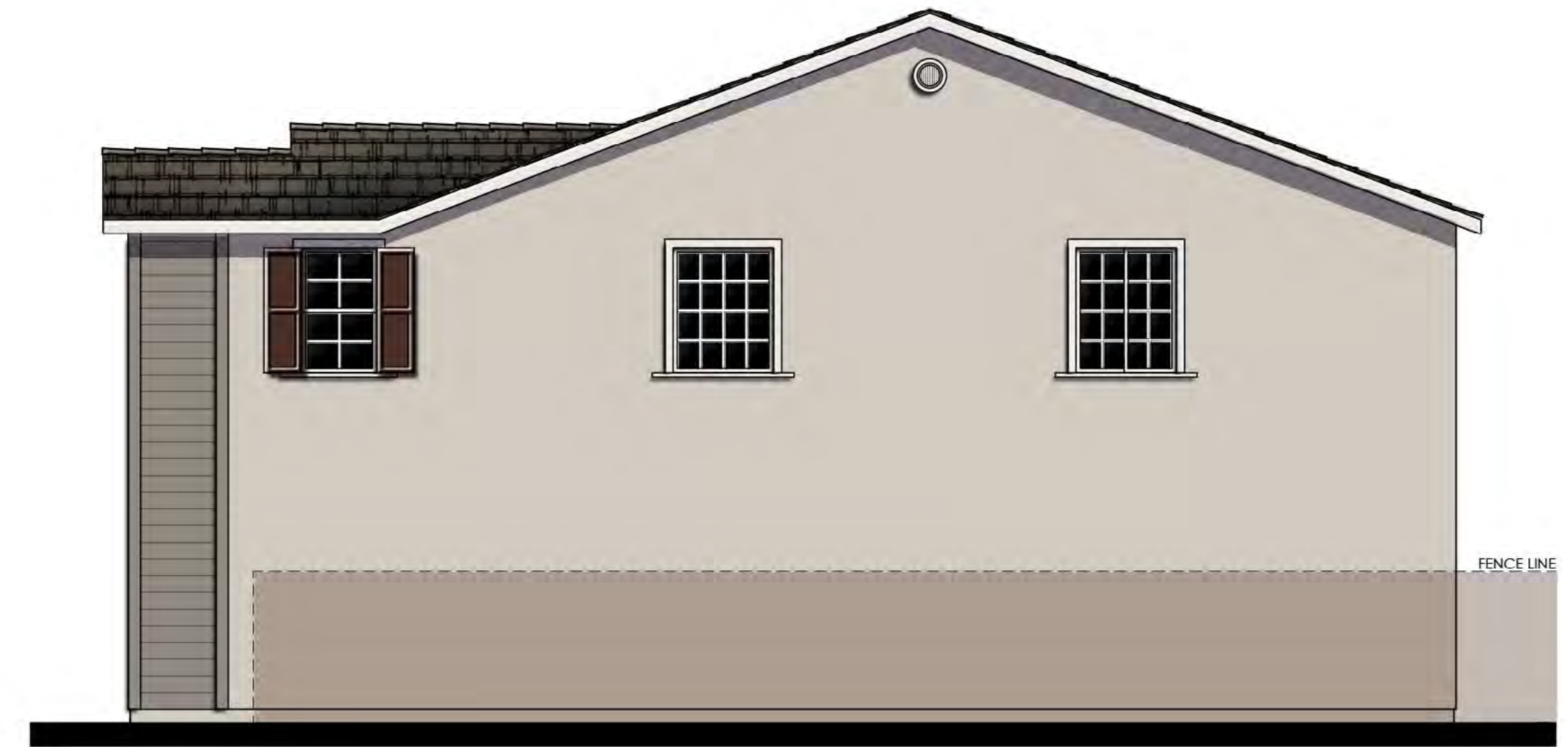


LEFT

COLOR SCHEME 15
PLAN 3 (2700)

"D" AMERICAN TRADITIONAL - ELEVATION





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ENHANCED REAR

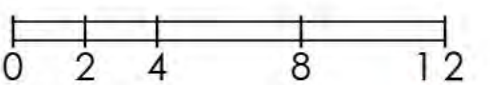
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(WHERE OCCURS)

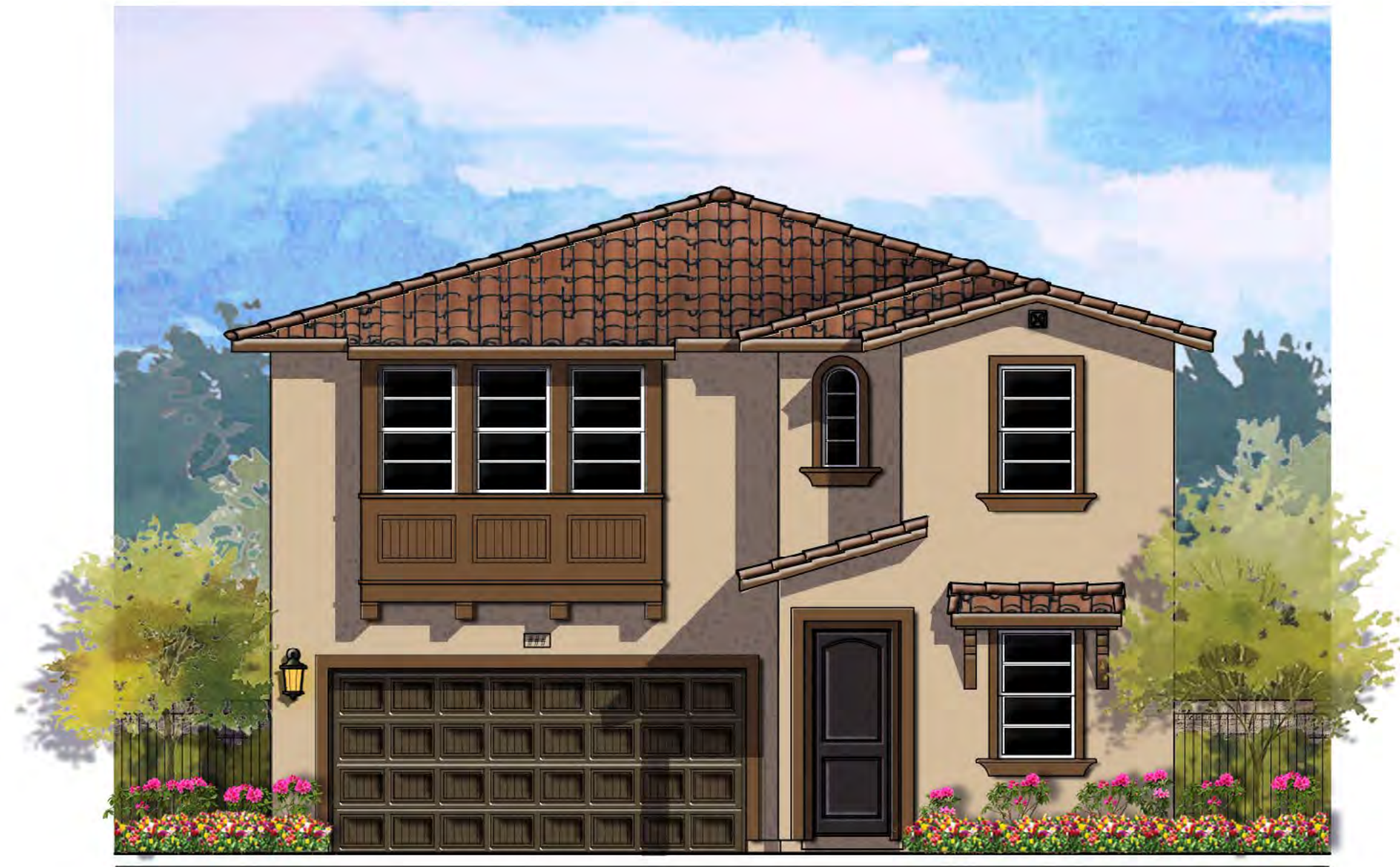
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- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM

COLOR SCHEME 15

PLAN 3 (2700)

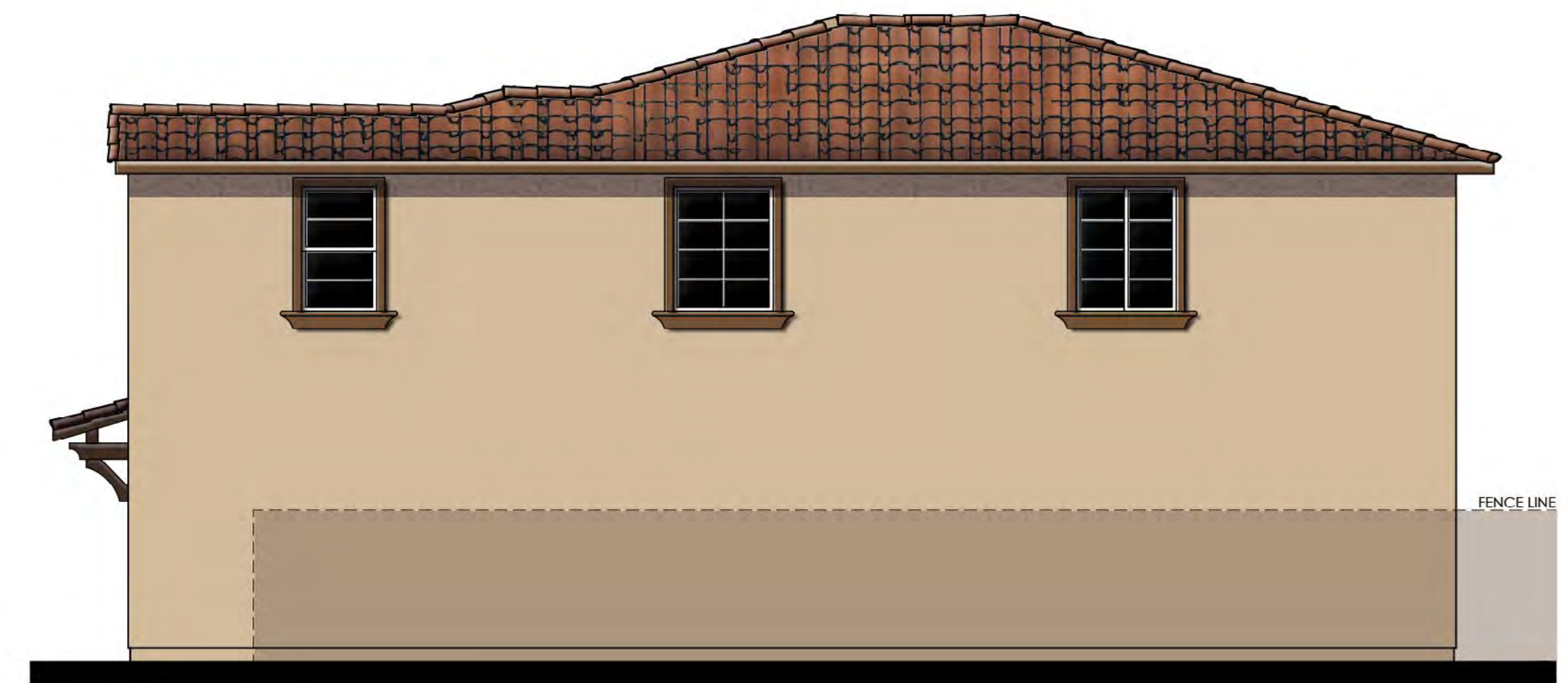
"D" AMERICAN TRADITIONAL - ELEVATION





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FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM



LEFT

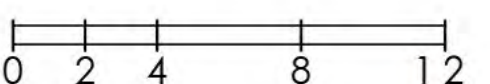
COLOR SCHEME 19

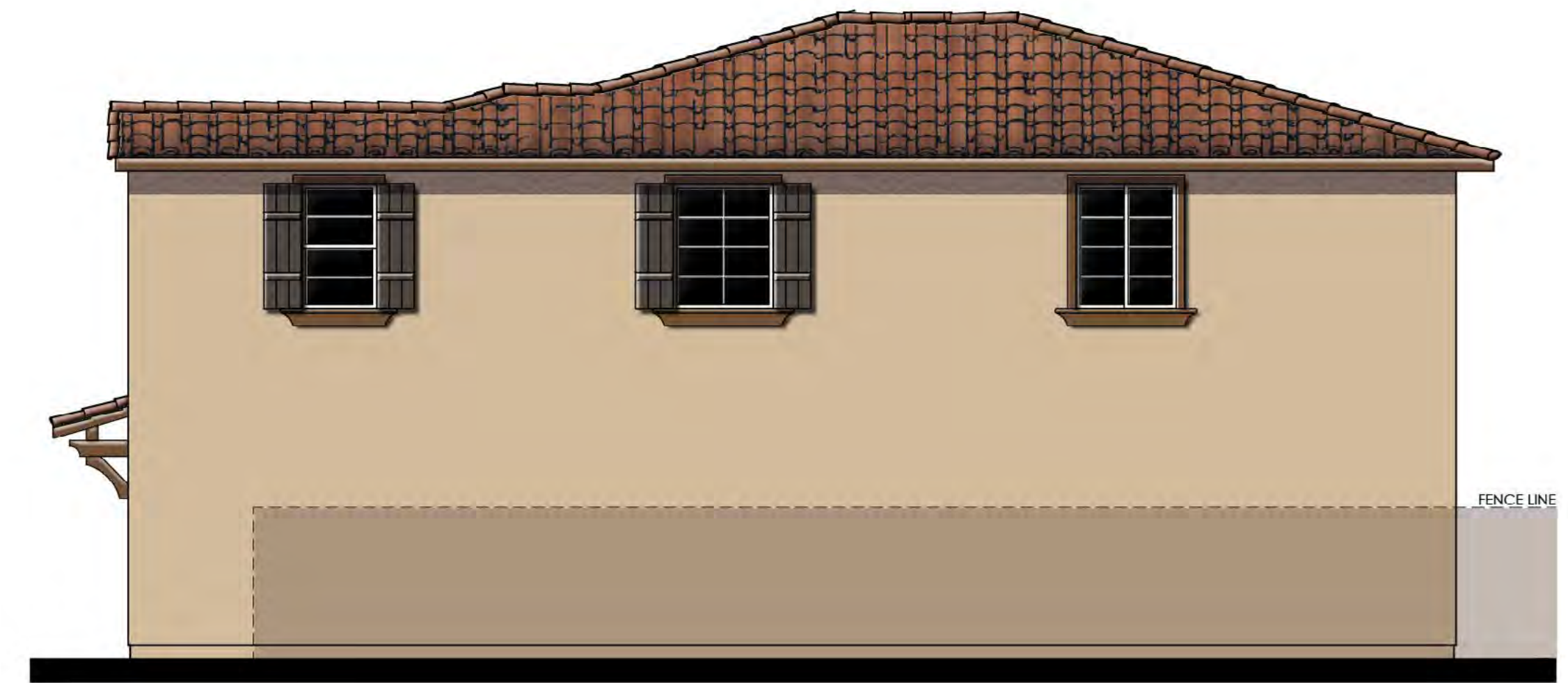
PLAN 3 (2700)

"E" ANDALUSIAN - ELEVATION

Greenly at Parklane

ONTARIO, CA





ENHANCED RIGHT



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ENHANCED REAR

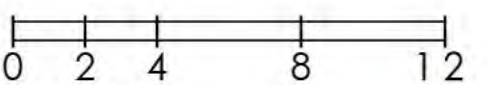
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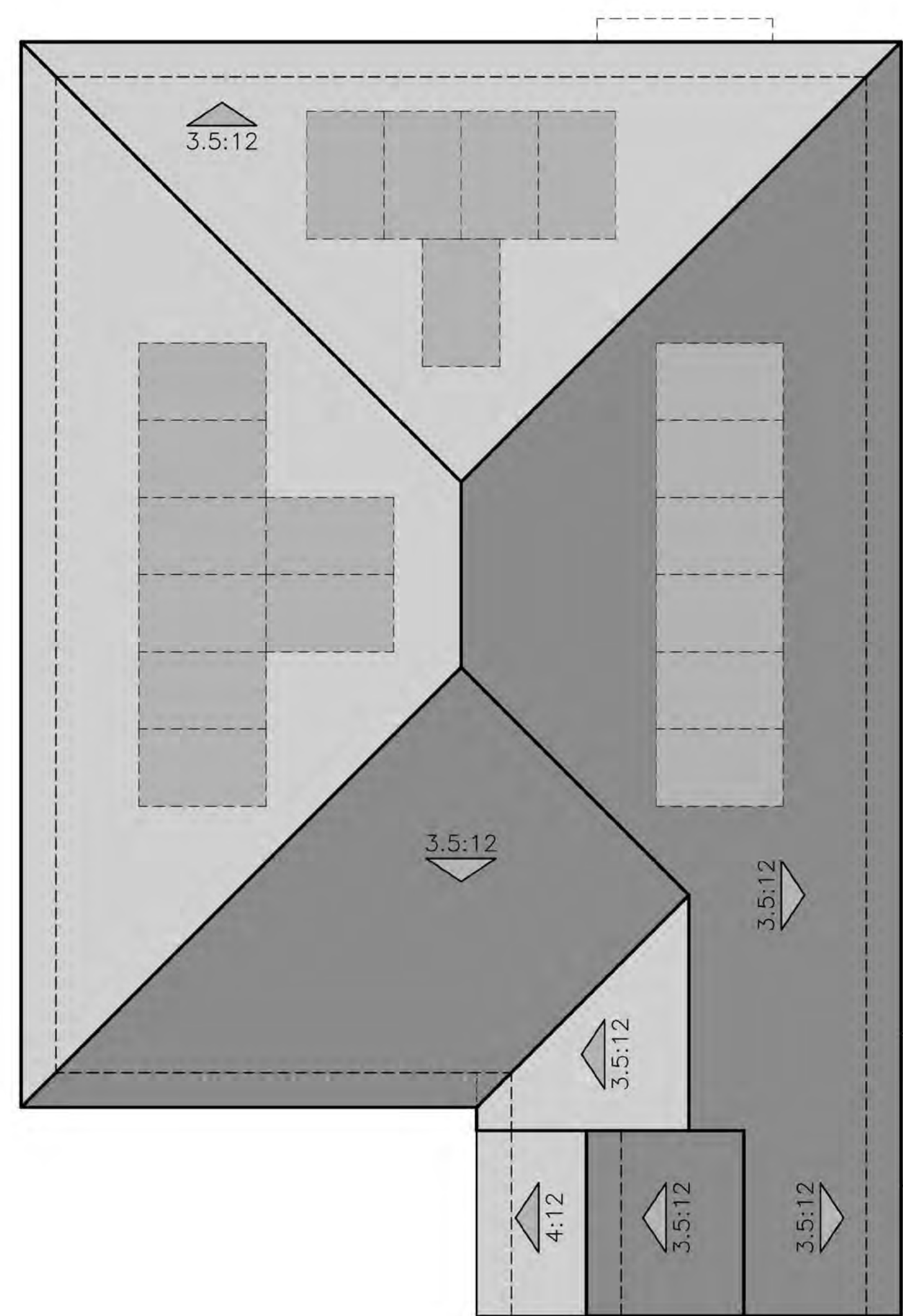
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- GARAGE DOOR: METAL SECTIONAL
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- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 19

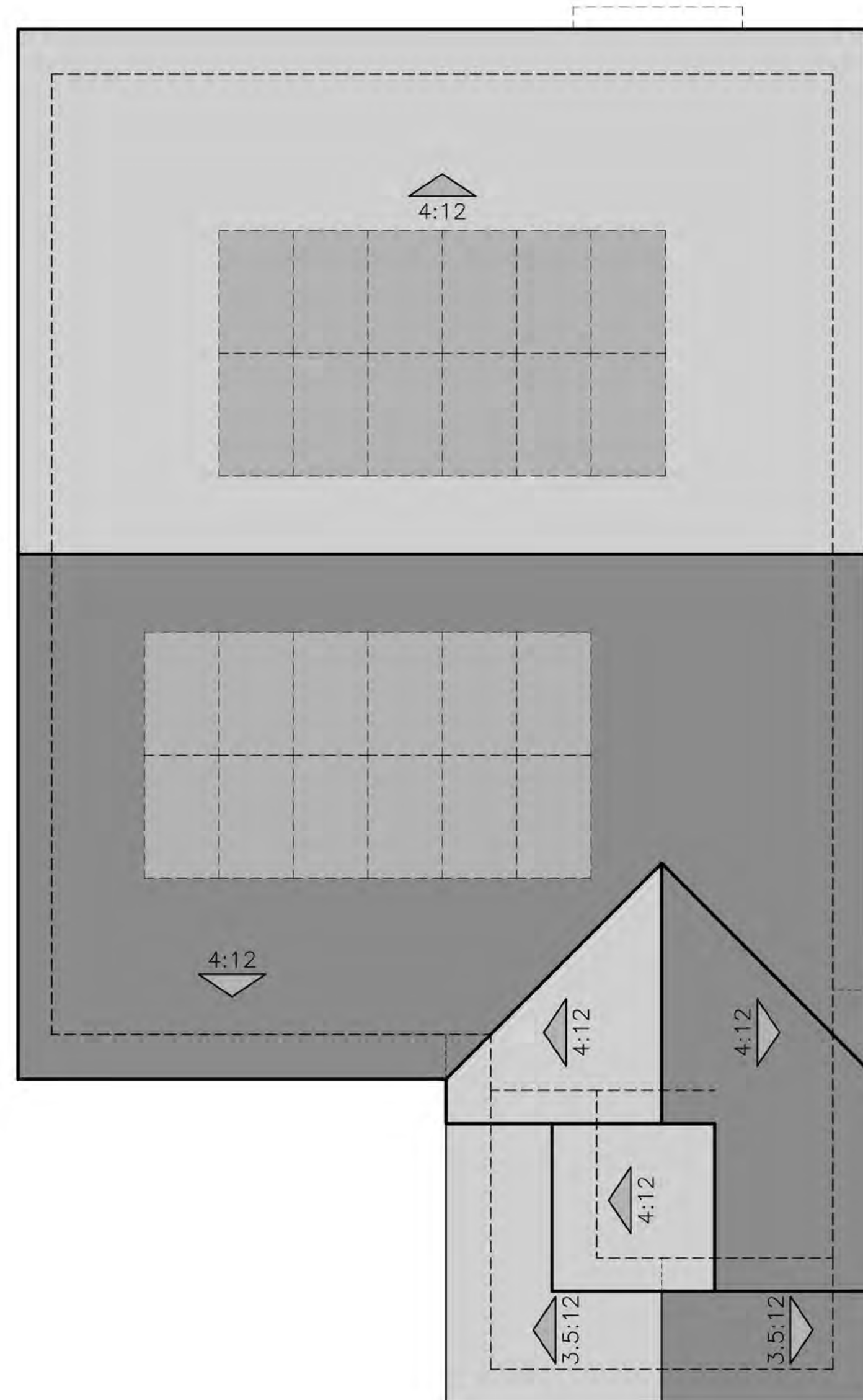
PLAN 3 (2700)

"E" ANDALUSIAN - ELEVATION

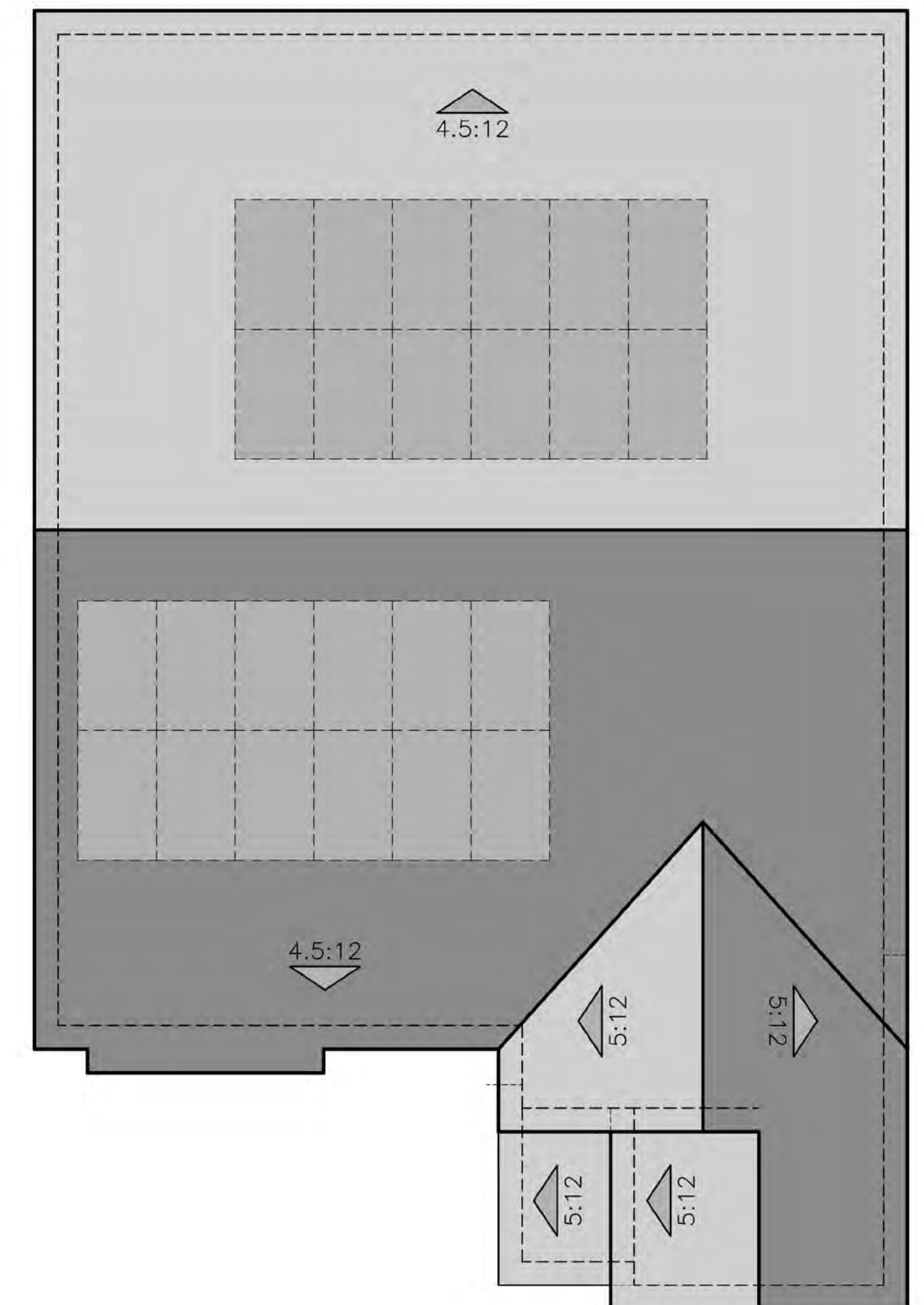




"A" SPANISH COLONIAL

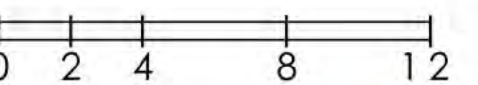


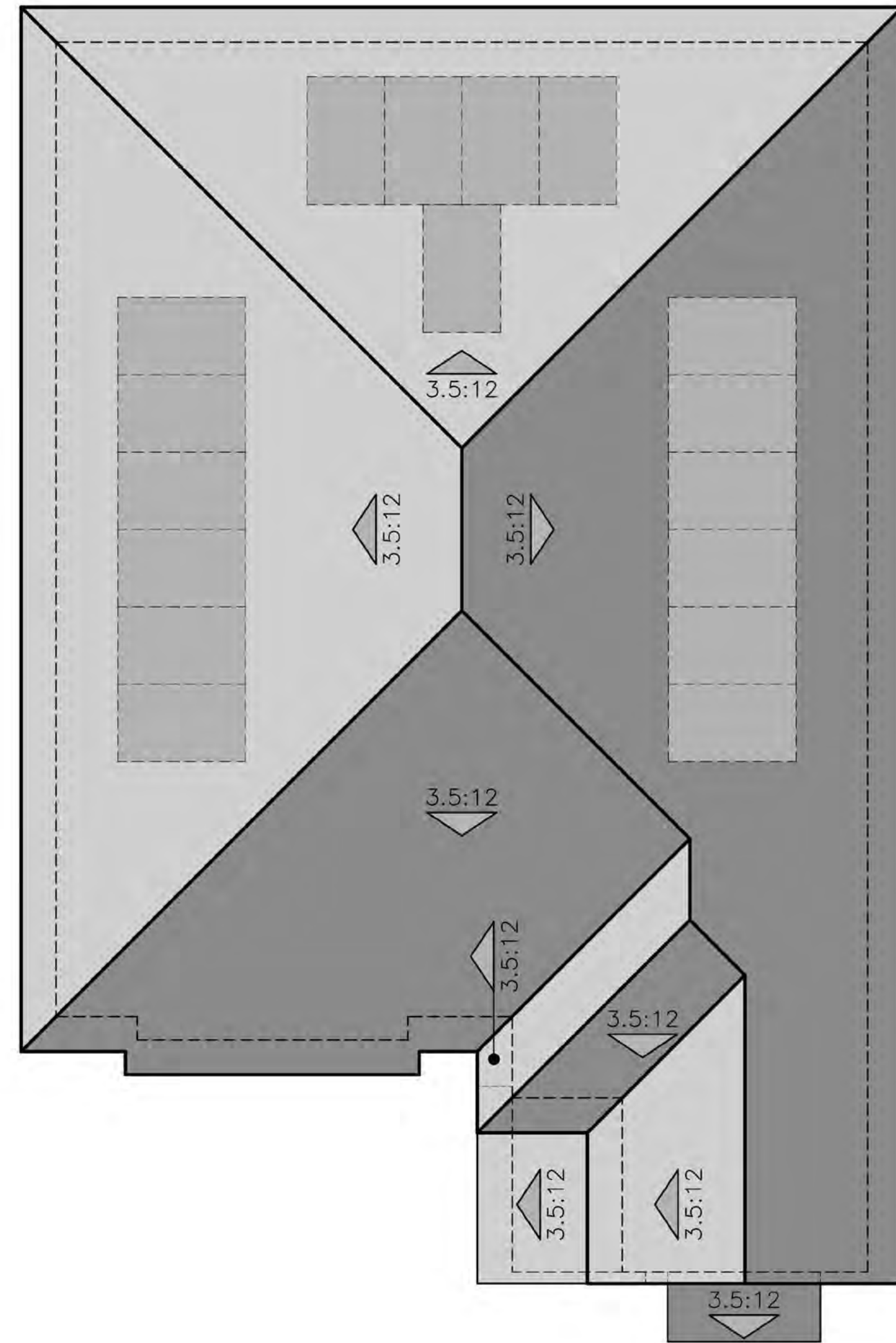
"B" CRAFTSMAN



"D" AMERICAN TRADITIONAL

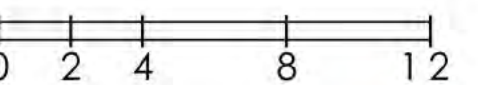
ROOF PLANS
PLAN 3 (2700)

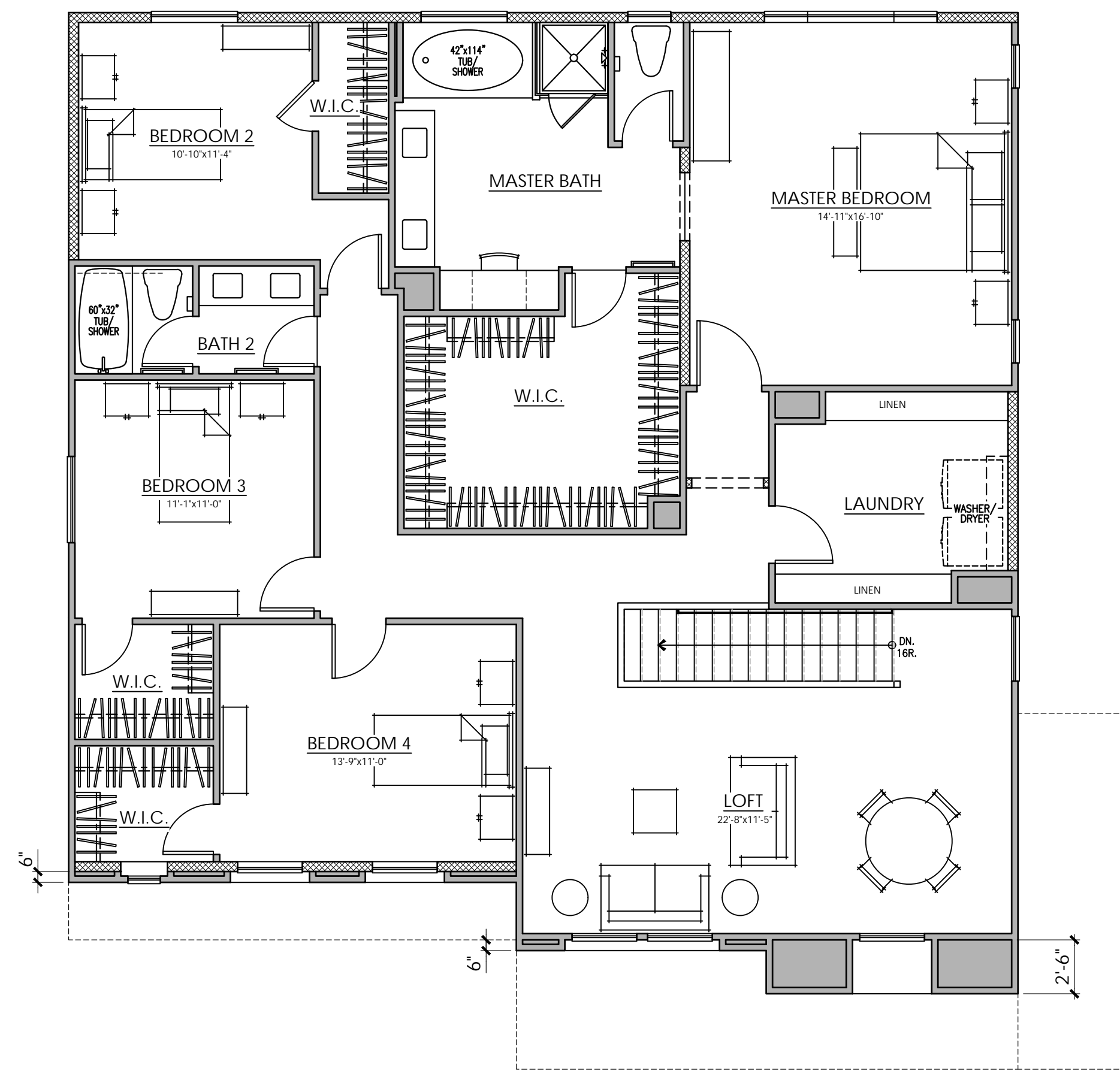




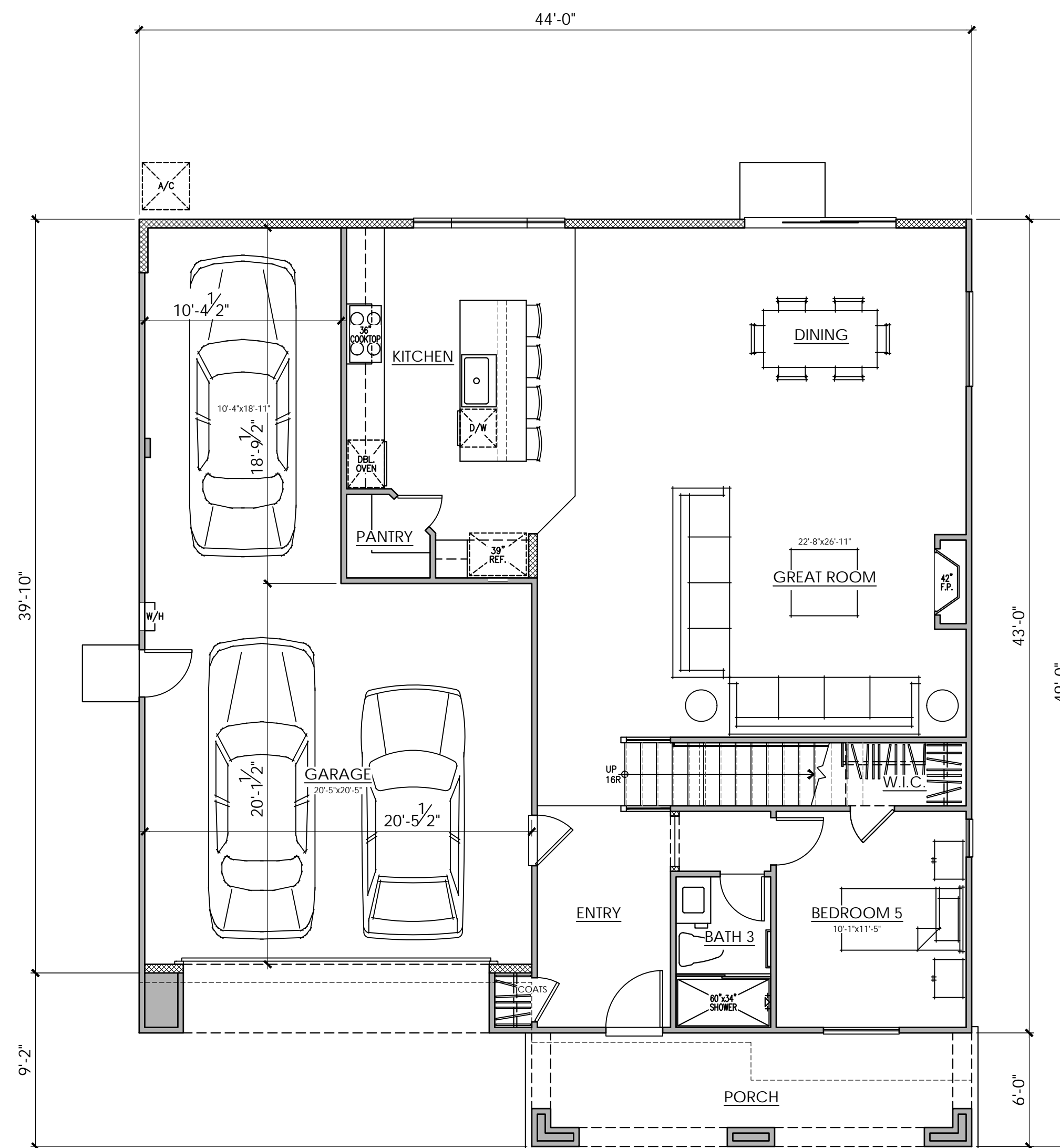
"E" ANDALUSIAN

ROOF PLANS
PLAN 3 (2700)





SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA TABULATION

CONDITIONED SPACE	
FIRST FLOOR AREA	1,194 SQ. FT.
SECOND FLOOR AREA	1,791 SQ. FT.
TOTAL DWELLING	2,985 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	631 SQ. FT.
PORCH	140 SQ. FT.

PLAN 4 (2985)
 5 BEDROOM, 3 BATH

Everly at Parklane
 ONTARIO, CA

44.2.2985.49.G3.3BA.99.K2.IY.MB2.FY.SLV

LENNAR®

06/04/20
 A-36

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 Architect
 Inc
 #19123



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"A" SPANISH COLONIAL



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Refer to landscape drawings for wall, tree, and shrub locations

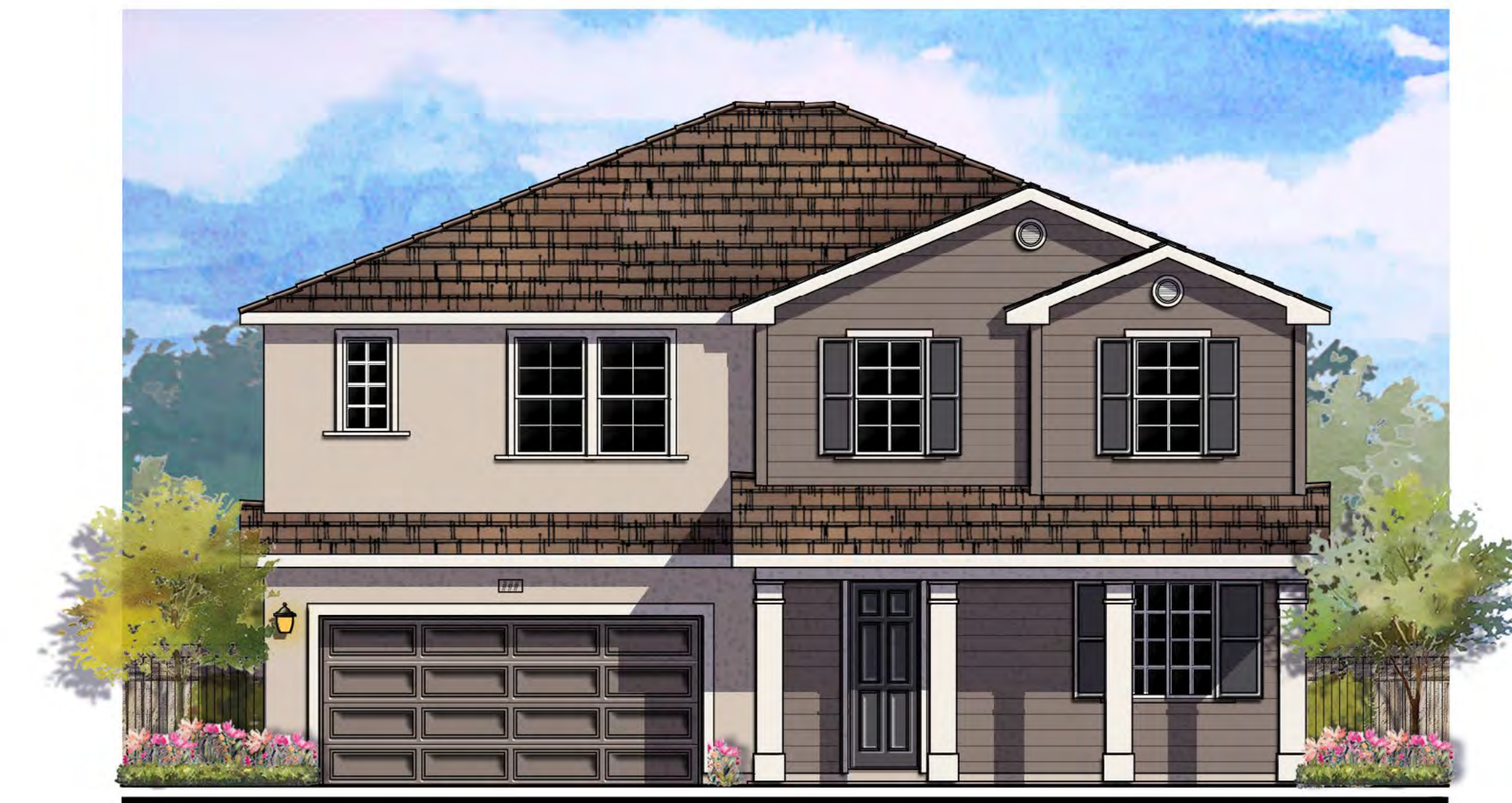
"C" FARMHOUSE



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"B" CRAFTSMAN

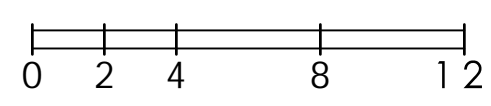


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Refer to landscape drawings for wall, tree, and shrub locations

"D" AMERICAN TRADITIONAL

PLAN 4 (2985)
FRONT ELEVATIONS





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

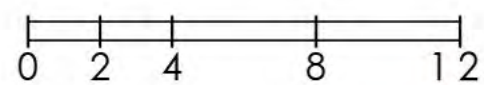
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- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL / KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM



LEFT

COLOR SCHEME 4
PLAN 4 (2985)

"A" SPANISH COLONIAL - ELEVATION





ENHANCED RIGHT

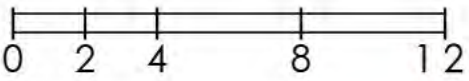


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ENHANCED REAR

- MATERIALS LEGEND**
(WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: LOW PROFILE CONCRETE "S" TILE
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 - GABLE END: SIMULATED CLAY TILE
 - WALL: STUCCO
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 4
PLAN 4 (2985)
 "A" SPANISH COLONIAL - ELEVATION

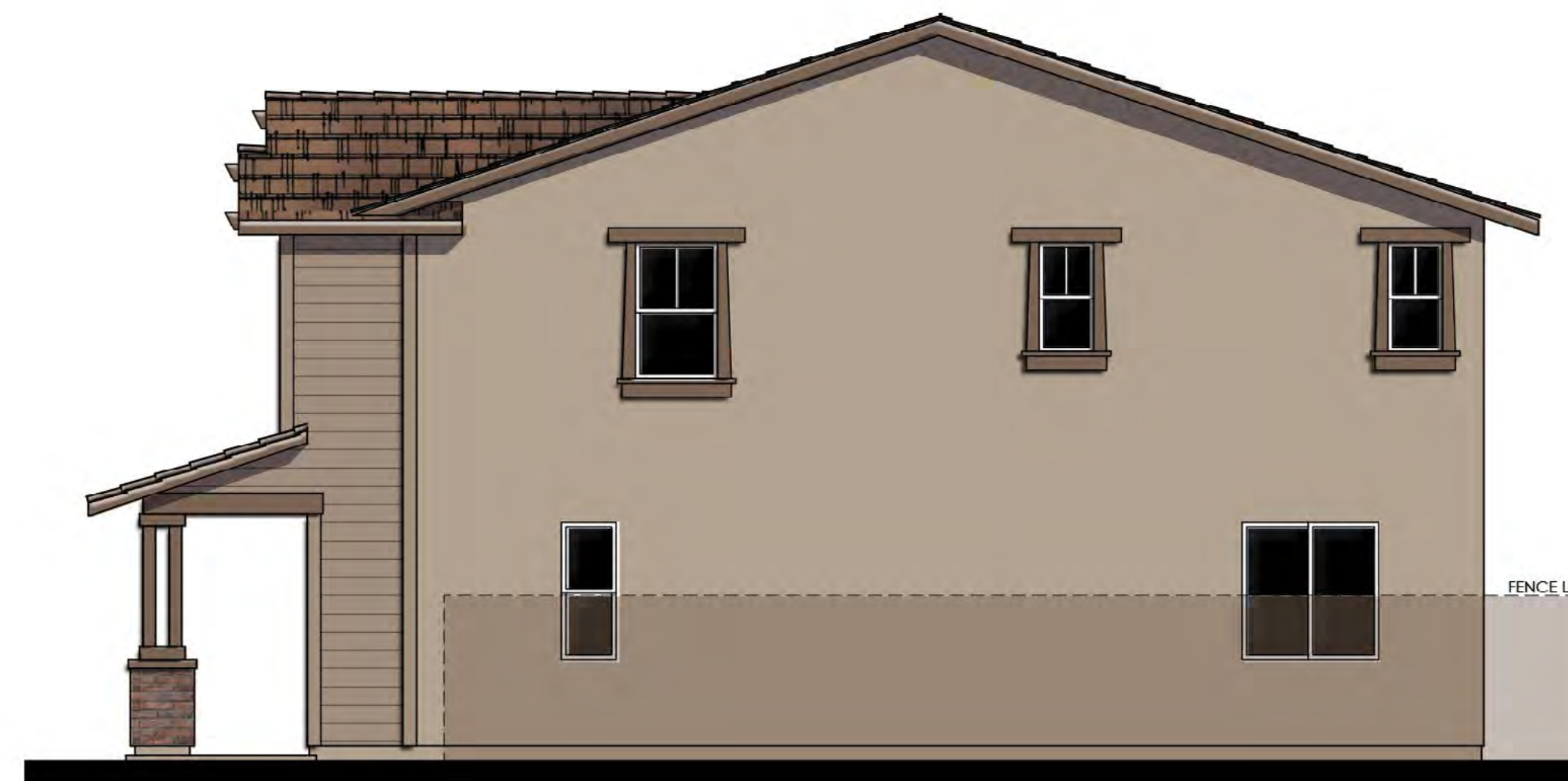




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FRONT



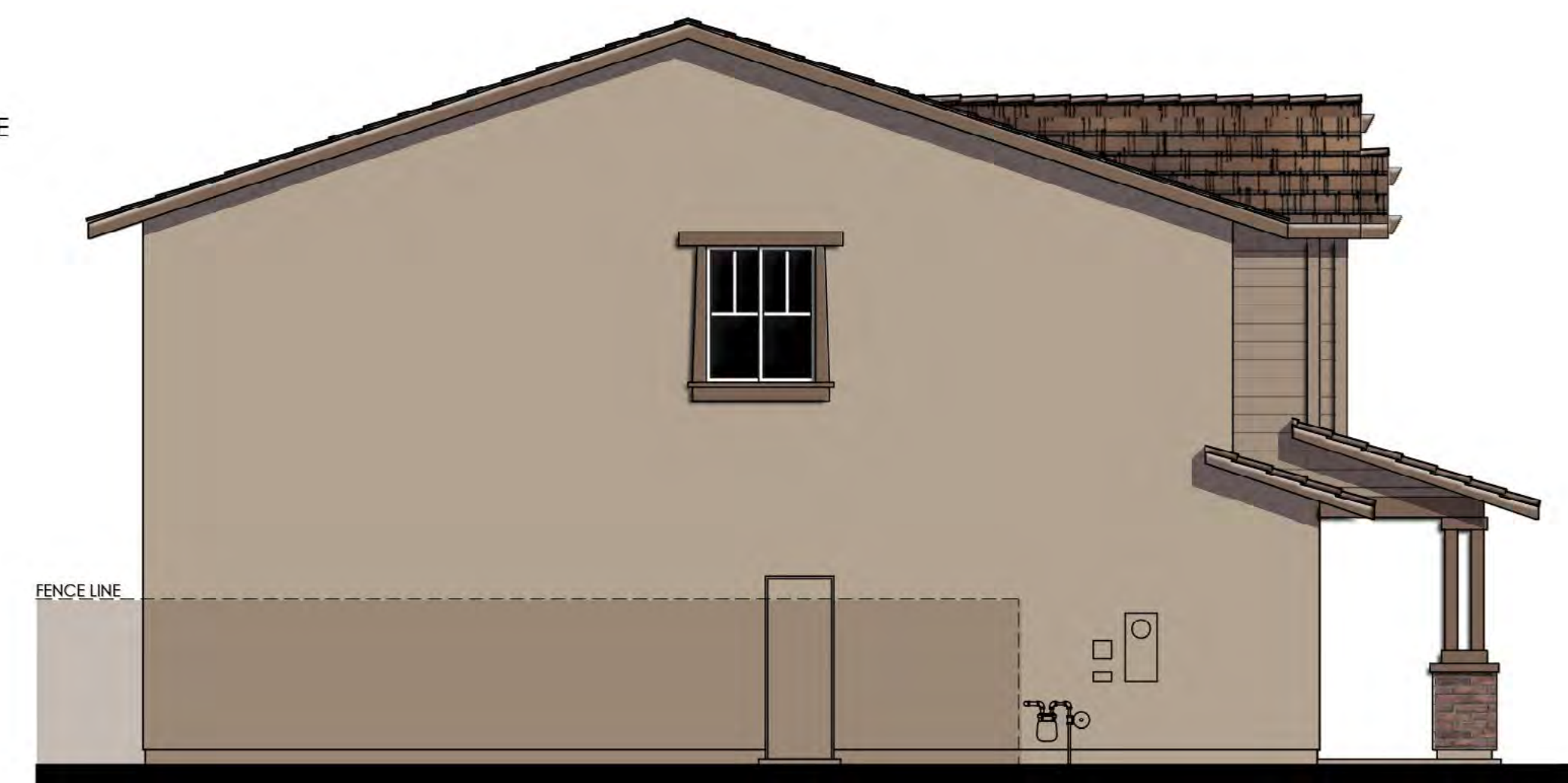
RIGHT



REAR

MATERIALS LEGEND

- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: CONCRETE FLAT TILE
 - ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - GABLE END: BOARD AND BATTEN SIDING
 - WALL: STUCCO/ LAP SIDING
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM
 - WAINSCOT: BRICK VENEER



LEFT

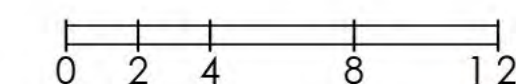
COLOR SCHEME 8

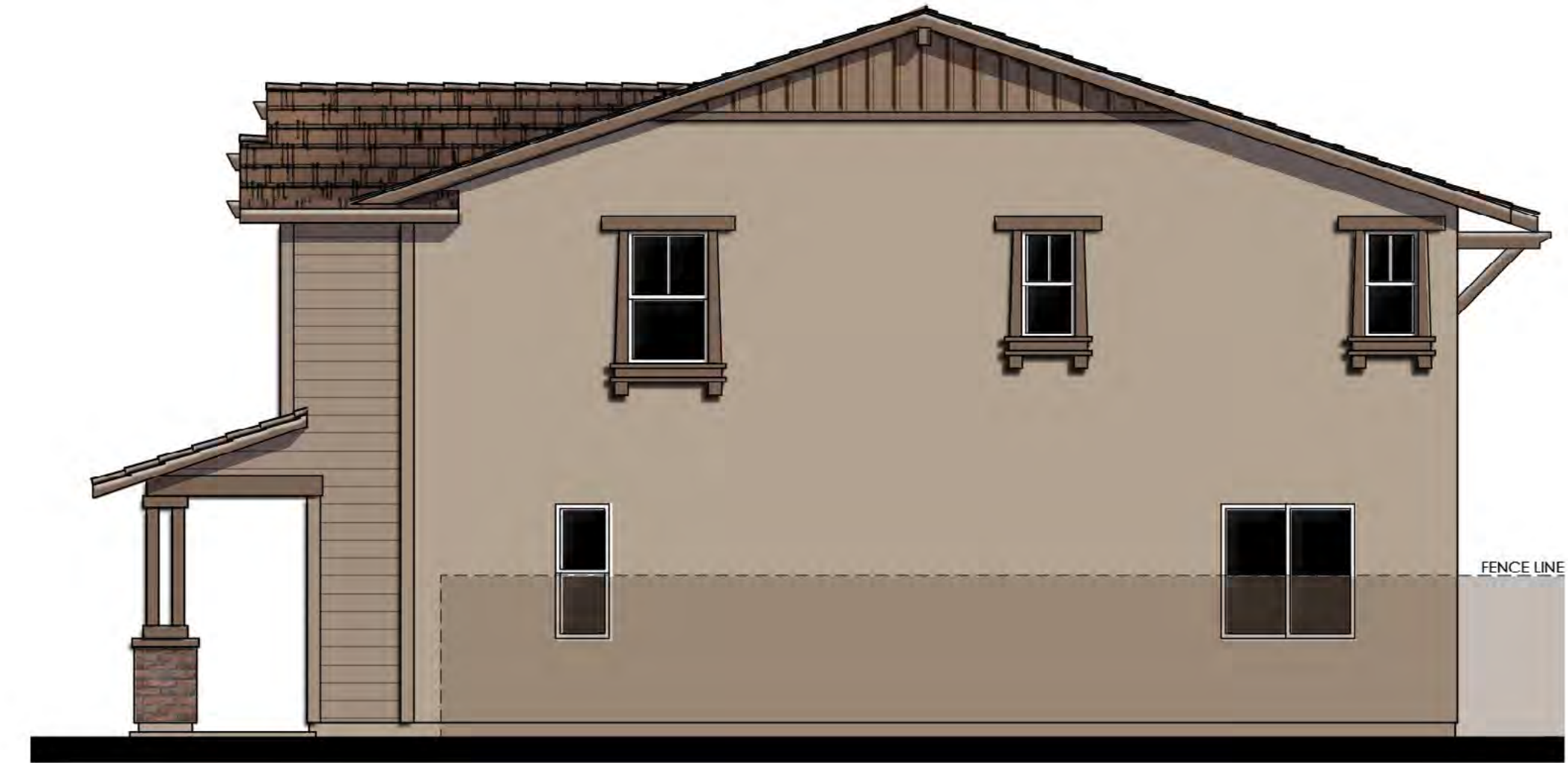
PLAN 4 (2985)

"B" CRAFTSMAN - ELEVATION

Everly at Parklane

ONTARIO, CA





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Refer to landscape drawings for wall, tree, and shrub locations

ENHANCED REAR

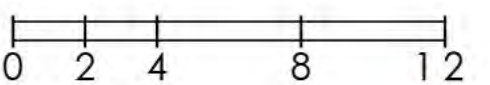
MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER

COLOR SCHEME 8

PLAN 4 (2985)

"B" CRAFTSMAN - ELEVATION

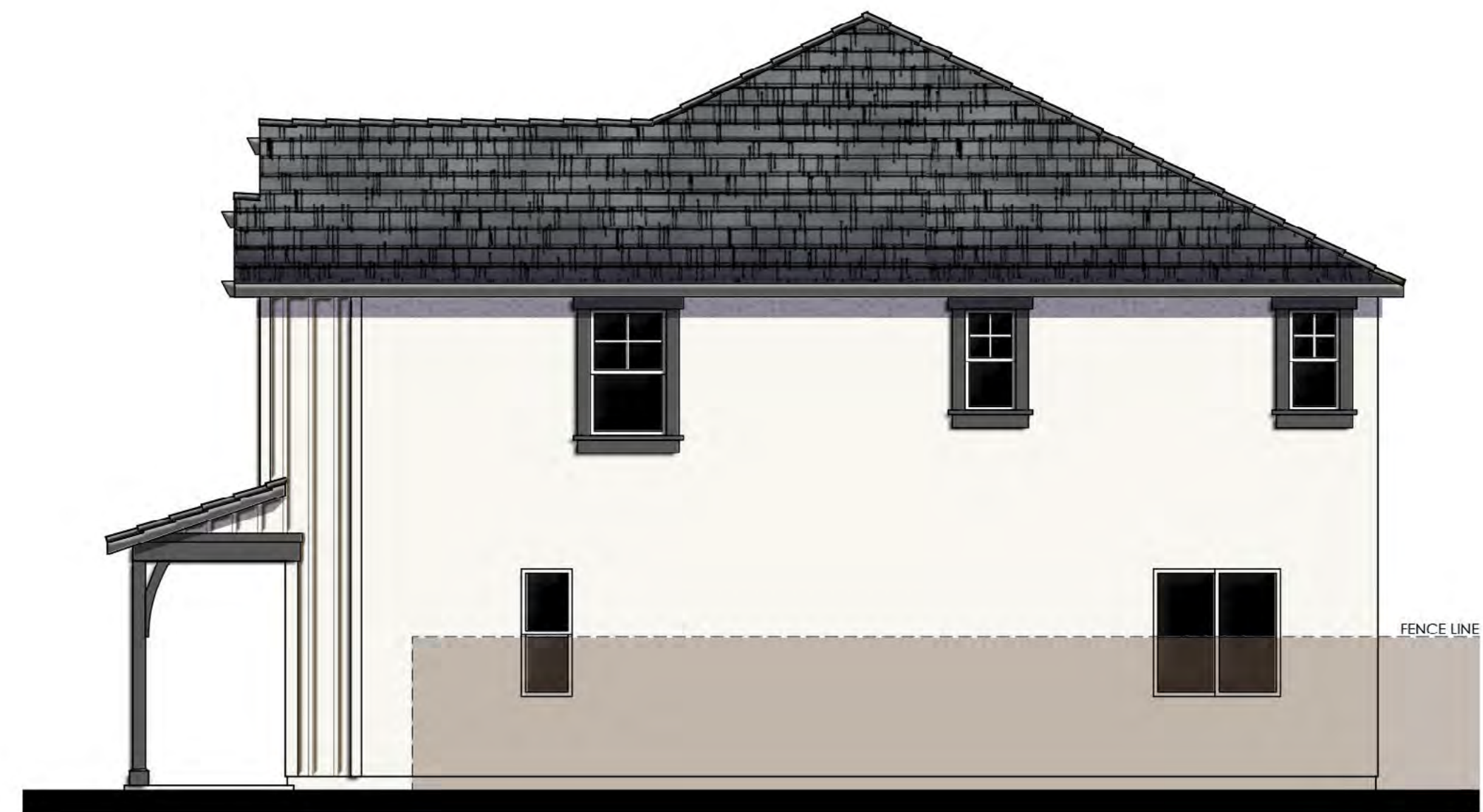




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FRONT



RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRAC
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORATIVE I



LEFT

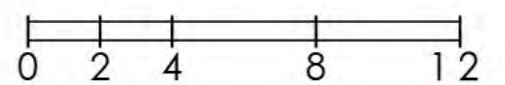
COLOR SCHEME 12

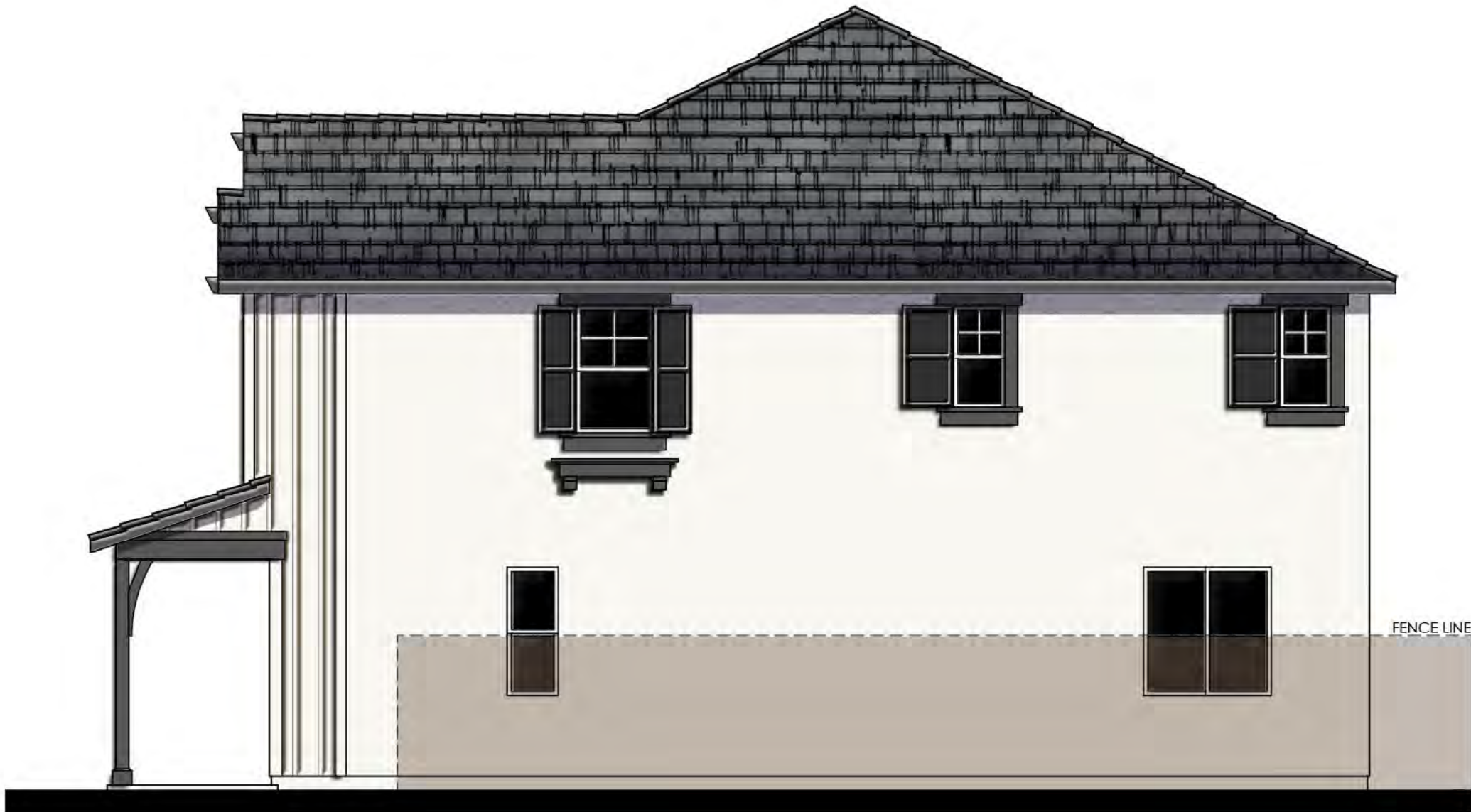
PLAN 4 (2985)

"C" FARMHOUSE - ELEVATION

Everly at Parklane

ONTARIO, CA





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ENHANCED REAR

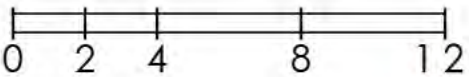
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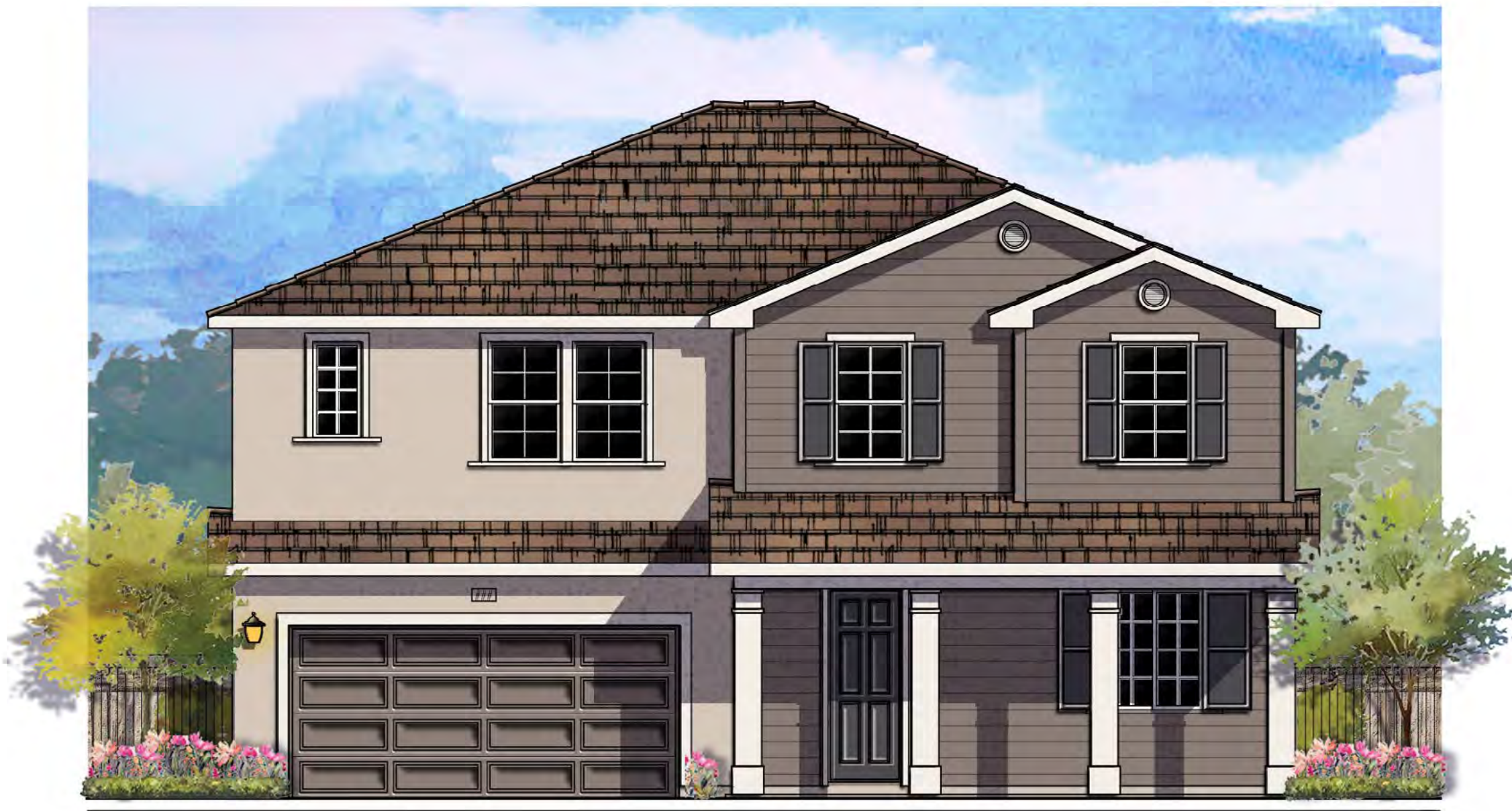
- (WHERE OCCURS)
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 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: CONCRETE FLAT TILE
 - ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - WALL: STUCCO/ BOARD AND BATTEN SIDING
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM
 - PORCH: WOOD POST AND BEAM / DECORATI

COLOR SCHEME 12

PLAN 4 (2985)

"C" FARMHOUSE - ELEVATION

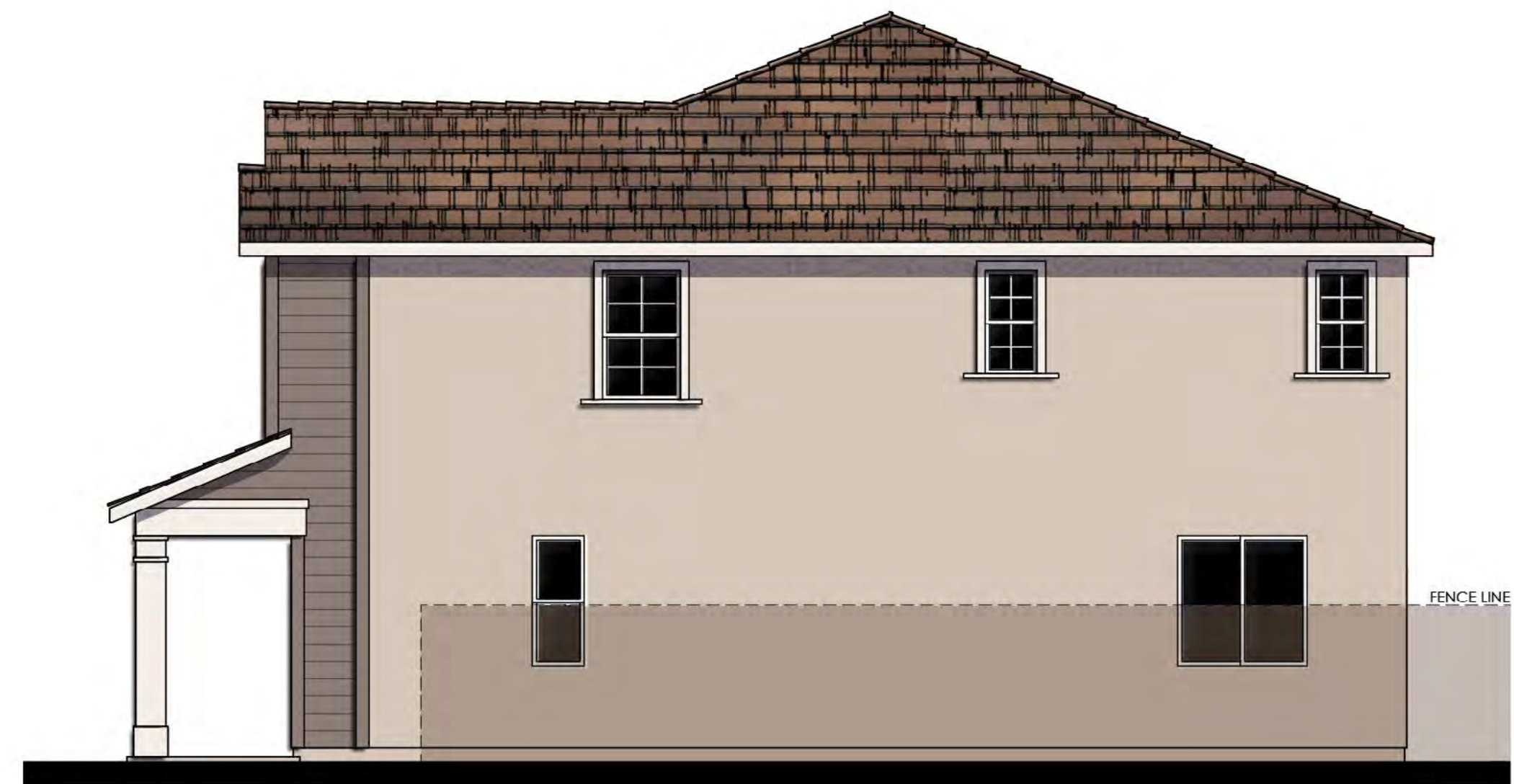




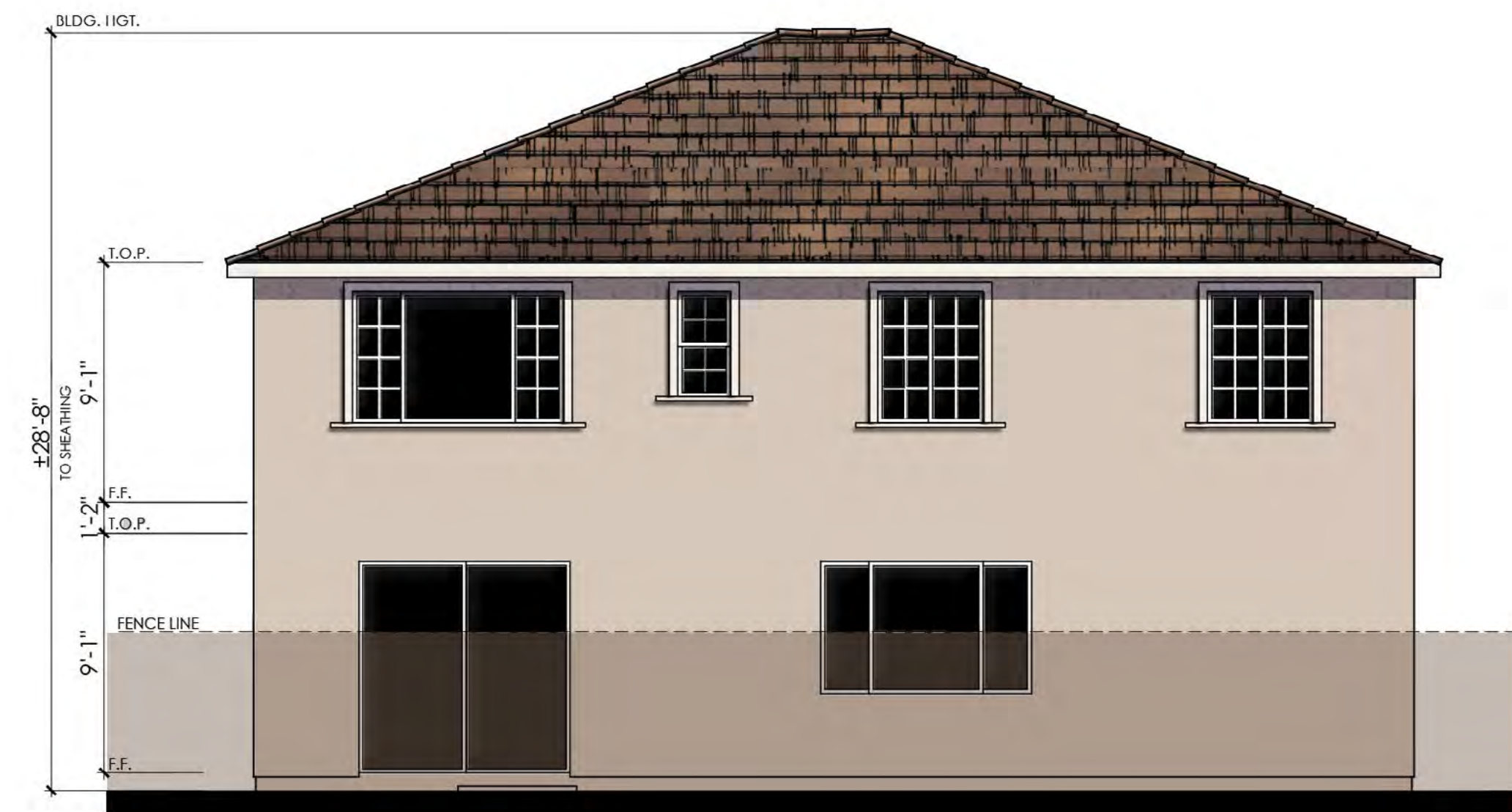
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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



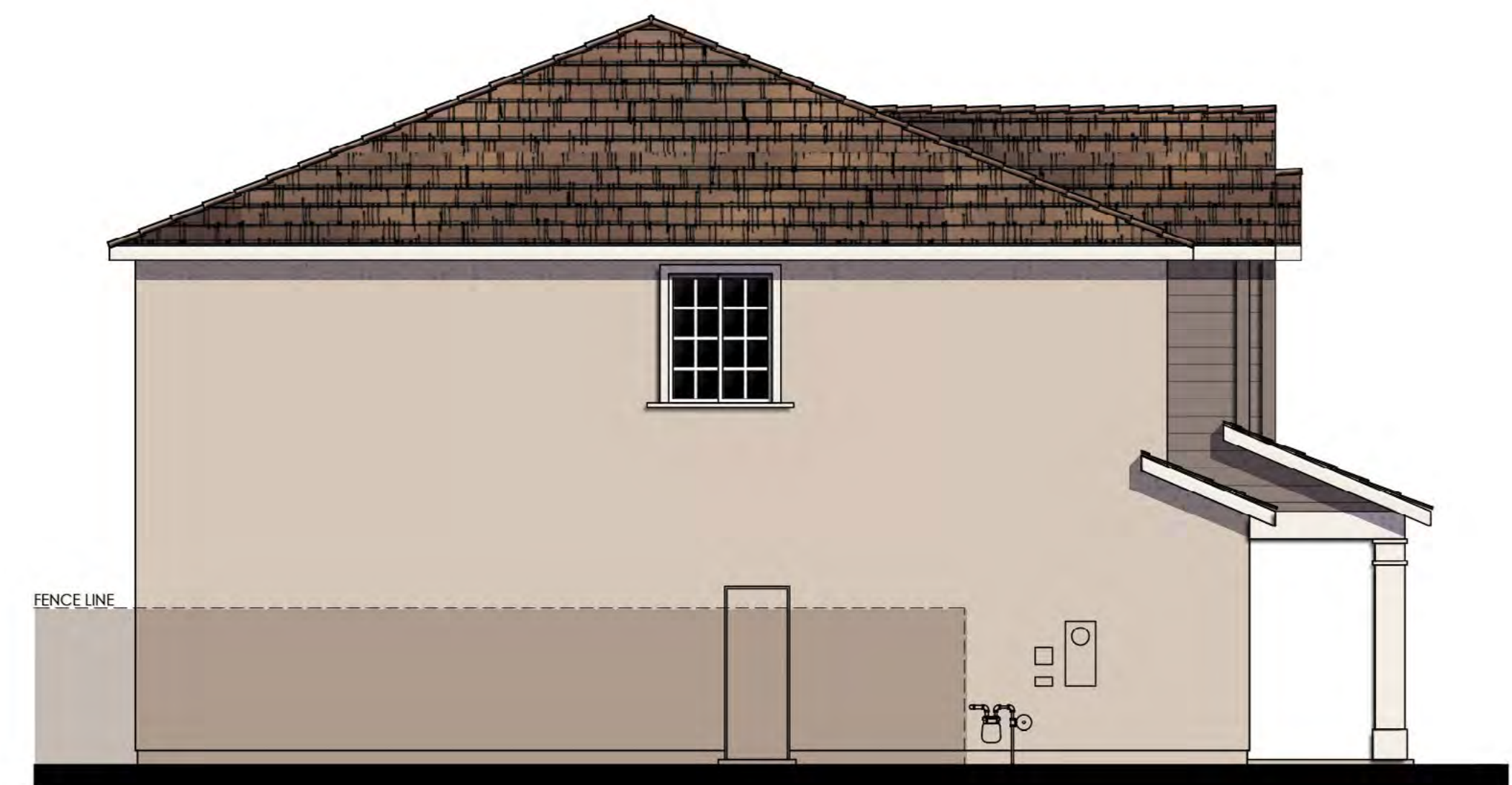
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

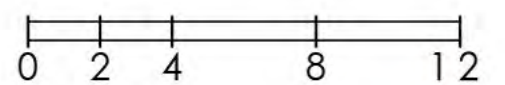
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM

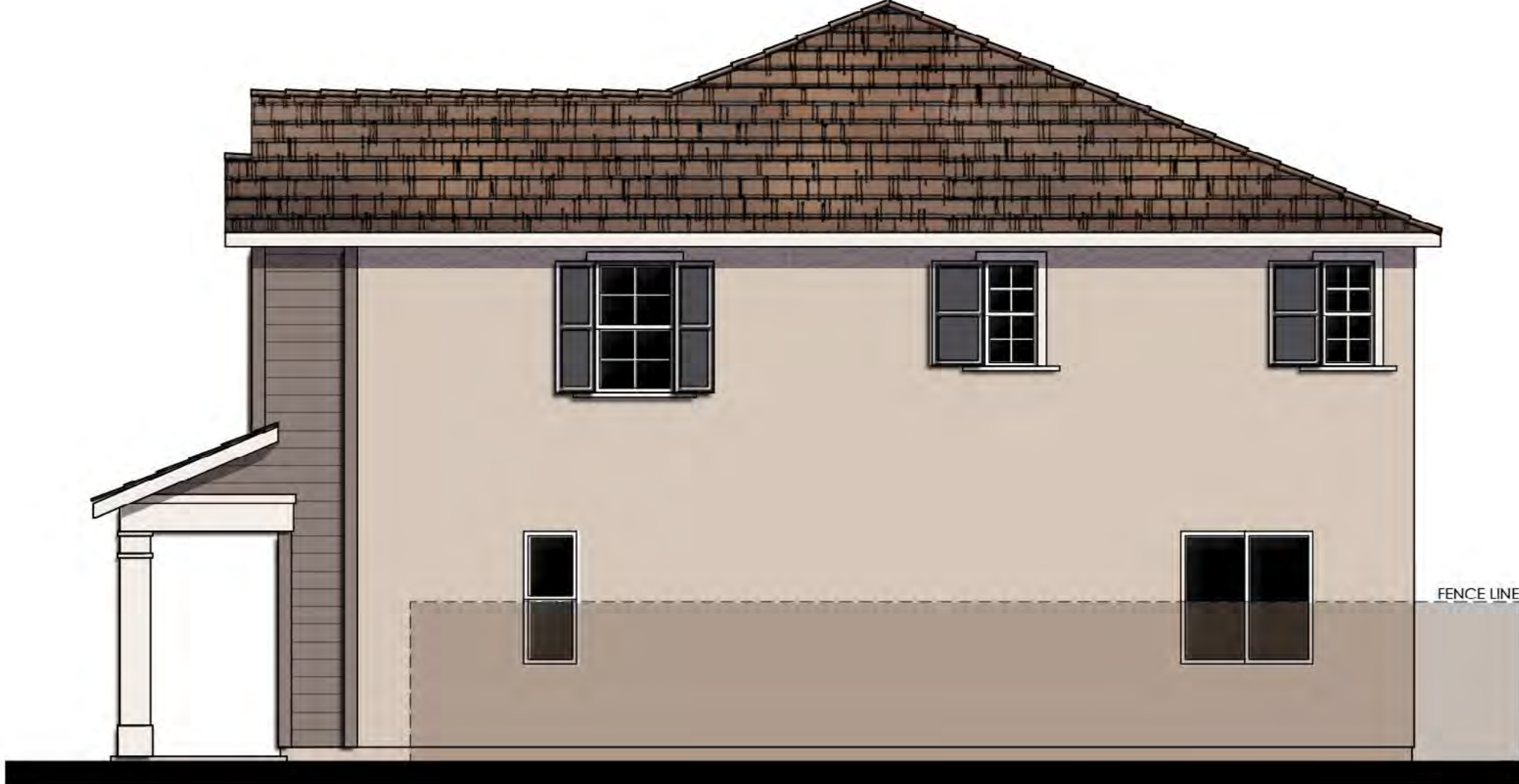


LEFT

COLOR SCHEME 16
PLAN 4 (2985)

"D" AMERICAN TRADITIONAL - ELEVATION





ENHANCED RIGHT



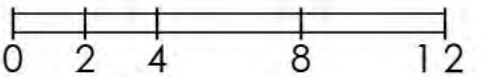
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ENHANCED REAR

- MATERIALS LEGEND**
(WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: CONCRETE FLAT TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - WALL: STUCCO/ LAP SIDING
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM
 - PORCH: WOOD POST AND BEAM

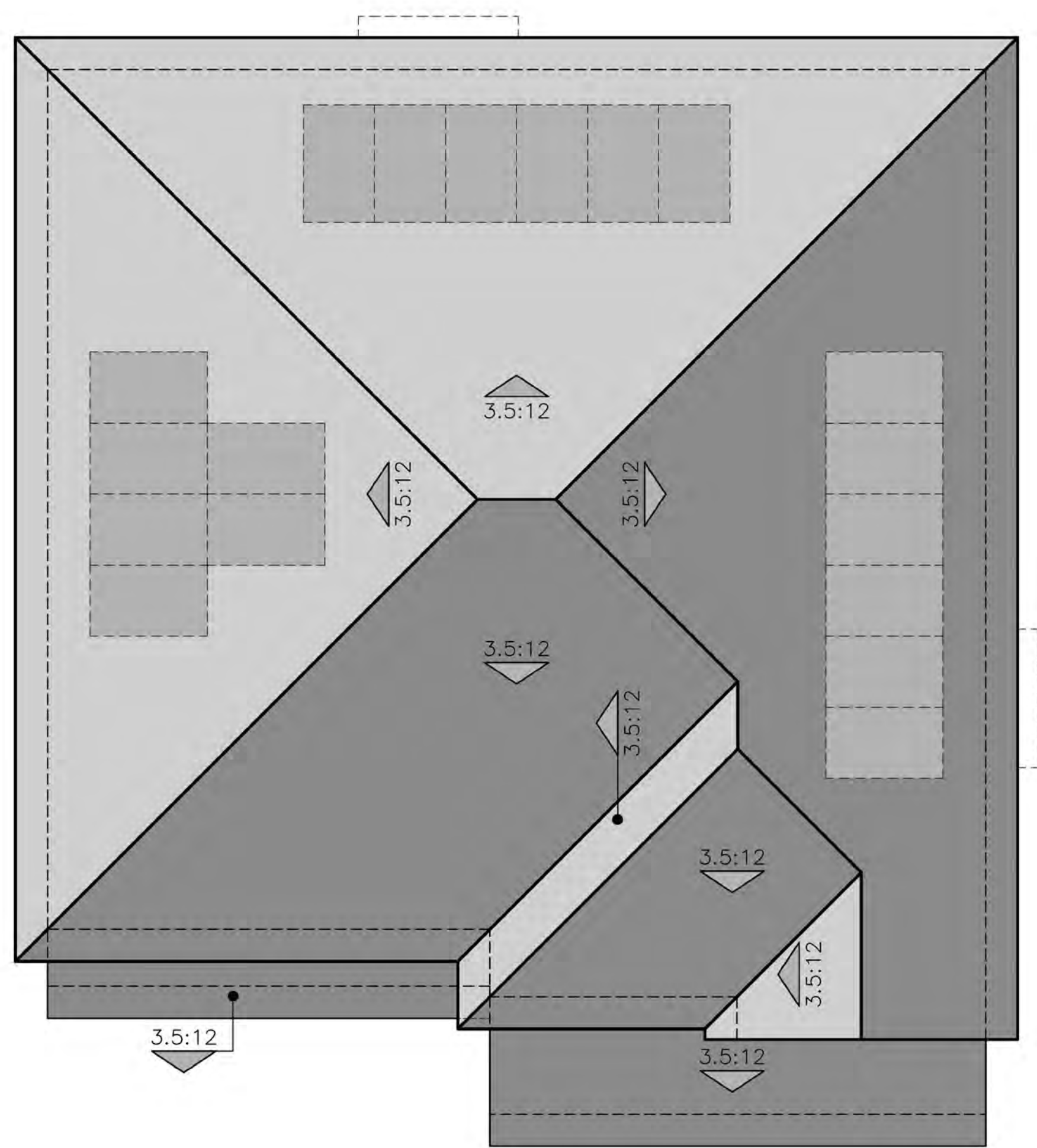
COLOR SCHEME 16
PLAN 4 (2985)

"D" AMERICAN TRADITIONAL - ELEVATION

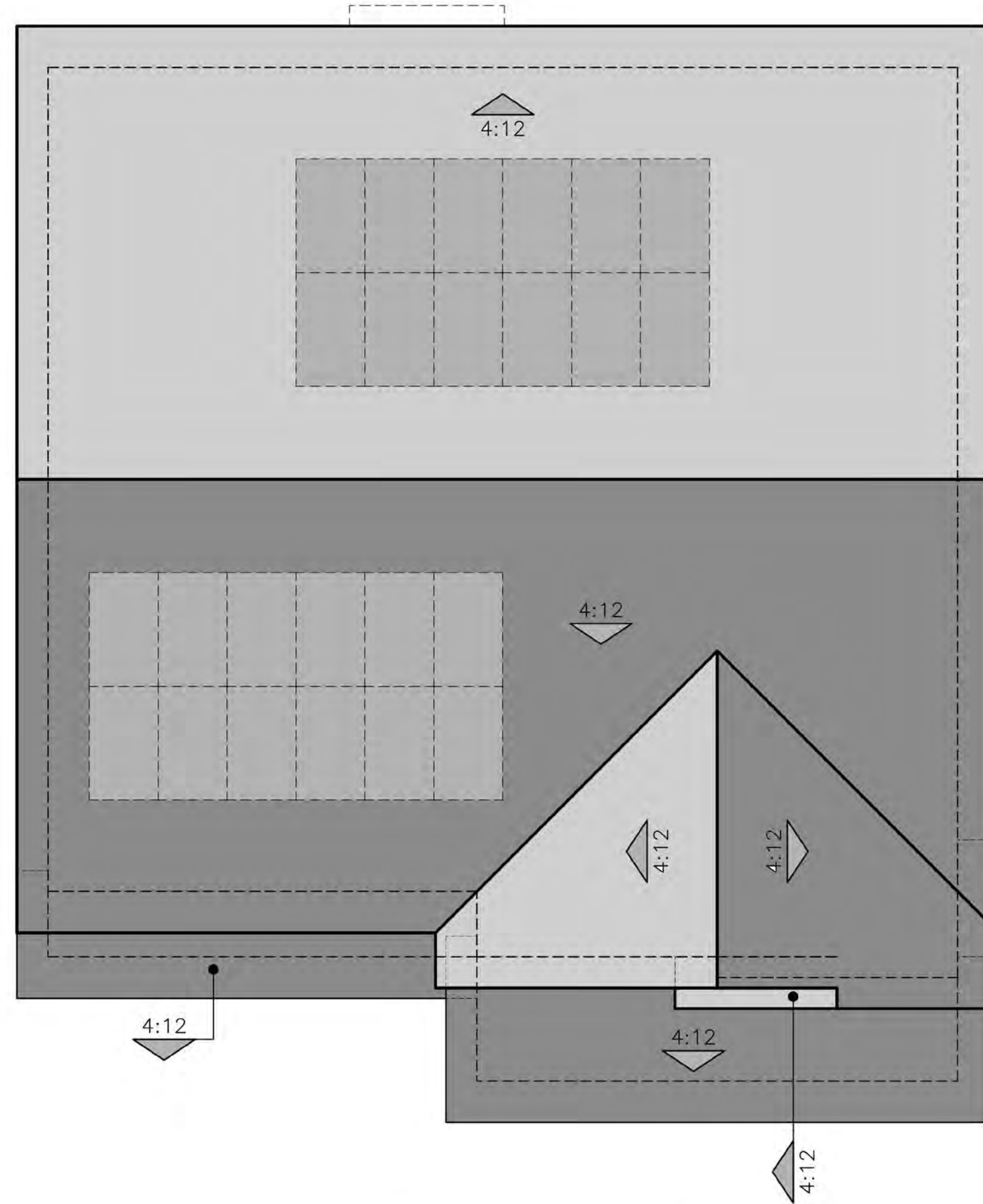


LENNAR *Everly at Parklane* ONTARIO, CA

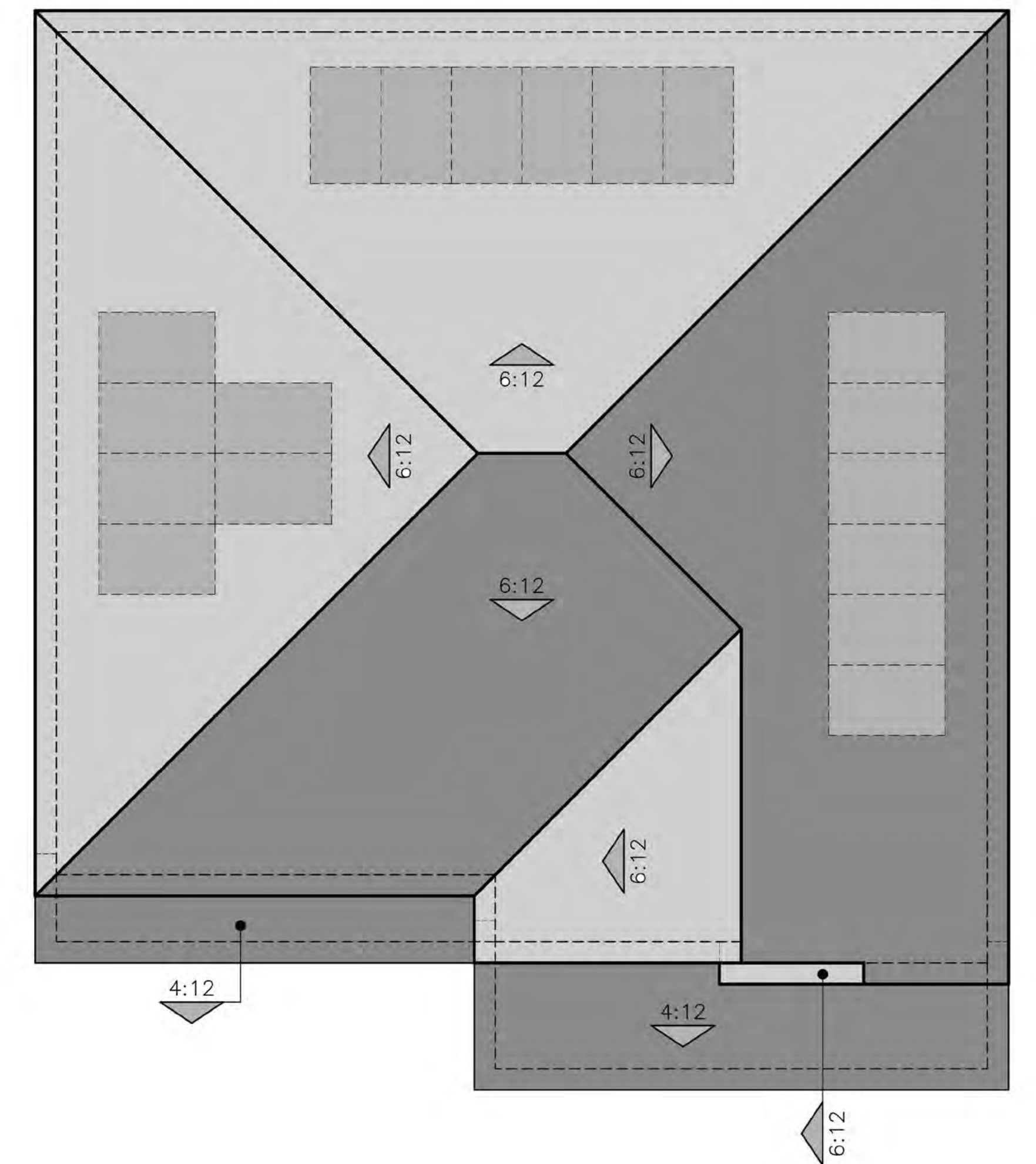
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"A" SPANISH COLONIAL

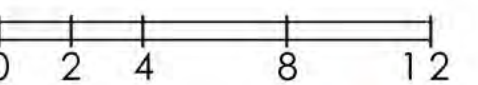


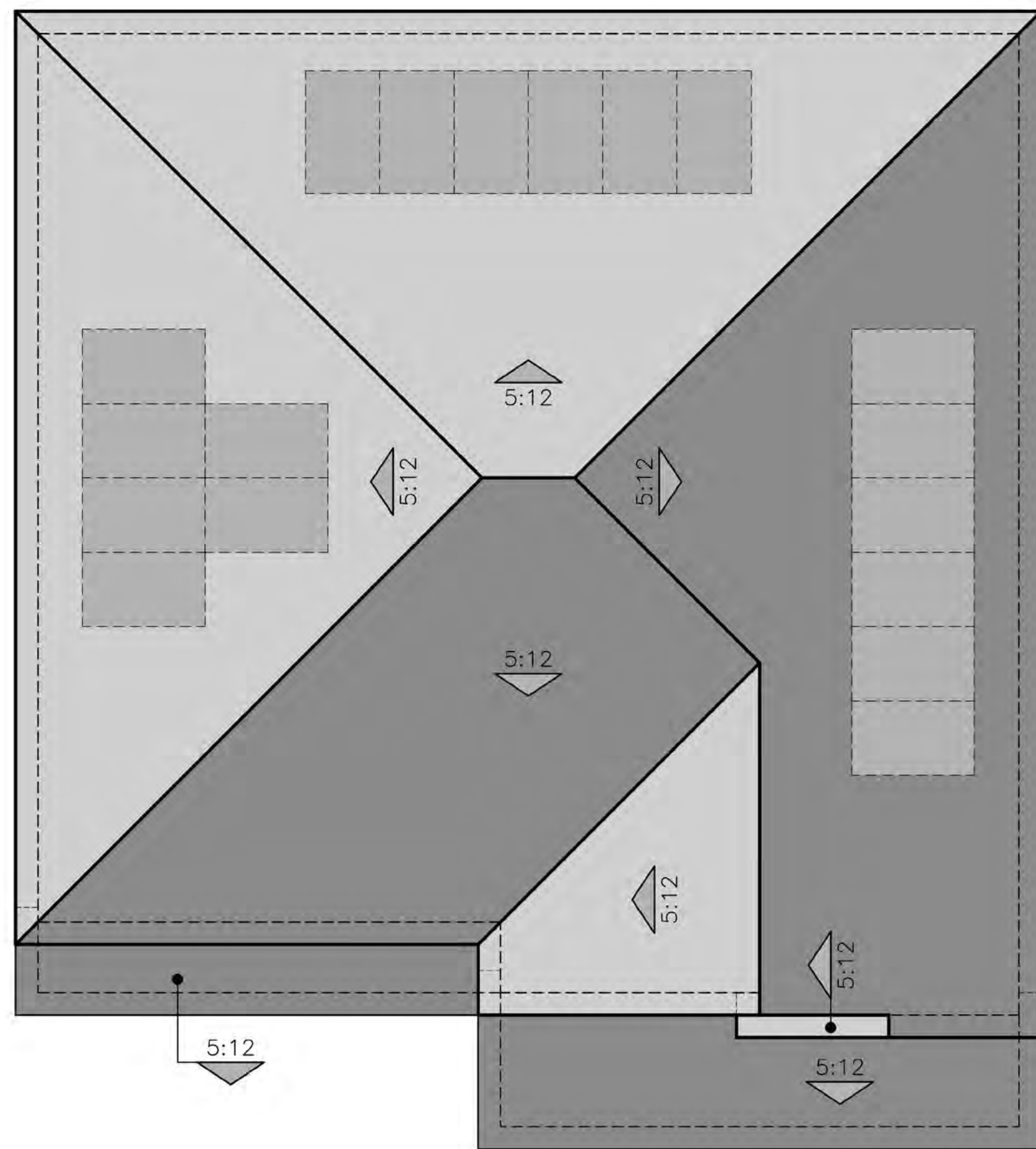
"B" CRAFTSMAN



"C" FARMHOUSE

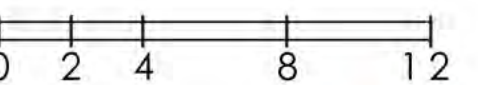
ROOF PLANS
PLAN 4 (2985)

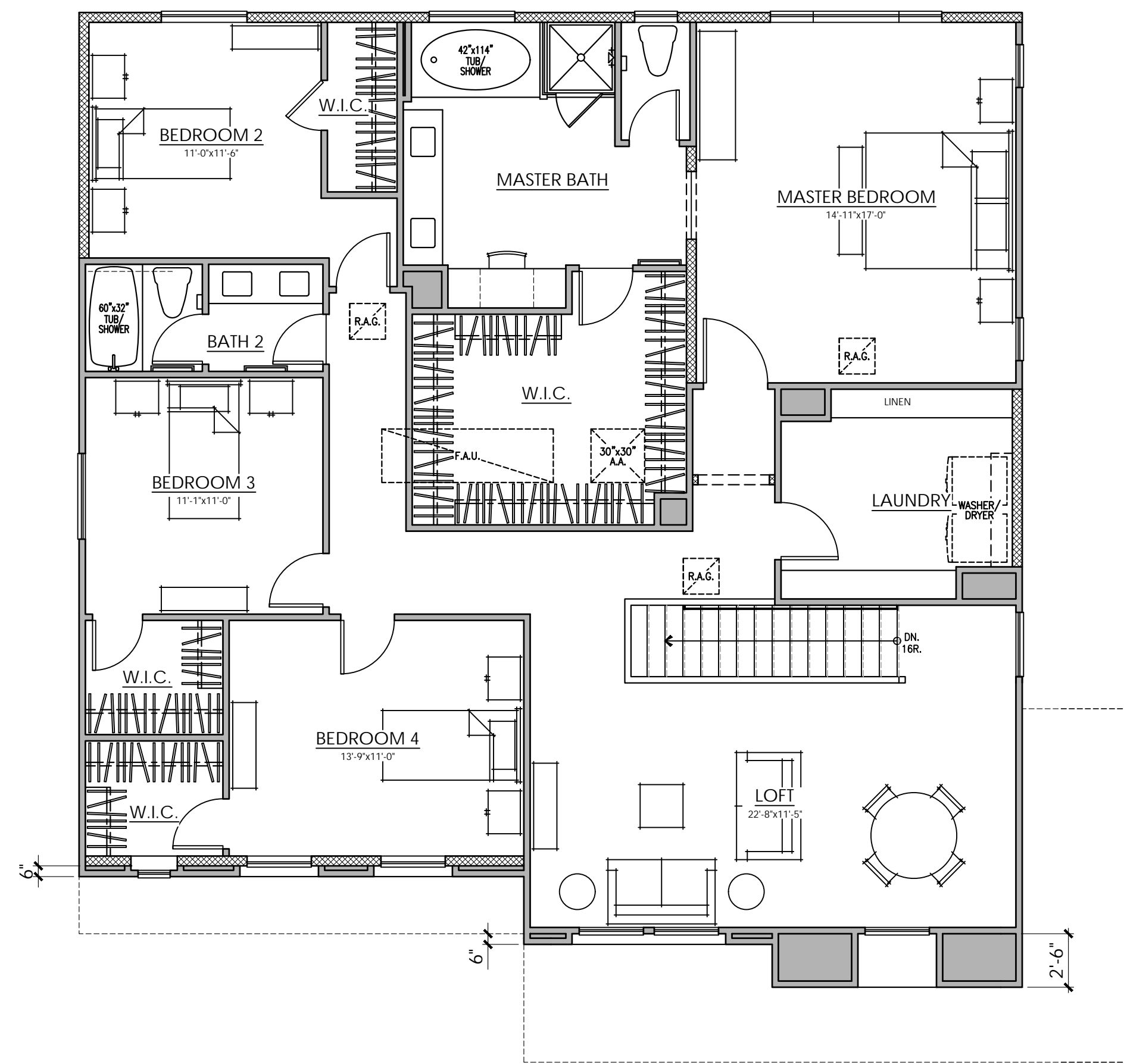




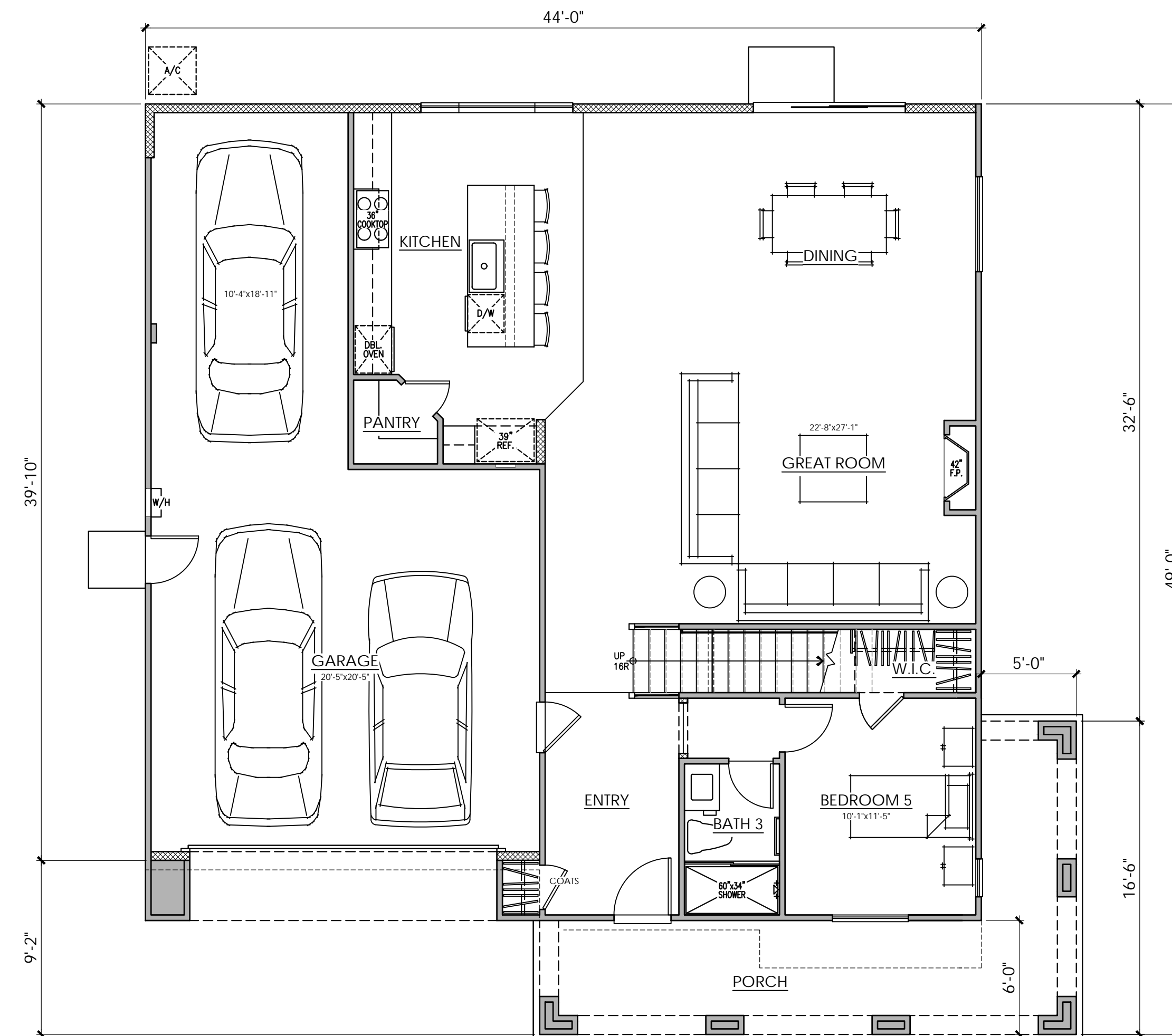
"D" AMERICAN TRADITIONAL

ROOF PLANS
PLAN 4 (2985)





SECOND FLOOR PLAN



FIRST FLOOR PLAN

AREA TABULATION

CONDITIONED SPACE	
FIRST FLOOR AREA	1,066 SQ. FT.
SECOND FLOOR AREA	1,481 SQ. FT.
TOTAL DWELLING	2,547 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	419 SQ. FT.
PORCH	222 SQ. FT.

PLAN 4X (2985X)
5 BEDROOM, 3 BATH

Everly at Parklane
ONTARIO, CA

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"A" SPANISH COLONIAL



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"C" FARMHOUSE



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Refer to landscape drawings for wall, tree, and shrub locations

"B" CRAFTSMAN

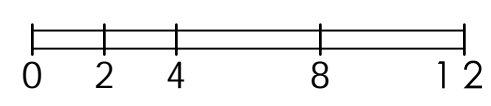


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"D" AMERICAN TRADITIONAL

PLAN 4X (2985X)
FRONT ELEVATIONS





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

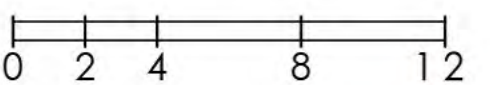
MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL / KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 4

PLAN 4X (2985X)

"A" SPANISH COLONIAL - ELEVATION





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

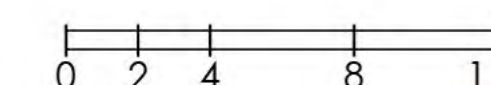
MATERIALS LEGEND

- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: CONCRETE FLAT TILE
 - ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - GABLE END: BOARD AND BATTEN SIDING
 - WALL: STUCCO/ LAP SIDING
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM
 - WAINSCOT: BRICK VENEER

COLOR SCHEME 8

PLAN 4X (2985X)

"B" CRAFTSMAN - ELEVATION





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

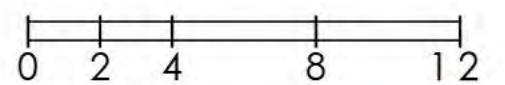
MATERIALS LEGEND
(WHERE OCCURS)

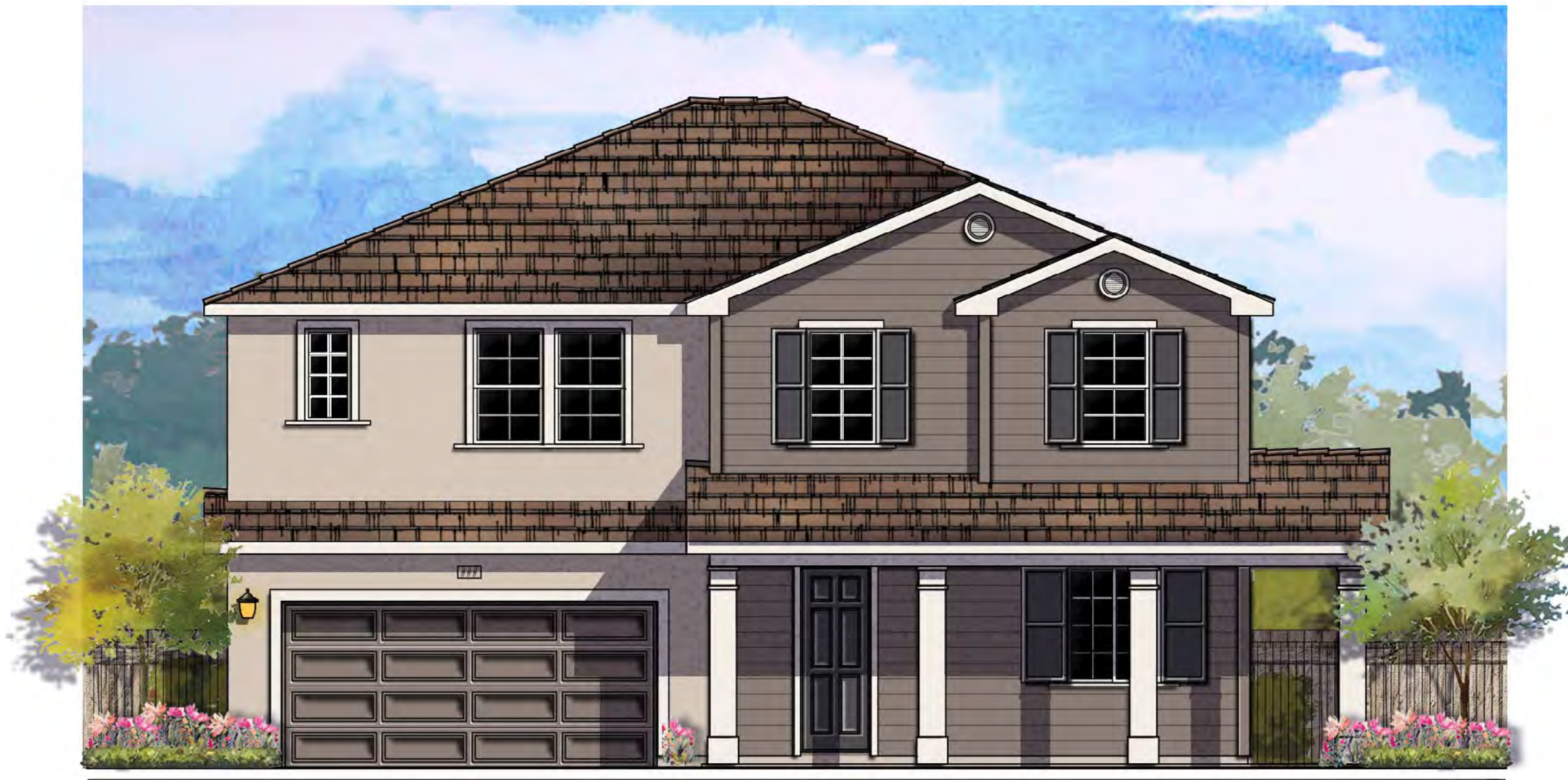
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORATIVE

COLOR SCHEME 12

PLAN 4X (2985X)

"C" FARMHOUSE - ELEVATION

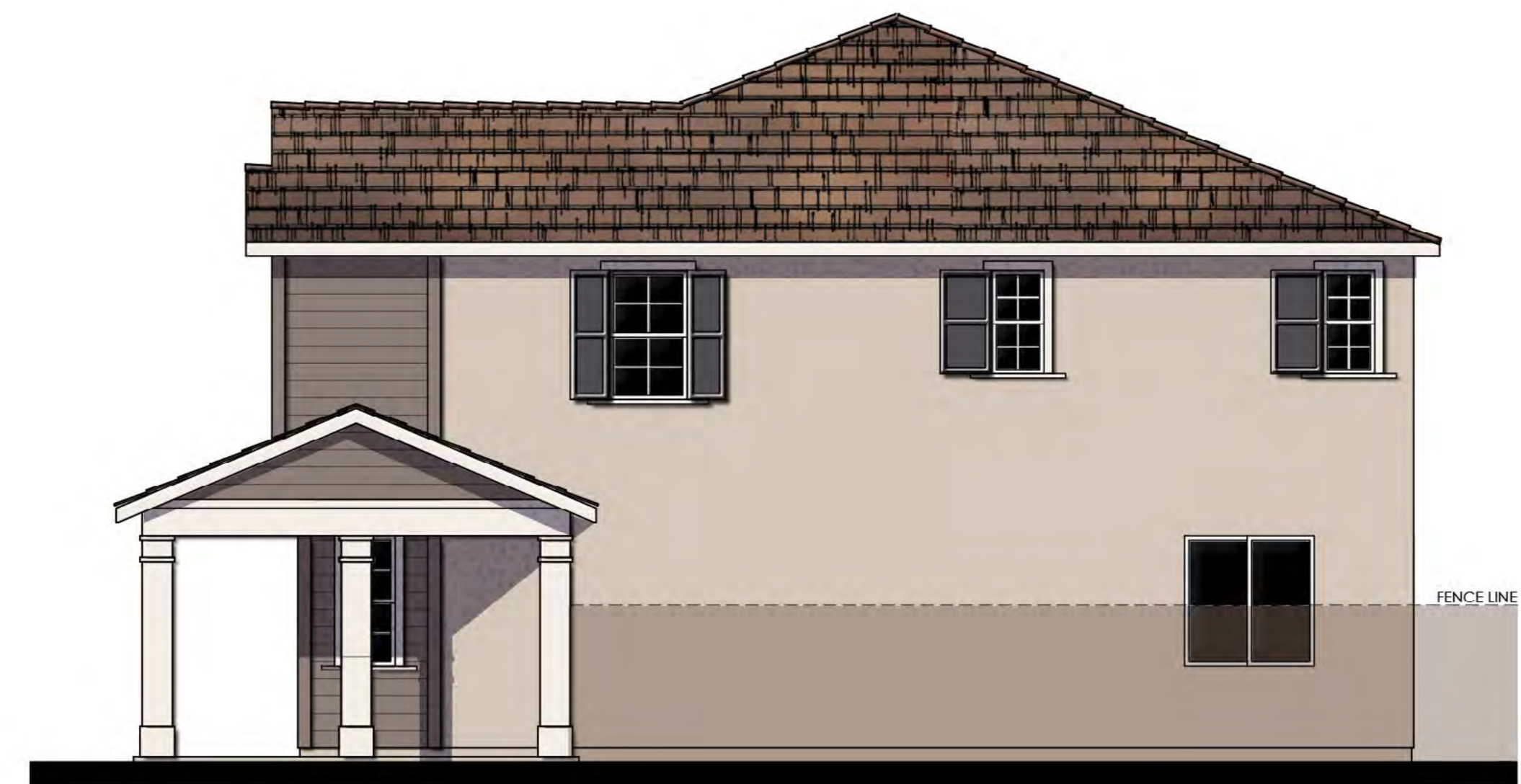




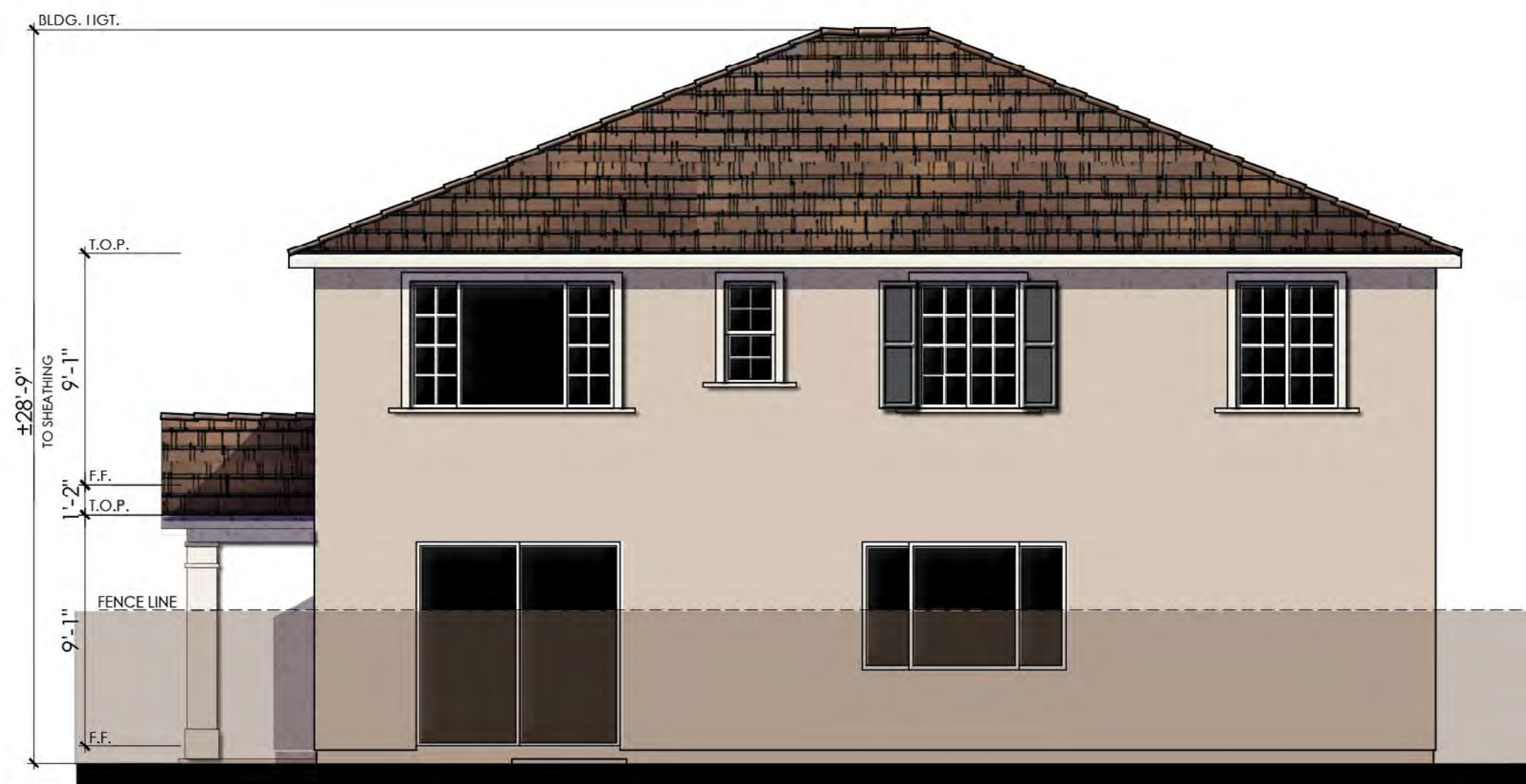
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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

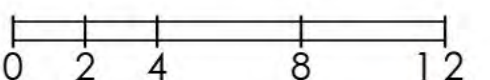
MATERIALS LEGEND
(WHERE OCCURS)

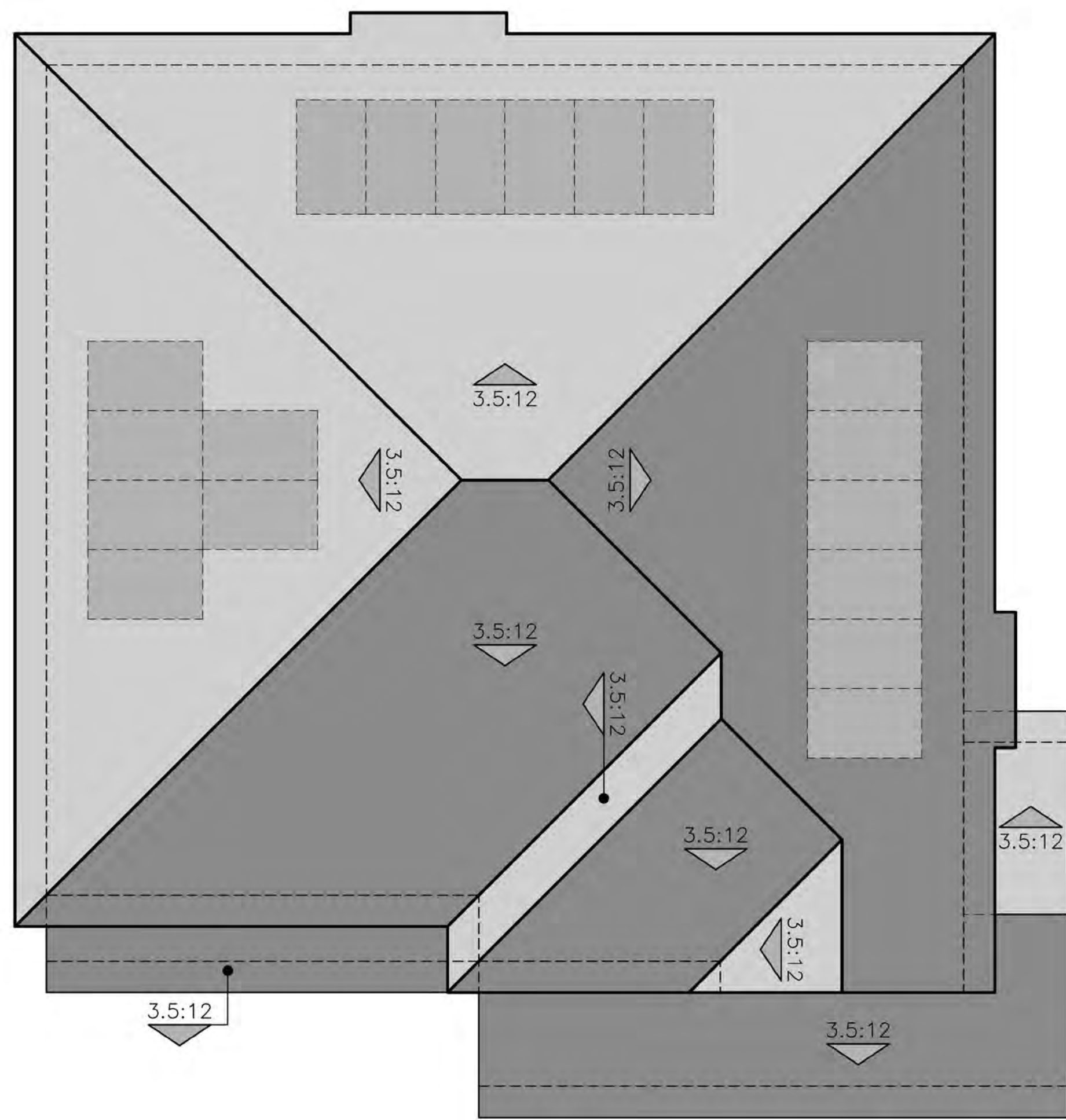
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM

COLOR SCHEME 16

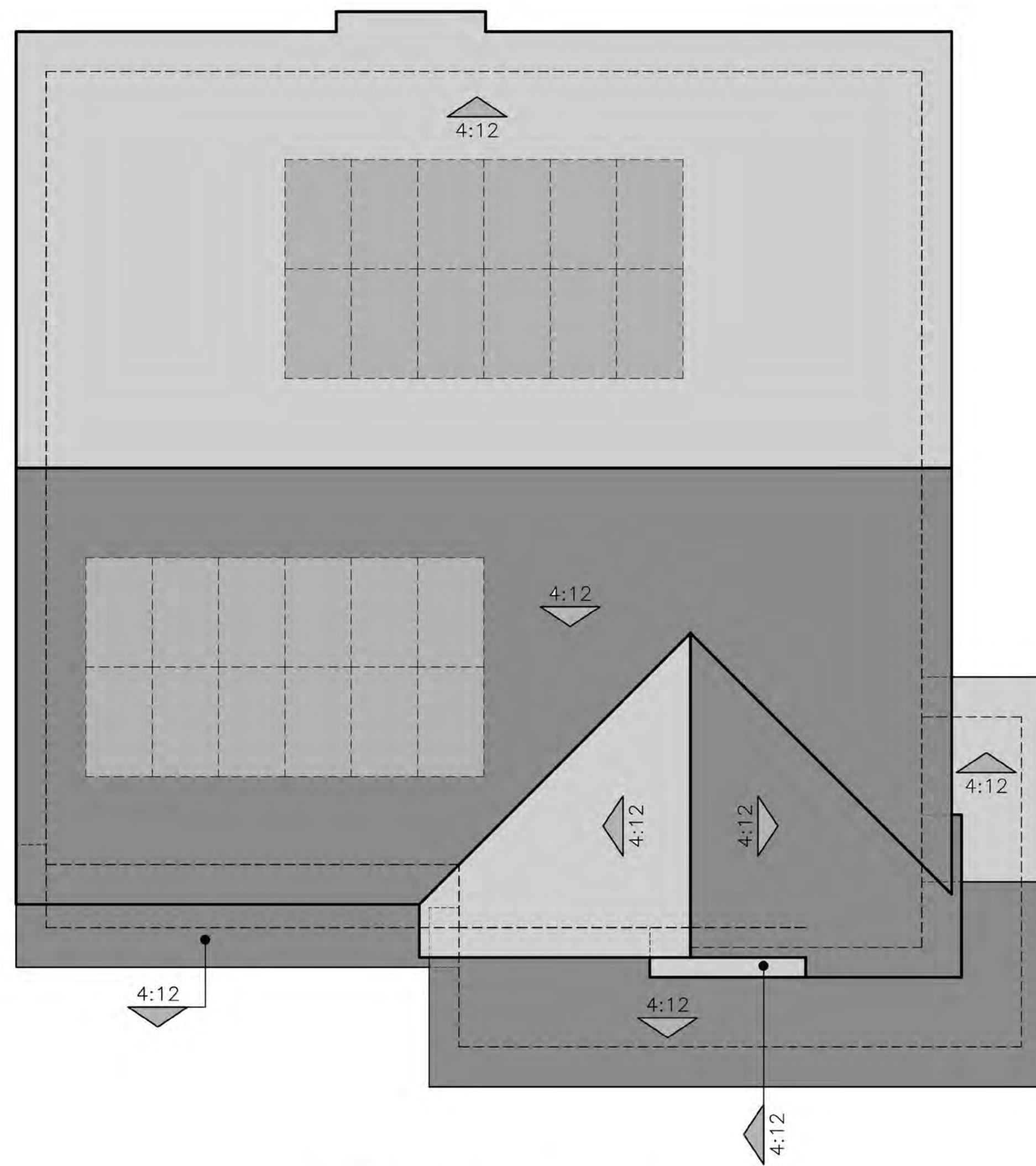
PLAN 4X (2985X)

"D" AMERICAN TRADITIONAL - ELEVATION

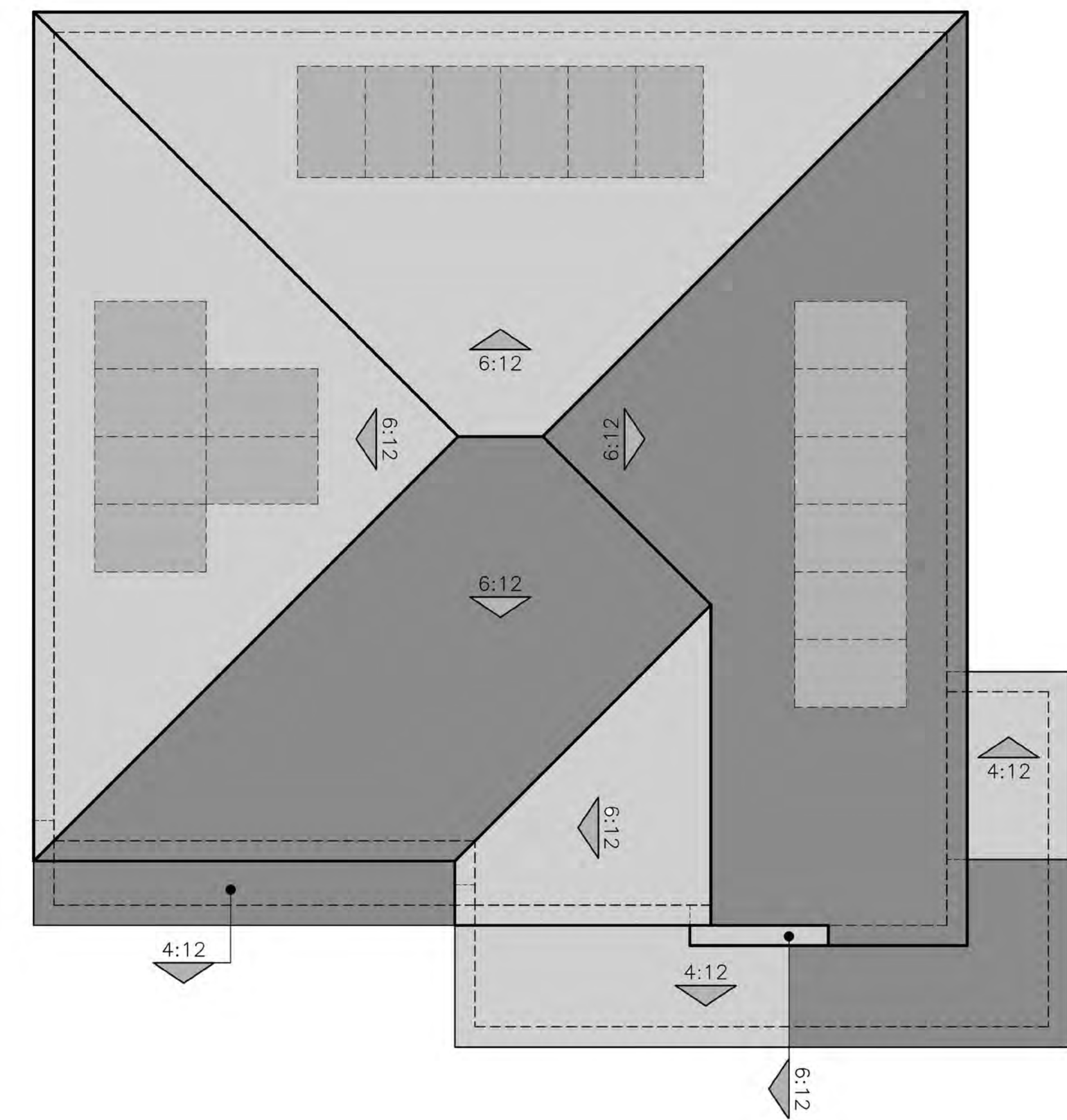




"A" SPANISH COLONIAL



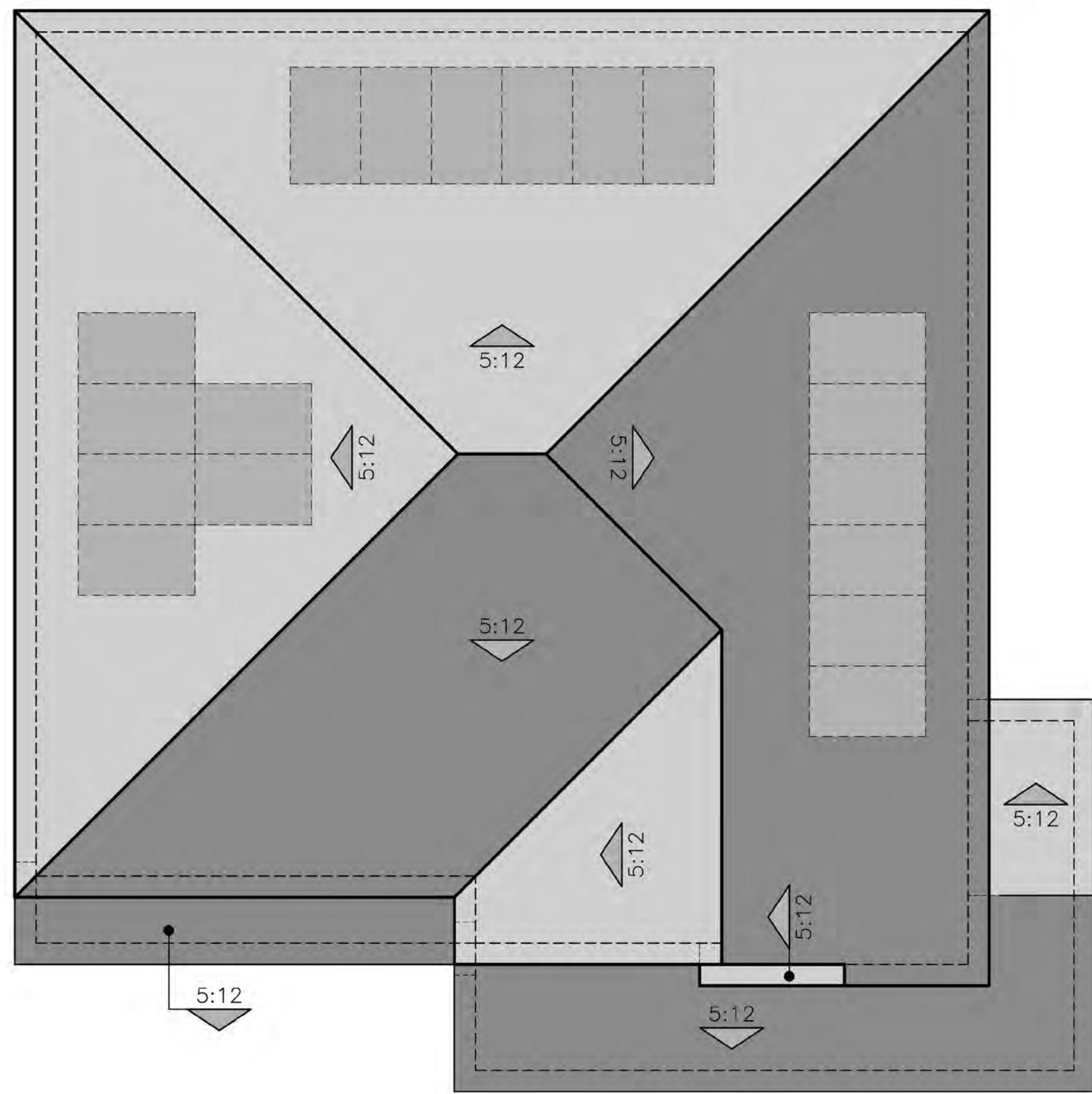
"B" CRAFTSMAN



"C" FARMHOUSE

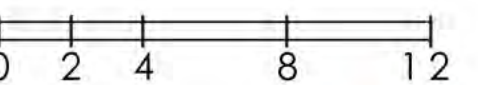
ROOF PLANS
PLAN 4X (2985X)

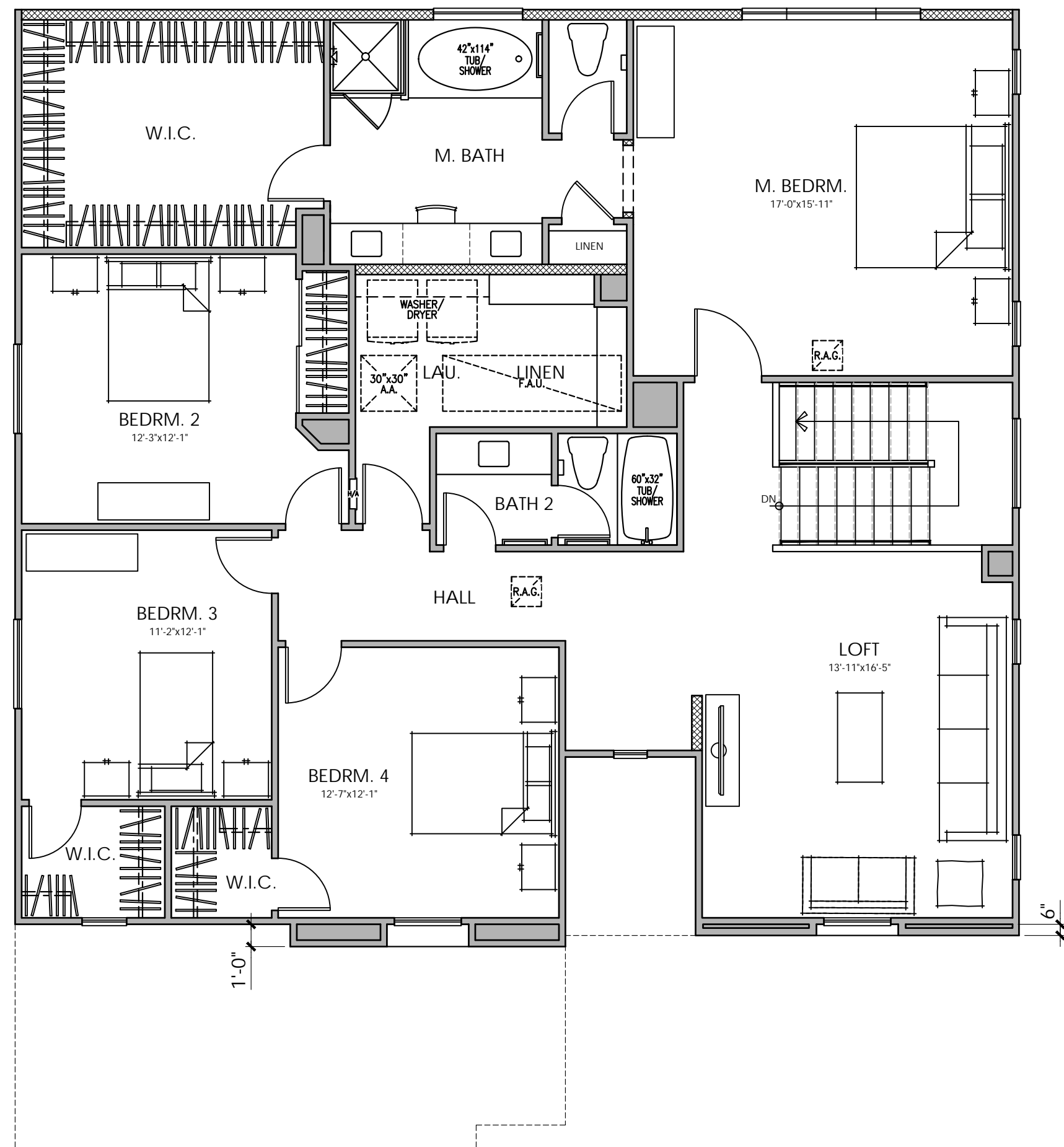




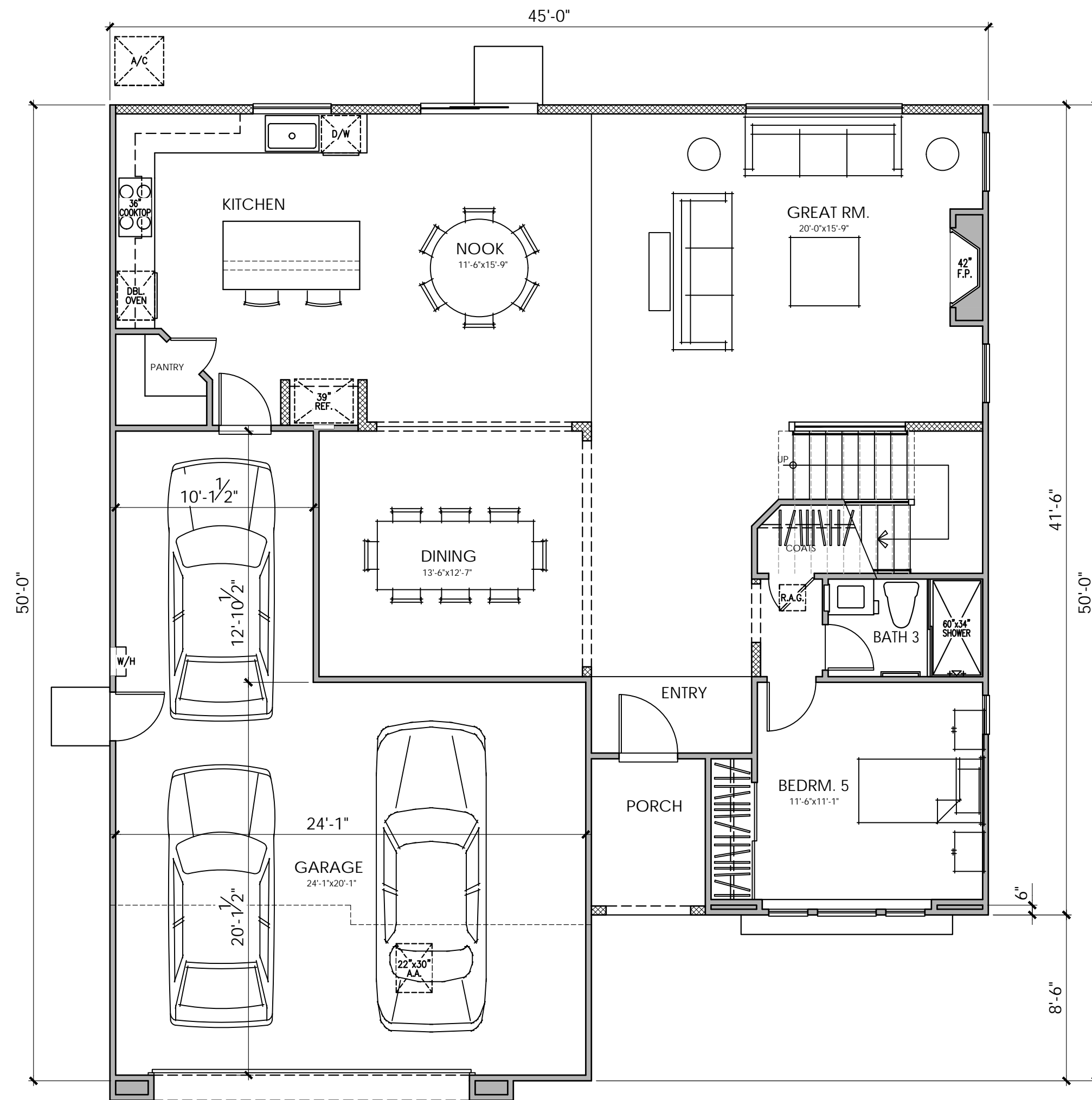
"D" AMERICAN TRADITIONAL

ROOF PLANS
PLAN 4X (2985X)





SECOND FLOOR PLAN



FIRST FLOOR PLAN

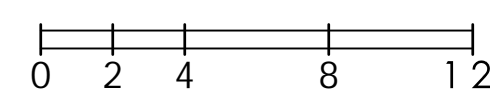
N 5
A TABULATION

CONDITIONED SPACE	
FLOOR	1386 SQ. FT.
ND FLOOR	1719 SQ. FT.
DWELLING	3105 SQ. FT.

UNCONDITIONED SPACE	
GE	637 SQ. FT.
H "A"	44 SQ. FT.
H "B"	166 SQ. FT.
H "C"	41 SQ. FT.

PLAN 5 (3105)
5 BEDROOM, 3 BATH, LOFT

45.2.3105.50.G3.3BA.99.K2.IY.MB2.FY.SLV



LENNAR®

Everly at Parklane
ONTARIO, CA

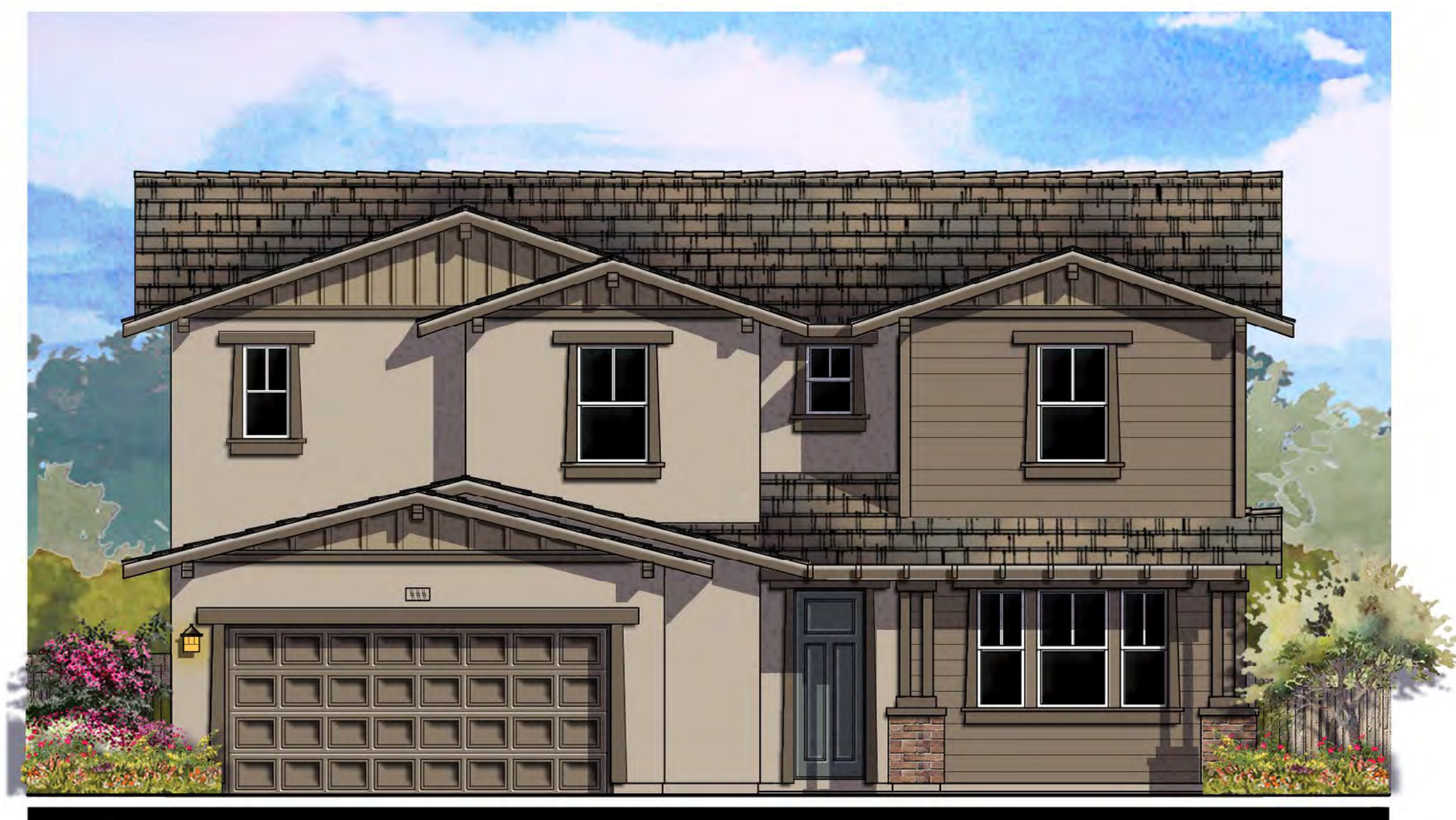
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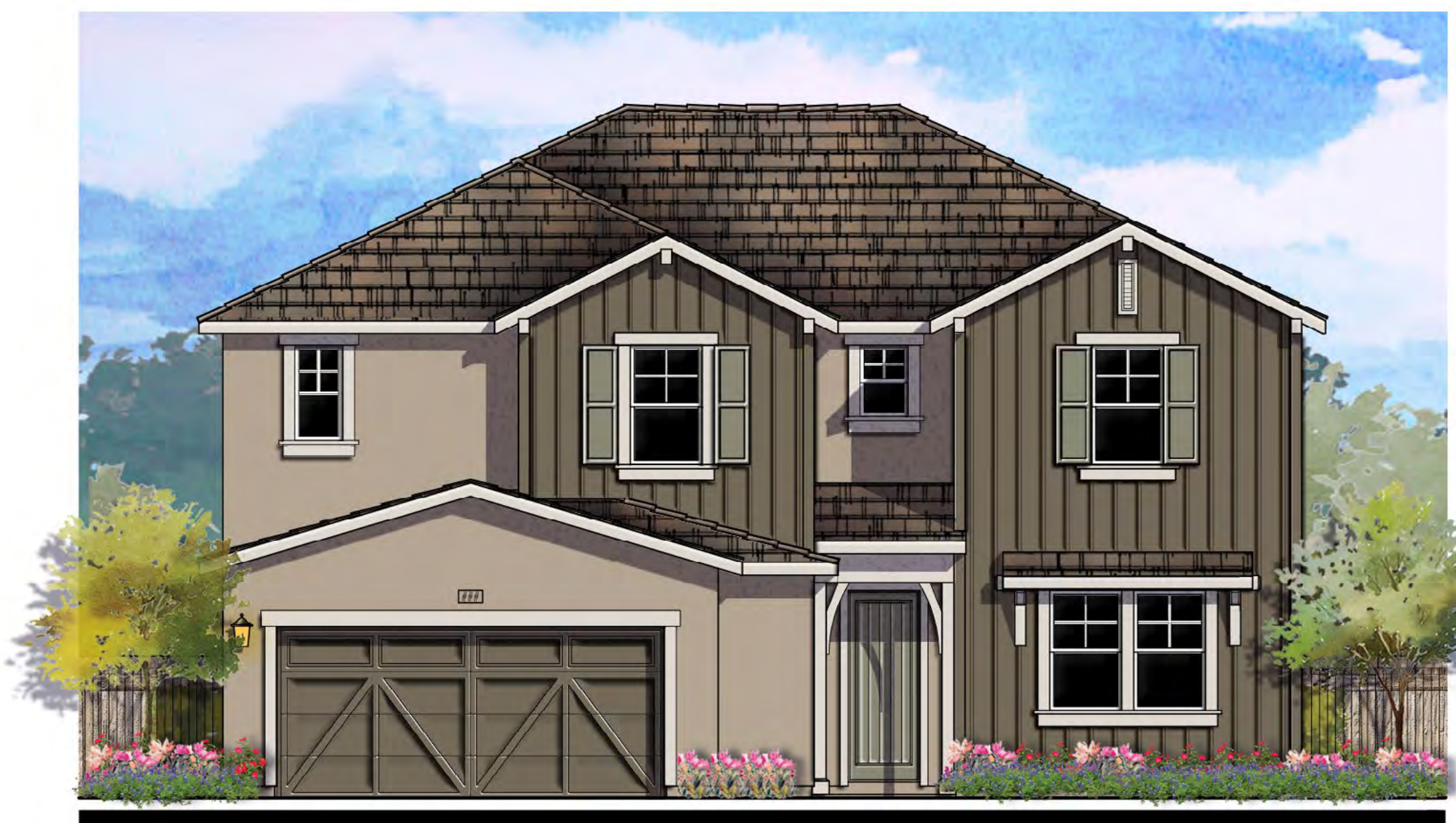
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"A" SPANISH COLONIAL



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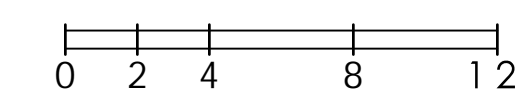
"B" CRAFTSMAN



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"C" FARMHOUSE

PLAN 5 (3105)
FRONT ELEVATIONS





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FRONT



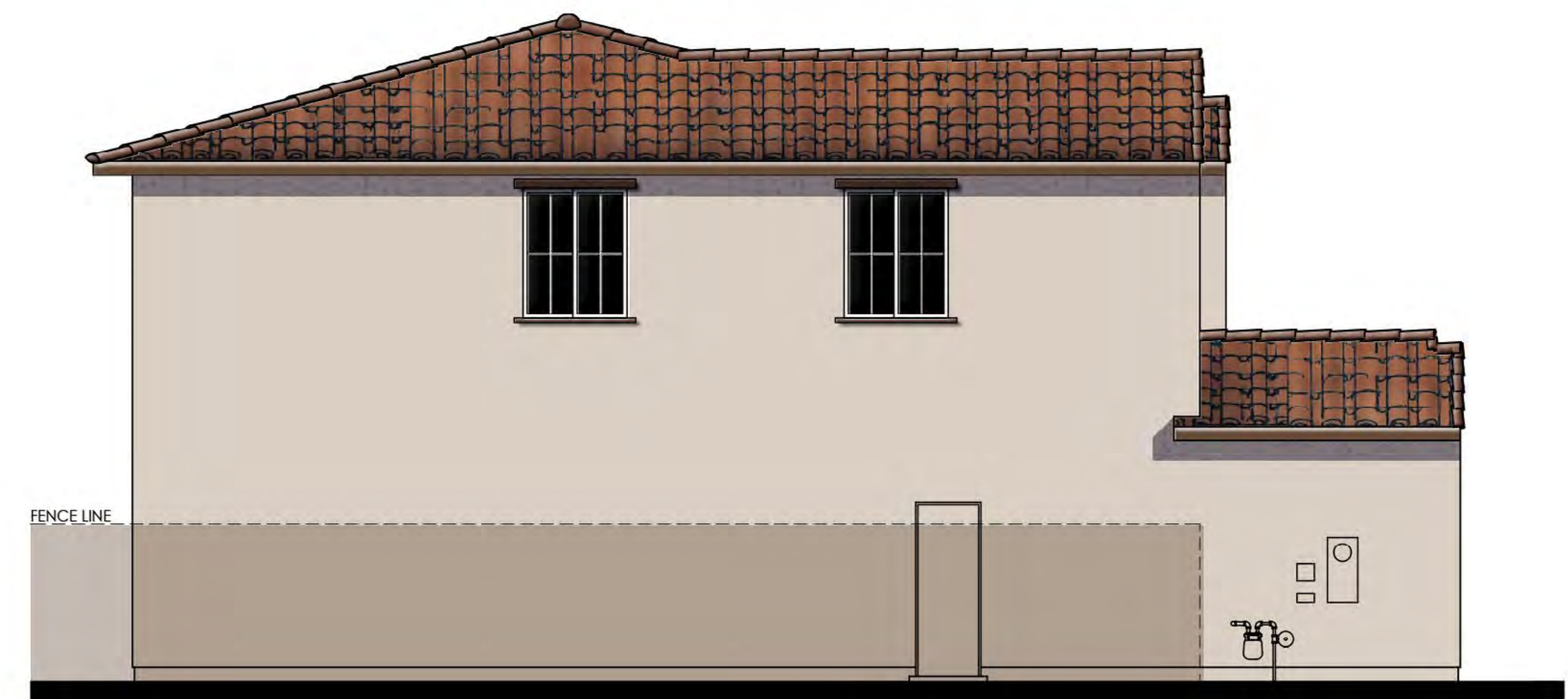
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

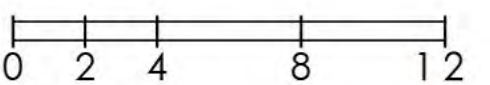
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM



LEFT

COLOR SCHEME 1
PLAN 5 (3105)

"A" SPANISH COLONIAL - ELEVATION





ENHANCED RIGHT

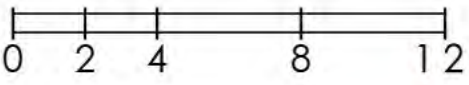


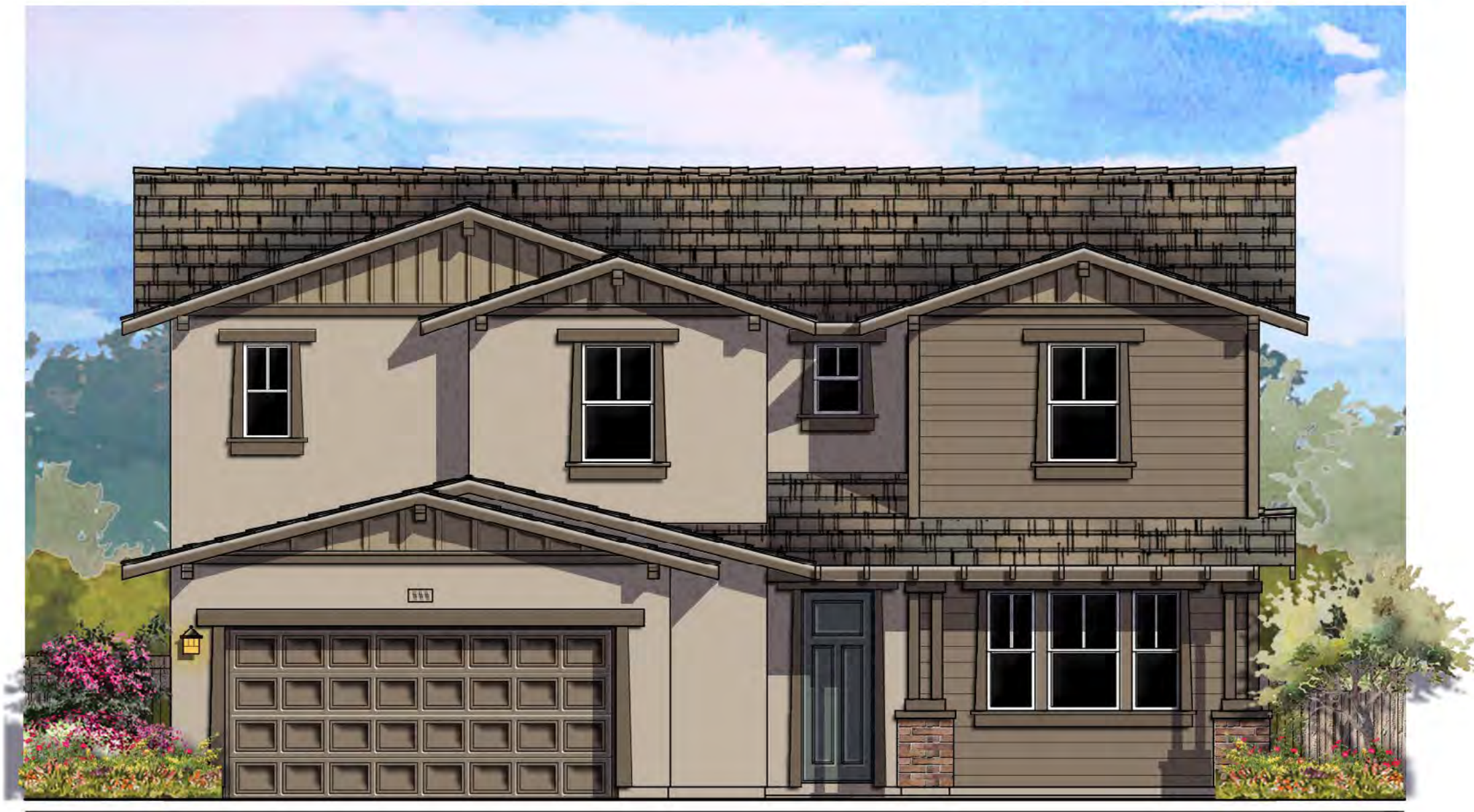
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ENHANCED REAR

- MATERIALS LEGEND**
(WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: LOW PROFILE CONCRETE "S" TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - GABLE END: SIMULATED CLAY TILE
 - WALL: STUCCO
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 1
PLAN 5 (3105)
 "A" SPANISH COLONIAL - ELEVATION





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FRONT



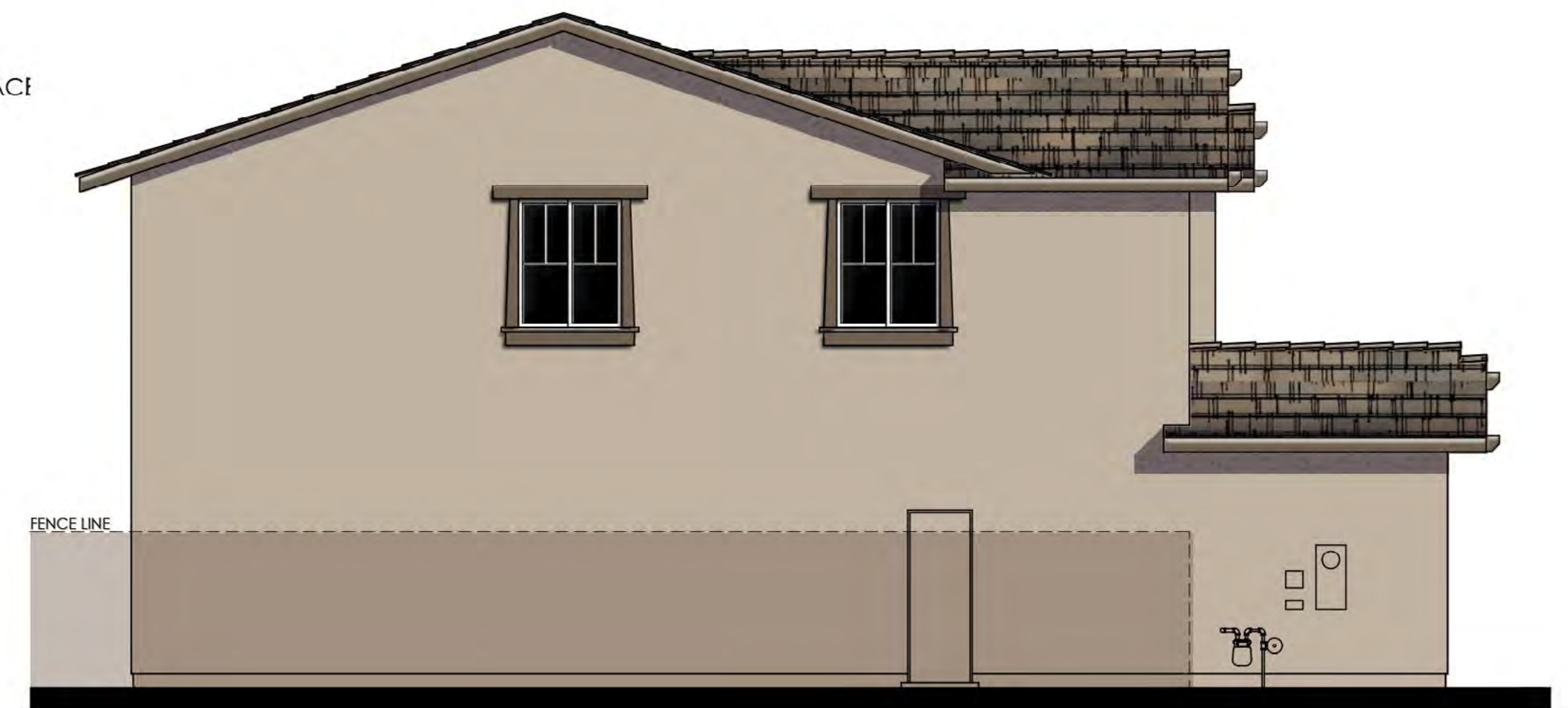
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER



LEFT

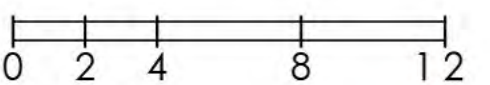
COLOR SCHEME 6

PLAN 5 (3105)

"B" CRAFTSMAN - ELEVATION

Everly at Parklane

ONTARIO, CA



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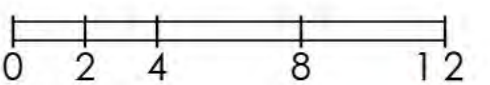
MATERIALS LEGEND
(WHERE OCCURS)

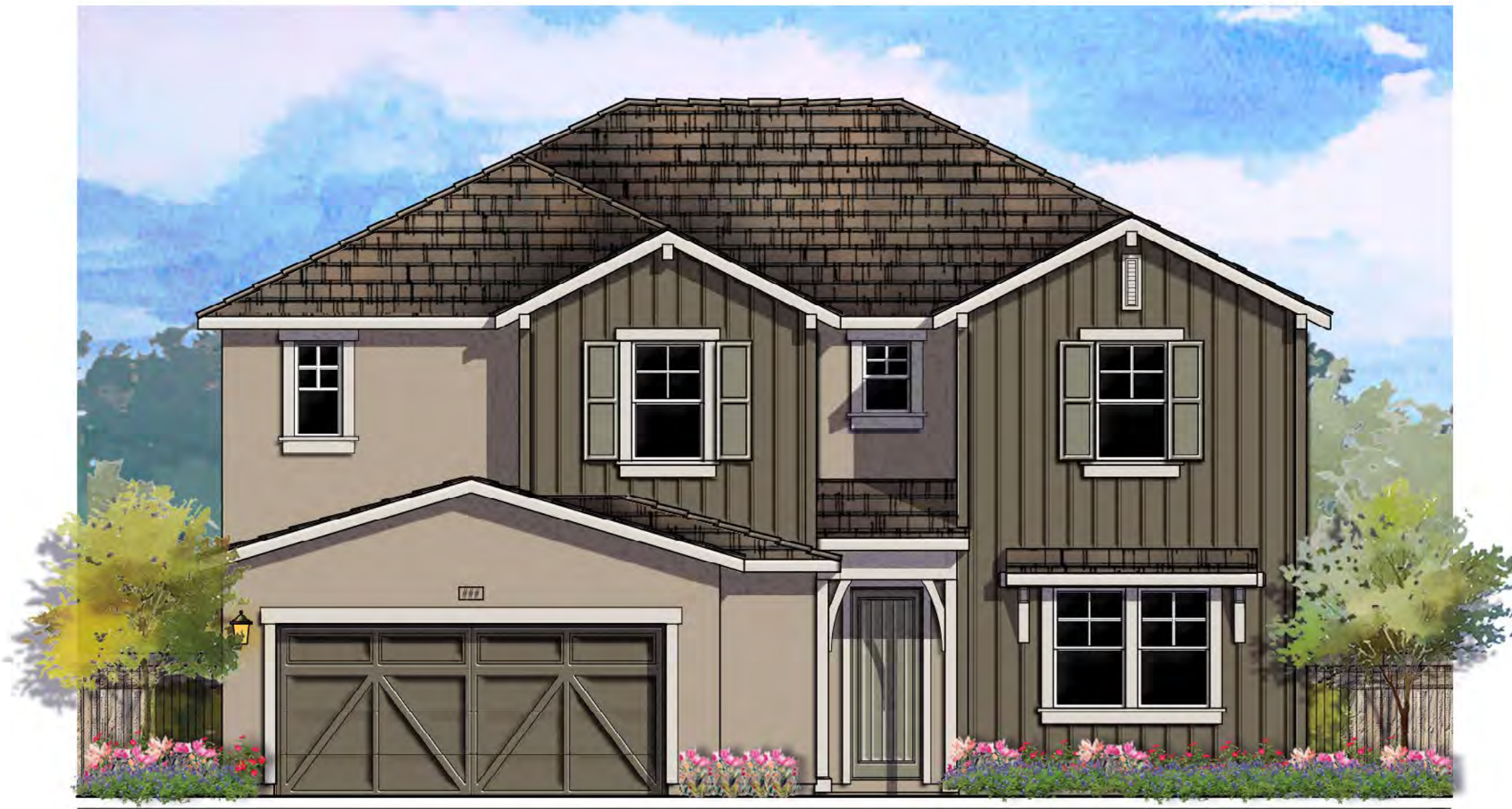
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER

COLOR SCHEME 6

PLAN 5 (3105)

"B" CRAFTSMAN - ELEVATION





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FRONT



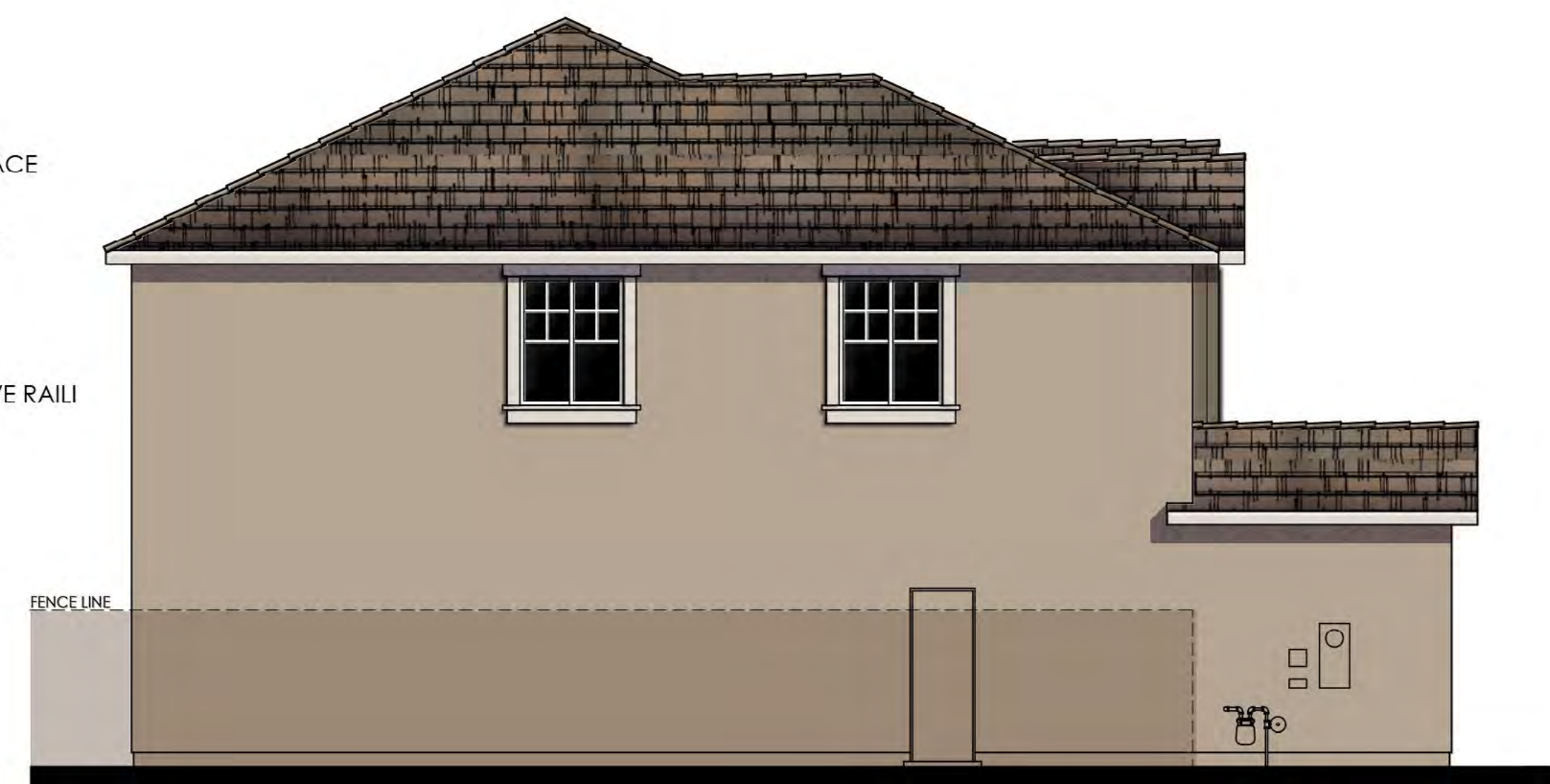
RIGHT



REAR

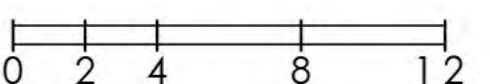
MATERIALS LEGEND
(WHERE OCCURS)

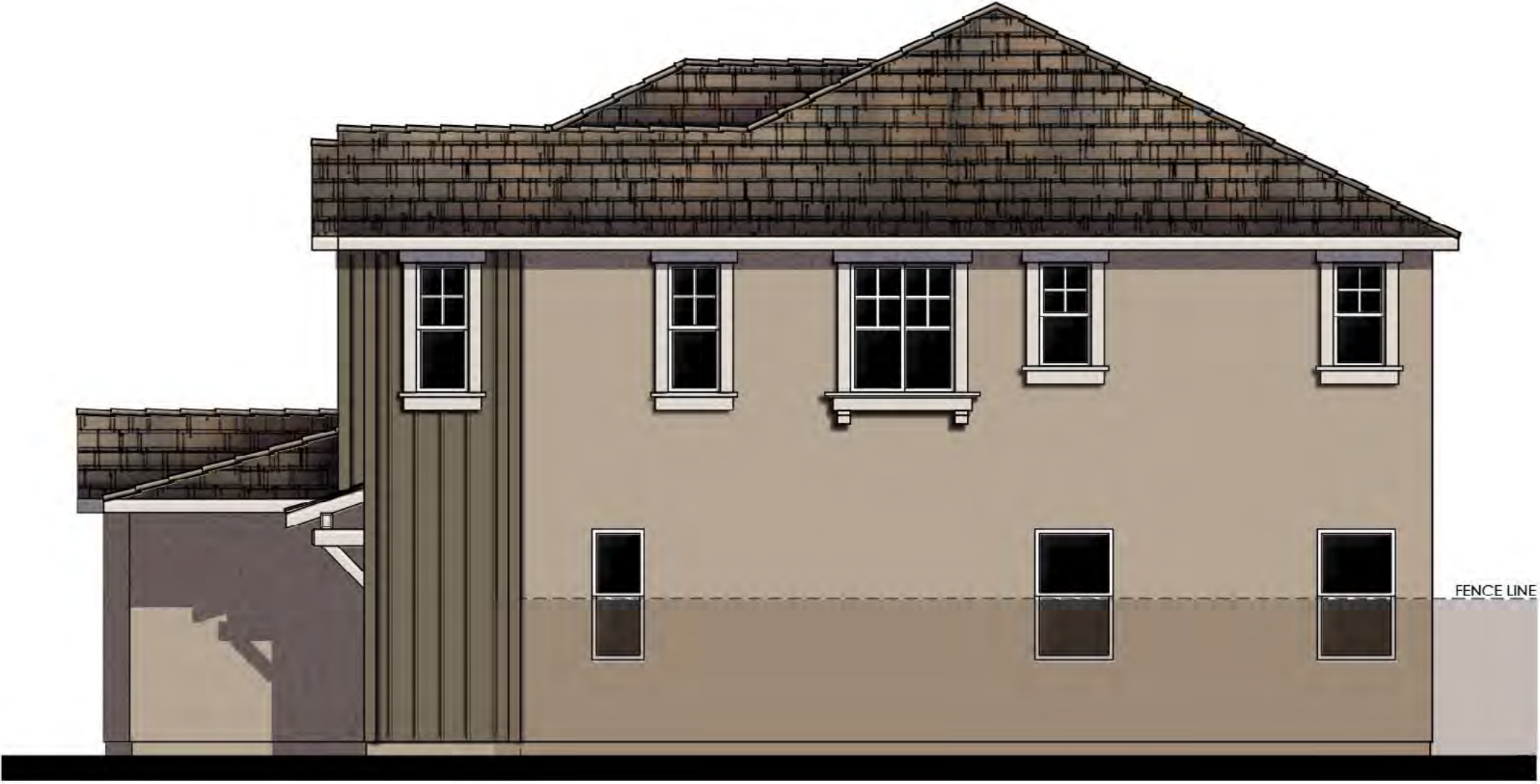
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORATIVE RAIL



LEFT

COLOR SCHEME 11
PLAN 5 (3105)
 "C" FARMHOUSE - ELEVATION





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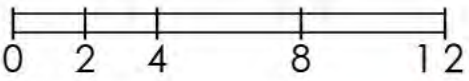
MATERIALS LEGEND
(WHERE OCCURS)

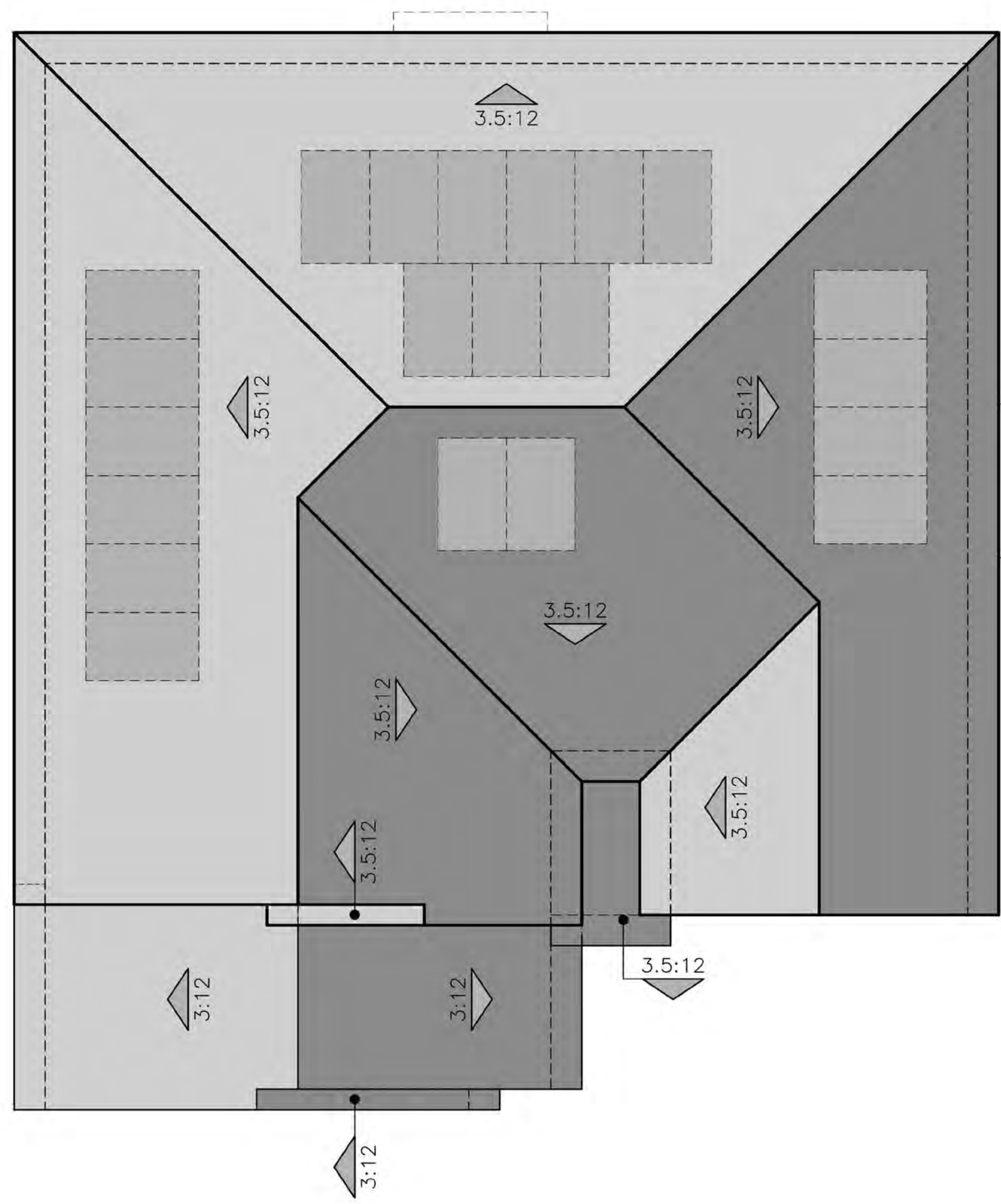
- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- WALL: STUCCO/ BOARD AND BATTEN SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- PORCH: WOOD POST AND BEAM / DECORATI

COLOR SCHEME 11

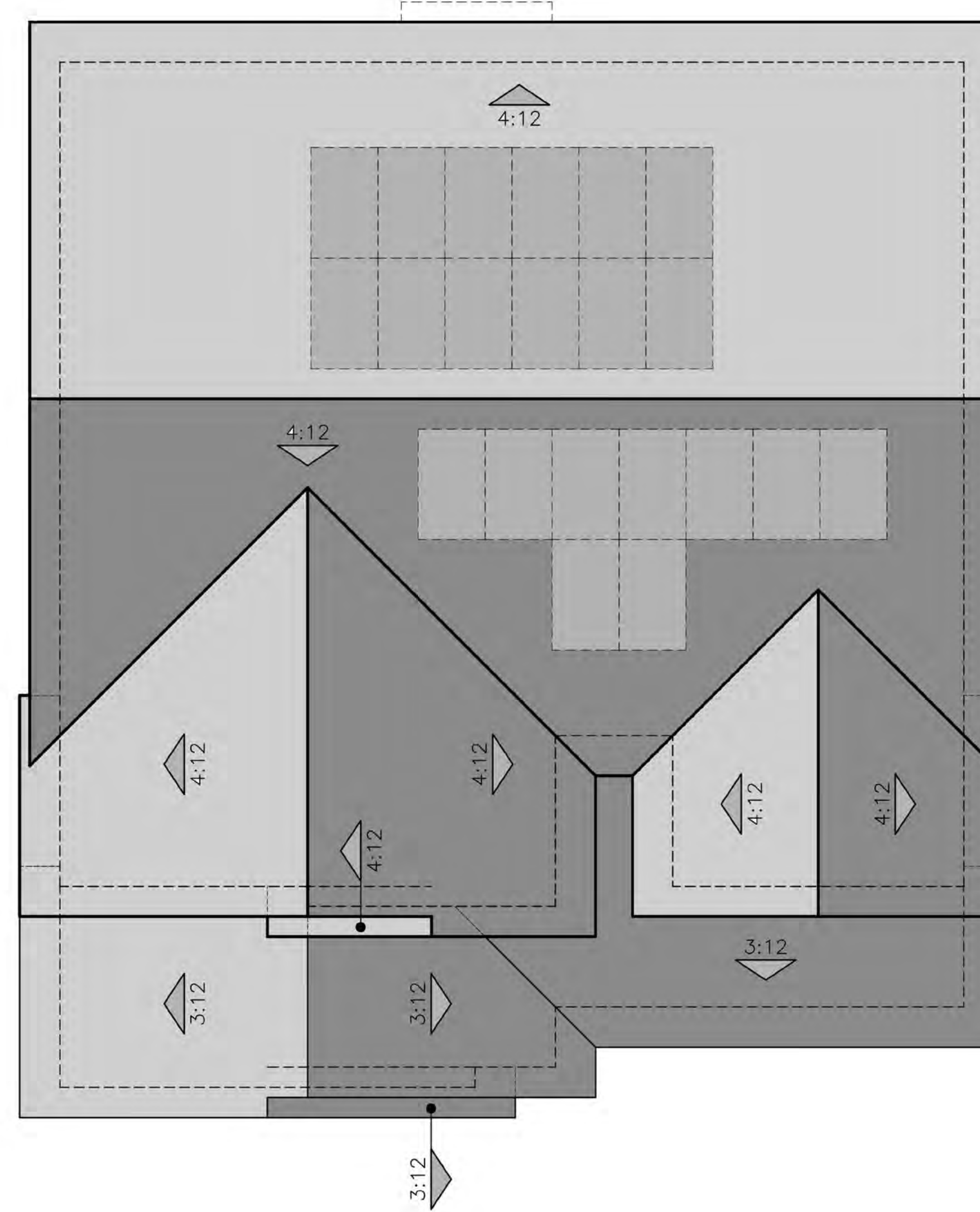
PLAN 5 (3105)

"C" FARMHOUSE - ELEVATION

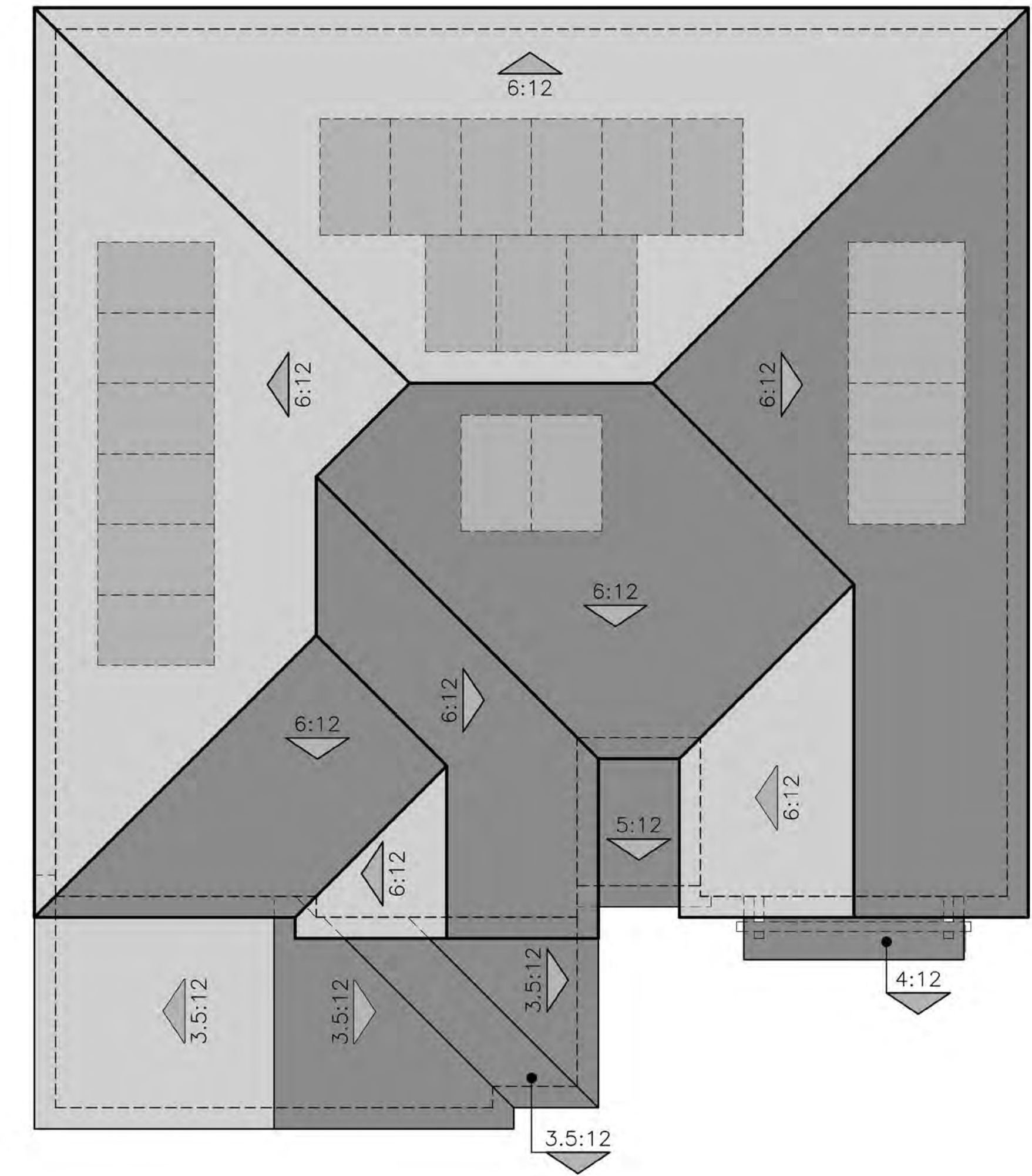




"A" SPANISH COLONIAL

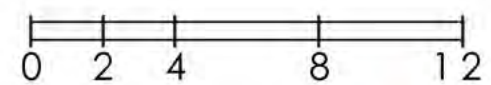


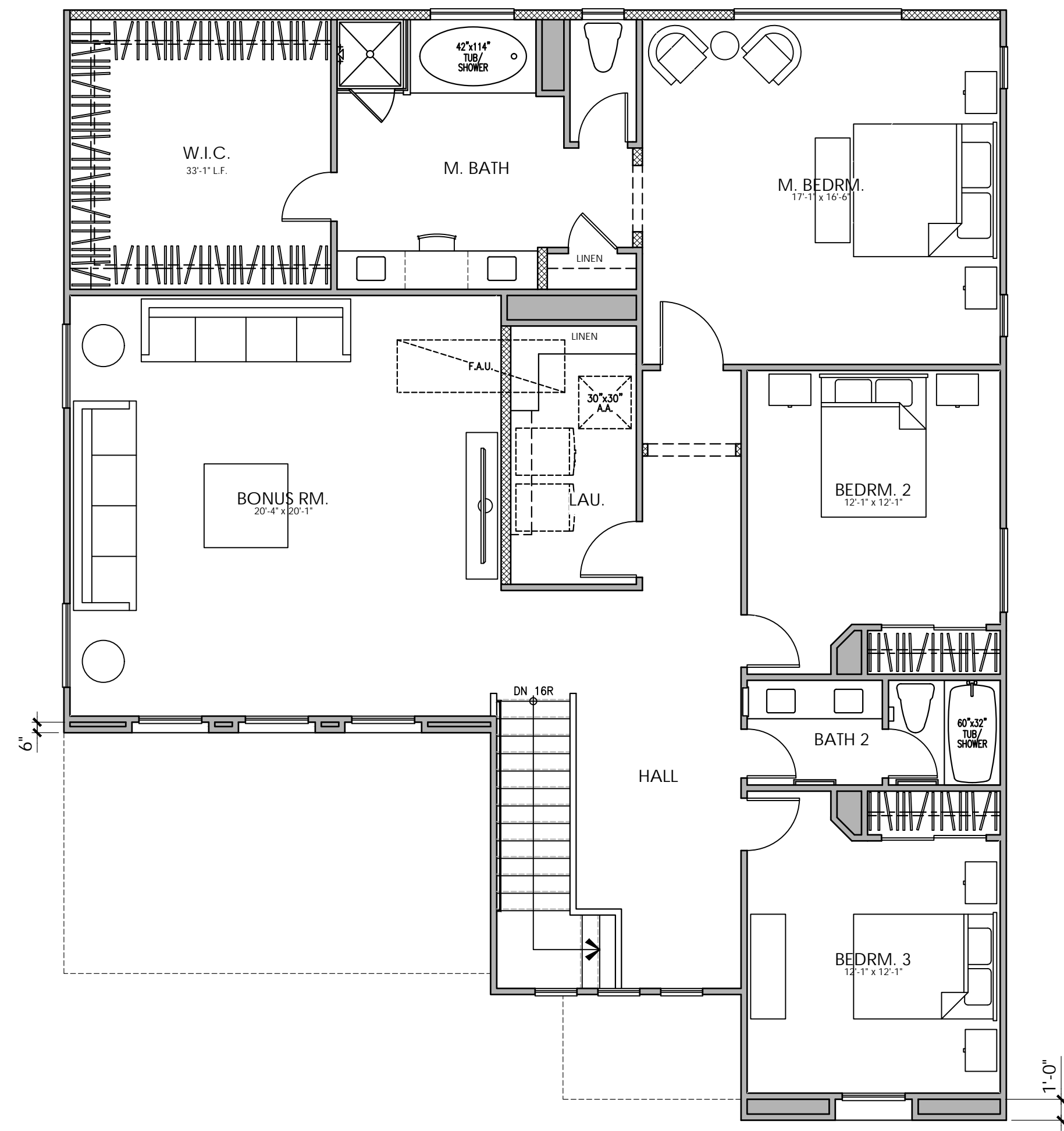
"B" CRAFTSMAN



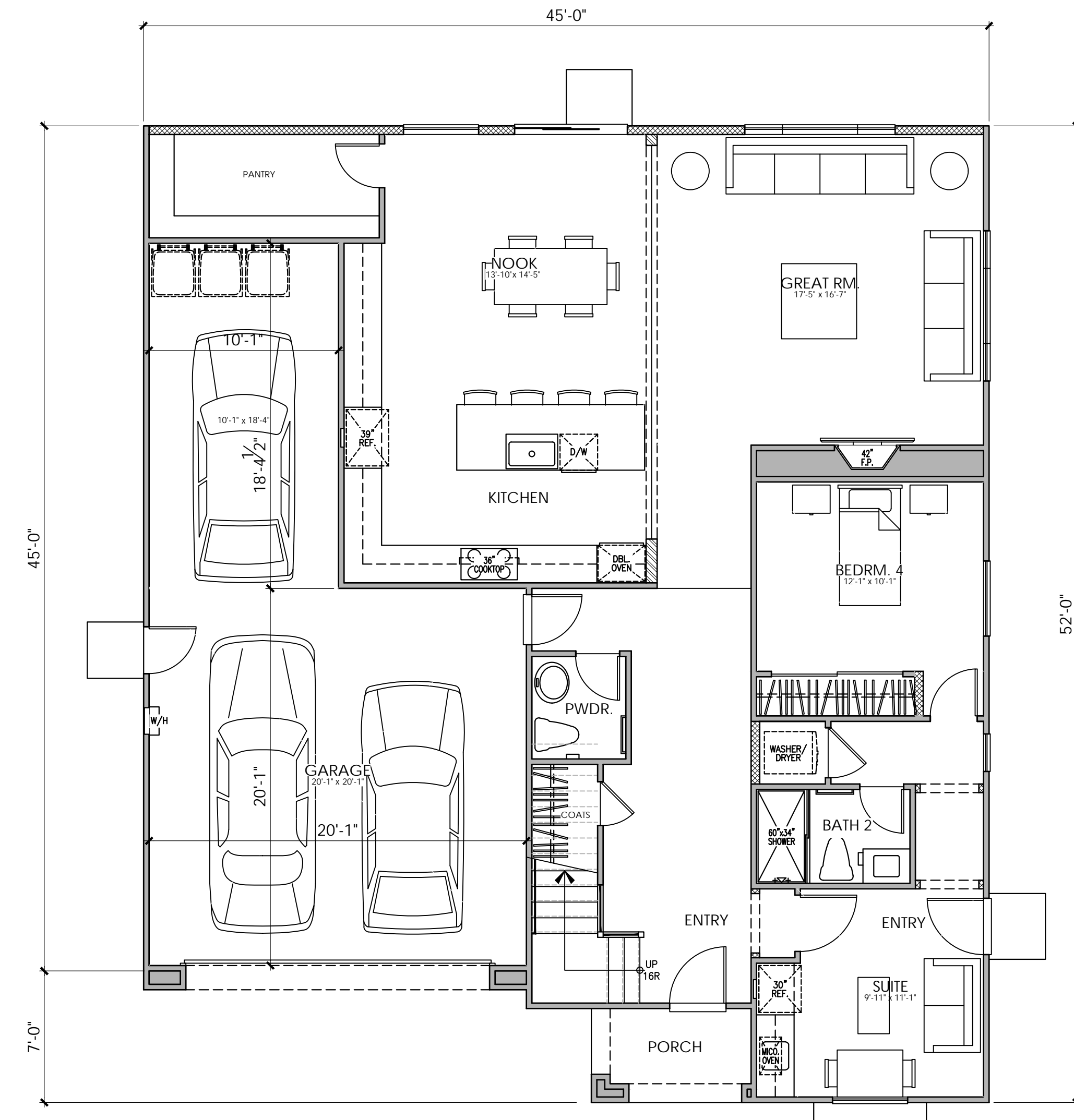
"C" FARMHOUSE

ROOF PLANS
PLAN 5 (3105)





SECOND FLOOR PLAN

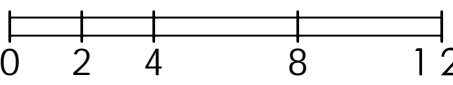


FIRST FLOOR PLAN

**PLAN 6
AREA TABULATION**

CONDITIONED SPACE	
FIRST FLOOR AREA	1,531 SQ. FT.
SECOND FLOOR AREA	1,850 SQ. FT.
TOTAL DWELLING	3,381 SQ. FT.
UNCONDITIONED SPACE	
GARAGE	606 SQ. FT.
PORCH "A"	43 SQ. FT.
PORCH "B" & "D"	208 SQ. FT.
PORCH "E"	38 SQ. FT.

PLAN 6 (3381)
5 BEDROOM, 3 BATH, LOFT



45.2.3381.52.G3.3.5BA.99.K2.IY.MB2.FY.SLV

LENNAR

Everly at Parklane
ONTARIO, CA

06/04/20
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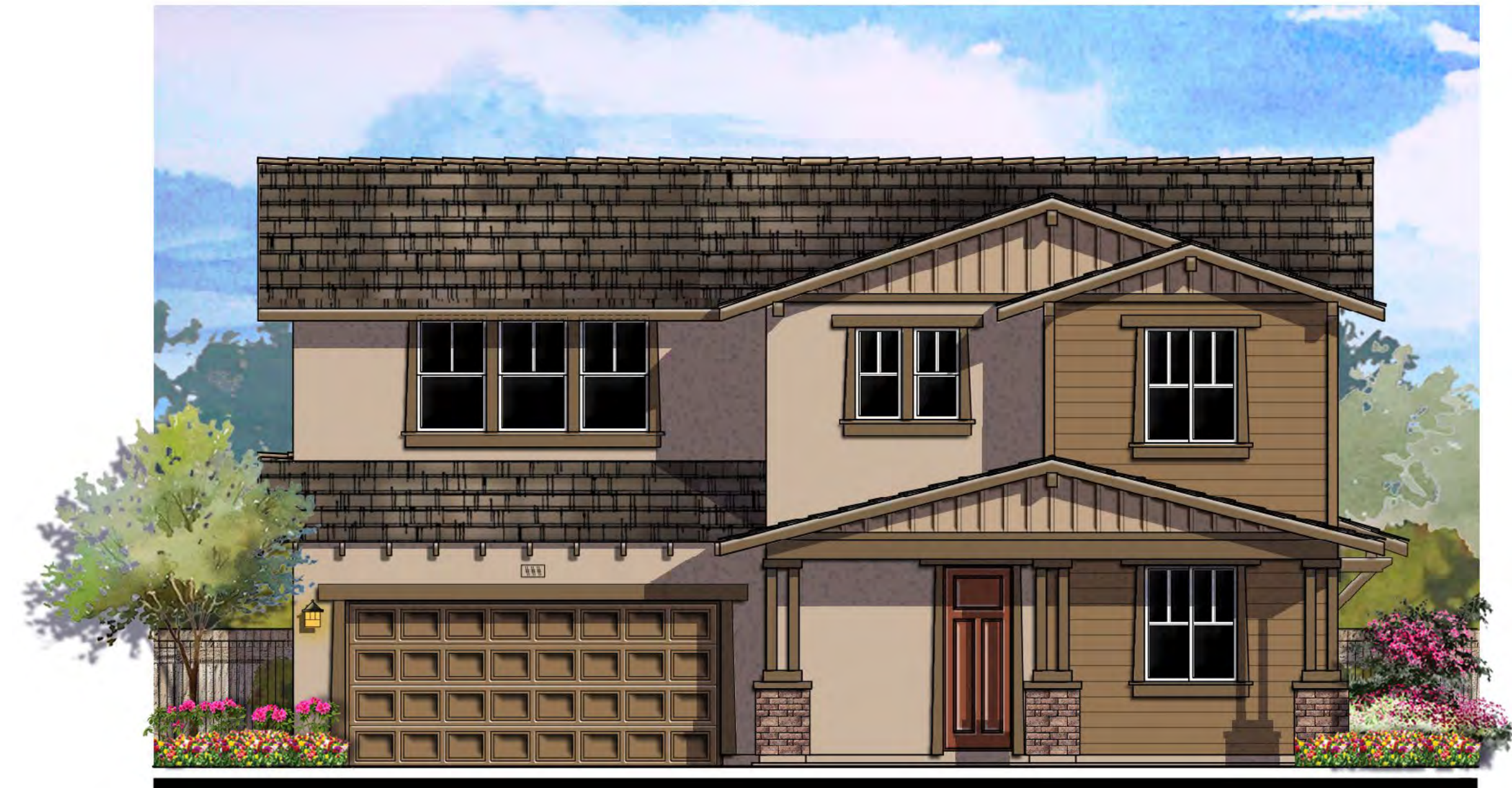
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Refer to landscape drawings for wall, tree, and shrub locations

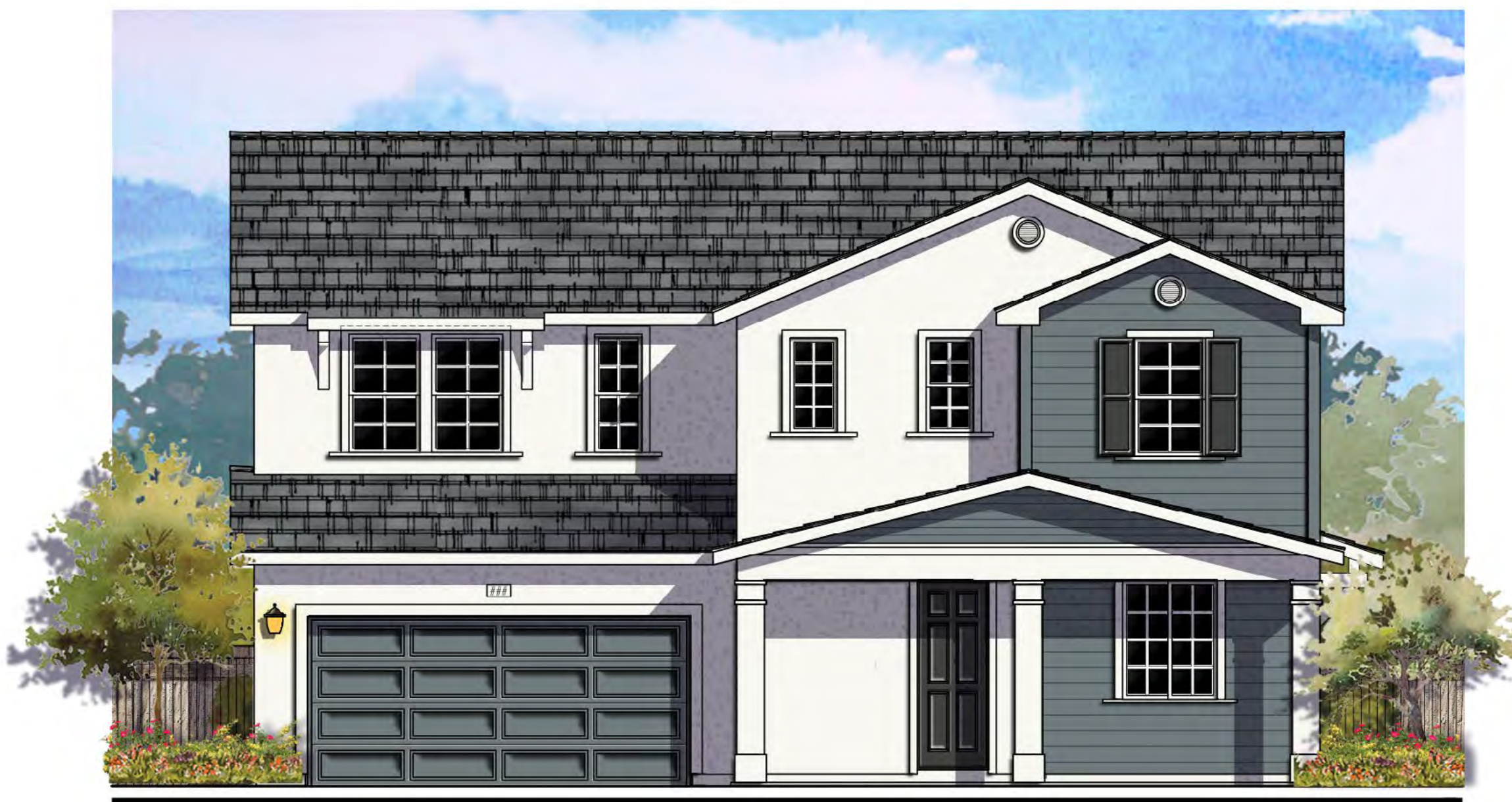
"A" SPANISH COLONIAL



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Refer to landscape drawings for wall, tree, and shrub locations

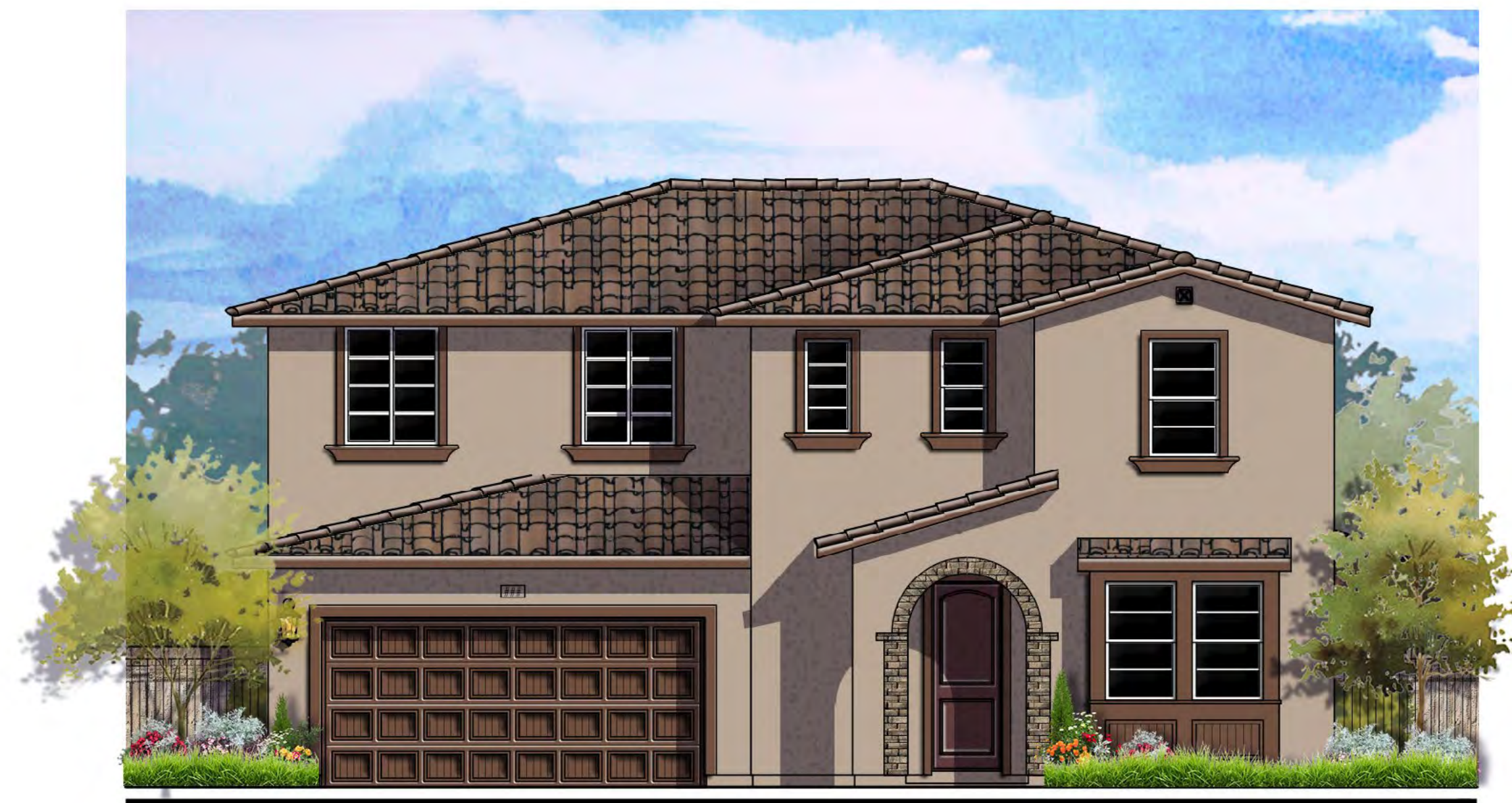
"B" CRAFTSMAN



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Refer to landscape drawings for wall, tree, and shrub locations

"D" AMERICAN TRADITIONAL

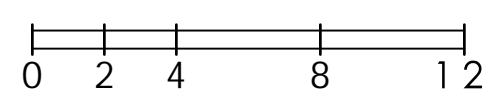


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Refer to landscape drawings for wall, tree, and shrub locations

"E" ANDALUSIAN

PLAN 6 (3381)
FRONT ELEVATIONS





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

MATERIALS LEGEND

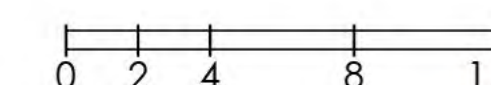
- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: LOW PROFILE CONCRETE "S" TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - GABLE END: SIMULATED CLAY TILE
 - WALL: STUCCO
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM



LEFT

COLOR SCHEME 2
PLAN 6 (3381)

"A" SPANISH COLONIAL - ELEVATION





ENHANCED RIGHT



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Refer to landscape drawings for wall, tree, and shrub locations

ENHANCED REAR

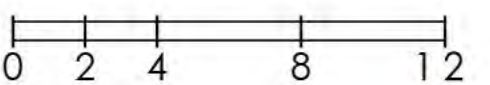
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(WHERE OCCURS)

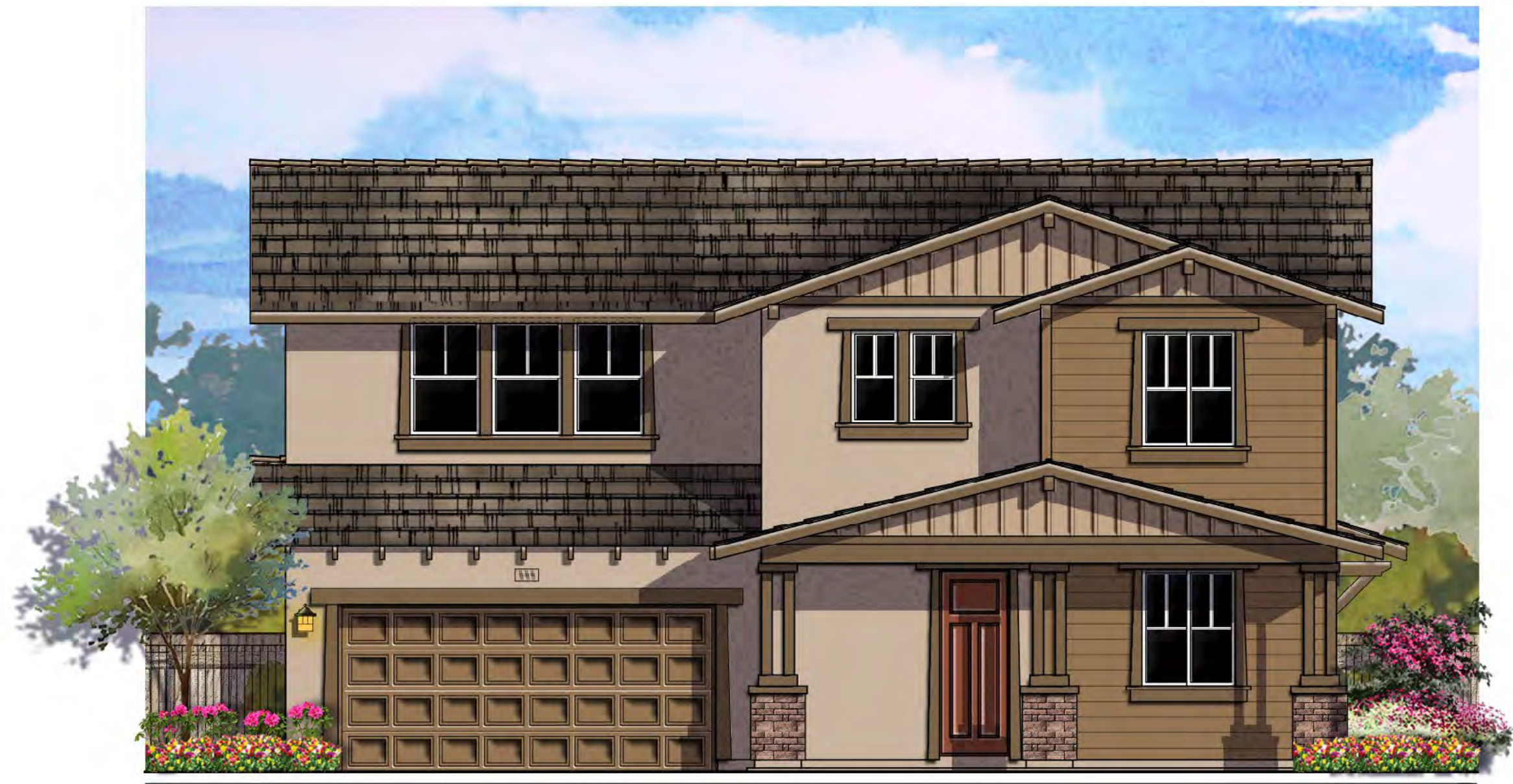
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- GARAGE DOOR: METAL SECTIONAL
- ROOF: LOW PROFILE CONCRETE "S" TILE
- ROOF EXTENSIONS: WOOD CORBEL / KNEE BRACE
- FASCIA: 2x6 WOOD
- GABLE END: SIMULATED CLAY TILE
- WALL: STUCCO
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 2

PLAN 6 (3381)

"A" SPANISH COLONIAL - ELEVATION





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



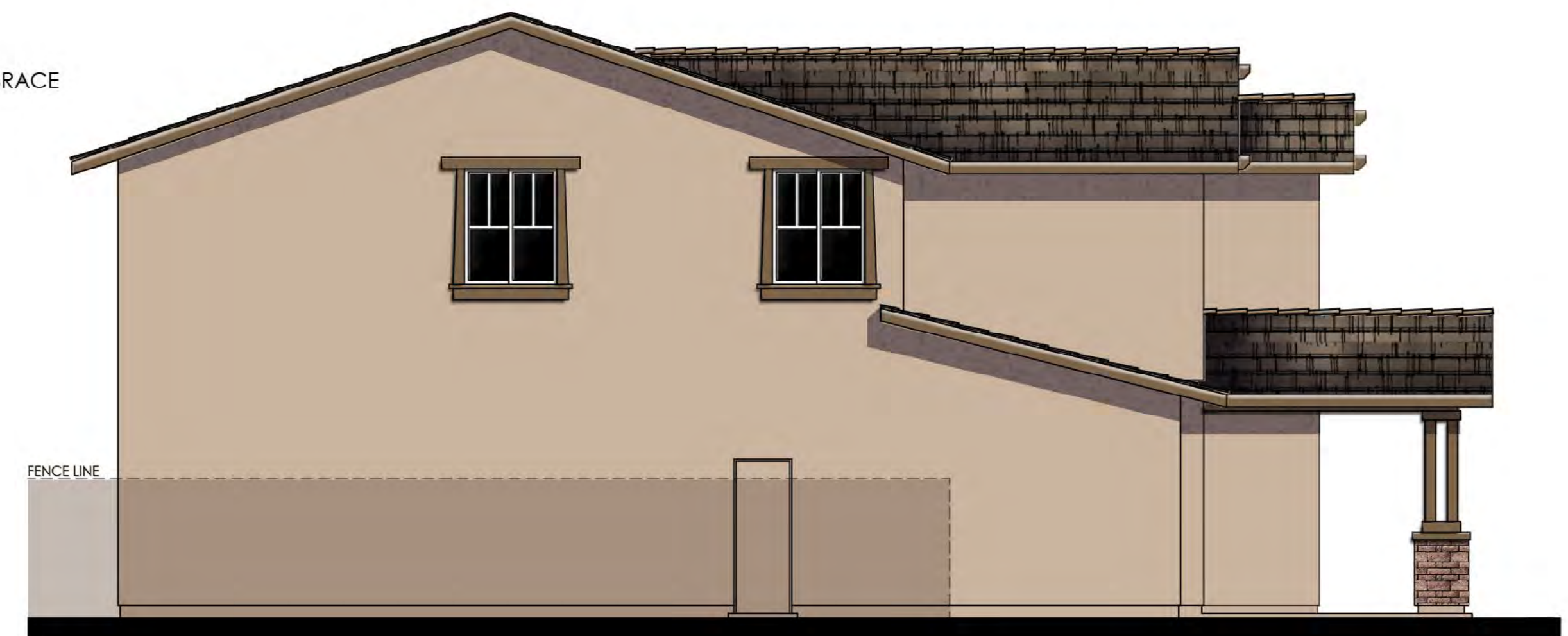
RIGHT



REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BRACE
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER

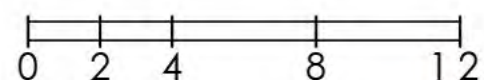


LEFT

COLOR SCHEME 5

PLAN 6 (3381)

"B" CRAFTSMAN - ELEVATION





ENHANCED RIGHT



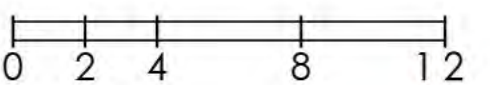
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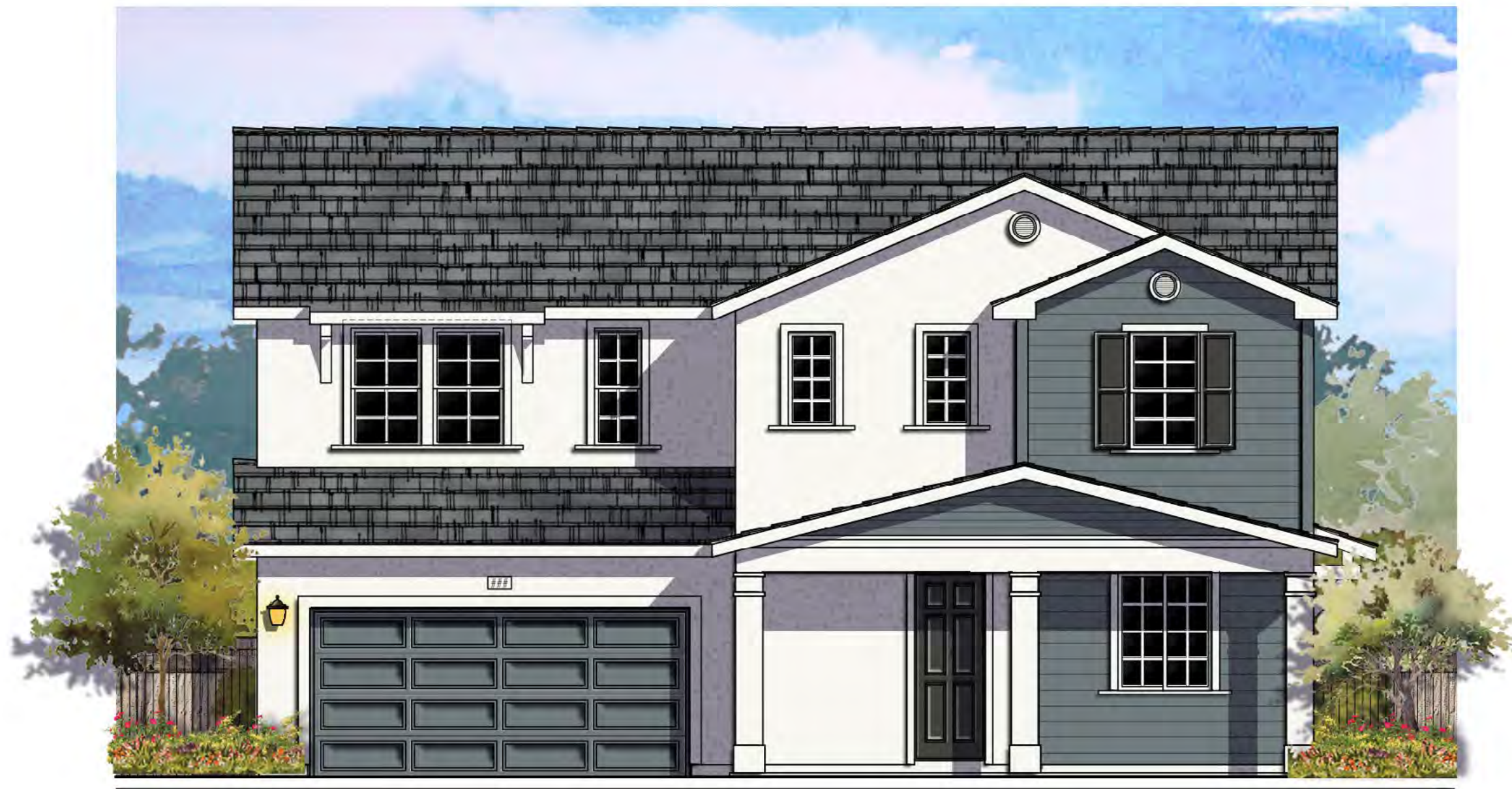
ENHANCED REAR

MATERIALS LEGEND
(WHERE OCCURS)

- FRONT DOOR: FIBERGLASS
- GARAGE DOOR: METAL SECTIONAL
- ROOF: CONCRETE FLAT TILE
- ROOF EXTENSIONS: SIMULATED WOOD CORBEL/ KNEE BR.
- FASCIA: 2x6 WOOD
- BARGE: 2x6 WOOD
- GABLE END: BOARD AND BATTEN SIDING
- WALL: STUCCO/ LAP SIDING
- WINDOWS: VINYL W/ GRIDS
- WINDOW BOX: SIMULATED WOOD
- SHUTTERS: SIMULATED WOOD
- POT SHELF: SIMULATED WOOD
- TRIM: STUCCO OVER RIGID FOAM
- WAINSCOT: BRICK VENEER

COLOR SCHEME 5
PLAN 6 (3381)
 "B" CRAFTSMAN - ELEVATION





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



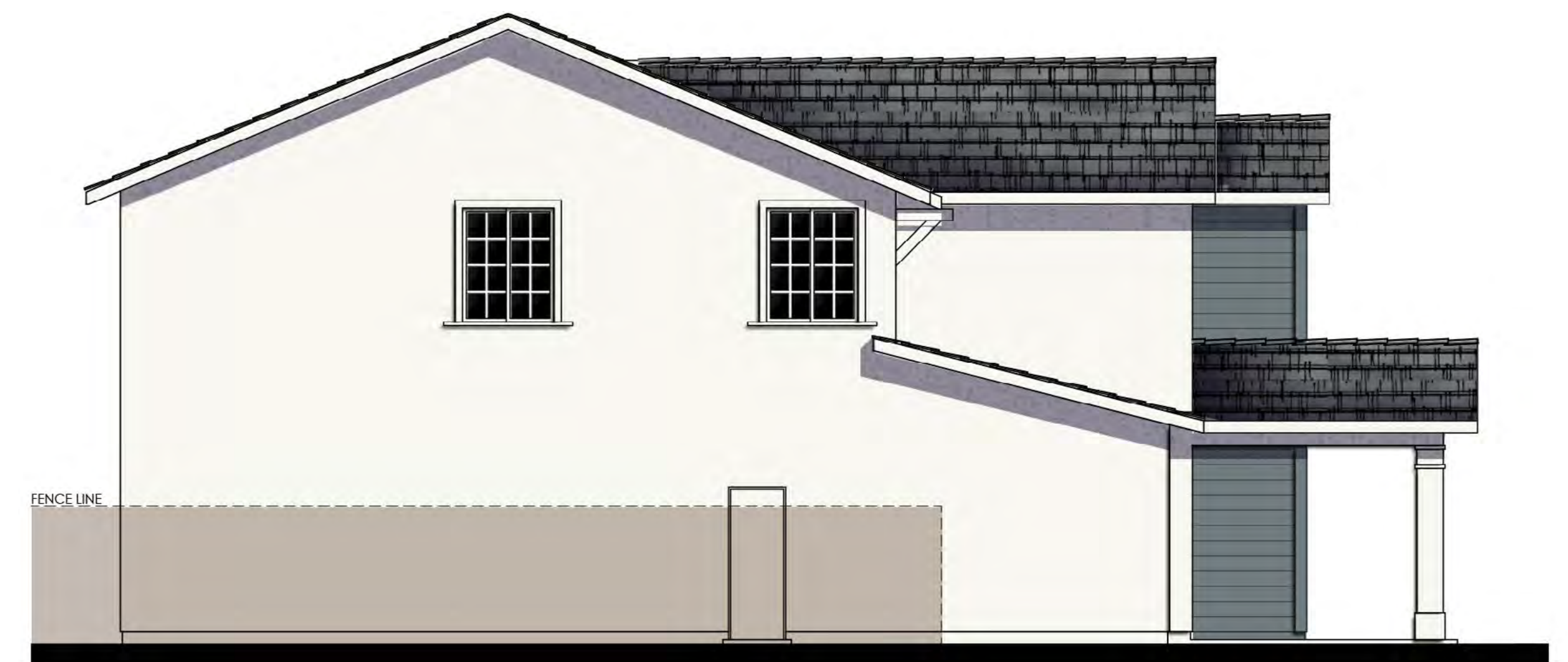
RIGHT



REAR

MATERIALS LEGEND

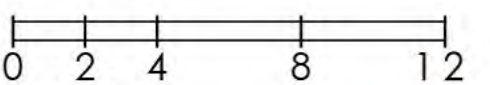
- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: CONCRETE FLAT TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - WALL: STUCCO/ LAP SIDING
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM
 - PORCH: WOOD POST AND BEAM



LEFT

COLOR SCHEME 13
PLAN 6 (3381)

"D" AMERICAN TRADITIONAL - ELEVATION





ENHANCED RIGHT



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ENHANCED REAR

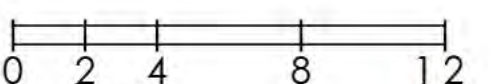
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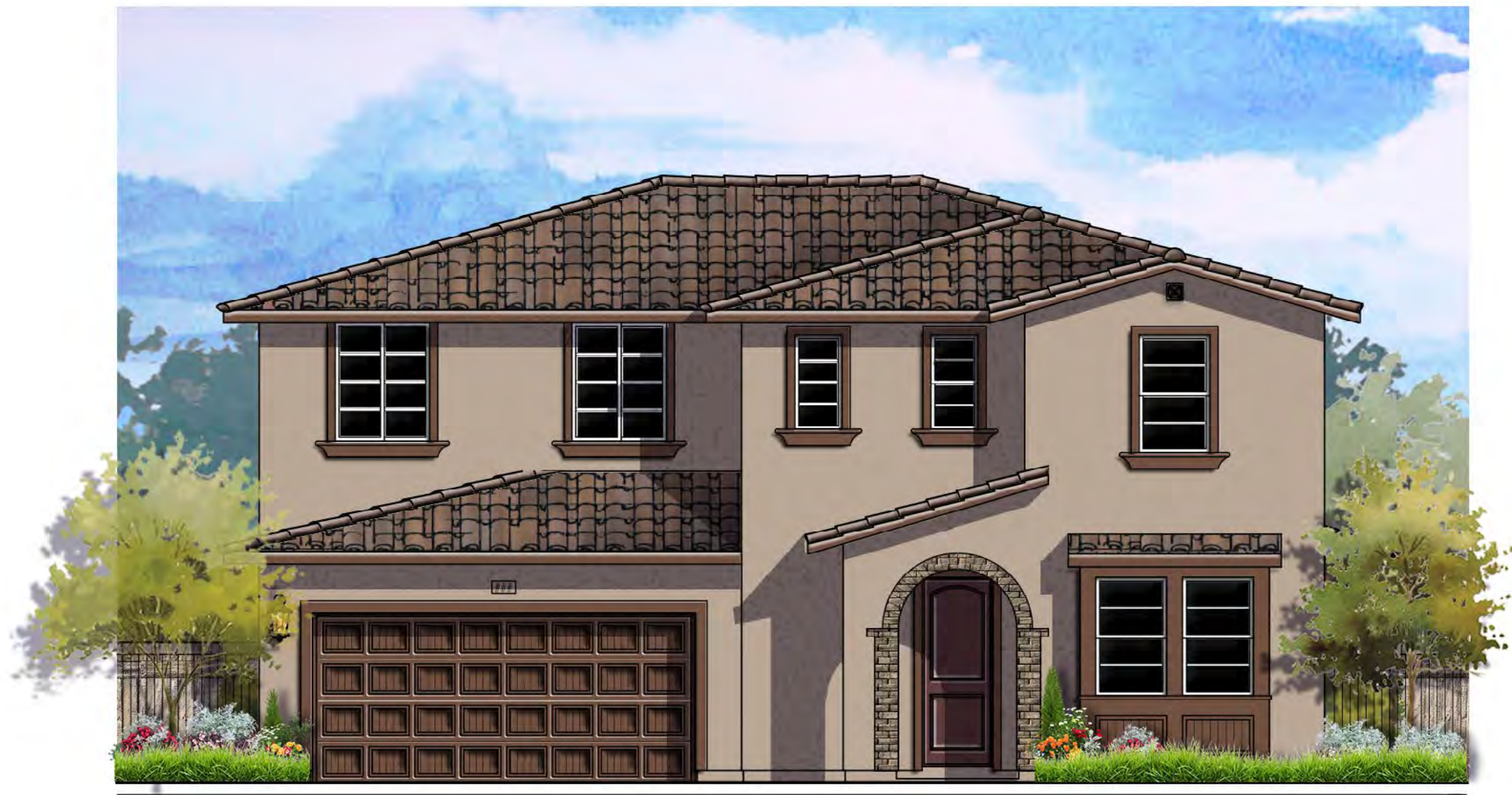
- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: CONCRETE FLAT TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - WALL: STUCCO/ LAP SIDING
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM
 - PORCH: WOOD POST AND BEAM

COLOR SCHEME 13

PLAN 6 (3381)

"D" AMERICAN TRADITIONAL - ELEVATION





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Refer to landscape drawings for wall, tree, and shrub locations

FRONT



RIGHT



REAR

MATERIALS LEGEND

- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: LOW PROFILE CONCRETE "S" TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - WALL: STUCCO
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM



LEFT

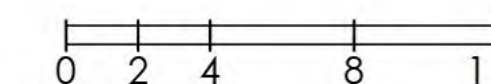
COLOR SCHEME 17

PLAN 6 (3381)

"E" ANDALUSIAN - ELEVATION

Everly at Parklane

ONTARIO, CA





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ENHANCED REAR

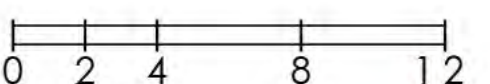
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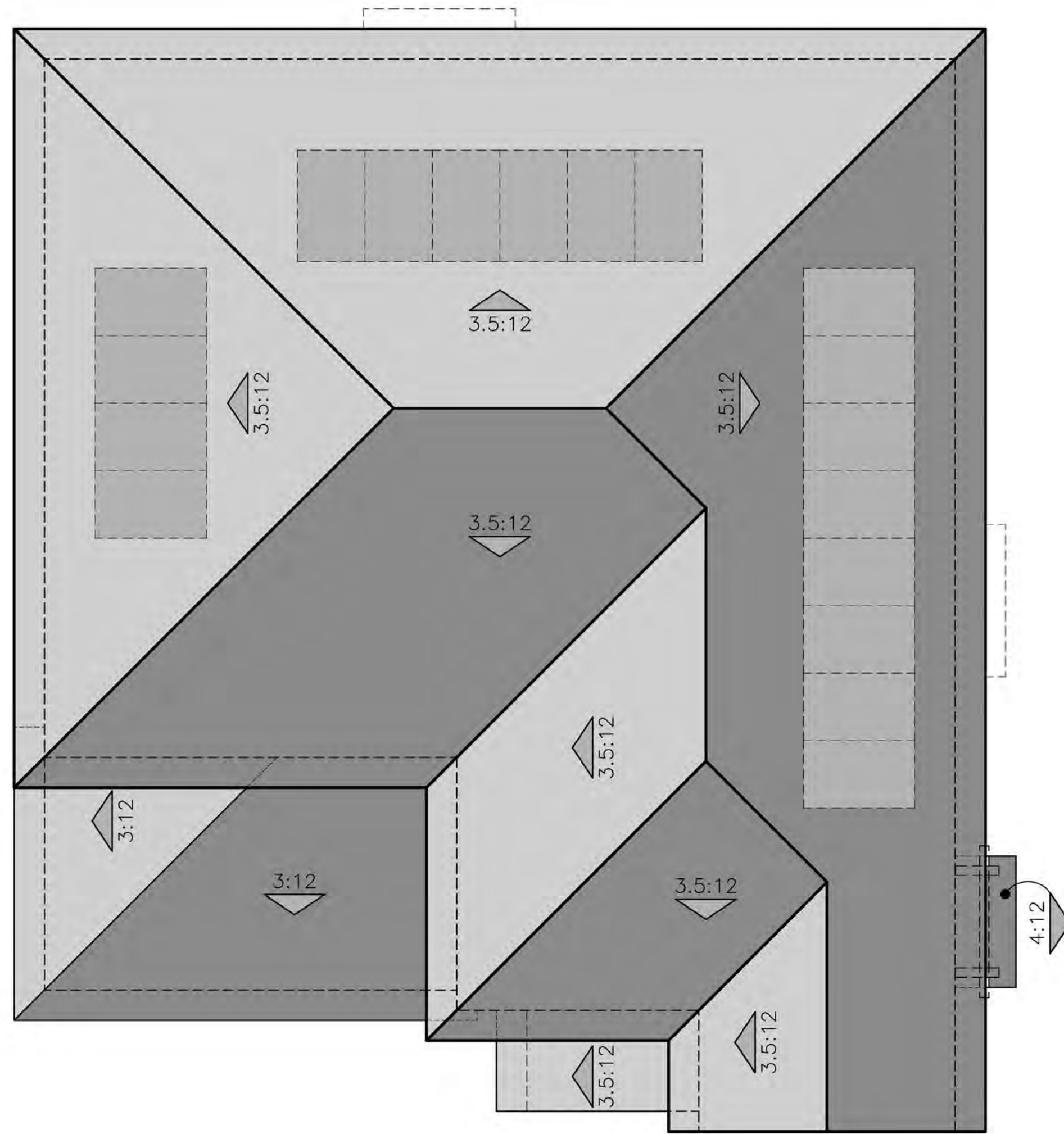
- (WHERE OCCURS)
- FRONT DOOR: FIBERGLASS
 - GARAGE DOOR: METAL SECTIONAL
 - ROOF: LOW PROFILE CONCRETE "S" TILE
 - ROOF EXTENSIONS: WOOD CORBEL/ KNEE BRACE
 - FASCIA: 2x6 WOOD
 - BARGE: 2x6 WOOD
 - WALL: STUCCO
 - WINDOWS: VINYL W/ GRIDS
 - WINDOW BOX: SIMULATED WOOD
 - SHUTTERS: SIMULATED WOOD
 - POT SHELF: SIMULATED WOOD
 - TRIM: STUCCO OVER RIGID FOAM

COLOR SCHEME 17

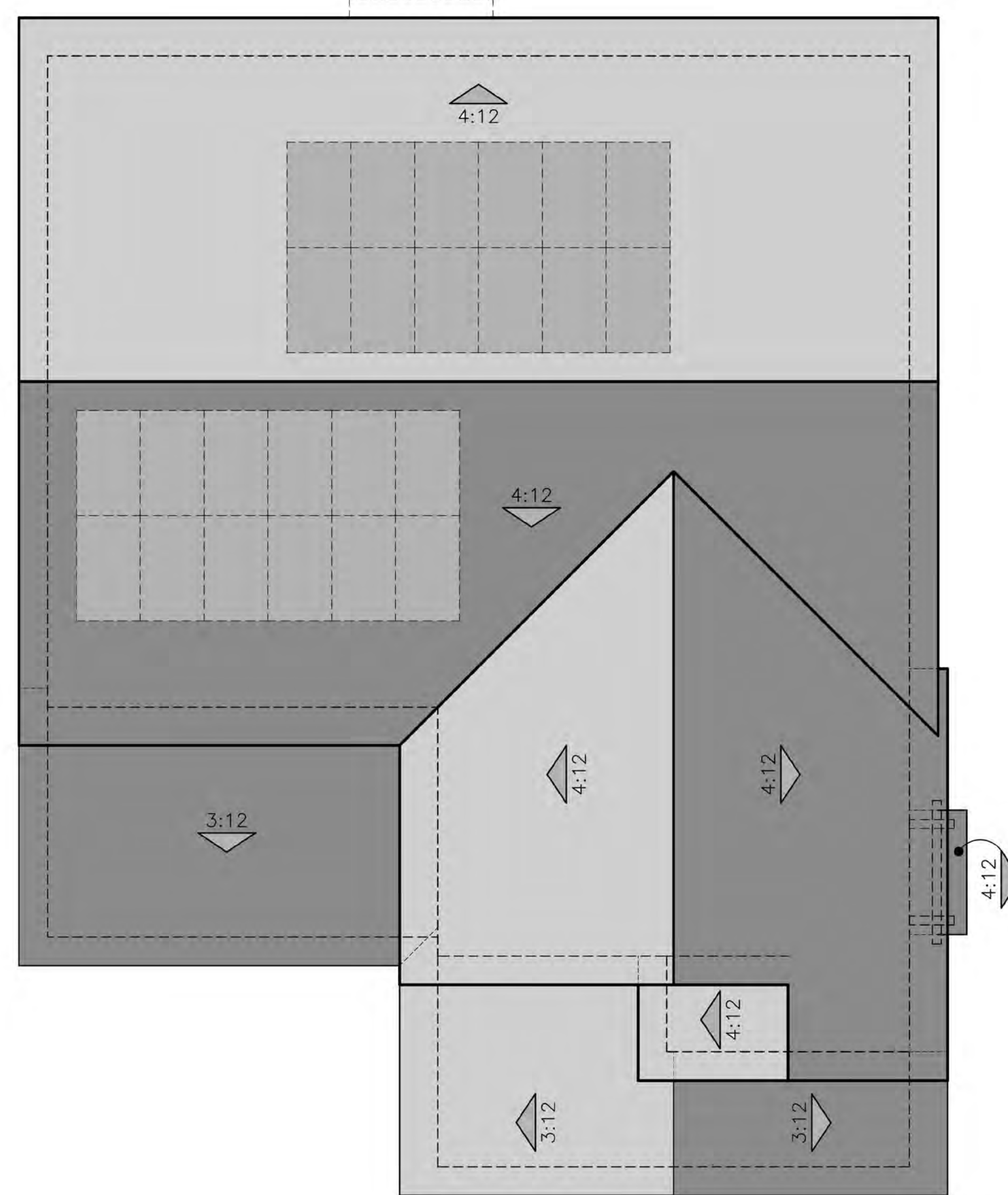
PLAN 6 (3381)

"E" ANDALUSIAN - ELEVATION

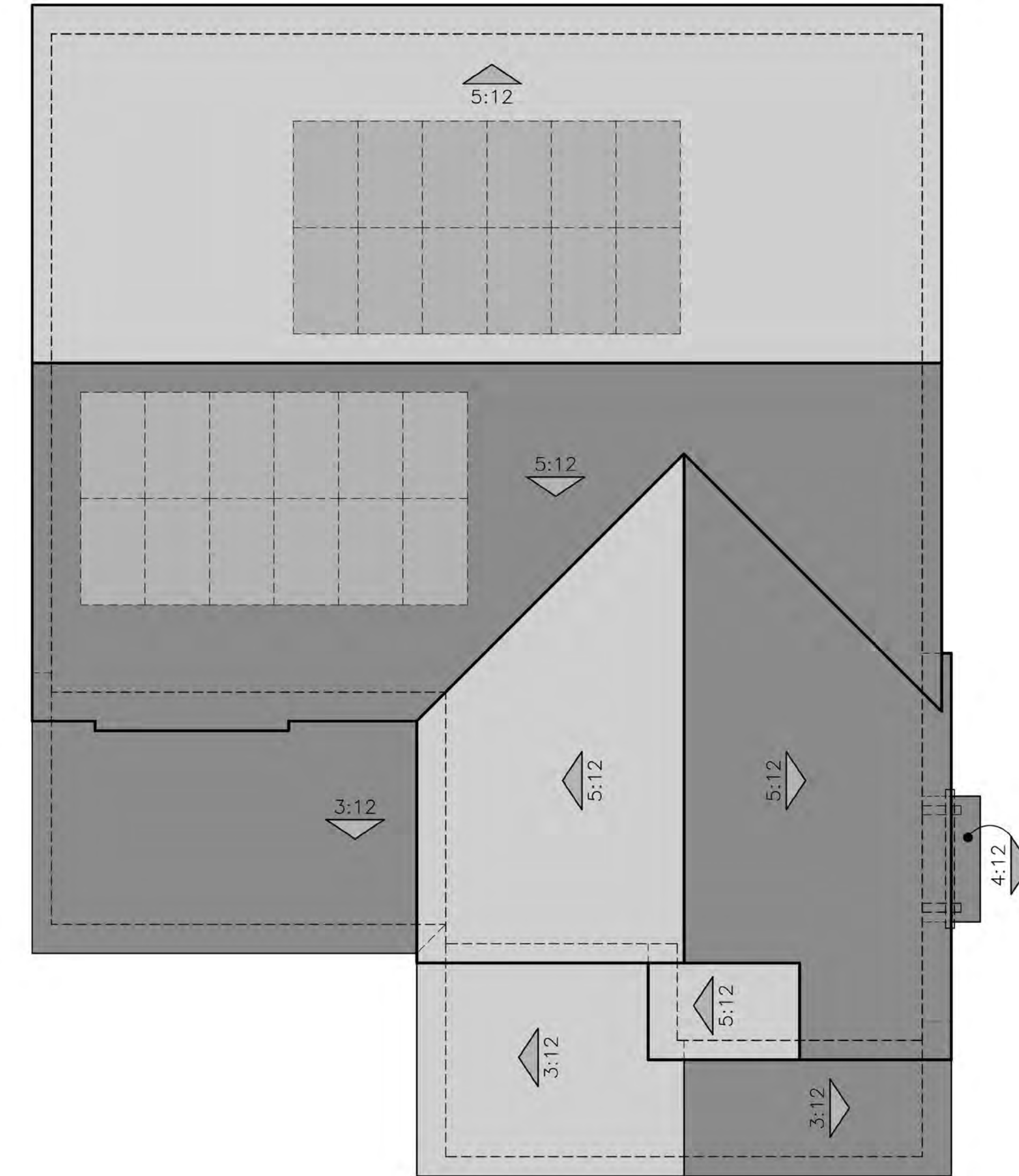




"A" SPANISH COLONIAL

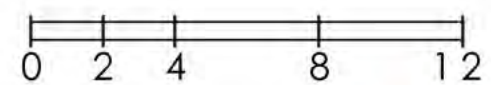


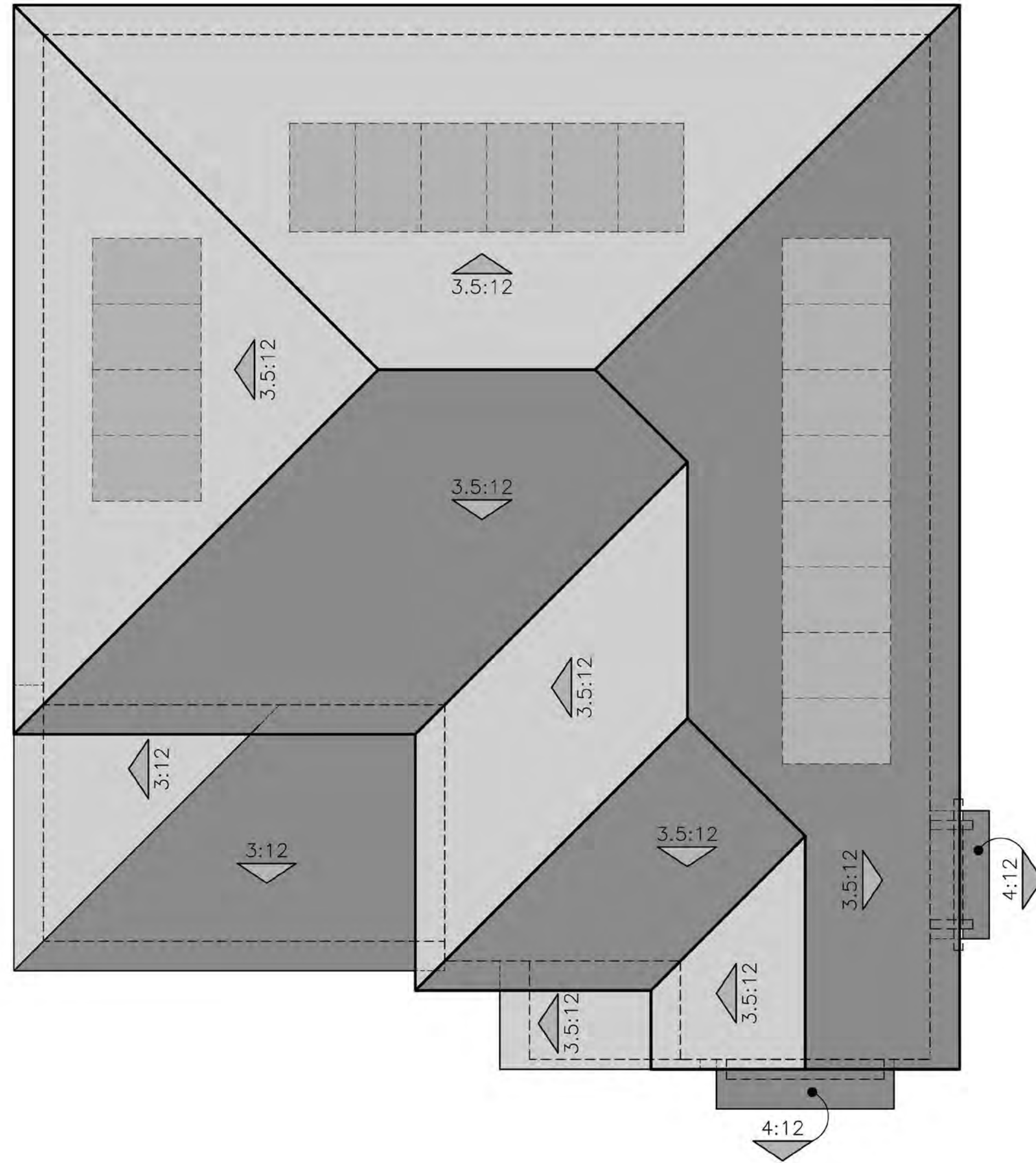
"B" CRAFTSMAN



"D" AMERICAN TRADITIONAL

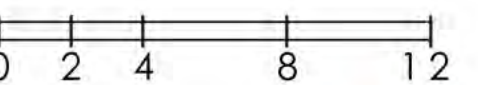
ROOF PLANS
PLAN 6 (3381)





"E" ANDALUSIAN

ROOF PLANS
PLAN 6 (3381)



EAST PARK
ONTARIO, CA

JOB # 19123
CREATED 12/4/2019
Client Revisions per Tara 1/16/2020
Added Brick to "E" 6/2/2020

"A" ELEVATIONS SPANISH COLONIAL	SCHEME 1	SCHEME 2	SCHEME 3	SCHEME 4
STUCCO	1578	1503	1585	1530
STUCCO PAINT MATCH**	SW6064 RETICENCE	SW7028 INCREDIBLE WHITE	SW6386 NAPERY	SW7516 KRESTEL WHITE
FASCIA / TRIM	SW6090 JAVA	SW6083 SABLE	SW6104 KAFFEE	SW6041 OTTER
GARAGE DOOR	SW6089 GROUNDED	SW7509 TIKI HUT	SW6103 TEA CHEST	SW6040 LESS BROWN
FRONT DOOR / SHUTTERS	SW7593 RUSTIC RED	SW2819 DOWNING SLATE	SW6167 GARDEN GATE	SW7069 IRON ORE
CLAY PIPES	SW6061 TANBARK	SW6061 TANBARK	SW6061 TANBARK	SW6061 TANBARK
WROUGHT IRON	SW6990 CAVIAR	SW6990 CAVIAR	SW6990 CAVIAR	SW6990 CAVIAR
ROOF: LOW PROFILE "S" (VILLA)	1VICS6169 CASA GRANDE BLD	1VICS3182 GARNET BLEND	1VICS7970 RED CASTLE	1VICS6464 CA MISSION BLEND
WINDOWS	ALMOND	ALMOND	ALMOND	ALMOND
GUTTERS	RUSTIC	RUSTIC	RUSTIC	RUSTIC

STUCCO:	OMEGA
PAINT:	SHERWIN WILLIAMS
ROOF:	BORAL
STONE / BRICK:	CORONADO
GROUT:	ORCO
GUTTERS:	RGS

"B" ELEVATIONS CRAFTSMAN	SCHEME 5	SCHEME 6	SCHEME 7	SCHEME 8
STUCCO	1526	1566	1596	1527
STUCCO PAINT MATCH**	SW7518 BEACH HOUSE	SW7037 BALANCED BEIGE	SW7541 GRECIAN IVORY	SW7038 TONY TAUPE
FASCIA / TRIM	SW6103 TEA CHEST	SW7040 SMOKEHOUSE	SW6385 DOVER WHITE	SW6082 COBBLE BROWN
LAP SIDING / CORNER BOARDS / GARAGE DOOR	SW6095 TOASTY	SW7039 VIRTUAL TAUPE	SW6172 HARDWARE	SW9084 COCOA WHIP
BOARD & BATTEN SIDING	SW7538 TAMARIND	SW2827 COLONIAL REV STONE	SW6156 RAMIE	SW6081 DOWN HOME
FRONT DOOR / SHUTTERS	SW0009 EASTLAKE GOLD	SW7622 HOMBURG GRAY	SW6202 CAST IRON	SW7594 CARRIAGE DOOR
ROOF: FLAT SHAKE	1FBCJ1132 CHARCOAL BRWN BLD	1FBCJ0300 BRONZE PEARL BLEND	1FBCJ4072 SAHARA QUARTZ BLD	1FBCJ3182 GARNET BLEND
BRICK:	SPECIAL USED COUNTRY	WEATHERED CARMEL MOUNTAIN	NEW ENGLAND DAKOTA BROWN	ROMAN SORANO
GROUT	MAC MISTY COVE	MAC MISTY COVE	MAC MISTY COVE	MAC MISTY COVE
WINDOWS	WHITE	WHITE	WHITE	WHITE
GUTTERS	RUSTIC	RUSTIC	LINEN	RUSTIC

"C" ELEVATIONS FARMHOUSE	SCHEME 9	SCHEME 10	SCHEME 11	SCHEME 12
STUCCO	1577	1627	1548	1572
STUCCO PAINT MATCH**	SW7052 GRAY AREA	SW7038 TONY TAUPE	SW7507 STONE LION	SW7757 HIGH REFLECTIVE WT
FASCIA / TRIM	SW7042 SOJI WHITE	SW7028 INCREDIBLE WHITE	SW7628 WINDFRESH WHITE	SW7674 PEPPERCORN
GARAGE DOOR	SW7047 PORPOISE	SW7515 HOMESTEAD BROWN	SW7033 BRAINSTORM BRONZE	SW7674 PEPPERCORN
BOARD & BATTEN SIDING	SW7047 PORPOISE	SW7515 HOMESTEAD BROWN	SW7033 BRAINSTORM BRONZE	SW7757 HIGH REFLECTIVE WT
FRONT DOOR / SHUTTERS	SW7725 YEARLING	SW6236 GRAYS HARBOR	SW6165 CONNECTED GRAY	SW6990 CAVIAR
ROOF: FLAT SHAKE	1FBCJ0007 TOFFEE	1FBCJ3181 SMOKEY TOPAZ BLEND	1FBCJ4071 OCEAN JASPER BLD	1FBCJ1430 CHARCOAL BLEND
WINDOWS	WHITE	WHITE	WHITE	WHITE
GUTTERS	LINEN	LINEN	LINEN	TUXEDO GRAY

"D" ELEVATIONS AMERICAN TRADITIONAL	SCHEME 13	SCHEME 14	SCHEME 15	SCHEME 16
STUCCO	1572	1542	1565	1508
STUCCO PAINT MATCH**	SW7757 HIGH REFLECTIVE WT	SW7571 CASA BLANCA	SW7029 AGREEABLE GRAY	SW9085 TOUCH OF SAND
FASCIA / TRIM	SW7757 HIGH REFLECTIVE WT	SW7566 WESTHIGHLAND WT	SW7004 SNOWBOUND	SW7100 ARCADE WHITE
LAP SIDING AT GABLES / GARAGE DOOR	SW6235 FOGGY DAY	SW7566 WESTHIGHLAND WT	SW7018 DOVETAIL	SW6039 POISED TAUPE
FRONT DOOR / SHUTTERS	SW7069 IRON ORE	SW7061 NIGHT OWL	SW9182 ROJO MARRON	SW9154 PERLE NOIR
ROOF: FLAT SLATE	1FACS1430 CHARCOAL BLEND	1FCY0300 BRONZE PEARL BLD	1FACS0330 APPALACHIAN BLEND	1FACS3280 MONTE SERENO BLEND
WINDOWS	WHITE	WHITE	WHITE	WHITE
GUTTERS	SATIN	SATIN	SATIN	SATIN

"E" ELEVATIONS ANDALUSIAN	SCHEME 17	SCHEME 18	SCHEME 19	SCHEME 20
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WRITTEN COLOR SCHEMES

SPANISH COLONIAL
SCHEME #1

STUCCO BODY

ROOF

FASCIA / TRIM

GARAGE DOOR

FRONT DOOR / SHUTTERS

CLAY PIPES

WROUGHT IRON

EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc
#19123
MAR. 12, 2020
PLANNING + ARCHITECTURE

SPANISH COLONIAL
SCHEME #2

STUCCO BODY

ROOF

FASCIA / TRIM

GARAGE DOOR

FRONT DOOR / SHUTTERS

CLAY PIPES

WROUGHT IRON

EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc
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MAR. 12, 2020
PLANNING + ARCHITECTURE

SPANISH COLONIAL
SCHEME #3

STUCCO BODY

ROOF

FASCIA / TRIM

GARAGE DOOR

FRONT DOOR / SHUTTERS

CLAY PIPES

WROUGHT IRON

EAST PARK
ONTARIO, CA

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SPANISH COLONIAL
SCHEME #4

STUCCO BODY

ROOF

FASCIA / TRIM

GARAGE DOOR

FRONT DOOR / SHUTTERS

CLAY PIPES

WROUGHT IRON

EAST PARK
ONTARIO, CA

LENNAR

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Architect
Inc
#19123
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PLANNING + ARCHITECTURE

COLORS MAY VARY DUE TO SCREEN AND PRINTER CALIBRATION.
REFER TO PAINT CHIPS AND MATERIALS BOARDS FOR ACTUAL COLORS.

COLOR BOARDS - SPANISH COLONIAL

CRAFTSMAN
SCHEME #5

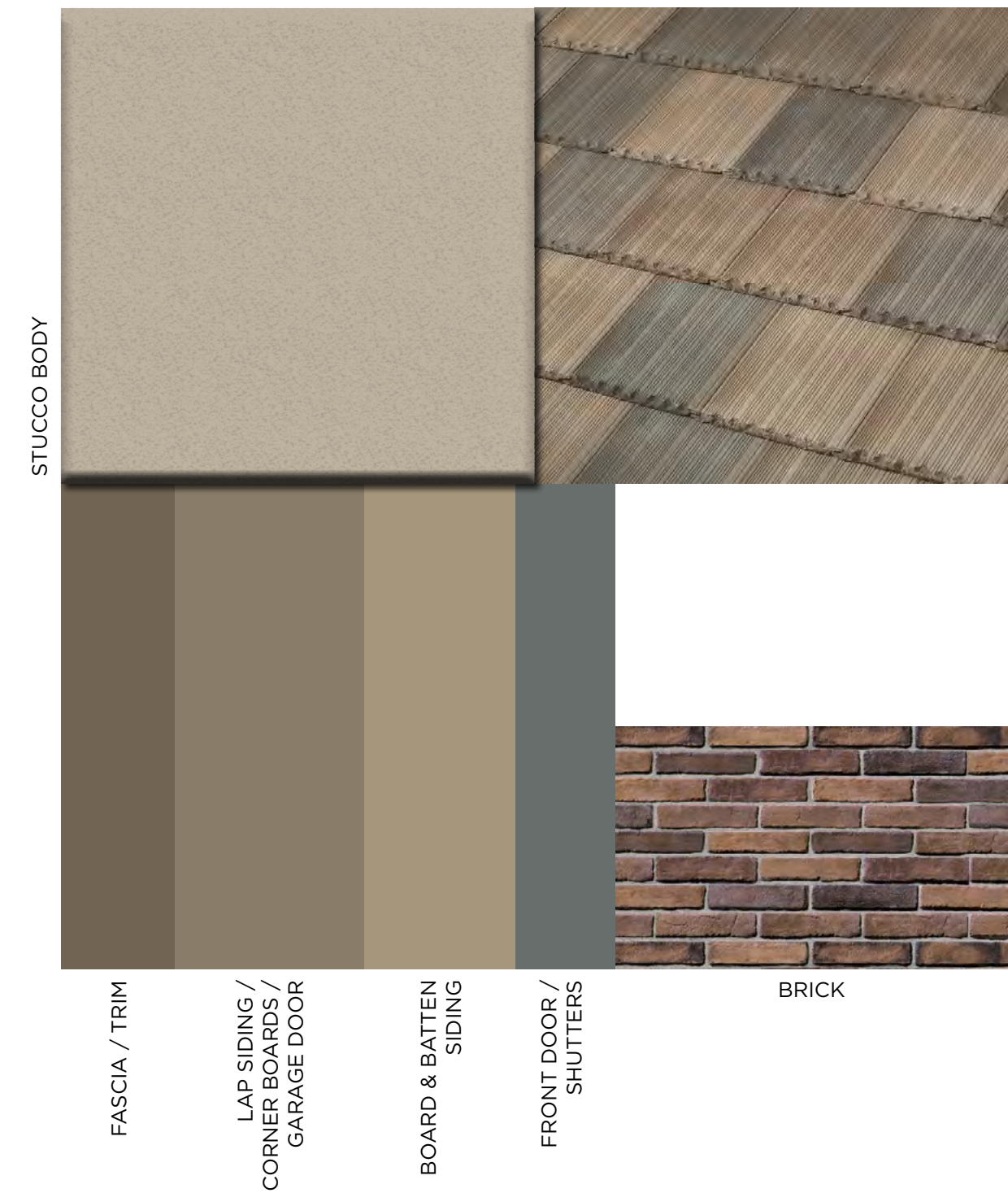


EAST PARK
ONTARIO, CA

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LENNAR

CRAFTSMAN
SCHEME #6



EAST PARK
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LENNAR

CRAFTSMAN
SCHEME #7



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ONTARIO, CA

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LENNAR

CRAFTSMAN
SCHEME #8



EAST PARK
ONTARIO, CA

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MAR. 12, 2020
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LENNAR

COLORS MAY VARY DUE TO SCREEN AND PRINTER CALIBRATION.
REFER TO PAINT CHIPS AND MATERIALS BOARDS FOR ACTUAL COLORS.

COLOR BOARDS - CRAFTSMAN

LENNAR

Parklane

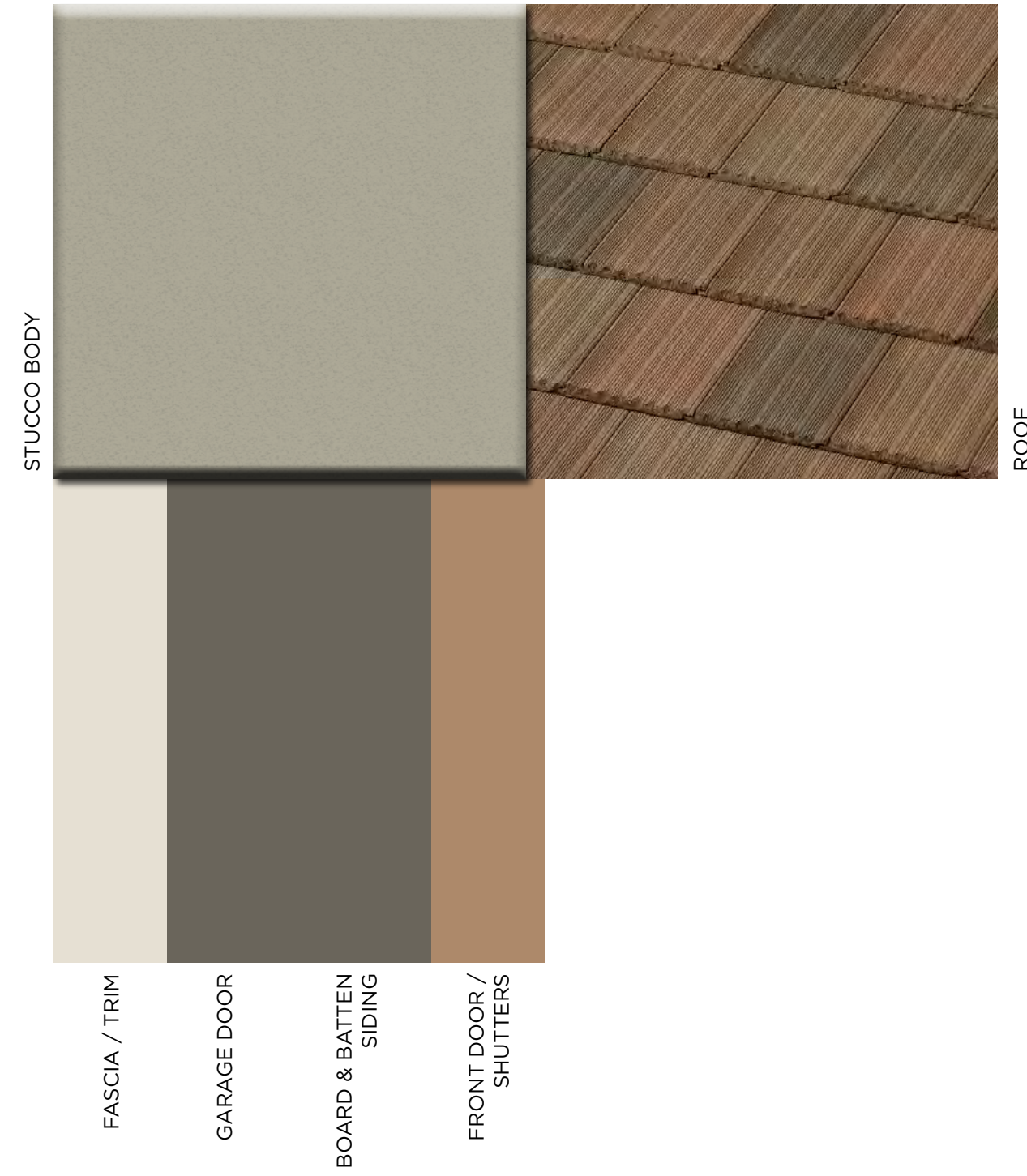
ONTARIO, CA

06/04/20
A-79

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#19123

FARMHOUSE
SCHEME #9



EAST PARK
ONTARIO, CA

LENNAR

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MAR. 12, 2020
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FARMHOUSE
SCHEME #10



EAST PARK
ONTARIO, CA

LENNAR

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Inc
#19123
MAR. 12, 2020
PLANNING + ARCHITECTURE

FARMHOUSE
SCHEME #11

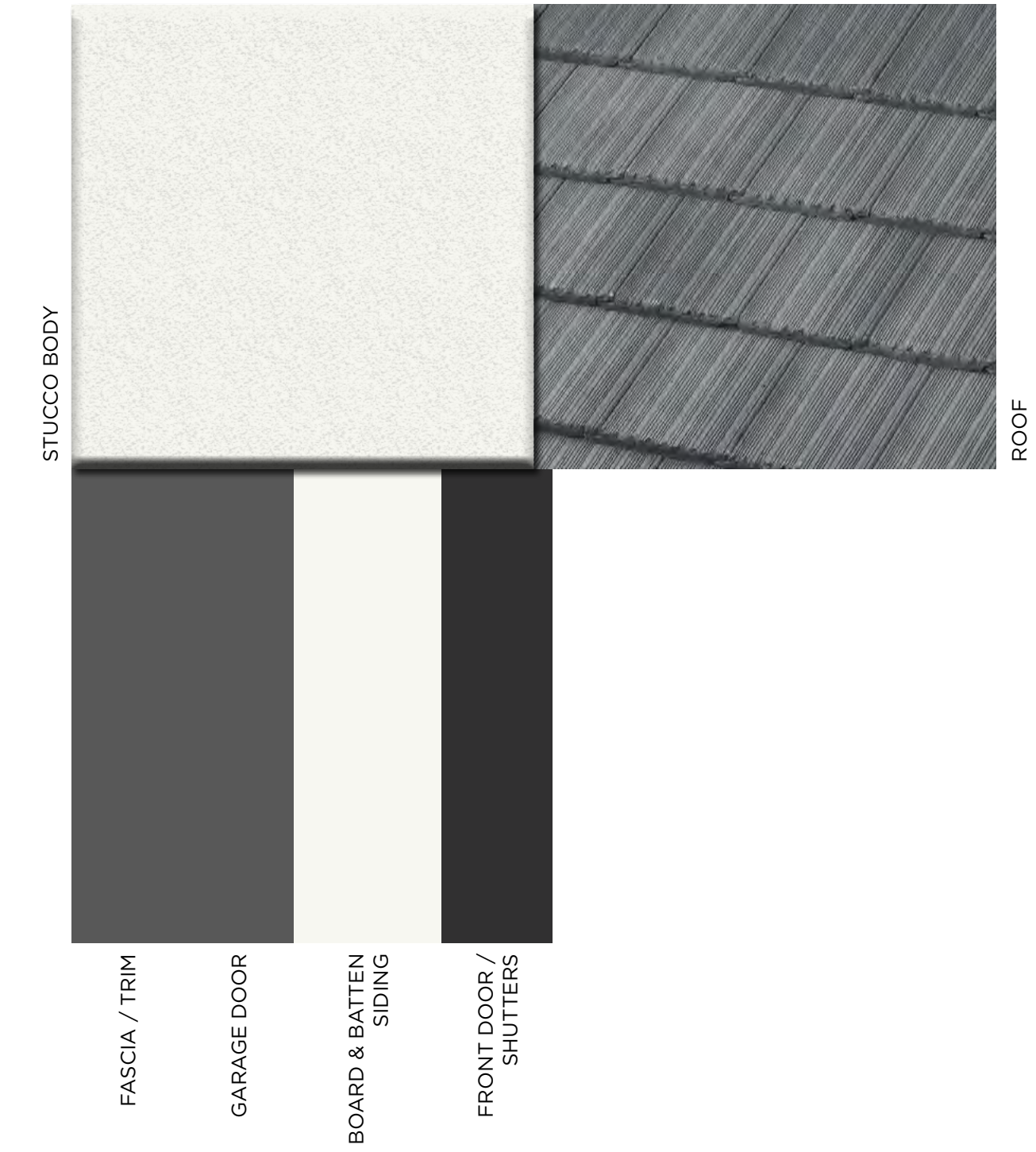


EAST PARK
ONTARIO, CA

LENNAR

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Architect
Inc
#19123
MAR. 12, 2020
PLANNING + ARCHITECTURE

FARMHOUSE
SCHEME #12



EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc
#19123
MAR. 12, 2020
PLANNING + ARCHITECTURE

COLORS MAY VARY DUE TO SCREEN AND PRINTER CALIBRATION.
REFER TO PAINT CHIPS AND MATERIALS BOARDS FOR ACTUAL COLORS.

COLOR BOARDS - FARMHOUSE

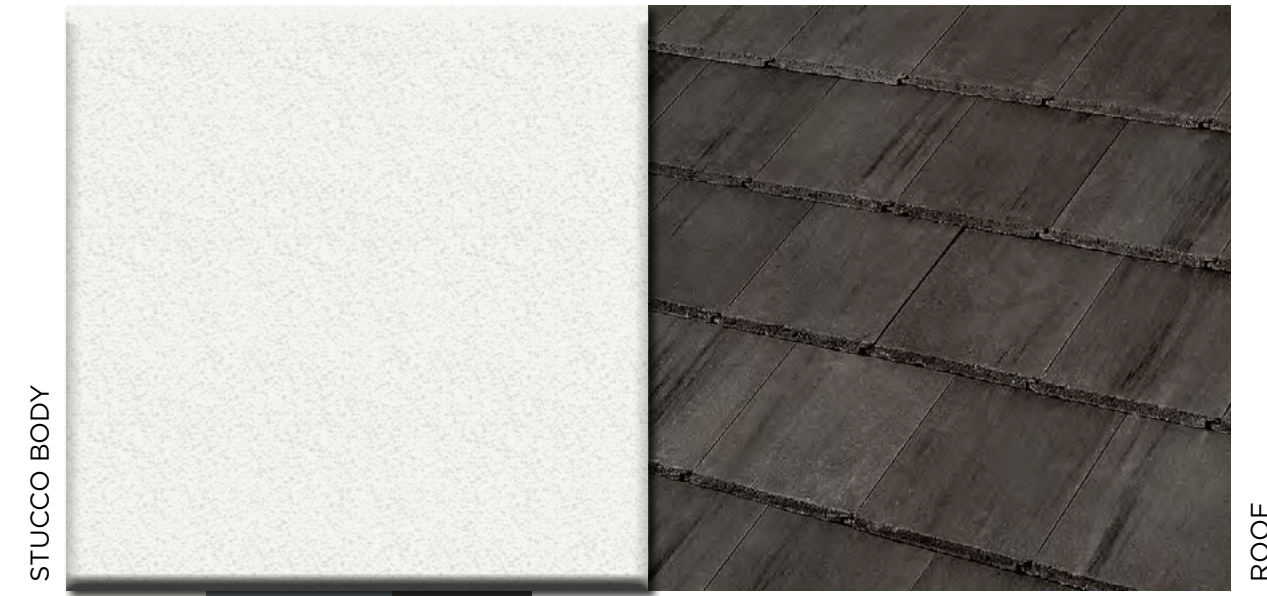
LENNAR

Parklane
ONTARIO, CA

06/04/20
A-80

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#19123

AMERICAN TRADITIONAL
SCHEME #13



FASCIA / TRIM
LAP SIDING AT GABLES /
GARAGE DOOR
FRONT DOOR /
SHUTTERS

EAST PARK
ONTARIO, CA



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#19123
MAR. 12, 2020
PLANNING + ARCHITECTURE

AMERICAN TRADITIONAL
SCHEME #14



FASCIA / TRIM
LAP SIDING AT GABLES /
GARAGE DOOR
FRONT DOOR /
SHUTTERS

EAST PARK
ONTARIO, CA



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MAR. 12, 2020
PLANNING + ARCHITECTURE

AMERICAN TRADITIONAL
SCHEME #15



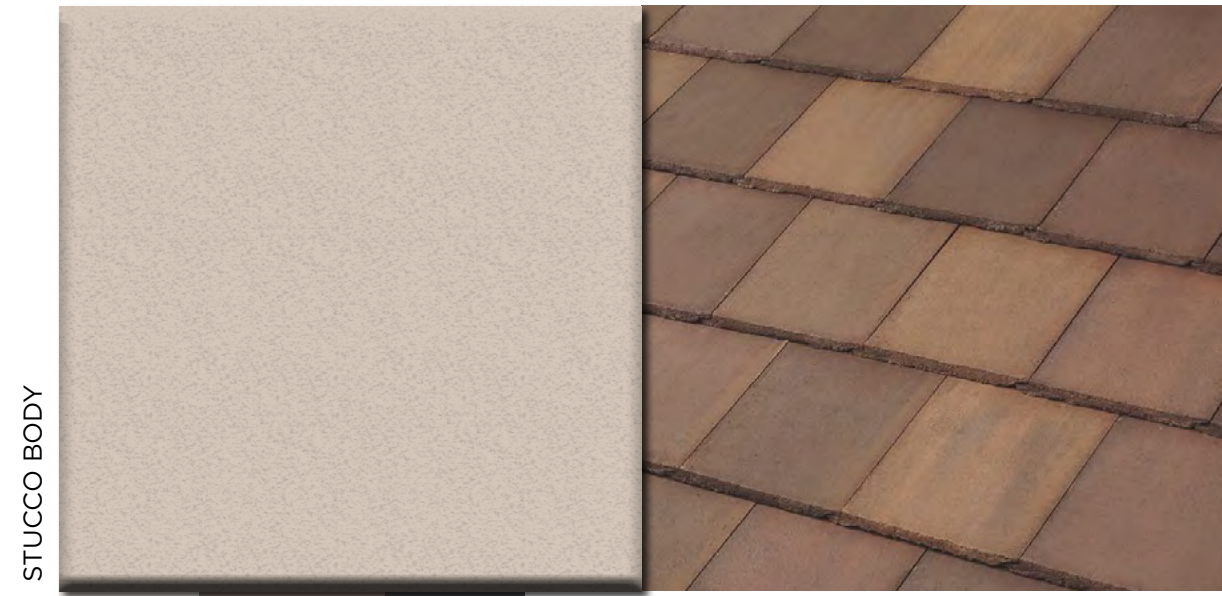
FASCIA / TRIM
LAP SIDING AT GABLES /
GARAGE DOOR
FRONT DOOR /
SHUTTERS

EAST PARK
ONTARIO, CA



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MAR. 12, 2020
PLANNING + ARCHITECTURE

AMERICAN TRADITIONAL
SCHEME #16



FASCIA / TRIM
LAP SIDING AT GABLES /
GARAGE DOOR
FRONT DOOR /
SHUTTERS

EAST PARK
ONTARIO, CA



Kevin L. Crook
Architect
Inc.
#19123
MAR. 12, 2020
PLANNING + ARCHITECTURE

COLORS MAY VARY DUE TO SCREEN AND PRINTER CALIBRATION.
REFER TO PAINT CHIPS AND MATERIALS BOARDS FOR ACTUAL COLORS.

COLOR BOARDS - AMERICAN TRADITIONAL



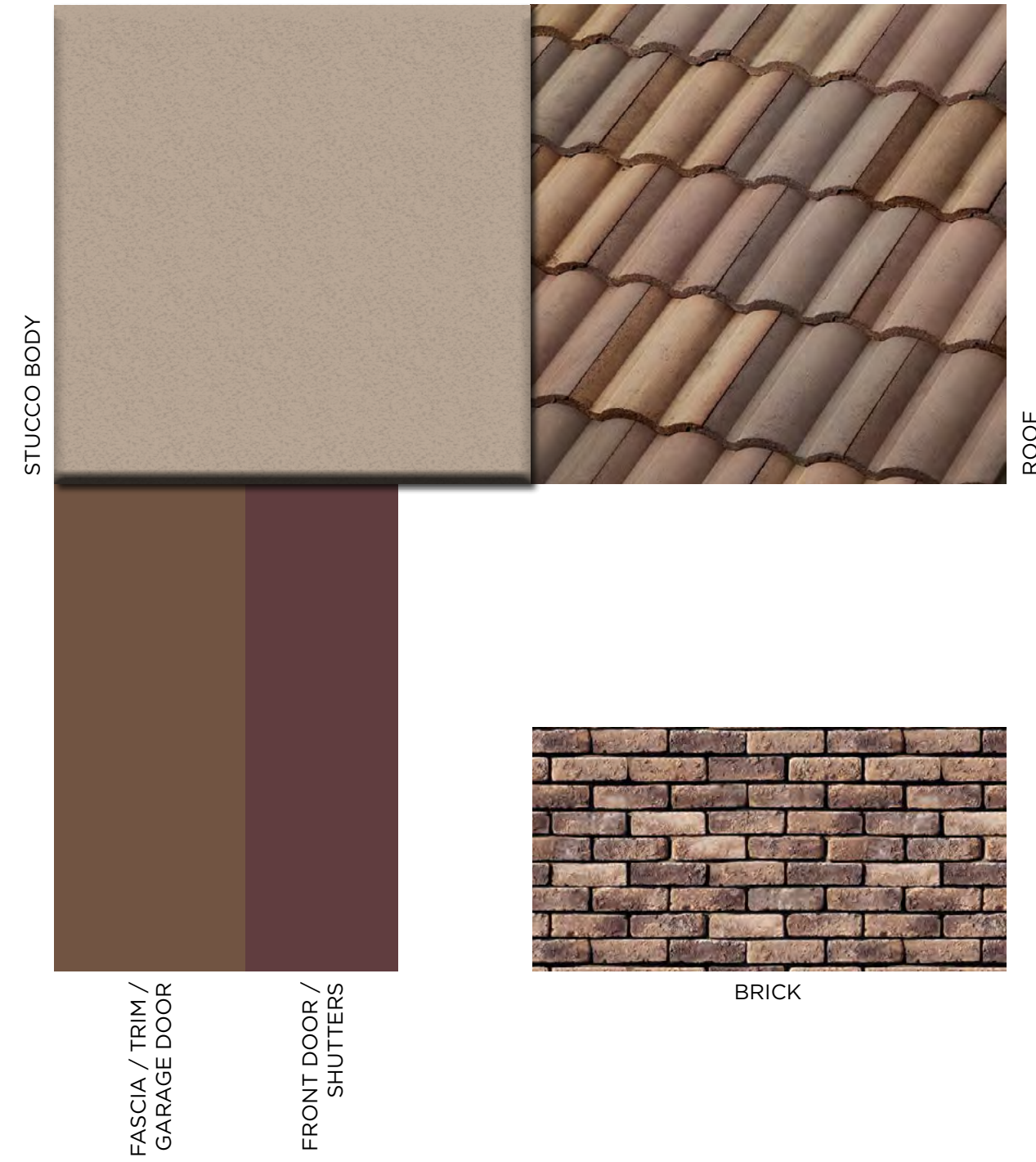
ONTARIO, CA

06/04/20
A-81

Kevin L. Crook
Architect
Inc.
PLANNING + ARCHITECTURE

#19123

ANDALUSIAN
SCHEME #17



EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc.
#19123
JUN. 03, 2020
PLANNING + ARCHITECTURE

ANDALUSIAN
SCHEME #18



EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc.
#19123
JUN. 03, 2020
PLANNING + ARCHITECTURE

ANDALUSIAN
SCHEME #19

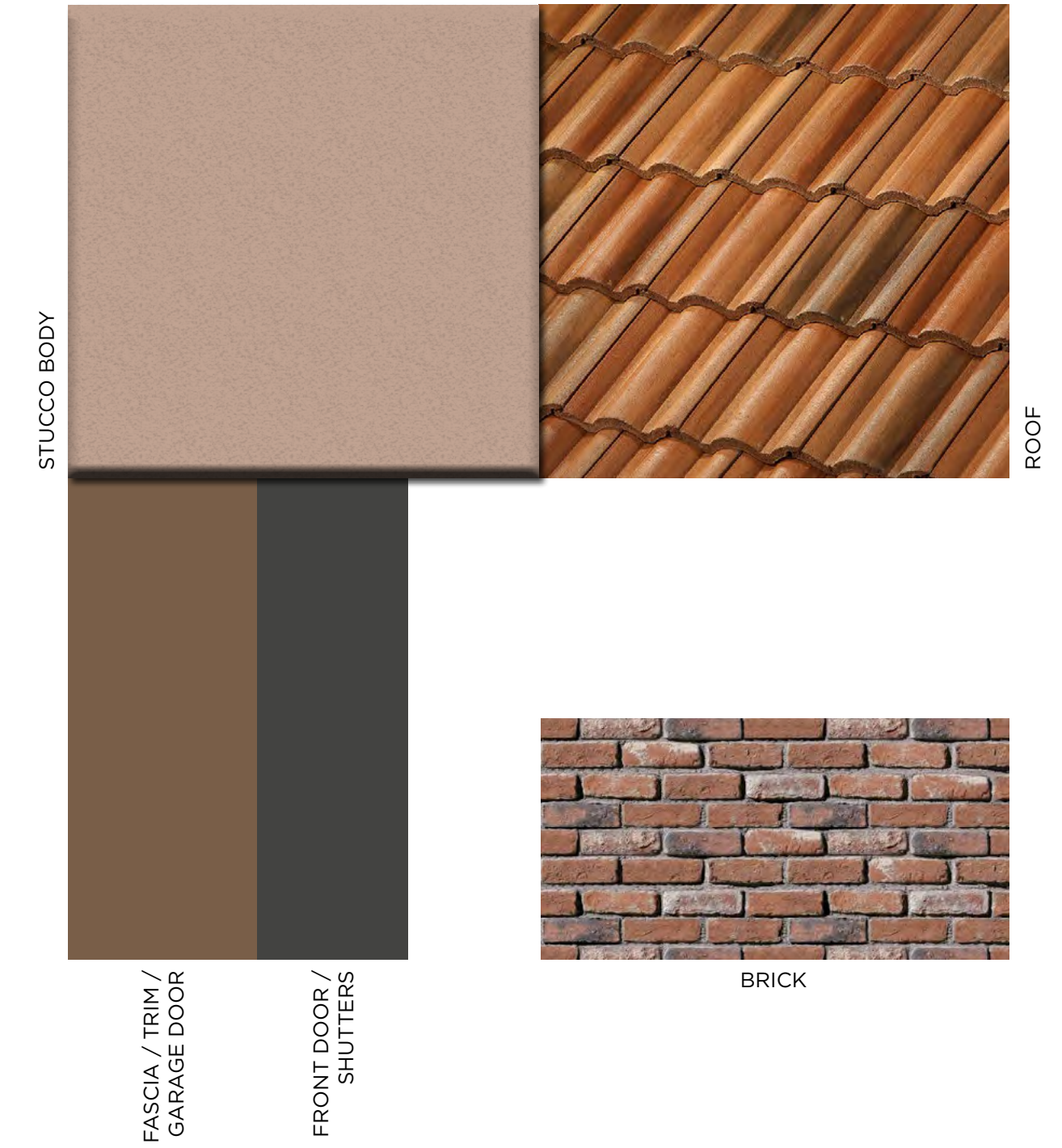


EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc.
#19123
JUN. 03, 2020
PLANNING + ARCHITECTURE

ANDALUSIAN
SCHEME #20



EAST PARK
ONTARIO, CA

LENNAR

Kevin L. Crook
Architect
Inc.
#19123
JUN. 03, 2020
PLANNING + ARCHITECTURE

COLORS MAY VARY DUE TO SCREEN AND PRINTER CALIBRATION.
REFER TO PAINT CHIPS AND MATERIALS BOARDS FOR ACTUAL COLORS.

COLOR BOARDS - ANDALUSIAN

LENNAR

Parklane

ONTARIO, CA

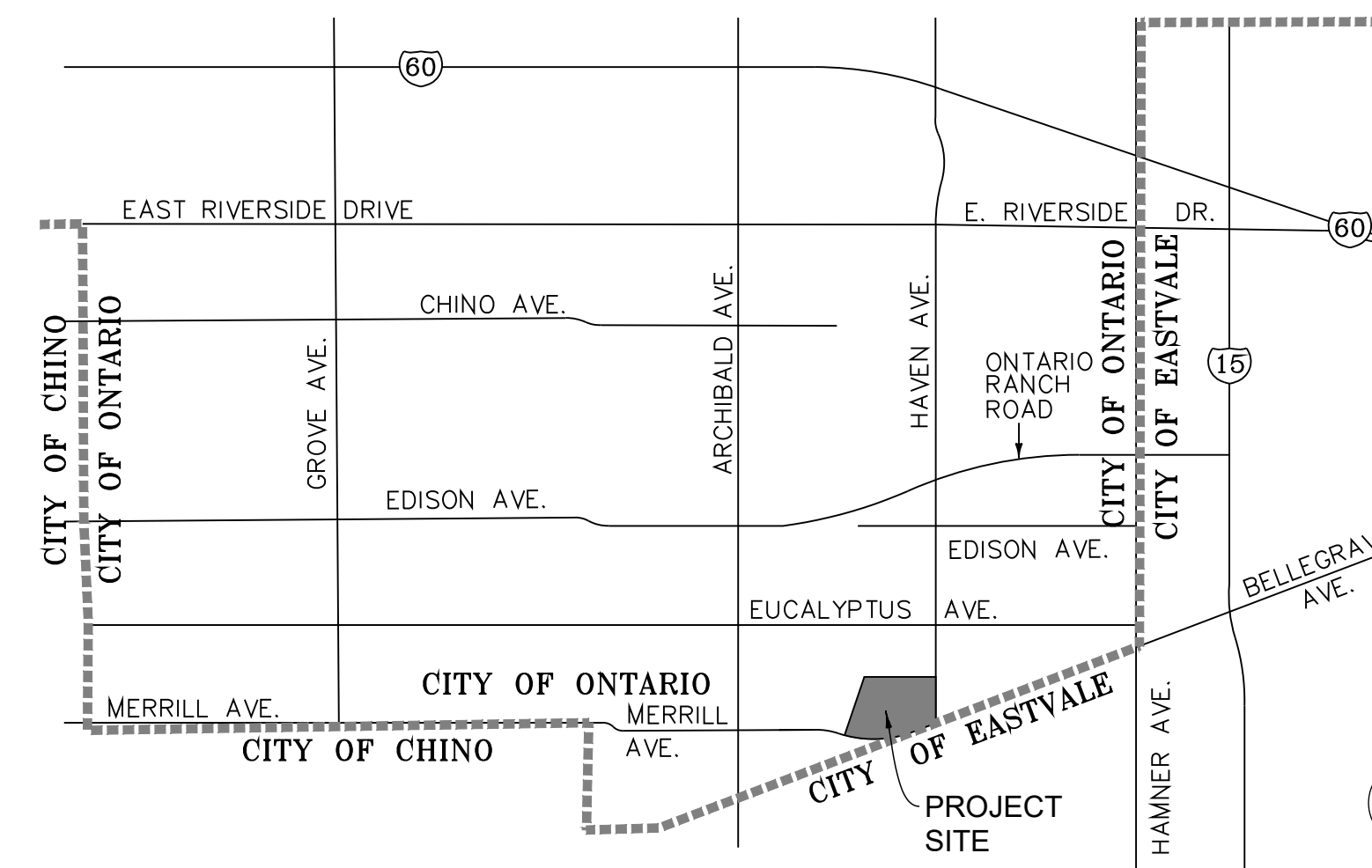
06/04/20
A-82

Kevin L. Crook
Architect
Inc.
PLANNING + ARCHITECTURE
#19123

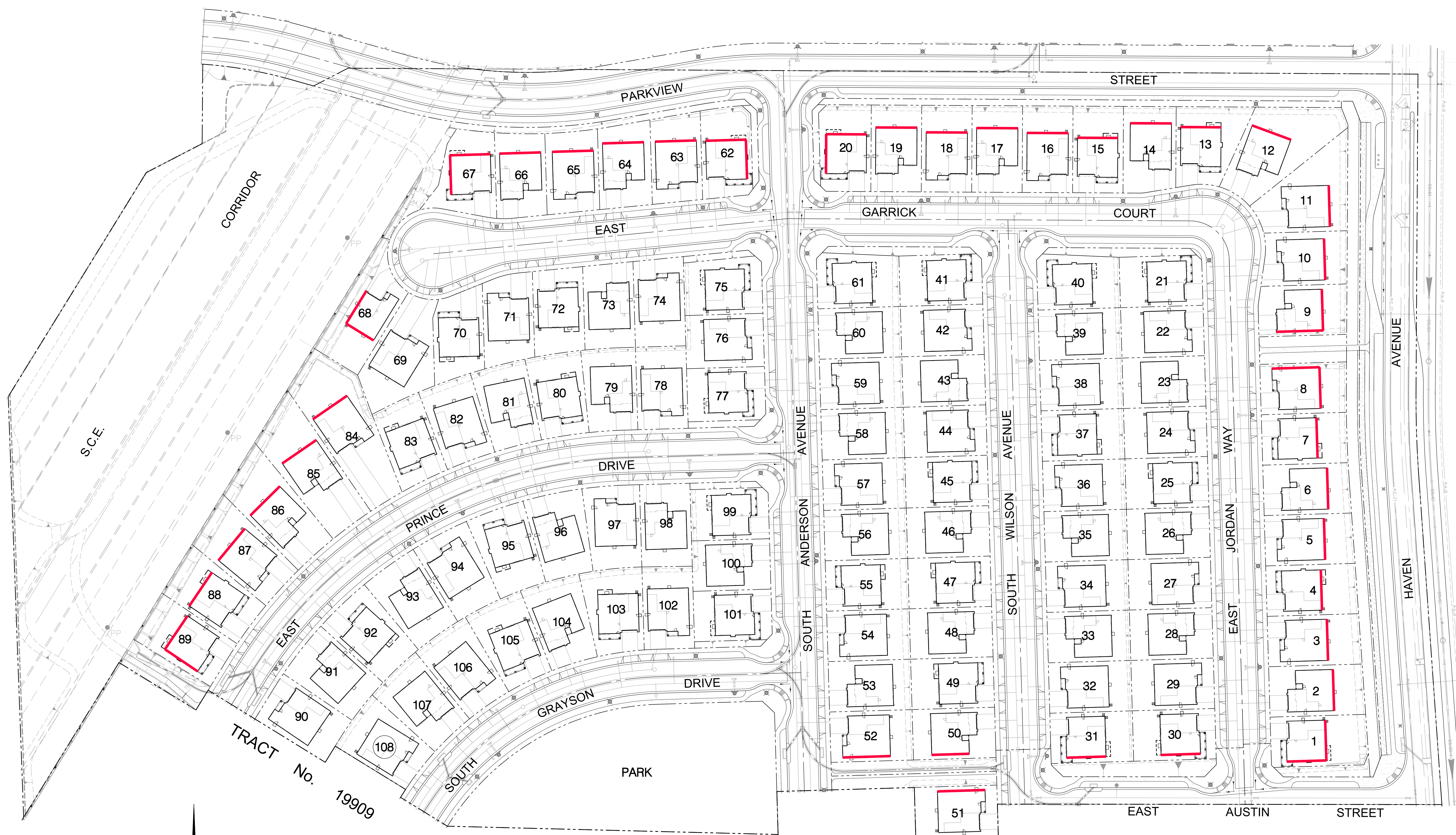
ENHANCED ELEVATION EXHIBIT PARKSIDE TRACT No. 19907 IN THE CITY OF ONTARIO

LEGEND

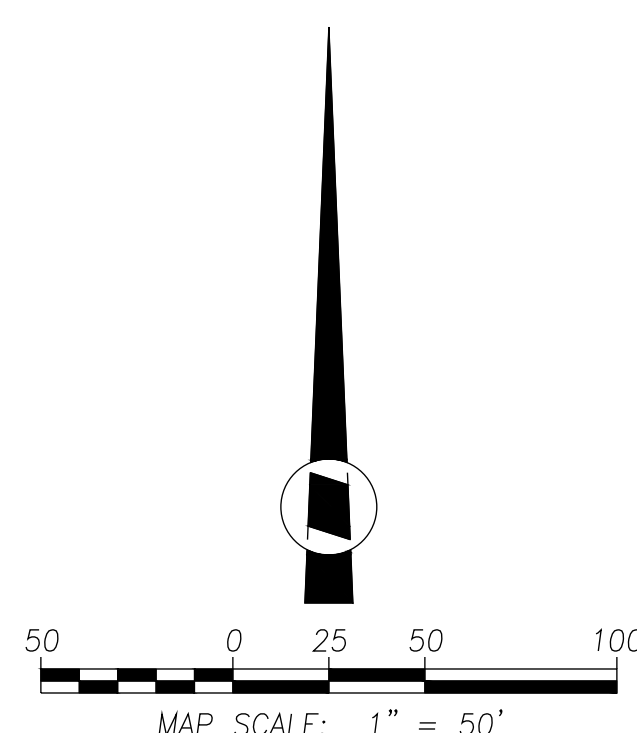
ELEVATION WITH ENHANCEMENTS



VICINITY MAP
NOT TO SCALE



INDEX MAP
SCALE: 1" = 50'



OWNER / DEVELOPER
Lennar Homes - Inland / LA / Ventura Division
980 MONTECITO DRIVE, SUITE 302
CORONA, CA 92879
(951) 817-3500

BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
LOCATION:
SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
SEC. 27/11, T25, R7W, 2" BRASS DISK STAMPED T25, R7W,
1/4, 52, S11" L.S. 3/28" SET FLUSH IN A.C.
NGVD29 / 1990 ADJ.

Dan Guerra & Associates
CIVIL ENGINEERS • LAND SURVEYORS
10271-B TRADEMARK STREET
RANCHO CUCAMONGA, CA 91730
Ph. (909)987-4306 Fax (909)941-1528
info@dandgassoc.com



**ENHANCED ELEVATION EXHIBIT
FOR
PARKSIDE - TRACT 19907**

SHEET 1 OF 1
CONTRACT _____
ACCOUNT _____
DWG. NO. _____

LEGEND

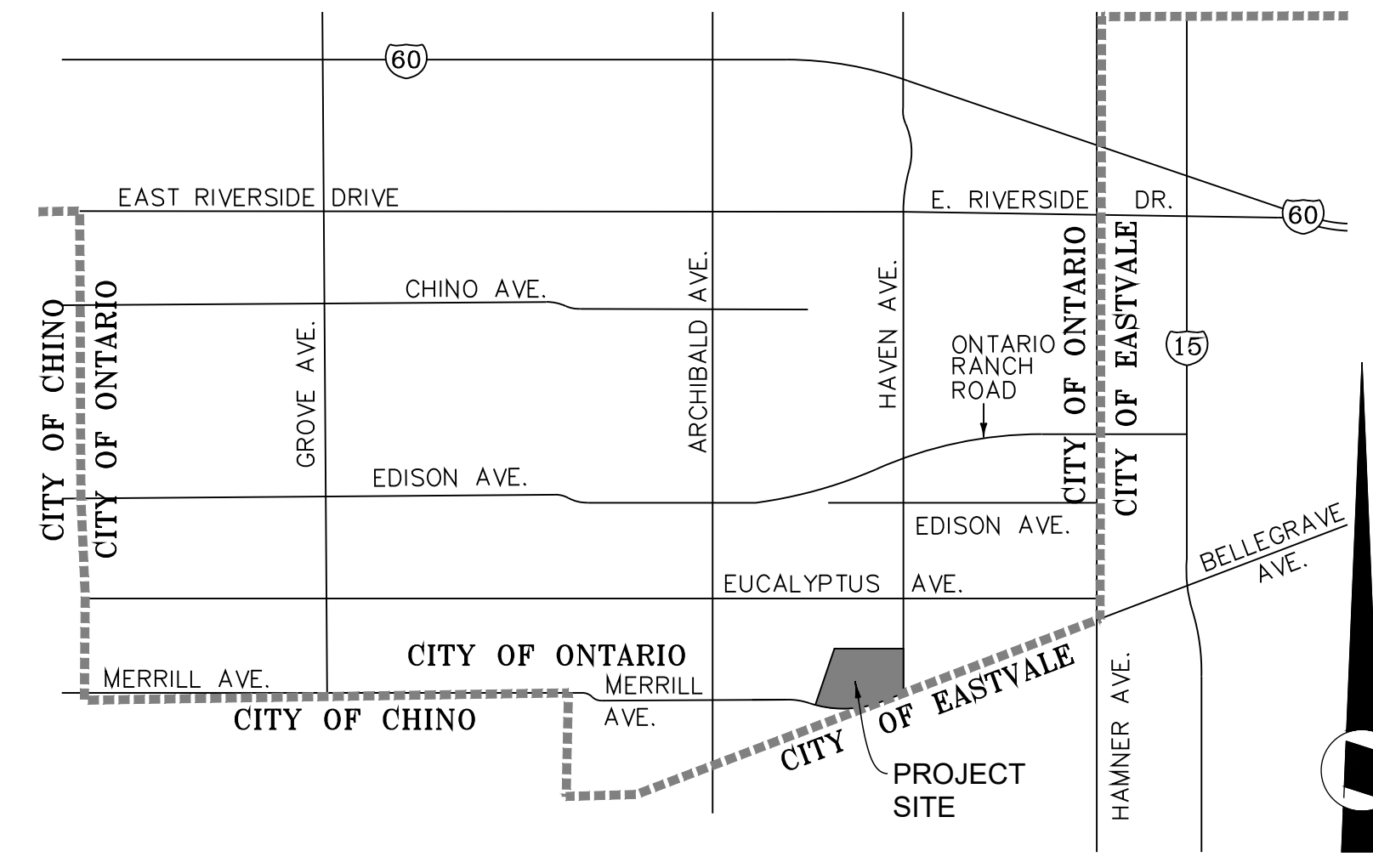
- T.C. TOP OF CURB
 - A.C. ASPHALT CONCRETE
 - F.L. FLOWLINE
 - LIP LIP OF GUTTER
 - T.G. TOP OF GRATE
 - INV INVERT OF PIPE
 - T.W. TOP OF WALL
 - T.F. TOP OF FOOTING
 - H.P. HIGH POINT
 - L.P. LOW POINT
 - F.S. FINISH SURFACE
 - F.G. FINISH GRADE
 - G.B. GRADE BREAK
 - F.F. FINISH FLOOR
 - G.F.F. GARAGE FINISH FLOOR
 - C.L. CENTERLINE
 - S SEWER
 - W WATER
 - R/W RIGHT-OF-WAY
-
- EXISTING GRADED SLOPE
 - EXISTING FIRE HYDRANT
 - SHEET FLOW DRAINAGE
 - EARTH SWALE AND DIRECTION OF FLOW
 - GRADE WITH DIRECTION OF FLOW
 - EXISTING GRADE CONTOUR LINE
 - PROPOSED GRADE CONTOUR LINE
 - EXISTING CHAIN-LINK FENCE
 - PROPOSED GARDEN WALL & PILASTER
 - PROPOSED RETAINING WALL
 - PROPOSED DECORATIVE FENCE & PILASTER PER LANDSCAPE ARCHITECT'S PLANS
 - TRAFFIC SIGN
 - EXISTING RETAINING WALL
 - EXISTING STORM DRAIN
 - PROPOSED AREA DRAIN
 - EXISTING WATER
 - EXISTING RECYCLED WATER
 - EXISTING SEWER
 - EXISTING STREET LIGHT
 - EXISTING WATER SERVICE & METER
 - EXISTING SEWER LATERAL

CONCEPTUAL GRADING & DRAINAGE PLAN

PARKSIDE

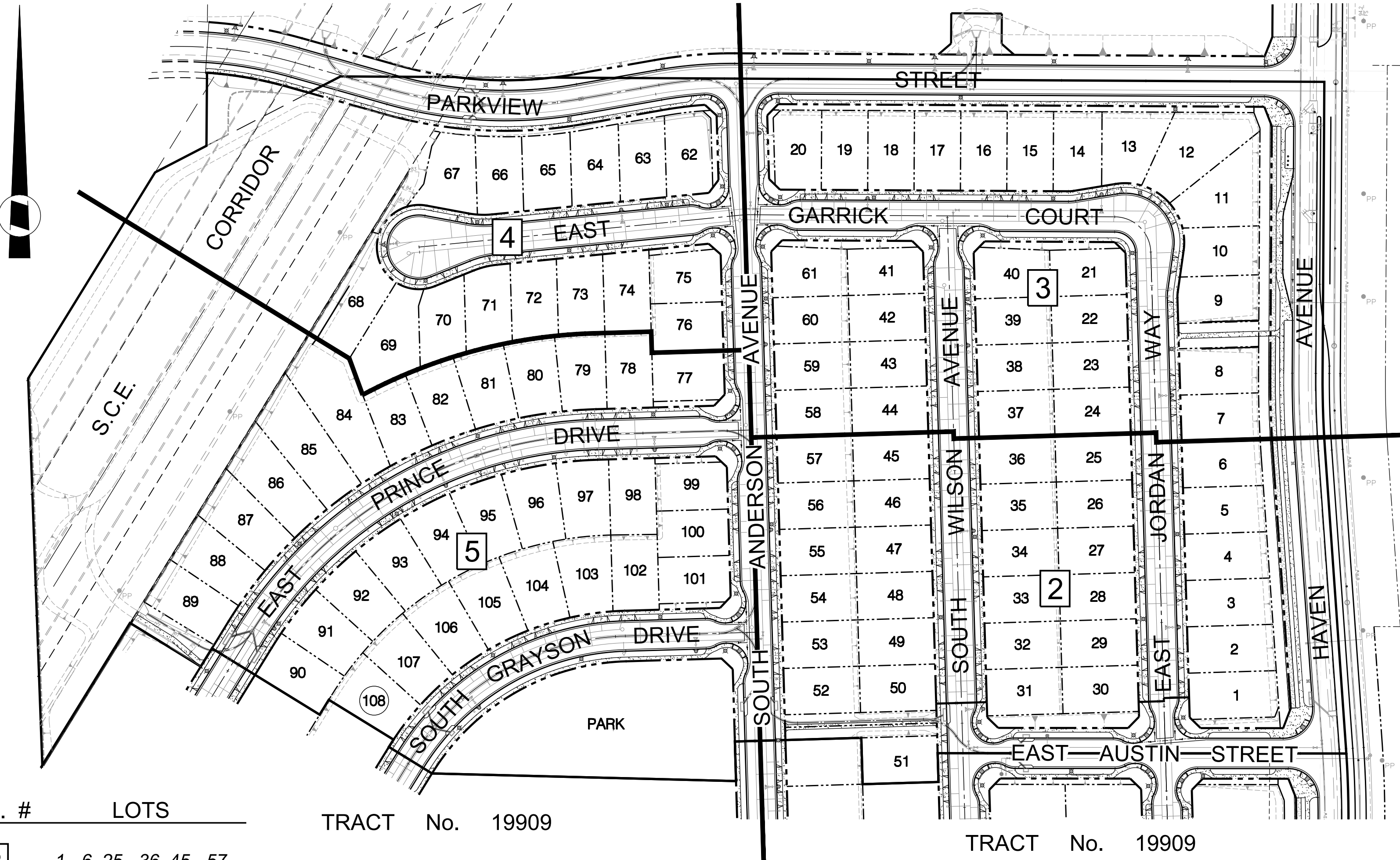
TRACT No. 19907

IN THE CITY OF ONTARIO



VICINITY MAP

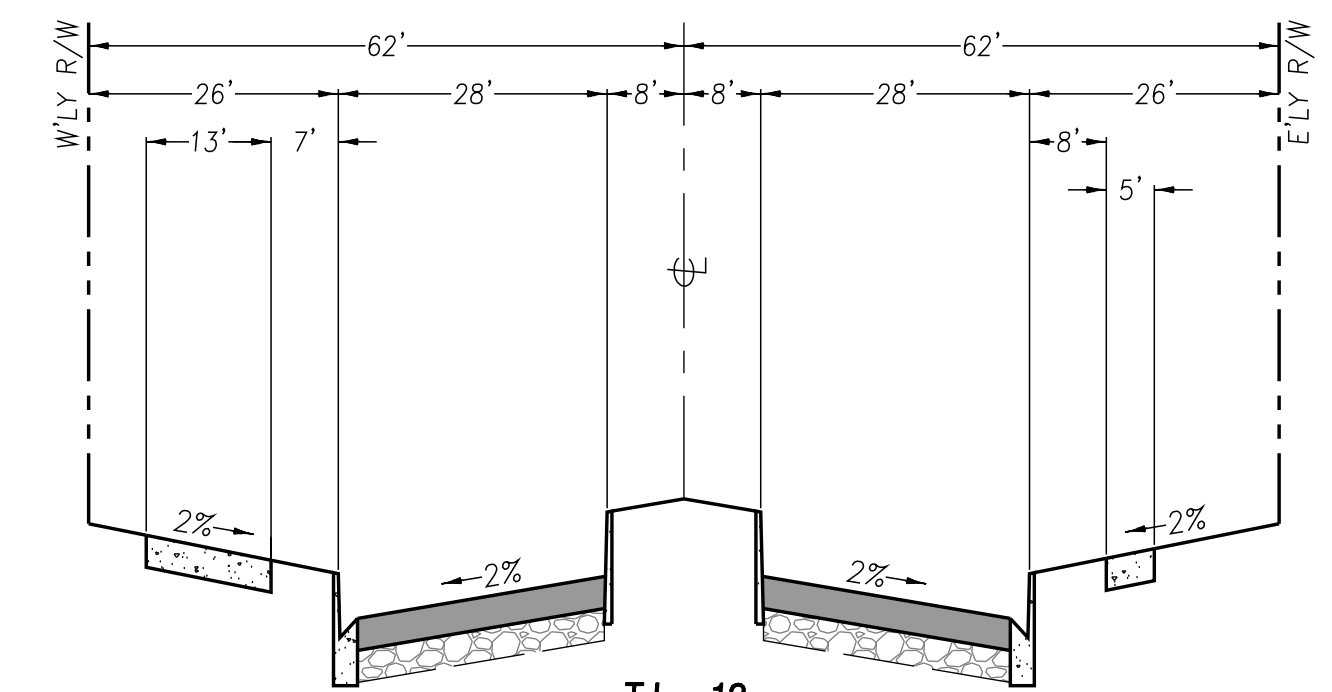
NOT TO SCALE



SHT. #	LOTS	TRACT No. 19909
2	1 - 6, 25 - 36, 45 - 57	
3	7 - 24, 37 - 44, 58 - 61	
4	62 - 76	
5	77 - 108	

INDEX MAP

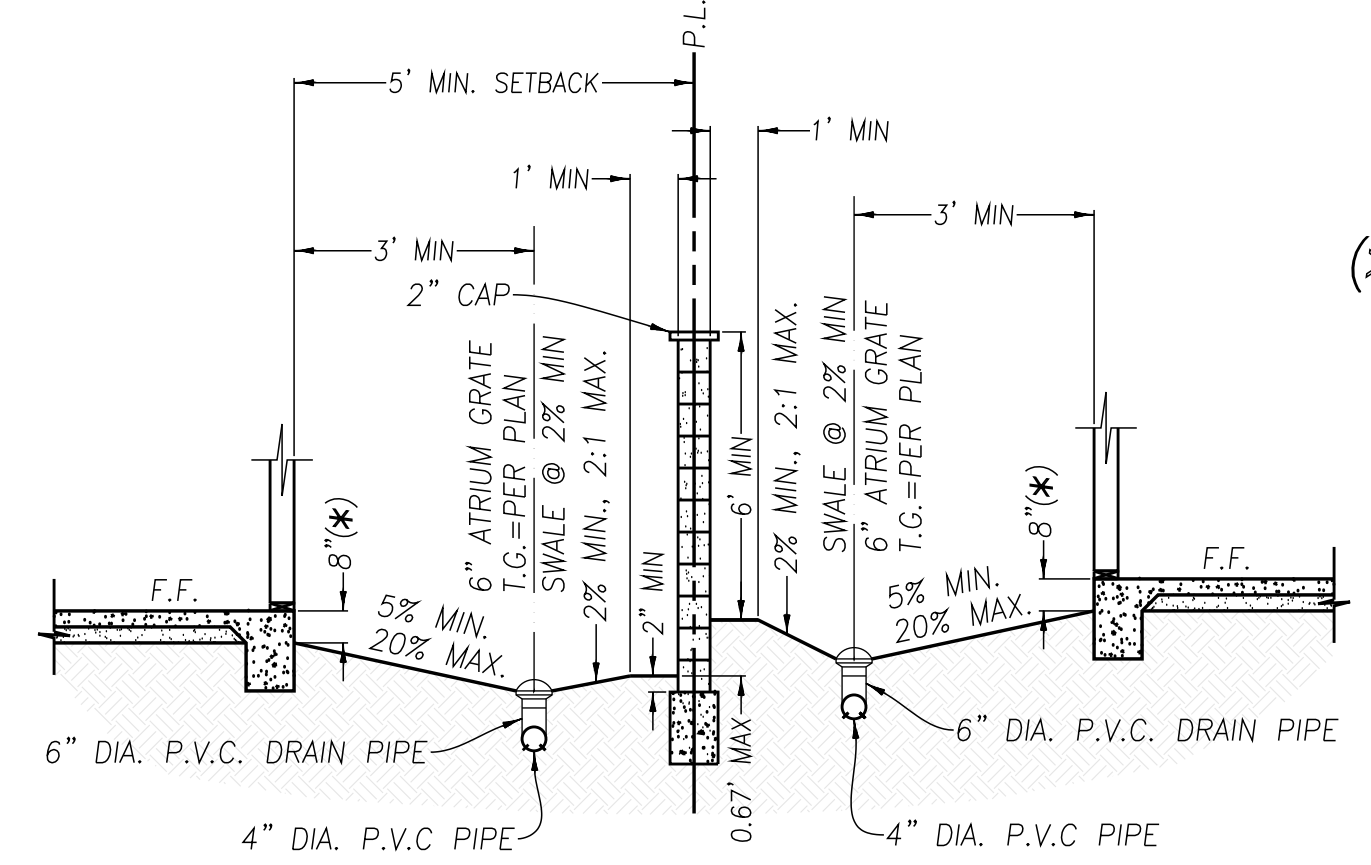
SCALE: 1" = 100'



TYPICAL SECTION

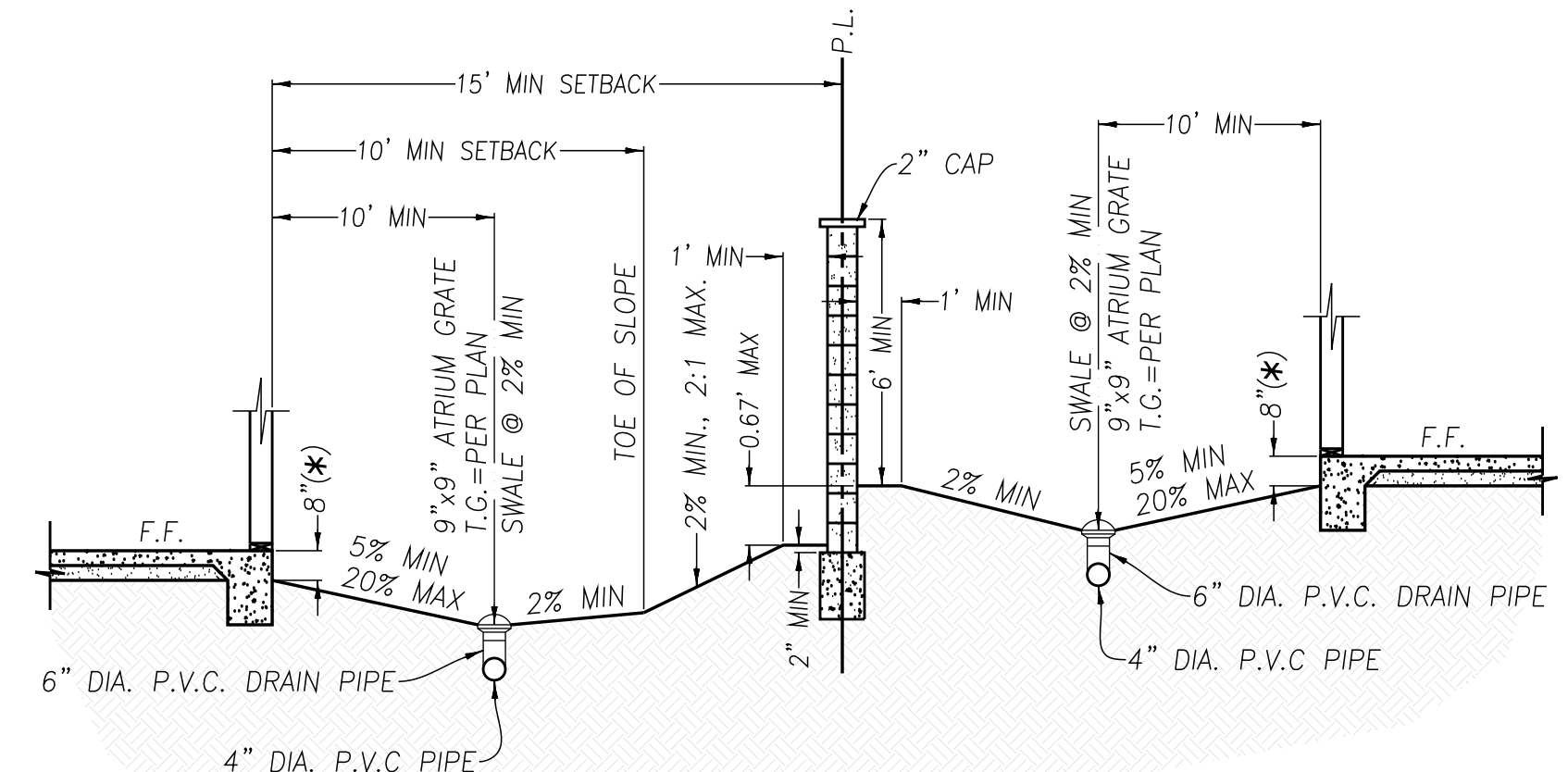
Haven Avenue

SCALE: 1"=20' HORIZ. 1"=2' VERT.



SECTION A-A
TYPICAL SIDE YARD SECTION

NO SCALE



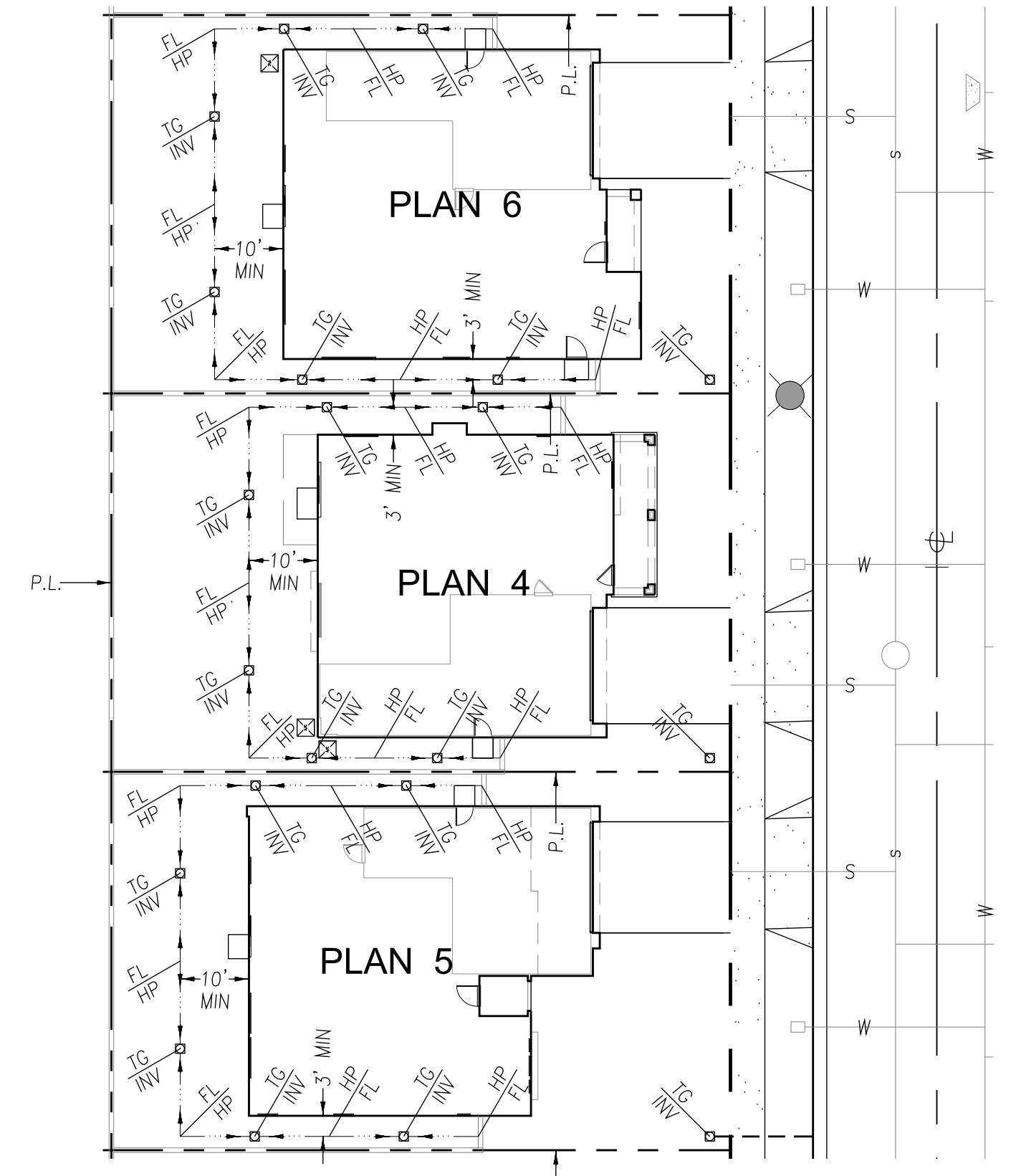
SECTION B-B
TYPICAL REAR YARD SECTION

NO SCALE

(* GRADE CLEARANCES (CBC1803.3/CRC R401.3), WOOD TREATMENT (CBC2304.11.2.2/CRC R317.1(2)) AND WEEP SCREEDS (CBC2512.1.2/CRC R703.6.2.1) SHALL BE IN ACCORDANCE WITH THE CURRENT ADOPTED CALIFORNIA BUILDING CODE/RESIDENTIAL CODE.

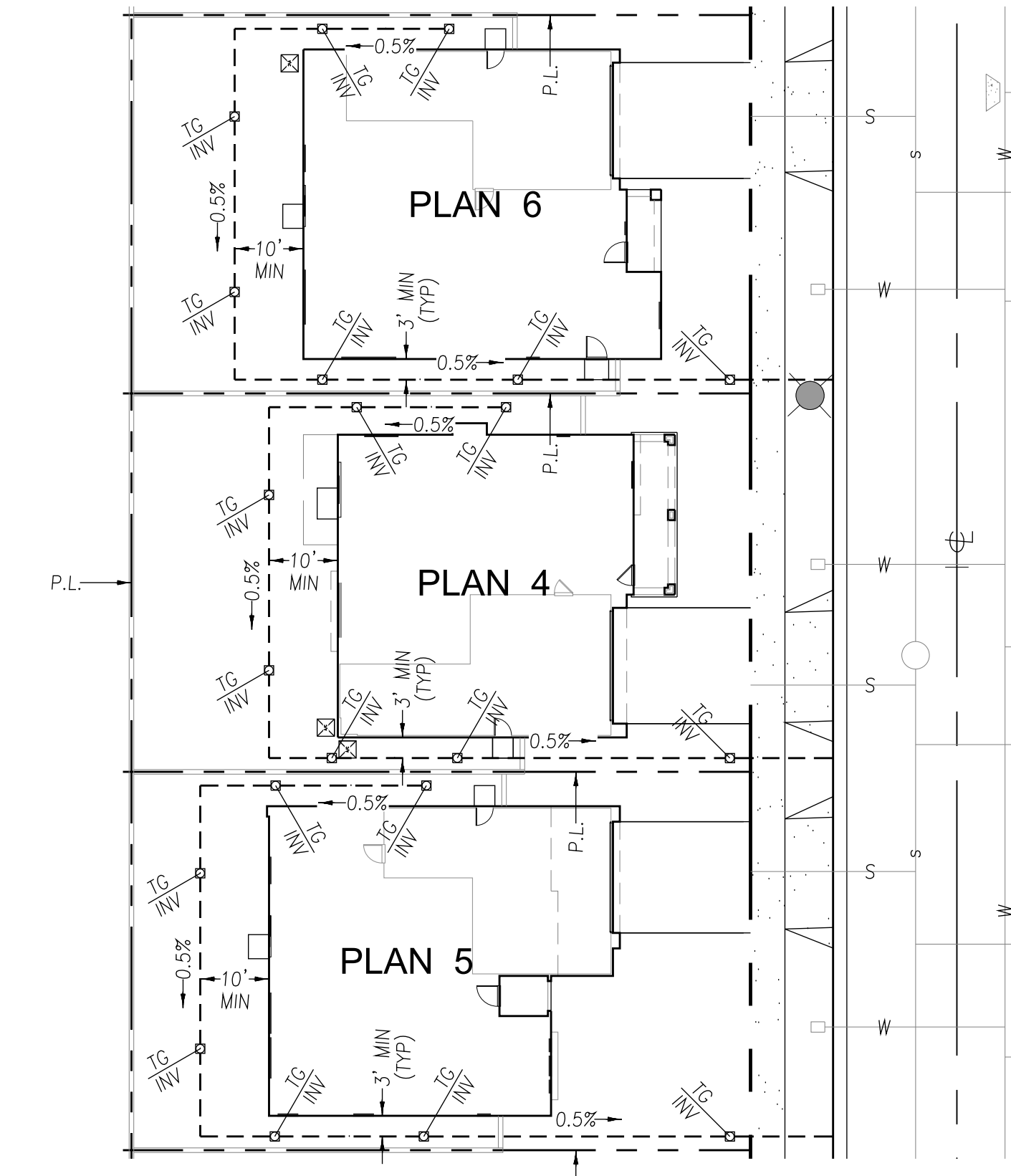
LOT CRITERIA

MINIMUM LOT SIZE	4,000 S.F.
MAXIMUM BUILDING COVERAGE	50%
FRONT SETBACKS FROM BACK OF SIDEWALK	
TO LIVING AREA	12'
TO PORCH OR BALCONY	10'
TO GARAGE	20'
REAR SETBACKS FROM PROPERTY LINE	
TO LIVING SPACE ON GROUND FLOOR	15'
SIDE SETBACKS FROM PROPERTY LINE	
TO LIVING SPACE	5'
SIDE SETBACKS FROM SIDEWALK (CORNER LOT)	
TO LIVING SPACE	10'
BUILDING SEPARATION	
SIDE TO SIDE LIVING SPACE	10'



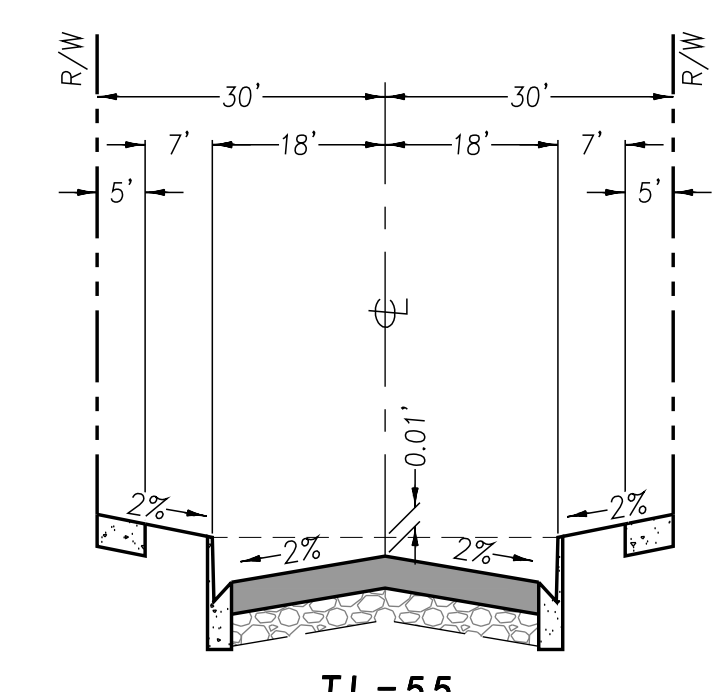
TYPICAL LOT GRADING

SCALE: 1" = 20'



TYPICAL LOT UNDERGROUND DRAINAGE

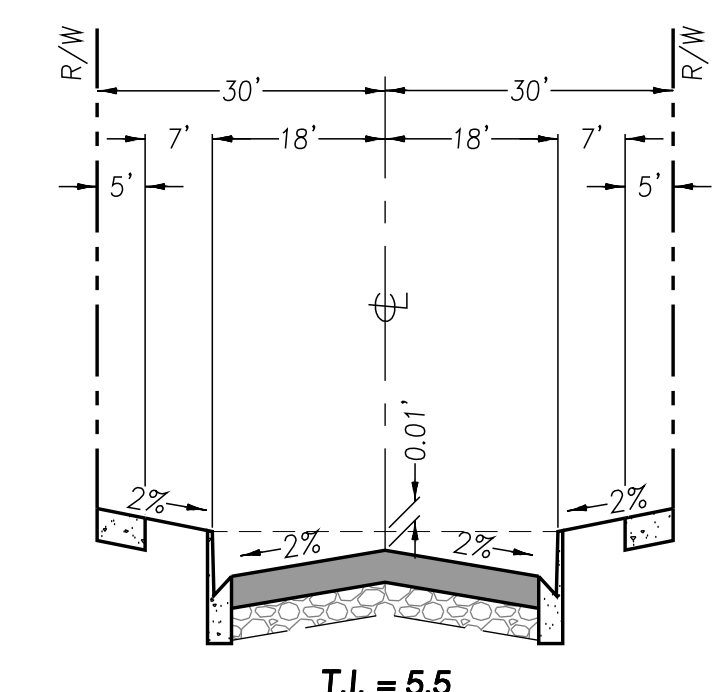
SCALE: 1" = 20'



TYPICAL SECTION

East Parkview Street

SCALE: 1"=20' HORIZ. 1"=2' VERT.



TYPICAL SECTION

East Garrison Street
South Grayson Way
South Jordan Avenue
South Prince Way
South Wilson Avenue

SCALE: 1"=20' HORIZ. 1"=2' VERT.

OWNER / DEVELOPER
Lennar Homes - Inland / LA / Ventura Division
980 MONTECITO DRIVE, SUITE 302
CORONA, CA 92879
(951) 817-3500

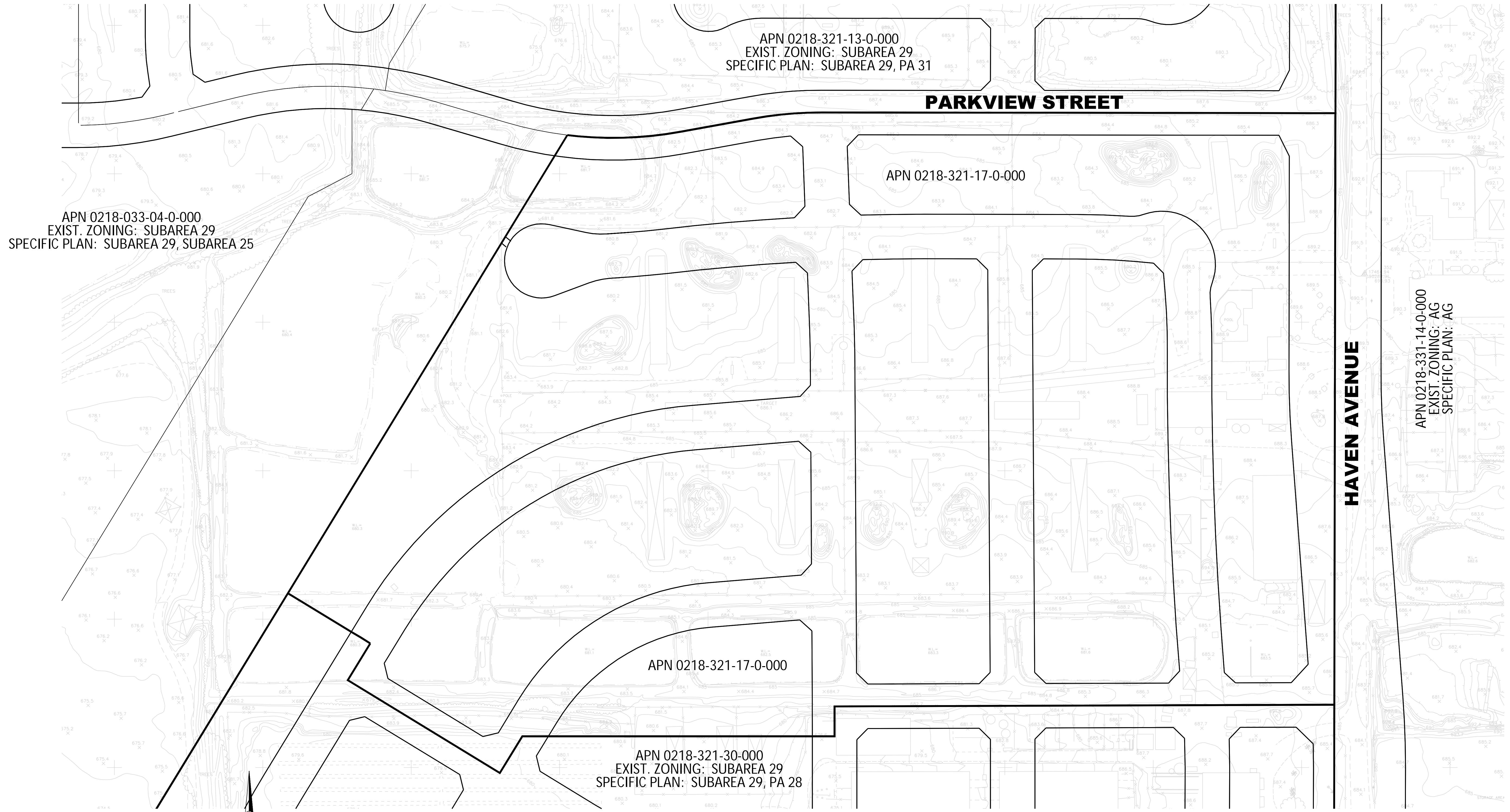
BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
LOCATION:
SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR. SEC. 27/11, T2S, R7W, 2" BRASS DISK STAMPED T2S, R7W, 1/4, 32, 511 "L.S. 3268" SET FLUSH IN A.C.
NGVD29 / 1990 ADJ.

Dan Guerra & Associates
CIVIL ENGINEERS • LAND SURVEYORS
10271-B TRADEMARK STREET
RANCHO CUCAMONGA, CA 91730
Ph. (909)987-4306 Fax (909)941-1528
info@dangua.com

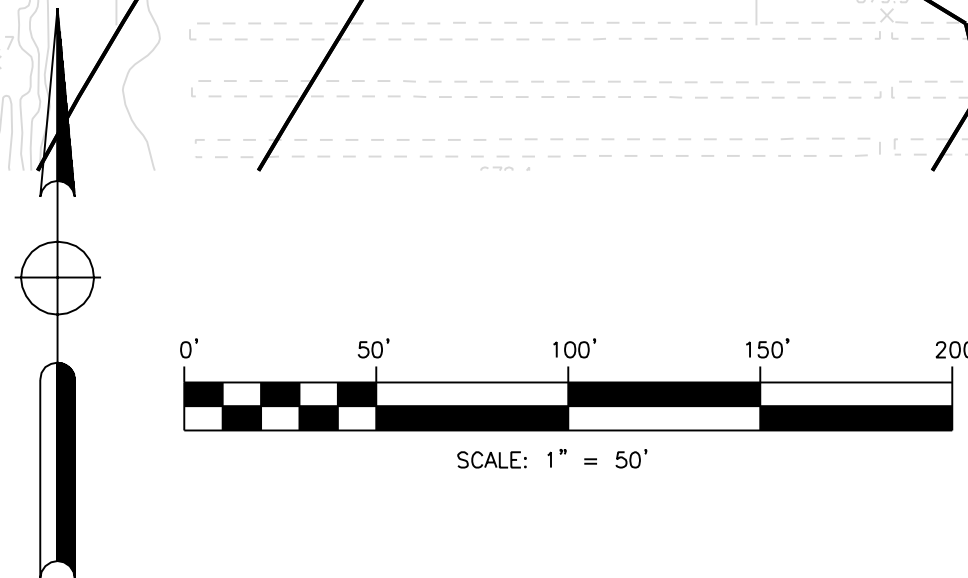
CONCEPTUAL GRADING & DRAINAGE PLAN
FOR
PARKSIDE - TRACT 19907

SHEET 1 OF 5
CONTRACT _____
ACCOUNT _____
DWG. NO. _____

TENTATIVE TRACT MAP 19907
SITE UTILIZATION PLAN
CITY OF ONTARIO, STATE OF CALIFORNIA



NOTE:
THERE ARE NO EXISTING STRUCTURES ON THIS PROPERTY.



AMENDMENTS:		
DATE	No.	DESCRIPTION

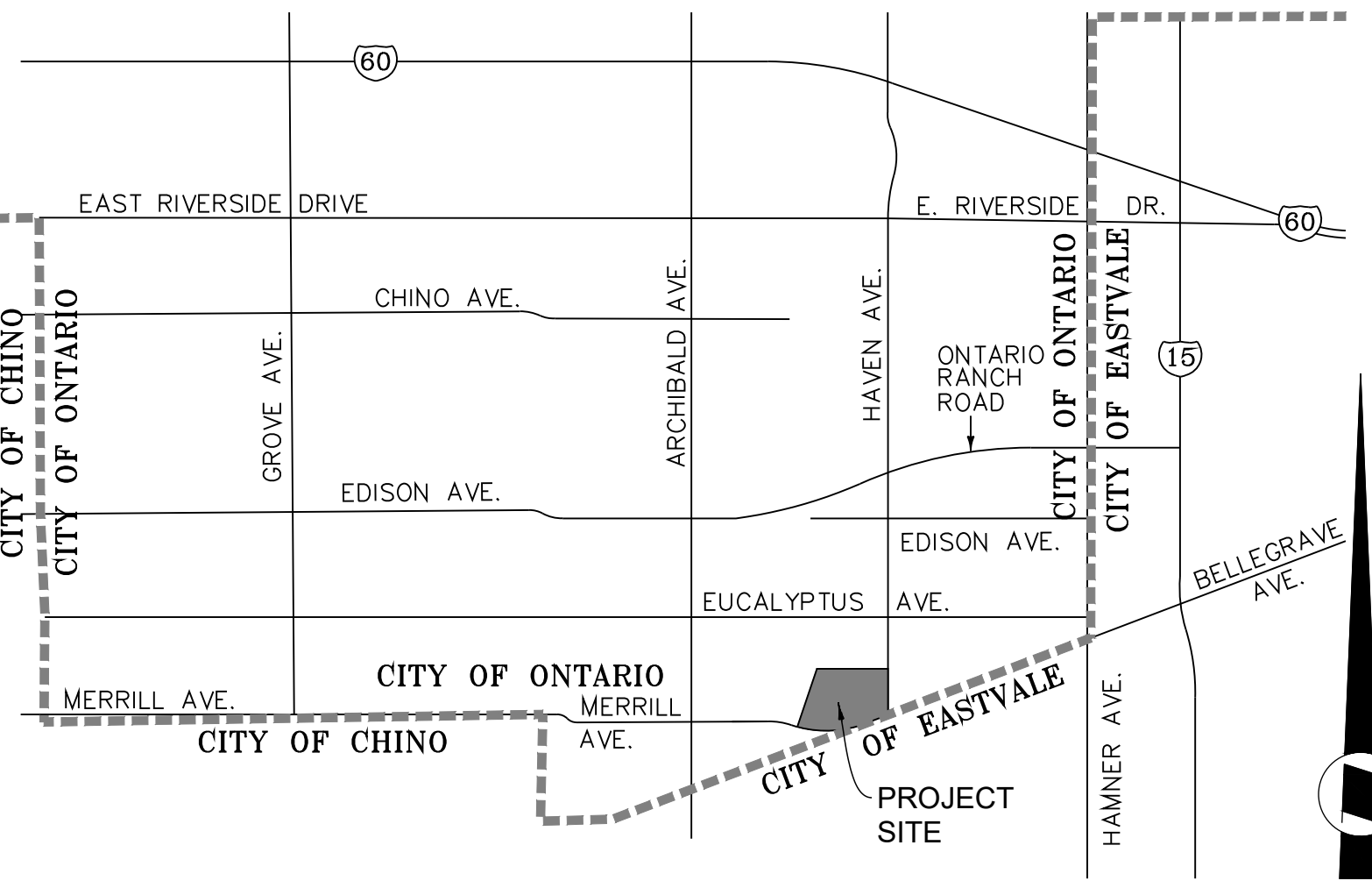
VSL ENGINEERING
 31805 TEMECULA PARKWAY #129, TEMECULA, CA. 92591
 TEL. (951) 296-3930 FAX. (888) 537-1396
 DATE PREPARED: JUNE 2014

Tentative Tract Map 19907
CITY OF ONTARIO
SITE UTILIZATION PLAN

SHEET NO.
1
OF 1 SHTS.
FILE NO.

DIMENSIONED SITE PLAN

PARKSIDE TRACT No. 19909 IN THE CITY OF ONTARIO



VICINITY MAP NOT TO SCALE

Table with columns: LOT DATA, HOUSE DATA, LANDSCAPING DATA. Rows 1-59 listing lot numbers, areas, plan types, elevations, and coverages.

Table with columns: LOT DATA, HOUSE DATA, LANDSCAPING DATA. Rows 60-118 continuing lot details.

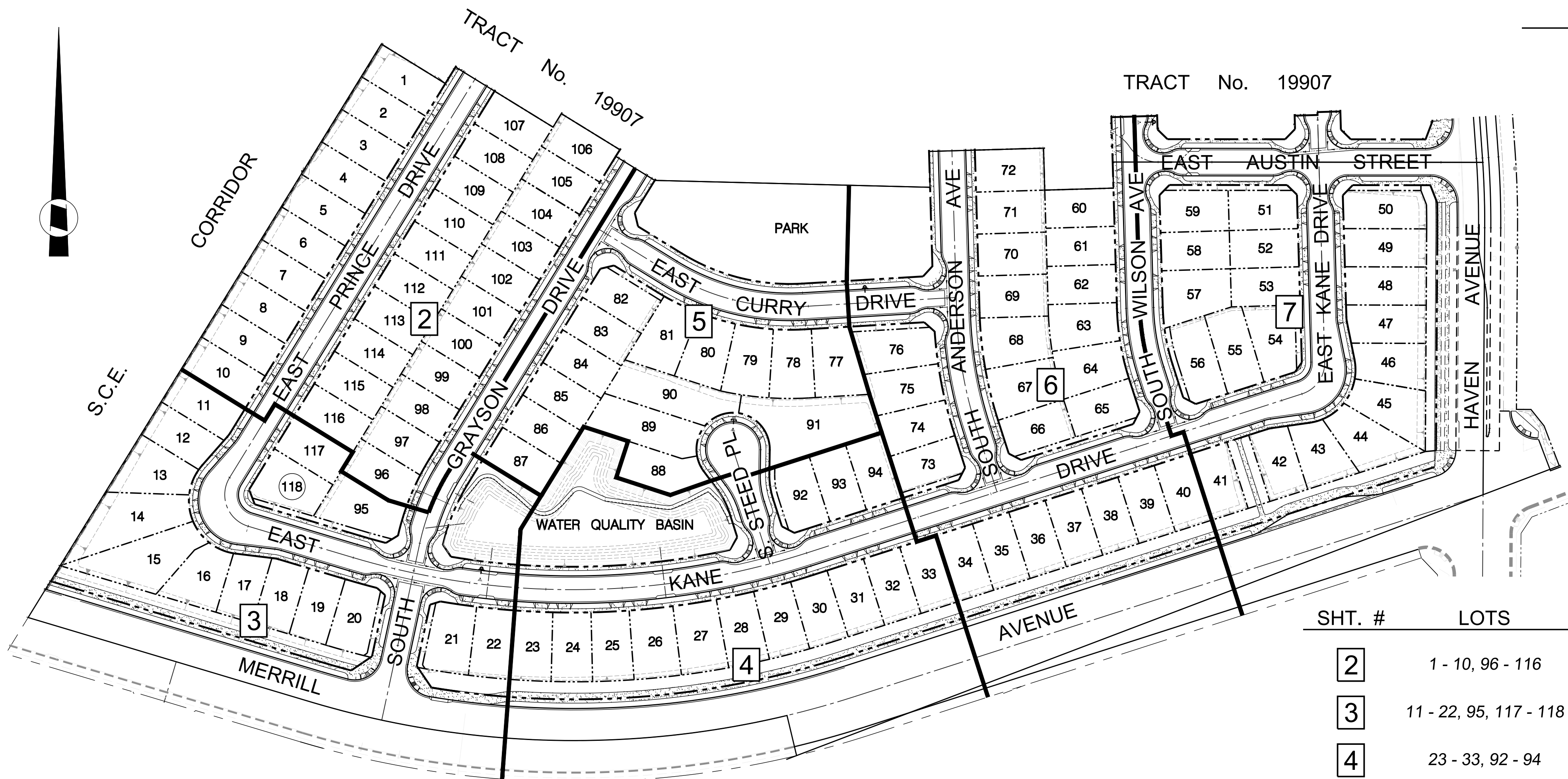


Table listing SHEET # and LOTS. Sheet 2: 1-10, 96-116; Sheet 3: 11-22, 95, 117-118; Sheet 4: 23-33, 92-94; Sheet 5: 77-91; Sheet 6: 34-40, 60-76; Sheet 7: 41-59.

PRODUCT COUNT table with columns: PLAN, FOOTPRINT AREA (S.F.), QUANTITY, % OF TOTAL. Lists products 1 through 6.

HOUSE ELEVATIONS table with columns: ELEVATION, TYPE. Lists types A (Spanish), B (Craftsman), C (Farmhouse), D (American Traditional), E (Andalusian).

NOTE: SITE PLAN SHALL MEET ALL ENGINEERING & NPDES REQUIREMENTS.

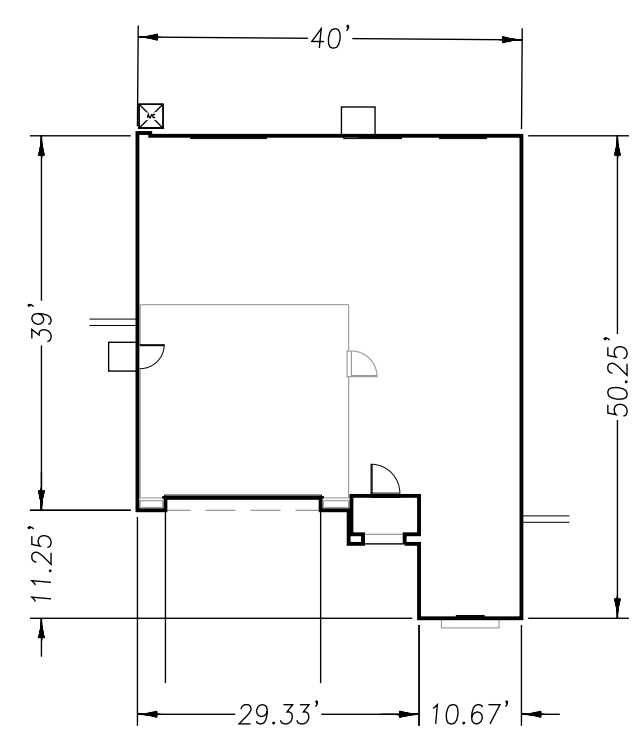
LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

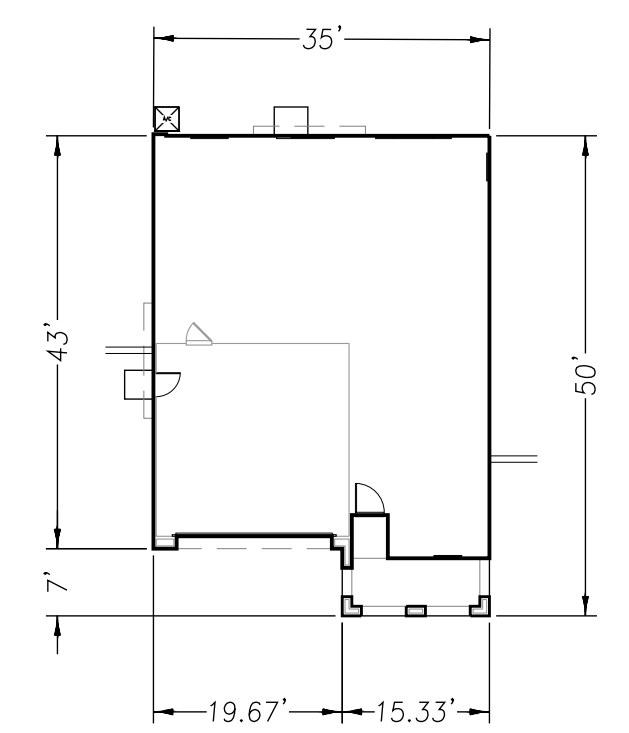
LOTS 1 THROUGH 118, INCLUSIVE, OF TRACT 19909, M.B. XXX/XX--XX.

LOT CRITERIA

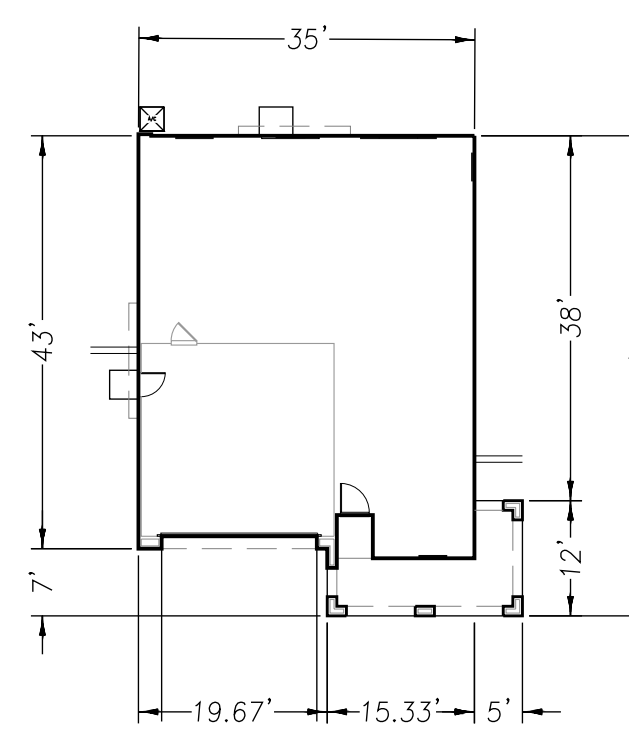
- MINIMUM LOT SIZE 4,000 S.F.
MAXIMUM BUILDING COVERAGE 50%
FRONT SETBACKS FROM BACK OF SIDEWALK
TO LIVING AREA 12'
TO PORCH OR BALCONY 10'
TO GARAGE 20'
REAR SETBACKS FROM PROPERTY LINE
TO LIVING SPACE ON GROUND FLOOR 15'
SIDE SETBACKS FROM PROPERTY LINE
TO LIVING SPACE 5'
SIDE SETBACKS FROM SIDEWALK (CORNER LOT)
TO LIVING SPACE 10'
BUILDING SEPARATION
SIDE TO SIDE LIVING SPACE 10'



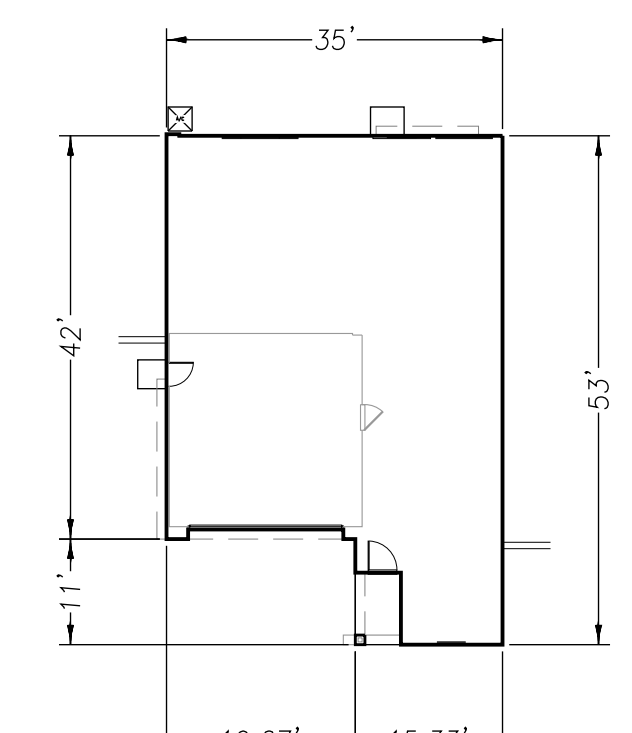
PLAN 1 2-STORY 4 BEDROOM, 3 BATH, LOFT 2,449 S.F.



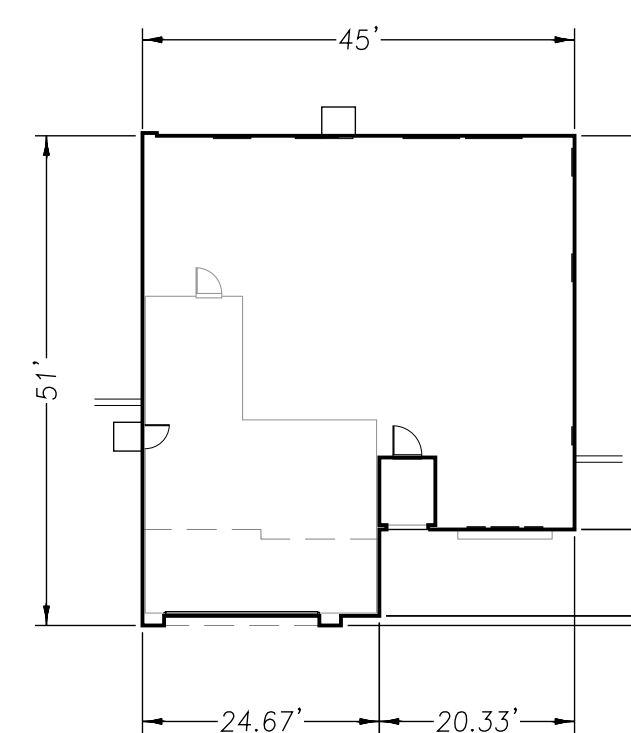
PLAN 2 2-STORY 4 BEDROOM, 3 BATH, LOFT 2,547 S.F.



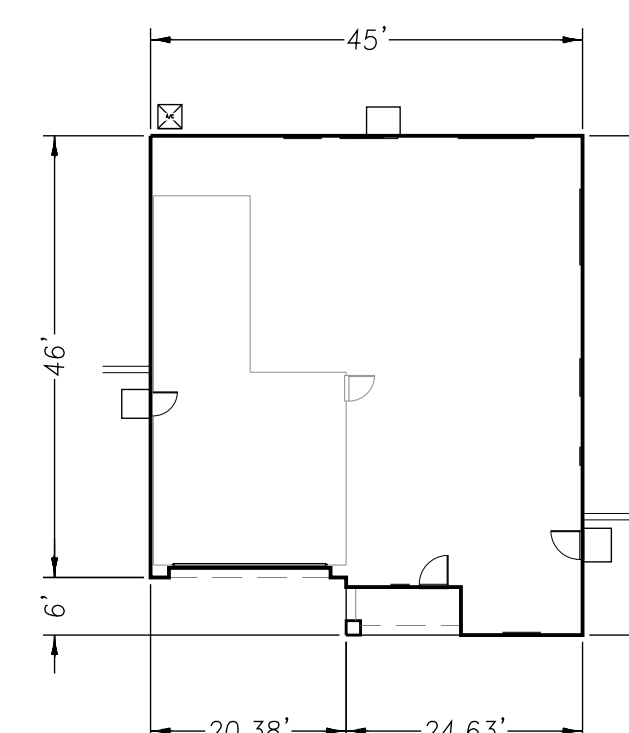
PLAN 2X 2-STORY 4 BEDROOM, 3 BATH, LOFT 2,547 S.F.



PLAN 3 2-STORY 4 BEDROOM, 3 BATH, LOFT 2,700 S.F.



PLAN 5 2-STORY 5 BEDROOM, 3 BATH, LOFT 3,105 S.F.

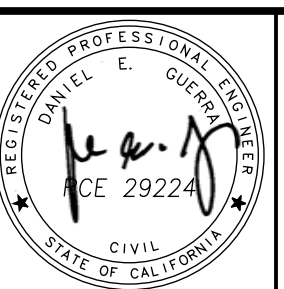


PLAN 6 2-STORY 5 BEDROOM, 3 BATH, LOFT 3,381 S.F.

OWNER / DEVELOPER Lennar Homes - Inland / LA / Ventura Division 980 MONTECITO DRIVE, SUITE 302 CORONA, CA 92879 (951) 817-3500

BENCH MARK: S.P.S.N. 00789 ELEV.=785.572 LOCATION: SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR. SEC. 2/11, T2S, R7W, 21 BRASS DISK STAMPED T2S, R7W, 1/4, 32, S11 "LS 3268" SET FLUSH IN A.C. NGVD29 / 1990 ADJ.

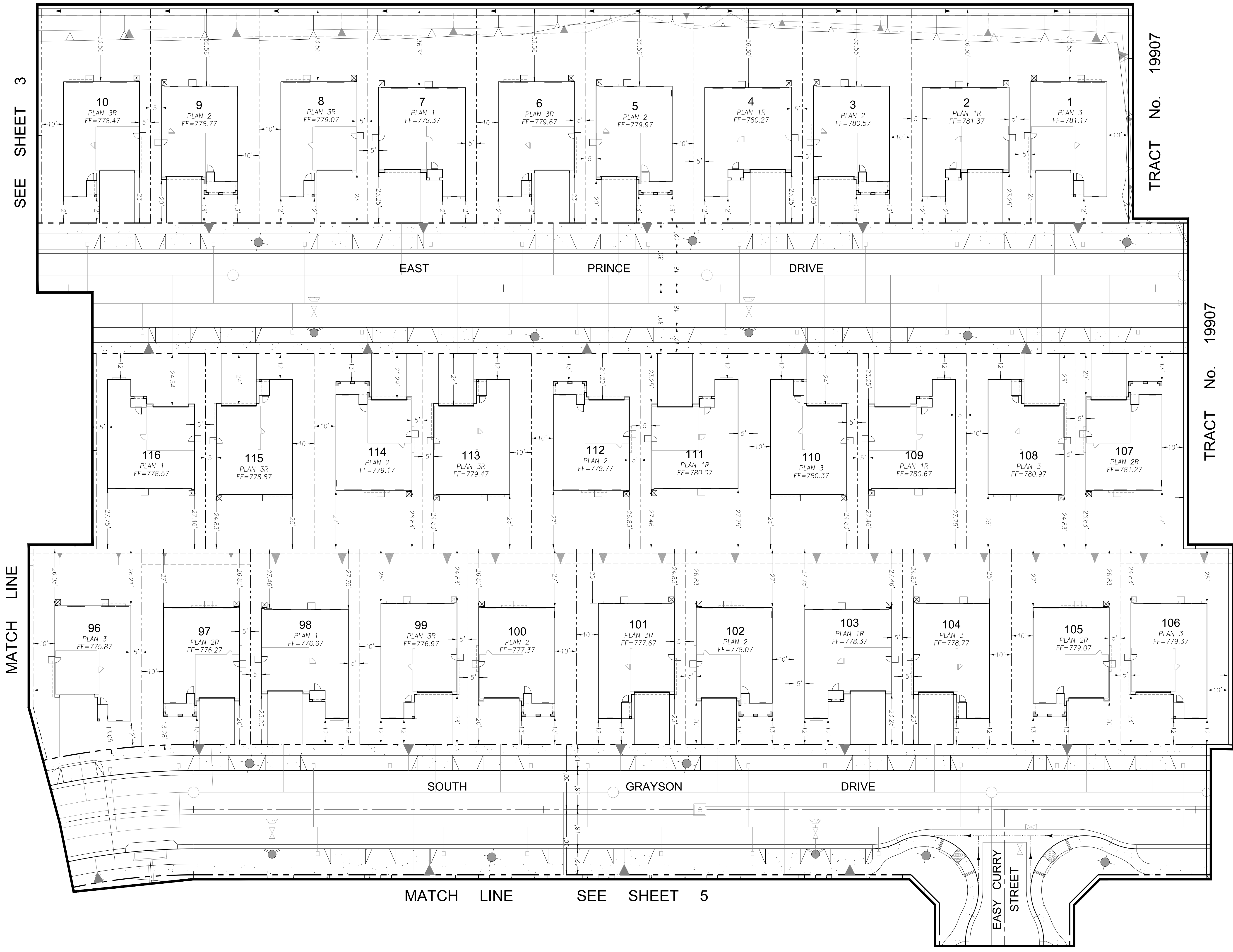
Dan Guerra & Associates CIVIL ENGINEERS • LAND SURVEYORS 10271-B TRADEMARK STREET RANCHO CUCAMONGA, CA 91730 Ph. (909) 987-4306 Fax (909) 941-1528 info@dangadsspc.com



DIMENSIONED SITE PLAN FOR PARKSIDE - TRACT 19909

SHEET 1 OF 7 CONTRACT ACCOUNT DWG. NO.

SCE CORRIDOR

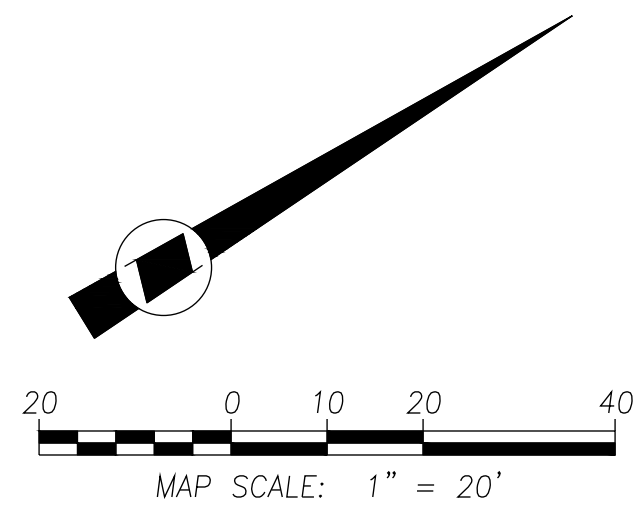


TRACT No. 19907

TRACT No. 19907

TRACT No. 19907

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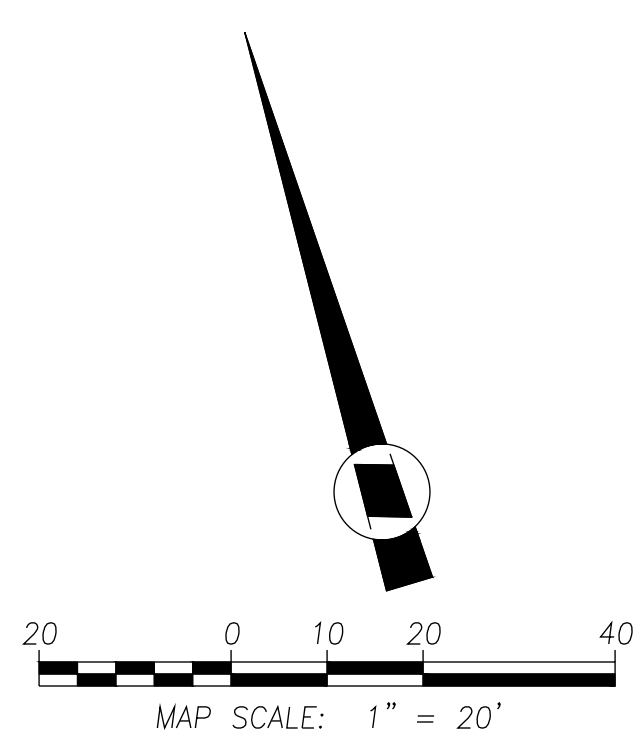
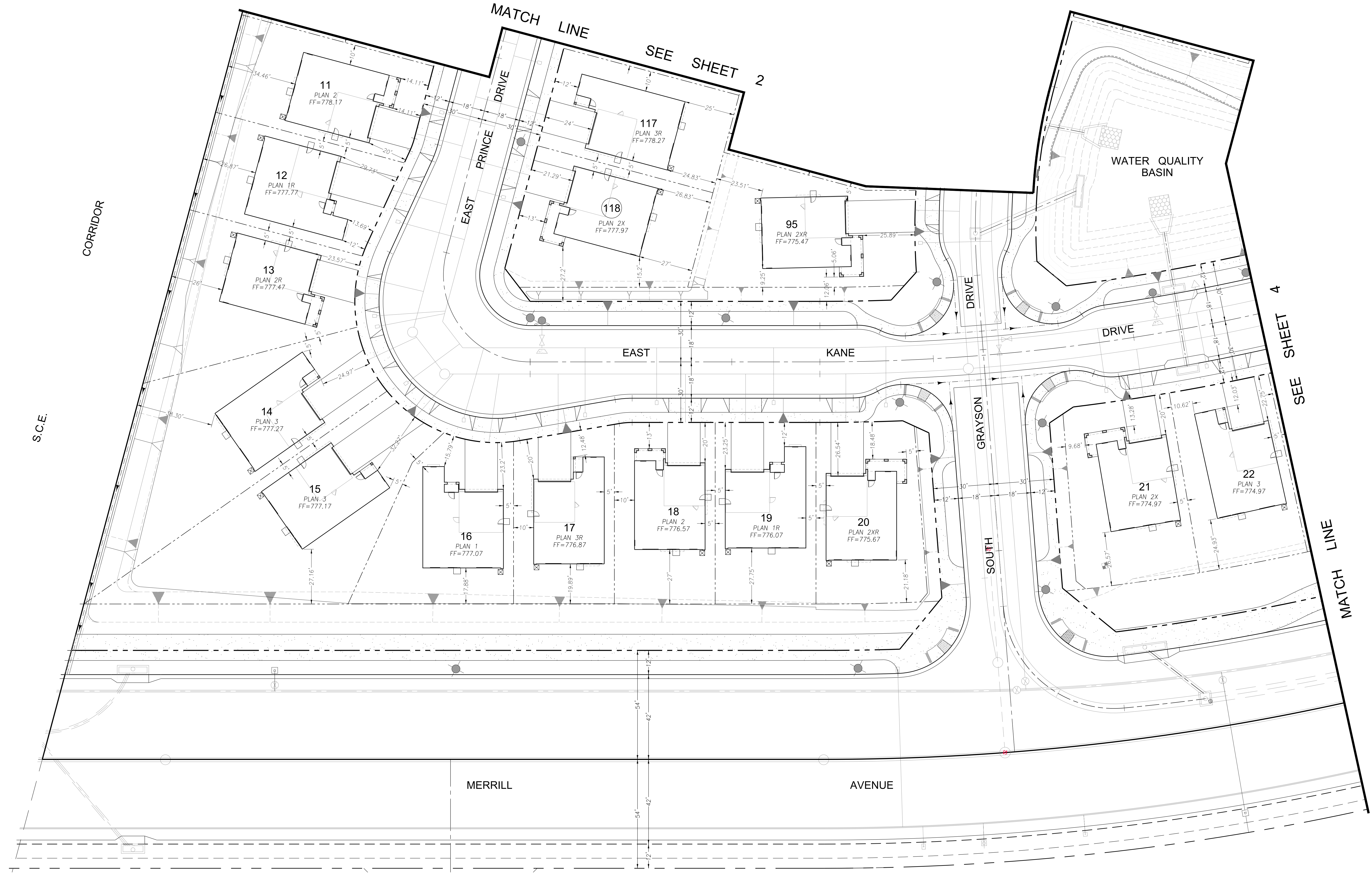
BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
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 SEC. 2/T11, T2S, R7W, 2" BRASS DISK STAMPED T2S, R7W,
 1/4, S2, S11" L.S. 3268" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

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DIMENSIONED SITE PLAN
PARKSIDE - TRACT 19909
 LOTS 1 - 10 & 96 - 116

SHEET 2 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

S:\Current\Users\pawel\Drawings\19909\19909.dwg (DWG) [2009/07/28 10:00:00] - 2009/07/28 10:00:00 - 2009/07/28 10:00:00 - 2009/07/28 10:00:00



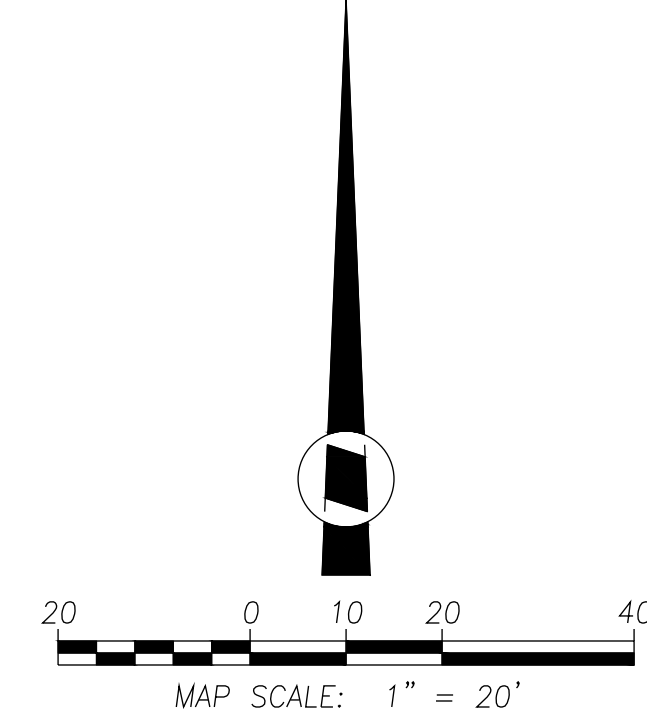
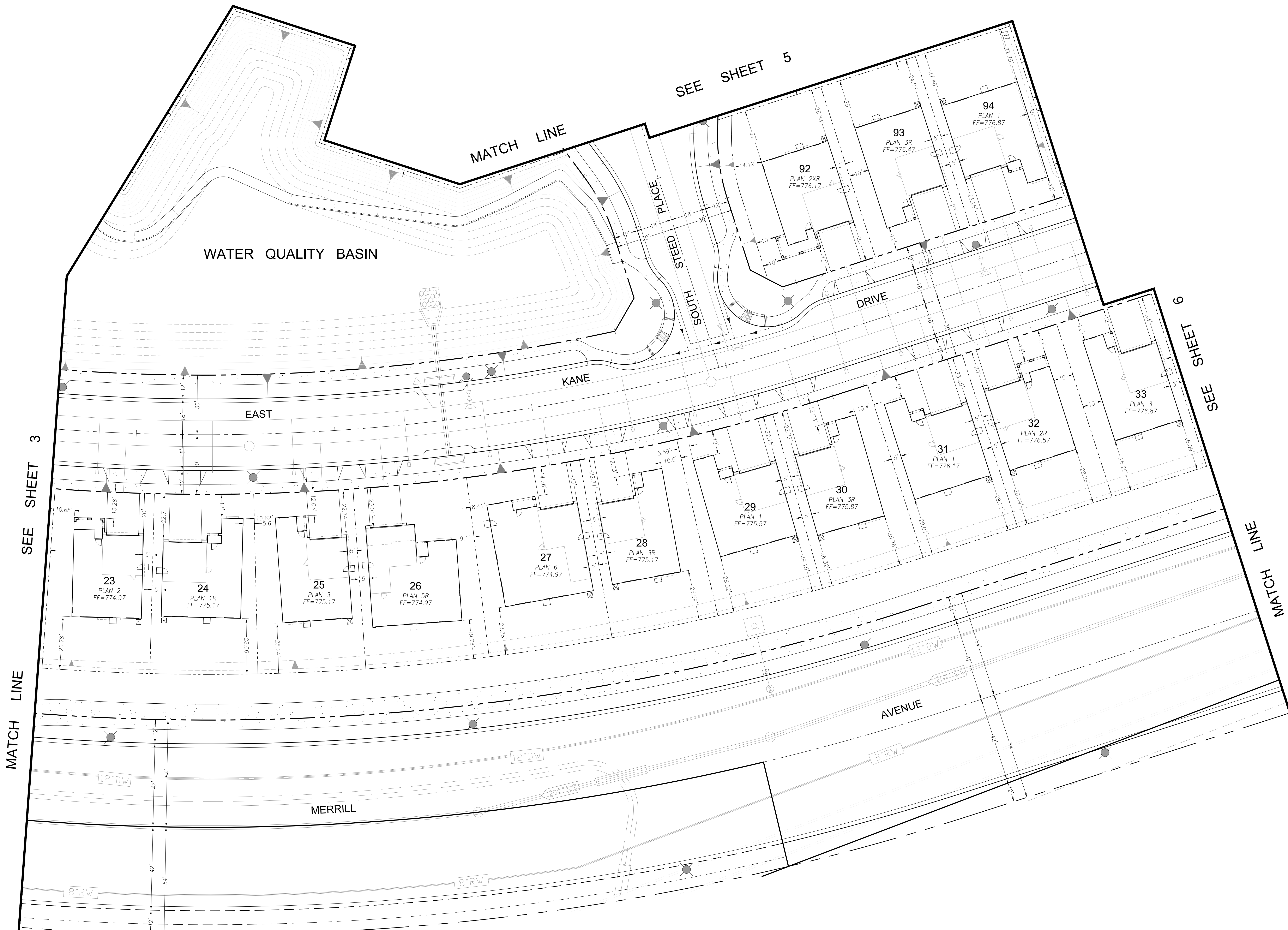
BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
LOCATION:
SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
SEC. 2/11, T2S, R7W, 21" BRASS DISK STAMPED T2S, R7W,
1/4, 52, S11" L.S. 3268" SET FLUSH IN A.C.
NGVD29 / 1990 ADJ.

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RANCHO CUCAMONGA, CA 91730
Ph. (909)987-4306 Fax (909)941-1528
info@dandasspc.com

DIMENSIONED SITE PLAN
PARKSIDE - TRACT 19909
LOTS 11 - 22, 95 & 117 - 118

SHEET 3 OF 7
CONTRACT _____
ACCOUNT _____
DWG. NO. _____

S:\Current\19909\19909.dwg - 2004\19909\19909.dwg - 2004\19909\19909.dwg - 2004\19909\19909.dwg - 2004\19909\19909.dwg - 2004\19909\19909.dwg



BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
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 1/4, S2, S11, "LS, 3268" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

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 RANCHO CUCAMONGA, CA 91730
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 info@danguas.com

**DIMENSIONED SITE PLAN
 PARKSIDE - TRACT 19909
 LOTS 23 - 33, 92 - 94**

SHEET 4 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

TRACT No. 19907

PARK

SEE SHEET 6

SEE SHEET 2

MATCH LINE SOUTH

GRAYSON DRIVE

EAST

CURRY DRIVE

DRIVE

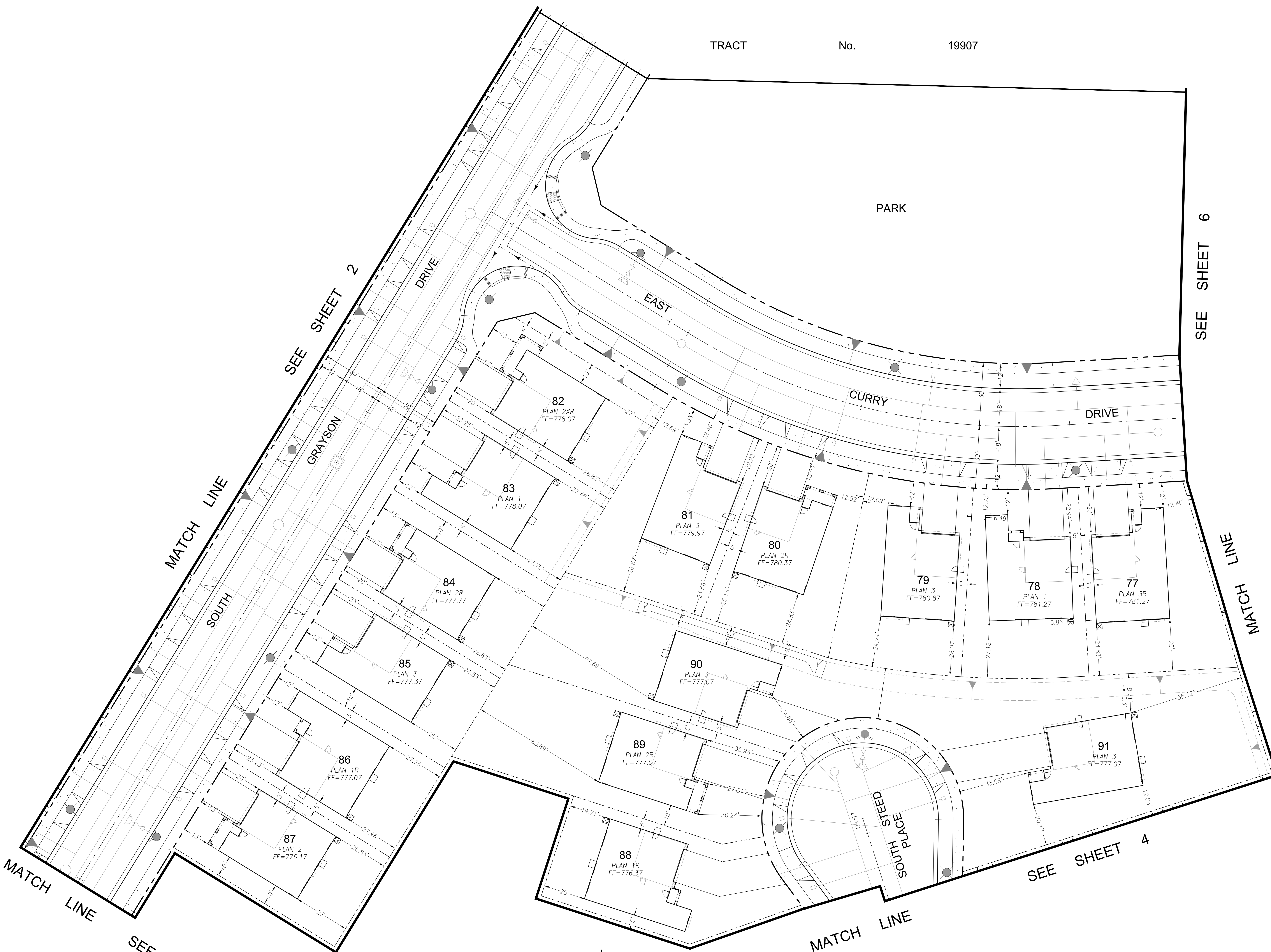
MATCH LINE

MATCH LINE

SEE SHEET 3

MATCH LINE

SEE SHEET 4



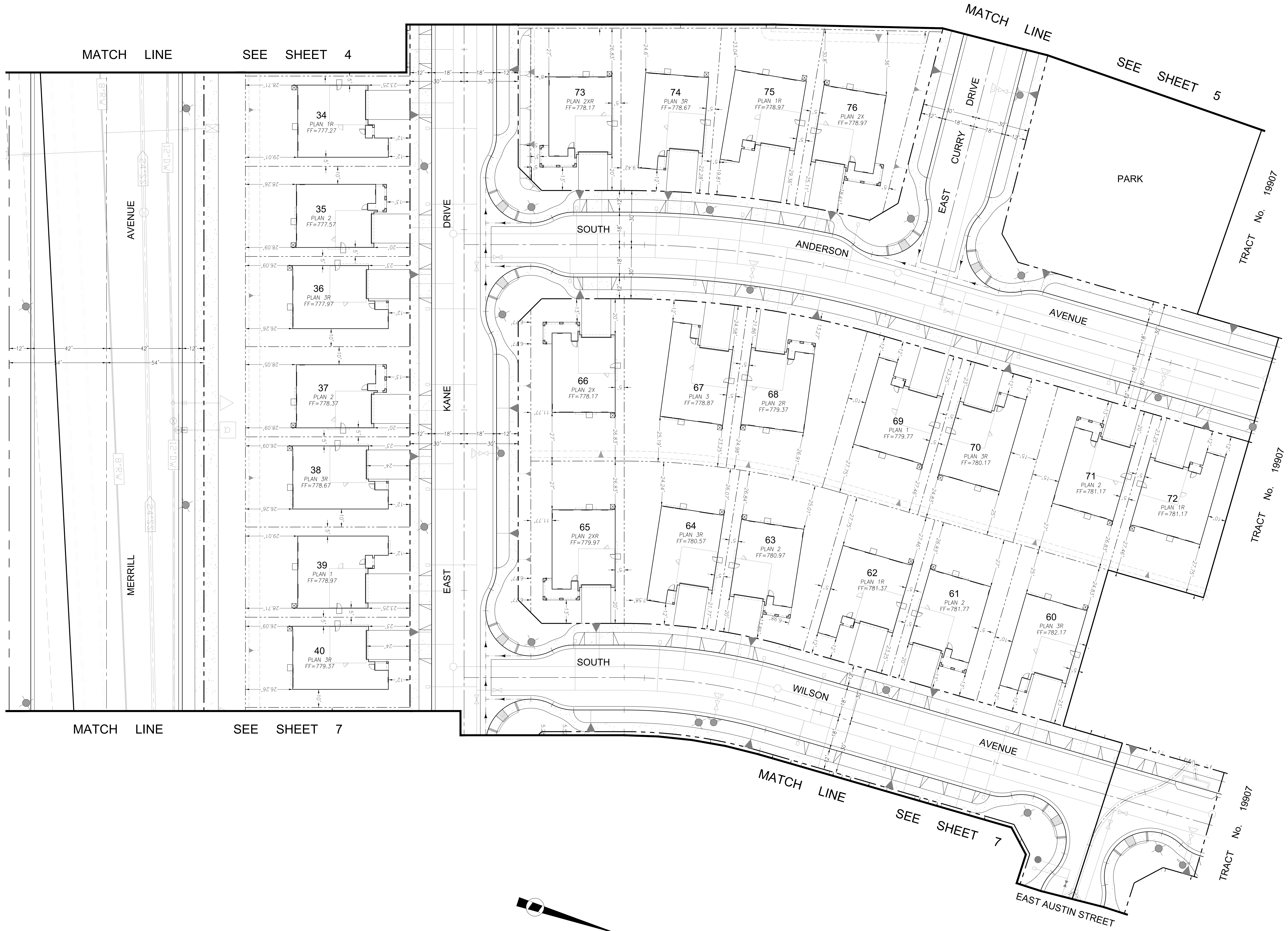
BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
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DIMENSIONED SITE PLAN
PARKSIDE - TRACT 19909
LOTS 77 - 91

SHEET 5 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

S:\Current\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg - 2004\19907\19907.dwg

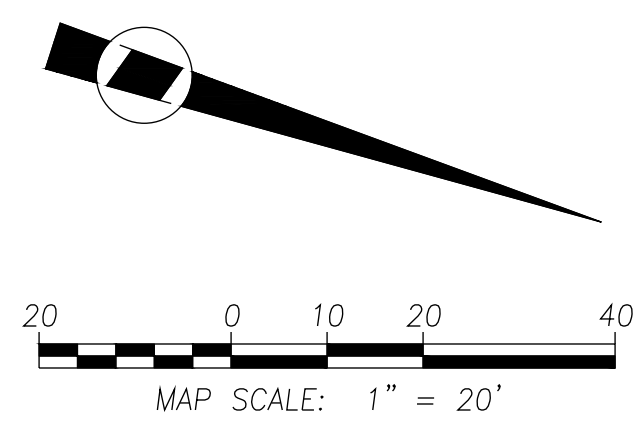


MATCH LINE SEE SHEET 4

SEE SHEET 5

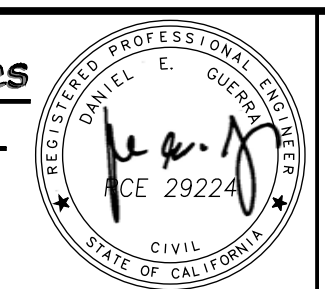
MATCH LINE SEE SHEET 7

SEE SHEET 7



BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
 INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
 SEC. 27/11, T2S, R7W, 2" BRASS DISK STAMPED T2S, R7W,
 1/4, S2, S11" L.S. 3268" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

Dan Guerra & Associates
 CIVIL ENGINEERS • LAND SURVEYORS
 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
 Ph. (909)967-4306 Fax (909)941-1528
 info@dandasspc.com



DIMENSIONED SITE PLAN
PARKSIDE - TRACT 19909
LOTS 34 - 40, & 60-76

SHEET 6 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

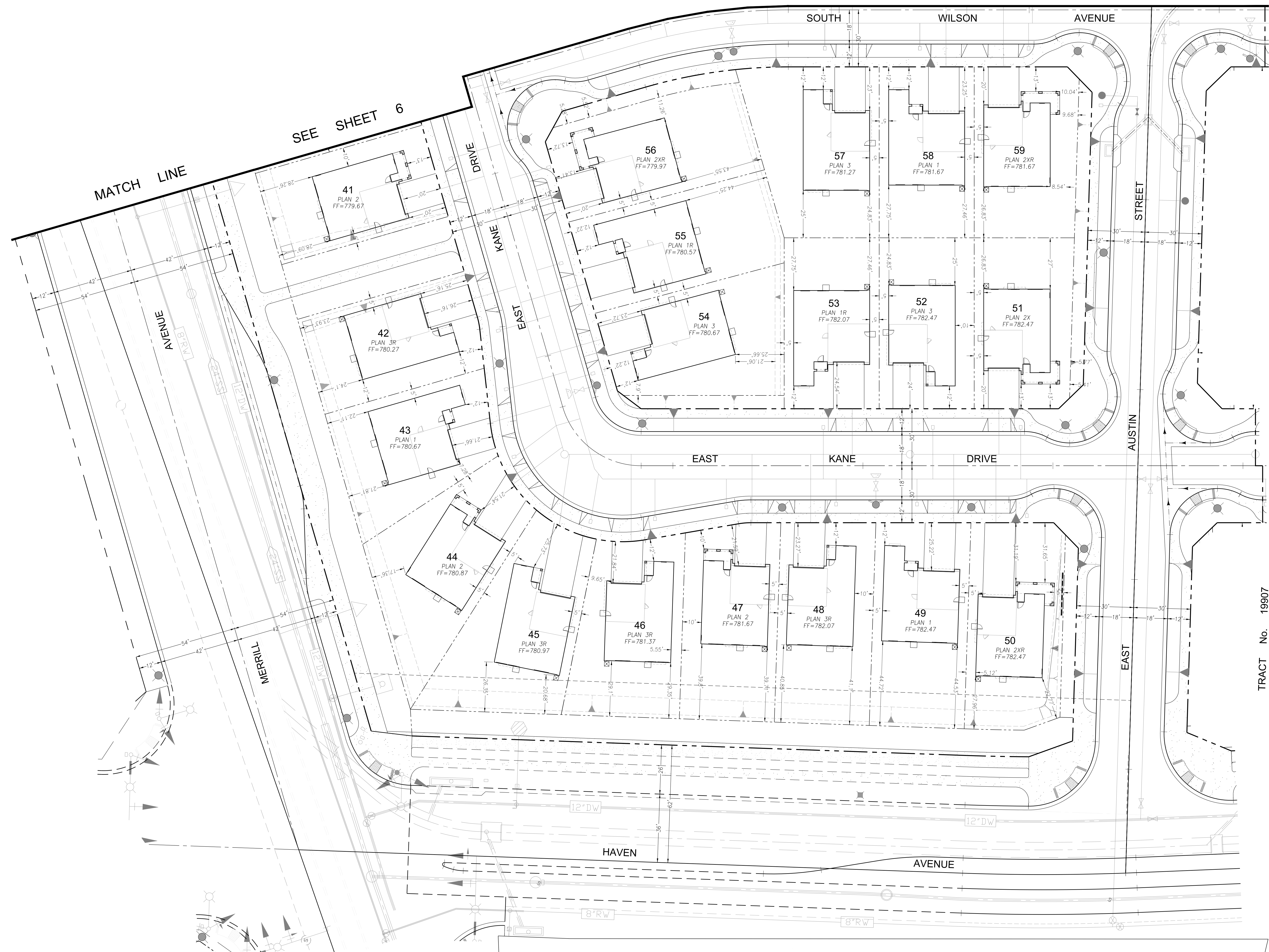
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MATCH LINE

SEE SHEET 6

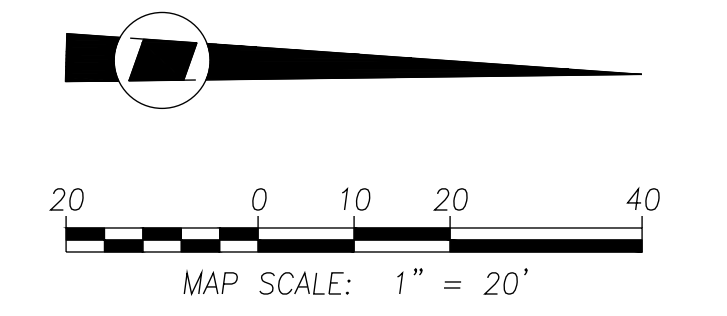
MATCH LINE

SEE SHEET 6



TRACT No. 19907

TRACT No. 19907



BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
 INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
 SEC. 27/11, T2S, R7W, 21" BRASS DISK STAMPED T2S, R7W,
 1/4, 52, S11" L.S. 3268" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

Dan Guerra & Associates
 CIVIL ENGINEERS • LAND SURVEYORS
 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
 Ph. (909)987-4306 Fax (909)941-1528
 info@dandasspc.com

DIMENSIONED SITE PLAN
PARKSIDE - TRACT 19909
LOTS 41-59

SHEET 7 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

S:\Current\Projects\19907 - Parkside - Dimensioned Site Plan\Drawings\19907 - Dimensioned Site Plan\Drawings\19907 - Dimensioned Site Plan.dwg
 Date: 10/20/2009 10:58:23 AM
 User: dguerra
 Plot: 10/20/2009 10:58:23 AM
 Plot Device: HP DesignJet 5000

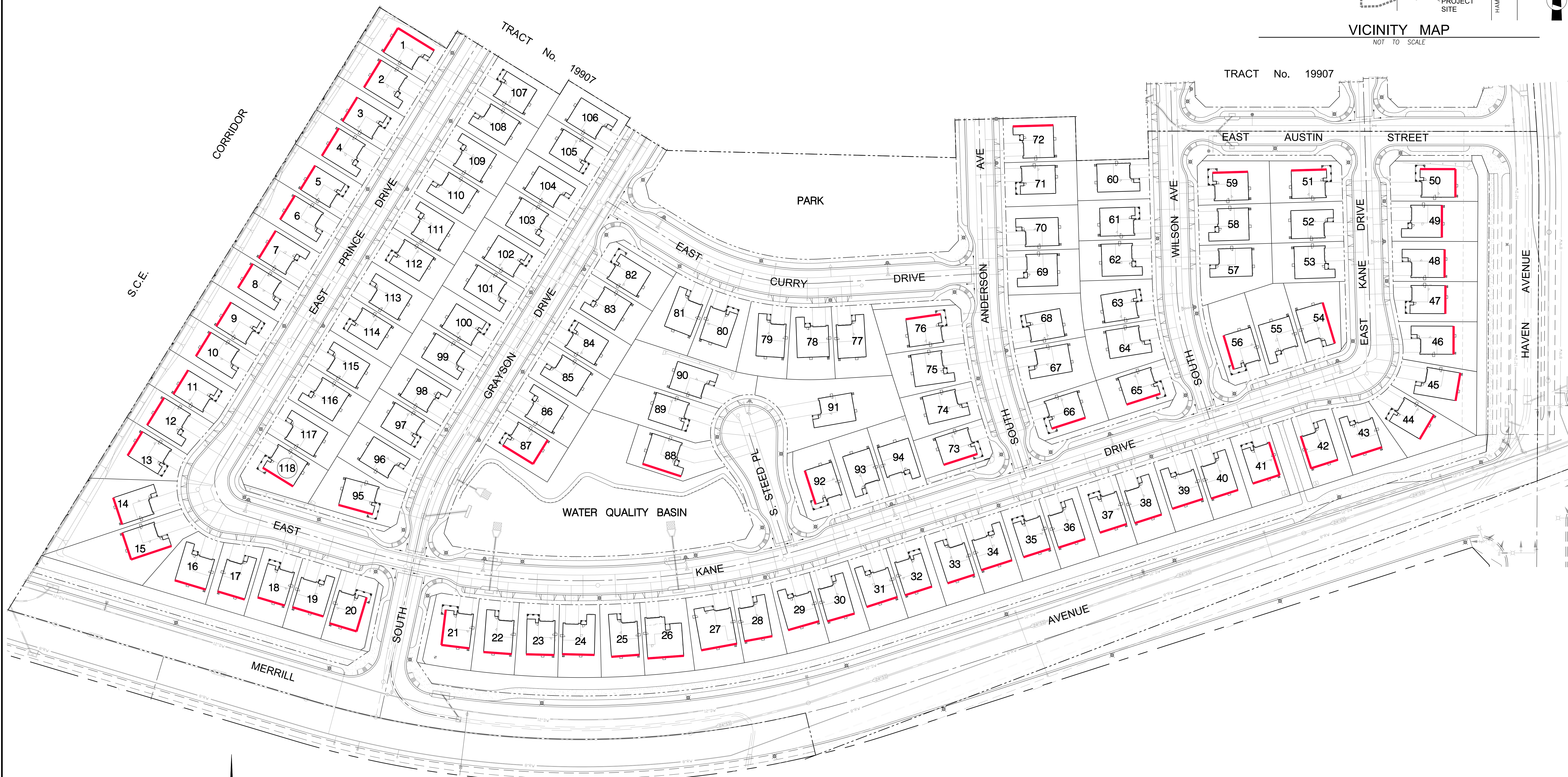
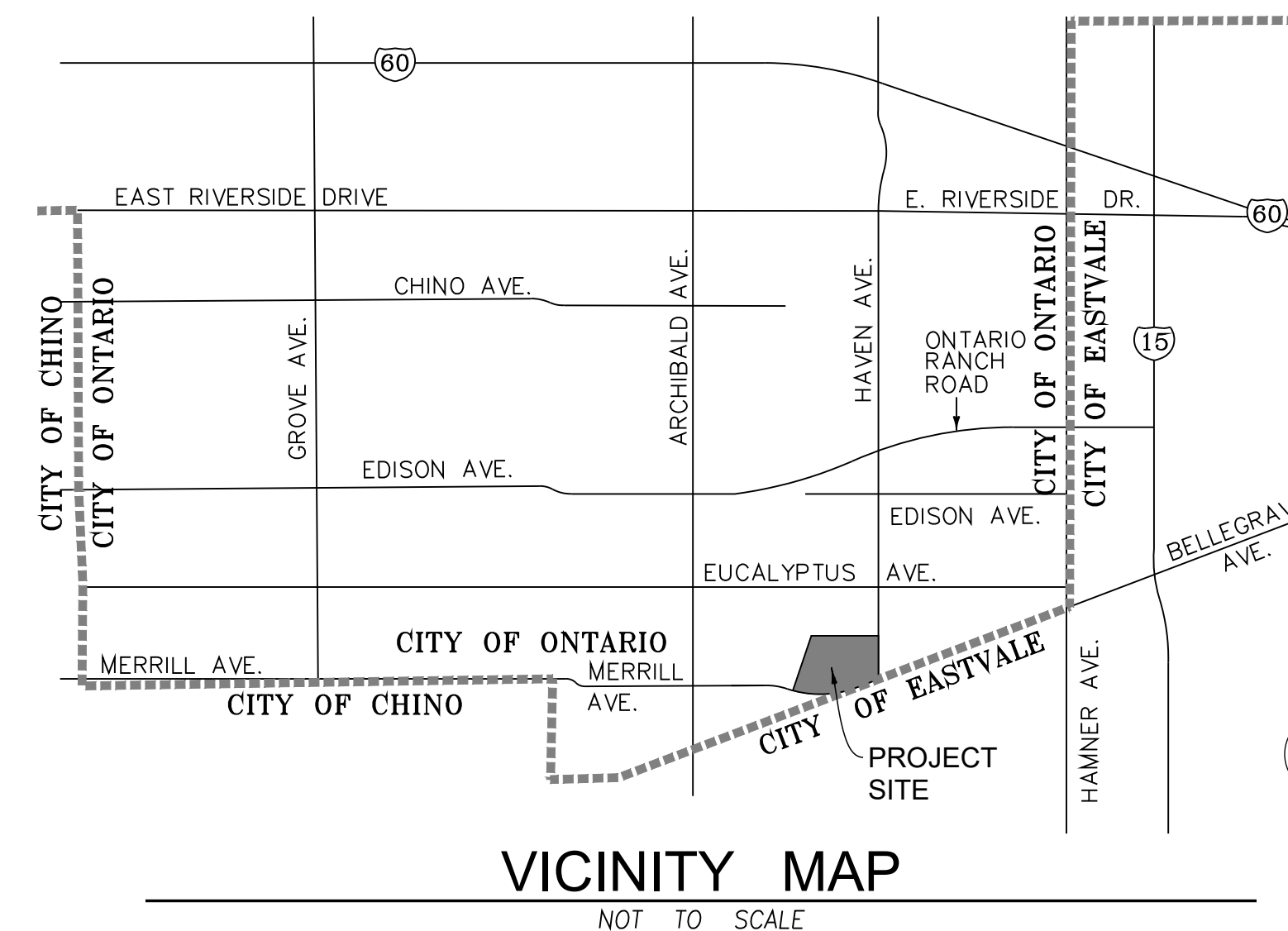
ENHANCED ELEVATION EXHIBIT

PARKSIDE

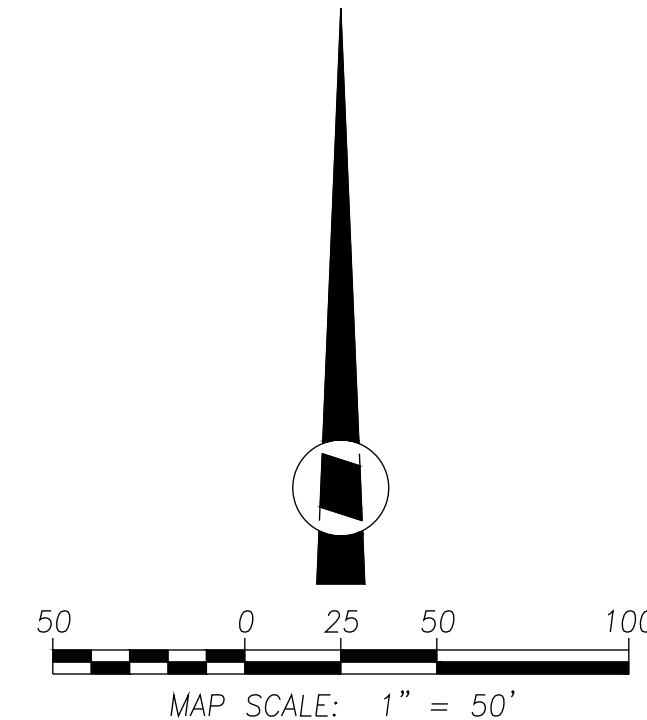
TRACT No. 19909

IN THE CITY OF ONTARIO

LEGEND
— ELEVATION WITH ENHANCEMENTS



S:\Current\Projects\Parkside (East - Park) - Enhanced\Enhanced Elevation Exhibit\19909 Enhanced Elevation Exhibit.dwg, Date: Jun 10, 2020, 11:15:00am, Plot: Corridor



OWNER / DEVELOPER
 Lennar Homes - Inland / LA / Ventura Division
 980 MONTECITO DRIVE, SUITE 302
 CORONA, CA 92879
 (951) 817-3500

BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
 INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
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 1/4, 52, S11" L.S. 3/28" SET FLUSH IN A.C.
NGVD29 / 1990 ADJ.

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 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
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 info@daneng.com

ENHANCED ELEVATION EXHIBIT
 FOR
PARKSIDE - TRACT 19909

SHEET 1 OF 1
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

LEGEND

T.C.	TOP OF CURB
A.C.	ASPHALT CONCRETE
F.L.	FLOWLINE
LIP	LIP OF GUTTER
T.G.	TOP OF GRATE
INV	INVERT OF PIPE
T.W.	TOP OF WALL
T.F.	TOP OF FOOTING
H.P.	HIGH POINT
L.P.	LOW POINT
F.S.	FINISH SURFACE
F.G.	FINISH GRADE
G.B.	GRADE BREAK
F.F.	FINISH FLOOR
G.F.F.	GARAGE FINISH FLOOR
C.L.	CENTERLINE
S	SEWER
W	WATER
R/W	RIGHT-OF-WAY

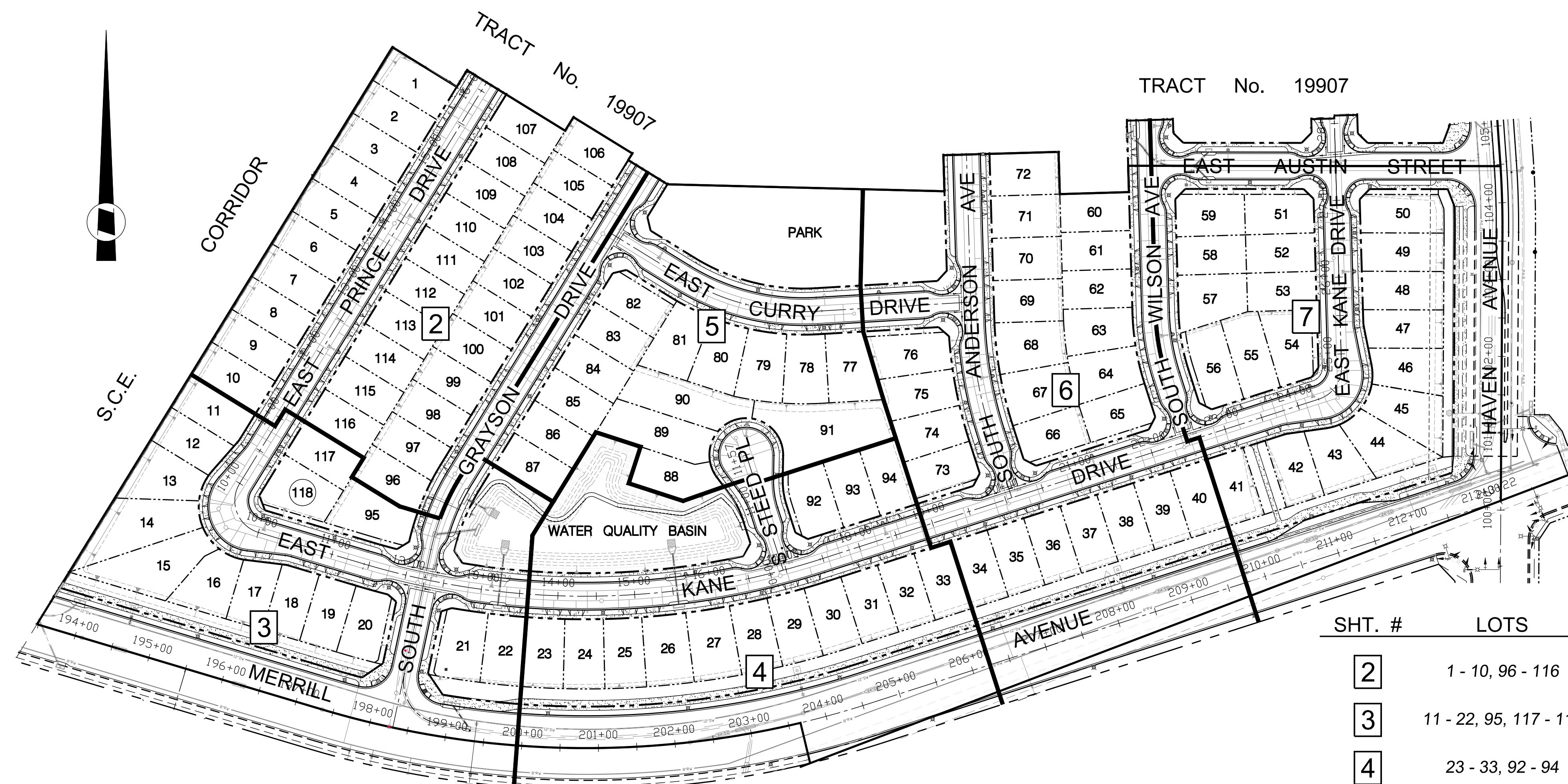
	EXISTING GRADED SLOPE
	EXISTING FIRE HYDRANT
	SHEET FLOW DRAINAGE
	EARTH SWALE AND DIRECTION OF FLOW
	GRADE WITH DIRECTION OF FLOW
	EXISTING GRADE CONTOUR LINE
	PROPOSED GRADE CONTOUR LINE
	EXISTING CHAIN-LINK FENCE
	PROPOSED GARDEN FENCE & PILASTER
	PROPOSED RETAINING WALL
	PROPOSED DECORATIVE FENCE & PILASTER PER LANDSCAPE ARCHITECT'S PLANS
	TRAFFIC SIGN
	EXISTING RETAINING WALL
	EXISTING STORM DRAIN
	PROPOSED AREA DRAIN
	EXISTING WATER
	EXISTING RECYCLED WATER
	EXISTING SEWER
	EXISTING STREET LIGHT
	EXISTING WATER SERVICE & METER
	EXISTING SEWER LATERAL

CONCEPTUAL GRADING & DRAINAGE PLAN

PARKSIDE

TRACT No. 19909

IN THE CITY OF ONTARIO

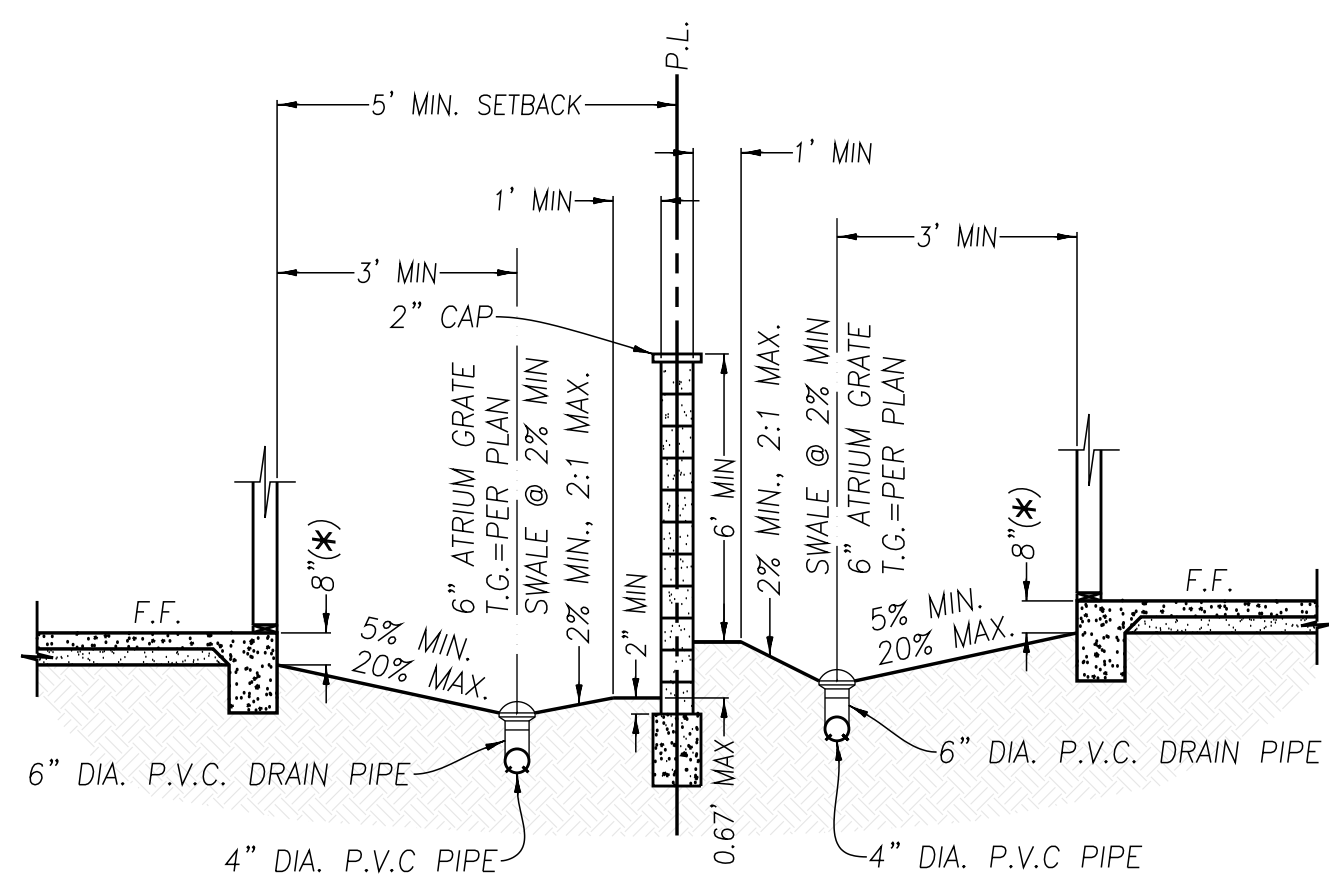


SHT. #	LOTS
2	1 - 10, 96 - 116
3	11 - 22, 95, 117 - 118
4	23 - 33, 92 - 94
5	77 - 91
6	34 - 40, 60 - 76
7	41 - 59

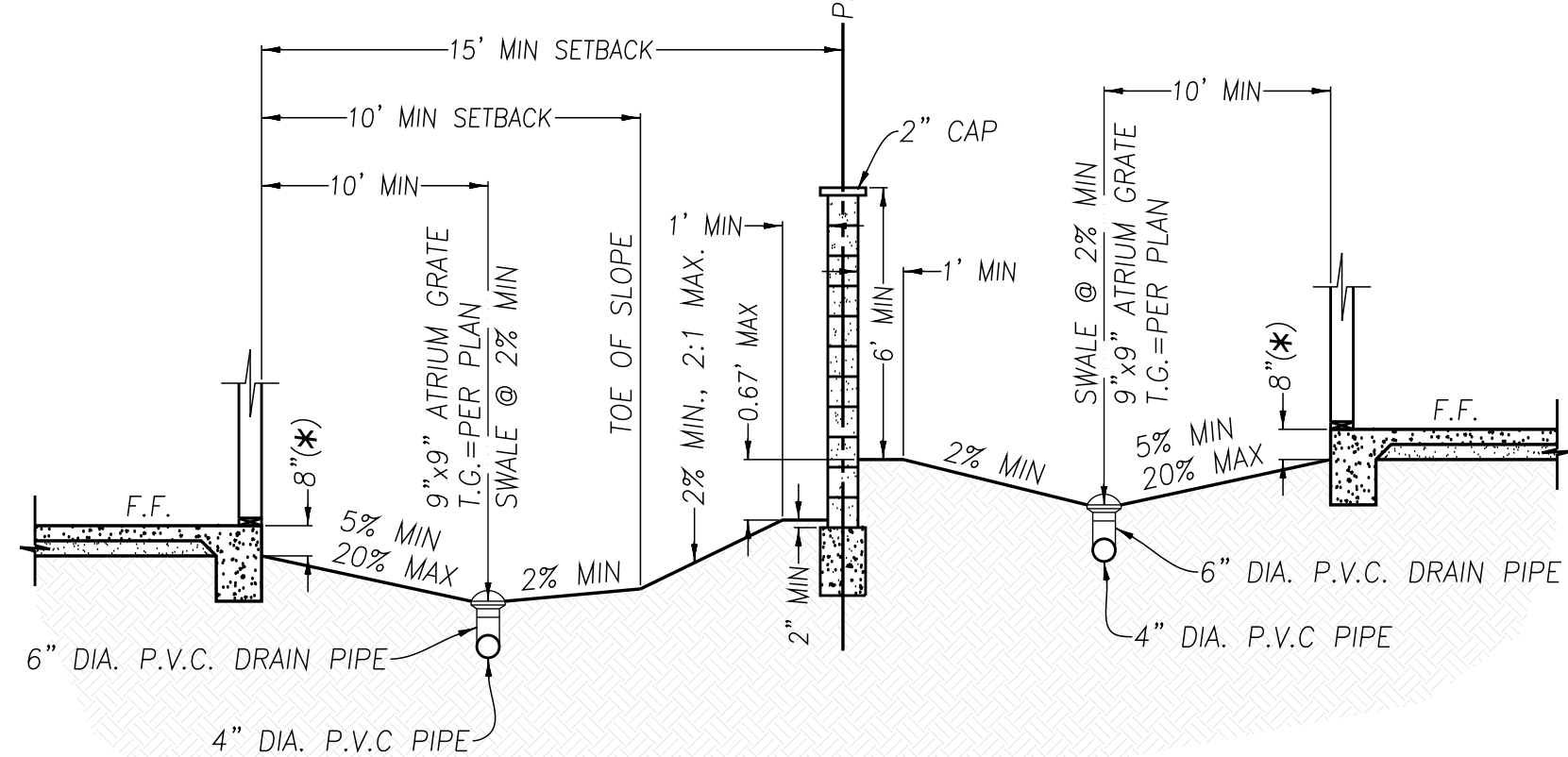
INDEX MAP
SCALE: 1" = 100'

LOT CRITERIA

MINIMUM LOT SIZE	4,000 S.F.
MAXIMUM BUILDING COVERAGE	50%
FRONT SETBACKS FROM BACK OF SIDEWALK	
TO LIVING AREA	12'
TO PORCH OR BALCONY	10'
TO GARAGE	20'
REAR SETBACKS FROM PROPERTY LINE	
TO LIVING SPACE ON GROUND FLOOR	15'
SIDE SETBACKS FROM PROPERTY LINE	
TO LIVING SPACE	5'
SIDE SETBACKS FROM SIDEWALK (CORNER LOT)	
TO LIVING SPACE	10'
BUILDING SEPARATION	
SIDE TO SIDE LIVING SPACE	10'

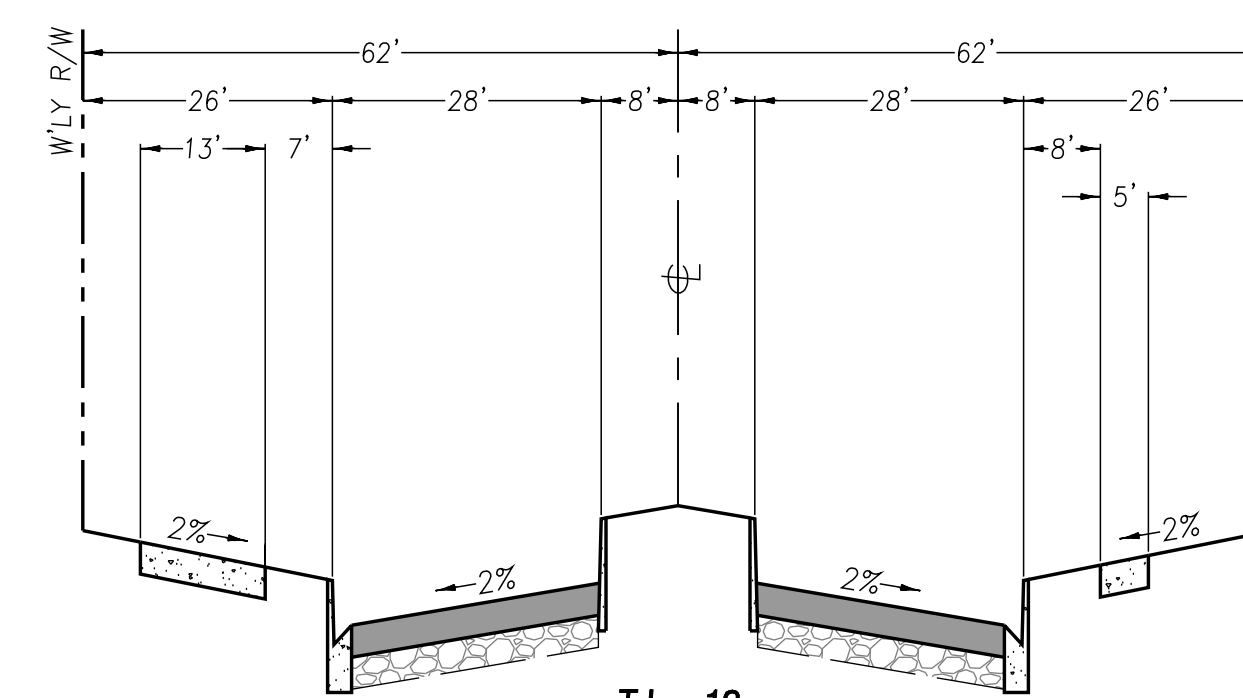


SECTION A-A
TYPICAL SIDE YARD SECTION
NO SCALE

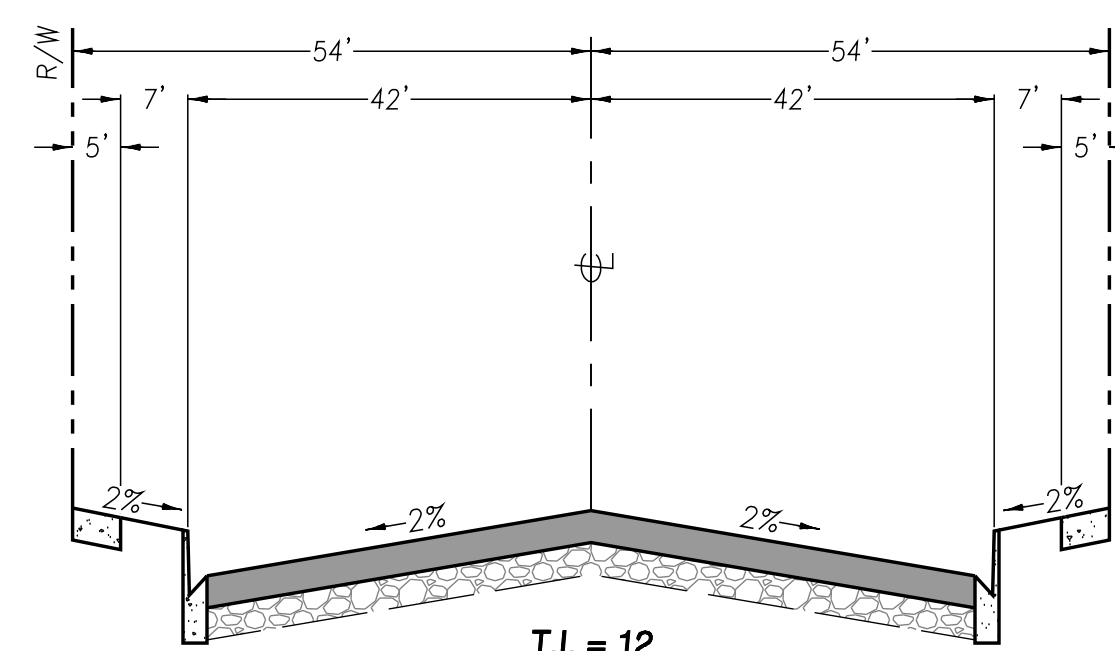


SECTION B-B
TYPICAL REAR YARD SECTION
NO SCALE

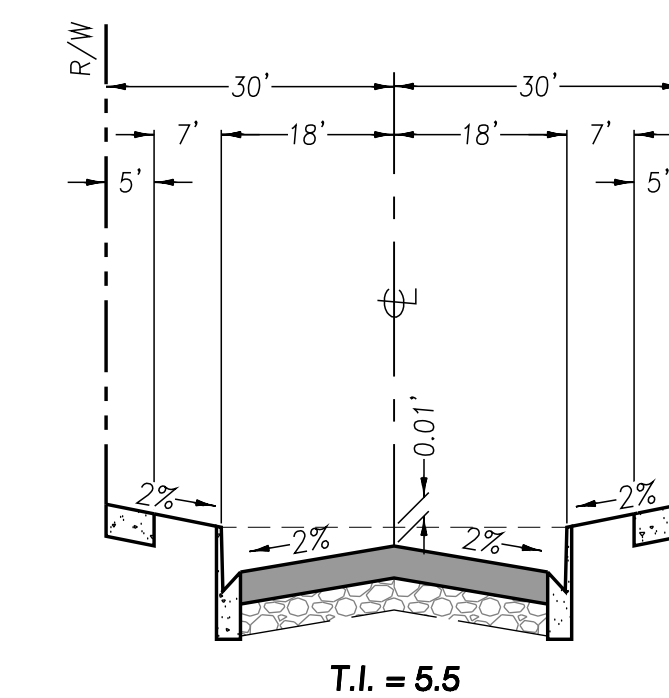
(*) GRADE CLEARANCES (CBC1803.3/CRC R401.3), WOOD TREATMENT (CBC2304.11.2.2/CRC R317.1(2)) AND WEEP SCREEDS (CBC2512.1.2/CRC R703.6.2.1) SHALL BE IN ACCORDANCE WITH THE CURRENT ADOPTED CALIFORNIA BUILDING CODE/RESIDENTIAL CODE.



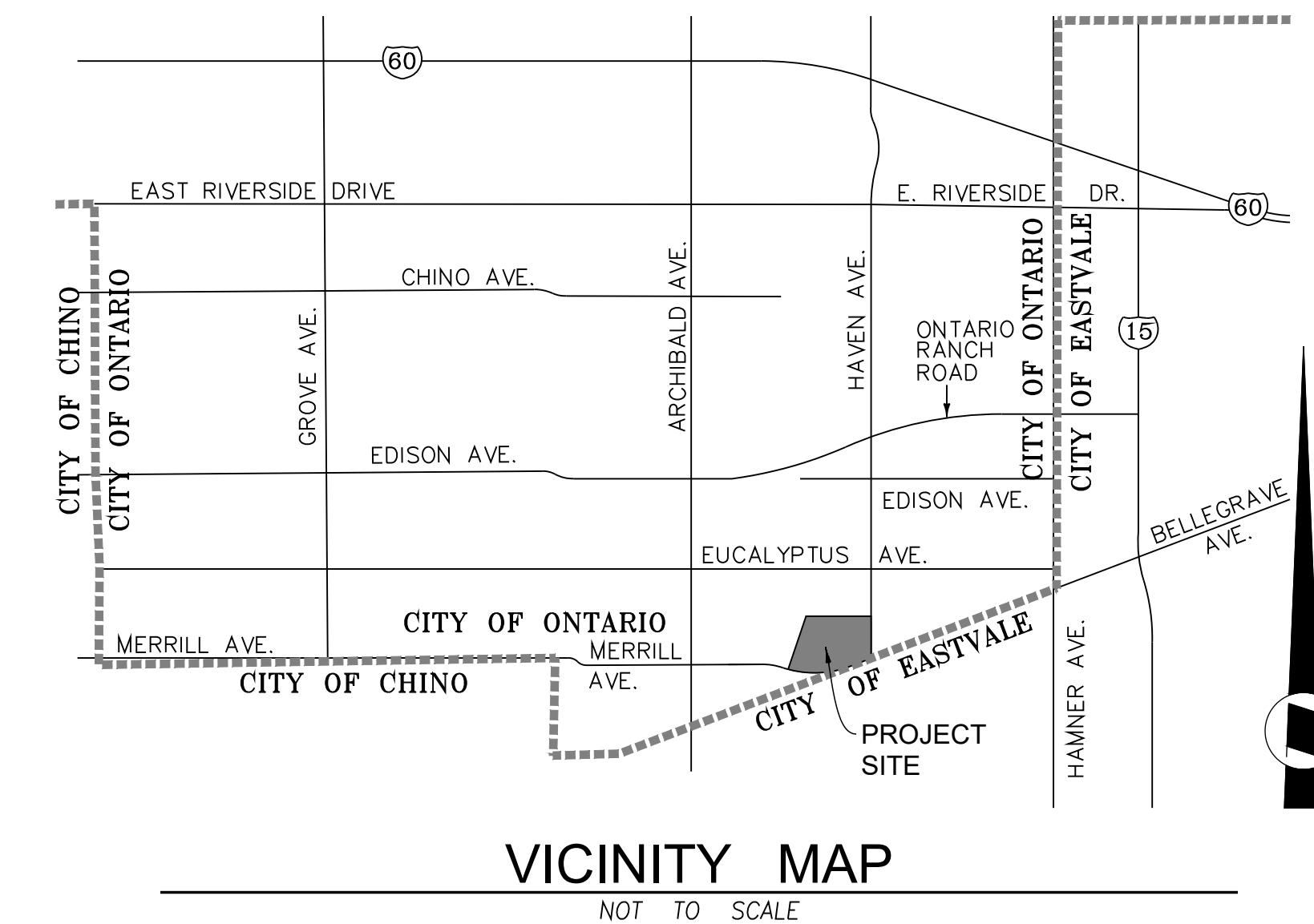
TYPICAL SECTION
Haven Avenue
SCALE: 1"=20' HORIZ. 1"=2' VERT.



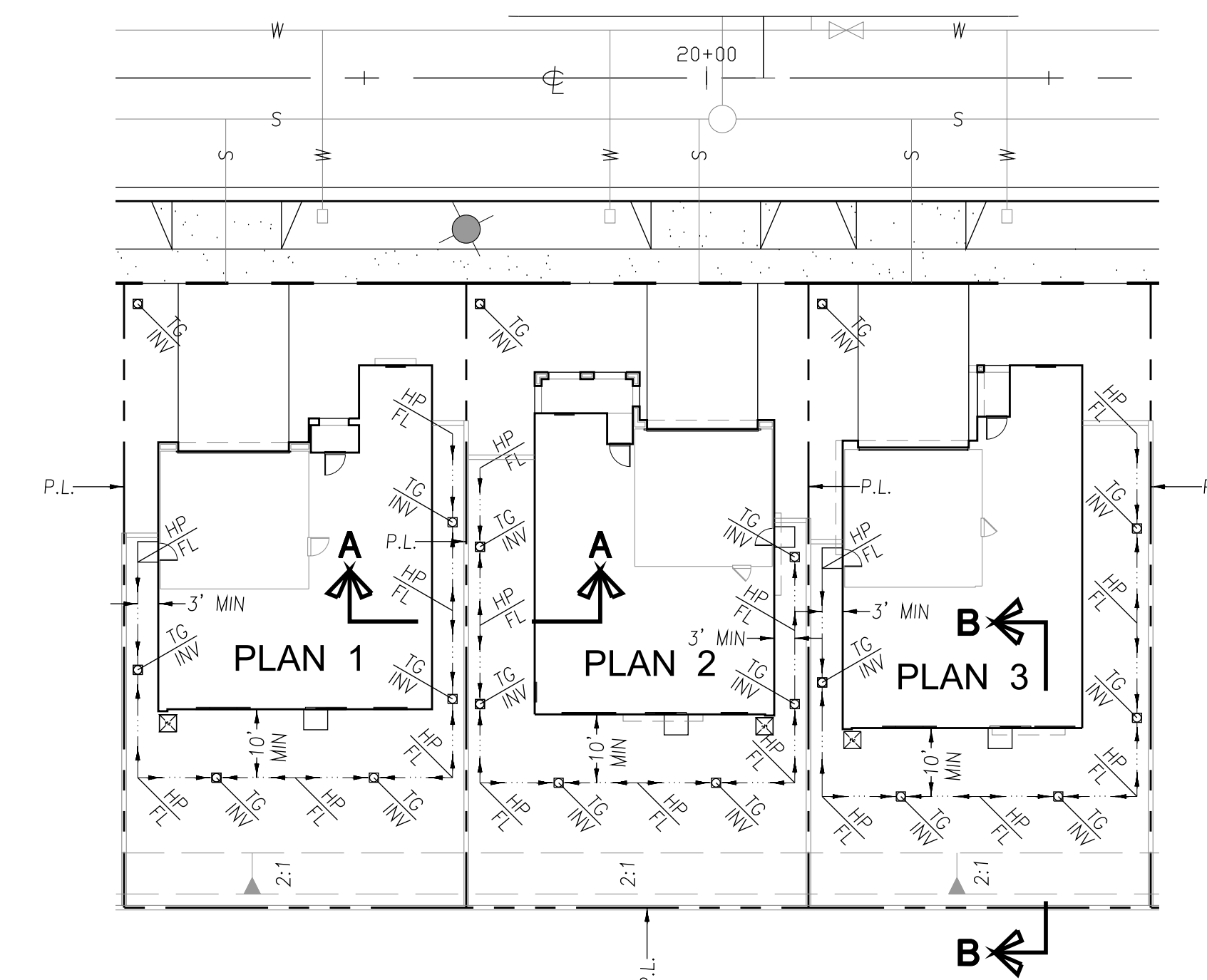
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Merrill Avenue
SCALE: 1"=20' HORIZ. 1"=2' VERT.



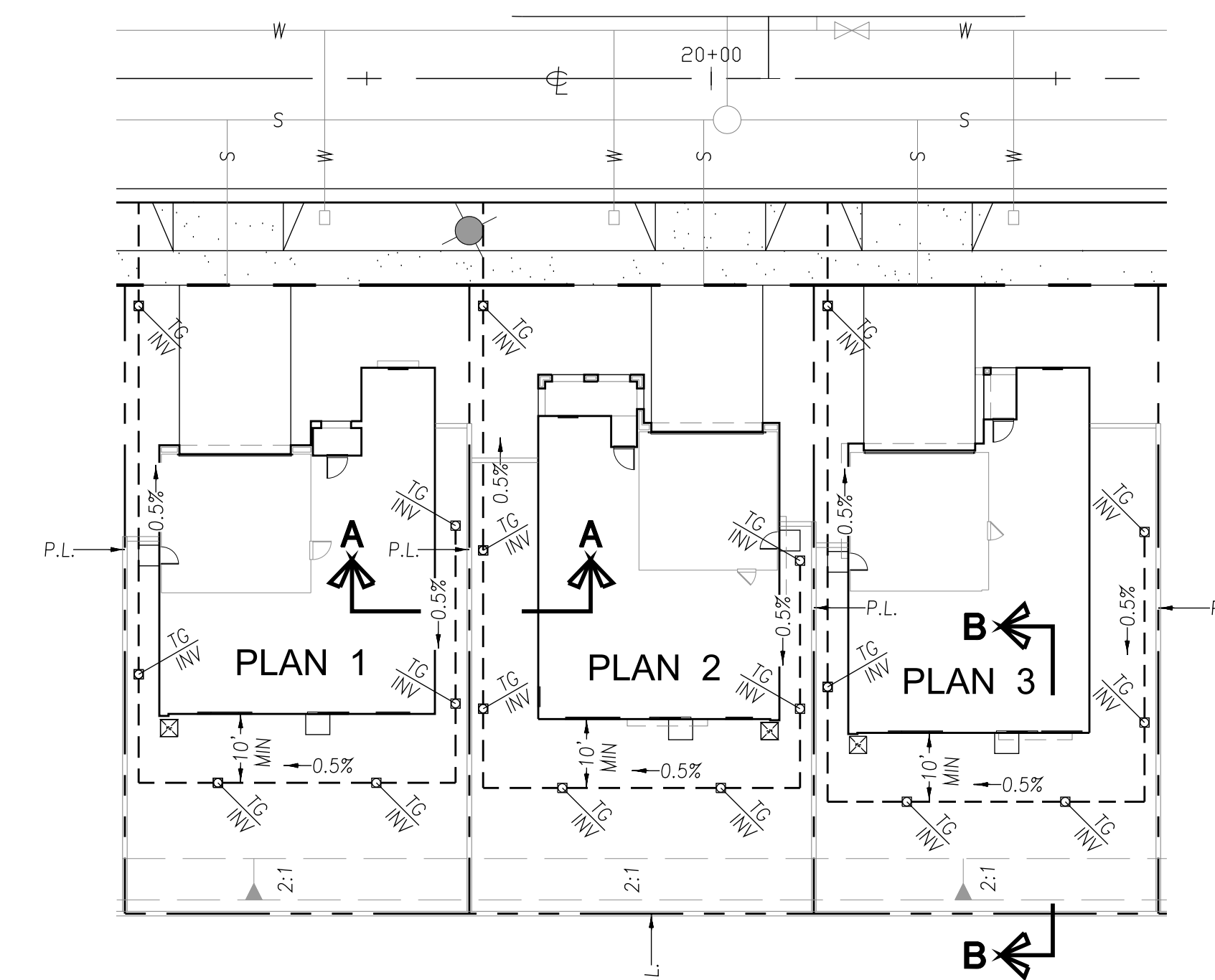
TYPICAL SECTION
**East Austin Street
East Curry Street
East Kane Drive
South Anderson Avenue
South Grayson Way
South Jordan Way
South Prince Way
South Steed Place
South Wilson Avenue**
SCALE: 1"=20' HORIZ. 1"=2' VERT.



VICINITY MAP
NOT TO SCALE



TYPICAL LOT GRADING
SCALE: 1" = 20'



TYPICAL LOT UNDERGROUND DRAINAGE
SCALE: 1" = 20'

OWNER / DEVELOPER
Lennar Homes - Inland / LA / Ventura Division
980 MONTECITO DRIVE, SUITE 302
CORONA, CA 92879
(951) 817-3500

BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
LOCATION:
SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR. SEC. 27/11, T2S, R7W, 2" BRASS DISK STAMPED T2S, R7W, 1/4, S2, S11 "LS 3028" SET FLUSH IN A.C.
NGVD29 / 1990 ADJ.

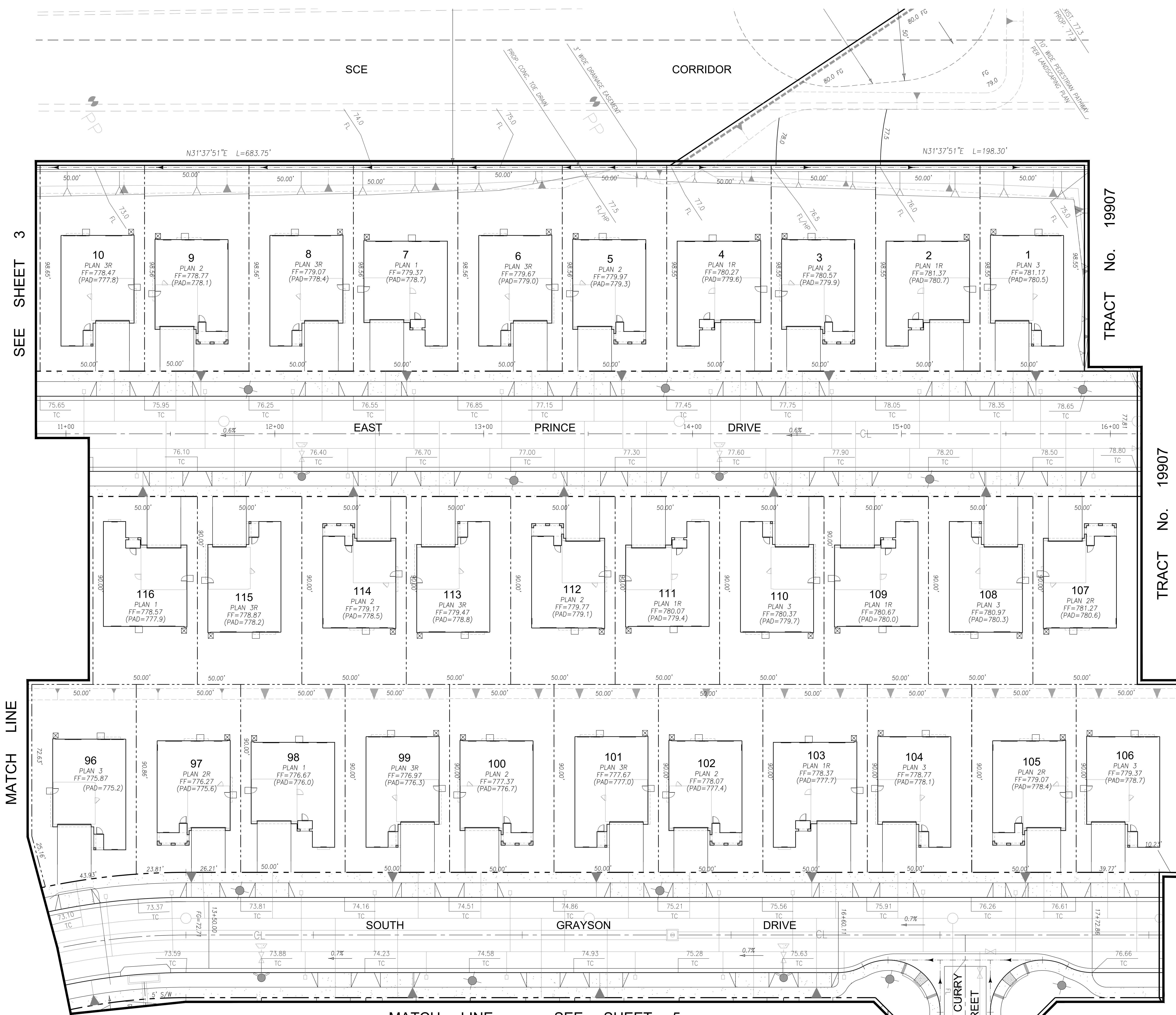
Dan Guerra & Associates
CIVIL ENGINEERS • LAND SURVEYORS
10271-B TRADEMARK STREET
RANCHO CUCAMONGA, CA 91730
Ph. (909)987-4306 Fax (909)941-1528
info@danaguerra.com



CONCEPTUAL GRADING & DRAINAGE PLAN
FOR
PARKSIDE - TRACT 19909

SHEET **1** OF **7**
CONTRACT _____
ACCOUNT _____
DWG. NO. _____

S:\Current\Projects\Paradise (Ezef - Park) - 2004\Plans\Entirement\Conceptual Grading\Drawings\19909 - 2-Covering\19909 - 2-Covering Plan - 1.dwg, Plot Date: Jun 10, 2009 10:22:59 AM, Plot Device:



SEE SHEET 3

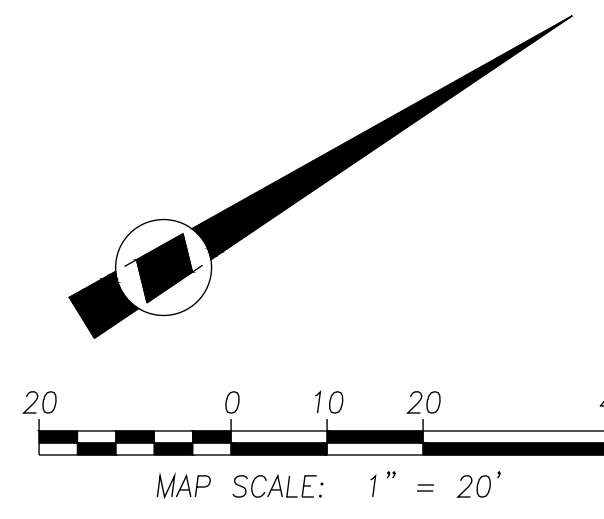
MATCH LINE

TRACT No. 19907

TRACT No. 19907

TRACT No. 19907

MATCH LINE SEE SHEET 5



BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
 INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
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 1/4, S2, S11" L.S. 3/28" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

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 RANCHO CUCAMONGA, CA 91730
 Ph. (909)987-4306 Fax (909)941-1528
 info@danengr.com

CONCEPTUAL GRADING & DRAINAGE PLAN
PARKSIDE - TRACT 19907
 LOTS 1 - 10 & 96 - 116

SHEET 2 OF 7
 CONTRACT _____
 ACCOUNT _____
 Dwg. No. _____

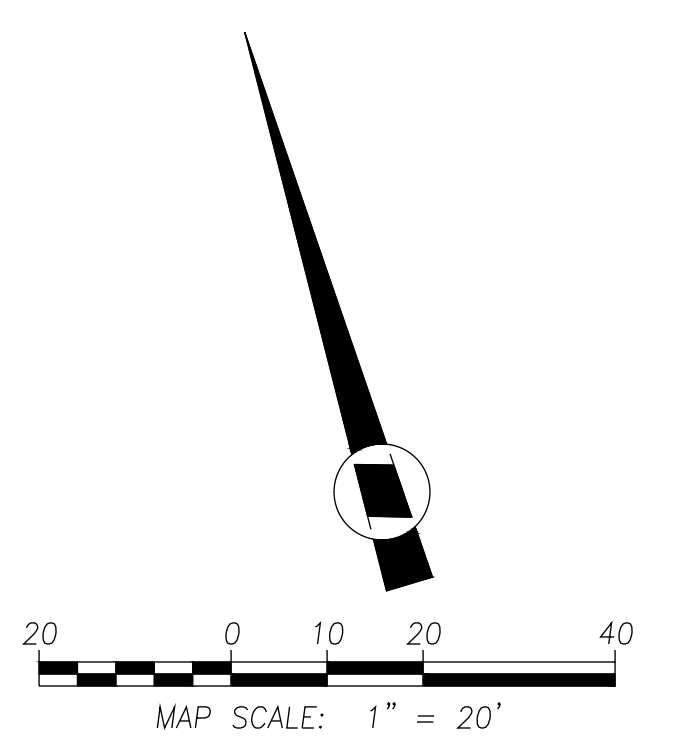


BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
 INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
 SEC. 2/11, T2S, R7W, 2" BRASS DISK STAMPED T2S, R7W,
 1/4, S2, S11" L.S. 3028" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

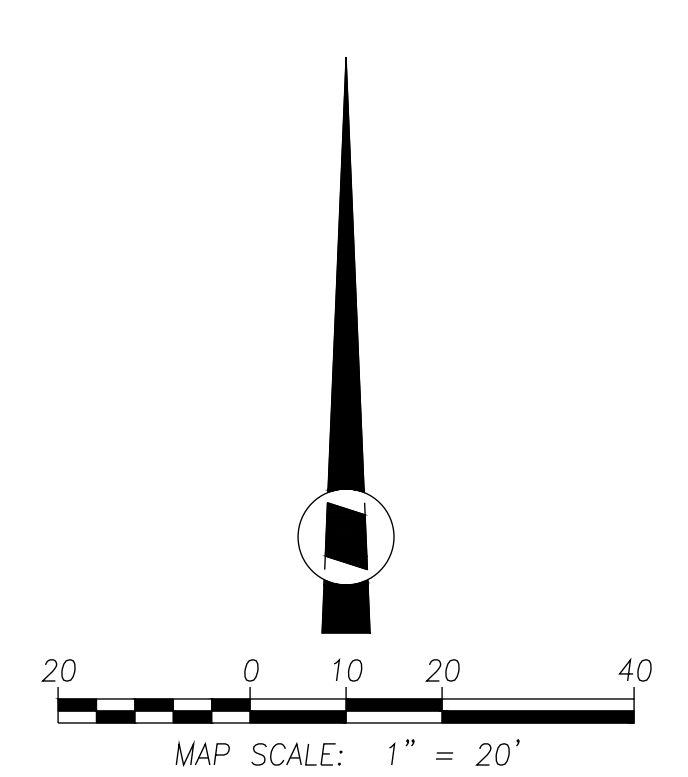
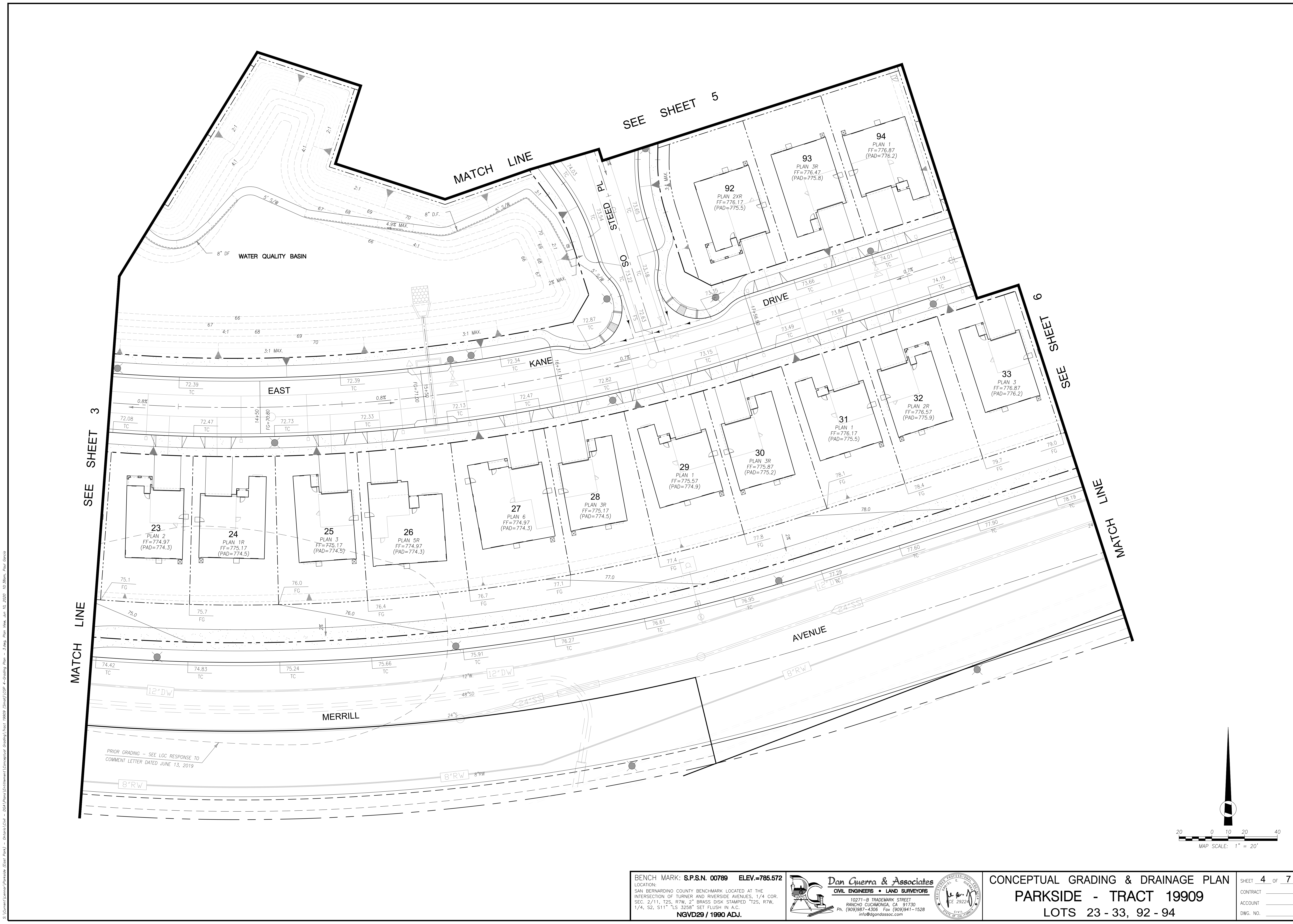
Dan Guerra & Associates
 CIVIL ENGINEERS • LAND SURVEYORS
 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
 Ph. (909)987-4306 Fax (909)941-1528
 info@dandassociates.com

CONCEPTUAL GRADING & DRAINAGE PLAN
PARKSIDE - TRACT 19909
LOTS 11 - 22, 95 & 117 - 118

SHEET 3 OF 7
CONTRACT _____
ACCOUNT _____
DWG. NO. _____



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MATCH LINE SEE SHEET 3

MATCH LINE

SEE SHEET 5

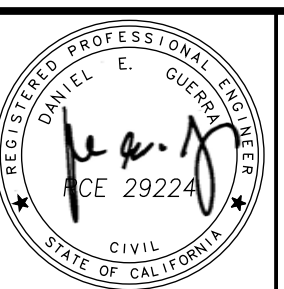
MATCH LINE SEE SHEET 6

MATCH LINE

PRIOR GRADING - SEE LOC RESPONSE TO COMMENT LETTER DATED JUNE 13, 2019

BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
 LOCATION:
 SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR. SEC. 2/T11, T2S, R7W, 2" BRASS DISK STAMPED T2S, R7W, 1/4, S2, S11 "LS, 3268" SET FLUSH IN A.C.
 NGVD29 / 1990 ADJ.

Dan Guerra & Associates
 CIVIL ENGINEERS • LAND SURVEYORS
 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
 Ph. (909)987-4306 Fax (909)941-1528
 info@dangad.com



CONCEPTUAL GRADING & DRAINAGE PLAN
PARKSIDE - TRACT 19909
 LOTS 23 - 33, 92 - 94

SHEET 4 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

S:\Current\19909\19909 - 2014\Plans\Environment\Conceptual Grading\Drawings\19909 - 2014\Plans\19909 - 2014.dwg Jun 10, 2019 10:58am Pkg.dwg

TRACT No. 19907

TRACT BOUNDARY

SEE SHEET 6

SEE SHEET 2

MATCH LINE

SOUTH

GRAYSON DRIVE

EAST

CURRY DRIVE

DRIVE

MATCH LINE

MATCH LINE

SEE SHEET 3

MATCH LINE

SEE SHEET 4

82
PLAN 2XR
FF=778.07
(PAD=777.4)

83
PLAN 1
FF=778.07
(PAD=777.4)

81
PLAN 3
FF=779.97
(PAD=779.3)

80
PLAN 2R
FF=780.37
(PAD=779.7)

79
PLAN 3
FF=780.87
(PAD=780.2)

78
PLAN 1
FF=781.27
(PAD=780.6)

77
PLAN 3R
FF=781.27
(PAD=780.6)

90
PLAN 3
FF=777.07
(PAD=776.4)

89
PLAN 2R
FF=777.07
(PAD=776.4)

91
PLAN 3
FF=777.07
(PAD=776.4)

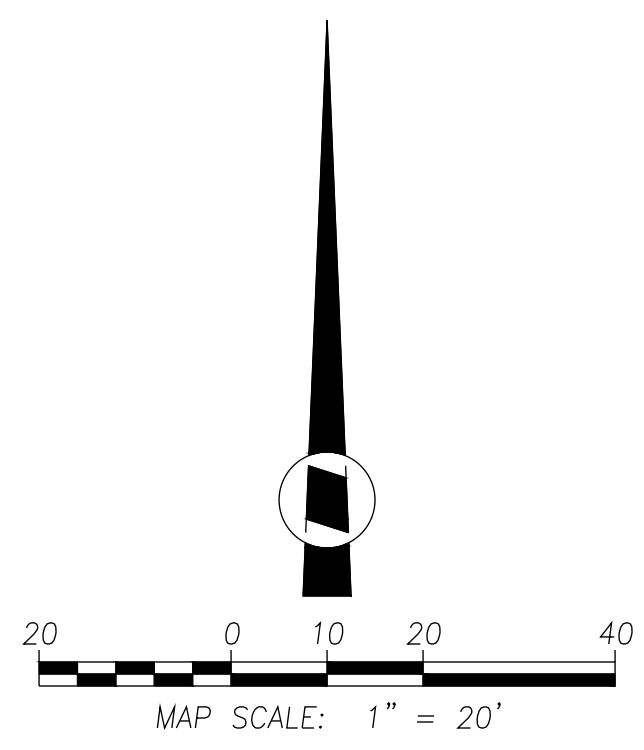
88
PLAN 1R
FF=776.37
(PAD=775.7)

86
PLAN 1R
FF=777.07
(PAD=776.4)

85
PLAN 3
FF=777.37
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84
PLAN 2R
FF=777.77
(PAD=777.1)

87
PLAN 2
FF=776.17
(PAD=775.5)



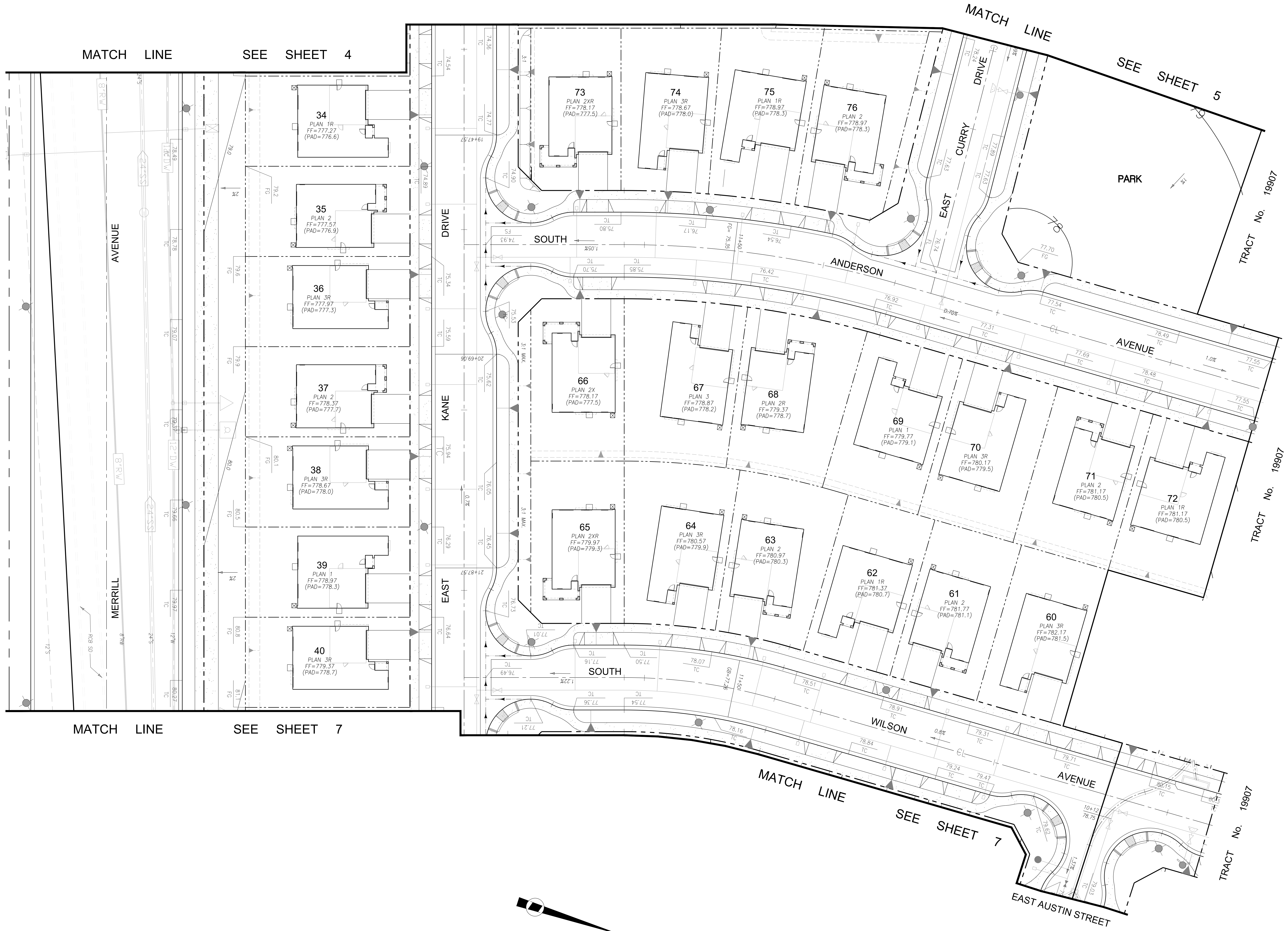
BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
LOCATION:
SAN BERNARDINO COUNTY BENCHMARK LOCATED AT THE
INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
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NGVD29 / 1990 ADJ.

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RANCHO CUCAMONGA, CA 91730
Ph. (909)987-4306 Fax (909)941-1528
info@dandasspc.com

CONCEPTUAL GRADING & DRAINAGE PLAN
PARKSIDE - TRACT 19909
LOTS 77 - 91

SHEET 5 OF 7
CONTRACT _____
ACCOUNT _____
DWG. NO. _____

S:\Current\Users\Paraske (Ezer, Parv) - 2024\Users\Enrichment\Conceptual Grading\Tract 19909 (Serra)\2024\3-Grading Plan - 4.dwg, Plot Date: Jun 10, 2025 10:47am, Plot Device:

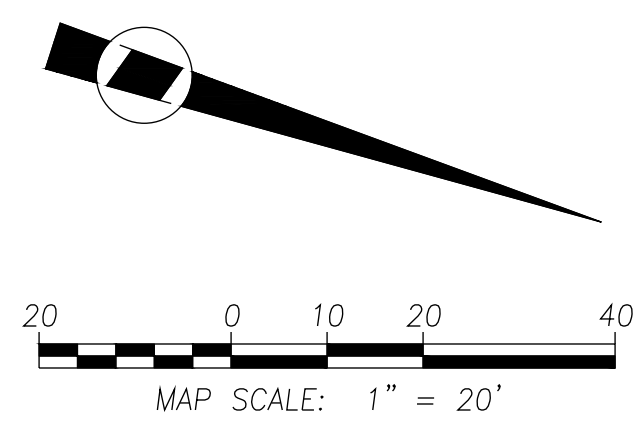


MATCH LINE SEE SHEET 4

MATCH LINE SEE SHEET 5

MATCH LINE SEE SHEET 7

TRACT No. 19907



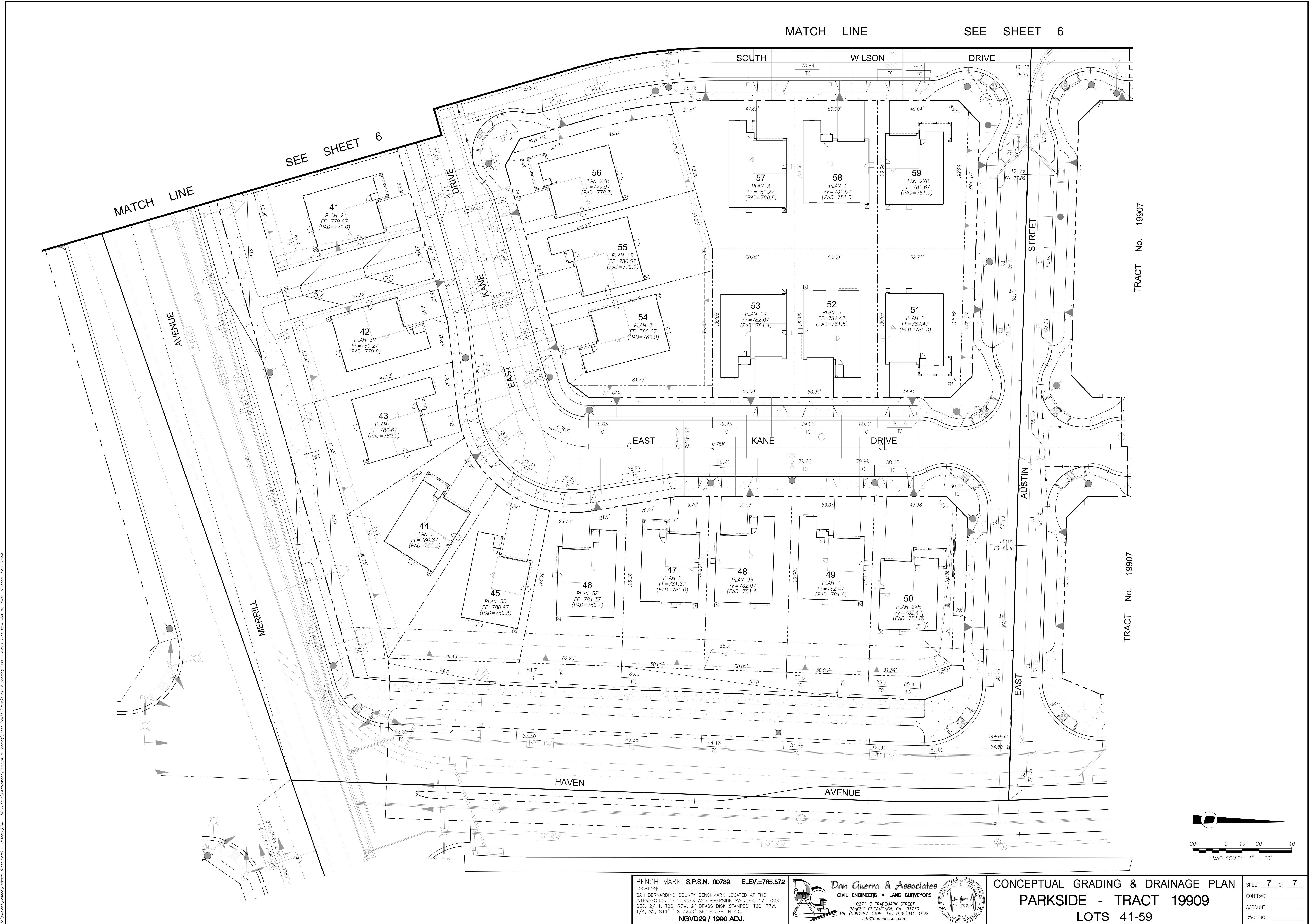
BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
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 NGVD29 / 1990 ADJ.

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 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
 Ph. (909)967-4306 Fax (909)941-1528
 info@danquerra.com

CONCEPTUAL GRADING & DRAINAGE PLAN
PARKSIDE - TRACT 19909
LOTS 34 - 40 & 60 - 76

SHEET 6 OF 7
 CONTRACT _____
 ACCOUNT _____
 DWG. NO. _____

S:\Current\19909\Parkside (Ezer) (Plan) - 2024\Plan\Environment\Conceptual Grading\Draw\19909 (Draw)\02P - Grading Plan - Stage 1\Plan - Stage 1\Plan - Stage 1\Plan - Stage 1.dwg, Jun 10, 2025 10:50am, Pld, Gerdas

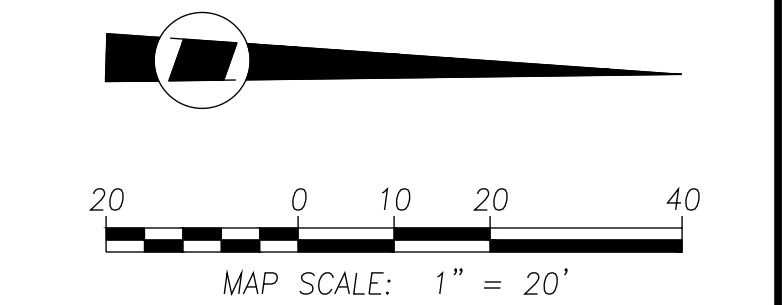


MATCH LINE
SEE SHEET 6

MATCH LINE
SEE SHEET 6

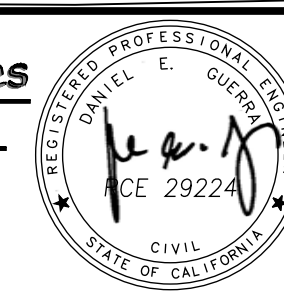
TRACT No. 19907

TRACT No. 19907



BENCH MARK: S.P.S.N. 00789 ELEV.=785.572
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 INTERSECTION OF TURNER AND RIVERSIDE AVENUES, 1/4 COR.
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 1/4, S2, S11" L.S. 3/28" SET FLUSH IN A.C.
 N.G.V.D. 1980 ADJ.

Dan Guerra & Associates
 CIVIL ENGINEERS • LAND SURVEYORS
 10271-B TRADEMARK STREET
 RANCHO CUCAMONGA, CA 91730
 Ph. (909)987-4306 Fax (909)941-1528
 info@dandasspc.com



CONCEPTUAL GRADING & DRAINAGE PLAN
PARKSIDE - TRACT 19907
 LOTS 41-59

SHEET 7 OF 7
 CONTRACT _____
 ACCOUNT _____
 D.W.G. NO. _____

S:\Users\ldurra\Public\3909_Parkside - Parcel\Draw - Conceptual Grading & Drainage\Sheet 19907 - Grading Plan.dwg, Jun 10, 2009 10:52am, Plot Generated

TENTATIVE TRACT MAP 19909

SITE UTILIZATION PLAN

CITY OF ONTARIO, STATE OF CALIFORNIA

APN 0218-033-13-0-000
 EXIST. ZONING: SUBAREA 29
 SPECIFIC PLAN: SCE CORRIDOR

APN 0218-321-17-0-000
 EXIST. ZONING: SUBAREA 29
 SPECIFIC PLAN: SUBAREA 29, PA 29

APN 0218-321-30-0-000

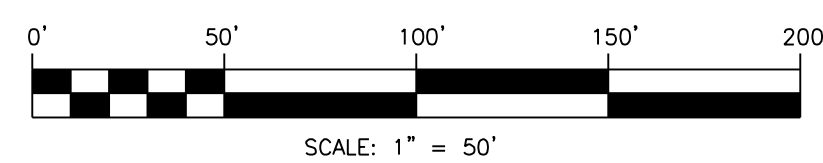
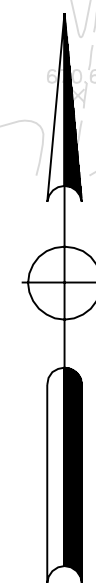
APN 0218-052-01-0-000
 EXIST. ZONING: SUBAREA 29
 SPECIFIC PLAN: SUBAREA 29, PA 13

APN 0218-331-14-0-000
 EXIST. ZONING: AG
 SPECIFIC PLAN: AG

HAVEN AVENUE

BELLEGRAVE AVENUE

NOTE:
 THERE ARE NO EXISTING STRUCTURES ON THIS PROPERTY.

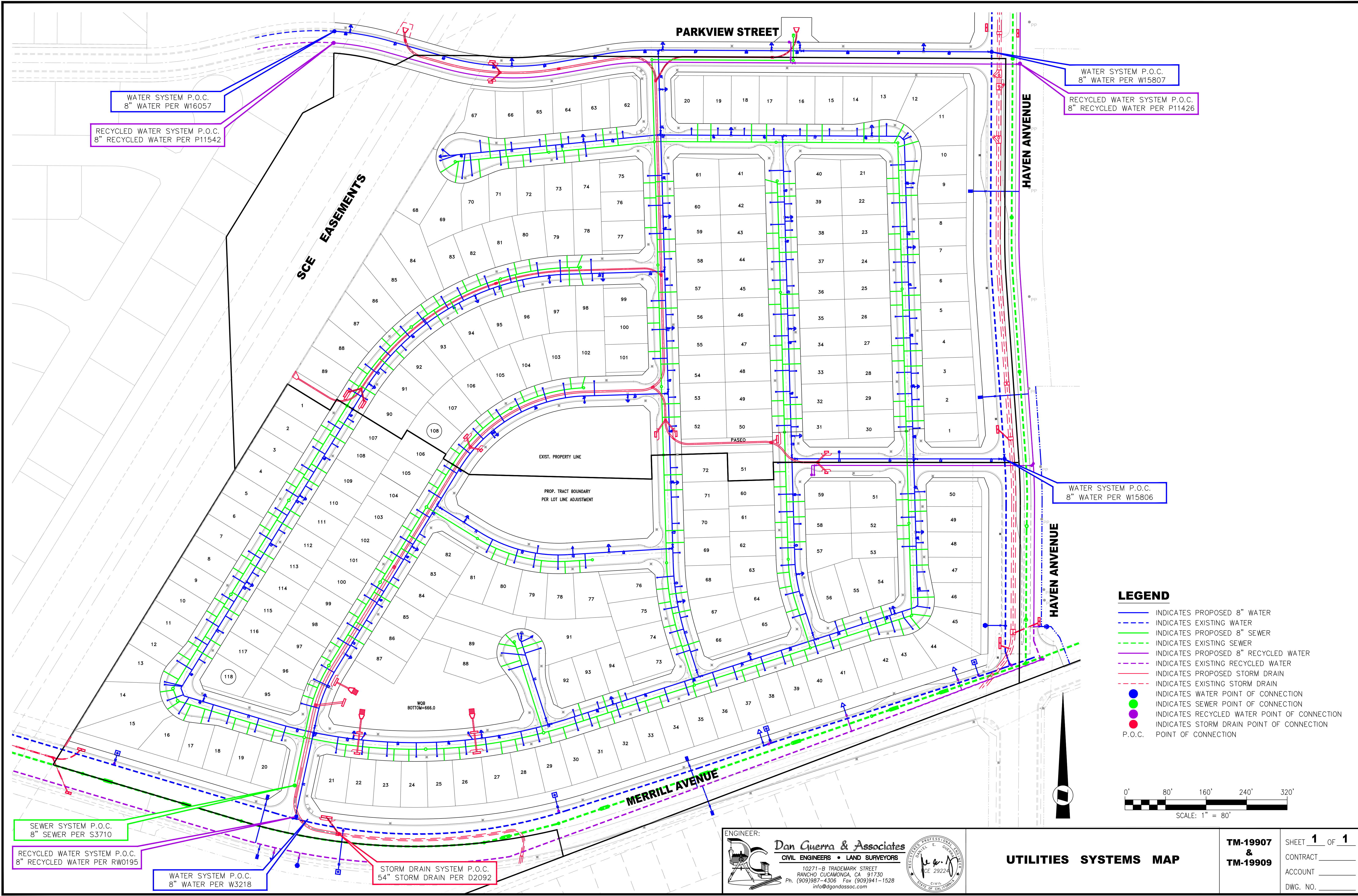


AMENDMENTS:		
DATE	No.	DESCRIPTION

VSL ENGINEERING
 31805 TEMECULA PARKWAY #129, TEMECULA, CA. 92591
 TEL. (951) 296-3930 FAX. (888) 537-1396
 DATE PREPARED: JUNE 2014

Tentative Tract Map 19909
CITY OF ONTARIO
SITE UTILIZATION PLAN

SHEET NO.
1
 OF 1 SHTS.
 FILE NO.



WATER EFFICIENT LANDSCAPE WORKSHEET
Non-Residential Landscape Projects

Reference ET_o for the area ET_o = 54.6

Estimated Total Water Use (ETWU):
 ETWU is calculated using the following formula: (E_{to}) (E₂) (ETAF) (LA)

Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Landscape Area	Estimated Total Water Use (ETWU) Gallons/Yr
Special Landscape Areas							
H21 - Low Shrubs	0.20	Dripline	0.81	1.00	112,962	112,962	3,793,523
H22 - Moderate Shrubs	0.50	Dripline	0.81	1.00	74,708	74,708	2,529,019
Totals					186,770	186,770	6,322,538
Estimated Total Water Use in gallons per year: ETWU Total							6,322,538
Max. Annual Water Allowance in gallons per year: MAWA Total							6,322,538
MAWA calculation: (E _{to}) (E ₂) [(ETAF x LA) + ((1-ETAF) x SLA)]							0
MAWA - ETWU:							0
Acre Feet per year =							19

ETAF Calculations

All Landscape Areas	Total ETAF x Area	Total Landscape Area (LA)	Sitewide ETAF
	186,770	186,770	1.00

SCE CORRIDOR SEE SHEETS LC-7 & LC-8 FOR MORE INFORMATION



- FIRE HYDRANT
- STREET LIGHT
- 6" CONCRETE HEADER STREET ADA RAMP
- PRODUCTION FRONT YARDS SEE SHEETS LC-9 & LC-10 FOR MORE INFO.
- CFD SEE SHEETS LC-3 & LC-4 FOR MORE INFO.
- WALLS AND FENCES SEE SHEETS LC-11 - LC-13 FOR MORE INFORMATION.
- PERIMETER SPLIT FACE BLOCK WALL
- STABILIZED D.G. BIKE TRAIL w/ 6" CONCRETE HEADER
- CITY SIDEWALK

MATCHLINE - SEE SHEET LC-2

HOA PLANT PALETTE:

THEME TREES

- LARGE EVERGREEN MULTI-TRUNK SPECIMEN
 - Quercus agrifolia* • Coast Live Oak
- LARGE DECIDUOUS ACCENT
 - Platanus racemosa* • California Sycamore
- TALL EVERGREEN BACKGROUND
 - Pinus eldarica* • Afghan Pine

STREET TREES

- Quercus agrifolia* • Coast Live Oak
- Cercis canadensis 'Forest Pansy'* • Forest Pansy Eastern Redbud
- Ginkgo biloba* • Maidenhair Tree
- Quercus ilex* • Holly Oak
- Pistacia Chinensis* • Chinese Pistache
- Afrocarpus gracilior* • African Fern Pine

SHRUBS AND GROUNDCOVER

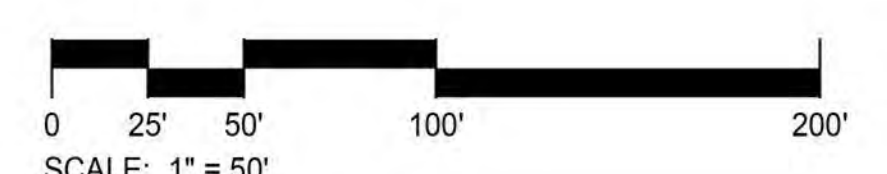
- Achillea 'Moonshine'* • Moonshine Yarrow
- Aloe 'Blue Elf'* • Blue Elf Aloe
- Aloe striata* • Coral Aloe
- Arbutus u. 'Compacta'* • Dwarf Strawberry Tree
- Bouteloua g. 'Blonde Ambition'* • Blonde Ambition Blue Grama
- Bulbine f. 'Hallmark'* • Hallmark Orange-Stalked Bulbine
- Callistemon 'Little John'* • Little John Bottlebrush
- Carex divulsus* • Berkeley Sedge
- Cistus salvifolius* • Sageleaf Rockrose
- Dianella r. 'Little Rev'* • Little Rev Flax Lily
- Dianella t. 'Variegata'* • Variegated Flax Lily
- Diets bicolor* • Fortnight Lily
- Geranium x 'Rozanne'* • Rozanne Cranesbill
- Hesperaloe parviflora* • Red Yucca
- Juniperus h. 'Wiltonii'* • Blue Rug Juniper
- Rosmarinus o. 'Tuscan Blue'* • Tuscan Blue Rosemary
- Lantana x. 'New Gold'* • New Gold Lantana
- Leucophyllum l. 'Lynn's Legacy'* • Lynn's Legacy Texas Ranger
- Leymus c. 'Canyon Prince'* • Canyon Prince Giant Wild Rye
- Lobelia laxiflora* • Mexican Cardinal Flower
- Muhlenbergia c. 'White Cloud'* • White Cloud Muhly
- Muhlenbergia rigens* • Deer Grass
- Nandina domestica* • Heavenly Bamboo
- Nepeta x f. 'Walker's Low'* • Walker's Low Catmint
- Rhapiolepis indica* • Indian Hawthorn
- Rosa f. 'Iceberg'* • Iceberg Rose
- Rosmarinus o. 'Huntington Carpet'* • Huntington Carpet Rosemary
- Salvia greggii* • Autumn Sage
- Salvia l. 'Santa Barbara'* • Santa Barbara Mexican Bush Sage
- Senecio mandraliscae* • Blue Chalksticks
- Viburnum tinus 'Compactum'* • Viburnum

PARKWAY GROUNDCOVER

- Cynodon dactylon* • Bermuda Grass
- Dianella r. 'Little Rev'* • Little Rev Flax Lily
- Juniperus horizontalis 'Wiltonii'* • Blue Rug Juniper



PARKLANE DEVELOPMENT - OVERALL HOA CONCEPTUAL LANDSCAPE MASTER PLAN
 ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-1

SCALE: 1" = 50'
 DATE: JUNE 2020
 ADG JOB #: 2001-A



SCE CORRIDOR SEE SHEETS LC-7 & LC-8 FOR MORE INFORMATION

CITY SIDEWALK
STABILIZED D.G. BIKE TRAIL
w/ 6" CONCRETE HEADER

MATCHLINE - SEE SHEET LC-1

PASSIVE PARK
SEE SHEET LC-5
FOR MORE INFO.

WQMP BASIN
SEE SHEET LC-6
FOR MORE INFO.

PRODUCTION FRONT
YARDS SEE SHEETS LC-9
& LC-10 FOR MORE INFO.

CFD SEE SHEETS LC-3 &
LC-4 FOR MORE INFO.

WALLS AND FENCES SEE
SHEETS LC-11 - LC-13 FOR
MORE INFORMATION.

STREET ADA RAMP
HOA PLANT PALETTE:

THEME TREES

- LARGE EVERGREEN MULTI-TRUNK SPECIMEN
 - Quercus agrifolia* • Coast Live Oak
- LARGE DECIDUOUS ACCENT
 - Platanus racemosa* • California Sycamore
- TALL EVERGREEN BACKGROUND
 - Pinus eldarica* • Afghan Pine

STREET TREES

- Quercus agrifolia* • Coast Live Oak
- Cercis canadensis 'Forest Pansy'* • Forest Pansy Eastern Redbud
- Ginkgo biloba* • Maidenhair Tree
- Quercus ilex* • Holly Oak
- Pistacia Chinensis* • Chinese Pistache
- Afrocarpus gracilior* • African Fern Pine

PERIMETER SPLIT
FACE BLOCK WALL

SHRUBS AND GROUNDCOVER

- Achillea 'Moonshine'* • Moonshine Yarrow
- Aloe 'Blue Elf'* • Blue Elf Aloe
- Aloe striata* • Coral Aloe
- Arbutus u. 'Compacta'* • Dwarf Strawberry Tree
- Bouteloua g. 'Blonde Ambition'* • Blonde Ambition Blue Grama
- (At park & basin only)
- Bulbine f. 'Hallmark'* • Hallmark Orange-Stalked Bulbine
- Callistemon 'Little John'* • Little John Bottlebrush
- Carex divulsa* • Berkeley Sedge
- Cistus salvifolius* • Sageleaf Rockrose
- (At park & basin only)
- Dianella r. 'Little Rev'* • Little Rev Flax Lily
- Dianella t. 'Variegata'* • Variegated Flax Lily
- Diets bicolor* • Fortnight Lily
- Geranium x 'Rozanne'* • Rozanne Cranesbill
- Hesperaloe parviflora* • Red Yucca
- Juniperus h. 'Wiltonii'* • Blue Rug Juniper
- Rosmaninus o. 'Tuscan Blue'* • Tuscan Blue Rosemary
- Lantana x. 'New Gold'* • New Gold Lantana
- (At park & basin only)
- Leucophyllum l. 'Lynn's Legacy'* • Lynn's Legacy Texas Ranger
- Leymus c. 'Canyon Prince'* • Canyon Prince Giant Wild Rye
- Lobelia laxiflora* • Mexican Cardinal Flower
- Muhlenbergia c. 'White Cloud'* • White Cloud Muhly
- Muhlenbergia rigens* • Deer Grass
- Nandina domestica* • Heavenly Bamboo
- Nepeta x f. 'Walker's Low'* • Walker's Low Catmint
- Rhaphiolepis indica* • Indian Hawthorn
- Rosa f. 'Iceberg'* • Iceberg Rose
- Rosmarinus o. 'Huntington Carpet'* • Huntington Carpet Rosemary
- Salvia greggii* • Autumn Sage
- Salvia l. 'Santa Barbara'* • Santa Barbara Mexican Bush Sage
- (At park & basin only)
- Senecio mandraliscae* • Blue Chalksticks
- Viburnum tinus 'Compactum'* • Viburnum

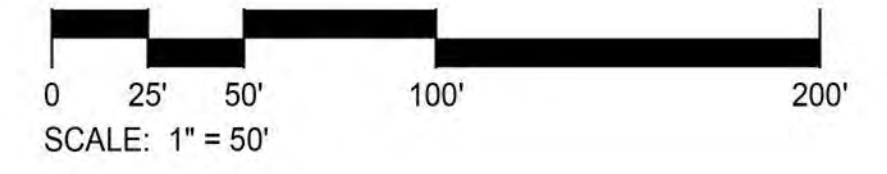
PARKWAY GROUNDCOVER

- Cynodon dactylon* • Bermuda Grass
- Dianella r. 'Little Rev'* • Little Rev Flax Lily
- Juniperus horizontalis 'Wiltonii'* • Blue Rug Juniper



PARKLANE DEVELOPMENT - OVERALL HOA CONCEPTUAL LANDSCAPE MASTER PLAN

ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-2

SCALE: 1" = 50'
DATE: JUNE 2020
ADG JOB #: 2001-A





WALL AND FENCE SEE SHEETS LC-11 THROUGH LC-13 FOR MORE INFORMATION

PRODUCTION FRONT YARDS SEE SHEETS LC-9 & LC-10 FOR MORE INFORMATION

OVERALL HOA SEE SHEETS LC-1 & LC-2 FOR MORE INFORMATION

SCE CORRIDOR SEE SHEETS LC-7 & LC-8 FOR MORE INFORMATION

STREET ADA RAMP
6" CONCRETE HEADER
STABILIZED D.G. BIKE TRAIL
CITY SIDEWALK

MATCHLINE - SEE SHEET LC-4

WATER EFFICIENT LANDSCAPE WORKSHEET
Non-Residential Landscape Projects

Reference ETo for the area ETo = 54.6

Estimated Total Water Use (ETWU):
ETWU is calculated using the following formula: (Eto) (62) (ETAF) (LA)

Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Landscape Area	Estimated Total Water Use (ETWU) (Gallons/yr)
Special Landscape Areas							
H21 - Low Shrub	0.20	Drip	0.81	1.00	39,028	39,028	1,321,163
H22 - Moderate Shrub	0.50	Drip	0.81	1.00	26,019	26,019	890,788
Totals					65,047	65,047	2,201,971
Estimated Total Water Use in gallons per year, ETWU Total							2,201,971
Max. Annual Water Allowance in gallons per year, MAWA Total							2,201,971
MAWA calculation: (Eto) (62) [(ETAFxLA) + ((1-ETAF) x SLA)]							MAWA - ETWU = 0
							Acres Feet per year = 7

ETAF Calculations

All Landscape Areas	Total ETAF x Area	Total Landscape Area (LA)	Sitewide ETAF
Total ETAF x Area	65,047	65,047	1.00

CFD PLANT PALETTE:

- TREES**
- HAVEN AVENUE**
 - Quercus agrifolia
 - Lagerstroemia indica
 - Ginkgo biloba
 - MERRILL AVENUE**
 - Quercus agrifolia
 - Cercis canadensis 'Forest Pansy'
 - Coast Live Oak
 - Crape Myrtle
 - Maidenhair Tree
- SHRUBS AND GROUNDCOVER**
- Aloe 'Blue Elf'
 - Cotoneaster lacteus
 - Dianella r. 'Little Rev'
 - Dianella t. 'Variegata'
 - Dodonaea v. 'Purpurea'
 - Muhlenbergia dubia
 - Rosmarinus o. 'Prostratus'
 - Senecio mandraliscae
 - Sesleria autumnalis
 - Teucrium x lucidrys
 - Blue Elf Aloe
 - Parney's Red Clusterberry
 - Little Rev Flax Lily
 - Variegated Flax Lily
 - Purple Hopseed Bush
 - Pine Muhly
 - Creeping Rosemary
 - Blue Chalksticks
 - Autumn Moor Grass
 - Germander



SCE CORRIDOR SEE SHEETS LC-7 & LC-8 FOR MORE INFORMATION

OVERALL HOA SEE SHEETS LC-1 & LC-2 FOR MORE INFORMATION

MATCHLINE - SEE SHEET LC-3

STABILIZED D.G. BIKE TRAIL

PASSIVE PARK
SEE SHEET LC-5
FOR MORE INFO.

WQMP BASIN
SEE SHEET LC-6
FOR MORE INFO.

6" CONCRETE HEADER

PRODUCTION FRONT YARDS
SEE SHEETS LC-9 & LC-10 FOR
MORE INFORMATION

WALL AND FENCE SEE SHEETS
LC-11 THROUGH LC-13 FOR
MORE INFORMATION

CFD PLANT PALETTE:

TREES



HAVEN AVENUE

- Quercus agrifolia*
- Lagerstroemia indica*
- Ginkgo biloba*

MERRILL AVENUE

- Quercus agrifolia*
- Cercis canadensis 'Forest Pansy'*

- Coast Live Oak
- Crape Myrtle
- Maidenhair Tree

- Coast Live Oak
- Forest Pansy Eastern Redbud

SHRUBS AND GROUNDCOVER



- Aloe 'Blue Elf'*
- Cotoneaster lacteus*
- Dianella r. 'Little Rev'*
- Dianella t. 'Variegata'*
- Dodonaea v. 'Purpurea'*
- Muhlenbergia dubia*
- Rosmarinus o. 'Prostratus'*
- Senecio mandraliscae*
- Sesleria autumnalis*
- Teucrium x lucidrys*
- Blue Elf Aloe
- Parney's Red Clusterberry
- Little Rev Flax Lily
- Variegated Flax Lily
- Purple Hopseed Bush
- Pine Muhly
- Creeping Rosemary
- Blue Chalksticks
- Autumn Moor Grass
- Germander

CITY SIDEWALK

STREET ADA RAMP

LENNAR

PARKLANE DEVELOPMENT - CONCEPTUAL CFD LANDSCAPE MASTER PLAN

ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907

0 25' 50' 100' 200'
SCALE: 1" = 50'



LC-4

SCALE: 1" = 50'
DATE: JUNE 2020
ADG JOB # 2001-A





PLANT PALETTE:

- TREES & VINES**
- MULTI-TRUNK SPECIMEN TREE
 - Quercus agrifolia* • Coast Live Oak
 - LARGE DECIDUOUS SHADE TREE
 - Platanus racemosa* • California Sycamore
 - SMALL FLOWERING CANOPY TREE
 - Lagerstroemia indica* • Crape Myrtle
 - EVERGREEN CANOPY TREE
 - Cinnamomum camphora* • Camphor Tree
 - PINE TREE
 - Pinus eldarica* • Afghan Pine
 - INTERIOR STREET TREES (PER SEPARATE HOA PACKAGE)
- SHRUBS AND GROUNDCOVER**
- LARGE SHRUBS**
- Arbutus m. 'Compacta'* • Dwarf Strawberry Tree
 - Rhamnus californica* 'Eve Case' • Eve Case Coffeeberry
 - Rosmarinus o. 'Blue Spires'* • Rosemary
- MIDGROUND SHRUBS**
- Callistemon v. 'Little John'* • Dwarf Bottlebrush
 - Leucophyllum l. 'Lynn's Legacy'* • Lynn's Legacy Leucophyllum
 - Nandina d. 'Sienna Sunrise'* • Heavenly Bamboo
 - Salvia greggii* • Autumn Sage
 - Salvia leucantha* 'Santa Barbara' • Mexican Bush Sage
- FOREGROUND**
- Achillea x. 'Moonshine'* • Yarrow
 - Bulbine frutescens* 'Hallmark' • Bulbine
 - Cistus v. pulverantelus* 'Sunset' • Rockrose
 - Dianella 'Lil Rev'* • Lil Rev Flax Lily
 - Lantana x. 'New Gold'* • Lantana
 - Senecio mandraliscae* • Blue Finger
- GROUNDCOVER**
- Carex divulsa* • Berkeley Sedge
 - Juniperus h. 'Huntington Blue'* • Creeping Juniper
 - Myoporum parviflorum* • Myoporum
 - Rosmarinus o. 'Huntington Carpet'* • Groundcover Rosemary
 - Salvia 'Bee's Bliss'* • Bee's Bliss Sage
- ACCENT**
- Aloe 'Blue Elf'* • Blue Elf Aloe
 - Aloe striata* • Coral Aloe
 - Hesperaloe parviflora* • Red Yucca
 - Muhlenbergia rigens* • Deer Grass
- TURF**

FEATURE LEGEND:

- 1 Neighborhood Park Monument Wall with Decorative Pilasters and Signage.
- 2 Childrens Tot-Lot with Multiple Age Group Play Structures, Equipment, Swing Set and Rubber Surfacing.
- 3 Play Equipment Safety Fall Zone.
- 4 Accessible Bench Seating.
- 5 Trash Receptacle.
- 6 Pre-Fabricated Overhead Shade Structure with Decorative Columns.
- 7 Landscape Berm.
- 8 6" Wide Concrete Header.
- 9 Bike Rack.
- 10 Barbeque Grill.
- 11 Hot Coal Receptacle with Clean Out Door.
- 12 6" Wide Medium Broom Natural Color Concrete Pathway.
- 13 12" Wide Smooth Troweled Natural Color Concrete Band.
- 14 Natural Color Concrete with Top-Cast Finish and Saw Cut Joints in 5' Square Pattern.
- 15 5' Wide Sidewalk Per Separate ADG H.O.A. Package.
- 16 Parkway Planting Per Separate ADG H.O.A. Package.
- 17 5' Wide Decomposed Granite Pathway.
- 18 Picnic Table.
- 19 Fire Hydrant Per Civil Engineer's Plans.
- 20 Street Lights Per Civil Engineer's Plans.
- 21 Knuckle Intersection Planting Per Separate ADG H.O.A. Landscape Plans.
- 22 Landscape Boulders.
- 23 (3) 96-Gallon Trash Bin Enclosure.
- 24 Drinking Fountain with Dog Bowl.
- 25 Large Open Turf Play Area with 180' x 120' U10 Size Soccer Field Overlay.
- 26 ADA Accessible Rubber Surfacing.
- 27 Fibar Tumbled Wood Play Mulch & Drainage System.

WATER EFFICIENT LANDSCAPE WORKSHEET
Recycled Water and Recreational Landscape Projects

Reference ET_o for the area ET_o = 54.2

Estimated Total Water Use (ETWU):
ETWU is calculated using the following formula: (Eto) (62) (ETAF) (LA), where ETWU ETAF is PF/EI

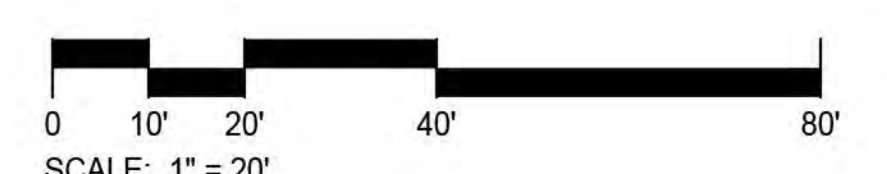
Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Landscape Area	Estimated Total Water Use (ETWU) gallons/yr
Special Landscape Areas							
SL1 - RW Strub Areas	0.5	Drip	0.81	1	23,021	23,021	773,598
SL2 - RW Recreational Turf Areas	0.9	Rotir	0.75	1	50,402	50,402	1,693,709
				Totals	73,423	73,423	
						Estimated Total Water Use in gallons per year, ETWU Total	2,467,306
						Maximum Annual Water Allowance in gallons per year, MAWA Total	2,467,306
MAWA calculation: (Eto) (62) [(ETAFxLA) + ((1-ETAF) x SLA)]						MAWA - ETWU=	0

ETAF Calculations

All Landscape Areas	Total ETAF x Area
Total Landscape Area (LA)	73,423
Site-wide ETAF	1.00



PARKLANE DEVELOPMENT -LOT 'A' & 'J' PARK SITE CONCEPTUAL LANDSCAPE PLAN
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-5

SCALE: 1" = 20'
DATE: JUNE 2020
ADG JOB #. 2001-A





PLANT PALETTE:

- TREES**
- LARGE EVERGREEN MULTI-TRUNK SPECIMEN

 - Quercus agrifolia* - Coast Live Oak
 - LARGE DECIDUOUS ACCENT

 - Platanus racemosa* - California Sycamore
 - TALL EVERGREEN BACKGROUND

 - Pinus edlarica* - Afghan Pine
 - STREET TREES**

 - Rhus lancea* - African Sumac
 - Ginkgo biloba* - Maidenhair Tree

- SHRUBS AND GROUNDCOVER**
- FLOWERING SLOPE SHRUBS**

 - Achillea 'Moonshine'* - Moonshine Yarrow
 - Cotoneaster lacteus* - Red Clusterberry
 - Dietes bicolor* - Fortnight Lily
 - Geranium x 'Rozanne'* - Rozanne Cranesbill
 - Leymus c. 'Canyon Prince'* - Canyon Prince Giant Wild Rye
 - Lobelia laxiflora* - Mexican Cardinal Flower
 - Salvia leucantha* - Mexican Bush Sage
 - MIDGROUND BORDER SHRUB**

 - Rosa m. 'Icecap'* - Icecap Rose
 - EDGE SHRUBS AND GROUNDCOVER**

 - Achillea 'Moonshine'* - Moonshine Yarrow
 - Aloe 'Blue Elf'* - Blue Elf Aloe
 - Dianella t. 'Variegata'* - Variegated Flax Lily
 - Nepeta x f. 'Walker's Low'* - Walker's Low Catmint
 - Sesleria autumnalis* - Autumn Moor Grass
 - BASIN GROUNDCOVER**

 - Carex divulsa* - Berkeley Sedge
 - Medallion Dwarf with Bonsai* - Turf

EXISTING STABILIZED D.G. MULTI-USE TRAIL BY OTHERS

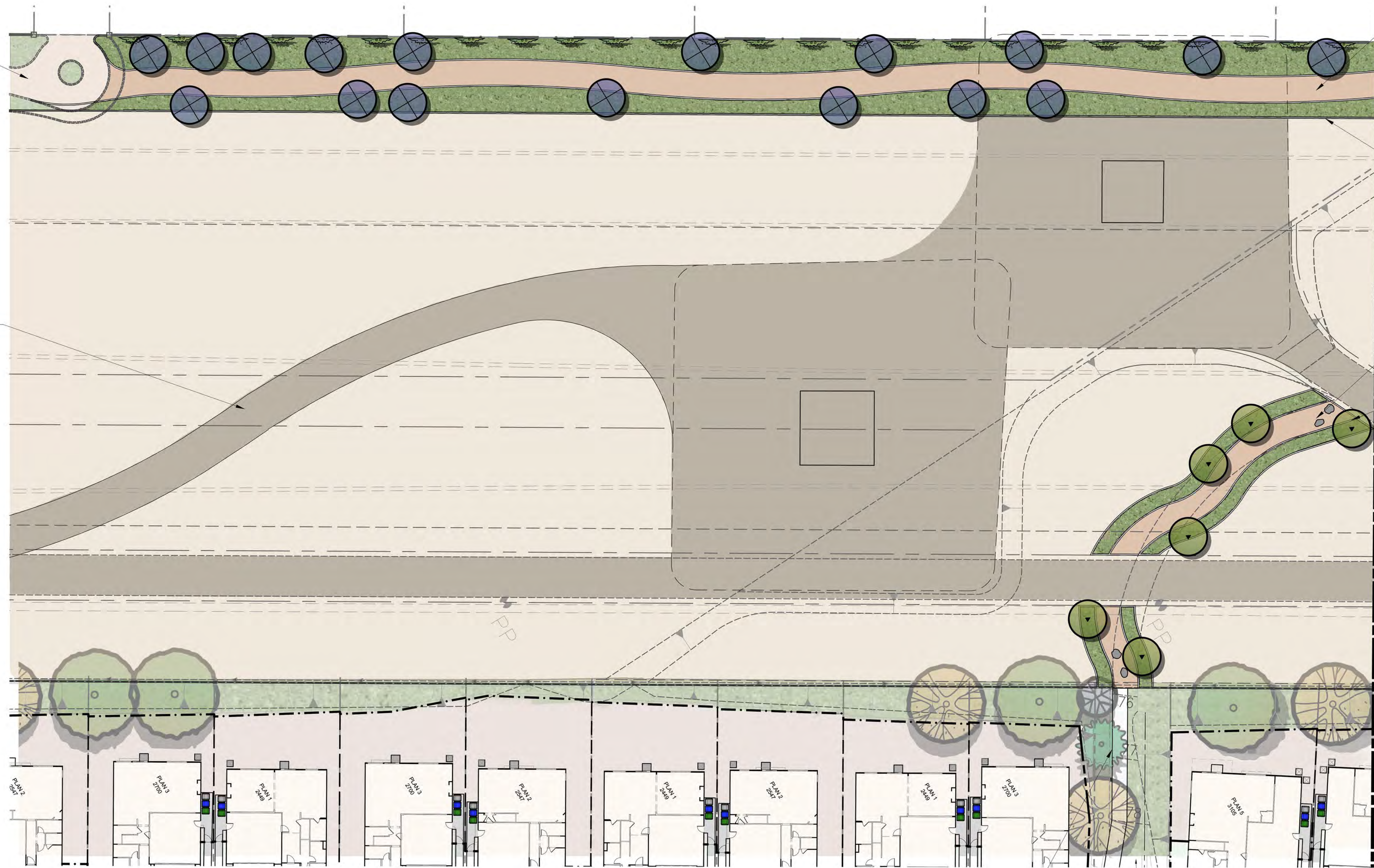
SCE MAINTENANCE ROAD

STABILIZED DECOMPOSED GRANITE MULTI-USE PATH

THEMED VINYL TRAIL FENCING

STABILIZED DECOMPOSED GRANITE MULTI-USE TRAIL

6" CONCRETE HEADER



WATER EFFICIENT LANDSCAPE WORKSHEET
Non-Residential Landscape Projects

Reference ETo for the area ETo = 54.8

Estimated Total Water Use (ETWU):
ETWU is calculated using the following formula: (Eto) (.62) (ETAF) (LA)

Hydrozone # / Planting Description	Plant Factor (PF)	Irrigation Method	Irrigation Efficiency (IE)	ETAF (PF/IE)	Landscape Area (sq. ft.)	ETAF x Landscape Area	Estimated Total Water Use (ETWU) Gallons/Yr
Special Landscape Areas							
H21 - Moderate Shrubs	0.50	Dripine	0.81	1.00	37,306	37,306	1,262,883
H22 - Moderate Trees	0.50	Dripine	0.81	1.00	1,700	1,700	97,548
Totals						39,006	39,006
Estimated Total Water Use in gallons per year, ETWU Total							1,320,431
Max. Annual Water Allowance in gallons per year, MAWA Total							1,320,431
MAWA calculation: (Eto) (.62) [(ETAFxLA) + ((1-ETAF) x SLA)]							MAWA - ETWU = 0
							Acre Feet per year = 4
ETAF Calculations							
All Landscape Areas							
Total ETAF x Area	39,006						
Total Landscape Area (LA)	39,006						
Sitewide ETAF	1.00						

PLANT PALETTE:

- TREE**
- Arbutus unedo
 - Lagerstroemia indica x 'Tuscarora'
- SHRUBS AND GROUNDCOVER**
- Aloe striata
 - Baccharis p. 'Pigeon Point'
 - Calliandra californica
 - Encelia californica
 - Eriogonum fasciculatum
 - Hesperaloe parviflora
 - Muhlenbergia dubia
 - Salvia c. 'Winnifred Gilman'
 - Teucrium x lucidrys
 - Zauschneria c. 'Route 66'
- VINE**
- Campsis radicans
- Strawberry Tree
 - Tuscarora Crape Myrtel
 - Coral Aloe
 - Pigeon Point Coyote Bush
 - Baja Fairy Duster
 - California Sunflower
 - California Buckwheat
 - Red Yucca
 - Pine Muhly
 - Winnifred Gilman Cleveland Sage
 - Germander
 - Route 66 California Fuschia
 - Common Trumpet Creeper

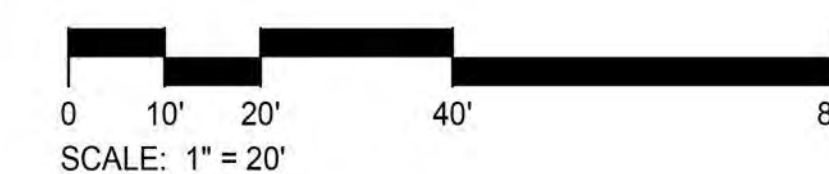
PASEO CONCRETE WALK

OVERALL HOA SEE SHEETS LC-1 & LC-2 FOR MORE INFORMATION

WALL AND FENCE SEE SHEETS LC-11 THROUGH LC-13 FOR MORE INFORMATION

LENNAR

PARKLANE DEVELOPMENT - SCE CORRIDOR CONCEPTUAL LANDSCAPE PLAN
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-7

SCALE: 1" = 20'
DATE: JUNE 2020
ADG JOB #: 2001-A





STABILIZED DECOMPOSED GRANITE MULTI-PURPOSE TRAIL

6" CONCRETE HEADER

SCE MAINTENANCE ROAD

SCE TRAIL PILASTER

CITY SIDEWALK

WALL AND FENCE SEE SHEETS LC-11 THROUGH LC-13 FOR MORE INFORMATION

OVERALL HOA SEE SHEETS LC-1 & LC-2 FOR MORE INFORMATION


PRODUCTION FRONT YARDS SEE SHEETS LC-9 & LC-10 FOR MORE INFORMATION

PLANT PALETTE:

TREE

-  *Arbutus unedo* • Strawberry Tree
-  *Lagerstroemia indica* x 'Tuscarora' • Tuscarora Crape Myrtle

SHRUBS AND GROUND COVER

-  *Aloe striata* • Coral Aloe
- Baccharis p. 'Pigeon Point'* • Pigeon Point Coyote Bush
- Calliandra californica* • Baja Fairy Duster
- Encelia californica* • California Sunflower
- Eriogonum fasciculatum* • California Buckwheat
- Hesperaloe parviflora* • Red Yucca
- Muhlenbergia dubia* • Pine Muhly
- Salvia c. 'Winnifred Gilman'* • Winnifred Gilman Cleveland Sage
- Teucrium x lucidrys* • Germander
- Zauschneria c. 'Route 66'* • Route 66 California Fuschia

VINE

-  *Campsis radicans* • Common Trumpet Creeper

PLANT LEGEND:
ELEVATION 'A' - **SPANISH COLONIAL**

FRONT YARD SHADE TREE	SIZE	SPACING
EAST-WEST STREETS <i>Arbutus u. 'Marina'</i> Marina Strawberry Tree	24" Box	Per Plan
NORTH SOUTH STREETS <i>Tabebuia chrysotricha</i> Yellow Trumpet Tree	**	**
FRONT YARD ACCENT TREE		
EAST-WEST STREETS Lagerstroemia i. 'Dynamite' Dynamite Crape Myrtle	24" Box	Per Plan
NORTH SOUTH STREETS <i>Rhus lancea</i> African Sumac	**	**
SHRUBS AND GROUNDCOVER		
<i>Cupressus s. 'Swane's Golden'</i> Swane's Golden Cypress	15 Gallon	Per Plan
<i>Euryops p. 'Viridis'</i> Green-leaved Euryops - Patio Tree Form	15 Gallon	Per Plan
<i>Laurus nobilis</i> Sweet Bay	15 Gallon	48" o.c.
<i>Callistemon 'Little John'</i> <i>Buxus m. 'Faulkner'</i>	5 Gallon	36" o.c.
<i>Salvia clevelandii</i> Cleveland Sage	1 Gallon	30" o.c.
<i>Hesperaloe p. 'Brakelights'</i> Brakelights Red Yucca	1 Gallon	24" o.c.
<i>Senecio mandraliscae</i> Blue Chalksticks	1 Gallon	24" o.c.
<i>Rosmarinus o. 'Prostratus'</i> Creeping Rosemary	1 Gallon	36" o.c.

* PLANTS TO BE USED ON NORTH AND EAST EXPOSURES AND WHERE SHADE CONDITIONS OCCUR.

ELEVATION 'B' - CRAFTSMAN

FRONT YARD SHADE TREE	SIZE	SPACING
EAST-WEST STREETS <i>Arbutus u. 'Marina'</i> Marina Strawberry Tree	24" Box	Per Plan
NORTH SOUTH STREETS <i>Tabebuia chrysotricha</i> Yellow Trumpet Tree	**	**
FRONT YARD ACCENT TREE		
EAST-WEST STREETS Lagerstroemia i. 'Dynamite' Dynamite Crape Myrtle	24" Box	Per Plan
NORTH SOUTH STREETS <i>Rhus lancea</i> African Sumac	**	**
SHRUBS AND GROUNDCOVER		
<i>Podocarpus e. 'Icee Blue'</i> Icee Blue Yellow-wood	15 Gallon	Per Plan
<i>Euryops p. 'Viridis'</i> Green-leaved Euryops - Patio Tree Form	15 Gallon	Per Plan
<i>Podocarpus gracilior</i> Fern Pine	15 Gallon	48" o.c.
<i>Rosa f. 'Iceberg'</i> <i>Rosmarinus o. 'Tuscan Blue'</i>	5 Gallon	36" o.c.
<i>Pennisetum 'Fireworks'</i> Fireworks Red Fountain Grass	1 Gallon	30" o.c.
<i>Achillea m. 'Island Pink'</i> Common Yarrow	1 Gallon	24" o.c.
<i>Dianella r. 'Little Rev'</i> Little Rev Flax Lily	1 Gallon	24" o.c.
<i>Rosmarinus o. 'Huntington Carpet'</i> Huntington Carpet Rosemary	1 Gallon	36" o.c.

* PLANTS TO BE USED ON NORTH AND EAST EXPOSURES AND WHERE SHADE CONDITIONS OCCUR.

ELEVATION 'C' - FARMHOUSE

FRONT YARD SHADE TREE	SIZE	SPACING
EAST-WEST STREETS <i>Arbutus u. 'Marina'</i> Marina Strawberry Tree	24" Box	Per Plan
NORTH SOUTH STREETS <i>Tabebuia chrysotricha</i> Yellow Trumpet Tree	**	**
FRONT YARD ACCENT TREE		
EAST-WEST STREETS Lagerstroemia i. 'Dynamite' Dynamite Crape Myrtle	24" Box	Per Plan
NORTH SOUTH STREETS <i>Rhus lancea</i> African Sumac	**	**
SHRUBS AND GROUNDCOVER		
<i>Juniperus c. 'Blue Arrow'</i> <i>Podocarpus m. 'Maki'</i>	15 Gallon	Per Plan
<i>Rhaphiolepis i. 'Magnificient'</i> Indian Hawthorn -Patio Tree Form	15 Gallon	Per Plan
<i>Dodonaea v. 'Purpurea'</i> Purple Hopseed Bush	15 Gallon	48" o.c.
<i>Buxus m. 'Faulkner'</i> Faulkner Boxwood	5 Gallon	36" o.c.
<i>Phlomis fruticosa</i> Jerusalem Sage	1 Gallon	30" o.c.
<i>Teucrium x lucidrys</i> Germander	1 Gallon	24" o.c.
<i>Pennisetum Fairytails</i> Evergreen Fountain Grass	1 Gallon	24" o.c.
<i>Rosmarinus o. 'Prostratus'</i> Creeping Rosemary	1 Gallon	36" o.c.

* PLANTS TO BE USED ON NORTH AND EAST EXPOSURES AND WHERE SHADE CONDITIONS OCCUR.

PLANT LEGEND:
ELEVATION 'D' - **AMERICAN TRADITIONAL**

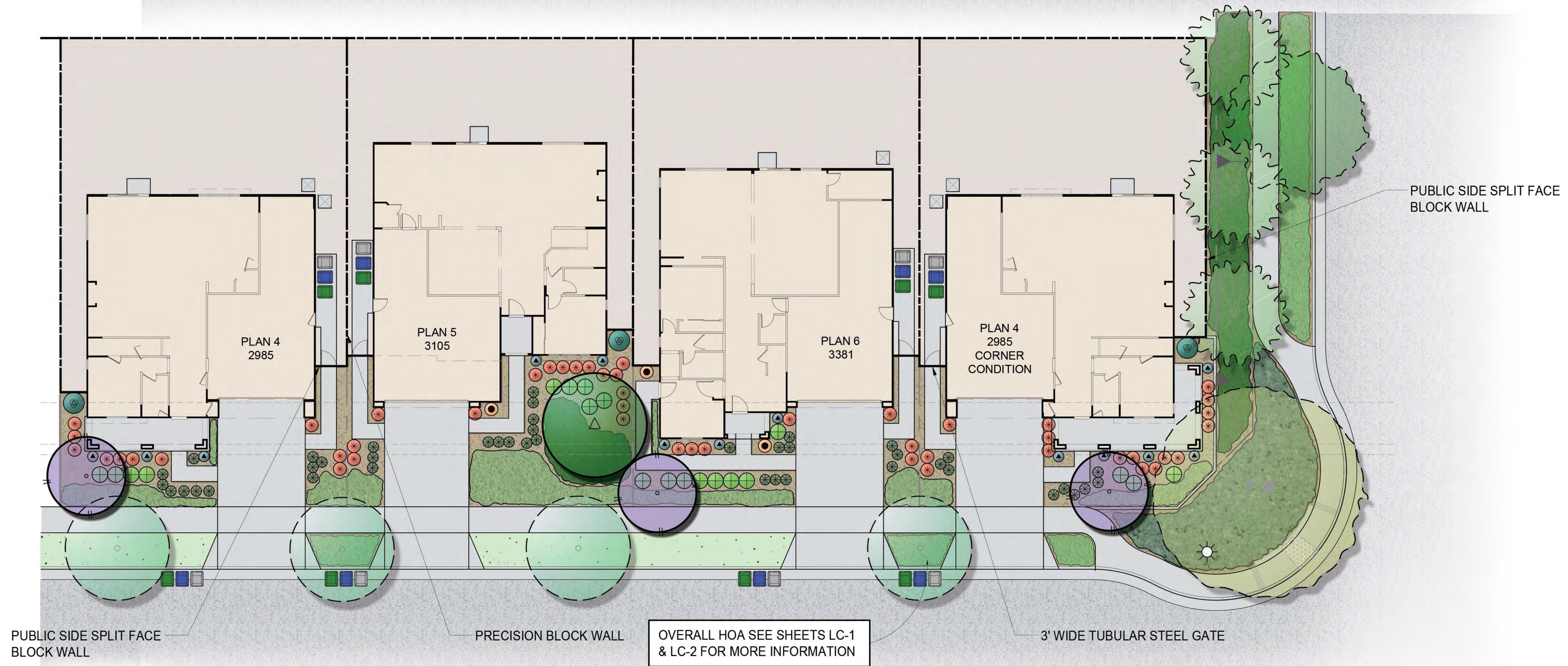
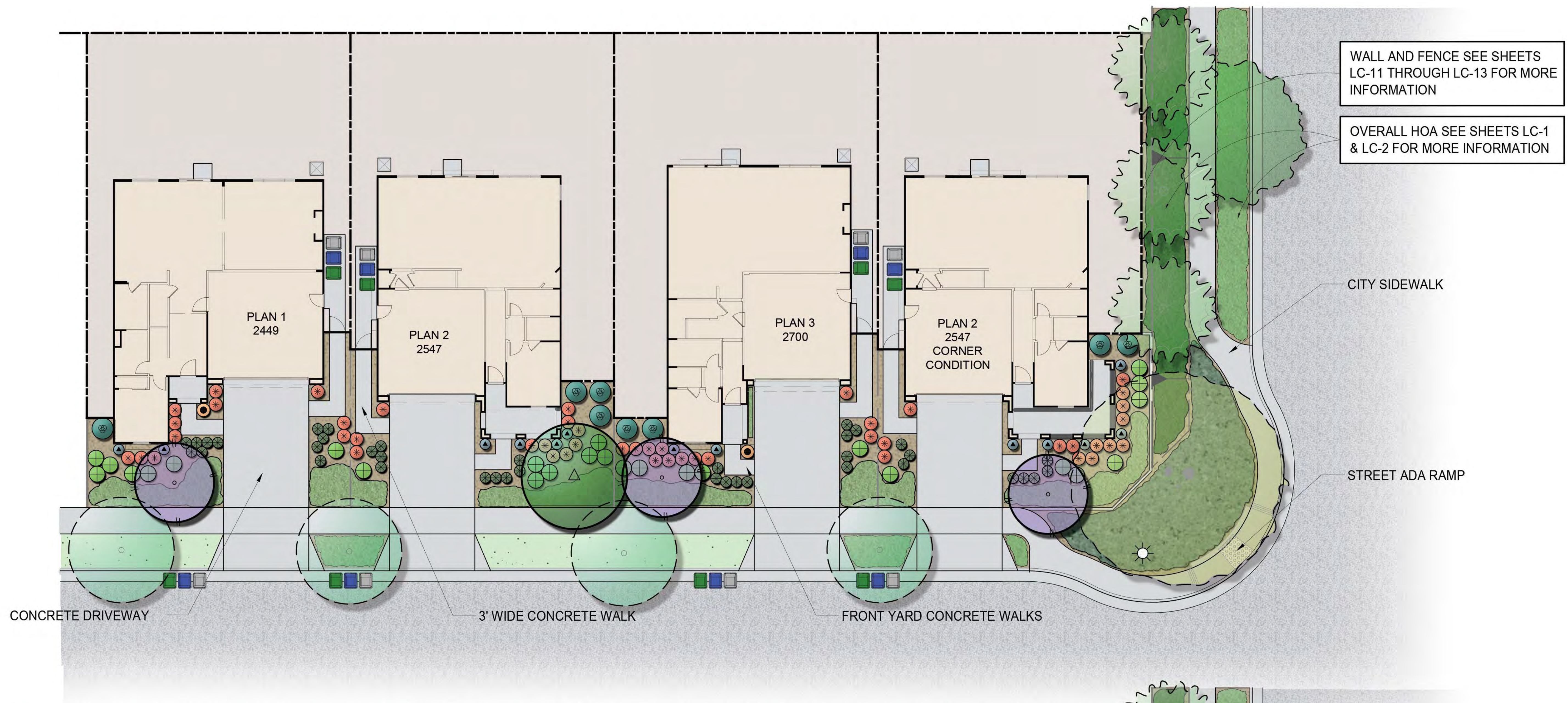
FRONT YARD SHADE TREE	SIZE	SPACING
EAST-WEST STREETS <i>Arbutus u. 'Marina'</i> Marina Strawberry Tree	24" Box	Per Plan
NORTH SOUTH STREETS <i>Tabebuia chrysotricha</i> Yellow Trumpet Tree	**	**
FRONT YARD ACCENT TREE		
EAST-WEST STREETS Lagerstroemia i. 'Dynamite' Dynamite Crape Myrtle	24" Box	Per Plan
NORTH SOUTH STREETS <i>Rhus lancea</i> African Sumac	**	**
SHRUBS AND GROUNDCOVER		
<i>Podocarpus e. 'Icee Blue'</i> Icee Blue Yellow-wood	15 Gallon	Per Plan
<i>Raphiolepis 'Magnificent'</i> ndian Hawthorn- Patio Tree Form	15 Gallon	Per Plan
<i>Prunus 'Bright N' Tight'</i> Bright N' Tight Carolina Cherry	15 Gallon	48" o.c.
<i>Nandina d. 'Sienna Sunrise'</i> Sienna Sunrise Heavenly Bamboo	5 Gallon	36" o.c.
<i>Lomandra 'Breeze'</i> Breeze Dwarf Mat Rush	1 Gallon	30" o.c.
<i>Limonium perezii</i> Sea Lavender	1 Gallon	24" o.c.
<i>Senecio mandraliscae</i> Blue Chalksticks	1 Gallon	24" o.c.
<i>Rosmarinus o. 'Huntington Carpet'</i> Huntington Carpet Rosemary	1 Gallon	36" o.c.

* PLANTS TO BE USED ON NORTH AND EAST EXPOSURES AND WHERE SHADE CONDITIONS OCCUR.

ELEVATION 'E' - ANDALUSIAN

FRONT YARD SHADE TREE	SIZE	SPACING
EAST-WEST STREETS <i>Arbutus u. 'Marina'</i> Marina Strawberry Tree	24" Box	Per Plan
NORTH SOUTH STREETS <i>Tabebuia chrysotricha</i> Yellow Trumpet Tree	**	**
FRONT YARD ACCENT TREE		
EAST-WEST STREETS Lagerstroemia i. 'Dynamite' Dynamite Crape Myrtle	24" Box	Per Plan
NORTH SOUTH STREETS <i>Rhus lancea</i> African Sumac	**	**
SHRUBS AND GROUNDCOVER		
<i>Juniperus c. 'Blue Arrow'</i> <i>Podocarpus m. 'Maki'</i>	15 Gallon	Per Plan
<i>Solanum r. 'Royal Robe'</i> Paraguay Nightshade - Patio Tree Form	15 Gallon	Per Plan
<i>Laurus nobilis</i> Sweet Bay	15 Gallon	48" o.c.
<i>Olea e. 'Little Ollie'</i> <i>Nandina d. 'Sienna Sunrise'</i>	5 Gallon	36" o.c.
<i>Rhamnus c. 'Mound San Bruno'</i> Coffeeberry	1 Gallon	30" o.c.
<i>Achillea 'Moonshine'</i> Moonshine Yarrow	1 Gallon	24" o.c.
<i>Dianella r. 'Little Rev'</i> Little Rev Flax Lily	1 Gallon	24" o.c.
<i>Rosmarinus o. 'Prostratus'</i> Creeping Rosemary	1 Gallon	36" o.c.

* PLANTS TO BE USED ON NORTH AND EAST EXPOSURES AND WHERE SHADE CONDITIONS OCCUR.



LENNAR[®]

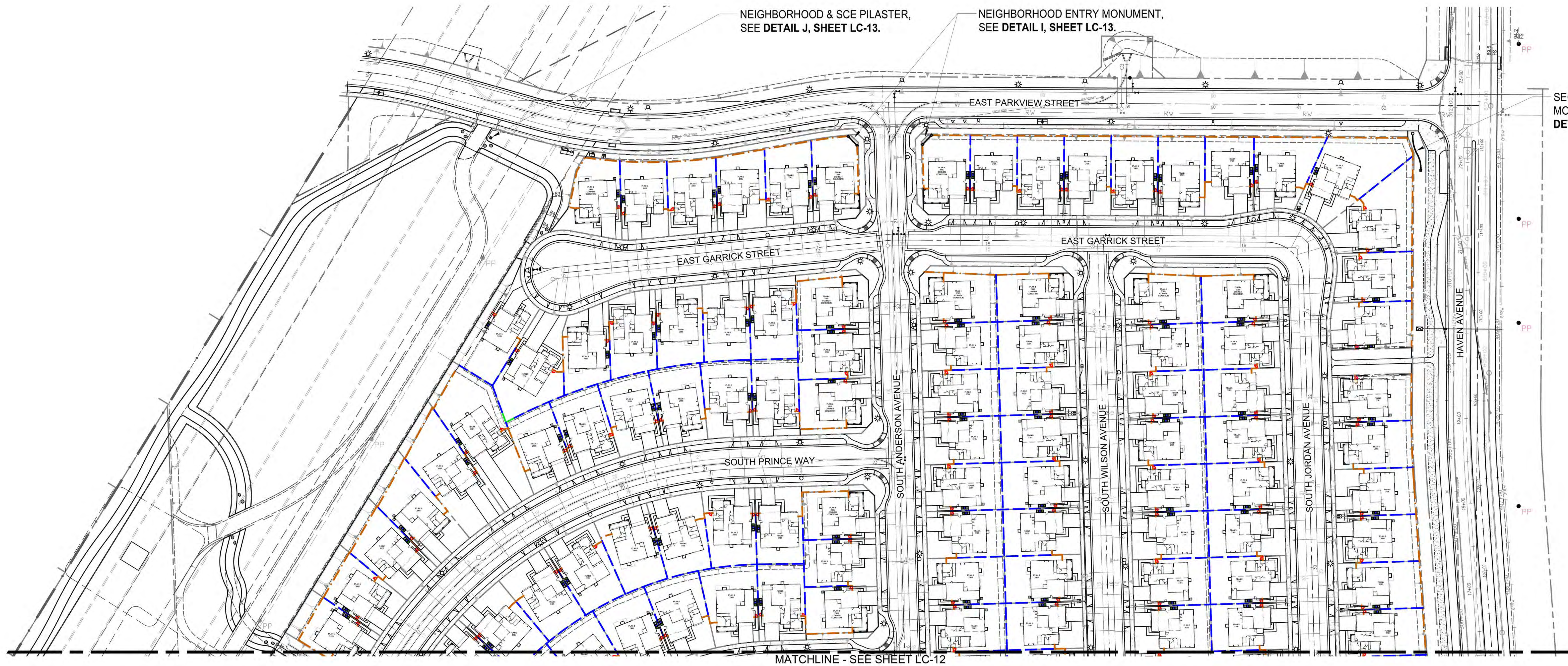
PARKLANE DEVELOPMENT - TYPICAL FRONT YARDS CONCEPTUAL LANDSCAPE PLANS
 ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907

0 5' 10' 20' 40'
 SCALE: 1" = 10'

LC-10

SCALE: 1" = 10'
 DATE: JUNE 2020
 ADG JOB #: 2001-A



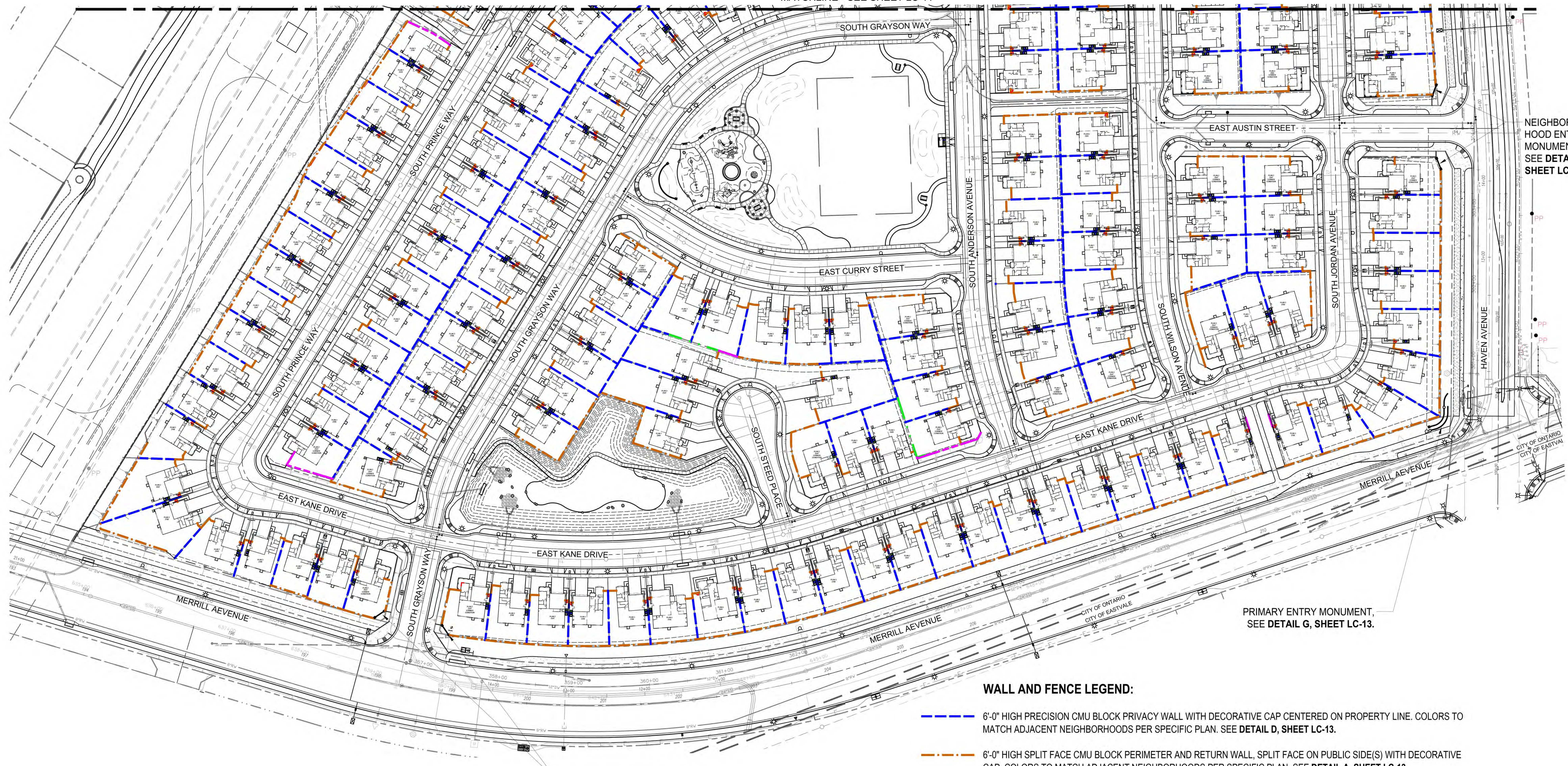


WALL AND FENCE LEGEND:

- - - 6'-0" HIGH PRECISION CMU BLOCK PRIVACY WALL WITH DECORATIVE CAP CENTERED ON PROPERTY LINE. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL D, SHEET LC-13.**
- - - 6'-0" HIGH SPLIT FACE CMU BLOCK PERIMETER AND RETURN WALL, SPLIT FACE ON PUBLIC SIDE(S) WITH DECORATIVE CAP. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL A, SHEET LC-13.**
- - - 6'-0" HIGH PRECISION CMU BLOCK PRIVACY WALL WITH DECORATIVE CAP CONSTRUCTED ON TOP OF VARIED HEIGHT RETAINING WALL. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL E, SHEET LC-13.**
- 6'-0" HIGH SPLIT FACE CMU BLOCK PERIMETER AND RETURN WALL, SPLIT FACE ON PUBLIC SIDE(S) WITH DECORATIVE CAP ON TOP OF VARIED HEIGHT RETAINING WALL. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL C, SHEET LC-13.**
- ▢ 3'-0" WIDE SIDE YARD TUBULAR STEEL GATES WITH MESH SCREEN. SEE **DETAIL F, SHEET LC-13.**
- SCE 17'-0" WIDE MAINTENANCE GATE. SEE **DETAIL K, SHEET LC-13.**



MATCHLINE - SEE SHEET LC-11



NEIGHBORHOOD ENTRY MONUMENT, SEE DETAIL I, SHEET LC-13.

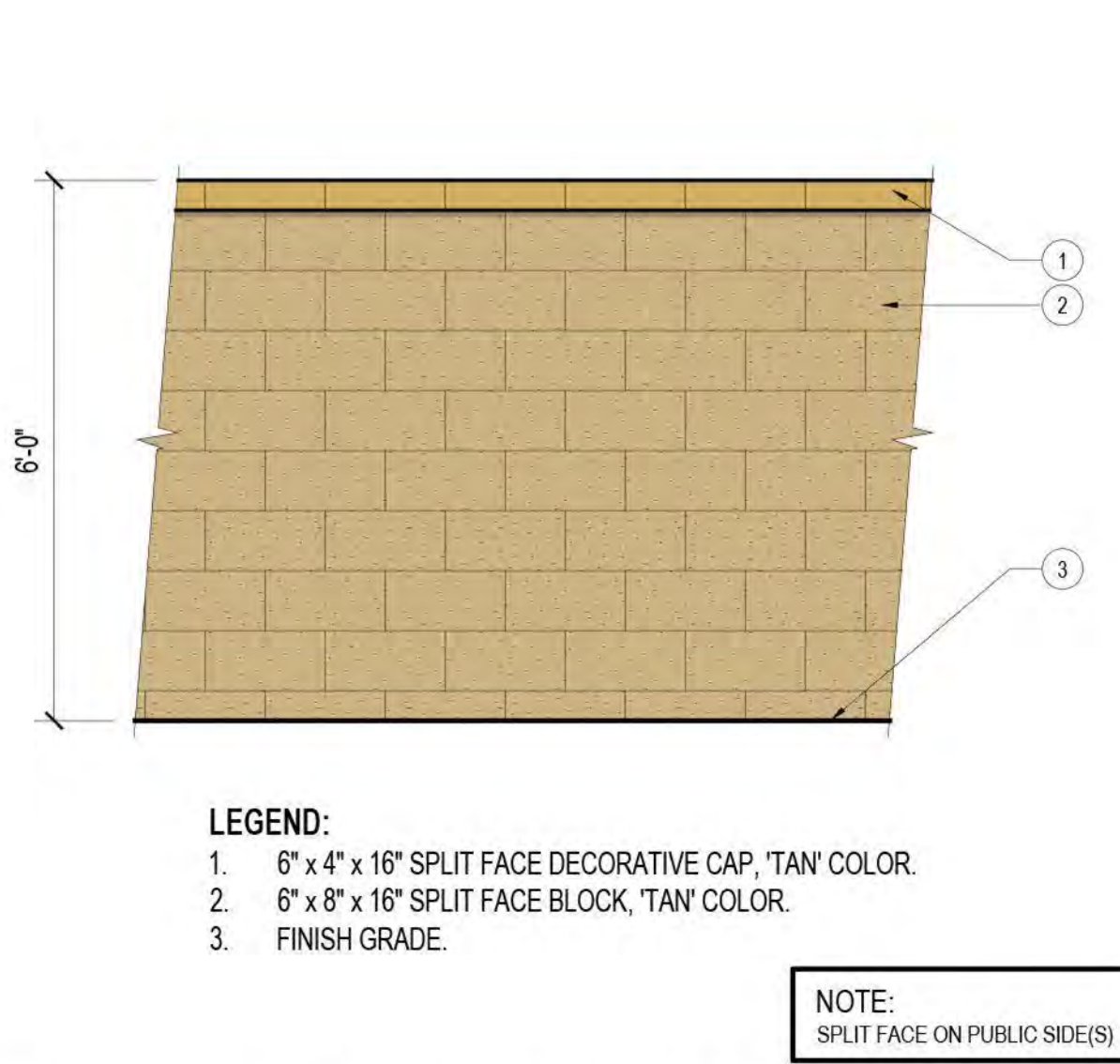
PRIMARY ENTRY MONUMENT, SEE DETAIL G, SHEET LC-13.

NEIGHBORHOOD ENTRY MONUMENT, SEE DETAIL I, SHEET LC-13.

WALL AND FENCE LEGEND:

- 6'-0" HIGH PRECISION CMU BLOCK PRIVACY WALL WITH DECORATIVE CAP CENTERED ON PROPERTY LINE. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL D, SHEET LC-13.**
- 6'-0" HIGH SPLIT FACE CMU BLOCK PERIMETER AND RETURN WALL, SPLIT FACE ON PUBLIC SIDE(S) WITH DECORATIVE CAP. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL A, SHEET LC-13.**
- 6'-0" HIGH PRECISION CMU BLOCK PRIVACY WALL WITH DECORATIVE CAP CONSTRUCTED ON TOP OF VARIED HEIGHT RETAINING WALL. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL E, SHEET LC-13.**
- 6'-0" HIGH SPLIT FACE CMU BLOCK PERIMETER AND RETURN WALL, SPLIT FACE ON PUBLIC SIDE(S) WITH DECORATIVE CAP ON TOP OF VARIED HEIGHT RETAINING WALL. COLORS TO MATCH ADJACENT NEIGHBORHOODS PER SPECIFIC PLAN. SEE **DETAIL C, SHEET LC-13.**
- ▢ 3'-0" WIDE SIDE YARD TUBULAR STEEL GATES WITH MESH SCREEN. SEE **DETAIL F, SHEET LC-13.**
- ▢ SCE 17'-0" WIDE MAINTENANCE GATE. SEE **DETAIL K, SHEET LC-13.**

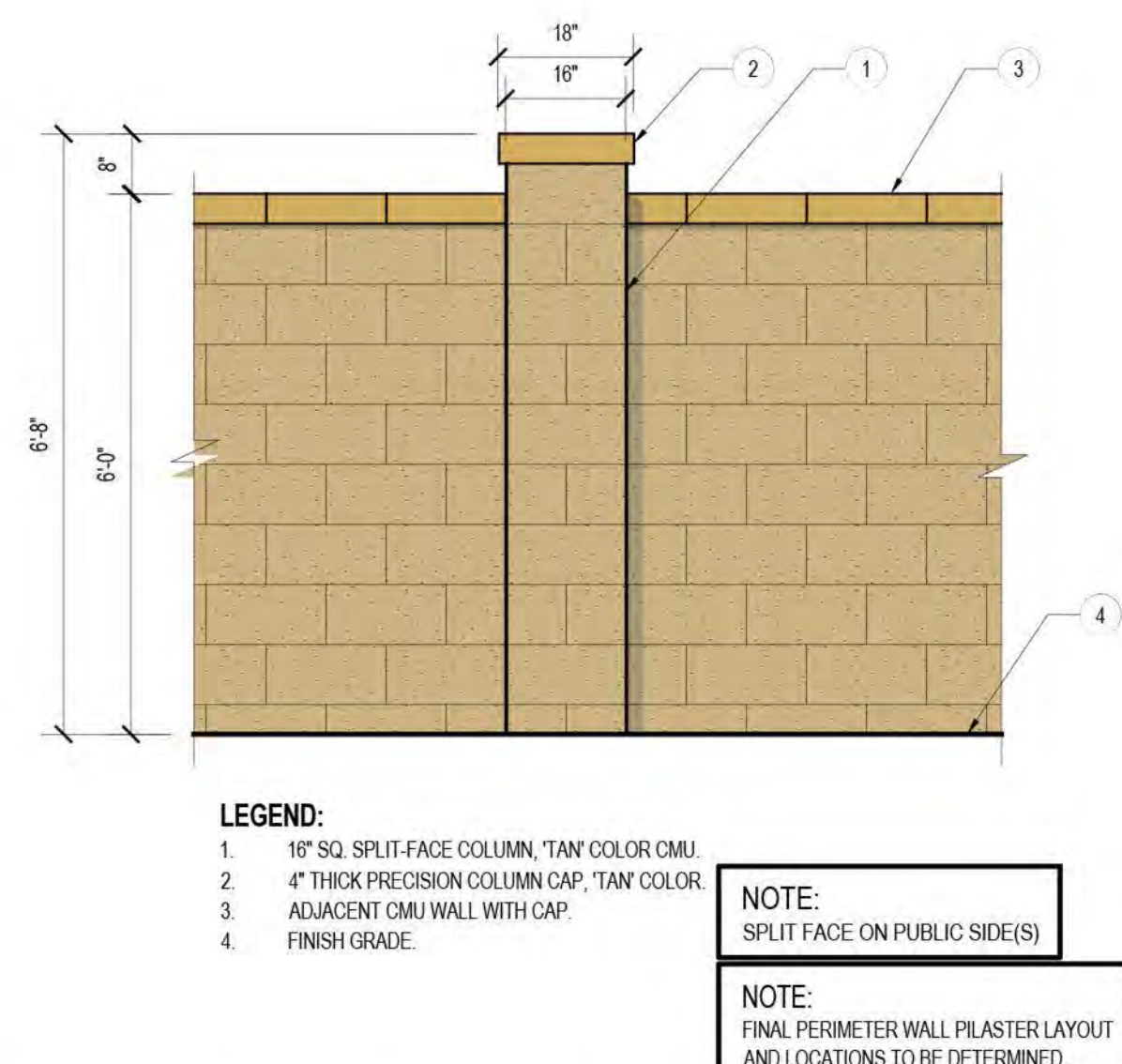




- LEGEND:**
- 6" x 4" x 16" SPLIT FACE DECORATIVE CAP, 'TAN' COLOR.
 - 6" x 8" x 16" SPLIT FACE BLOCK, 'TAN' COLOR.
 - FINISH GRADE.

NOTE:
SPLIT FACE ON PUBLIC SIDE(S)

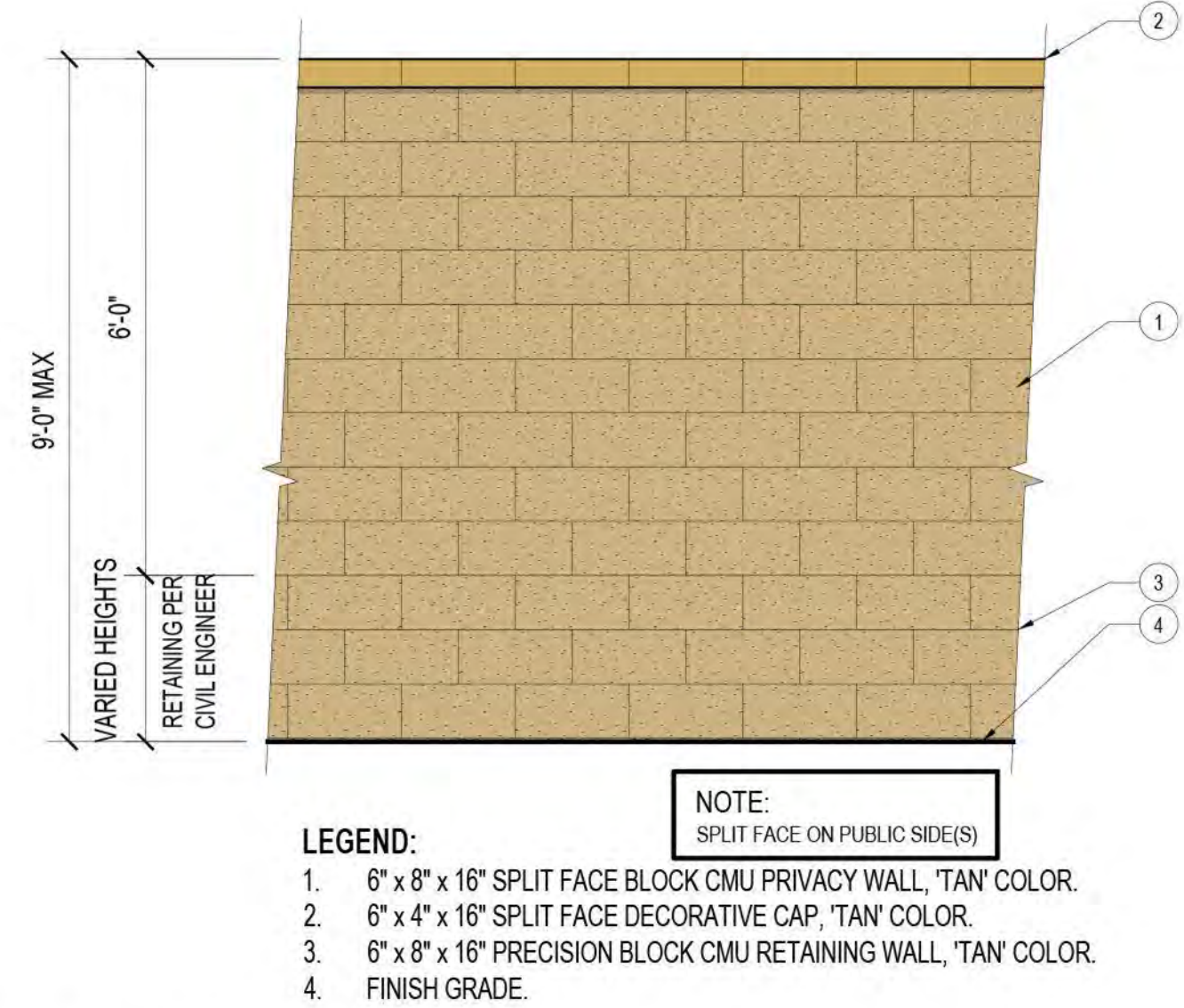
A 6'-0" SPLIT FACE BLOCK WALL
SCALE: 1/2" = 1'-0"



- LEGEND:**
- 16" SQ SPLIT-FACE COLUMN, 'TAN' COLOR CMU.
 - 4" THICK PRECISION COLUMN CAP, 'TAN' COLOR.
 - ADJACENT CMU WALL WITH CAP.
 - FINISH GRADE.

NOTE:
SPLIT FACE ON PUBLIC SIDE(S)
NOTE:
FINAL PERIMETER WALL PLASTER LAYOUT AND LOCATIONS TO BE DETERMINED.

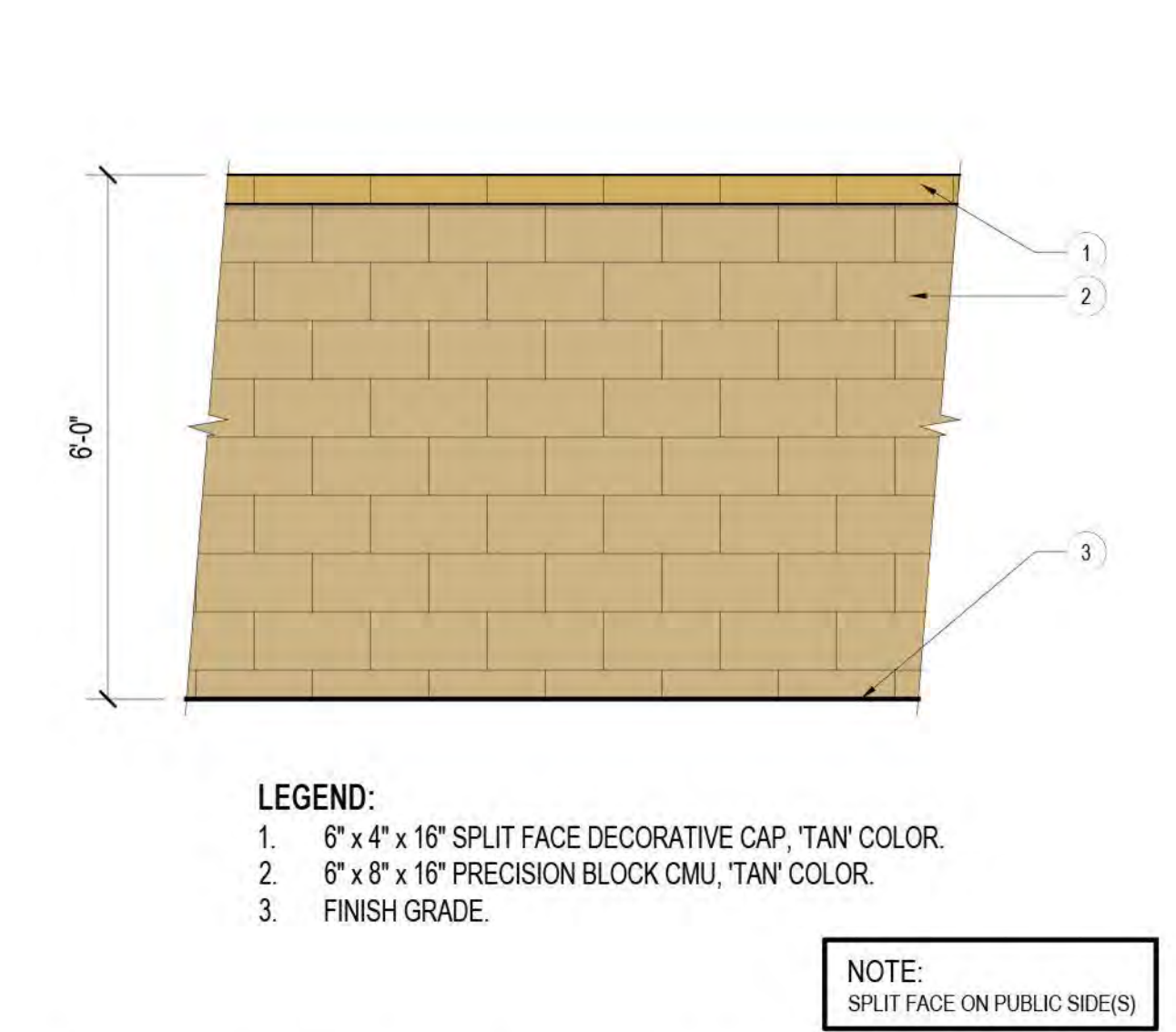
B 6'-8" SPLIT-FACE COLUMN WITH CAP
SCALE: 1/2" = 1'-0"



- LEGEND:**
- 6" x 8" x 16" SPLIT FACE BLOCK CMU PRIVACY WALL, 'TAN' COLOR.
 - 6" x 4" x 16" SPLIT FACE DECORATIVE CAP, 'TAN' COLOR.
 - 6" x 8" x 16" PRECISION BLOCK CMU RETAINING WALL, 'TAN' COLOR.
 - FINISH GRADE.

NOTE:
SPLIT FACE ON PUBLIC SIDE(S)

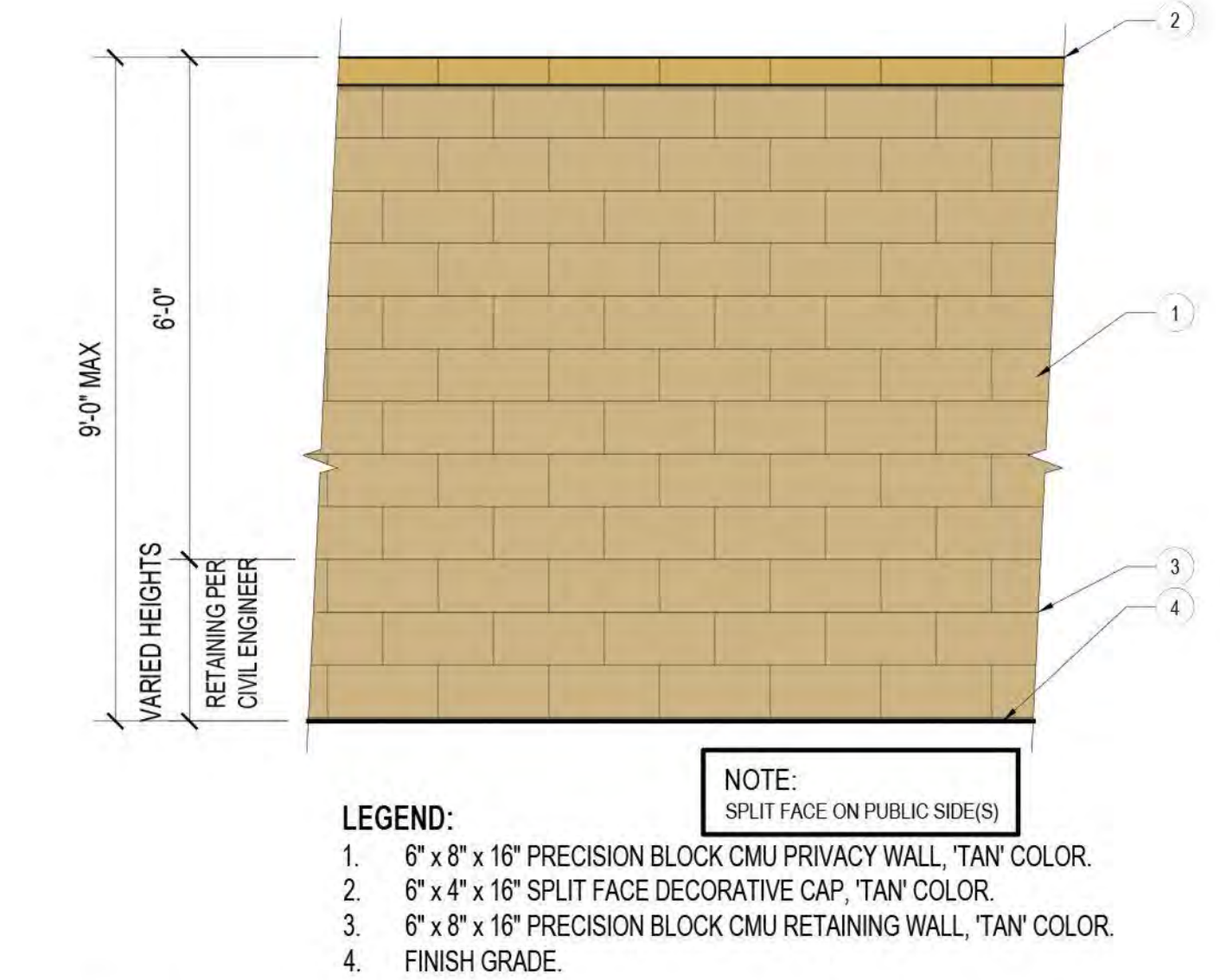
C COMBO RETAINING / PRIVACY WALL
SCALE: 1/2" = 1'-0"



- LEGEND:**
- 6" x 4" x 16" SPLIT FACE DECORATIVE CAP, 'TAN' COLOR.
 - 6" x 8" x 16" PRECISION BLOCK CMU, 'TAN' COLOR.
 - FINISH GRADE.

NOTE:
SPLIT FACE ON PUBLIC SIDE(S)

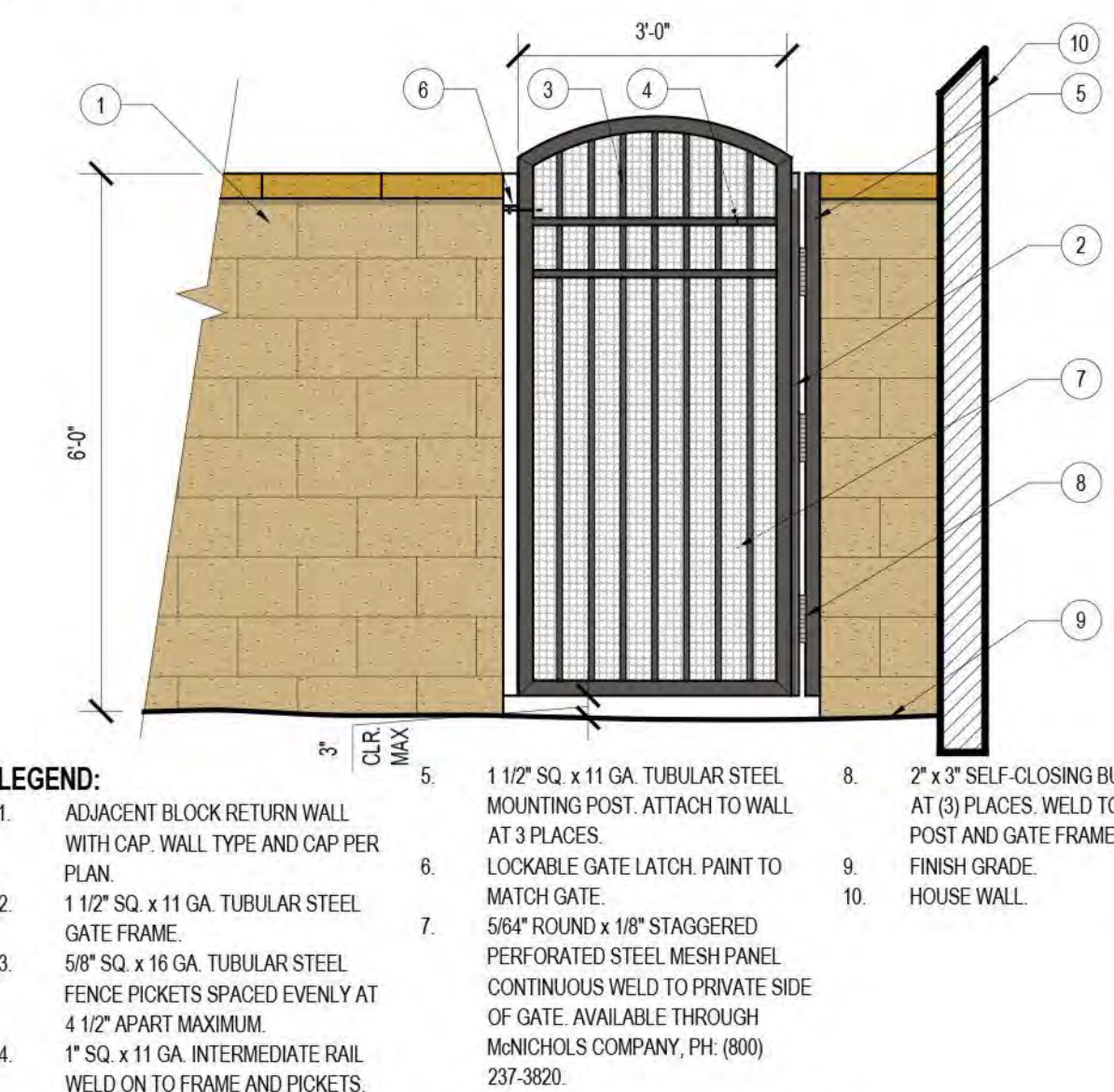
D 6'-0" PRECISION BLOCK WALL
SCALE: 1/2" = 1'-0"



- LEGEND:**
- 6" x 8" x 16" PRECISION BLOCK CMU PRIVACY WALL, 'TAN' COLOR.
 - 6" x 4" x 16" SPLIT FACE DECORATIVE CAP, 'TAN' COLOR.
 - 6" x 8" x 16" PRECISION BLOCK CMU RETAINING WALL, 'TAN' COLOR.
 - FINISH GRADE.

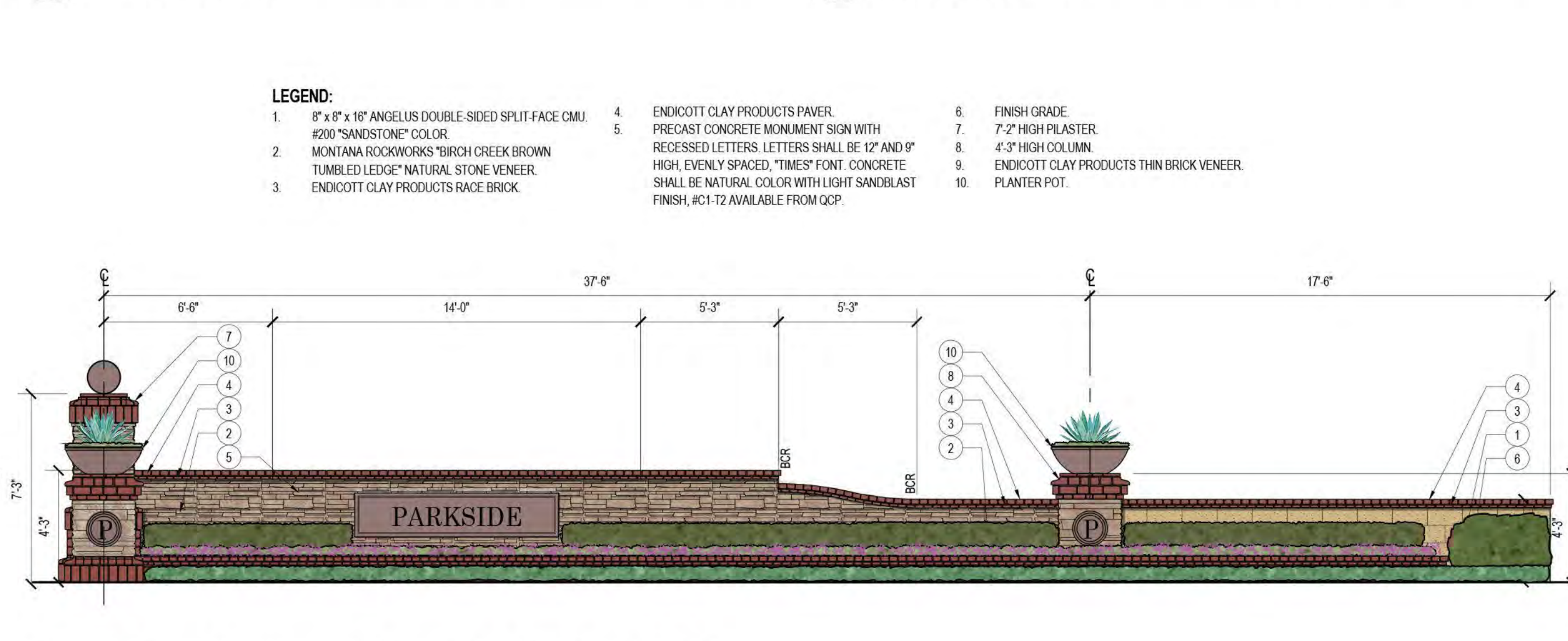
NOTE:
SPLIT FACE ON PUBLIC SIDE(S)

E COMBO RETAINING / PRIVACY WALL
SCALE: 1/2" = 1'-0"



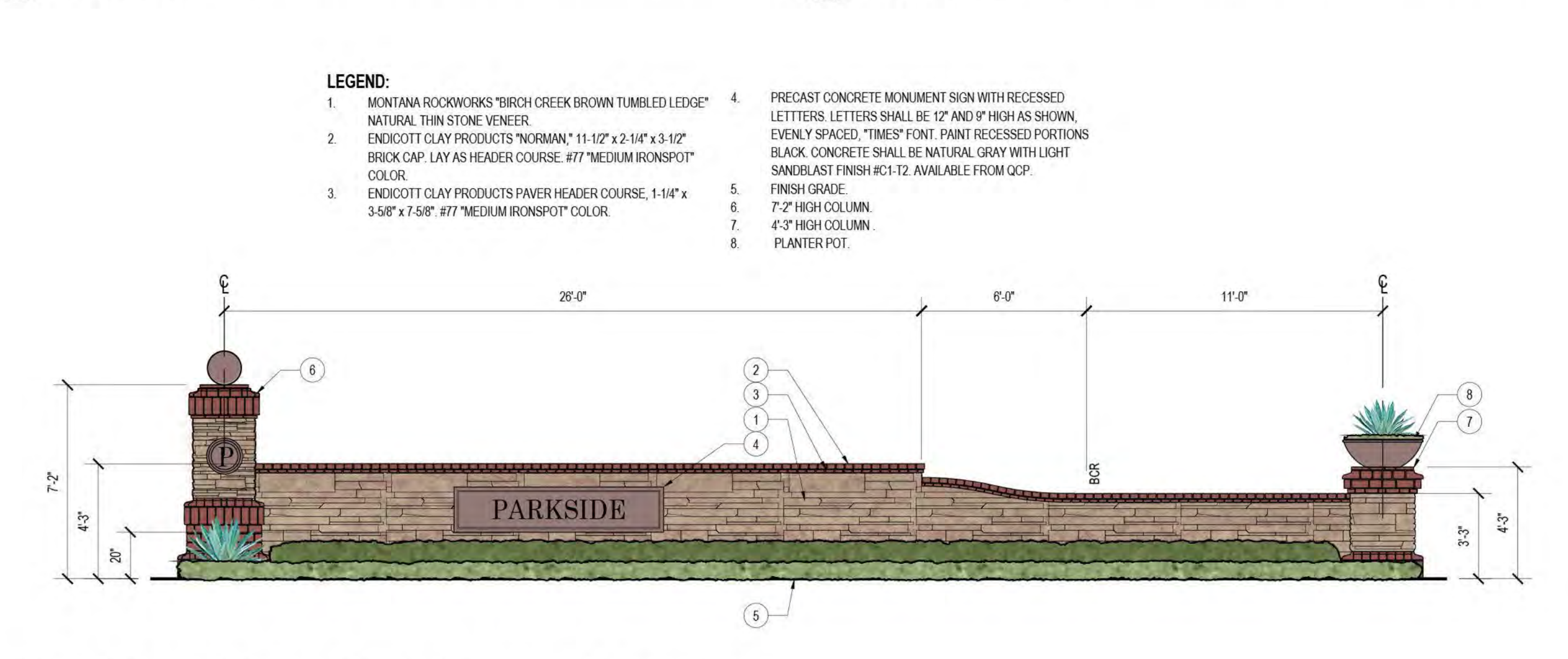
- LEGEND:**
- ADJACENT BLOCK RETURN WALL WITH CAP WALL TYPE AND CRP PER PLAN.
 - 1 1/2" SQ x 11 GA TUBULAR STEEL GATE FRAME.
 - 5/8" SQ x 16 GA TUBULAR STEEL FENCE PICKETS SPACED EVENLY AT 4" APART MAXIMUM.
 - 1" SQ x 11 GA INTERMEDIATE RAIL WELDED ON TO FRAME AND PICKETS.
 - 1 1/2" SQ x 11 GA TUBULAR STEEL MOUNTING POST, ATTACH TO WALL AT 3 PLACES.
 - LOCKABLE GATE LATCH, PAINT TO MATCH GATE.
 - 5/8" ROUND x 1/8" STAGGERED PERFORATED STEEL MESH PANEL CONTINUOUS WELD TO PRIVATE SIDE OF GATE. AVAILABLE THROUGH MARCHESI'S COMPANY, PH (800) 237-3820.
 - 2" x 3" SELF-CLOSING BUTT HINGES AT (3) PLACES, WELD TO MOUNTING POST AND GATE FRAME.
 - FINISH GRADE.
 - HOUSE WALL.

F 3' TUBULAR STEEL GATE
SCALE: 1/2" = 1'-0"



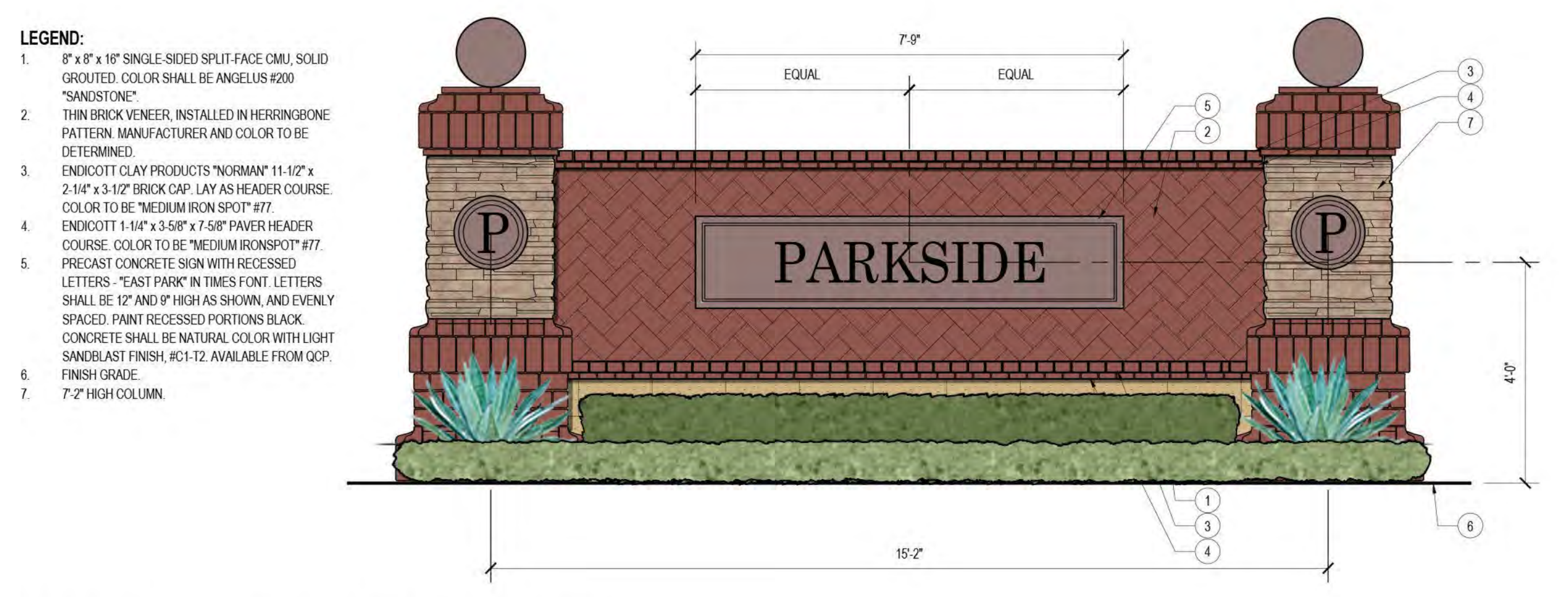
- LEGEND:**
- 8" x 8" x 16" ANGELUS DOUBLE-SIDED SPLIT-FACE CMU, #200 "SANDSTONE" COLOR.
 - MONTANA ROCKWORKS "BIRCH CREEK BROWN TUMBLER LEDEGE" NATURAL STONE VENEER.
 - ENDICOTT CLAY PRODUCTS RACE BRICK.
 - ENDICOTT CLAY PRODUCTS PAVER.
 - PRECAST CONCRETE MONUMENT SIGN WITH RECESSED LETTERS. LETTERS SHALL BE 12" AND 9" HIGH, EVENLY SPACED, "TIMES" FONT. CONCRETE SHALL BE NATURAL COLOR WITH LIGHT SANDBLAST FINISH, #C1-T2 AVAILABLE FROM QCP.
 - FINISH GRADE.
 - 7-2" HIGH PLASTER.
 - 4-3" HIGH COLUMN.
 - ENDICOTT CLAY PRODUCTS THIN BRICK VENEER.
 - FINISH GRADE.
 - PLANTER POT.

G MONUMENT PRIMARY ELEVATION
SCALE: 1/4" = 1'-0"



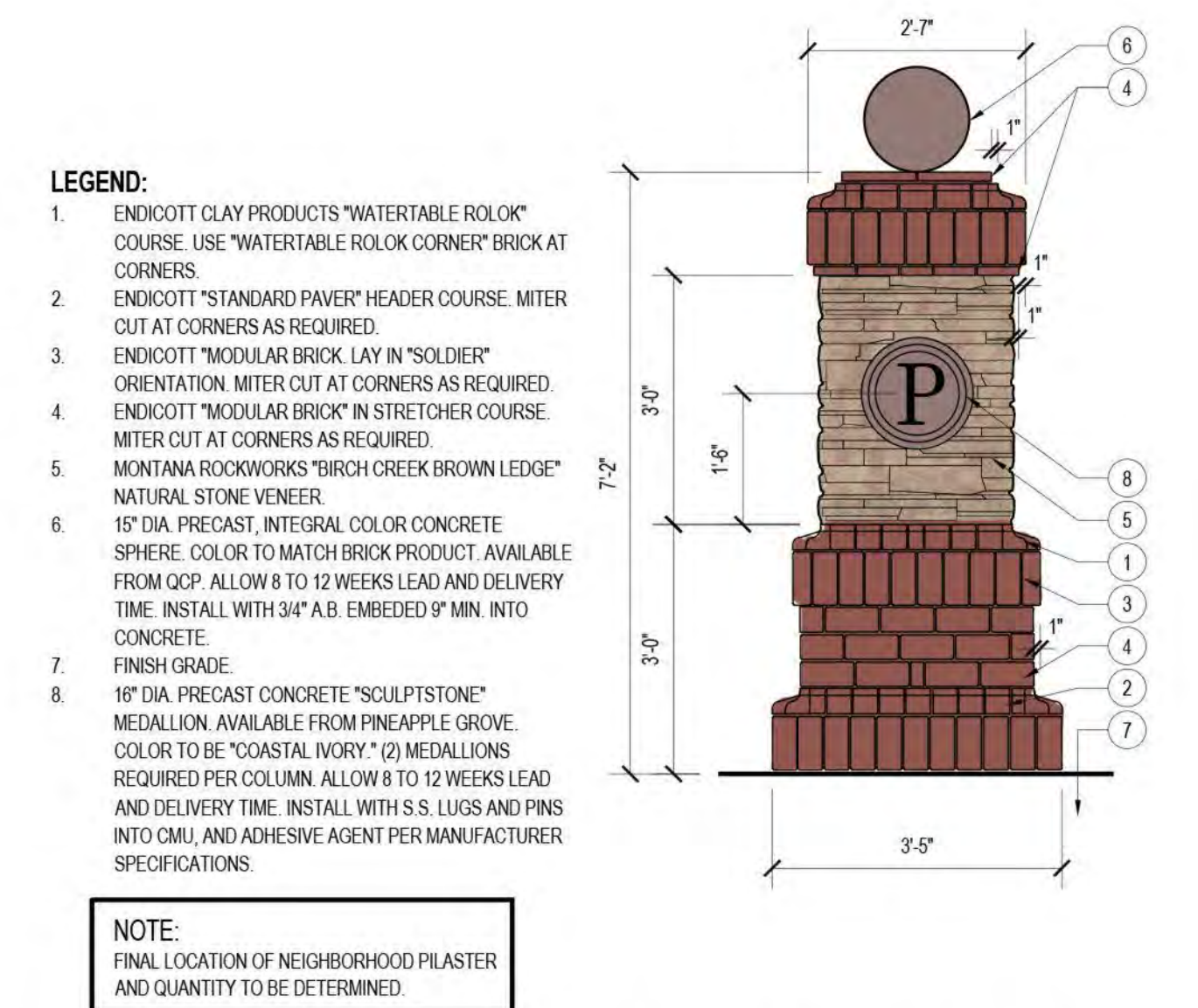
- LEGEND:**
- MONTANA ROCKWORKS "BIRCH CREEK BROWN TUMBLER LEDEGE" NATURAL STONE VENEER.
 - ENDICOTT CLAY PRODUCTS "NORMAN" 11-1/2" x 2-1/4" x 3-1/2" BRICK CAP, LAY AS HEADER COURSE, #77 "MEDIUM IRONSPOT" COLOR.
 - ENDICOTT CLAY PRODUCTS PAVER HEADER COURSE, 1-1/4" x 3-5/8" x 7-5/8", #77 "MEDIUM IRONSPOT" COLOR.
 - PRECAST CONCRETE MONUMENT SIGN WITH RECESSED LETTERS. LETTERS SHALL BE 12" AND 9" HIGH AS SHOWN, EVENLY SPACED, "TIMES" FONT. PAINT RECESSED PORTIONS BLACK. CONCRETE SHALL BE NATURAL GRAY WITH LIGHT SANDBLAST FINISH #C1-T2. AVAILABLE FROM QCP.
 - FINISH GRADE.
 - 7-2" HIGH COLUMN.
 - 4-3" HIGH COLUMN.
 - PLANTER POT.

H MONUMENT SECONDARY ELEVATION
SCALE: 1/4" = 1'-0"



- LEGEND:**
- 8" x 8" x 16" SINGLE-SIDED SPLIT-FACE CMU, SOLID GROUTED. COLOR SHALL BE ANGELUS #200 "SANDSTONE".
 - THIN BRICK VENEER, INSTALLED IN HERRINGBONE PATTERN. MANUFACTURER AND COLOR TO BE DETERMINED.
 - ENDICOTT CLAY PRODUCTS "NORMAN" 11-1/2" x 2-1/4" x 3-1/2" BRICK CAP, LAY AS HEADER COURSE. COLOR TO BE "MEDIUM IRONSPOT" #77.
 - ENDICOTT 1-1/4" x 3-5/8" x 7-5/8" PAVER HEADER COURSE. COLOR TO BE "MEDIUM IRONSPOT" #77.
 - PRECAST CONCRETE SIGN WITH RECESSED LETTERS. "EAST PARK" IN TIMES FONT. LETTERS SHALL BE 12" AND 9" HIGH AS SHOWN, AND EVENLY SPACED. PAINT RECESSED PORTIONS BLACK. CONCRETE SHALL BE NATURAL COLOR WITH LIGHT SANDBLAST FINISH, #C1-T2. AVAILABLE FROM QCP.
 - FINISH GRADE.
 - 7-2" HIGH COLUMN.

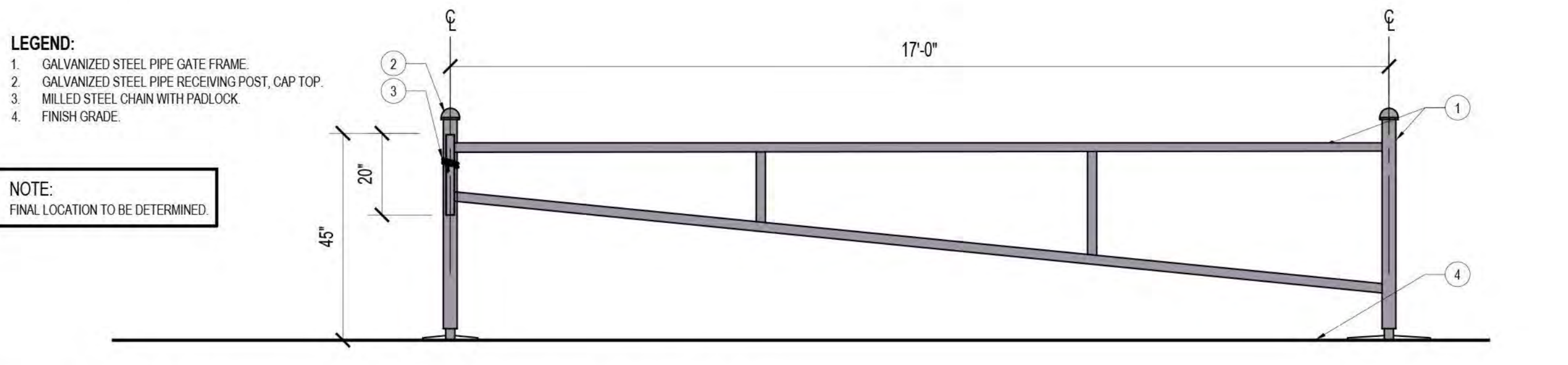
I NEIGHBORHOOD MONUMENT
SCALE: 1/2" = 1'-0"



- LEGEND:**
- ENDICOTT CLAY PRODUCTS "WATERTABLE ROLOK" COURSE. USE "WATERTABLE ROLOK CORNER" BRICK AT CORNERS.
 - ENDICOTT "STANDARD PAVER" HEADER COURSE. MITER OUT AT CORNERS AS REQUIRED.
 - ENDICOTT "MODULAR BRICK" LAY IN "SOLDIER" ORIENTATION. MITER OUT AT CORNERS AS REQUIRED.
 - ENDICOTT "MODULAR BRICK" IN STRETCHER COURSE. MITER OUT AT CORNERS AS REQUIRED.
 - MONTANA ROCKWORKS "BIRCH CREEK BROWN TUMBLER LEDEGE" NATURAL STONE VENEER.
 - 15" DIA. PRECAST, INTEGRAL COLOR CONCRETE SPHERE. COLOR TO MATCH BRICK PRODUCT. AVAILABLE FROM QCP. ALLOW 8 TO 12 WEEKS LEAD AND DELIVERY TIME. INSTALL WITH 3/4" A.B. EMBEDDED 1/2" MIN. INTO CONCRETE.
 - FINISH GRADE.
 - 18" DIA. PRECAST CONCRETE "SPLITSTONE" MEDALLION, AVAILABLE FROM PINEAPPLE GROVE. COLOR TO BE "COASTAL IVORY" (2) MEDALLIONS REQUIRED PER COLUMN. ALLOW 8 TO 12 WEEKS LEAD AND DELIVERY TIME. INSTALL WITH 1/2" S. LUGS AND PINS INTO CMU AND ADHESIVE AGENT PER MANUFACTURER SPECIFICATIONS.

NOTE:
FINAL LOCATION OF NEIGHBORHOOD PLASTER AND QUANTITY TO BE DETERMINED.

J 7'-2" HIGH ENTRY & SCE COLUMN
SCALE: 1/2" = 1'-0"



- LEGEND:**
- GALVANIZED STEEL PIPE GATE FRAME.
 - GALVANIZED STEEL PIPE RECEIVING POST, CAP TOP.
 - MILLED STEEL CHAIN WITH PADLOCK.
 - FINISH GRADE.

NOTE:
FINAL LOCATION TO BE DETERMINED.

K 17'-0" SCE SWING MAINTENANCE GATE
SCALE: 1/2" = 1'-0"



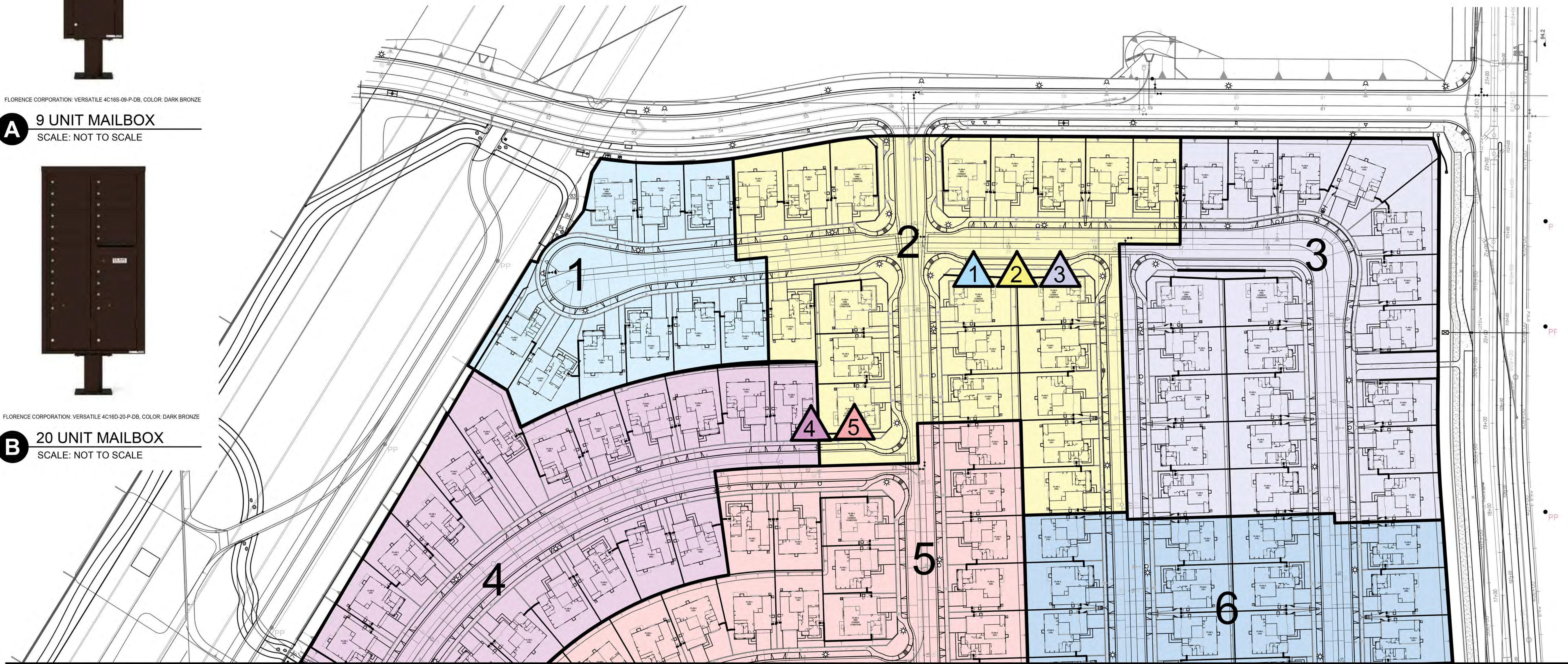
FLORENCE CORPORATION: VERSATILE 4C16S-09-P-DB, COLOR: DARK BRONZE

A 9 UNIT MAILBOX
SCALE: NOT TO SCALE



FLORENCE CORPORATION: VERSATILE 4C16D-20-P-DB, COLOR: DARK BRONZE

B 20 UNIT MAILBOX
SCALE: NOT TO SCALE



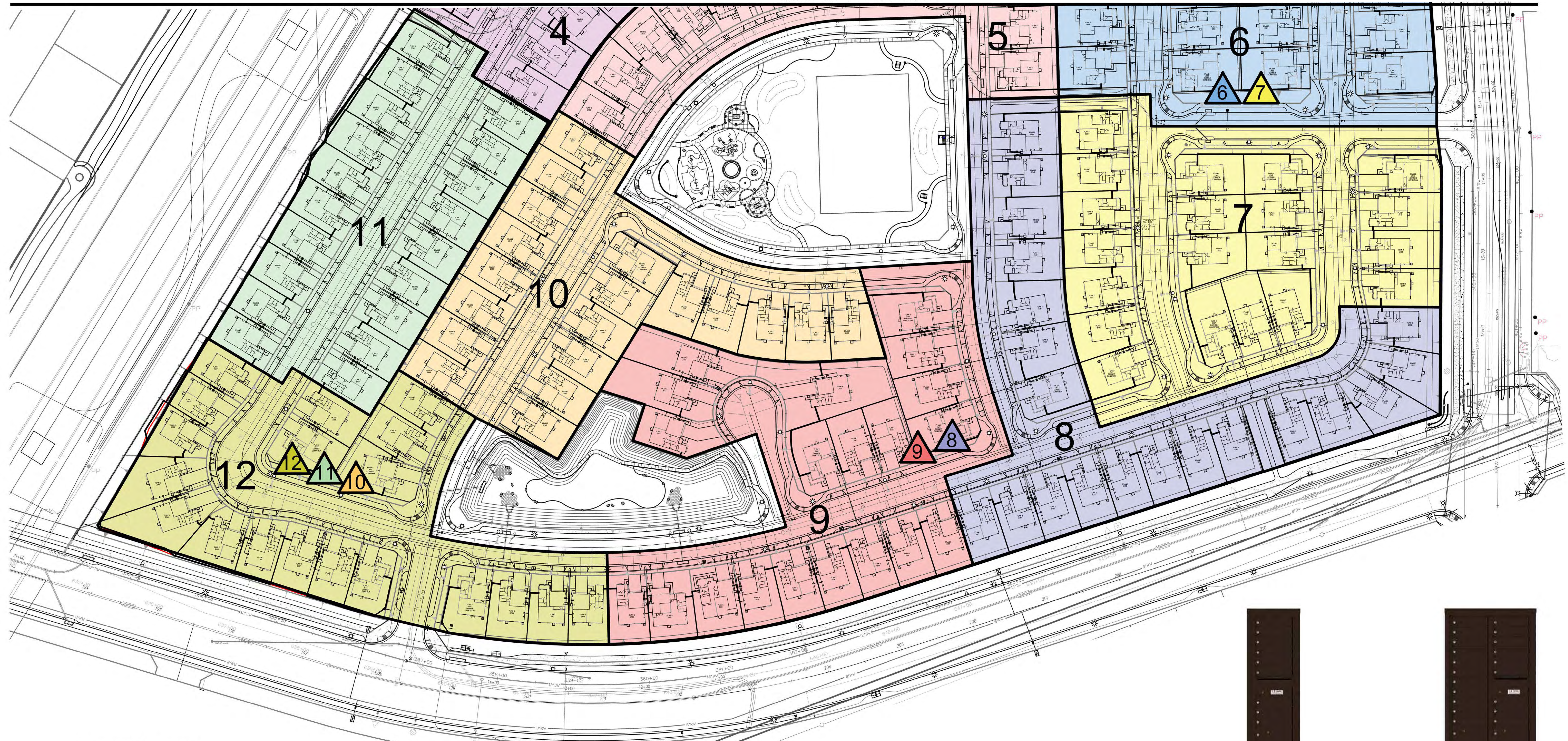
MATCHLINE - SEE SHEET LC-20

MAILBOX LEGEND:

SYMBOL	NO. UNITS	MANUFACTURER	PRODUCT	REFERENCE	SYMBOL	NO. UNITS	MANUFACTURER	PRODUCT	REFERENCE
	9 UNITS	FLORENCE CORPORATION	VERSATILE 4C16S-09-P-DB	SEE DETAIL A, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		19 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		19 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		19 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET



MATCHLINE - SEE SHEET LC-19



MAILBOX LEGEND:

SYMBOL	NO. UNITS	MANUFACTURER	PRODUCT	REFERENCE	SYMBOL	NO. UNITS	MANUFACTURER	PRODUCT	REFERENCE
	9 UNITS	FLORENCE CORPORATION	VERSATILE 4C16S-09-P-DB	SEE DETAIL A, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
	20 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET		19 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
						19 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET
						19 UNITS	FLORENCE CORPORATION	VERSATILE 4C16D-20-P-DB	SEE DETAIL B, THIS SHEET

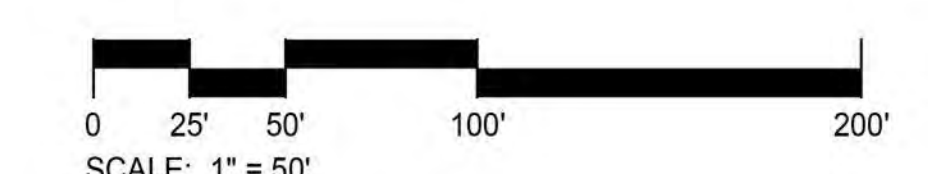


A 9 UNIT MAILBOX
SCALE: NOT TO SCALE



B 20 UNIT MAILBOX
SCALE: NOT TO SCALE

LENNAR
 PARKLANE DEVELOPMENT - MAILBOX LAYOUT MASTER PLAN
 ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-20

SCALE: 1" = 50'
 DATE: JUNE 2020
 ADG JOB #: 2001-A



LEGEND:

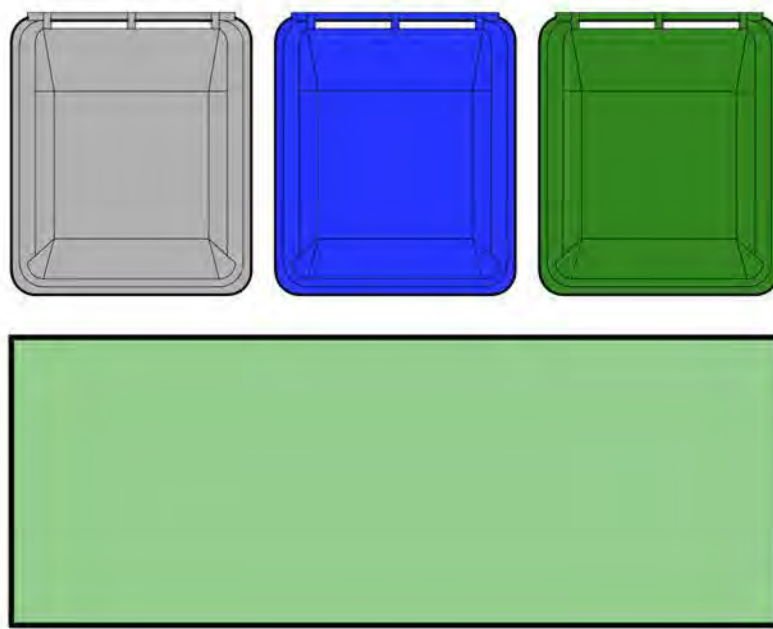
SYMBOL DESCRIPTION

- 18' x 9' RESIDENTIAL LOT PARKING AREA
- 25' x 9' ON STREET PARKING AREA
- (3) STANDARD 96 GALLON TRASH BINS

NOTES:

- A. REFER TO TYPICAL FRONT YARD FOR PRECISE TRASH RECEPTACLE LAYOUT, SHEET LC-1.
- B. SINGLE FAMILY RESIDENTIAL PARKING REQUIREMENTS:
(2) GARAGE PARKING SPACES PER STANDARD DWELLING UNIT.
(3) GARAGE PARKING SPACES AT NEXT GEN DWELLING UNIT.
- C. (1) ADDITIONAL DRIVEWAY PARKING SPACE AVAILABLE AT EACH DWELLING UNIT.
- D. ADDITIONAL (265) ON STREET PARKING SPACES AVAILABLE.
- E. PARKING RESTRICTIONS ON TRASH DAY TO BE RESOLVED DURING CONSTRUCTION DOCUMENTATION PHASE.
- F. THIS DEVELOPMENT WILL USE SINGLE FAMILY DETACHED WITH AUTOMATED CANS.
- G. THIS SHEET IS BEST VIEWED AT FULL SIZE, ARCH E1 PRINT.

REFUSE RECYCLE ORGANICS

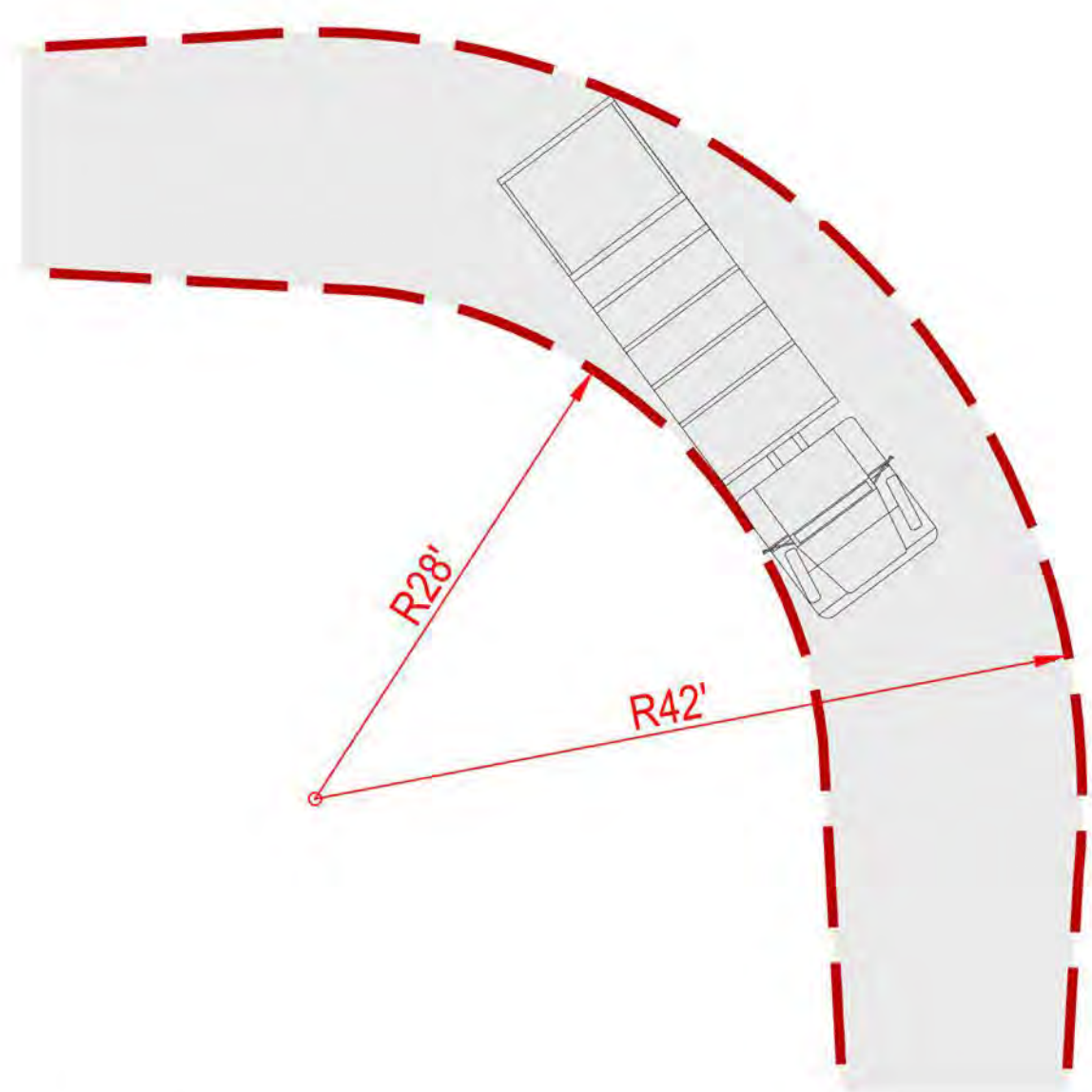


NOTES:

- A. SYMBOL REPRESENTS THE SPACE REQUIRED FOR (3) 96 GALLON TRASH RECEPTACLES, REFUSE, RECYCLE, AND ORGANICS.

A TRASH RECEPTACLE LAYOUT

SCALE: 1/2" = 1'-0"



NOTES:

- A. REFUSE TRUCK TURNING RADIUS BASED ON CITY OF ONTARIO REFUSE AND RECYCLE PLANNING MANUAL, VEHICLE ACCESS STANDARDS.

B REFUSE TRUCK TURNING RADIUS

SCALE: 1" = 10'

PARKING TABULATION:

• REQUIREMENTS

TOTAL NUMBER OF DWELLING UNITS	226 UNITS
189 x 2 SPACES PER UNIT	378 SPACES
37 x 3 SPACES PER UNIT (NEXT GEN)	111 SPACES
TOTAL PARKING SPACES REQUIRED	489 SPACES

 TOTAL RESIDENTIAL PARKING SPACES	715 SPACES
 ADDITIONAL ON STREET PARKING SPACES	265 SPACES
TOTAL AVAILABLE PARKING SPACES	980 SPACES



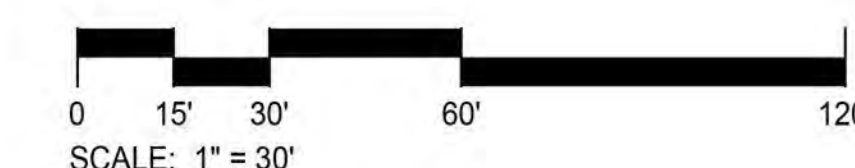
MATCHLINE - SEE SHEET LC-23

MATCHLINE - SEE SHEET LC-22

LENNAR

PARKLANE DEVELOPMENT - SOLID WASTE HANDLING AND PARKING PLAN 1

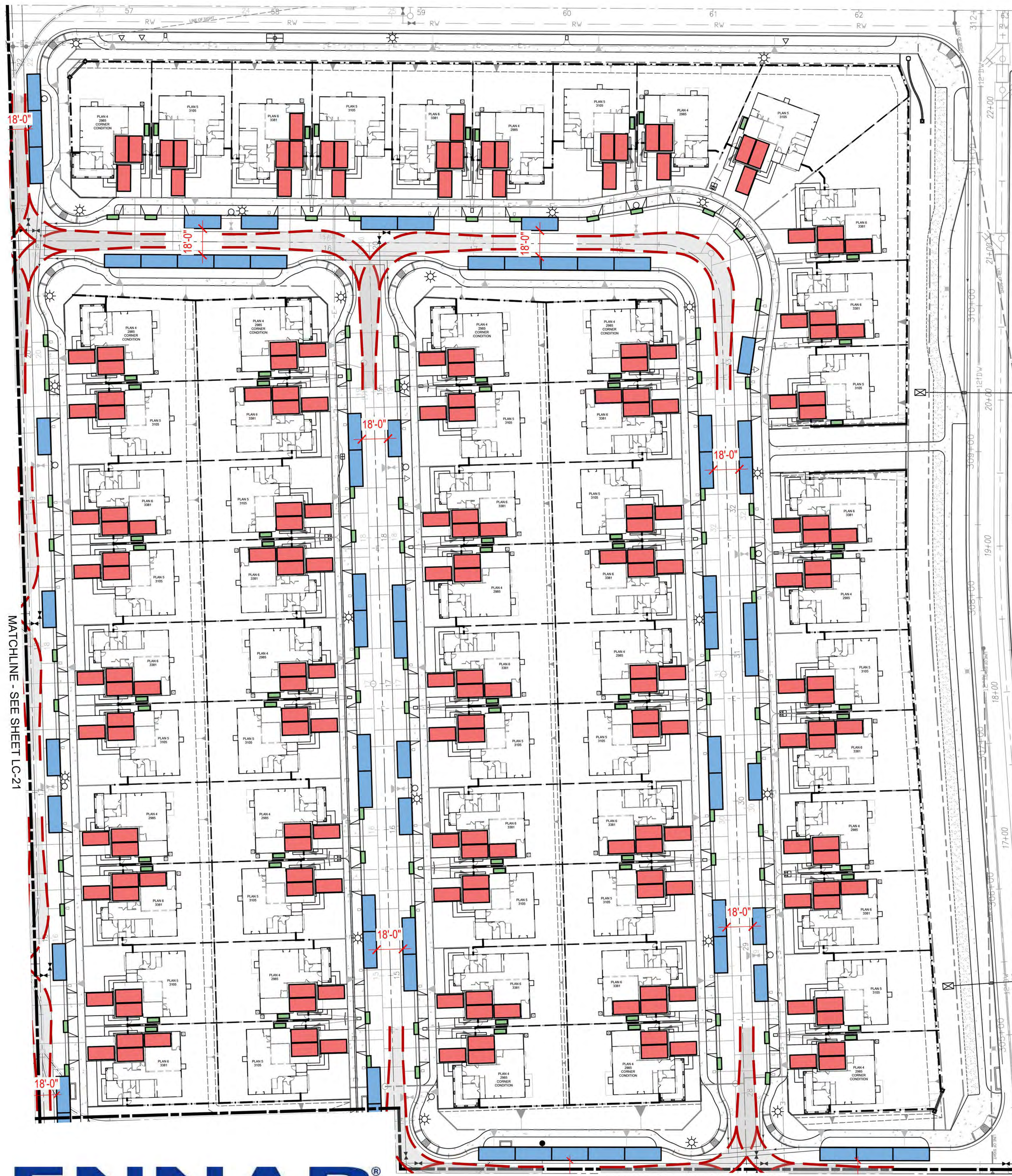
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-21

SCALE: 1" = 30'
DATE: JUNE 2020
ADG JOB #: 2001-A





LEGEND:

- | SYMBOL | DESCRIPTION |
|--------|---------------------------------------|
| | 18' x 9' RESIDENTIAL LOT PARKING AREA |
| | 25' x 9' ON STREET PARKING AREA |
| | (3) STANDARD 96 GALLON TRASH BINS |

NOTES:

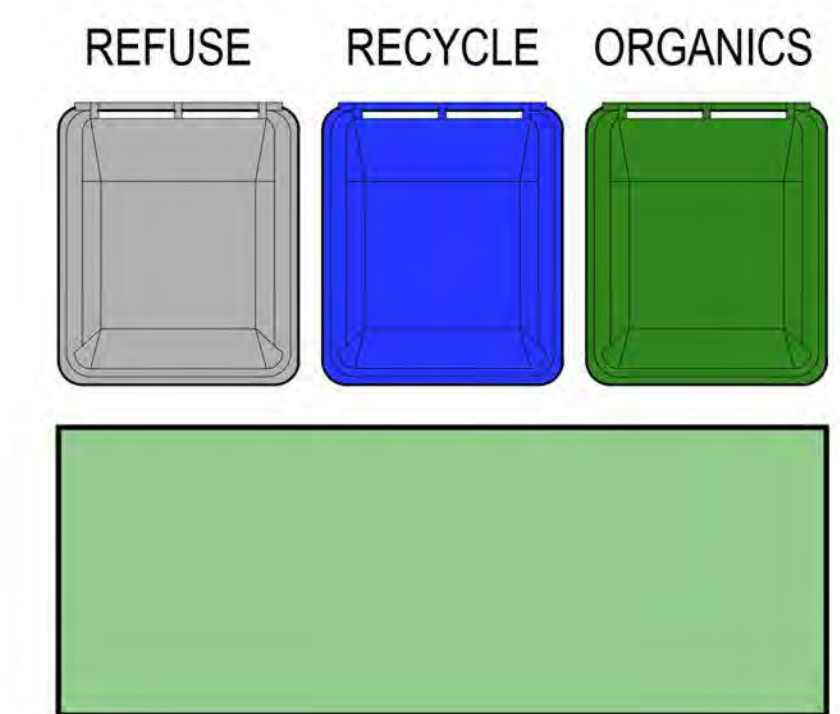
- A. REFER TO TYPICAL FRONT YARD FOR PRECISE TRASH RECEPTACLE LAYOUT, SHEET LC-1.
- B. SINGLE FAMILY RESIDENTIAL PARKING REQUIREMENTS:
(2) GARAGE PARKING SPACES PER STANDARD DWELLING UNIT.
(3) GARAGE PARKING SPACES AT NEXT GEN DWELLING UNIT.
- C. (1) ADDITIONAL DRIVEWAY PARKING SPACE AVAILABLE AT EACH DWELLING UNIT.
- D. ADDITIONAL (265) ON STREET PARKING SPACES AVAILABLE.
- F. PARKING RESTRICTIONS ON TRASH DAY TO BE RESOLVED DURING CONSTRUCTION DOCUMENTATION PHASE.
- G. THIS DEVELOPMENT WILL USE SINGLE FAMILY DETACHED WITH AUTOMATED CANS.
- H. THIS SHEET IS BEST VIEWED AT FULL SIZE, ARCH E1 PRINT.

PARKING TABULATION:

• REQUIREMENTS

TOTAL NUMBER OF DWELLING UNITS	226 UNITS
189 x 2 SPACES PER UNIT	378 SPACES
37 x 3 SPACES PER UNIT (NEXT GEN)	111 SPACES
TOTAL PARKING SPACES REQUIRED	489 SPACES

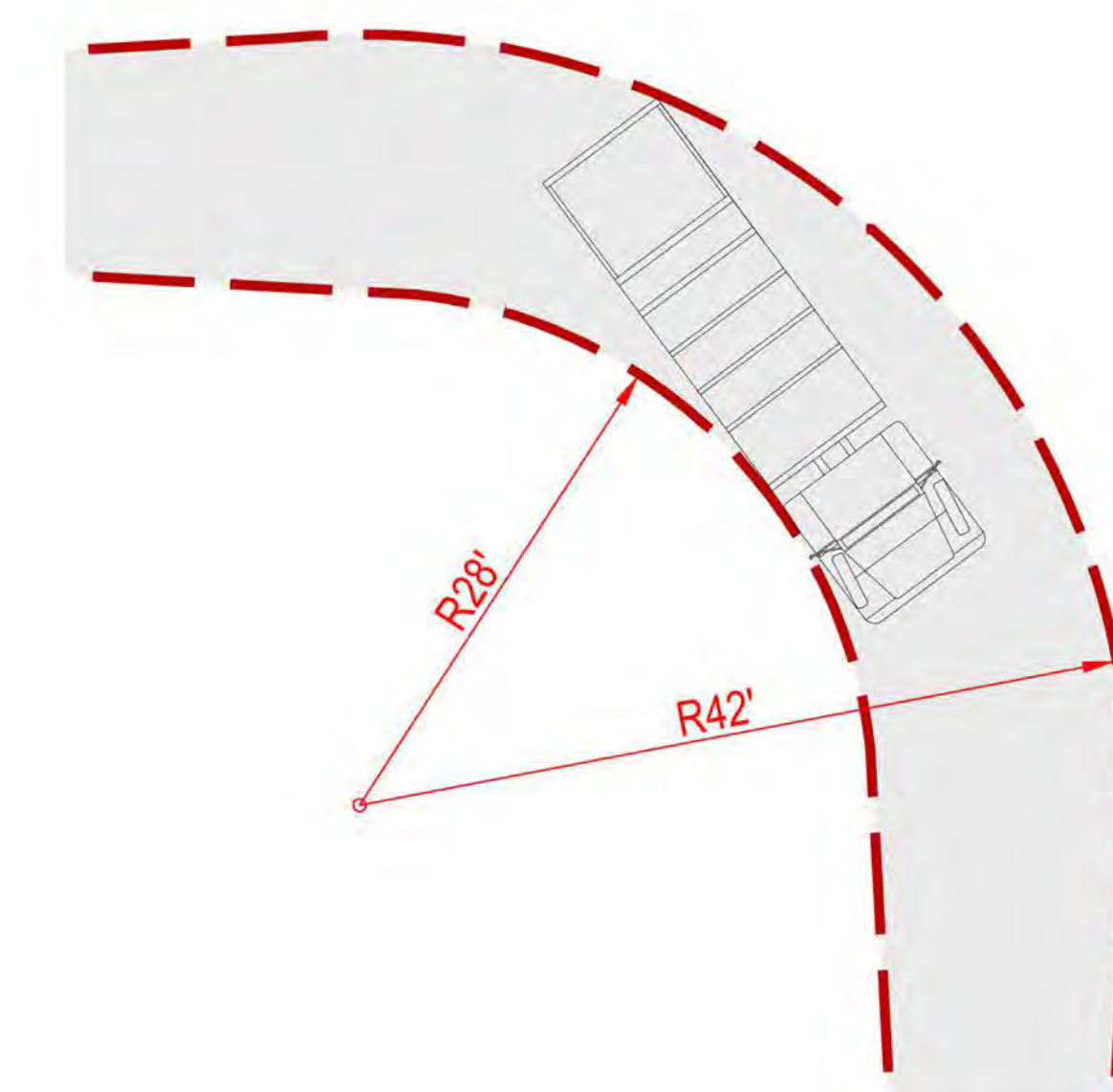
	TOTAL RESIDENTIAL PARKING SPACES	715 SPACES
	ADDITIONAL ON STREET PARKING SPACES	265 SPACES
	TOTAL AVAILABLE PARKING SPACES	980 SPACES



NOTES:

- A. SYMBOL REPRESENTS THE SPACE REQUIRED FOR (3) 96 GALLON TRASH RECEPTACLES, REFUSE, RECYCLE, AND ORGANICS.

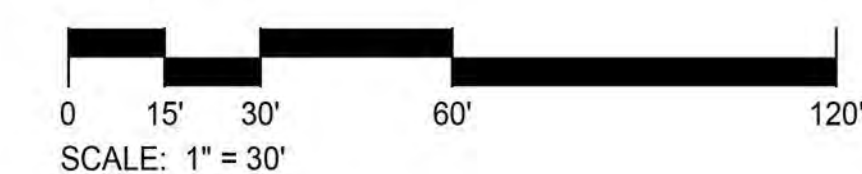
A TRASH RECEPTACLE LAYOUT
SCALE: 1/2" = 1'-0"



NOTES:

- A. REFUSE TRUCK TURNING RADIUS BASED ON CITY OF ONTARIO REFUSE AND RECYCLE PLANNING MANUAL, VEHICLE ACCESS STANDARDS.

B REFUSE TRUCK TURNING RADIUS
SCALE: 1" = 10'



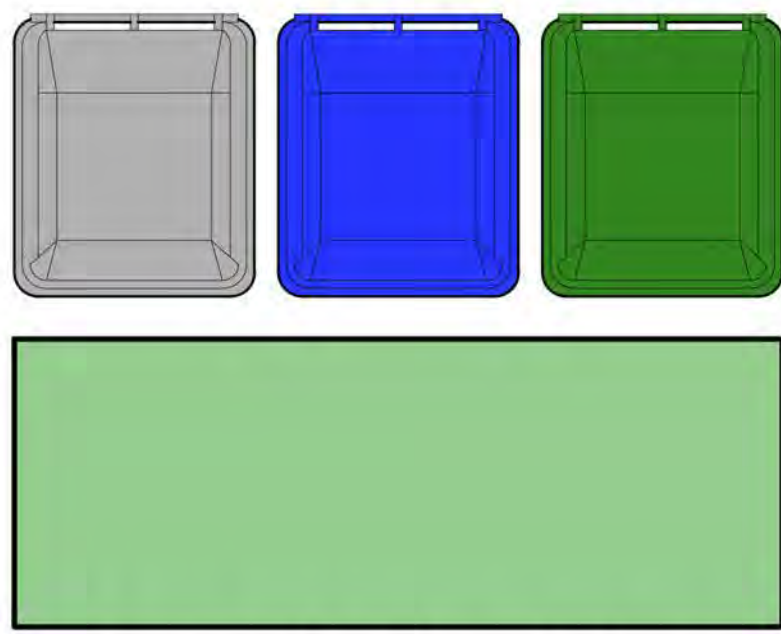
LENNAR

PARKLANE DEVELOPMENT - SOLID WASTE HANDLING AND PARKING PLAN 2
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907

LC-22



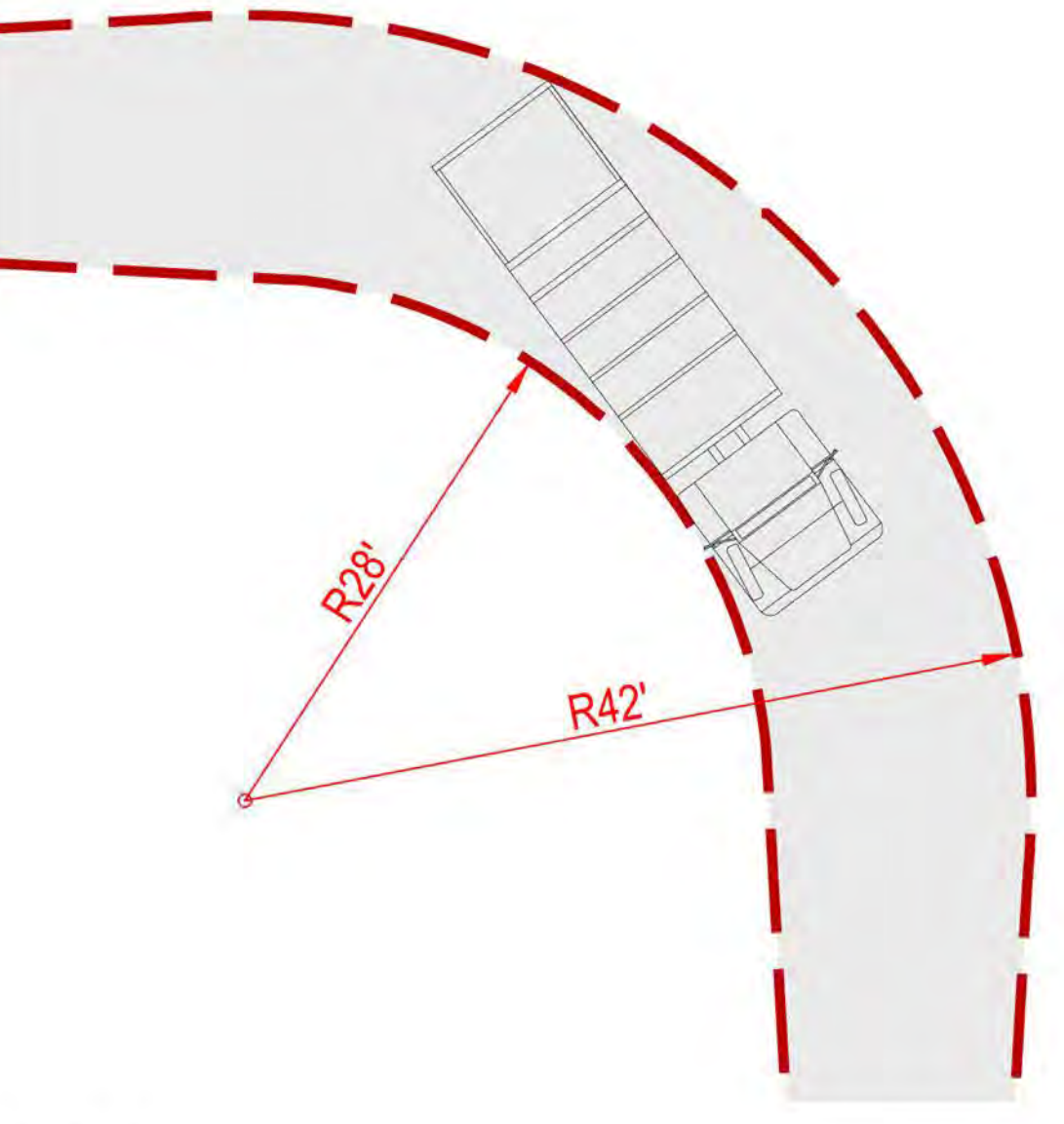
REFUSE RECYCLE ORGANICS NOTES:



A. SYMBOL REPRESENTS THE SPACE REQUIRED FOR (3) 96 GALLON TRASH RECEPTACLES, REFUSE, RECYCLE, AND ORGANICS.

MATCHLINE - SEE SHEET LC-21

A TRASH RECEPTACLE LAYOUT
SCALE: 1/2" = 1'-0"



NOTES:
A. REFUSE TRUCK TURNING RADIUS BASED ON CITY OF ONTARIO REFUSE AND RECYCLE PLANNING MANUAL, VEHICLE ACCESS STANDARDS.

B REFUSE TRUCK TURNING RADIUS
SCALE: 1" = 10'

DOGIPOT ONLY AT DETENTION BASIN. LANDSCAPE MAINTENANCE CREW SHALL DISPOSE DOGIPOT WASTE AT TRASH BINS LOCATED AT PARK SITE ONCE PER WEEK.

PARKING TABULATION:

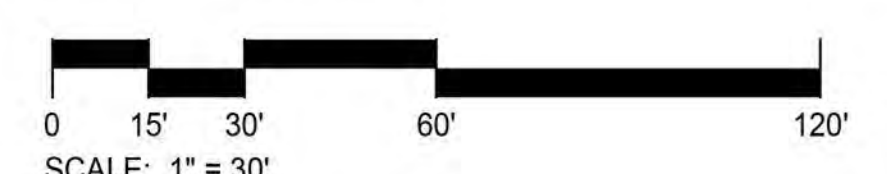
REQUIREMENTS	
TOTAL NUMBER OF DWELLING UNITS	226 UNITS
189 x 2 SPACES PER UNIT	378 SPACES
37 x 3 SPACES PER UNIT (NEXT GEN)	111 SPACES
TOTAL PARKING SPACES REQUIRED	489 SPACES
TOTAL RESIDENTIAL PARKING SPACES	715 SPACES
ADDITIONAL ON STREET PARKING SPACES	265 SPACES
TOTAL AVAILABLE PARKING SPACES	980 SPACES

NOTES:
A. REFER TO TYPICAL FRONT YARD FOR PRECISE TRASH RECEPTACLE LAYOUT, SHEET LC-1.
B. SINGLE FAMILY RESIDENTIAL PARKING REQUIREMENTS:
(2) GARAGE PARKING SPACES PER STANDARD DWELLING UNIT.
(3) GARAGE PARKING SPACES AT NEXT GEN DWELLING UNIT.
C. (1) ADDITIONAL DRIVEWAY PARKING SPACE AVAILABLE AT EACH DWELLING UNIT.
D. ADDITIONAL (265) ON STREET PARKING SPACES AVAILABLE.
E. PARKING RESTRICTIONS ON TRASH DAY TO BE RESOLVED DURING CONSTRUCTION DOCUMENTATION PHASE.
F. THIS DEVELOPMENT WILL USE SINGLE FAMILY DETACHED WITH AUTOMATED CANS.
G. THIS SHEET IS BEST VIEWED AT FULL SIZE, ARCH E1 PRINT.

LEGEND:

SYMBOL	DESCRIPTION
	18' x 9' RESIDENTIAL LOT PARKING AREA
	25' x 9' ON STREET PARKING AREA
	(3) STANDARD 96 GALLON TRASH BINS

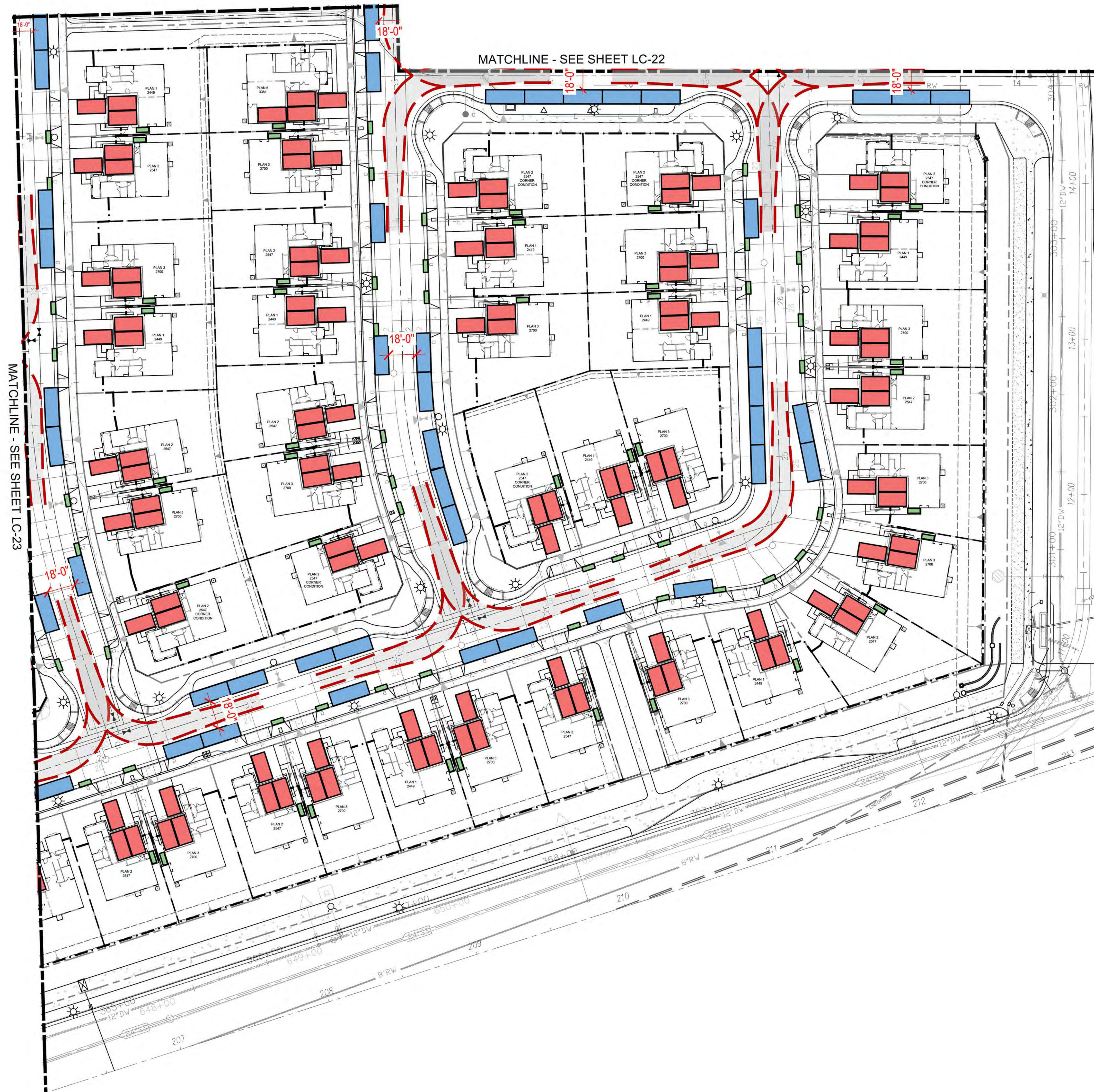
LENNAR
PARKLANE DEVELOPMENT - SOLID WASTE HANDLING AND PARKING PLAN 3
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907






LC-23

SCALE: 1" = 30'
DATE: JUNE 2020
ADG JOB #: 2001-A





LEGEND:

- | | |
|---|---------------------------------------|
|  | 18' x 9' RESIDENTIAL LOT PARKING AREA |
|  | 25' x 9' ON STREET PARKING AREA |
|  | (3) STANDARD 96 GALLON TRASH BINS |

NOTES:

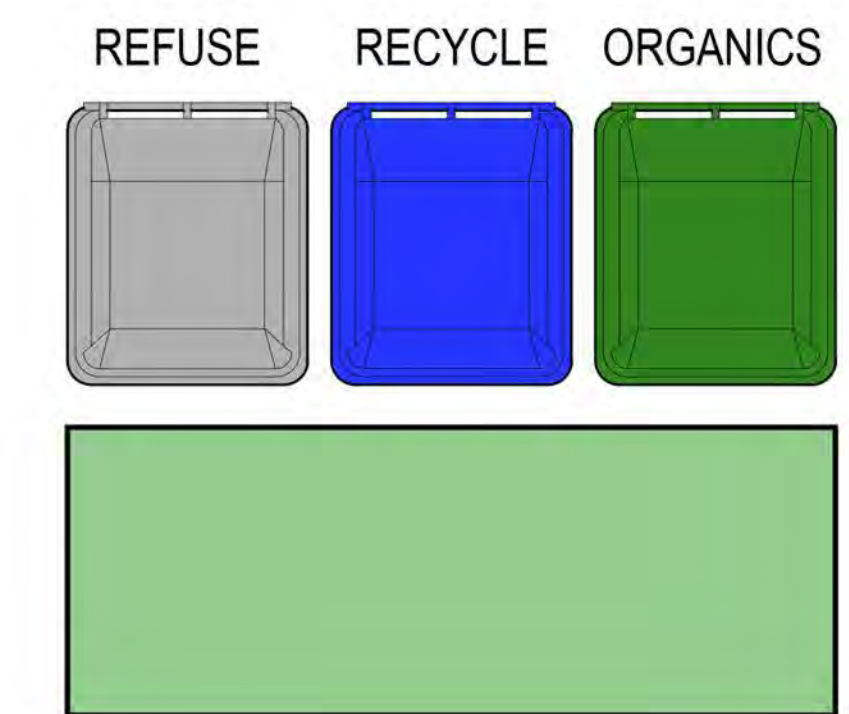
- A. REFER TO TYPICAL FRONT YARD FOR PRECISE TRASH RECEPTACLE LAYOUT, SHEET LC-1.
- B. SINGLE FAMILY RESIDENTIAL PARKING REQUIREMENTS:
(2) GARAGE PARKING SPACES PER STANDARD DWELLING UNIT.
(3) GARAGE PARKING SPACES AT NEXT GEN DWELLING UNIT.
- C. (1) ADDITIONAL DRIVEWAY PARKING SPACE AVAILABLE AT EACH DWELLING UNIT.
- E. ADDITIONAL (265) ON STREET PARKING SPACES AVAILABLE.
- F. PARKING RESTRICTIONS ON TRASH DAY TO BE RESOLVED DURING CONSTRUCTION DOCUMENTATION PHASE.
- G. THIS DEVELOPMENT WILL USE SINGLE FAMILY DETACHED WITH AUTOMATED CANS.
- H. THIS SHEET IS BEST VIEWED AT FULL SIZE, ARCH E1 PRINT.

PARKING TABULATION:

• REQUIREMENTS

TOTAL NUMBER OF DWELLING UNITS	226 UNITS
189 x 2 SPACES PER UNIT	378 SPACES
37 x 3 SPACES PER UNIT (NEXT GEN)	111 SPACES
TOTAL PARKING SPACES REQUIRED	489 SPACES

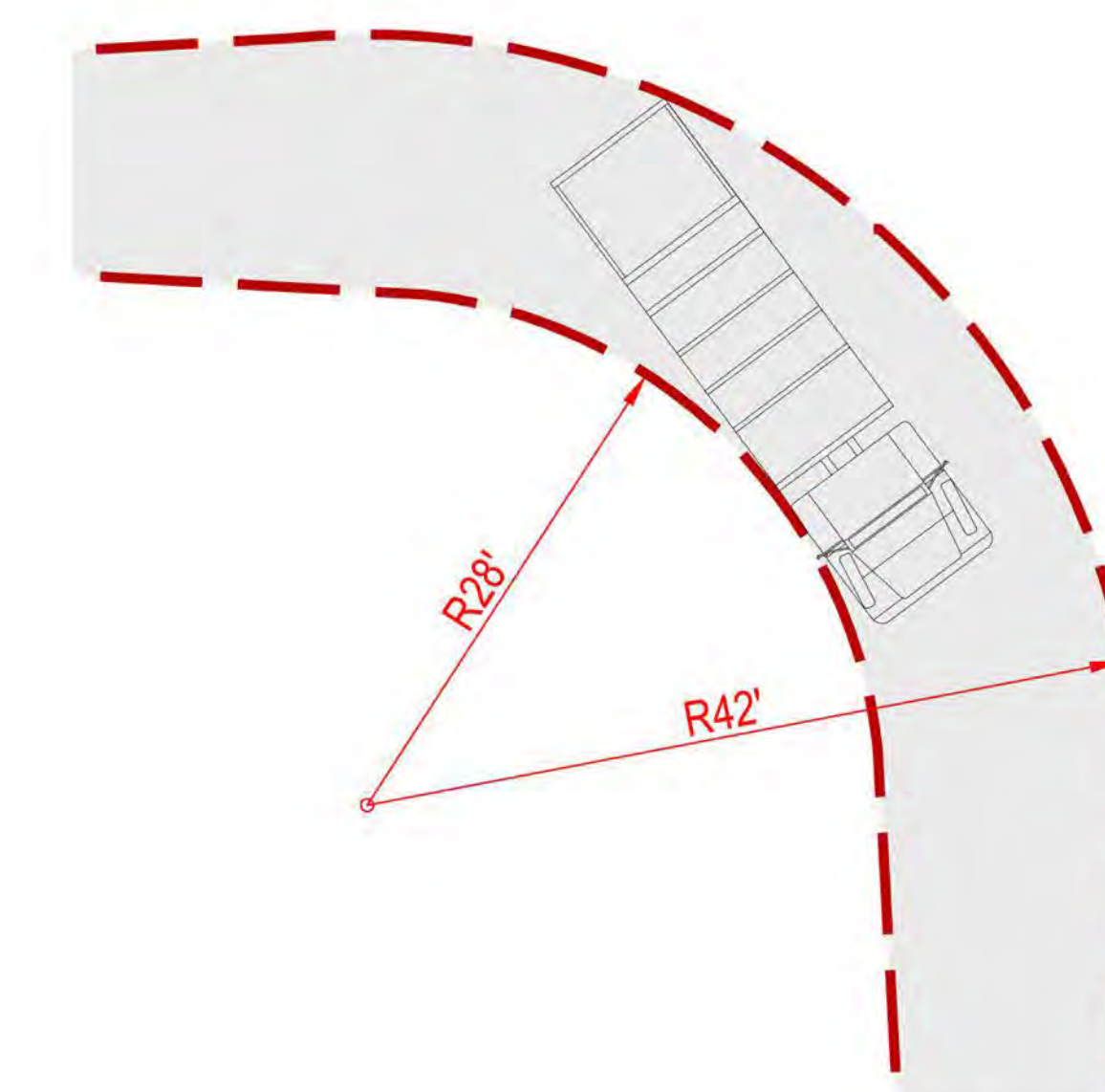
	TOTAL RESIDENTIAL PARKING SPACES	715 SPACES
	ADDITIONAL ON STREET PARKING SPACES	265 SPACES
	TOTAL AVAILABLE PARKING SPACES	980 SPACES



NOTES:

- A. SYMBOL REPRESENTS THE SPACE REQUIRED FOR (3) 96 GALLON TRASH RECEPTACLES, REFUSE, RECYCLE, AND ORGANICS.

A TRASH RECEPTACLE LAYOUT
SCALE: 1/2" = 1'-0"



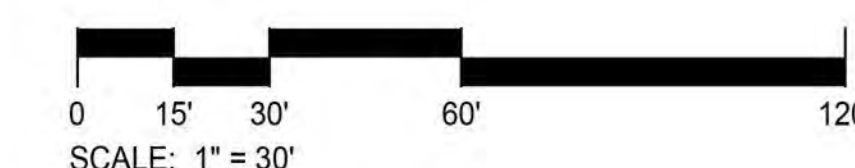
NOTES:

- A. REFUSE TRUCK TURNING RADIUS BASED ON CITY OF ONTARIO REFUSE AND RECYCLE PLANNING MANUAL, VEHICLE ACCESS STANDARDS.

B REFUSE TRUCK TURNING RADIUS
SCALE: 1" = 10'

LENNAR[®]

PARKLANE DEVELOPMENT - SOLID WASTE HANDLING AND PARKING PLAN 4
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907



LC-24

SCALE: 1" = 30'
DATE: JUNE 2020
ADG JOB #: 2001-A





UPRIGHT SKY BLUE ACCENT GREEN DECK GRAY PLASTIC BEIGE HDPE SPRING GREEN HDPE 2C SB/WHT SHADE SKY ROOF N/A CABLE BLACK MAX/APEX SPRING GREEN

PARKLANE PARK
ONTARIO CALIFORNIA



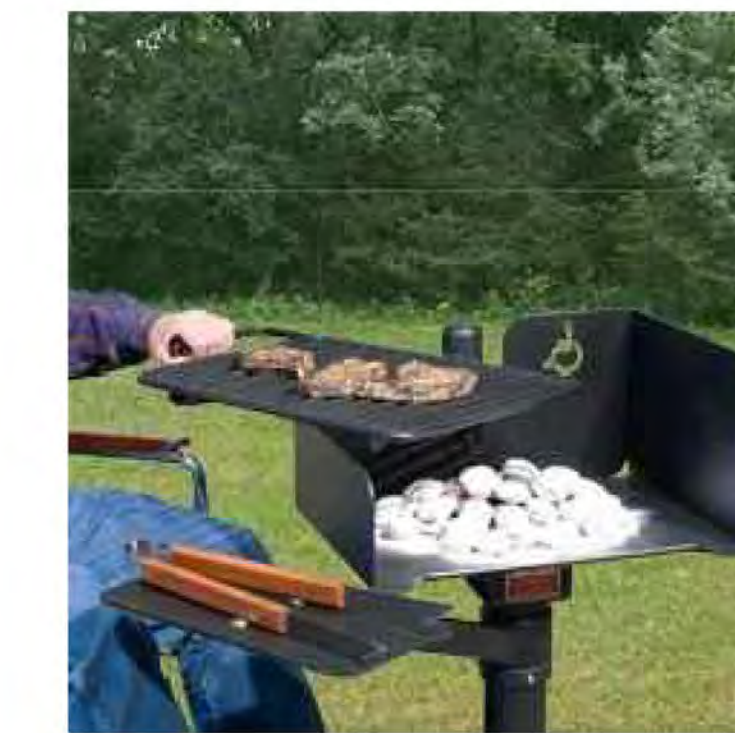
OVERHEAD SHADE STRUCTURE



STEEL PICNIC TABLE WITH ADA ACCESS OPTION



HOT COAL BIN



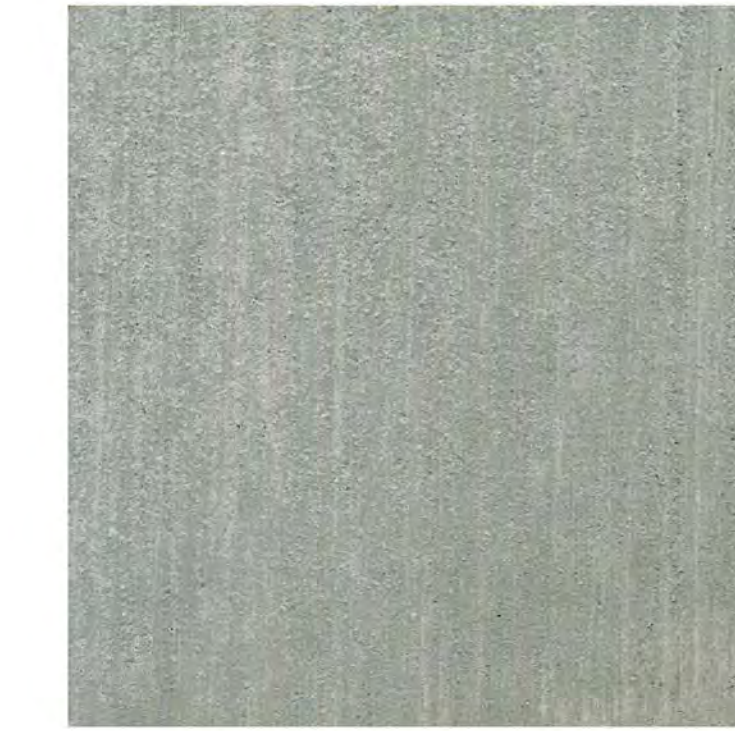
ADA CHARCOAL BBQ



STEEL BENCH



TRASH RECEPTACLE



NATURAL GRAY CONCRETE
MEDIUM BROOM FINISH



DECOMPOSED GRANITE TEXTURE



BIKE RACK



DRINKING FOUNTAIN WITH DOG BOWL



CONCRETE WITH WITH GRACE TOP CAST
ACID ETCH



PLAYGROUND EQUIPMENT



PLAYGROUND EQUIPMENT



BOULDERS

LENNAR[®]

PARKLANE DEVELOPMENT - FEATURES, MATERIALS, AND FINISHES EXHIBIT
ONTARIO, CA - PA28 TR. 19909 & PA29 TR. 19907

LC-25

DATE: JUNE 2020
ADG JOB #: 2001-A



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-006, A DEVELOPMENT PLAN TO CONSTRUCT 226 SINGLE-FAMILY DWELLINGS ON 53.79 ACRES OF LAND GENERALLY LOCATED AT THE NORTHWEST CORNER OF HAVEN AND BELLEGRAVE AVENUES, WITHIN PLANNING AREAS 28 (CONVENTIONAL MEDIUM LOT) AND 29 (CONVENTIONAL MEDIUM LOT) OF THE SUBAREA 29 SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-321-17 AND 0218-321-30.

WHEREAS, Lennar Homes of California, Inc. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 53.79 acres of land located at northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Planning Area 31 (Conventional Medium Lot) of the Subarea 29 Specific Plan and is presently vacant. The property to the east is within the SP (AG) zoning district and is presently vacant. The property to the south is within the Planning Area 27 (Conventional Medium Lot) of the Subarea 29 Specific Plan and is developed with a residential subdivision. The properties to the west are within Planning Areas 25 and 26 (Cluster Homes) of the Subarea 29 Specific Plan and is developed with a residential subdivision; and

WHEREAS, the Applicant proposes the development of 226 conventional single-family homes within Planning Areas 28 (southern Tract 19909 – Greenly at Parklane) and 29 (northern Tract 19907 – Everly at Parklane) of the Subarea 29 Specific Plan. Overall, there are total of six floor plans and five architectural styles proposed, with each Planning Area providing three distinct floor plans; and

WHEREAS, Planning Area (PA) 28 (southern Tract 19909 – Greenly at Parklane) provides three, two-story floor plans (Plans 1-3) and five architectural styles. The Subarea 29 Specific Plan requires a minimum lot size of 4,000 square feet and a maximum 50 percent lot coverage. The typical lot dimension for this tract is 50 feet by 90 feet and lot sizes range between 4,931 to 10,915 square feet, with an average lot size of 5,517 square feet. The proposed lot coverages range from 19 to 38 percent; and

WHEREAS, Planning Area 29 (northern Tract 19907 – Everly at Parklane) features three, two-story floor plans (Plans 4-6) and five architectural styles. The Subarea 29

Specific Plan requires a minimum lot size of 4,000 square feet and a maximum 50 percent lot coverage. The typical lot dimension for this tract is 55 feet by 90 feet and lot sizes range from 4,485 to 10,500 square feet, with an average lot size of 5,377 square feet. The proposed lot coverages range from 22 to 44 percent; and

WHEREAS, the architectural philosophy of the Subarea 29 Specific Plan is based on architectural styles found in Ontario's historic neighborhoods. The proposed architectural styles include Spanish Colonial, Craftsman, Farmhouse, American Traditional, and Andalusian. These styles were chosen to complement one another through the overall scale, massing, proportions, details, and the ability to establish an attractive backdrop that will age gracefully over time; and

WHEREAS, the project site will have primary access from Haven Avenue, which runs north-south along the eastern frontage of the project site, Parkview Street, which runs east-west along the northern frontage, and from Merrill Avenue, which runs east-west along the southern frontage. The developer is responsible for the construction of the remaining backbone street improvements and all interior neighborhood streets necessary to serve the project; and

WHEREAS, the Subarea 29 Specific Plan and the City's Development Code requires the project to provide 452 off-street parking spaces. Each single-family dwelling a two-car garage and a driveway that can accommodate two cars. In addition, plans 4/4X, 5, and 6 provide a tandem third-car garage space, for a total of 941 off-street parking spaces, exceeding the required number of parking spaces by 489 spaces; and

WHEREAS, the Project includes sidewalks separated by landscaped parkways, which provide visual interest and promotes pedestrian mobility. All homes will be provided with front yard landscaping (lawn, shrubs, and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for front, side, and rear yard landscaping maintenance, and for side and rear landscape improvements. The homeowners association will be responsible for the maintenance of landscaping and irrigation within all common areas and parkways of all local streets; and

WHEREAS, the Project includes a wall and fence plan to match the adjacent neighborhood, which is consistent with the requirements set forth within the Subarea 29 Specific Plan. Decorative 6-foot high, split-face block walls with decorative split-face pilasters are proposed for all public-facing front, side, and rear walls. The interior property line privacy fencing will consist of a 6-foot high tan precision block with a split-face decorative cap treatment, matching the perimeter wall color; and

WHEREAS, the previously approved Tract Maps 19907 and 19909 facilitated the construction of a park, sidewalks, parkways, and a paseo. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents,

resulting in a park area requirement of 1.72 acres. The Project provides a 2.01-acre centralized park that will serve both subdivisions; and

WHEREAS, the project also includes a 0.97-acre basin located within the southern portion of the project site, at the northeast corner of Grayson Way and Kane Drive, which has been designed for dual-purpose use for both water quality and as an open space amenity. The basin has been designed with trees and landscaping on the outer edges, gentle side slopes, and a centered open space area. A meandering trail will enter into the open space (basin bottom), incorporate dry/wet stream beds, and provide appropriate plant material to encourage habitat as well as provide signage to educate the community; and

WHEREAS, two paseos are proposed along the western portion of Tract 19907 to connect to the existing 30-foot wide SCE multipurpose trail, which will include a 10-foot wide stabilized decomposed granite paseo and 20 feet of landscaping. Also, a 10-foot wide parkway, 5-foot wide sidewalk, and 8-foot wide multipurpose trail within the 40-foot neighborhood edge is proposed along Haven Avenue. Residents will have access to the neighborhood park system, which include the main public park (Celebration Parks North and South) through pedestrian corridors that connect the neighborhoods to the schools, parks, and regional trail system; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, , the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element

law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 21, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB20-050, recommending the Planning Commission approve the Application; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts.

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (226 units) and density (4.2 DU/AC) specified in the Available Land Inventory.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and***

City Council Priorities components of The Ontario Plan. The proposed Project is located within the Low-Density Residential land use district of the Policy Plan Land Use Map, and the Conventional Medium Lot (Planning Areas 28 and 29) land use district of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of Conventional Medium Lot: Village Homes Residential Development Standards of the Subarea 29 Specific Plan. Future neighborhoods within the Subarea 29 Specific Plan and surrounding area will provide for diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Conventional Medium Lot (Planning Areas 28 and 29) land use district of the Subarea 29 Specific Plan, including standards relative to the particular land use proposed (conventional single-family homes), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Conventional Medium Lot (Planning Areas 28 and 29) land use district of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Conventional Medium Lot (Planning Areas 28 and 29) land use district of the Subarea 29 Specific Plan. Additionally, the environmental impacts of this project were previously reviewed in conjunction with the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable***

specific plan or planned unit development. The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Conventional Medium Lot (Planning Areas 28 and 29) land use district of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (conventional single-family homes). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Conventional Medium Lot (Planning Areas 28 and 29) land use district of the Subarea 29 Specific Plan. Additionally, the Development Plan complies with all provisions of Conventional Medium Lot: Village Homes Development Standards of the Subarea 29 Specific Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV20-006
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: September 22, 2020

File No: PDEV20-006

Related Files: PMTT14-024 (TM 19907) and PMTT14-025 (TM 19909)

Project Description: A Development Plan to construct 226 single-family dwellings on 53.79 acres of land generally located at the northwest corner of Haven and Bellegrave Avenues, within Planning Areas 28 (Conventional Medium Lot) and 29 (Conventional Medium Lot) of the Subarea 29 Specific Plan. (APNs: 0218-321-17 and 0218-321-30) **submitted by Lennar Homes of California, Inc.**

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

(e) Each single-family dwelling/lot shall be provided with front yard landscaping and a permanent automatic irrigation in the front yard of each lot. At a minimum, a seeded turf lawn or appropriately-landscaped drought-tolerant plantings, appropriate shrubs and trees, and an automatic irrigation system shall be provided. Furthermore, a variety of typical landscape designs shall be provided for use on each lot within the subdivision.

(f) The owner or assigns of the project site shall be responsible for the maintenance of the project site in good condition, so as to present a healthy, neat, and orderly landscape area.

(g) Any removal of mature landscaping shall require the replacement of such with landscaping of similar size and maturity.

(h) Irrigation systems shall be constantly maintained to eliminate wastewater due to loss of heads, broken pipes or misadjusted nozzles.

2.4 Walls and Fences.

(a) All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

(b) Decorative 6-foot high masonry block walls shall be constructed at the following locations (per approved site plan):

(i) Rear and interior side property lines (walls not exposed to public view may be constructed of tan precision block); and

(ii) Side property line wall returns to the dwelling unit, with appropriate gates.

(c) Walls located within a required front yard setback shall be reduced to 3 feet in height. On any lots that front onto the park/paseos, front yard walls or hedgerows may not exceed a height of 3 feet from finished grade.

(d) All new and existing walls shall be provided with a decorative cap. The use of a mortar and/or metal flashing cap shall not be permitted.

(e) The height of a wall or fence shall be measured from the highest point of the natural ground or finished grade at the base of the fence or wall to the top of the fence or wall above the same base point.

(f) Prior to the issuance of a building permit, a Wall Plan shall be reviewed and approved by the Planning and Building Departments. The plans shall indicate materials, colors and height of proposed and existing walls/fences and shall include a cross-section of walls/fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development and shall be constructed of tilt-up concrete, brick, or split-face or slump block.

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Each single-family home shall maintain a minimum 20' x 20' (clear area) two-car garage.

(c) No recreational vehicle storage (RVs) in front or corner side yards. No RV street parking for more than 72 hours.

(d) Driveway (aprons) shall be designed and constructed per City of Ontario Standards.

(e) The required number of off-street parking spaces shall be provided at the time of site and/or building occupancy. All parking spaces shall be maintained in good condition for the duration of the building or use.

2.6 Site Lighting.

(a) Site lighting shall be reviewed and approved by the Planning and Police Departments prior to the issuance of building permits.

(b) Along pedestrian movement corridors such as parks and paseos, the use of low-mounted bollard light standards, which reinforce pedestrian scale, shall be used. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view and ground-mounted within the side or rear yard area.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.0 (Sign Regulations).

(a) Off-Site Subdivision Signs:

(i) The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signage is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.)

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project in conjunction with the Final Map and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owner's association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.12 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.13 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts; and. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.14 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.15 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.16 Additional Requirements.

(a) The private park and paseos shall be constructed prior to the issuance of the certificate of occupancy of the 113th home.

(b) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(c) The applicant (Developer) shall be responsible for providing fiber optics to each home per City requirements and standards.

(d) Final architecture for the proposed project shall be reviewed and approved by the Planning Department in the construction document process prior to the issuance of building permits.

(e) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from Subarea 29 Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

(f) The development of this project shall conform to the City's Development Code and the regulations of the Subarea 29 Specific Plan.

(g) The project shall be consistent with Development Agreements File No. PDA15-005 and File No. PDA15-006.

(h) All applicable conditions of approval of the related File No. PMTT14-024 / TM 19907 and File No. PMTT14-025 / TM 19909 shall apply.

(i) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. By electing to utilize the Screening Tables the applicant shall be required to garner a minimum of 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction drawings the items identified in the residential Screening Tables.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

DAB MEETING DATE: September 21, 2020

PROJECT: PDEV20-006; Development Plan to construct 226 single-family homes (Lennar Homes) on 53.79 acres of land within Planning Area 28 of the Subarea 29 Specific Plan (Related Files TM-19907 & TM-19909)

APN: 0218-321-17 and 0218-321-30

LOCATION: Merrill Avenue and Haven Avenue (Northeast Corner)

PROJECT ENGINEER: Jesus Plasencia, Senior Associate Civil Engineer (909) 395-2128


PROJECT PLANNER: Jeanie Irene Aguilo, Associate Planner (909) 395-2431

The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:
2. The applicant/developer shall be responsible for the completion of all public improvements for this tract and the public improvements specified in the Subarea 29 Specific Plan, the Development Agreement, and the Conditions of Approval for TM-19907 and TM-19909.
3. The applicant/developer shall be responsible to acquire all necessary right-of-way to construct the required public improvements.
4. The applicant/developer shall be responsible to pay applicable DIF fees to the Building Department prior the issuance of Building Permits.
5. Pedestrian access to adjacent collector/arterial streets (via sidewalk) shall be provided for occupied homes throughout the duration of project construction.
6. For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs)

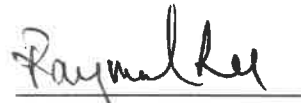
or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

7. The TTM-19907 & TTM-19909 Solid Waste Handling Plan (SWHP), dated 07/22/2020, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "Solid Waste Handling Plan Requirements".
8. Prior to the issuance of any Building Permits, provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, public/private utilities, solid waste collection facilities, and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The Solid Waste Handling Plan shall be included in the CC&Rs with a provision that the HOA will enforce can collections placement requirements specified in the Plan.
9. Prior to the issuance Building Permits, submit three (3) copies of Fiber Optic Plans for in-tract and offsite improvements for City review and approval. Fiber Optic improvements shall comply with the attached IT Department standards.



Bryan Lirley, P.E.
Principal Engineer

9/9/20
Date



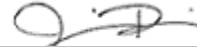
Raymond Lee, P.E.
Assistant City Engineer

9/10/20
Date

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

DAB CONDITIONS OF APPROVAL

Sign Off



8/27/2020

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name: Jamie Richardson, Sr. Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV20-006	Case Planner: Jeanie Aguilo
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Project Name and Location:
 Subarea 29 – Park Place PA28
 NWC Haven Ave and Bellgrave Ave

Applicant/Representative:
 Lennar Homes of California, Inc. – Blaine Humbles
 980 Montecito Drive #302
 Corona, CA 92614

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 07/08/2020) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

- Parkway trees are to be 30' apart and where residential driveways occur, a maximum 45' apart. Show and note a 10' total space, 5' clearance each side of tree from any utility or hardscape including water, sewer, drain lines and driveways; and 10' clear from street lights. Relocate utilities to minimum clearances to allow parkway trees. Street trees may reduce to 25-28' if necessary. Minimum setbacks from sewer and water 5', 10' from light standards only where necessary.
- Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
- Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
- Show backflow devices set back 4' from paving all sides. Locate on level grade
- Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
- Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners.
- Southwest (Lot B & C) corner of Haven Ave and Parkview St and northwest corner (Lots S & D) of Haven Ave and Austin St and northwest corner of Haven Ave and Merrill Ave; verify dimension and grade for required monumentation (see Rich Haven Specific Plan for detail). Adjacent walls shall not interfere with required monumentation.
- Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
- Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
- Note and show on plans: all AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side shall be added for access.
- Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened

by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

12. DG trails and parkways at corners (Haven Ave.) shall have the trail curve into the sidewalk rather than out to the corner ramp; OK to end parkway landscape before corner utilities.
 13. Note and show on plans: all AC units shall be located in residential side yards, opposite the main back yard access path with gate, or a second gate and solid surface path on the opposite side shall be added for access.
 14. Note on landscape plans: for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
 15. Park View Street match to the west; Podocarpus gracilior, Westringia, Kniphofia, Callistemon, Pittosporum.
 16. Replace invasive, high water using, short lived, high maintenance or poor performing plants: Bouteloua (poor winter appearance), Lantana (wide spreading and short lived, use only in limited accent areas 8' wide or larger in any direction), do not use Rhus lancea as street trees (irregular form).
 17. Overhead spray systems shall be designed for plant material less than the height of the spray head.
 18. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
 19. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
 20. Call out all fences and walls, materials proposed and heights.
 21. Show concrete mowstrips to identify property lines along open areas or to separate ownership or between maintenance areas.
 22. Residential projects shall include a stub-out for future back yard irrigation systems with anti-siphon valves. All single family and multi-family residential front yards shall have landscape and irrigation.
 23. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
 24. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
 25. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
 26. Provide phasing map for multi-phase projects.
 27. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres	\$2,791.00
Inspection—Construction (up to 3 inspections per phase).....	\$600.00
- Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-004

Address: Northeast corner of Schaefer Avenue & Haven Avenue

APN: 0218-161-01

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 100 single-family residential units and 234 multiple-family residential units

Site Acreage: 79.7 Proposed Structure Height: N/A

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 7/14/2020

CD No.: 2020-002

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft +</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See attached Real Estate Transaction Disclosure condition:

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2020-002
PALU No.: _____

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: March 19, 2020

SUBJECT: PDEV20-006 – A Development Plan approval to construct 226 single-family dwellings on approximately 53.79 acres of land located at the northwest corner of Haven and Bellgraves, within Planning Area 28 of the Subarea 29 Specific Plan (APN(s): 218-321-17 and 218-321-30). Related File(s): PMTT14-025 and PMTT14-024.

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies
- D. Number of Stories: 2
- E. Total Square Footage: 2,565 to 3,157 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R 3

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO

MEMORANDUM

TO: Jeanie Irene Aguilo, Associate Planner

FROM: Emily Hernandez, Police Officer

DATE: April 1, 2020

SUBJECT: PDEV20-006- A DEVELOPMENT PLAN TO CONSTRUCT 226 SINGLE-FAMILY DWELLINGS LOCATED ON THE NORTHWEST CORNER OF HAVEN AVENUE AND BELLGRAVE.

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 for “Ontario ranch Projects” apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, paseos, driveways, doorways, parking areas, parks, park walkways, playgrounds, recreation areas and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall install illuminated address numbers, powered by photocell, on each individual unit and shall not be controlled by the building occupants.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Jeanie Irene Aguilo
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: March 17, 2020
SUBJECT: PDEV20-006

-
- The plan does adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: September 22, 2020

FILES NO.: PHP18-028 and PHP18-029

SUBJECT: A request to designate the Graber Olive House Historic District as a Local Historic District (File No. PHP18-028) and a request to designate the Clifford C. Graber House as a Local Landmark (PHP18-029).

LOCATION: Clifford C. Graber House, 301 East Fourth Street (APN: 1047-543-01) and the Graber Olive House, 315 East Fourth Street (APN: 1047-543-31), 405 East Fourth Street (APN: 1047-543-330) and 406 East Harvard Place (APN: 1047-543-20)

APPLICANT: Clifford Graber II

PROPERTY OWNER: Clifford Graber II

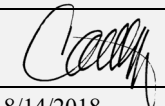
I. RECOMMENDATION:

That the Historic Preservation Commission recommend that the City Council designate: [1] the Graber Olive House Historic District, bound by the Graber Olive House Company and the Graber Residence located at the northeastern corner between East Fourth Street and North Columbia Avenue and East Harvard Place, as a local historic district; and [2] the Clifford C. Graber House, located at 301 East Fourth Street, as Local Historic Landmark No. 99.

II. HISTORY AND HISTORIC CONTEXT:

The Graber Olive House Company is Ontario's longest continuously operating business, and one of the United States' oldest olive processing packing company. The company's origins commenced in 1892 with the purchase of one of the early "Model Colony" 10-acre agricultural land lot subdivisions acquired from the Chaffey Brothers. The new owners were brothers Clifford C. and Charles Graber from Clay City, Indiana, whose hardworking and persevering Midwestern work ethic impressed local Ontario residents enough to enable the brothers to borrow money and venture into the citrus farming business.

The Graber brothers planted orange groves, selling oranges and other short-term crops to the locals. As they waited for the citrus plants to harvest, Clifford C. Graber experimented with curing olives from a nearby abandoned Manzanillo olive grove. The Manzanillo tree grows close to the ground, is easy to harvest, and matures right before winter. Believed to have been introduced to California in 1769 by the San Franciscan Missionaries from Spain,

<i>Case Planner:</i>	Monica Carranza
<i>Planning Director Approval:</i>	
<i>Submittal Date:</i>	8/14/2018

<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
HPSC	9/15/2020	Approval	Recommend
PC	9/22/2020		Recommend
CC	10/20/2020		Final

the olive fruit's curing methods were popularly experimented in the late 1800s. The University of California Davis, known for agricultural experimentations, composed a standard curing recipe available to any agriculturist interested in curing olives. The recipe was requested by Clifford C. Graber providing the basis for his famous secret Graber Olive Recipe.

By 1894, Clifford C. Graber's Graber Olive Recipe became so popular in Ontario and nearby cities, that he formally founded the Graber Olive House Company out of his barn (portion of Resource No.5) that year.

The Graber Olive House Historic District's history can be separated into three significant time periods that demonstrate the continual growth of the Graber Olive House Company:

1. *Early Graber's Olives (1894-1910)*: This period saw the construction of two buildings (Resource No. 1, the Clifford C. Graber House and Resource No. 5, the Original Barn, Olive Sheds, Boiler, and Labeling Rooms). In 1907, Clifford C. Graber built the 2 1/2-story Craftsman Bungalow redwood house for his new wife, Georgia Noe Bell for her to be close to Mr. Graber and the business. During this time, Clifford C. Graber still harvested oranges since a large portion of the District was still covered in orange fields. Once olive season started in the winter, the entire Graber family would handpick and cure matured olives from the nearby abandoned orchards. Olives were sold out of the Original Barn (No.5) and at local markets on wooden kegs. People came from nearby areas to the Graber Olive House Historic District with their own containers to purchase olives.
2. *Standardization of the Graber Olive (1910-1934)*: This period was marked by the introduction and popularization of the tin can into the food industry, preserving food longer. In 1910, Clifford C. Graber realized his idea of olive sorting by diameter size with the invention Graber's Original Olive Grader (Resource No. 18). The machine revolutionized marketing of olives. The Graber Olive Company introduced a new way of identifying size of olives. The sorting method provided 3 different sizes to its customers (10", 12" or 16") instead of the typically marketed "jumbo" or "colossal." Additionally, Clifford C. Graber introduced a mail-order system allowing the expansion of sales beyond the region. Mr. Graber decided to focus solely on the company in 1929, putting all his effort and time to making the company prosper. This time period saw the construction of 4 buildings used for storing olives (Resources Nos. 7 and 8) and farm tools (Resource Nos. 10 and 11). Clifford C. Graber purchased olive crops in the City of Hemet, CA, further expanding the volumes of olives the company processed leading way to the company's next period.
3. *Graber Olive's Modernization (1934 to Present)*: During this period the Graber Olive House Company underwent major modernized of operating machinery. In 1934, the processing facilities expanded with the construction of a new building (Resource No. 2). Modern machinery (Resources Nos. 19-24) was introduced, speeding the sorting, packaging, and labeling processes. The mail-order system expanded internationally. Between 1935-1965 the Graber Olive House Company finalized its built landscape with the addition of 4 buildings on site (Resource Nos. 3, 4, 6, and 9) directed by a new change in the company's management, Clifford C. Graber's Son Robert I and his wife

Betty Graber. Additionally, the orange fields were replaced with two landscapes (Resource Nos. 12 and 13) emphasizing relaxation and recreation. New uses were introduced to the company, such as specific retail spaces and a small museum room geared towards a new form of marketing which offered a unique buying experience for the customers. The Graber Olive House Company olive fields in Hemet were sold in the 1960s after a drought period but new land was purchased in the City of Lindsay in the Central Valley. Currently, the Graber Olive House Company is managed by Clifford Graber II and his son Robert II, preserving the over 100 years of olive canning legacy in the City of Ontario.

The Graber Olive House Historic District ("District") comprises the Graber family residence and the Graber Olive House Company. It encompasses a total of 2.58- acres of land from the original 10- acres of land which has been divided into 4 parcels and has a total of 26 historic Contributors, and at least 6 Non-Contributors (See Exhibit A: Site Map). The District is located within the College Park Historic District residential neighborhood that was designated by City Council in 2000. Although the Graber Olive House Historic District predates the 1920 College Park neighborhood development, the District is not adversely impacted by its surroundings. The College Park neighborhood was one of the first subdivisions to have underground telephone, water, gas and electrical lines, ornamental street lighting, improved streets and alleyways. The development brought many styles of homes including Mediterranean Revival, Tudor, Colonial Revival, Prairie, Ranch and Craftsman Bungalow giving the College Park District its distinct characteristic. The proposed Graber Olive House District exhibits one of the earliest Craftsman Bungalows predating the College Park Tract, which might have served as an inspiration for those architectural styles and characteristics.

The Graber Olive House Historic District land use is characterized below and depicted in Figure 1. General Site Characterization:

1. The *Residential* area (depicted in red) is located on the southwestern corner and contains a unique Craftsman Bungalow and 3 car garage which has been used as the Graber Family's residence for over 100 years, since 1907.
2. The *Relaxation and Exploration* area (depicted in green) is a concentration of all the significant natural historic resources (landscapes and trees) and has the oldest structures on the property (Resource Nos. 10 and 11) used for citrus farming. The area once covered in citrus fields, became landscapes used as an excellent space for relaxation and exploration. Antique agricultural artifacts are found around. The matured trees found around create a unique sense of place linked to nature.
3. The *Graber Olive Production* area (depicted in yellow) is the location of the olive canning production and processing since the Graber Olive House Company's start in 1894. Today, it is comprised of 8 buildings and 7 machines of historical importance including the processing plants, retail, warehouses, offices, and a museum room.

The Graber Olive House Historic District

General Sections Site Plan

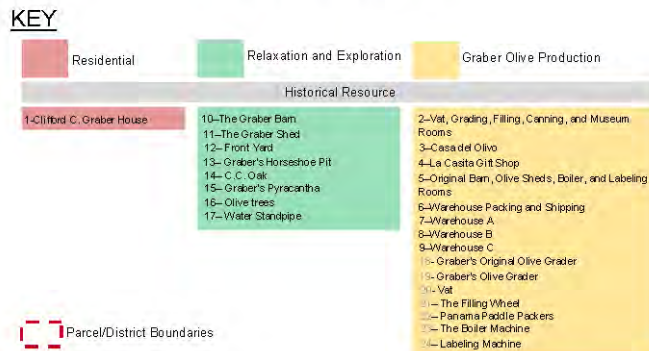


Figure 1. General Site Characterization

III. CHARACTER DEFINING FEATURES:

Graber Olive Company Historic District contains buildings, structures, objects, landscapes and features that are considered a “Contributor” or a “Non-Contributor” to the District. A “Contributor” contributes or adds to the historic significance because it was constructed or is considered essential or important to the historic district’s period of significance. In the case of the Graber Olive House Historic District, it is being evaluated under two themes: [1] Its significance to the Olive Canning Industry; and, [2] its architectural significance from 1894-

1975. As previously stated, the District contains 4 parcels of land for a total of 2.58 acres of land, 26 Contributors, and 6 known Non-Contributors.

The Graber Olive House Historic District represents an early agricultural business and operation. The proposed District has maintained its original use, buildings, and landscape which yields a high level of integrity and authenticity. Despite changes to the market and development of the surrounding neighborhood, the business has preserved character defining features.

The Graber Olive House Historic District contains 11 buildings with varying typology (single family residence, office commercial, general commercial, and light industrial, museum space, gift shop, and sales room) and architectural styles (Craftsman Bungalow, Utilitarian, and Vernacular/Ranch), 8 objects representing engineering development to the agricultural development and processing of the fruit preservation canning industry, 2 landscape features (front yard and horseshoe area), and 5 tree species (Camphor, Olive, Coast Live Oaks, Redwoods, and Pyracatha). Refer to "Exhibits A and B" for a complete list of each Historic Resource Contributor description and location.

Additionally, the Graber Olive House Historic District has at least 6 known Non-Contributors varying from objects (an Olive Mill, a Plow, and museum artifacts), Palm trees, and small sheds that add to the overall setting of the District, but are not contributing features since they were added to the District or were constructed outside the time period.

IV. DESIGNATION CRITERIA:

Graber Olive House Historic District

On September 15, 2020 the Historic Preservation Subcommittee determined that the Graber Olive House Historic District was a Tier I Historic Resource eligible for historic district listing on the Ontario Register of Historic Resources and recommended approval finding that it met the following designation criteria as contained in Section 4.02.040 of the City's Development Code:

1. ***The historic resource is a geographically definable area possessing a concentration of historic resources or a thematically related grouping of structures that contribute to each other and are unified by plan, style, or physical development, and embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values.*** The District and the Contributors are directly related to the Graber Olive House Company business, one of the oldest olive curing and processing facilities in the region. The Graber Olive House Historic District, geographically defined by the Graber Olive House Company and Graber family residence (Resource No. 1), contains a total of 26 contributing historic resources (buildings, landscapes, trees, and objects) significant to the olive canning industry advancement and relation to Clifford C. Graber. Eleven buildings contribute to the historic significance and represent the evolution of the olive canning industry starting in Utilitarian style barns and sheds. Additions to existing structures (Resource Nos. 5 & 2) and

construction of new ones, such as storage warehouses (Resource Nos. 6-9) as a result of the olive business growth. Clifford C. Graber focused the business on the production of preserving and canning fruit through the help of his machinery invention, the Graber's Original Olive Grader (Resource No. 18). The modernization of the cannery in the 1934, brought about larger facilities for production and additional modern- time machinery (Resource Nos.19, 21-24) still used every harvest season. By 1962, the company had to open a separate individual sales and retail room La Casita Gift Shop (Resource No. 4), replacing a corner of the canning and curing room. A museum was later created in the corner of the vat room displaying photographs and tools of Ontario's earlier history. Currently, the Graber Olive Company continues running operations canning and preserving fruit, shipping olives across the nation and worldwide, and

2. ***The historic resource reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design, or community planning.*** The proposed Graber Olive House Historic District is associated with Ontario's early agriculture period as it stands as one of the last agricultural operations located on an original Model Colony 10-acre agricultural subdivision. The Graber Olive House Historic District's current spatial relationships and land uses have not changed from its original operations. The Graber Olive House Historic District reflects the growth in the company with the expansion of buildings constructed, yet the use as an olive canning and curing company has not changed or been impacted by the surrounding development of the College Park neighborhood. The City of Ontario's early agricultural history remains within the Graber Olive House Historic District through its buildings, spatial layout, and use of property, and

3. ***The historic resource is, or the contributing resources are, associated with the lives of persons important to the City, State or National history.*** Early town residents that provided essential services were often considered leaders of the community promoting and contributing to the settlement of the colony. Residents that are considered important to the settlement of Ontario were often early citrus pioneers, bankers, clergymen, teachers, doctors, and business owners. Listed below are important people who are associated with the Graber Olive House Historic District and are important to the City, State, and National history:
 - a. **Clifford C. Graber I** – Founder and first president of Graber Olive House Company, Ontario Councilmen, and member of the Chaffey High School Board of Trustees. Clifford marketed olives by diameter size numbers setting his company apart from the others that used words like jumbo or colossal. He was responsible for starting a mail-order system taking advantage of the new postal services, and for the modernization of the Graber Olive House Company in 1934.

 - b. **Georgia Noe Bell Graber**- Wife of Clifford C. Graber I and mother of their 4 children. Georgia became partner of Clifford after Charles left the business, she helped Clifford drive the Graber Olive House Company to its early success.

- c. **Robert Graber I** – Son of Clifford C. Graber I, second president of Graber Olive House Company. Robert was responsible for reinventing the company to comply with market demands adding the gifts basket and moving olive crop locations to the San Joaquin Valley.
- d. **Mary E. ‘Betty’ Graber** – Wife of Robert Graber I, Member of Executive Women International, Shakespeare Club, Soroptimist Club, Jamboleers, Chaffey Community Art Association, Republican Women and the San Antonio Hospital Foundation. Betty added the museum to the Graber Olive House Historic District, drawing more attention to the company and providing a unique sales experience in purchasing olives.

Clifford C. Graber House Local Landmark

A historic resource may be designated a local “historic landmark” by the City if it meets the criteria for listing in the National Register of Historic Places, the California Register of Historic Resources, or it meets the Local Landmark Designation criteria in the Ontario Development Code, which is based on architecture and history. Historic resources must also have integrity for the time in which they are significant. The criteria considered when evaluating properties for integrity include: design, setting, materials and workmanship, location, feeling and association.

The architectural integrity of the residence is high as it retains all its original exterior features and has had minimal to no exterior alterations. The landscape with mature trees provides an environment that conveys the feeling and association to an earlier time. Apart from being architecturally significant due to its high integrity and minimal alterations over the last 100 years, it is also associated with one of the revolutionary pioneers of the standardization of the canning olives industry, Mr. Clifford C. Graber. The house remains in the Graber family to this day. Staff recommends the historic resource be designated as Local Landmark No. 99 as it meets the designation criteria.

On July 09, 2020, the Historic Preservation Subcommittee determined that the Clifford C. Graber House, located at 301 East Fourth Street, was a Tier I Historic Resource eligible for individual listing on the Ontario Register of Historic Resources and recommended local landmark approval finding that it met the following designation criteria:

1. ***The historic resource is identified with persons or events significant in local, state, or national history.*** The Clifford C. Graber house belonged to Clifford C. Graber who founded and managed the Graber Olive Company. Mr. Graber was an early Ontario agricultural pioneer. Graber harvest citrus and other short-term crop but found success selling olives. Graber’s olives are cured using a recipe developed by Clifford C. Graber that is still a family secret. The Graber Olive Company is Ontario’s oldest continuously operated business and continues to be family-owned, since 1894. Clifford C. Graber also served as a City Councilmember from 1918 until 1925. Graber was also a longtime member of the Chaffey Joint Union High School District. The Chaffey High School football field was named after him. The residence has remained in the Graber Olive family for over

100 years, and is currently occupied by third generation Clifford Graber II, current president of the Graber Olive Company, and

2. ***The historic resource embodies distinguishing architectural characteristics of a style, type, period, or method of construction.*** The Clifford C. Graber House is one of the finest examples of the Craftsman Bungalow architectural style in the City, which is evident by survival of the building's character-defining features. The house retains the original distinctive roof form, horizontal wood siding, wood windows, rear balconies, and unique three-car garage with high front-facing gable flanked with two shorter facing gables, and
3. ***The historic resource is one of the few remaining examples in the City, region, state or nation, possessing distinguishing characteristics of an architectural or historical type or specimen.*** The Clifford C. Graber House was built in 1907 making it one of the earliest examples of the Craftsman architectural style in Ontario. It is also one of the few remaining examples of the 2 1/2-story Craftsman Bungalow in the City.

V. **COMPLIANCE WITH THE ONTARIO PLAN:** The proposed landmark designation is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

City Council Priorities

- Focus Resources in Ontario's Commercial and Residential Neighborhoods; and

Vision

DYNAMIC BALANCE

An appreciation for the "personality and charm" of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

Governance

G1-1: *Consistency with Policies.* We require that staff recommendations to the City Council be consistent with adopted City Council Priorities (Goals and Objectives) and The Policy Plan.

G1-2: *Long-term Benefit.* We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

Policy Plan

CD1-3: *Neighborhood Improvement*. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

CD4-6: *Promotion of Public Involvement in Preservation*. We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.

CD5-4: *Neighborhood Involvement*. We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.

Exhibit A: Site Plan

The Graber Olive House Historic District

Site Plan



KEY

- | | | | |
|---|-------------------------------------|---|--------------------------------|
| 1 1-Clifford C. Graber House | 10 10-The Graber Barn | Palm trees | Driveway |
| 2 2-Vat, Grading, Filling, Canning and Museum Rooms | 11 11-The Graber Shed | Deodars | Parcel/
District Boundaries |
| 3 3-Casa del Olivo | Breezeways | 25 Coast Redwoods | Non-Contributors |
| 4 4-La Casita Gift Shop | 12 12-Front Yard | 17 Water Standpipe | |
| 5 5-Original Barn, Olive Sheds, Boiler, and Labeling Rooms | 13 13-Graber's Horseshoe Pit | Machinery | |
| 6 6-Warehouse Packing and Shipping | 14 14-C.C. Oak | 18 18-Graber's Original Olive Grader | |
| 7 7-Warehouse A | 15 15-Graber's Pyracantha | 19 19-Graber's Olive Grader | |
| 8 8-Warehouse B | 16 16-Olive Trees | 20 20-Vat | |
| 9 9-Warehouse C | 26 26-Camphor Tree | 21 21-The Filling Wheel | |
| | | 22 22-Panama Paddle Packers | |
| | | 23 23-The Boiler Machine | |
| | | 24 24-Labeling Machine | |

Exhibit B: Graber Olive House Historic District Contributors

Resource No. 1

The Clifford C. Graber House

Year Built:

1907

Architectural Style:

Craftsman Bungalow

Description:

The 2 1/2-story residence is rectangular in plan with a composition shingle covered gable roof with exposed eaves, horizontal wood siding, and a stone (rock) foundation. It features multi-paned double-hung windows, shed-roofed dormer windows, purlins, a brick chimney, two rear balconies and an enclosed front porch. The residence includes a detached 3-car garage with a unique triple-gable roof design; a central front facing gable flanked by two shorter front facing gables. The garage is clad in horizontal wood siding with a composition shingle roof.



Image 1: Resource No. 1 South Elevation



Image 2: Resource No. 1 East Elevation



Image 3: Resource No. 1 view of residence's North Elevation and Garage's East Elevation

Resource No. 2

Vat, Grading, Filling, Canning, and Museum Room

Year Built:

1934

Architectural Style:

Utilitarian

Description:

It is a one-story board and batten barn structure created to modernize the canning facility. It is square in plan with a stucco finish on the west and south facades. The exterior west elevation has two mosaics depicting farmers picking olives at each side of the museum room's entrance. In 1972 Mrs. Betty Graber converted a



Image 4: West elevation of building, looking at the Museum entrance.

portion of non-used space in the Vat Room into a museum room. The north and east facades are of a wood board and batten siding material. It has a saw-tooth roof with an asphalt finish that allows natural light to come through the windows. The interior rooms consist of the olive grading room, the filling and canning rooms, the vat rooms, the museum room and an office room. The spatial layout of the barn shows the 1930s early most advanced methods of canning production and spatial usage within the industry. Today the rooms store machinery (Resources No. 18-22) Machinery is still used for canning and sorting of olives.



Image 5: Interior of Museum Room showcasing Graber's Original Olive Grader (Resource No. 18).



Image 6: Grading Room showing Graber's Olive Grader (Resource No. 19).



Image 7: Vat Room showing Vats (Resource No. 20).



Image 8: Filling Room showcasing the Filling Machine (Resource No. 21).



Image 9: Canning Room showcasing the Panama Paddle Packer (Resource No. 22).

Resource No.3

Casa Del Olivo

Year Built:

1965

Architectural Style:

Vernacular/Ranch

Description:

A one-story building rectangular in plan, with a side gable roof covered in asphalt shingles, is clad in board and batten siding and features wood hung windows. The entry features three front-side French doors. The building has a full width front porch with 5 simple wood stud columns supported by metal t-hardware. The porch is enclosed with a simple metal railing and has two points of access: an ADA ramp and a stair



Image 10: Southwest Elevation

entrance. The porch has tiled flooring joined by red brick closer to the driveway.



Image 11: East Elevation

Resource No. 4

La Casita Gift Shop

Year Built:

1962

Architectural Style:

Utilitarian

Description:

The one-story building square in plan with a stucco finish and brick-capping trim. It has a flat roof with wood shingles, and fixed style windows along the west façade. The entry features an incorporated wooden door covered with a small front facing gable patio supported by wood brackets.



Image 12: Southwest Elevation

Resource 5

Original Barn, Olive Sheds, Boiler, and Labeling Rooms

Year Built:
1894-1906

Architectural Style:

Utilitarian

Description:

The one-story has an overall irregular plan with board and batten exterior and interior siding. The first section constructed was the Original Barn, a board and batten barn, with 2 large barn doors, and a set of 2 central wood panel single hung cased windows on the south façade. On the west façade there were wooden barn windows near the top of the barn, which can still be seen in the next room (the labeling room). The Original Barn today is used as a storage room. The other rooms appear to have been constructed at the same time and include the labeling room, boiler room, olive sheds, and office rooms. This was constructed in accordance with the Original Barn style with wood batten and board design, and similar barn doors and openings.



Image 13: Southwest Elevation



Image 14: Boiler Machine at the Boiler Room
(Resource No. 23)



Image 15: Labeling Machine at the Labeling Room
(Resource No. 24)

Resource No. 6

Warehouse Packing and Shipping

Year Built:

1938-1946

Architectural Style:

Utilitarian

Description:

A one-story rectangular plan board form concrete building. It has a flat roof with brick capped parapet. This building is used for storing the sales rooms merchandise and crafting gifts baskets used inside the shop.



Image 16: Northwest Elevation

Resource No. 7

Warehouse A

Year Built:

1932

Architectural Style:

Utilitarian

Description:

A one-story rectangular in plan board form concrete building. It has a flat roof with brick capped parapet.



Image 17: West Elevation

Resource No. 8

Warehouse B

Year Built:

1932

Architectural Style:

Utilitarian

Description:

A one-story rectangular plan board form concrete building. It has a flat roof. It has steel awning windows. The warehouse is used for shipping and handling of merchandise during the olive picking season.



Image 18: West Elevation

Resource No. 9

Warehouse C

Year Built:

1932

Architectural Style:

Utilitarian

Description:

A one-story square in plan concrete block building. It has a flat roof with brick capped parapet. The warehouse is used for shipping and handling of merchandise during the olive picking season.



Image 19: East Elevation

Resource No. 10

Graber Barn

Year Built:

Prior to 1938

Architectural Style:

Vernacular Ranch

Description:

A one-story rectangle-plan wood framed building has a corrugated metal finish. It has a gabled roof with covered in sheet metal and large overhanging eaves. The entry features a corrugated vertical rolling door.



Image 20: Northeast Elevation

Resource No. 11

Shed

Year Built:

Prior to 1938

Architectural Style:

Vernacular Ranch

Description:

A one- story rectangle-plan wood framed structure with a board and batted wood finish. The building has a small porch attached with simple wood columns. The entry features a front carriage style door.



Image 21: South Elevation




Resource No. 12



Front Yard



Description:

The yard functions as the entrance for the company. It is a spacious grassy area frequently used by customers to relax or have a picnic. The yard has additional plants such as; ivy along the sidewalk, two rows of olive trees, and an old olive mill on display. This yard is shady with an open design.



<p>Resource No. 13</p> <p>Graber's Horseshoe Pit</p> <p>Description:</p> <p>This area is enclosed by trees and contains an irregular rectangular dirt covered ground surrounded by a grass border. It is used as a horseshoe pit and for passive recreation.</p>	
<p>Resource No. 14</p> <p>C.C Graber Oak Tree</p> <p>Scientific Name:</p> <p><i>Quercus agrifolia</i></p> <p>Description:</p> <p>The C.C Graber Oak Tree is a matured 100-year-old Coast Live Oak located at the northeastern corner of the District.</p>	
<p>Resource No. 15</p> <p>Graber's Pyracantha or Graberi</p> <p>Scientific Name:</p> <p><i>Pyracantha crenatoserrata</i> 'Graberi'</p> <p>Description:</p> <p>The Graber's Pyracantha is a located on the northeastern border of the District said to have been gifted to the Graber family by Mr. Armstrong himself. The name of this species of</p>	

<p>tree seems to have derived in honor of the Graber family.</p>	
<p>Resource No. 16</p> <p>Olive trees</p> <p>Scientific Name:</p> <p><i>Olea europaea</i></p> <p>Description:</p> <p>The olive trees are located in the Front Yard area of the business and are planted in two rows, framing the Casa del Olivo building. The exact age of the trees are unknown, however aerial views indicate the front yard area was used as an orchard through 1948.</p>	
<p>Resource No. 17</p> <p>Water standpipe</p> <p>Description:</p> <p>It is an early infrastructure mechanism for agricultural irrigation. It is made of concrete with sliding metal gates on the sides that control the flow of water into furrowpaths leading to nearby crops. Found at its original location, this flood irrigation standpipe remains as one of the earliest forms of crop irrigational technology of the late 1800s and early 1900s.</p>	

<p>Resource No. 25</p> <p>Coast Redwood Trees</p> <p>Scientific Name:</p> <p><i>Sequoia sempervirens</i></p> <p>Description:</p> <p>The coast redwoods are located west of the Front Yard area (along the driveway). The trees appear to have been planted at the early stages of the company probably along with the construction of the house. The trees are some of the first to have been planted in the neighborhood as depicted on some areal maps from the 1930s.</p>	
<p>Resource No. 26</p> <p>Camphor Tree</p> <p>Scientific Name:</p> <p><i>Cinnamomum camphora</i></p> <p>Description:</p> <p>The Camphor Tree is one of the earliest trees planted in the District along North Columbia Street adding to the unique setting.</p>	

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PHP18-028 TO DESIGNATE THE GRABER OLIVE HOUSE HISTORIC DISTRICT, PROPERTIES LOCATED WITHIN THE COLLEGE PARK HISTORIC DISTRICT AT 301 EAST FOURTH STREET, 315 EAST FOURTH STREET, 405 EAST FOURTH STREET, AND 406 EAST HARVARD PLACE, AS A LOCAL HISTORIC DISTRICT AND MAKING FINDINGS IN SUPPORT THEREOF—APN(S): 1047-543-01, 1047-543-31, 1047-543-330, 1047-53-20.

WHEREAS, Clifford Graber II ("Applicant") has filed an Application for the approval of a Local Historic District Designation, File No. PHP18-028, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage, with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Design element The Ontario Plan (General Plan) sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Graber Olive House Historic District is comprised of 2.58 acres of land with 26 Historic Resource Contributors that represents an early agricultural business and operation located at 301 East Fourth Street, 315 East Fourth Street, 405 East Fourth Street, 406 East Harvard Place (APNs: 1047-543-01, 1047-543-31, 1047-543-330, 1047-543-20), and is worthy of preservation and designation as a Local Historic District; and

WHEREAS, on September 15, 2020, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC20-011, determining that it met Historic Resource Tiering Criteria as a Tier I historic resource as set forth in Section 4.02.040 (Historic Preservation-Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of the Ontario Development Code; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 15, 2020, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC20-011, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on September 22, 2020, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

(2) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning/ Historic Preservation Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1, above, the Historic Preservation Commission hereby concludes that the Graber Olive House Historic District meets the Criterion A for local landmark designation as contained in Section 4.02.040 (Historic Preservation-Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of the Ontario Development Code as follows:

- 1) ***The historic resource is a geographically definable area possessing a concentration of historic resources or a thematically related grouping of structures that contribute to each other and are unified by plan, style, or physical development, and embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master of possesses high artistic values.*** The District and the Contributors are directly related to the Graber Olive House Company business, one of the oldest olive curing and processing facilities in the region. The Graber Olive House Historic District, geographically defined by the Graber Olive House Company and Graber family residence (No. 1), contains a total of 25 contributing historic resources (buildings, landscapes, trees, objects, and structures significant to the olive canning industry advancement and relation to Clifford C. Graber. Eleven buildings contribute to the historic significance and represent the evolution of the olive canning industry starting in Utilitarian style barns and sheds. Additions to existing structures (No. 5 & 2) and construction of new ones, such as storage warehouses (Nos. 6-9) as a result of the olive business growth. Clifford C. Graber focused the business on the production of preserving and canning fruit through the help of his machinery invention, the Graber's Original Olive Grader (No. 18). The modernization of the cannery in the 1934, brought about larger facilities for production and additional modern- time machinery (Nos.19, 21-24) still used every harvest season. By 1962, the company had to open a separate individual sales and retail room La Casita Gift Shop (No. 4), replacing a corner of the canning and curing room. A museum was later created in the corner of the vat room displaying photographs and tools of Ontario's earlier history. Currently, the Graber Olive Company continues running operations canning and preserving fruit, shipping olives across the nation and worldwide, and

- 2) ***The historic resource reflects significant geographical patterns, including those associated with different eras of settlement and growth, particular transportation modes, or distinctive examples of a park landscape, site design, or community planning*** The proposed Graber Olive House Historic

District is associated with Ontario's early agriculture period as it stands as one of the last agricultural operations located on an original Model Colony 10-acre agricultural subdivision. The Graber Olive House Historic District's current spatial relationships and land uses have not changed from its original operations. The Graber Olive House Historic District reflects the growth in the company with the expansion of buildings constructed, yet the use as an olive canning and curing company has not changed or been impacted by the surrounding development of the College Park neighborhood. The City of Ontario's early agricultural history remains within the Graber Olive House Historic District through its buildings, spatial layout, and use of property, and

- 3) ***The historic resource is, or the contributing resources are, associated with the lives of persons important to the City, State or National history.*** Early town residents that provided essential services were often considered leaders of the community promoting and contributing to the settlement of the colony. Residents that are considered important to the settlement of Ontario were often early citrus pioneers, bankers, clergymen, teachers, doctors, and business owners. Listed below are important people who are associated with the Graber Olive House Historic District and are important to the City, State, and National history:
- (a) **Clifford C. Graber I** – Founder and first president of Graber Olive House Company, Ontario Councilmen, and member of the Chaffey High School Board of Trustees. Clifford marketed olives by diameter size numbers setting his company apart from the others that used words like jumbo or colossal. He was responsible for starting a mail-order system taking advantage of the new postal services, and for the modernization of the Graber Olive House Company in 1934.
 - (b) **Georgia Noe Bell Graber**- Wife of Clifford C. Graber I and mother of their 4 children. Georgia became partner of Clifford after Charles left the business, she helped Clifford drive the Graber Olive House Company to its early success.
 - (c) **Robert Graber I** – Son of Clifford C. Graber I, second president of Graber Olive House Company. Robert was responsible for reinventing the company to comply with market demands adding the gifts basket and moving olive crop locations to the San Joaquin Valley.
 - (d) **Mary E. ‘Betty’ Graber** – Wife of Robert Graber I, Member of Executive Women International, Shakespeare Club, Soroptimist Club, Jamboleers, Chaffey Community Art Association, Republican Women and the San Antonio Hospital Foundation. Betty added the

museum to the Graber Olive House Historic District, drawing more attention to the company and providing a unique sales experience in purchasing olives.

SECTION 3: Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES THE HISTORIC DISTRICT DESIGNATION.

SECTION 4: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Historic Preservation Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 22th day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Historic Preservation
Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. [REDACTED] was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PHP18-029, TO DESIGNATE THE CLIFFORD C. GRABER HOUSE LOCATED AT 301 EAST FOURTH STREET, AS A LOCAL HISTORIC LANDMARK AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1047-543-01.

WHEREAS, Clifford Graber II ("Applicant") has filed an Application for the approval of a Local Historic Landmark Designation, File No. PHP18-029, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage, with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Design element The Ontario Plan (General Plan) sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Clifford C. Graber House, a Craftsman Bungalow single-family residence constructed in 1907, located at 301 East Fourth Street (APN: 1047-543-01) is worthy of preservation and designation as a Local Historic Landmark; and

WHEREAS, on July 9, 2020, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC20-007 determining that the Clifford C. Graber House met the Tier I Historic Resource Criteria as set forth in Section 4.02.040 (Historic Preservation-Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of the Ontario Development Code; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the

application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on July 9, 2020, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC20-006 recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on September 22, 2020, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Historic Preservation Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

(2) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1, above, the Historic Preservation Commission hereby concludes that the Clifford C. Graber House

meets local landmark designation criteria as contained in Section 4.02.040 (Historic Preservation-Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of the Ontario Development Code as follows:

- (1) ***The historic resource is identified with persons or events significant in local, state, or national history.*** The historic resource was built for Clifford C. Graber who founded and managed the Graber Olive House Company. Mr. Graber was an early Ontario agricultural pioneer. Mr. Graber harvested citrus and other short-term crop but found success selling olives. Mr. Graber's olives are cured using his recipe that is still a family secret. The Graber Olive Company is Ontario's oldest continuously operated business and continues to be family-owned, since 1894. Mr. Graber also served as a City Councilmember from 1918 until 1925. He was a longtime member of the Chaffey Joint Union High School District. The residence has remained in the Graber Olive family for over 100 years, and is currently occupied by third generation Clifford Graber II, current president of the Graber Olive Company, and
- (2) ***The historic resource embodies distinguishing architectural characteristics of a style, type, period, or method of construction.*** The Clifford C. Graber House is one of the finest examples of the Craftsman Bungalow architectural style in the City, which is evident by survival of the building's character-defining features. The house retains the original distinctive roof form, horizontal wood siding, wood windows, rear balconies, and unique three-car garage with high front-facing gable flanked with two shorter facing gables, and
- (3) ***The historic resource is one of the few remaining examples in the City, region, state or nation, possessing distinguishing characteristics of an architectural or historical type or specimen.*** The Clifford C. Graber House was built in 1907 making it one of the earliest examples of the Craftsman architectural style in Ontario. It is also one of the few remaining examples of the 2 1/2-story Craftsman Bungalow in the City.

SECTION 3: Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 2, above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES THE LOCAL LANDMARK DESIGNATION.

SECTION 4: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the

applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Historic Preservation Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 22th day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Historic Preservation
Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. [REDACTED] was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore



PLANNING COMMISSION STAFF REPORT

September 22, 2020

FILE NOS.: PGPA19-009 & PZC19-003

SUBJECT: An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Map (Exhibit LU-01), changing the land use designation from Rural Residential to Low-Medium Density Residential for a land locked parcel totaling 0.21 acres of land generally located west of 1524 and 1526 South Euclid Avenue; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change from AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) to MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac). (APN: 1050-061-16); **submitted by Blaise D’Angelo. This item was continued from the August 25, 2020 meeting. City Council action is required.**

PROPERTY OWNER: OP3, LLC

RECOMMENDED ACTION: That the Planning Commission consider and recommend City Council adoption of an Addendum to The Ontario Plan (TOP) Environmental Impact Report (SCH#2008101140) for File No. PGPA06-001 certified by City Council on January 27, 2010 and recommend City Council approval of File Nos. PGPA19-009 and PZC18-003, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT SETTING: The project site is comprised of 0.21 acres of land located west of 1524 and 1526 South Euclid Avenue, currently within the AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) zoning district and is depicted in *Figure 1: Project Location*, below. The land locked site is surrounded by existing urban uses. The properties to the north, west and south are developed with single-family and multi-family residences, the property to the northeast is developed with an assisted care facility and the



Figure 1: Project Location

Case Planner:	Elly Antuna
Planning Director Approval:	
Submittal Date:	11/18/19

Hearing Body	Date	Decision	Action
DAB	NA		
PC	9/22/20		Recommend
CC			Final

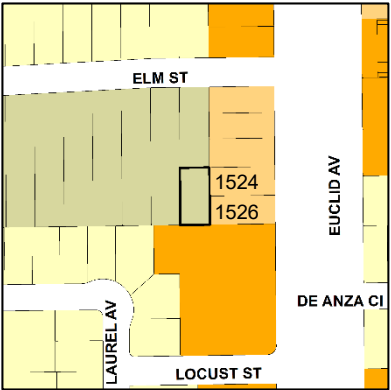
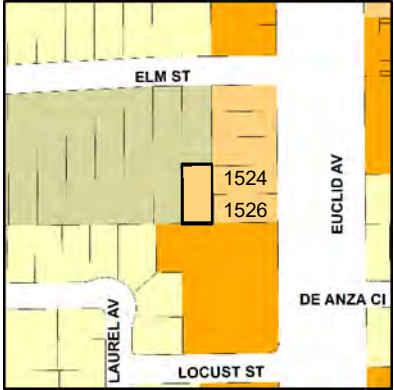
property to the southeast is undeveloped. The existing surrounding land uses, zoning, and general plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

[1] Background — The Applicant, Blaise D’Angelo, has requested a General Plan Amendment (File No. PGPA19-009) and Zone Change (File No. PZC19-003) for the 0.21-acre land locked parcel as shown in Figure 1. The request is to change the General Plan land use designation from Rural Residential to Low-Medium Density Residential and to change the zoning district from AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) to MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) for this single parcel in order for the property owner to facilitate lot consolidation with adjacent parcels located east of the site for the future development of multi-family residential.

[2] Analysis — The project site is a land locked parcel, that currently cannot be developed without access. However, the applicant owns properties located to the east of project site at 1524 and 1526 South Euclid Avenue. These two properties have a General Plan land use designation of Low-Medium Density Residential and a zoning designation of MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac). The project site has a General Plan land use designation of Rural Residential and a zoning of AR-2 (Residential-Agricultural – 0 to 2.0 du/ac). In order to provide the opportunity for the project site to be developed and have access, the GPA and PZC are required for the lot consolidation and land use designation consistency. Therefore, the Applicant proposes to consolidate all three lots for a total of 0.65 acres of land for a future residential development. The proposed GPA and PZC will be consistent with the Low-Medium Residential along the frontage of Euclid Avenue. Properties to the north, south and east of the project site are developed with single and multi-family dwellings ranging in densities from 4 to 16 units per acre. The property to the northeast of the project is developed with an Assisted Care Facility, and to the southeast by a vacant property, and both are designated as MDR-11 (Low-Medium Density Residential-5.1-11 du/ac). The project site abuts the rear yard of a single-family property to the west and north. Future development of the site would most likely orient dwellings towards Euclid Avenue, with the rear yard abutting the rear yards of properties to the west and north.

Policy Plan Land Use Plan (Exhibit LU-01) Revision

Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
 <p>Rural Residential</p>	<p>1050-061-16 <i>(1 Property)</i></p> <p>0.21 acres of land generally located west of 1524 and 1526 South Euclid Avenue</p>	 <p>Low-Medium Density Residential</p>

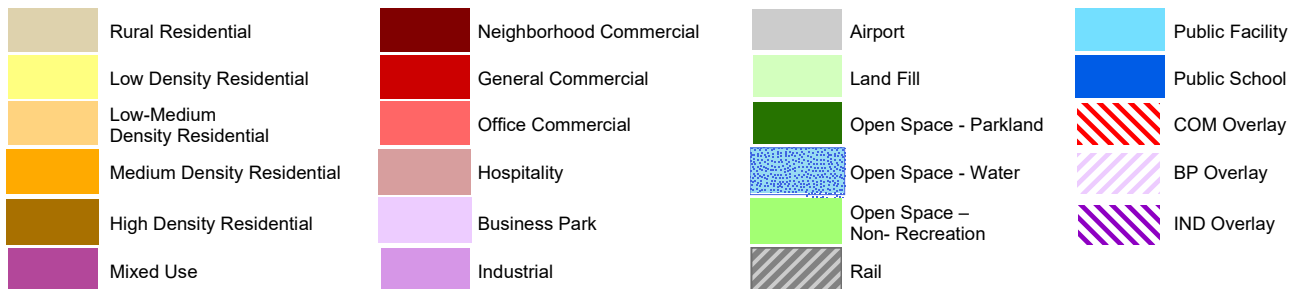
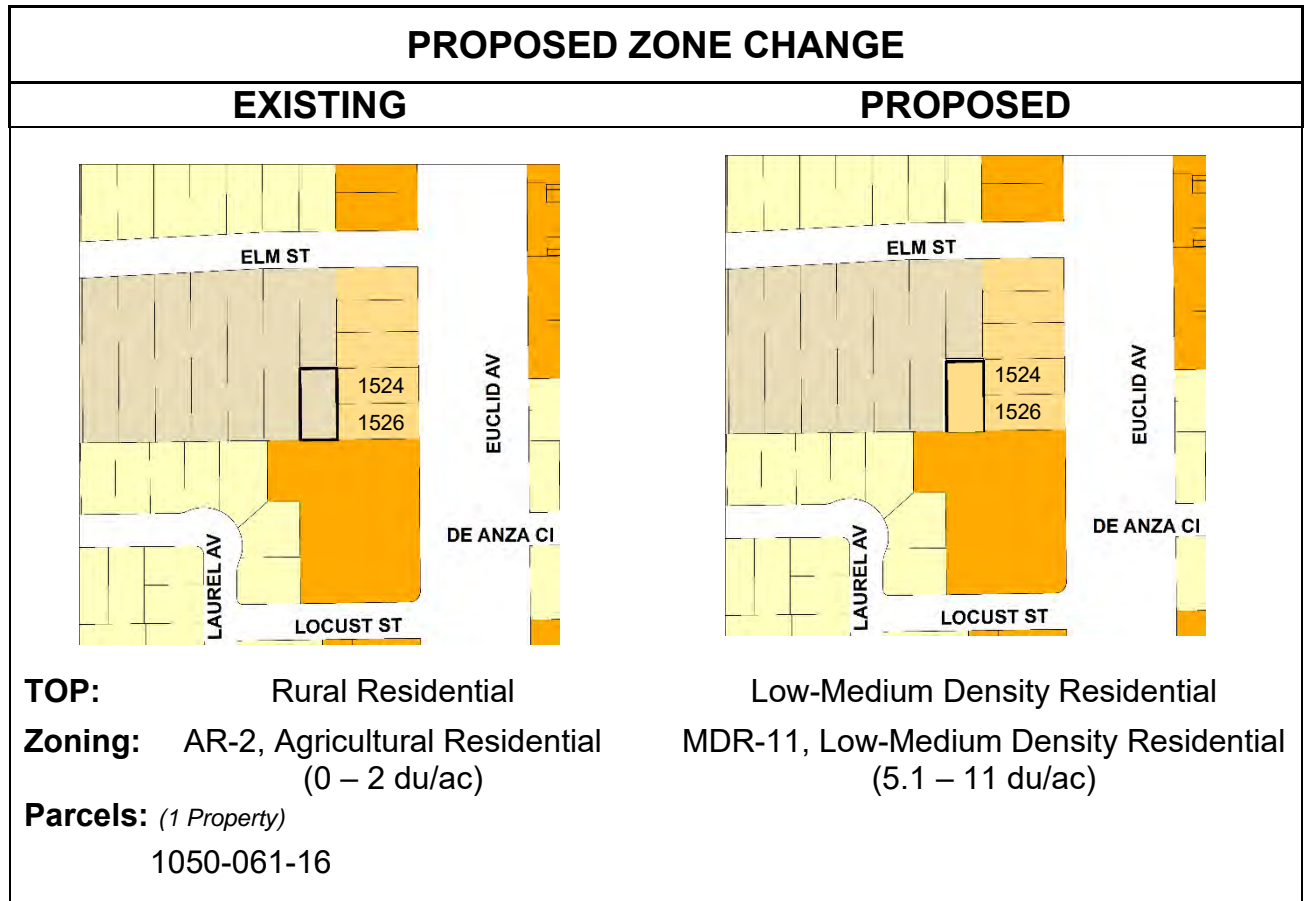


Figure 2: General Plan Amendment



<p>AR-2, Agricultural Residential</p> <p>RE-2, Rural Estate</p> <p>RE-4, Residential Estate</p> <p>LDR-5, Low Density Residential</p> <p>MDR-11, Low-Medium Density Residential</p> <p>MDR-18, Medium Density Residential</p> <p>MDR-25, Medium-High Density Residential</p> <p>HDR-45, High Density Residential</p>	<p>PUD, Planned Unit Development</p> <p>MU, Mixed Use 1 – Downtown, 2-East Holt, 11-Francis&Euclid</p> <p>CS, Corner Store</p> <p>CN, Neighborhood Commercial</p> <p>CC, Community Commercial</p> <p>CCS, Convention Center Support</p> <p>OL, Low Intensity Office</p> <p>OH, High Intensity Office</p>	<p>BP, Business Park</p> <p>IP, Industrial Park</p> <p>IL, Light Industrial</p> <p>IG, General Industrial</p> <p>IH, Heavy Industrial</p> <p>ONT, Ontario Int'l Airport</p> <p>CIV, Civic</p> <p>RC, Rail Corridor</p> <p>OS-R, Open Space - Recreation</p> <p>OS-C, Open Space- Cemetery</p> <p>UC, Utilities Corridor</p> <p>SP, Specific Plan</p> <p>SP(AG), Specific Plan with Agricultural Overlay</p> <p>ES, Emergency Shelter Overlay</p> <p>MTC, Multimodal Transit Center Overlay</p> <p>ICC, Interim Community Commercial Overlay</p>
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COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] Policy Plan (General Plan)

Land Use Element:

▪ Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➤ LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area and provides opportunities for choice in living and working environments.

▪ Goal LU2: Compatibility between a wide range of uses.

➤ LU2-1: Land Use Decisions: We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area and will not create adverse impacts on adjacent properties.

▪ Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

➤ LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment and Zone Change are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario International Airport and Chino Airport.

Safety Element – Noise Hazards:

- Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed Low-Medium Density Residential land use designation is compatible with the Noise Impact area.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by the City Council on January 27, 2010, in conjunction with File NO. PGPA06-001. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines and The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts. All

previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>
<i>Site</i>	Undeveloped Land	Rural Residential – proposed to change to Low-Medium Density Residential	AR-2, Agricultural Residential (0 – 2.0 du/ac) – proposed to change to MDR-11, Low-Medium Density Residential (5.1 – 11 du/ac)
<i>North</i>	Single-Family Residence	Rural Residential	AR-2, Agricultural Residential (0 – 2.0 du/ac)
<i>South</i>	Multi-Family Residences	Medium Density Residential	MDR-18, Medium Density Residential (11.1 – 18 du/ac)
<i>East</i>	Assisted Care Facility/Undeveloped Land	Low-Medium Density Residential	MDR-11, Low-Medium Density Residential (5.1 – 11 du/ac)
<i>West</i>	Single-Family Residence	Rural Residential	AR-2, Agricultural Residential (0 – 2.0 du/ac)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVE AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH #2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA19-009 & PZC19-003 APN: 1050-061-16

WHEREAS, BLAISE D'ANGELO (hereinafter referred to as "Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA19-009, and Zone Change, File No. PZC19-003, which consists of an Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Map (Exhibit LU-01), changing the land use designation from Rural Residential to Low-Medium Density Residential, and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change from AR-2 (Residential-Agricultural – 0 to 2.0 du/ac) to MDR-11 (Medium Density Residential – 5.1 to 11.0 du/ac) for a land locked parcel totaling 0.21 acres of land generally located west of 1524 and 1526 South Euclid Avenue in the City of Ontario, California (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Ontario Plan (TOP) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, pursuant to State CEQA Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an Addendum to the Certified EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the recommending authority for the requested approval to undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the EIR Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent or supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the EIR Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, The Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the Ontario City Council on January 10, 2010 in conjunction with File Nos. PGPA19-009 & PZC19-003; and

(2) The EIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental

assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The EIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Environmental Impact Report is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 and 2, above, the Planning Commission hereby recommends the City Council finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the EIR Addendum, attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 4: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 5: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**Addendum to The Ontario Plan (TOP)
Environmental Impact Report**

(Addendum to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

California Environmental Quality Act Addendum to The Ontario Plan Environmental Impact Report

Project Title/File No.: PGPA19-009 and PZC19-003

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Elly Antuna, Associate Planner - 909-395-2414

Project Sponsor: City of Ontario, 303 East B Street, Ontario, CA 91764

Project Location: The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located on Assessor Parcel Number (APN): 1050-061-16 which is comprised of .21 gross acres. The Project site is on a block bound by Elm Street to the north, by Fern Avenue to the west, by Locust Street to the south, and by Euclid Avenue to the east.

Figure 1: REGIONAL LOCATION MAP



Figure 2: VICINITY MAP



Figure 3: AERIAL PHOTOGRAPH



General Plan Designation: Proposal to change the General Plan land use designation on .21 acres of land from Rural Residential to Low-Medium Density Residential for property located at the south west corner of Elm Street and Euclid Avenue, as shown in Exhibit A and to amend the Future Buildout table, as shown in Exhibit B, in conformance with the proposed land use change.

Zoning: Proposal to change the zoning designation on .21 acres of land from AR-2 (Agricultural Residential 0-2.0 DUs/Acre) to MDR-11 (Low-Medium Density Residential (5.1-11 DUs/Acre) in conformance with the proposed General Plan land use designation changes.

Description of Project: A General Plan Amendment (File No. PGPA19-009) to:

- 1) Modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designation .21 acres of land from Rural Residential to Low-Medium Density Residential, generally located at the southwest corner of Elm Street and Euclid Avenue; and
- 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation change; and
- 3) A Zone Change (File No. PZC19-003) request to change the zoning designation on .21 acres of land from AR-2 (Agricultural Residential 0-2.0 DUs/Acre) to MDR-11 (Low-Medium Density Residential (5.1-11 DUs/Acre), generally located at the southwest corner of Elm Street and Euclid Avenue.

Project Setting: The project is comprised of one land locked parcel, which is undeveloped, located west of 1524 and 1526 South Euclid Avenue as shown in Exhibit A. The site is substantially surrounded by existing urban uses including single and multifamily residential development.

Background: On January 27, 2010, the Ontario City Council adopted The Ontario Plan (TOP). TOP serves as the framework for the City's business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements: Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (EIR) was prepared for TOP (SCH # 2008101140) and certified by the City Council on January 27, 2010 that included Mitigation Findings and a Statement of Overriding Considerations pursuant to CEQA. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, in the Policy Plan and impacts resultant of population and employment growth in the City. The significant unavoidable adverse impacts that were identified in the EIR included agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise and transportation/traffic.

Analysis: According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously Certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

- 1) *Required Finding:* Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial increase in the severity of previously identified effects.

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The Ontario Plan EIR assumed more overall development at buildout as shown below. Since the adoption and certification of TOP EIR, several amendments have been approved. These amendments, along with the proposed amendment to the approximate .21 acres associated with this project, will result in less development than TOP EIR analyzed at buildout.

TOP Buildout Analysis	Units	Population	Non-Residential Square Footage	Jobs
Buildout per Original TOP EIR	104,644	360,851	257,405,754	325,794
Revised Buildout per previous approved TOP amendments and the proposed amendment	84,601	315,084	247,445,845	312,277

Since the anticipated buildout resulting from previous approved TOP amendments and the proposed project changes will be less than that originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

2) Required Finding: *Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR in that the proposed changes would be in keeping with the surrounding area. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

3) Required Finding: *No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

CEQA Requirements for an Addendum: If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous negative declaration;

b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Certified EIR.

Conclusion: The Ontario Plan Environmental Impact Report (TOP EIR), certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed land use designation changes coordinate with the existing uses of the properties and uses within the surrounding areas. As described on page 2, the amount of development anticipated at buildout will be cumulatively lower (dwelling units, population, non-residential square footage and jobs) than TOP EIR analyzed. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the previously certified TOP EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased

or substantially different impacts, other than those previously considered and addressed in TOP EIR. No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures. Therefore, pursuant to State CEQA Guidelines Section 15164, the City Council hereby adopts this Addendum to TOP EIR.

Surrounding Land Uses:

	Existing Land Use	General Plan Designation	Zoning Designation
Site:	Undeveloped Land	Rural Residential – proposed to change to Low-Medium Density Residential	AR-2, Agricultural Residential (0 – 2.0 du/ac) - Proposed to change to MDR-11 Low-Medium Density Residential (5.1 - 11 du/ac)
North:	Single-Family Residence	Rural Residential	Ar-2, Agricultural Residential (0 – 2.0 du/ac)
South:	Multifamily Residence	Medium Density Residential	MDR-18, Medium Density Residential (11.1 - 18 du/ac)
East:	Assisted Care Facility/Undeveloped Land	Low-Medium Density Residential	MDR-11, Low-Medium Density Residential (5.1 - 11 du/ac)
West:	Single-Family Residence	Rural Residential	AR-2, Agricultural Residential

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

Tribal Consultation: Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? Yes No

If “yes,” has consultation begun? Yes No Completed

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology / Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Energy |

DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature

Elly Antuna, Associate Planner
Printed Name and Title

August 1, 2020
Date

City of Ontario
For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D).

In this case, a brief discussion should identify the following:

- a) Earlier Analyses Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>Impacts Previously Analyzed in the TOP EIR</i>
1. AESTHETICS. Would the project:				
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
<p>2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>d. Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p>a. Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. BIOLOGICAL RESOURCES. Would the project:				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. CULTURAL RESOURCES. Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. ENERGY. Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
7. GEOLOGY AND SOILS. Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. LAND USE AND PLANNING. Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. MINERAL RESOURCES. Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. NOISE. Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. POPULATION AND HOUSING. Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. PUBLIC SERVICES. Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. RECREATION. Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. TRANSPORTATION. Would the project:				
a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20. WILDFIRES. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in the TOP EIR
<p>b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><u>Note:</u> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09. <u>Reference:</u> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

EXPLANATION OF ISSUES

1. AESTHETICS. Would the project:

a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The proposed Project will have no impact aesthetically. As provided in TOP EIR, the City of Ontario’s physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the San Bernardino and San Gabriel Mountains and stretches of open space and undeveloped land south of Riverside Drive. TOP EIR provides that compliance with TOP Policy CD1-5 in the Community Design Element will avoid significant impacts to scenic vista by making it the policy of the City to protect public views of the San Gabriel Mountains. The project under consideration proposes a General Plan Amendment and Zone Change on approximately .21 acres of land located on a land locked parcel west of 1524 and 1526 South Euclid Avenue. The Project does not authorize construction of new buildings and so does not conflict with Policy CD1-5 as it will not alter existing public views of the San Gabriel Mountains. Since no adverse aesthetic impacts are expected, no mitigation is necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The proposed project does not authorize any new construction. Therefore, it will not result in environmental impacts on scenic resources.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Discussion of Effects: The Project would not degrade the existing visual character or quality of the site or its surroundings. The project site is in an area that is characterized by agriculture uses and residential development and is surrounded by urban land uses.

Any development proposals that would subsequently occur from the proposed Project will be required to be in accordance with the policies of the Community Design Element of the Policy Plan (General Plan) and development regulations and design guidelines of the Ontario Development Code. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: Changing the General Plan and zoning on the property will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP EIR. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

2. AGRICULTURE AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion of Effects: The site does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. The project will convert this land, which is considered to be Prime Farmland pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. The conversion of farmland to urban uses was determined to be a potentially significant impact that is unavoidable. The changes to the Project do not change this conclusion and there is no additional mitigation presently available that could potentially reduce this impact. The impact will remain as a significant unavoidable impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is currently zoned for agricultural residential use which allows for limited agricultural activities and animal keeping in a rural environment. The site is not currently used for agricultural purposes and the site's land locked location and configuration greatly limit the use of the site for agricultural purposes. The project proposes to change the General Plan land use designation and a zone change for this parcel. Future development will be consistent with the development standards and allowed land uses. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impact agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Discussion of Effects: The project proposes to change the land use designation on approximately .21 acres and would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

d. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

Discussion of Effects: Implementation of the Project would not result in changes to the existing environment other than those previously addressed in TOP EIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses. There are no agricultural uses occurring onsite and the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP EIR would result from Project implementation. As a result, the project will not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion of Effects: The City is located in a non-attainment region of South Coast Air Basin (SCAB). However, this impact has already been evaluated and mitigated to the extent feasible in TOP EIR. TOP EIR has addressed short-term construction impacts; and adequate mitigation (Mitigation Measure 3-1) has been adopted by the City that would help reduce emissions and air quality impacts. No new impacts beyond those identified in TOP EIR would result from Project implementation. Changing the General Plan and zoning on this approximate .21 acres of land will not generate significant new or greater air quality impacts than identified in TOP EIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Discussion of Effects: Changing the General Plan and zoning of this site will not generate significant new or greater air quality impacts than those identified in TOP EIR due to the marginal increase in maximum allowable residential units compared to the TOP EIR analysis. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce emissions and air quality impacts to a less-than-significant level. No new impacts beyond those identified in TOP EIR would result from Project implementation. Thus the impacts would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Expose sensitive receptors to substantial pollutant concentrations?

Discussion of Effects: As discussed in Section 5.3 of TOP EIR, the proposed Project is within a non-attainment region of the SCAB. Essentially, this means that any new contribution of emissions into the SCAB would be considered significant and adverse. The proposed General Plan Amendment and zone change closely correlates with the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP EIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level with mitigation. No new impacts beyond those identified in TOP EIR would result from Project implementation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Discussion of Effects: The proposed General Plan and zone change do not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development. The Project will not create significant objectionable odors. Therefore the Project will not introduce new odors beyond those previously analyzed in TOP EIR.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

4. BIOLOGICAL RESOURCES. Would the project:

a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The project site is not located within an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion of Effects: The site is vacant and is bounded on all four sides by fragmented residential development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion of Effects: The City of Ontario does not have any specific policies or ordinances protecting biological resources. Further, the proposed General Plan and zone change do not authorize any new construction. The Project does not conflict with existing policies or ordinances protecting biological resources. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?

Discussion of Effects: The site is not part of an adopted HCP, NCCP or another approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

5. CULTURAL RESOURCES. Would the project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

Discussion of Effects: The project site is undeveloped and does not contain buildings constructed more than 50 years ago and would not change the significance of a historic resource. The project site is located near historic Euclid Avenue, designated as a Local Landmark and listed on the National Register of Historic Resources. The proposed General Plan and zone change do not authorize construction of any new buildings and any future development will be required to comply with the standards in place at the time of development, including the Secretary of the Interior's Standards for the Treatment of Historic Properties.

The project does not propose development of the site and is not approving new construction, therefore, no impacts to historic resources are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Discussion of Effects: The Ontario Plan EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. The site was previously rough graded when the property was subdivided, and no archaeological resources were found. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions will be imposed on future development that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: Changing the General Plan and zoning does not impact whether human remains may be discovered during future development and the proposed project is in an area that has been previously disturbed by development. No known religious or sacred sites exist within the project area. Human remains are not expected to be encountered during any construction activities; however, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions will be imposed on future development that in the event that unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

6. ENERGY Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Discussion of Effects: Changing the General Plan and zoning on the approximate .21 acres site is not anticipated to create significant energy related impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Discussion of Effects: Changing the General Plan and zoning on the approximate .21 acres site will not obstruct or conflict with a state or local renewable energy plan. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

7. GEOLOGY & SOILS. Would the project:

a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

ii. Strong seismic ground shaking?

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified TOP EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

iii. Seismic-related ground failure, including liquefaction?

Discussion of Effects: As identified in the Certified TOP EIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

iv. Landslides?

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Changing the General Plan and zoning will not create greater landslide potential impacts than were identified in the Certified TOP EIR. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code for any future development would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: Changing the General Plan and zoning will not create greater erosion impacts than were identified in the Certified TOP EIR. Impacts will be less than significant with mitigation.

The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed nature of the Project site and the limited size and scope of the Project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion of Effects: Changing the General Plan and zoning of the site will not create greater landslide potential impacts than were identified in the Certified TOP EIR. Therefore, no adverse impacts are anticipated. In addition, the associated projects would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. TOP EIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified TOP EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. Moreover, Results of the paleontological resources records search through the Natural History Museum of Los

Angeles County (NHMLAC) indicate that there are no known vertebrate fossil localities or unique geological features that have been previously identified within the Project area or within a one-mile radius. The results of the literature review and the search at the NHMLAC indicate that the Project site has surficial sediments composed of younger Quaternary Alluvium, derived as alluvial fan deposits from the San Gabriel Mountains to the north or as dune sands. These deposits typically do not contain significant vertebrate fossils, at least in the uppermost layers, but they may be underlain by older sedimentary materials at estimated depths greater than 9 feet (McLeod 2019). Therefore, it is concluded that the proposed Project will not impact paleontological resources or unique geological features and as such no mitigation measures are recommended. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

8. GREENHOUSE GAS EMISSIONS. Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR as residential uses. According to the EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Changing the General Plan and zoning on the subject site will not create significantly greater impacts than were identified in the Certified TOP EIR. Pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in the Certified TOP EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified TOP EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the Certified TOP EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified TOP EIR and current energy efficiency standards. No changes or additions to the Certified TOP EIR analyses are necessary.

Mitigation Required: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary. The mitigation measures adopted as part of TOP EIR adequately address any potential significant impacts and there is no need for any additional mitigation measures.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion of Effects: Changing the General Plan and zoning will not create significantly greater impacts than were identified in the Certified TOP EIR. The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

9. HAZARDS & HAZARDOUS MATERIALS. Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?

Discussion of Effects: The project will not involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion of Effects: The subject site was previously analyzed by the Certified TOP EIR for residential use. The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?

Discussion of Effects: Changing the General Plan and a zone change on these parcels will not create greater impacts than were identified in the Certified TOP EIR. The project site is located outside on the safety zone for ONT and Chino Airports. Therefore, no impacts are anticipated

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because future development would be required to comply with all applicable State and City codes no significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

10. HYDROLOGY & WATER QUALITY. Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. The proposed project does not authorize any new development, and therefore, no adverse impacts are anticipated. Compliance with established Codes and standards for any future development would reduce any impacts to below a level of significance.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Discussion of Effects: Changing the General Plan and zoning will not create greater impacts than were identified in the Certified TOP EIR. Increases in the current amount of water flow to the project site are anticipated and have been determined to not be significant. The proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The future development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 250 to 450 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

Discussion of Effects: The proposed project does not involve any new construction. No changes in erosion on- or off-site are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?

Discussion of Effects: The proposed project does not involve any new construction. No changes in flooding on- or off-site are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. The proposed project does not authorize any new construction. The existing drainage pattern of the project site will not be altered, and it will have no significant impact on downstream hydrology.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

iv. Impede or redirect flood flows?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. The proposed project does not involve any new construction. The existing drainage pattern of the project site will not be altered, and it will have no significant impact on downstream hydrology. No changes in flood flows are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is dominated by Agricultural fallow fields and does not contain any vegetation associated with riparian features. No wetlands have been mapped on the project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. Development allowed by the Project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices ("BMPs") to protect water quality during construction and operational periods. Development of the Project would be subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to the Project would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

11. LAND USE & PLANNING. Would the project:

a. Physically divide an established community?

Discussion of Effects: The project site is in an area that is currently developed with urban land uses. Changing the General Plan and a zone change on the approximate .21-acre project site will not create greater impacts than were identified in the Certified TOP EIR. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

12. MINERAL RESOURCES. Would the project:

a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Discussion of Effects: Changing the General Plan and zoning of the subject site will not create greater impacts than were identified in the Certified TOP EIR. The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

13. NOISE. Would the project result in:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion of Effects: Changing the General Plan and a zone change on the subject site will not create greater impacts than were identified in the Certified TOP EIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan EIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP EIR. The uses associated with this proposed project are required to comply with the environmental standards contained in the City of Ontario Development Code and as such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. For a project located within the vicinity of a private airstrip or the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. The proposed Amendment was reviewed and found to be located within the Airport Influence Area of Ontario International Airport ("ONT") and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan ("ALUCP") for ONT. The project proposes to change the General Plan and zoning on these parcels, located within the 60-65 CNEL Noise Impact area. In addition, the project site lies outside the boundaries of the Chino Airport Influence Area. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

14. POPULATION & HOUSING. Would the project:

a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?

Discussion of Effects: Changing the General Plan and zoning on the subject approximate .21-acre site would not induce significant population growth. No significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Discussion of Effects: The project site does not contain existing housing. Changing the General Plan and zoning on approximately .21 acres will not create existing housing impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

15. PUBLIC SERVICES. Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i. Fire protection?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

ii. Police protection?

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

iii. Schools?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create significantly different impacts than were identified in the Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

iv. Parks?

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP EIR. The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

v. Other public facilities?

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified

TOP EIR. No changes or additions to TOP EIR analyses are necessary.

16. RECREATION. Would the project:

a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. Future construction of housing would be very limited in scope due to the small size of the site and the project does not include a large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP EIR. Future construction of housing would be very limited in scope due to the small size of the site and does not include a large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

17. TRANSPORTATION. Would the project:

a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Discussion of Effects: Changing the General Plan and zoning on the subject site will not create greater impacts than were identified in the Certified TOP EIR. The project is in an area that is mostly developed with street improvements complete. Any future development of the project site will be served by the existing circulation system or any necessary mitigation will be determined by analysis per the City of Ontario CEQA guidelines. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impact than the TOP EIR assumed, resulting in less than significant impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdiction are given until July 1, 2020 to develop and implement thresholds of significance criteria and methodologies for evaluating VMT under the new SB 743 requirements. The City of Ontario has not yet established a VMT analysis threshold or analysis methodology. Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion of Effects: The project is in an area that is mostly developed, and street improvements are complete. The project will not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Result in inadequate emergency access?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. Any future development on the project site will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

e. Result in inadequate parking capacity?

Discussion of Effects: Changing the General Plan and zoning on the subject parcels will not create greater impacts than were identified in the Certified TOP EIR. Future development of the site will be required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

18. TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. Changing the General Plan and zoning on the approximate .21-acre site will not create greater impacts than were identified in the Certified TOP EIR. However, as part of TOP EIR Mitigation Measure 5-4, prior to the issuance of grading permits for a project that requires a General Plan amendment which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction. Therefore, it is concluded that the proposed Project will not impact Tribal Cultural Resources or Native America artifacts relating to TCRs and as such, no mitigation measures are recommended.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. No impacts are anticipated through Project implementation.

Mitigation: No new mitigation measures are required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

19. UTILITIES AND SERVICE SYSTEMS. Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Discussion of Effects: Changing the General Plan and zoning on the approximate .21-acre site will not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP EIR.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Discussion of Effects: The future development of the project site will be served by the City of Ontario. The project will be required to meet the requirements of the Ontario Engineering Department regarding wastewater. No significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with enough capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Discussion of Effects: Changing the General Plan and zoning on the subject site does not authorize any construction and will not create significantly greater impacts than were identified in the Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

21. MANDATORY FINDINGS OF SIGNIFICANCE.

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Discussion of Effects: The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?

Discussion of Effects: The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)

Discussion of Effects: The Project does not have impacts that are cumulatively considerable.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

Discussion of Effects: The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to TOP EIR analyses are necessary.

EARLIER ANALYSES

(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):

- 1) **Earlier Analyses Used.** Identify earlier analyses used and state where they are available for review.
 - a) The Ontario Plan Final EIR
 - b) The Ontario Plan (TOP)
 - c) City of Ontario Official Zoning Map
 - d) City of Ontario Development Code
 - e) Ontario International Airport Land Use Compatibility Plan
 - f) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

- 2) **Impacts Adequately Addressed.** Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.
























MITIGATION MEASURES

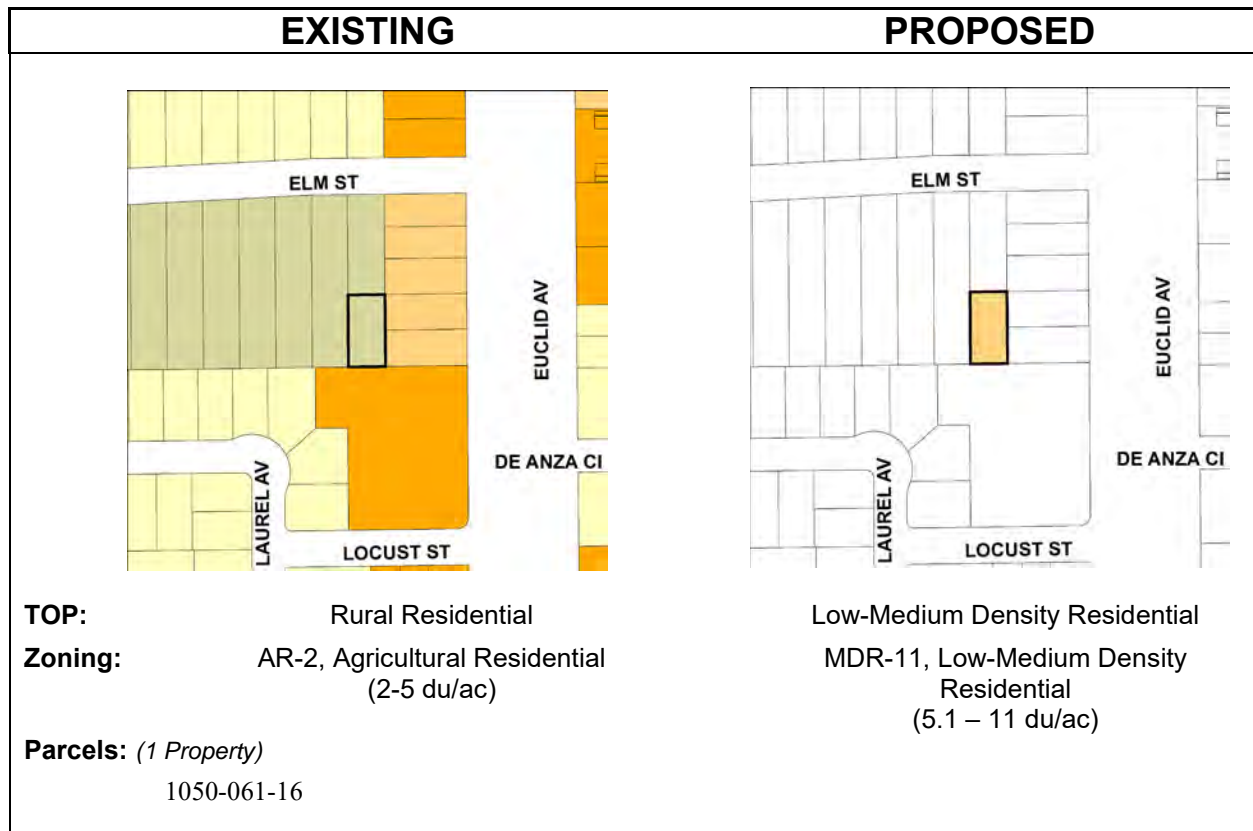
(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)

The Mitigation Measures contained in the Certified TOP EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the attached Mitigation Monitoring Program. No additional mitigation beyond that previously imposed is required.

Exhibit A PGPA19-009 Proposed General Plan Amendment

TOP Legend:

	Rural Residential		Neighborhood Commercial		Airport		Public Facility
	Low Density Residential		General Commercial		Land Fill		Public School
	Low-Medium Density Residential		Office Commercial		Open Space - Parkland		COM Overlay
	Medium Density Residential		Hospitality		Open Space - Water		BP Overlay
	High Density Residential		Business Park		Open Space - Non-Recreation		IND Overlay
	Mixed Use		Industrial		Rail		



**Exhibit B
LU-03 Future Buildout**



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059 1,058	4,232 4,231		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium Density ⁶	984 982	8.5 du/ac	8,341 8,343	33,341 33,348		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,846		84,599 84,601	315,079 315,084		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 47% of the area at 39.46 du/ac • 48% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	1,725	3,450	832,497	975
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.30 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
Subtotal	1,668		16,054	32,107	34,582,545	71,896

**Exhibit B
LU-03 Future Buildout**



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	281	0.30 FAR			3,671,585	8,884
General Commercial	477	0.30 FAR			6,229,385	5,787
Office/Commercial	490	0.75 FAR			16,018,428	35,523
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,390				32,097,077	57,276
Employment						
Business Park	1,531	0.40 FAR			26,676,301	46,803
Industrial	6,446	0.55 FAR			154,428,405	135,684
Subtotal	7,977				181,104,705	182,487
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,786		100,653	347,185	247,784,328	311,659
			100,654	347,190		

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

**Exhibit B
 LU-03 Future Buildout**



LU-03 Future Buildout¹

Revisions to LU-03 Table:

PGPA No.	City Council Approval Date	Description
09-001	5-15-2012	Tuscana Village – Add residential to 41-acre Mixed Use site (18% at 25 du/ac)
12-001	12-18-2012	Soccer Complex Sign – Change 0.41 acres from Open Space - Parkland to Industrial
11-002	6-18-2013	TOP Clean-up – 443 properties
13-002	12-17-2013	Borba Village – Change 14.6 acres from Medium Density Residential to Low Medium Density Residential
13-004	6-16-2014	Edison & Haven – Change 14 acres at the NWC from Neighborhood Commercial to Medium Density Residential and change 10 acres at the SWC from Medium Density Residential to Neighborhood Commercial
13-006	6-16-2014	NWC SR60 & Euclid – Change 5.1 acres from General Commercial to Medium Density Residential
14-002	11-18-2014	2041 East Fourth – Change 6.11 acres from General Commercial to Low Medium Density Residential
13-007	12-16-2014	SWC Archibald & Eucalyptus – Change 83.88 acres of Office Commercial, Business Park, and Industrial to Low Density Residential
14-001	12-16-2014	N/s of Guasti Road near Haven and Milliken – Change 52.36 acres from Industrial to Business Park
13-005	04-07-2015	SWC Vineyard and Fourth (Meredith) – Change 148 acres from Mixed Use to Industrial and modify the development assumptions for the remaining 93 acres of Mixed Use
15-001	11-17-2015	Change 12 industrial related parcels located on Brooks, Sunkist, Park and Philadelphia in order to be consistent with current use (related file PZC15-002)
15-002	02-02-2016	Change 16 industrial parcels located between 260 and 625 feet north of Mission and between Benson and Magnolia from Business Park to Industrial
16-001	05-17-2016	TOP Clean-Up – 83 properties
16-006	03-07-2017	TOP Clean-Up – 545 properties, eliminate SoCalf (LU-02 and Environmental Resources Element) and modify Commercial Transitional Overlay language
17-001	03-06-2018	TOP Clean-Up – Approximately 450 properties, Downtown, n/o the I-10 Freeway, and throughout the City

**Exhibit B
 LU-03 Future Buildout**




































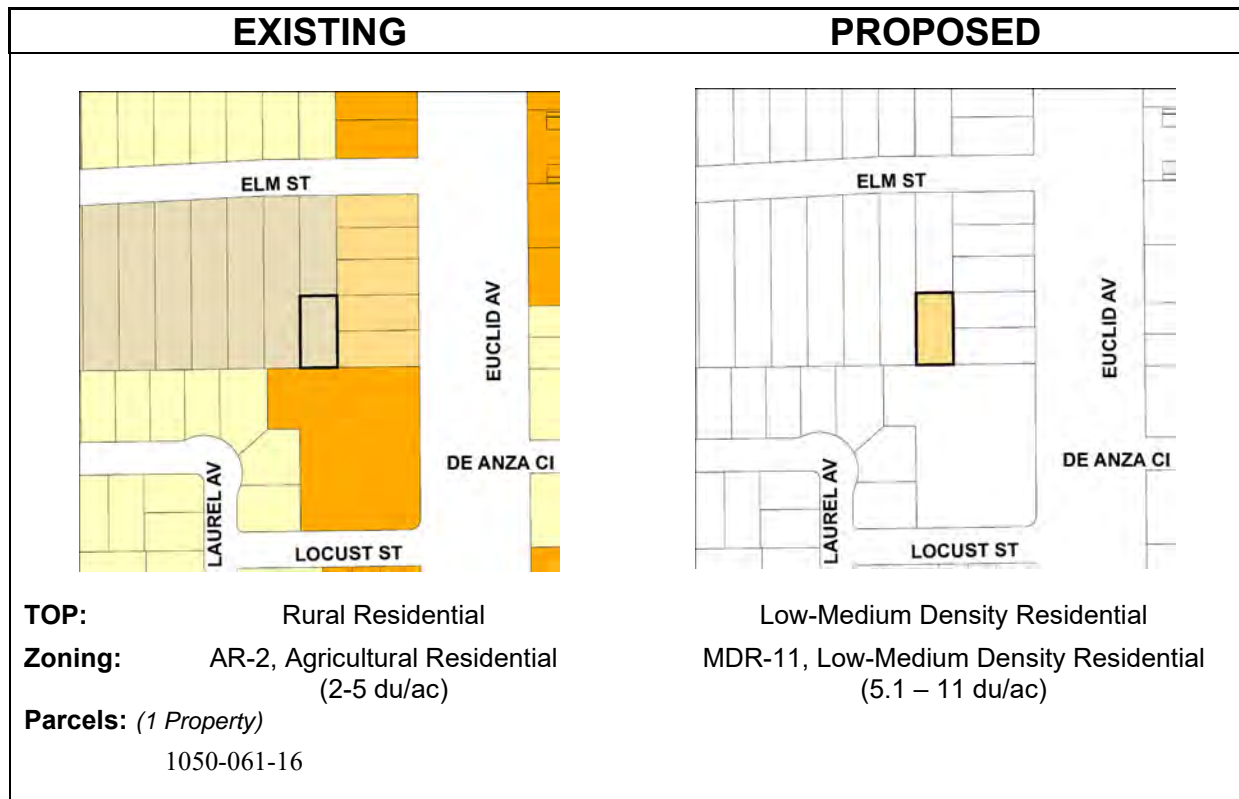
LU-03 Future Buildout¹ (Cont.)

16-005	03-06-2018	NWC Grove & Mission – Change 2.8 acres from Industrial to Business Park (related PZC16-003)
18-001	06-19-2018	SEC Haven & Francis – Change 2.05 acres from Office Commercial to Industrial (related to PSPA18-002)
16-002	06-19-2018	SEC Eucalyptus & Carpenter – Change 47.06 acres from Business Park to Industrial
18-005	12-04-2018	W/in North Loop Drive, e/o Etiwanda & s/o of I-10 – Establish General Industrial designation on 2.4-acre ROW parcel
18-009	07-16-2019	G w/o Corona – Change 1.02 acres from General Commercial to Low Medium Density Residential & 0.46 acres from General Commercial to Hospitality (related to PZC18-003)
19-002	09-17-2019	NEC & SEC Wall & Wannamaker – Change 11.9 acres from General Commercial to Industrial
20-001	03-03-2020	Change Assumed Density/Intensity to the Meredith Mixed Use: <ul style="list-style-type: none"> • from 23% to 47% of the area at 39.46 du/ac, and • from 72% to 48% at 0.35 FAR for office and retail uses
18-008	XX-XX-2020	E/s Euclid, s/o Eucalyptus, w/o Sultana, n/o Merrill (Ontario Ranch Business Park) – Change 85.6 acres from Low Medium Density Residential, Office Commercial, and General Commercial to Business Park and Industrial - General
<u>19-009</u>	<u>XX-XX-2020</u>	<u>1526 South Euclid – Change 0.214 acres from Rural Residential to Low Medium Density Residential</u>

**EXHIBIT C
 PZC19-003
 Proposed Zone Change**

ZONING Legend:

	AR-2, Residential-Agricultural		PUD, Planned Development Unit		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 – Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan with Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Transit Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Community Commercial Overlay
	MHP, Mobile Home Park						



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA19-009, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING A LAND LOCKED PARCEL TOTALING 0.21 ACRES OF LAND GENERALLY LOCATED WEST OF 1524 AND 1526 SOUTH EUCLID AVENUE, FROM RURAL RESIDENTIAL TO LOW-MEDIUM DENSITY RESIDENTIAL, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1050-061-16. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 3 FOR THE 2020 CALENDAR YEAR).

WHEREAS, Blaise D'Angelo has filed an Application for the approval of a General Plan Amendment, File No. PGPA19-009, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the proposed changes to Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties shown on Exhibit A to make the land use designations of these properties consistent with the adjacent parcels to the east, making the site easier to develop; and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibit B, attached; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, as the first action on the Project, on September 22, 2020, the Planning Commission recommended approval of a Resolution recommending City Council adopt an Addendum to the Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously adopted mitigation measures are incorporated into the Project by reference; and

WHEREAS, on September 22, 2020 the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 (“Certified EIR”), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2: *Additional Environmental Review Not Required.* Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental environmental impact report is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code

Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-6: Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

Compliance: The proposed General Plan Amendment reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area and provides opportunities for choice in living environments.

- Goal LU2: Compatibility between a wide range of uses.

➤ LU2-1: Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area and will not create adverse impacts on adjacent properties.

▪ Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

➤ LU5-7: ALUCP Consistency with Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment and Zone Change are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario International Airport and Chino Airport.

Safety Element — Noise Hazards

▪ Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed Low-Medium Density Residential land use designation is compatible with the Noise Impact area.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the third amendment to the Land Use Element of the 2020 calendar year consistent with Government Code Section 65358;

(4) The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the

properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. Changing the land use designation of the subject property from Rural Residential (0 – 2 du/ac) to Low-Medium Density Residential (5.1 – 11 du/ac) will not impact the City’s Regional Housing Needs Allocation obligations or the City’s ability to satisfy its share of the region’s future housing need.

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 5: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the proposed General Plan Amendment, as depicted in Attachment 1 (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment 2 (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

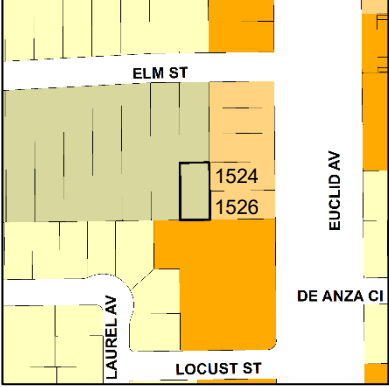
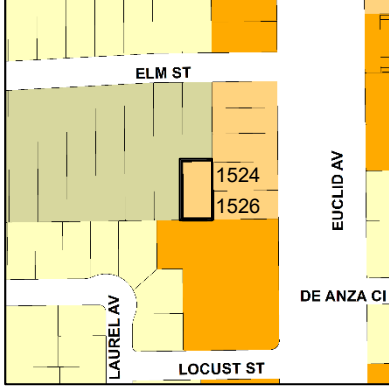
NOES:

ABSENT:






















ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT 1: Policy Plan Land Use Plan (Exhibit LU-01) Revision

Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
 <p>Rural Residential</p>	<p>1050-061-16 (1 Property)</p> <p>.21 acres of land generally located west of 1524 and 1526 South Euclid Avenue</p>	 <p>Low-Medium Density Residential</p>

TOP Legend:

 Rural Residential	 Neighborhood Commercial	 Airport	 Public Facility
 Low Density Residential	 General Commercial	 Land Fill	 Public School
 Low-Medium Density Residential	 Office Commercial	 Open Space - Parkland	 COM Overlay
 Medium Density Residential	 Hospitality	 Open Space - Water	 BP Overlay
 High Density Residential	 Business Park	 Open Space - Non- Recreation	 IND Overlay
 Mixed Use	 Industrial	 Rail	

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ³	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,058 1,058	4,232 4,231		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium Density ⁶	991 982	8.5 du/ac	8,341 8,343	33,341 33,348		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,846		84,599 84,601	315,078 315,084		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 47% of the area at 39.46 du/ac • 48% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	1,725	3,450	832,497	975
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.30 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail	156	312	181,210	419
• SR-60/Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office	185	369	924,234	2,098
Subtotal	1,668		16,054	32,107	34,582,545	71,896

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision Continued



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	281	0.30 FAR			3,671,585	8,884
General Commercial	477	0.30 FAR			6,229,385	5,787
Office/Commercial	490	0.75 FAR			16,018,428	35,523
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,390				32,097,077	57,276
Employment						
Business Park	1,531	0.40 FAR			26,676,301	46,803
Industrial	6,446	0.55 FAR			154,428,405	135,684
Subtotal	7,977				181,104,705	182,487
Other						
Open Space-Non-Recreation	1,232	Not applicable				
Open Space-Parkland ⁶	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,786		100,653 100,654	347,185 347,190	247,784,328	311,659

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision Continued



LU-03 Future Buildout¹

Revisions to LU-03 Table:

PGPA No.	City Council Approval Date	Description
09-001	5-15-2012	Tuscana Village – Add residential to 41-acre Mixed Use site (18% at 25 du/ac)
12-001	12-18-2012	Soccer Complex Sign – Change 0.41 acres from Open Space - Parkland to Industrial
11-002	6-18-2013	TOP Clean-up – 443 properties
13-002	12-17-2013	Borba Village – Change 14.6 acres from Medium Density Residential to Low Medium Density Residential
13-004	6-16-2014	Edison & Haven – Change 14 acres at the NWC from Neighborhood Commercial to Medium Density Residential and change 10 acres at the SWC from Medium Density Residential to Neighborhood Commercial
13-006	6-16-2014	NWC SR60 & Euclid – Change 5.1 acres from General Commercial to Medium Density Residential
14-002	11-18-2014	2041 East Fourth – Change 6.11 acres from General Commercial to Low Medium Density Residential
13-007	12-16-2014	SWC Archibald & Eucalyptus – Change 83.88 acres of Office Commercial, Business Park, and Industrial to Low Density Residential
14-001	12-16-2014	N/s of Guasti Road near Haven and Milliken – Change 52.36 acres from Industrial to Business Park
13-005	04-07-2015	SWC Vineyard and Fourth (Meredith) – Change 148 acres from Mixed Use to Industrial and modify the development assumptions for the remaining 93 acres of Mixed Use
15-001	11-17-2015	Change 12 industrial related parcels located on Brooks, Sunkist, Park and Philadelphia in order to be consistent with current use (related file PZC15-002)
15-002	02-02-2016	Change 16 industrial parcels located between 260 and 625 feet north of Mission and between Benson and Magnolia from Business Park to Industrial
16-001	05-17-2016	TOP Clean-Up – 83 properties
16-006	03-07-2017	TOP Clean-Up – 545 properties, eliminate SoCalf (LU-02 and Environmental Resources Element) and modify Commercial Transitional Overlay language
17-001	03-06-2018	TOP Clean-Up – Approximately 450 properties, Downtown, n/o the I-10 Freeway, and throughout the City

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision Continued



LU-03 Future Buildout¹ (Cont.)

16-005	03-06-2018	NWC Grove & Mission – Change 2.8 acres from Industrial to Business Park (related PZC16-003)
18-001	06-19-2018	SEC Haven & Francis – Change 2.05 acres from Office Commercial to Industrial (related to PSPA18-002)
16-002	06-19-2018	SEC Eucalyptus & Carpenter – Change 47.06 acres from Business Park to Industrial
18-005	12-04-2018	W/in North Loop Drive, e/o Etiwanda & s/o of I-10 – Establish General Industrial designation on 2.4-acre ROW parcel
18-009	07-16-2019	G w/o Corona – Change 1.02 acres from General Commercial to Low Medium Density Residential & 0.46 acres from General Commercial to Hospitality (related to PZC18-003)
19-002	09-17-2019	NEC & SEC Wall & Wannamaker – Change 11.9 acres from General Commercial to Industrial
20-001	03-03-2020	Change Assumed Density/Intensity to the Meredith Mixed Use: <ul style="list-style-type: none"> • from 23% to 47% of the area at 39.46 du/ac, and • from 72% to 48% at 0.35 FAR for office and retail uses
18-008	XX-XX-2020	E/s Euclid, s/o Eucalyptus, w/o Sultana, n/o Merrill (Ontario Ranch Business Park) – Change 85.6 acres from Low Medium Density Residential, Office Commercial, and General Commercial to Business Park and Industrial - General
<u>19-009</u>	<u>XX-XX-2020</u>	<u>1526 South Euclid – Change 0.214 acres from Rural Residential to Low Medium Density Residential</u>

RESOLUTION NO. PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PZC19-003, A ZONE CHANGE REQUEST TO CHANGE THE ZONING DESIGNATION ON 0.21 ACRES OF LAND FROM AR-2, AGRICULTURAL RESIDENTIAL (0-2 DU/AC) TO MDR-11, LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DU/AC), LOCATED ON A LAND LOCKED PARCEL WEST OF 1524 AND 1526 SOUTH EUCLID AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1050-061-16

WHEREAS, Blaise D'Angelo (hereinafter referred to as "Applicant") has filed an Application for the approval of a Zone Change, File No. PZC19-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to one 0.21-acre parcel of land generally located west of 1524 and 1526 South Euclid Avenue at the south west corner of Elm Street and Euclid Avenue, within the AR-2, Agricultural Residential (0 – 2 du/ac) zoning district of which is proposed to change to MDR-11, Low Medium Density Residential (5.1-11 du/ac). The parcel is undeveloped; and

WHEREAS, the properties to the north and west of the Project site are within the AR-2, Agricultural Residential (0 – 2 du/ac) zoning district and are developed with single-family residences. The properties to the west are within the MDR-11, Low-Medium Density Residential (5.1-11 du/ac) zoning district, on lot is developed with an assisted care facility and one lot is undeveloped. The property to the south is within the MDR-18, Medium Density Residential (11.1-18 du/ac) zoning district and is developed with Multi-family Residential units; and

WHEREAS, a related General Plan Amendment (File No. PGPA19-009) is being processed concurrently with this application to change the General Plan land use designation on 0.21 acres of land from Rural Residential to Low-Medium Density Residential; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies

and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to City Council on the subject Application; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on September 22, 2020, the Planning Commission recommended City Council approval of a resolution adopting an Addendum to a previous Environmental Impact Report prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of less than significance; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission recommends City Council find as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (TOP) Environmental Impact Report, certified by the

City of Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

(5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

(6) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan as follows:***

Land Use Element:

- **Goal LU1:** A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- **LU1-6: Complete Community.** We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area and provides opportunities for choice in living environments.

- **Goal LU2:** Compatibility between a wide range of uses.

- **LU2-1: Land Use Decisions.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment and Zone Change reflect the existing uses of the properties or closely coordinates with land use designations in the surrounding area, and will not create adverse impacts on adjacent properties.

- **Goal LU5:** Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

- **LU5-7: ALUCP Consistency with Land Use Regulations.** We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed General Plan Amendment and Zone Change are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario International Airport and Chino Airport.

Safety Element — Noise Hazards

▪ Goal S4: An environment where noise does not adversely affect the public's health, safety, and welfare.

➤ S4-6: Airport Noise Compatibility. We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The subject property is located within the 60 to 65 CNEL Noise Impact area and the proposed Low-Medium Density Residential land use designation is compatible with the Noise Impact area.

(2) ***The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed zoning designation is compatible with the zoning and land uses in the surrounding area.

(3) ***The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The surrounding properties to the east and south have the same land use designation and the properties to the west and north have coordinating land use designations. The allowed uses of the properties will be similar to other properties in the area.

(4) ***The subject site is physically suitable, including, but not limited to, parcel sizes, shapes, access, and availability of utilities, for the request and anticipated development.*** The zoning change from AR-2, Agricultural Residential to MDR-11, Low-Medium Density Residential allows for lot consolidation with adjacent parcels, making the subject site physically suitable for the anticipated future development with allowable uses.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as detailed in "Exhibit A" attached hereto and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the

applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

Planning Commission Resolution
File No. PZC19-003
September 22, 2020
Page 8

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC19-044, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

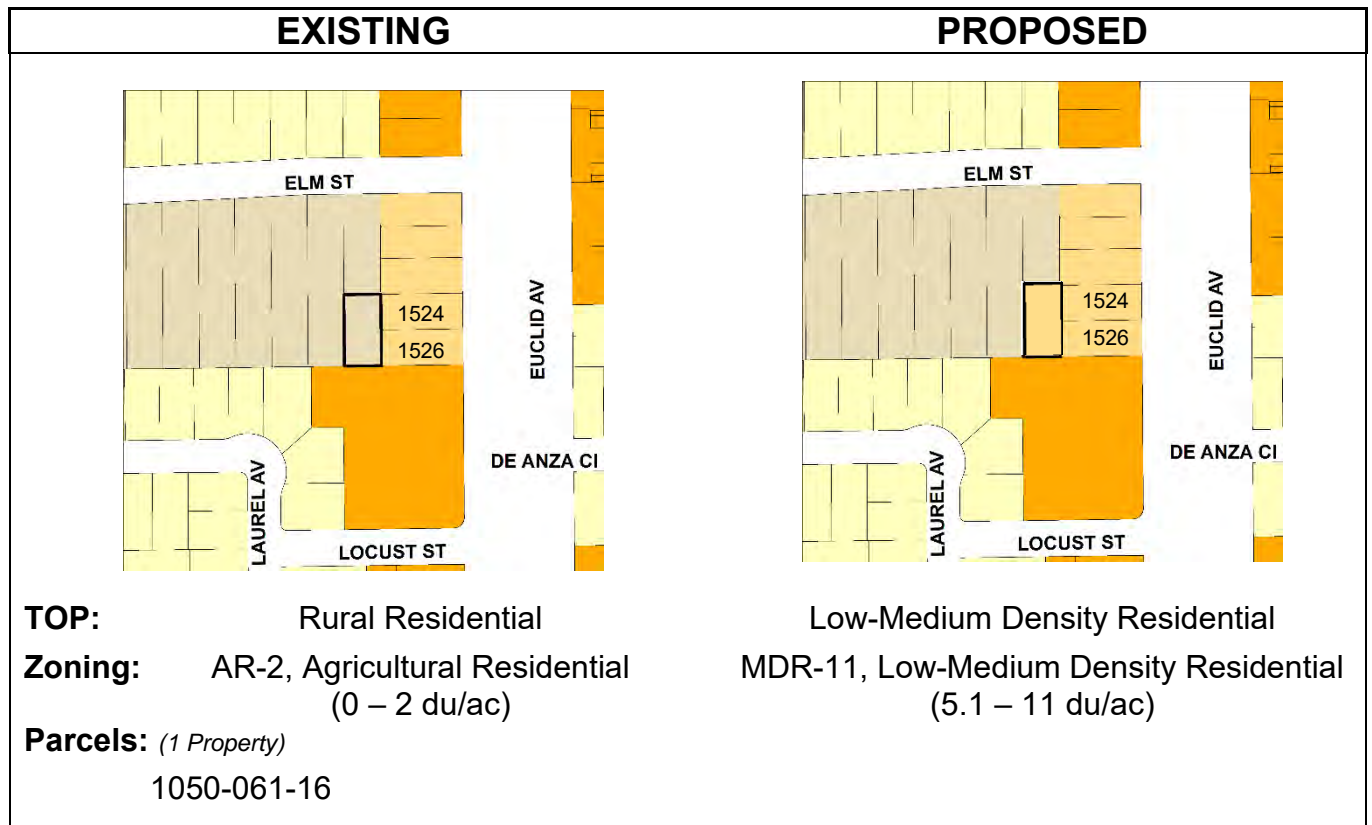
ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A: File No. PZC19-003 Proposed Zone Change

ZONING Legend:

	AR-2, Residential-Agricultural		PUD, Planned Unit Development		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan with Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Transit Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Community Commercial Overlay





PLANNING COMMISSION STAFF REPORT

September 22, 2020


FILE NOS.: PGPA19-003, PSPA19-003, PMTT19-010, and PDEV19-030

SUBJECT: A request for the following entitlements: [1] a General Plan Amendment (File No. PGPA19-003) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 23.8 gross acres of land, from Low Density Residential to Medium Density Residential, in conjunction with a modification to the Future Buildout Table (Exhibit LU-03) consistent with the proposed land use designation change; [2] an Amendment to the Esperanza Specific Plan (File No. PSPA19-003) to establish row townhomes as a permitted land use and increase the maximum allowed density within Planning Area 4, from 6.26 to 14.0 dwelling units per acre; [3] a Tentative Tract Map (File No. PMTT19-010, TT 20285) to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots; and [4] a Development Plan (File No. PDEV19-030) to construct 126 multiple-family dwellings generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan; (APN: 0218-302-01) **submitted by Patrick McCabe for Christopher Development Group, Inc.**

PROPERTY OWNER: Christopher Development Group, Inc.

RECOMMENDED ACTION: That the Planning Commission: [1] recommend that the City Council approve File Nos. PGPA19-003 and PSPA19-003; and [2] approve File Nos. PMTT19-010 and PDEV19-030, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The overall Project site is comprised of 23.8 gross acres of vacant and agricultural/dairy land located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan (“ESP”). The Applicant has proposed to develop 8.57 gross acres of land within the overall Project area, which is depicted in Figure 1: Project Location, below. The Policy Plan (general plan) Land Use Map (Exhibit LU-01) designates the parcels to the north of the Project site, Low-Density Residential (2.1-5 du/ac) and Medium-Density Residential (11.1-25 du/ac), the parcel to the west of the Project site is designated Public School, and the parcels to the south of the Project site are designated Low-Density Residential (2.1-5 du/ac).

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	5/29/2019

Hearing Body	Date	Decision	Action
DAB	09/21/2020	Approval	Recommend
PC	09/22/2020		Recommend/ Final
CC	10/20/2020		Final

Parcels to the north of the Project site are located within the PA-4 (RD-6 / 6 Pack Courtyard) land use district of ESP, parcels to the west of the Project site are within the PA-11 (School) land use district of ESP, and parcels to the south of the Project site are within PA-5 (RD-5 / 4 Pack Courtyard) land use district of ESP. Parcels east of the Project site are located within the City of Eastvale and are designated for industrial land uses. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Esperanza Specific Plan (File No. PSP05-002) was approved, and the related Environmental Impact Report (“EIR”; SCH# 2002061047) was certified, by the City Council on February 6, 2007. The Esperanza Specific Plan established the land use designations, development standards, and design guidelines on 223 acres of land, which included the potential development of 1,410 dwelling units and a 10.02-acre elementary school.

In 2010, The Ontario Plan (“TOP”) was adopted, which set forth the land use pattern for the City, to achieve its Vision. With the adoption of TOP, a Low-Density Residential land use designation was assigned to the Project site.

On May 29, 2019, the Applicant submitted four applications to facilitate the construction of 126 multiple-family dwellings, which are described below.

- A General Plan Amendment (File No. PGPA19-003) to modify the Policy Plan (general plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 23.8 gross acres of land from Low-Density Residential (2.1-5 du/ac) to Medium-Density Residential (11.1-25 du/ac).
- An amendment to the Esperanza Specific Plan (File No. PSPA19-003), increasing the maximum allowed density within the PA-4 land use district, from 6.26 to 14.0 du/ac.

- A Tentative Tract Map (File No. PMTT19-010/TT 20285) to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots.
- A Development Plan (File No. PDEV19-030) to construct 126 multiple-family dwellings throughout the Tentative Tract Map project area.

On September 21, 2020, the Development Advisory Board (“DAB”) conducted a hearing to consider the Tentative Tract Map and Development Plan, and concluded the hearing, voting to recommend that the Planning Commission approve the Applications subject to conditions of approval, which are included as attachments to the Planning Commission resolutions.

[2] General Plan Amendment (“GPA”) — To accommodate the proposed Development Plan application, the GPA will revise Exhibit LU-01, Land Use Plan, changing the land use designation on approximately 23.8 acres of land, from Low-Density Residential to Medium-Density Residential, as shown in Figure 2: General Plan Amendment. The GPA will provide a logical expansion and continuance of the Medium-Density Residential land use designation south to the northside of Eucalyptus Avenue.



Figure 2: General Plan Amendment

[3] Esperanza Specific Plan Amendment (“SPA”) — To accommodate the proposed Development Plan application, the SPA proposes to increase the maximum allowable density within the PA-4 land use district of ESP, from 6.26 to 14.0 dwelling units per acre. In addition, the Applicant has proposed to introduce a row-town product to the district, which will occupy the lower one-half of the PA-4 land use district. Future development for the northern portion of PA-4 will enjoy the same maximum density and will have a variety

Existing Esperanza Specific Plan			
Planning Area	Gross Acres	Units/Gross Acres	Units
PA 1	21.48	12.01	258
PA 2	24.68	6.69	165
PA 3	19.84	12	238
PA 4	23.81	6.26	149
PA 5	23.78	6.6	157
PA 6	13.64	5.72	78
PA 7	14.36	5.29	76
PA 8	23.72	4.51	107
PA 9	17.75	4.62	82
PA 10	19.92	5.02	100
Park	6.92	0.0	0
Total	209.9	6.87	1410.00

Proposed Esperanza Specific Plan			
Planning Area	Gross Acres	Units/Gross Acres	Units
PA 1	21.48	12.01	258
PA 2	24.68	6.69	165
PA 3	19.84	12	238
PA 4	23.81	14	333
PA 5	23.78	6.6	157
PA 6	13.64	5.72	78
PA 7	14.36	5.29	76
PA 8	23.72	4.51	107
PA 9	17.75	4.62	82
PA 10	19.92	5.02	100
Park	6.92	0.0	0
Total	209.9	7.65	1594.00

Figure 3: Specific Plan Amendment

of product types to choose from. A 14.0 du/acre density was established for the full PA-4 land use district in order to maintain TOP's previously-analyzed maximum density for the Specific Plan area as a whole. The existing and proposed SPA development characteristics by Planning Area is illustrated in Figure 3: Specific Plan Amendment, above.

The SPA includes updates to development standards, the land use matrix, and various exhibits, along with text changes to reflect the proposed density increase and infrastructure requirements to accommodate the proposed Tract Map and Development Plan applications (see Attachment A: Esperanza Specific Plan Amendment Document to the Resolution for the ESP Amendment). The current density and product type required by ESP poses a significant hardship for the development of the Project site, which is irregular in shape and was unable to efficiently accommodate the 6-Pack Courtyard product type required by ESP, at the allowable density. The development regulations and land use matrix have been amended to include standards for the new product type (Row-Town). All changes and additions to the Specific Plan (exhibits, tables, and development standards) are contained within the revised Specific Plan document, and are highlighted in red.

[4] Tentative Tract Map — The proposed Tentative Tract Map will subdivide the Project site into 11 numbered lots and 6 lettered lots (see Exhibit D - Tentative Tract Map) to facilitate the construction of 126 multiple-family dwellings and associated recreation and landscape areas.

[5] Development Plan

[a] Site Design/Building Layout — The Applicant has proposed to construct 126 attached multiple-family dwellings on an irregular-shaped lot that is 8.57 net acres in area (see Exhibit E – Site Plan). The Project includes the construction of 25 buildings arranged around a central recreation facility with a pool and cabanas. Each building will contain three or six row-town units primarily arranged along private alleys (garage entries), with paseos connecting the fronts of the units. Units adjacent to the main private street are oriented with front doors facing the street.

[b] Site Access/Circulation — The Project site will have one primary access point from Eucalyptus Avenue. Temporary/emergency access will be provided via a cul-de-sac at the northerly terminus of Clifton Avenue. Additional access will be provided by a future private street (East Malagon Privado) which will connect to the tract to the north once it is developed.

Each building will have front door access to a walkable paseo, and garage access to a private alley.

[c] Parking — The Esperanza Specific Plan requires a two-car, enclosed garage for residential units. The Project has provided a two-car garage for each unit, in

addition to 64 guest parking spaces around the site and along the main streets. No parking will be allowed within the private alleyways and there are no units with driveways. The Project requires a total of 252 parking spaces, and a total of 316 spaces have been provided.

[d] Architecture — The architectural style proposed consists of a modern interpretation of a Spanish design (see Exhibits G and I—Elevations). Architectural elements incorporated into the Project, which exemplify the intended Spanish theme include:

- A combination of roof pitches and styles, including hipped, gabled, shed, angled, and flat roofs;
- Stucco walls with recessed and popped-out panels;
- Wood paneling enhancements around key windows;
- Vertical articulation;
- Decorative pot shelves, bracing, and corbels;
- Covered second-story patios with decorative railing; and
- Decorative wrought-iron elements.

[e] Landscaping — The Esperanza Specific Plan requires that all areas not used for buildings or hardscape shall be fully landscaped. The Project provides approximately 53 percent landscape coverage, which is made up of an assortment of decorative and shade trees, shrubs, groundcovers, turf, and other plantings (See Exhibit J—Typical Landscape and Recreation Amenities). Plantings include, but are not limited to, Strawberry Tree, Desert Willow, Golden Rain Tree, Crape Myrtle, Wilson Olive, Chinese Pistache, pine, elm, palm, kangaroo paw, boxwood, bottle brush, flax, sage, and ivy.

Active and passive recreational facilities have been provided throughout the Project site, including walking paseos with bench seating, a pool and cabana area with shaded picnic tables, a decomposed granite rose garden with bench seating, and a dog park with benches. The Project will also share facilities with the neighboring Dorado development (Tract No. 17931), which contains a linear park with a meandering path, greenspace, and benches, as well as a tot lot and barbeque area with shaded picnic tables. In addition, a school site is proposed between the two developments, which will further add to recreational options in the area, such as larger play fields and equipment.

[f] Utilities (drainage, sewer) — All major backbone improvements currently serve the site, and utilities were previously approved with the Tract's Development Agreement set forth during the A-Map stage, per the requirements of the Esperanza Specific Plan, by and between the surrounding developments. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes both Projects' compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact

development (LID) best management practices (BMPs), such as retention and infiltration, biotreatment, and evapotranspiration.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed Project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed Project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

- H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

- H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (333) and density (14 du/ac) specified in the Available Land Inventory, which designates a total unit count of 1,410 units and an overall density range of 13-24 du/ac for the Project area.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed Project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The environmental impacts of the Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of Project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant / Agricultural	Low-Density Residential (2.1-5 du/ac)	Esperanza Specific Plan	PA-4 (6-Pack Courtyard)
<i>North</i>	Vacant / Agricultural	Low-Density Residential (2.1-5 du/ac) and Medium-Density Residential (11.1-25 du/ac)	Esperanza Specific Plan	PA-3 (Motorcourt Townhomes)
<i>South</i>	Residential	Low-Density Residential (2.1-5 du/ac)	Esperanza Specific Plan	PA-5 (4-Pack Courtyard)
<i>East</i>	Vacant – City of Eastvale	N/A	N/A	N/A
<i>West</i>	Vacant / Agricultural	Public School	Esperanza Specific Plan	PA-11 (School)

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	N/A	23.81 gross acres (PA-4) 8.57 net acres (project site)	N/A
<i>Maximum project density (dwelling units/ac):</i>	N/A	7.48 du/ac (existing) 14 du/ac (proposed)	N/A
<i>Maximum coverage (in %):</i>	55%	53%	Y
<i>Minimum lot size (in SF):</i>	2,200 SF	11,441 SF	Y
<i>Front yard setback (in FT):</i>	10'	10'	Y
<i>Side yard setback (in FT):</i>	4' interior 10' street	4' interior 10' street	Y
<i>Rear yard setback (in FT):</i>	10' living area 5' garage	10' living area 5' garage	Y
<i>Maximum height (in FT):</i>	35'	35'	Y
<i>Parking – resident:</i>	252	252	Y
<i>Parking – guest:</i>	0	64	Y
<i>Open space – private:</i>	150 SF	150 SF	Y
<i>Open space – common:</i>	250 SF	250 SF	Y

Dwelling Unit Count:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Total no. of units</i>	PA-4: Max 333 du	126 du (project site)	Y
<i>Total no. of buildings</i>	N/A	25	N/A
<i>No. units per building</i>	N/A	3-6	N/A

Exhibit A—Amended LU-03: Future Buildout Table

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,058	4,231		
Low Density ⁶	7,255 7,231	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,594 30,477	122,244 121,816		
Low-Medium Density ⁶	982	8.5 du/ac	8,343	33,348		
Medium Density	1,897 1,921	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200 38,724	133,791 135,508		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,846		84,607 85,017	315,084 316,372		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 47% of the area at 39.46 du/ac 48% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	1,725	3,450	832,497	975
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area t 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at 0.70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.50 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.50 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.70 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.30 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,668		16,054	32,107	34,582,545	71,896

Exhibit A—Amended LU-03: Future Buildout Table Continued

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	281	0.30 FAR			3,671,585	8,884
General Commercial	477	0.30 FAR			6,229,385	5,787
Office/Commercial	479	0.75 FAR			15,650,564	34,707
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,379				31,729,213	56,461
Employment						
Business Park	1,531	0.40 FAR			26,676,301	46,803
Industrial	6,457	0.55 FAR			154,698,172	135,921
Subtotal	7,988				181,374,472	182,724
Other						
Open Space—Non-Recreation	1,232	Not applicable				
Open Space—Parkland ⁶	950	Not applicable				
Open Space—Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,786		100,654 101,071	347,190 348,479	247,686,231	311,080

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

Exhibit B—Esperanza Land Use Plan



Exhibit C—Land Use Summary Table

Existing

LAND USE	UNITS	GROSS ACRES	UNITS/GROSS ACRES	NET ACRES	UNITS/NET ACRES
Residential Uses					
PA-1 (RD-7 / Row Townhomes)	258 DU	21.48 AC	12.01 DU/AC	18.62 AC	13.86 DU/AC
PA-2 (RD-4 / SFD Cottages)	165 DU	24.68 AC	6.69 DU/AC	20.81 AC	7.93 DU/AC
PA-3 (RD-8 / Motorcourt Townhomes)	238 DU	19.84 AC	12.00 DU/AC	17.38 AC	13.69 DU/AC
PA-4 (RD-6 / 6 Pack Courtyard)	149 DU	23.81 AC	6.26 DU/AC	19.92 AC	7.48 DU/AC
PA-5 (RD-5 / 4 Pack Courtyard)	157 DU	23.78 AC	6.60 DU/AC	17.64 AC	8.90 DU/AC
PA-6 (RD-4 / SFD Cottages)	78 DU	13.64 AC	5.72 DU/AC	10.00 AC	7.80 DU/AC
PA-7 (RD-1 / SFD 50' wide lots)	76 DU	14.36 AC	5.29 DU/AC	12.56 AC	6.05 DU/AC
PA-8 (RD-2 / SFD 55' wide lots)	107 DU	23.72 AC	4.51 DU/AC	19.26 AC	5.56 DU/AC
PA-9 (RD-1 / SFD 50'x 80')	82 DU	17.75 AC	4.62 DU/AC	13.27 AC	6.18 DU/AC
PA-10 (RD-3 / SFD 2 Pack)	100 DU	19.92 AC	5.02 DU/AC	14.62 AC	6.84 DU/AC
Park		6.92 AC			
Residential Land Use Total	1,410 DU	209.90 AC	6.72 DU/AC	164.08 AC	8.59 DU/AC
Parks				9.89 AC	
Neighborhood Edge Buffers				6.62 AC	
Roadways				28.25 AC	
SCE Easements and Well Sites				4.14 AC	
Community Facilities Use					
PA-11 (School)		13.10 AC		10.02 AC	
PROJECT TOTAL	1,410 DU	223.00 AC		223.00 AC	

NOTES:

- 1) Gross residential acres do not include the 13.10 gross acres for a school site.
- 2) Net residential acres are gross acres less parks, neighborhood edge buffers, roadways, easements and net area for school site.

Proposed

LAND USE	UNITS	GROSS ACRES	UNITS/GROSS ACRES	NET ACRES	UNITS/NET ACRES
Residential Uses					
PA-1 (RD-7 / Row Townhomes)	258 DU	21.48 AC	12.01 DU/AC	18.62 AC	13.86 DU/AC
PA-2 (RD-4 / SFD Cottages)	165 DU	24.68 AC	6.69 DU/AC	20.81 AC	7.93 DU/AC
PA-3 (RD-8 / Motorcourt Townhomes)	238 DU	19.84 AC	12.00 DU/AC	17.38 AC	13.69 DU/AC
PA-4 (RD-6/6 Pack Courtyard & Rowtowns)	149 DU	23.81 AC	6.26 DU/AC	19.92 AC	7.48 DU/AC
PA-5 (RD-5 / 4 Pack Courtyard)	157 DU	23.78 AC	6.60 DU/AC	17.64 AC	8.90 DU/AC
PA-6 (RD-4 / SFD Cottages)	78 DU	13.64 AC	5.72 DU/AC	10.00 AC	7.80 DU/AC
PA-7 (RD-1 / SFD 50' wide lots)	76 DU	14.36 AC	5.29 DU/AC	12.56 AC	6.05 DU/AC
PA-8 (RD-2 / SFD 55' wide lots)	107 DU	23.72 AC	4.51 DU/AC	19.26 AC	5.56 DU/AC
PA-9 (RD-1 / SFD 50'x 80')	82 DU	17.75 AC	4.62 DU/AC	13.27 AC	6.18 DU/AC
PA-10 (RD-3 / SFD 2 Pack)	100 DU	19.92 AC	5.02 DU/AC	14.62 AC	6.84 DU/AC
Park		6.92 AC			
Residential Land Use Total	1,394 DU	209.90 AC	7.65 DU/AC	164.08 AC	9.36 DU/AC
Parks				9.89 AC	
Neighborhood Edge Buffers				6.62 AC	
Roadways				28.25 AC	
SCE Easements and Well Sites				4.14 AC	
Community Facilities Use					
PA-11 (School)		13.10 AC		10.02 AC	
PROJECT TOTAL	1,394 DU	223.00 AC		223.00 AC	

NOTES:

- 1) Gross residential acres do not include the 13.10 gross acres for a school site.
- 2) Net residential acres are gross acres less parks, neighborhood edge buffers, roadways, easements and net area for school site.

(2019:8)

Exhibit D—Tentative Tract Map (continued)

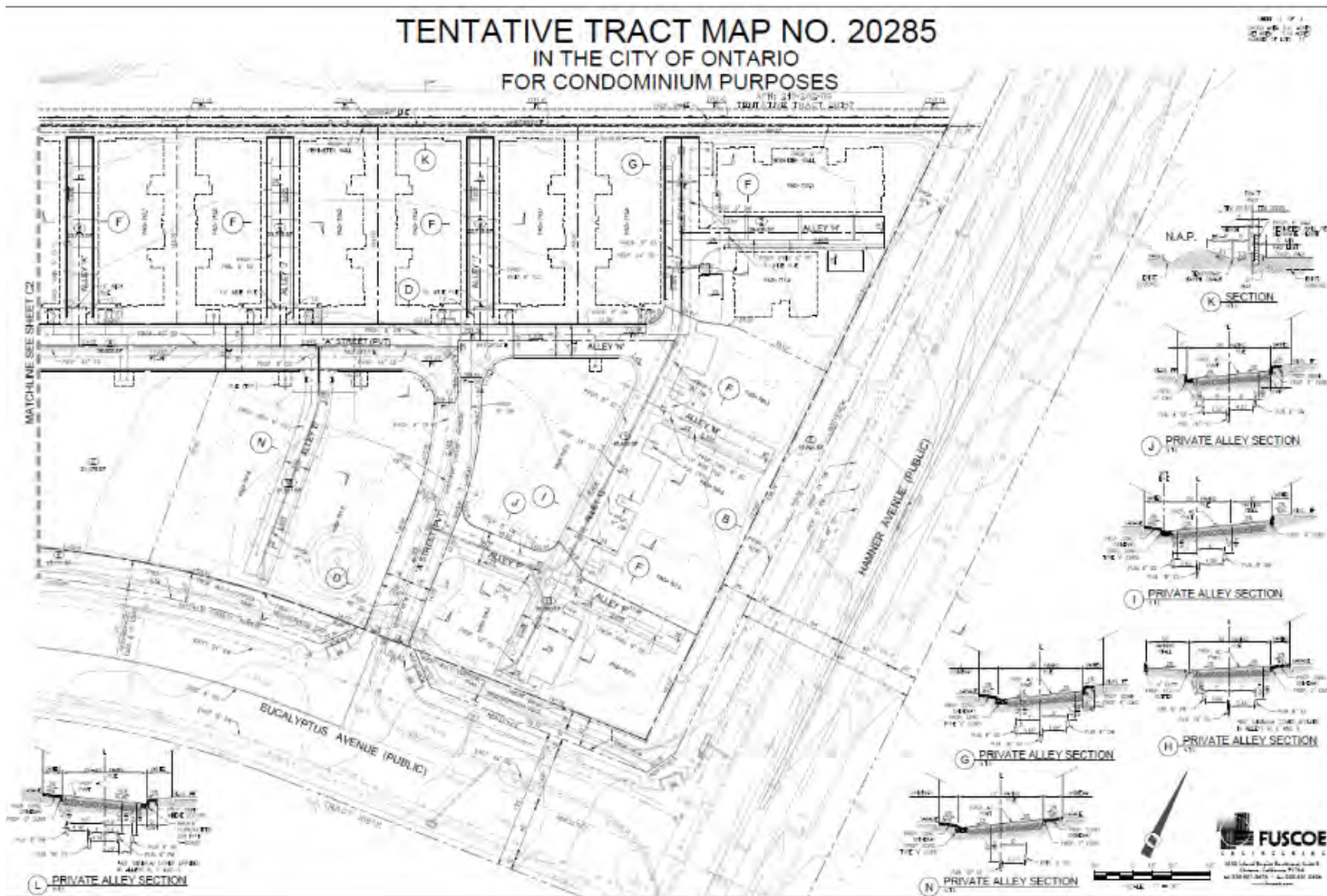


Exhibit E—Site Plan

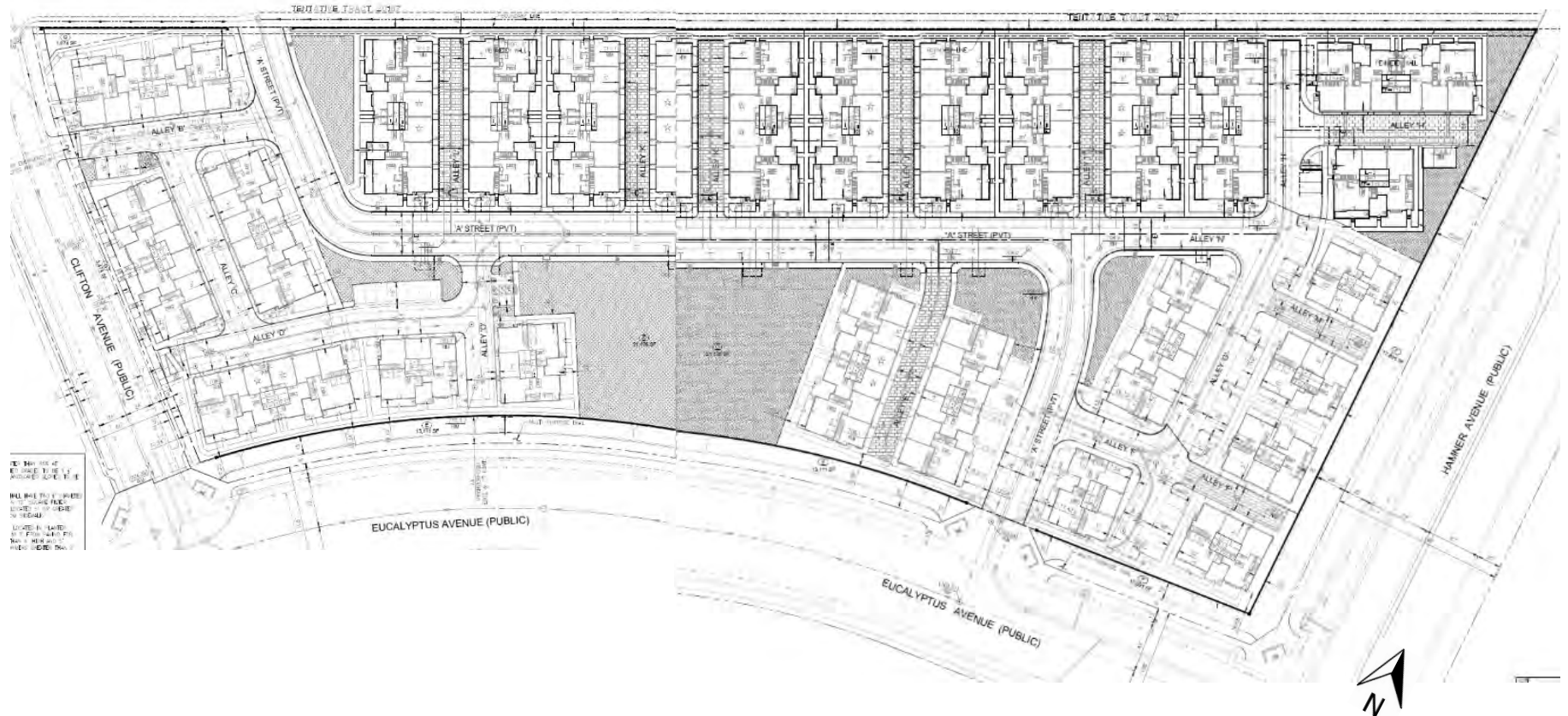


Exhibit F—3-Unit Building Floor Plans

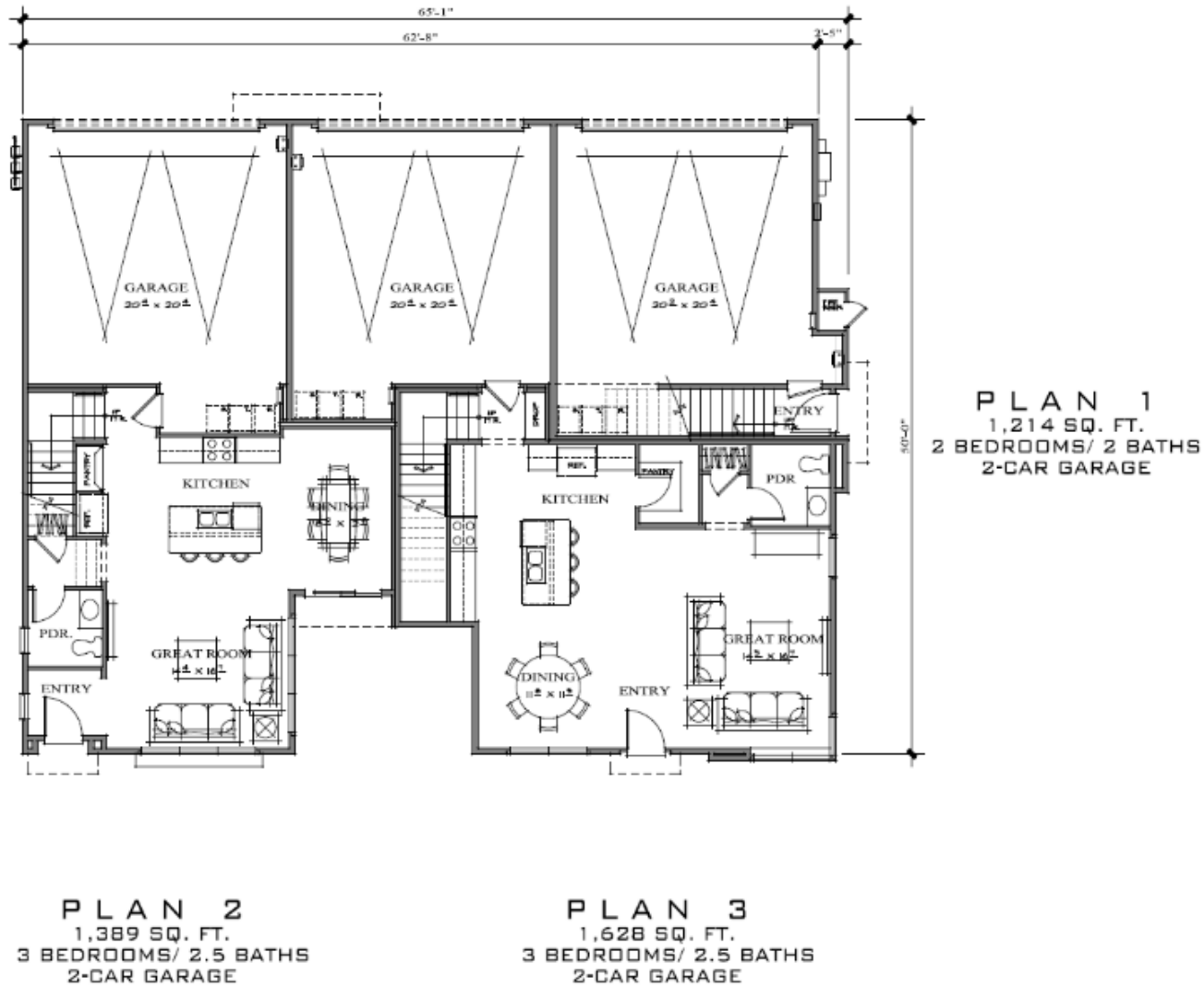


Exhibit F—3-Unit Building Floor Plans (continued)

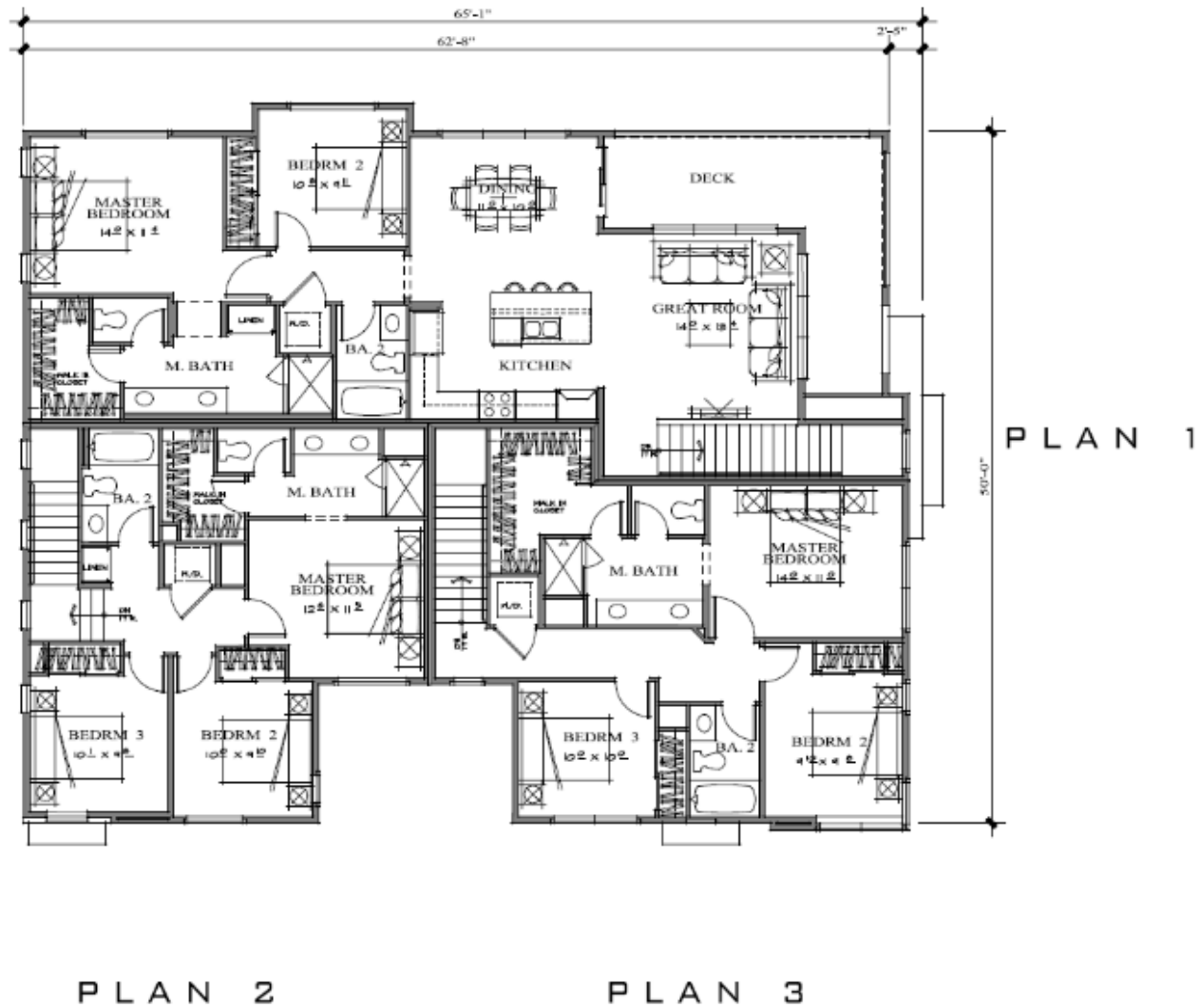


Exhibit G—3-Unit Building Exterior Elevations



FRONT



RIGHT



REAR



LEFT

Exhibit H—6-Unit Building Floor Plans

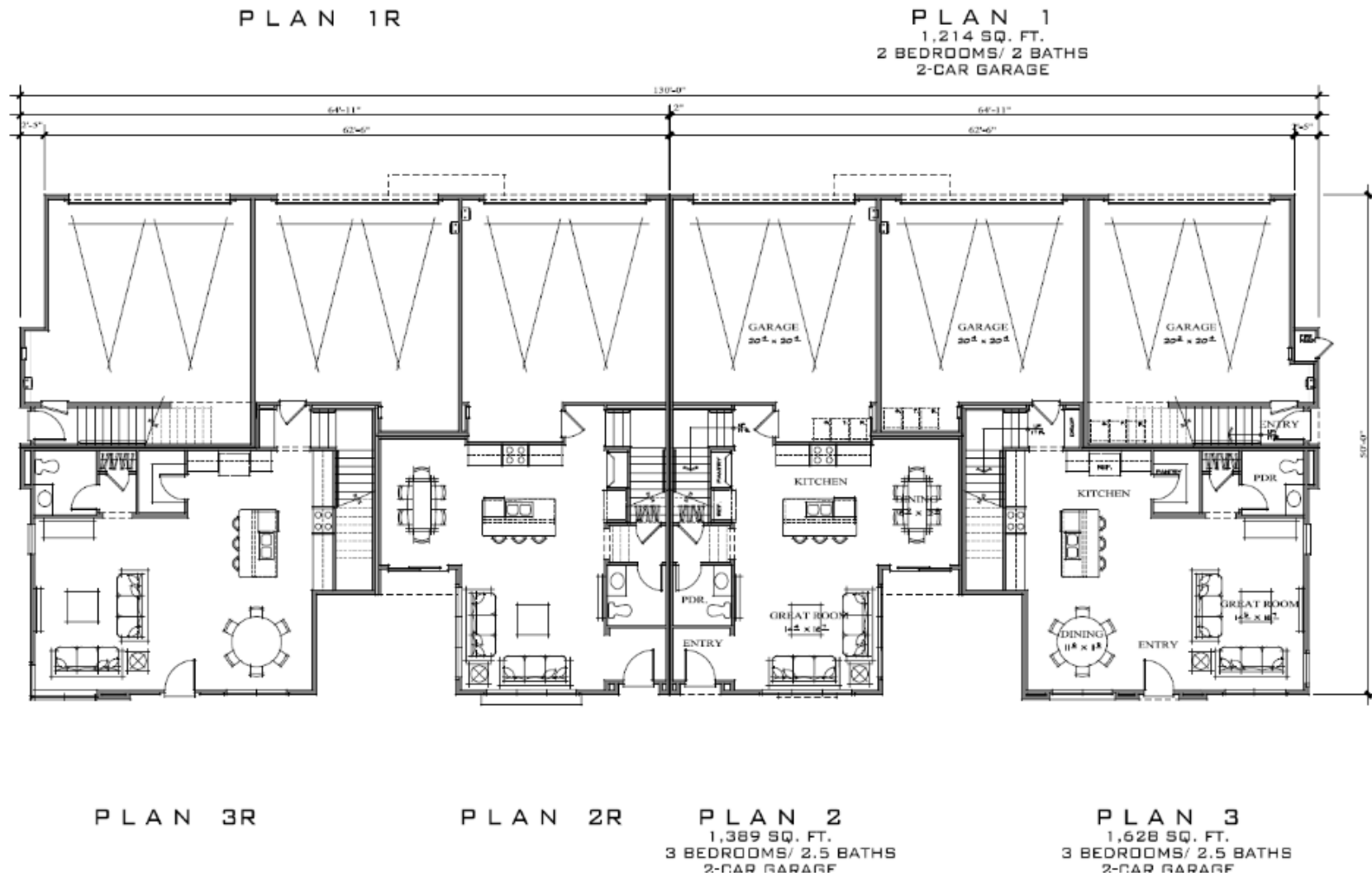


Exhibit H—6- Unit Building Floor Plans (continued)

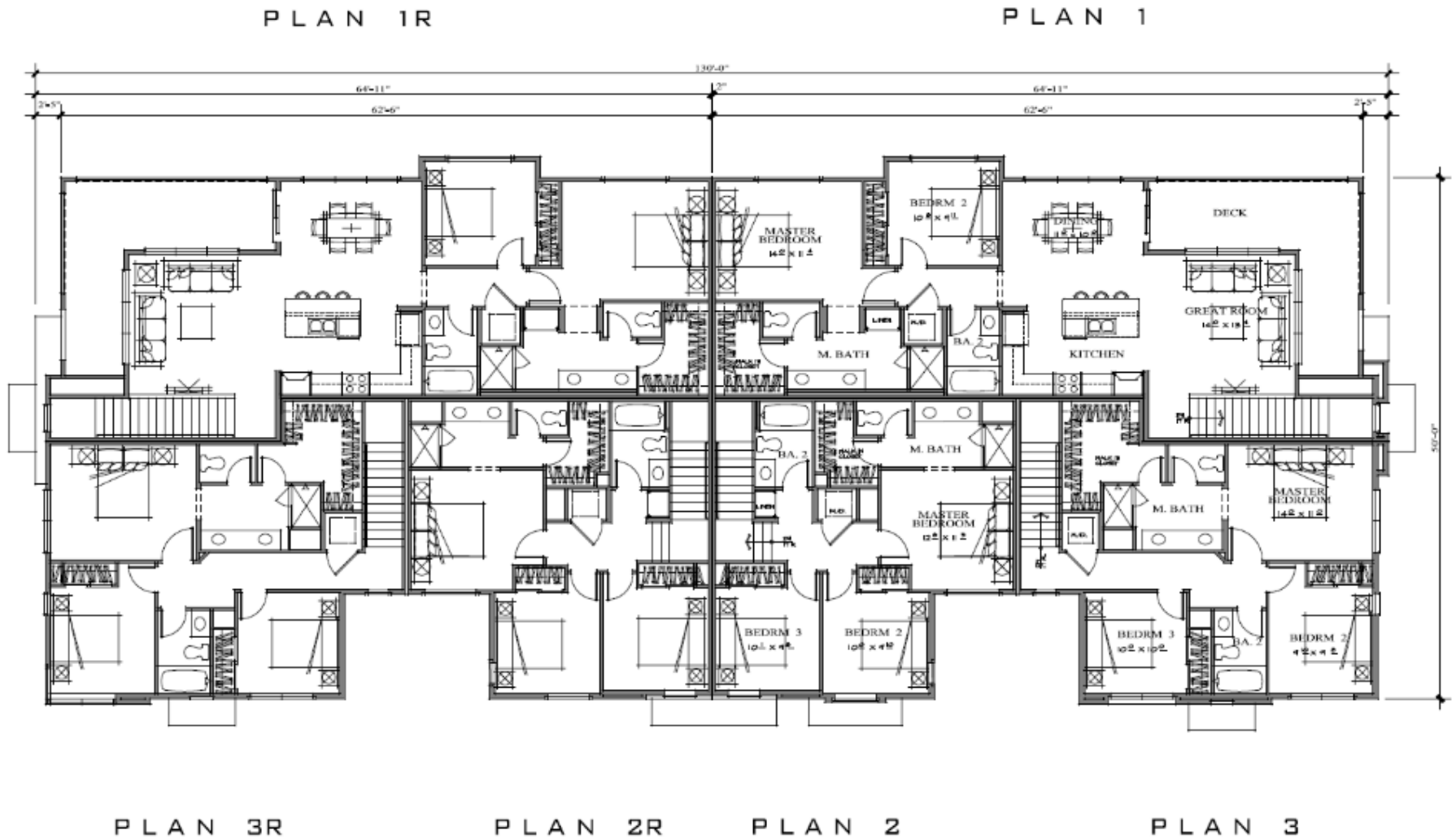


Exhibit I—6-Unit Building Exterior Elevations



Exhibit I—6-Unit Building Exterior Elevations (continued)



Exhibit J—Typical Landscape and Recreation Amenities



Exhibit J—Typical Landscape and Recreation Amenities (continued)



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA19-003, A GENERAL PLAN AMENDMENT TO MODIFY THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN (EXHIBIT LU-01) COMPONENT OF THE ONTARIO PLAN, CHANGING THE LAND USE DESIGNATION ON APPROXIMATELY 23.8 GROSS ACRES OF LAND, FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL, IN CONJUNCTION WITH A MODIFICATION TO THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) CONSISTENT WITH THE PROPOSED LAND USE DESIGNATION CHANGE, FOR LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF CLIFTON AND EUCALYPTUS AVENUES, WITHIN THE PA-4 LAND USE DISTRICT OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-302-01. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 3 FOR THE 2020 CALENDAR YEAR).

WHEREAS, Patrick McCabe for Christopher Development Group, Inc. ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA19-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the General Plan Amendment (File No. PGPA19-003) proposes to modify the Policy Plan (general plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on approximately 23.8 gross acres of land from Low-Density Residential (2.1-5 du/ac) to Medium-Density Residential (11.1-25 du/ac as shown on Exhibit A, attached, to accommodate the future development of a residential Development Plan (File No. PDEV19-030) and Tentative Tract Map (File No. PMTT19-010); and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibit B, attached; and

WHEREAS, a Specific Plan Amendment, Tentative Tract Map, and Development Plan, File Nos. PSPA19-003, PMTT19-010, and PDEV19-030, respectively, were filed in

conjunction with the proposed General Plan Amendment. The three applications consist of: 1) an amendment to the Esperanza Specific Plan to increase the maximum density for PA-4 from 6.26 to 14 dwelling units per acre; 2) a Tentative Tract Map (File No. PMTT19-010/TPM 20285) to subdivide 8.57 acres of land into 11 numbered parcels and 6 lettered lot; and 3) a Development Plan (File No. PDEV19-030) to construct 126 multiple-family residential dwellings; and

WHEREAS, the Application applies to 23.8 gross acres of land generally located the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan, and is presently partially vacant and partially improved with dairy/agricultural land uses; and

WHEREAS, the property to the north of the Project site is designated Low-Density Residential (2.1-5 du/ac) and Medium-Density Residential (11.1-25 du/ac), the parcel to the west of the Project site is designated Public School, and the parcels to the south of the Project site are designated Low-Density Residential (2.1-5 du/ac) in the General Plan (The Ontario Plan –“TOP”). The parcels to the east of the Project site are located within the City of Eastvale and are designated for development with industrial land uses; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA"); and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of Project approval and are incorporated herein by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 (“Certified EIR”), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (333) and density (14 du/ac) specified in the Available Land Inventory, which designates a total unit count of 1,410 units and an overall density range of 13-24 du/ac for the Project area.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). In addition, the Project will further “[d]iversity in types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario (Goal H2). Moreover, the Project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*); and

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City; and

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the third amendment to the Land Use Element for the 2020 calendar year, consistent with Government Code Section 65358; and

(4) The Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (333) and density (14 du/ac) specified in the Available Land Inventory, which designates a total unit count of 1,410 units and an overall density range of 13-24 du/ac for the Project area; and

(5) During the amendment of the general plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, as shown on Attachments 1 and 2 of this resolution.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim,

action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A: Policy Plan Land Use Plan (Exhibit LU-01) Revision

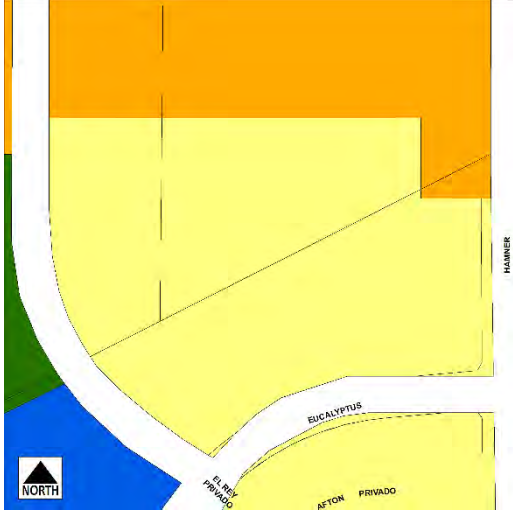

Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
 <p>Low-Density Residential (2.1-5 du/ac)</p>	<p>0218-302-01</p>	 <p>Medium-Density Residential (11.1-25 du/ac)</p>

Exhibit B: Future Buildout (Exhibit LU-03) Revision

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,058	4,231		
Low Density ⁶	7,255	4.0 du/ac (OMC)	30,584	122,244		
	7,231	4.5 du/ac (NMC)	30,477	121,816		
Low-Medium Density ⁶	982	8.5 du/ac	8,343	33,348		
Medium Density	4,897	18.0 du/ac (OMC)	38,200	133,794		
	1,921	22.0 du/ac (NMC)	38,724	135,508		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,846		84,604 85,017	315,084 316,372		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> 60% of the area at 35 du/ac 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> 25% of the area at 30 du/ac 50% of the area at 1.0 FAR office 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> 47% of the area at 39.46 du/ac 48% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	1,725	3,450	832,497	975
• Transit Center	76	<ul style="list-style-type: none"> 10% of the area at 60 du/ac 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> 50% of the area at 20 du/ac 30% of area at 0.50 FAR office 20% of area t 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> 20% of the area at 30 du/ac 30% of area at 1.0 FAR retail 50% of area at 0.70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> 30% of area at 40 du/ac 50% of area at 1.0 FAR office 20% of area at 0.50 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> 5% of area at 40 du/ac 20% of area at 0.75 FAR office 75% of area at 0.50 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> 30% of area at 35 du/ac 70% of area at 0.70 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> 30% of area at 25 du/ac 30% of area at 0.35 FAR for office 40% of area at 0.30 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> 50% of the area at 30 du/ac 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	<ul style="list-style-type: none"> 18% of the area at 25 du/ac 57% of the area at 0.25 FAR retail 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,668		16,054	32,107	34,582,545	71,896

Exhibit B: Future Buildout (Exhibit LU-03) Revision Continued

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood Commercial ⁶	281	0.30 FAR			3,671,585	8,884
General Commercial	477	0.30 FAR			6,229,385	5,787
Office/Commercial	479	0.75 FAR			15,650,564	34,707
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	1,379				31,729,213	56,461
Employment						
Business Park	1,531	0.40 FAR			26,676,301	46,803
Industrial	6,457	0.55 FAR			154,698,172	135,921
Subtotal	7,988				181,374,472	182,724
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland ⁶	950	Not applicable				
Open Space–Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,786		100,654 101,071	347,190 348,479	247,686,231	311,080

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PSPA19-003, AN AMENDMENT TO THE ESPERANZA SPECIFIC PLAN TO ESTABLISH ROW TOWNHOMES AS A PERMITTED LAND USE AND INCREASE THE MAXIMUM ALLOWED DENSITY WITHIN PLANNING AREA 4, FROM 6.26 TO 14.0 DWELLING UNITS PER ACRE, FOR 23.8 ACRES OF LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF CLIFTON AND EUCALYPTUS AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-302-01.

WHEREAS, Patrick McCabe for Christopher Development Group, Inc. ("Applicant"), has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA19-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 23.8 gross acres of land generally located the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan, and is presently partially vacant and partially improved with dairy/agricultural land uses; and

WHEREAS, The parcels to the north of the Project site are located within PA-4 (RD-6 / 6 Pack Courtyard), the parcels to the west of the Project site are within PA-11 (School), and the parcels to the south of the Project site are within PA-5 (RD-5 / 4 Pack Courtyard), and all are located within the Esperanza Specific Plan. The parcels to the east of the Project site are located within the City of Eastvale and are designated for development with industrial land uses; and

WHEREAS, the Esperanza Specific Plan Amendment includes changes to the Esperanza Land Use Summary. The revisions to the Land Use Summary will reflect the proposed changes to the Project site's density, from 6.26 to 14.0 dwelling units per acre; and

WHEREAS, the Esperanza Specific Plan Amendment includes updates to development standards, the land use matrix, and various exhibits, along with text/map changes to reflect the proposed land use changes and infrastructure requirements to accommodate future residential development with rowtown homes. The development regulations and land use matrix have been amended to include standards and an additional product type (rowtown homes) for PA-4; and

WHEREAS, a General Plan Amendment, Tentative Tract Map, and Development Plan, File Nos. PGPA19-003, PMTT19-010, and PDEV19-030, respectively, were filed in conjunction with the proposed Specific Plan Amendment. The three applications consist

of: 1) an amendment to The Ontario Plan to change the land use designation from Low-Density Residential (2.1-5 du/ac) to Medium-Density Residential (11.1-25 du/ac); 2) a Tentative Tract Map (File No. PMTT19-010/TPM 20285) to subdivide 8.57 acres of land into 11 numbered parcels and 6 lettered lot; and 3) a Development Plan (File No. PDEV19-030) to construct 126 multiple-family residential dwellings in a rowtown configuration; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. SCH# 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of Project approval and are incorporated herein by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 (“Certified EIR”), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation,

at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (333) and density (14 du/ac) specified in the Available Land Inventory, which designates a total unit count of 1,410 units and an overall density range of 13-24 du/ac for the Project area.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Esperanza Specific Plan Amendment will provide land use consistency with the related proposed General Plan Amendment (File No. PGPA19-003) that will change the land use on 23.8 acres of land from Low-Density Residential (2.1-5 du/ac) to Medium-Density Residential (11.1-25 du/ac). The proposed amendments will accommodate a proposed residential development on the subject site that is consistent with goals, policies, plans and City Council priorities of The Ontario Plan.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed amendments to the Esperanza Specific Plan will establish consistency with the related proposed General Plan Amendment (File No. PGPA19-003). The proposed Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The land use changes will continue to provide residential land uses within the Esperanza Specific Plan, which is consistent with the type and intensity of development specified in The Ontario Plan and evaluated by The Ontario Plan Environmental Impact Report.

(3) ***In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The Project site is currently zoned for residential land uses and is surrounded by other residentially designated properties to the north, west, and south of the Project site. The proposed Specific Plan Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses, because it will remain consistent with said properties and land uses. The proposed Specific Plan Amendment will facilitate a related Development Plan application (File No. PDEV19-030), which will provide additional housing and recreational facilities for the neighborhood, as well as tract improvements such as landscaping.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The subject site is physically suitable to accommodate the proposed residential land uses that are a result of the Specific Plan Amendment and related files. The Esperanza Specific Plan amendment includes development standards to facilitate the proposed land uses, which will be developed with adequate lot sizes, access, and utilities to serve the Project site.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application and included as attachment A of this resolution.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PSPA19-003
Esperanza Specific Plan – Amended Document**

(Attachment A to follow this page)

9/9/2020 10:43:46 AM

Compare Results

Summary of Comments on Esperanza Sect 1.indd

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Old File: Esperanza Sect 1.pdf 6 pages (2.43 MB) 9/4/2020 11:13:32 AM	versus	New File: Esperanza Sect 1R.pdf 7 pages (2.43 MB) 9/8/2020 4:31:21 PM
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Total Changes

20

Content

11 Replacements
6 Insertions
3 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

SECTION 1. EXECUTIVE SUMMARY

The Esperanza Specific Plan is a proposal for the development of approximately 223 acres located within the City of Ontario New Model Colony (NMC). The master plan for Esperanza will provide for development of a distinctive residential planned community offering a variety of housing types within walking distance to parks and an elementary school. The regional context and local setting of the Esperanza Specific Plan are illustrated in Exhibit 1, "Regional Location Map" and Exhibit 2, "Vicinity Map."

The Esperanza Specific Plan comprises all of Planning Subarea 25 as depicted on the City of Ontario New Model Colony (NMC) General Plan Land Use Map. The Specific Plan is bounded by Bellegrave Avenue to the south, Milliken Avenue to the east, and Mill Creek Avenue to the west. Planning Subarea 19 abuts the Specific Plan area on the north. Approximately 164.08 net acres of Esperanza are proposed for residential uses along with 9.89 net acres of park uses to be developed by Armada, LLC, Amberhill Development, and the Pietersma Family Trust and Bidart Family Trust. As part of the Esperanza Specific Plan, a 10.02 net acre site will be reserved for the development of an elementary school.

The Esperanza Specific Plan establishes the regulations and guidelines which will govern development of the master planned community within Planning Subarea 25 of the NMC General Plan. The development plan as illustrated in Exhibit 3 "Land Use Plan," is consistent with the goals and policies of the NMC General Plan combining livable residential neighborhoods served by public and recreational facilities as well as active open space offering opportunities for social interaction among residents.

Pedestrian accessibility is provided throughout Esperanza, through a system of sidewalks separated from the street by landscaped parkways and landscaped buffer areas. Bicycle mobility is provided within the community through a system of on-street bicycle trails.

The NMC General Plan, adopted by the City of Ontario in 1998, designates Planning Subarea 25 for development of up to 1,456 residential dwelling units, however, 46 residential dwelling units will be transferred to another Planning Subarea in order to accommodate development of a 10.02 acre school site within Esperanza. On XX-XX-2020, a request to increase PA4 to 14DU/AC was approved in order to accommodate a more efficient, economical sized design, and more appropriate product type. The increase allows for the development of up to 1,640 units. The development of the elementary school within Esperanza will limit the total number of dwelling units permitted within Planning Subarea 25 to 1,594. In the event the elementary school site is not purchased by the Mountain View School District, the total number of dwelling units permitted within Planning Subarea 25 may revert to 1,640 subject to approval by the City of a Specific Plan Amendment.

GOVERNING DOCUMENTS

Development of Esperanza will be governed by the following:

- The City of Ontario NMC General Plan (January 1998), as amended, which establishes policies governing land use, circulation, housing, conservation and open space, noise, safety, and public facilities within the Esperanza Specific Plan area.
- The Esperanza Specific Plan which includes a Land Use Plan, Infrastructure Plan, Design Guidelines, and Development Regulations. Where the Esperanza Specific Plan is silent,

Text Replaced
 [Old]: "The development of the elementary school within Esperanza will limit the total number of dwelling units permitted within Planning Subarea 25 to 1,410."
 [New]: "On XX-XX-2020, a request to increase PA4 to 14DU/AC was approved in order to accommodate a more efficient, economical sized design, and more appropriate product type. The increase allows for the development of up to 1,640 units. The development of the elementary school within Esperanza will limit the total number of dwelling units permitted within Planning Subarea 25 to 1,594."

Text Replaced
 [Old]: "1,456"
 [New]: "1,640"

Text Inserted
 "1"

- the City of Ontario Development Code shall govern.
- The City of Ontario Subdivision Ordinance regulating the subdivision of land within the Esperanza Specific Plan area.
 - A development agreement to include methods for financing, acquisition, and construction of infrastructure, acquisition and development of parks and schools, as well as the provision for housing opportunities consistent with the regional housing needs assessment.
 - Covenants, Conditions, and Restrictions (CC&R's) to be established by the developers of Esperanza as a means of ensuring and enforcing quality design and development of the master planned community.

SPECIFIC PLAN COMPONENTS

The Esperanza Specific Plan is organized into the following sections in addition to Section 1, Executive Summary.

**SECTION 2
INTRODUCTION**

The Introduction serves to acquaint the reader with:

- Community vision and objectives,
- The project setting,
- A general description of the project proposal,
- The goals and policies of the Esperanza Specific Plan,
- The entitlements to accompany the Esperanza Specific Plan; and
- The relationship of the Esperanza Specific Plan to the City of Ontario NMC General Plan, and the City of Ontario Development Code.

**SECTION 3
EXISTING CONDITIONS**

The physical setting for Esperanza is described in this section outlining the existing physical conditions on and around the Specific Plan area.

**SECTION 4
LAND USE**

The Land Use Section describes residential planning areas and residential types, allocations of residential dwelling units per planning area as well as the system of parks and public facilities planned within the community.

**SECTION 5
INFRASTRUCTURE AND SERVICES**

This section provides information on circulation improvements, planned backbone water, sewer, and storm drain systems, the grading concept for the development of the project, and a discussion of public utilities and services to serve the Specific Plan.

**SECTION 6
DEVELOPMENT REGULATIONS**

Development Regulations established in this section will govern the permitted uses and the standards regulating the development of various residential types within the Esperanza Specific Plan area. The relationship of the Esperanza Specific Plan development regulations to the City of Ontario Development Code is also provided. The policies and procedures for the City's review and approval of specific development proposals within Esperanza are presented in this section as well as the methods and procedures for interpreting and amending the Esperanza Specific Plan as necessary.

Graphic Element Inserted
Text Inserted "SECTION 3 EXISTING CONDITIONS The physical setting for Esperanza is described in this section outlining the existing physical conditions on and around the Specific Plan area."
Image Deleted
Graphic Element Deleted
Text Deleted "SECTION 3 EXISTING CONDITIONS The physical setting for Esperanza is described in this section outlining the existing physical conditions on and around the Specific Plan area."
Image Inserted

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**SECTION 7
IMPLEMENTATION**

The policies and procedures for the City's review and approval of specific development proposals, within Esperanza, are presented in this section. This section provides the methods and procedures for interpreting and amending the Esperanza Specific Plan as necessary. A summary of project financing and project maintenance responsibilities for new development within the Specific Plan area is provided in this section.

**SECTION 8
DESIGN GUIDELINES**

The Esperanza Design Guidelines are intended to direct the site planning, landscaping, and architectural quality of the development. Streetscapes, entries, edge treatments, walls and fencing, lighting, signage, and architectural design are some of the features to be addressed in the Design Guidelines.



Exhibit 1
Regional Location Map

SECTION 9
GENERAL PLAN CONSISTENCY

This section includes the City of Ontario General Plan consistency matrix describing the relationship of the Esperanza Specific Plan to each policy of the NMC General Plan.



Exhibit 2
Vicinity Map

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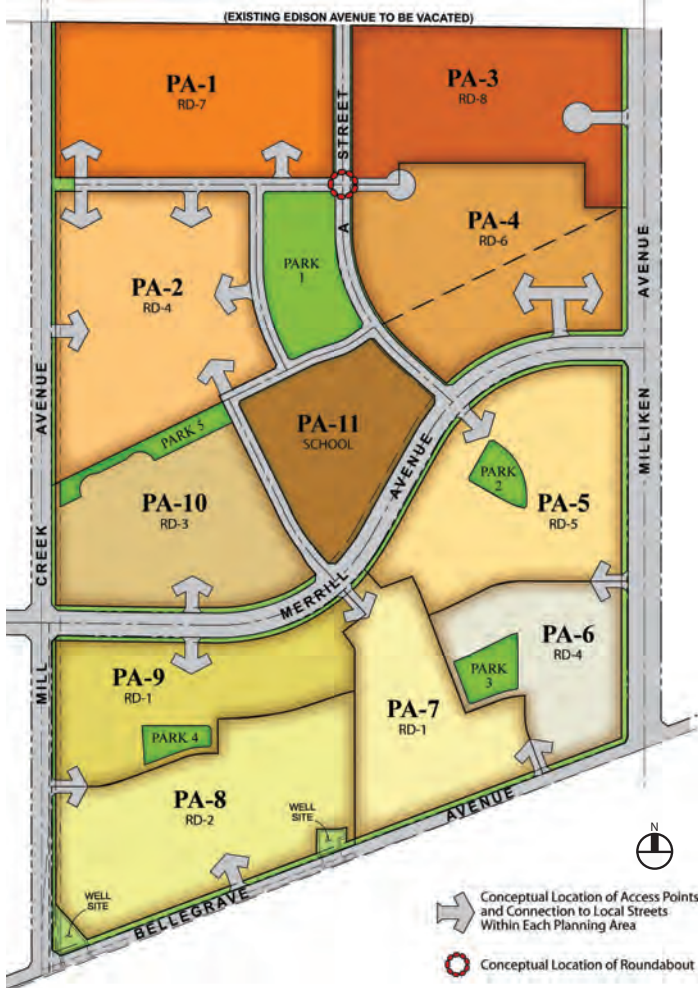


Exhibit 3
Land Use Plan

LAND USE	UNITS	GROSS ACRES	UNITS/ GROSS ACRES	NET ACRES	UNITS/ NET ACRES
Residential Uses					
PA-1 (RD-7 / Row Townhomes)	258 DU	21.48 AC	12.01 DU/AC	18.62 AC	13.86 DU/AC
PA-2 (RD-4 / SFD Cottages)	165 DU	24.68 AC	6.69 DU/AC	20.81 AC	7.93 DU/AC
PA-3 (RD-8 / Motorcourt Townhomes)	238 DU	19.84 AC	12.00 DU/AC	17.38 AC	13.69 DU/AC
PA-4 (RD-6 / 6 Pack Courtyard, Row-towns)	333 DU	23.81 AC	14.0 DU/AC	19.92 AC	16.72 DU/AC ²
PA-5 (RD-5 / 4 Pack Courtyard)	157 DU	23.78 AC	6.60 DU/AC	17.64 AC	8.90 DU/AC
PA-6 (RD-4 / SFD Cottages)	78 DU	13.64 AC	5.72 DU/AC	10.00 AC	7.80 DU/AC
PA-7 (RD-1 / SFD 50' wide lots)	76 DU	14.36 AC	5.29 DU/AC	12.56 AC	6.05 DU/AC
PA-8 (RD-2 / SFD 55' wide lots)	107 DU	23.72 AC	4.51 DU/AC	19.26 AC	5.56 DU/AC
PA-9 (RD-1 / SFD 50' x 80')	82 DU	17.75 AC	4.62 DU/AC	13.27 AC	6.18 DU/AC
PA-10 (RD-3 / SFD 2 Pack)	100 DU	19.92 AC	5.02 DU/AC	14.62 AC	6.84 DU/AC
Park		6.92 AC			
Residential Land Use Total	1,594 DU	209.90 AC	7.65 DU/AC	164.08 AC	9.36 DU/AC³
Parks				9.89 AC	
Neighborhood Edge Buffers				6.62 AC	
Roadways				28.25 AC	
SCE Easements and Well Sites				4.14 AC	
Community Facilities Use					
PA-11 (School)		13.10 AC		10.02 AC	
PROJECT TOTAL	1,594 DU	223.00 AC		223.00 AC	

- Text Replaced
[Old]: "7.48 DU/AC"
[New]: "16.72 DU/ AC 2"
- Text Replaced
[Old]: "Courtyard"
[New]: "Courtyard, Row-towns"
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- Text Replaced
[Old]: "1,410"
[New]: "1,594"
- Text Inserted
.....
- Text Replaced
[Old]: "neighborhood"
[New]: "neighborhood"

NOTES:
 1) Gross residential acres do not include the 13.10 gross acres for a school site.
 2) Net residential acres are gross acres less parks, neighborhood edge buffers, roadways, easements and net area for school site.

Exhibit 3 (cont.)
Land Use Table

Endnotes

- 1 Inserted language referencing increase, revision made to total number of units allowed.
- 2 Revision to total number of units and density.
- 3 Updated totals.

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Compare Results

Summary of Comments on Esperanza Sect 2.indd

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Old File:

Esperanza Sect 2.pdf

8 pages (84 KB)

9/4/2020 11:15:41 AM

versus

New File:

Esperanza Sect 2R.pdf

9 pages (86 KB)

9/8/2020 4:32:33 PM

Total Changes

14

Content

7 Replacements

4 Insertions

3 Deletions

Styling and Annotations

0 Styling

0 Annotations

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SECTION 2. INTRODUCTION

The Esperanza Specific Plan (Specific Plan) includes 223 acres of land designated as Planning Subarea 25 of the NMC within the City of Ontario. The Esperanza Specific Plan is a comprehensive plan proposed by Amberhill Development, Armada, LLC and Pietersma Family Trust / Bidart Family Trust, for the development of a residential planned community with a traditional neighborhood design similar to that found in older established communities.

2.1 COMMUNITY VISION AND OBJECTIVES

The community vision for the Esperanza Specific Plan is implemented through the application of key design objectives guiding the development of the Specific Plan as discussed below.

Objective: Create a Livable Environment

The Esperanza Specific Plan combines residential, recreation and public facilities designed to create a livable community and includes features such as:

- A design which allows for alternative modes of travel such as biking and walking.
 - Opportunities for informal neighborhood interaction.
 - Diverse architectural design of a high quality.
 - Connectivity among neighborhoods.
 - Diversity and choice of housing types and opportunities to address a variety of lifestyles and economic segments of the marketplace.
 - Residential neighborhoods developed at a human scale oriented to pedestrian activities with connectivity among residential neighborhoods, parks, and schools.
- A simple and well-designed street system providing street separated sidewalks and active and passive recreational opportunities allowing residents to experience increased outdoor living opportunities.
 - A variety of housing types incorporated into the land use plan addressing life-style considerations of singles, families, and empty nesters.
 - Residential neighborhoods designed around a network of centrally located parks, promoting outdoor activity and casual social interaction among neighbors.

Objective: Plan for a Circulation System Serving Motorists, Bicyclists and Pedestrians

The circulation plan for the Esperanza Specific Plan provides a comprehensive system of arterial, collector, and local streets accommodating bicycle and pedestrian travel as well as the safe and efficient movement of automobiles within the Specific Plan area:

- Street design includes landscaped buffer areas and pedestrian walkways, separated from the street, to create an intimate environment promoting social interaction.
- Internal project streets are designed to slow vehicular traffic through the use of traffic calming devices such as a roundabout at "A" Street adjacent to the neighborhood park, landscaped areas adjacent to local streets, and narrowed intersections to influence a driver's peripheral vision and encourage drivers to proceed more slowly.
- A system of bikeways is integrated into the design of the community to encourage bicycle travel as an alternative to the automobile.

Objective: Provide for Adequate Public Community Facilities

The Esperanza Specific Plan provides for the development of needed public facilities to serve the community as follows:

- Reservation of an approximately 10.02 acre site suitable for development of a public elementary school.
- New water, sewer, and storm drain facilities to serve the Specific Plan area.
- New planned bike paths connecting to the City of Ontario bikeway master plan bike paths.

Objective: Provision of New Parks and Open Space

New public park and open space amenities are provided to enhance outdoor recreational opportunities to residents of Esperanza and the surrounding community.

- Provision of approximately 9.89 acres of public parks, distributed throughout the community, will offer active and passive recreational opportunities within walking distance of all residential areas.
- Approximately 4.4 acres adjacent to Mill Creek Avenue, including a Southern California Edison Easement, will be landscaped for use as linear open space.
- Approximately 6.62 acres of landscaped open space to include pedestrian trails adjacent to public arterial and collector streets will be provided.
- A bicycle/pedestrian trail system will be developed within the street system of the Specific Plan area connecting the residential areas of the Specific Plan to parks, the school and points surrounding the community providing accessibility to bicyclists and pedestrians throughout the community.

Objective: Promote Exceptional Architecture and Site Planning

Diverse and varied architecture combined with comprehensive site planning within the Esperanza Specific Plan will produce neighborhoods that have aesthetic and functional harmony, preserve residents privacy, and encourage neighborhood interaction.

- Streets will be linked together in a manner, which is pedestrian friendly, but also auto-accessible connecting homes with other neighborhoods, open space, public facilities, and recreational areas for residents to either walk, bike, or drive to.
- A variety of housing types, including attached and detached single family homes, will be provided within the Specific Plan area, all of which are located close to the elementary school, parks, and open space.
- Residential planning areas include a variety of housing types oriented toward the street adding interest and encouraging neighborhood interaction along the street.
- Residential neighborhoods are designed with houses addressing the street by:
 - Designing homes to a more human level with porches, stoops, and walkways creating opportunities for neighborly interaction.
 - Homes fronting the street with garages accessed from rear alleys.
 - Minimizing views of garage doors through setback requirements, location, design elements, and landscaping.
 - Incorporating varied architectural styles and elements within each neighborhood.

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2.2 SPECIFIC PLAN PURPOSE

The City of Ontario will adopt the Esperanza Specific Plan by ordinance thereby establishing the land use plan, development standards, infrastructure requirements, and implementation requirements for the Specific Plan area. The Esperanza Specific Plan establishes the type and distribution of residential land uses, defines the development regulations and design guidelines for residential land use, establishes appropriate locations for development of an elementary school and public parks, and describes the infrastructure requirements and the level of improvements necessary to support development of the Specific Plan area. The Esperanza Specific Plan establishes the procedures and requirements to approve new development within the Specific Plan area and identifies, where applicable, City of Ontario Development Code requirements.

2.3 SPECIFIC PLAN PROPOSAL

2.3.1 Project Summary

The Esperanza Land Use Plan is described below and in the Specific Plan "Statistical Summary," Table 1.

2.3.1.1 Residential Uses


Esperanza will provide for development of a variety of residential housing types oriented toward open space amenities and designed to promote walkability and interaction among residents. Residential development within the approximately 23 acre Specific Plan area will contain up to 1,594¹ residential dwelling units, providing a mix of single family detached and single family attached housing types as described below. In the event Planning Area 11, reserved as for a 10.02 acre school site, is not purchased by the Mountain View School District Planning Area 11 may revert to a residential

zoning district for development of up to 46 additional dwelling units subject to approval by the City of a Specific Plan Amendment.

2.3.1.2 Residential Detached

Esperanza offers six different types of single family detached residential products for development within the Specific Plan area.

- SFD Conventional – Conventional single family detached residential units are proposed on lots ranging from 3,900 square feet to 4,900 square feet in size. Vehicular access is provided from interior streets and garages are set back from the front of the residence emphasizing the architectural elements forming the streetscene. These residential types will be developed at density levels between 5.56 to 6.18 dwelling units per net acre.
- SFD Cottage – Alley served single family detached residential dwelling units will be developed in two planning areas designed with an architectural orientation to the street by locating garages to the rear of residential units. Alley loaded residential areas will be developed at an average density of 7.89 dwelling units per net acre with a minimum lot size of 2,400 square feet.
- SFD 2 Pack – Residential single family detached development on minimum lots of 3,400 square feet in size will be developed in a 2 Pack configuration. Residential 2 Pack housing will be developed at a density of 6.84 dwelling units per net acre. Garages within this housing type are alternately placed to the rear of the lot or placed a significant distance from the street maintaining an architecture forward streetscene.

 Text Replaced
[Old]: "1410"
[New]: "1,594 1"

- SFD Courtyard – Two types of single family detached courtyard housing types are planned for Esperanza. Courtyard single family residential consisting of four units per courtyard will be developed at approximately 8.9 dwelling units per net acre. This type of housing will be developed around a 1 acre public park and will be served by public streets with private drive aisles accessing residential units developed around a common motorcourt. Courtyard single family residential courts of six units per courtyard will be developed at approximately 7.48 dwelling units per net acre. This type of courtyard housing will be developed around private streets and parks with private drive aisles serving residential units developed around a common motorcourt. The courtyard design planned for both housing types places garages in alternating side on and street facing conditions either minimizing or eliminating visibility of garages from the street.

2.3.1.3 Residential Attached

Two types of single family attached residential development products are planned within Esperanza. Alley loaded row townhomes designed around a private common green will be developed at approximately 16.72² dwelling units per net acre. Single family attached motorcourt townhomes will be developed at approximately 13.76 dwelling units per net acre. The motorcourt townhome residential housing type will be served by private streets with drive aisles providing access to a motorcourt serving 10 to 12 residential dwelling units. Both the alley loaded row townhome and the motorcourt townhome residential housing types are designed with garages located to the rear or turned side on to the street preserving an architecturally interesting streetscene.

2.3.1.4 Parks, Trails, and Open Space

A centrally located 5.36 acre neighborhood park is planned to serve the Specific Plan area providing opportunities for informal active recreation such as soccer and baseball. Four additional parks ranging in size from .84 to 1.39 acres are provided offering opportunities for active and passive recreation and informal gathering among neighbors. Approximately 6.62 acres of the Specific Plan area will be developed as enhanced landscaped parkways along major streets serving the community. These enhanced parkways will include pedestrian walkways providing connectivity to and from the Specific Plan area and to the pedestrian network to be developed within the community, connecting all residential neighborhoods to parks and to the elementary school. Within the townhome residential areas, private open space as well as private active recreation centers, including swimming pools and spas, will be provided.

2.4 AUTHORITY AND REQUIREMENTS

2.4.1 Authority

State of California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65450-57 grants authority to cities to adopt Specific Plans for purposes of implementing the goals and policies of their General Plans. The Government Code specifies that Specific Plans may be adopted either by resolution or by ordinance and that the Specific Plan is required to be consistent with the General Plan. The City of Ontario will adopt the Esperanza Specific Plan by ordinance thereby establishing the zoning regulations for development of the Specific Plan area. The requirements of the Esperanza Specific Plan shall take precedence over the City of Ontario Development Code. In instances where the Esperanza Specific Plan is silent, the City of Ontario Development Code shall prevail.

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[Old]: "13.87"
[New]: "16.72 2"

Text Replaced
[Old]: "motor-court"
[New]: "motorcourt"

LAND USE	ACRES
Residential Detached	Residential Acres are Net ⁽¹⁾
• RD 1 - 50 foot wide lots/PA-7 and PA-9	25.83
• RD 2 - Typical 55 foot wide lots/ PA-8	19.26
• RD 3 - 2 Pack lots/PA-10	14.62
• RD 4 - Cottages 2,640 sf lots/PA-2 and PA-6	30.81
• RD 5 - 4 Pack Courtyard/ PA-5	17.64
• RD 6 - 6 Pack Courtyard & Rowtowns/ PA-4 ³	19.92
Residential Attached	
• RD 7 - Row Townhomes/ PA-1	18.62
• RD 8 - Motorcourt Townhomes / PA-3	17.38
Subtotal Residential:	164.08
Other	
Neighborhood Park	5.36
Pocket Parks	4.53
Edge Buffer	6.62
Roadways ⁽²⁾	28.25
School Site	10.02
SCE Easements and Utilities	4.14
Subtotal Other:	58.92
TOTAL	223 Acres

Text Replaced
 [Old]: "Courtyard/ PA-4"
 [New]: "Courtyard & Rowtowns/ PA-43"

1) Net acres excludes all streets and uses listed as "Other Uses" but includes interior local streets and drive aisles.
 2) Includes all Master Plan Streets, Street A' and Local Streets serving the Neighborhood Park and School Site.

Table 1
 Specific Plan Statistical Summary

2.4.2 Requirements of the Specific Plan

California Government Code Section 65451 sets forth the minimum requirements and review procedures for Specific Plans as follows.

A Specific Plan shall include a text and a diagram or diagrams, which specify all of the following in detail:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan;

2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;
3. Standards and criteria by which improvements will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable;

4. A program of implementation measures including regulations, programs, public works projects and the financing measures necessary to carry out paragraphs 1, 2, and 3 above.
5. A statement of the relationship of the Specific Plan to the General Plan.

The Esperanza Specific Plan meets the requirements of the State of California Government Code.

2.5 DEVELOPMENT APPROVAL COMPONENTS

The components of the development approval process for Esperanza are discussed below.

2.5.1 Specific Plan

The Esperanza Specific Plan, when adopted, provides the zoning for the Specific Plan area. It serves as a “blueprint” for development by establishing the distribution of land use and criteria for development as set forth herein. The Esperanza Specific Plan also serves as the legal document to implement the City’s General Plan for Planning Subarea 25.

2.5.2 Development Agreement

Unless done in a coordinated manner and with adequate fiscal planning, development projects within the NMC are likely to present a challenge in their implementation because of the lack of existing public facilities including street, sewerage, transportation, drinking water, school and utility facilities. California law has established a mechanism for ensuring the adequate provision of such facilities while at the same time providing assurances to applicants that, upon approval of the project, the applicants can proceed with their projects. Approval of this Specific Plan without a development agreement may result in a waste of resources, escalate the cost of housing to the consumer, and discour-

age investment in and commitment to comprehensive planning as envisioned by the City, which seeks to make maximum efficient utilization of resources at the least economic cost to the public.

Therefore, a statutory development agreement, authorized pursuant to California Government Code sections 65864 et seq., shall be required as part of the approval of this Specific Plan. For the above-mentioned reasons, the development agreement for this Specific Plan shall include, among other things, methods for financing acquisition and construction of infrastructure, acquisition and development of adequate levels of parkland, and schools, as well as the provision of adequate housing opportunities for various segments of the community consistent with the regional housing needs assessment. Such development agreement shall have been fully approved before the issuance of the first building permit for this project.

2.5.3 Subdivision Maps

A tentative tract map(s) will be approved by the City of Ontario for the Specific Plan area indicating the approximate location of lot lines, streets, and proposed grading. Following approval by the City of the tentative tract map(s), a final map(s) will be prepared. The final map(s) becomes a legal document that is recorded and defines legal parcels and lots that can be sold for development.

2.5.4 Development Plan Review

All development proposals for individual Planning Areas within the Specific Plan will be subject to the Development Plan Review process pursuant to Article 8 of the City’s Development Code.

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2.6 CEQA COMPLIANCE

A Project Environmental Impact Report (EIR) prepared by the City of Ontario for the Esperanza Specific Plan, in accordance with the California Environmental Quality Act (CEQA), addresses impacts associated with the Specific Plan and subdivision map(s). The EIR recommends mitigation measures to reduce impacts of the project to a less than significant level. The EIR has been prepared as a basis for the environmental review for all subsequent discretionary and ministerial actions.

2.7 RELATIONSHIP TO GENERAL PLAN AND ZONING

The City of Ontario NMC General Plan designates the Specific Plan area as Planning Subarea 25 for development of the following land uses:

Land Use Designation	Approximate Acres (Gross)
Residential – Low Density (4.6 d.u. per gross acre)	163
Residential – Medium Density (12.0 d.u. per gross acre)	20
Residential – High Density (18.0 d.u. per gross acre)	40
Total	223

The General Plan establishes a target development capacity for Planning Subarea 25 of 1,456 residential dwelling units as further described below:

Single Family	736 dwelling units
Multi-Family	720 dwelling units
Total	1,456 dwelling units

The Esperanza Specific Plan proposes the development of a 10.02 acre site for an elementary school. The elementary school site was originally located within Planning Subarea 29. At the request of the Mountain View School District, the school site was relocated to Planning Subarea 25. To accommodate the school site, 46 residential units, representing 10 acres of development area at a density of 4.6 dwelling units per acre, were transferred to Planning Subarea 29. The exchange resulted in a maximum of 1,410 dwelling units to be permitted in Planning Subarea 25. As a result the General Plan target development capacity for Planning Subarea 25 described in the table below has been established. The table below also provides a summary of how the Esperanza Specific Plan land use plan implements the General Plan target development capacity.

GENERAL PLAN TARGET DEVELOPMENT CAPACITY			
Land Use	Target DUs	Gross Acres	Gross Density
Residential High Density	720	40.0	18.0 du/ac
Residential Medium Density	240	20.0	12.0 du/ac
Residential Low Density	450	149.9	3.0 du/ac
Total	1,410	209.9	6.72 du/ac

ESPERANZA SPECIFIC PLAN LAND USE DISTRIBUTION			
Land Use	Dwelling Units	Gross Acres	Gross Density
Residential High Density	576	40.36	14.2 du/ac
Residential Medium Density	333	19.94	14.0 du/ac
Residential Low Density	688	149.6	4.59 du/ac
Total	1,594	209.9	7.65 du/ac

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- Text Replaced [Old]: "7.43" [New]: "14.0"
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- Table Row(s) Inserted
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- Graphic Element Inserted

Section 2. INTRODUCTION

The General Plan allows for development of multi-family residential units as small lot, single family detached units with a variety of parcel sizes and product types on property designated for multi-family uses, including "Residential-Medium" and "Residential-High" density housing.

The City of Ontario has pre-zoned the Specific Plan area as SP/AG (Specific Plan AG preserve). The zoning designation of "SP" requires the Specific Plan area to implement the objectives of the NMC General Plan land uses.

The Esperanza Specific Plan is designed to meet the requirements of the State of California Government Code and the City of Ontario NMC General Plan. The City of Ontario will adopt the Esperanza Specific Plan by ordinance, thereby establishing the zoning regulations for the development of the Specific Plan area. The requirements of the Specific Plan shall take precedence over the City of Ontario Development Code. In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

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Endnotes

- 1 Revised total number of residential units.
- 2 Revised net acreage.
- 3 Revised to include Rowtowns.
- 4 Revised table to show increase in PA4 lots.

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Compare Results

Summary of Comments on Esperanza Sect 3.indd

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Esperanza Sect 3.pdf

8 pages (11.38 MB)

9/4/2020 11:17:27 AM

versus

New File:

Esperanza Sect 3R.pdf

9 pages (11.38 MB)

9/8/2020 4:33:18 PM

Total Changes

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Content

3 Replacements

9 Insertions

7 Deletions

Styling and Annotations

0 Styling

0 Annotations

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**SECTION 3.
EXISTING CONDITIONS**

This section describes the existing physical conditions within and surrounding the Esperanza Specific Plan area.

3.1 PROPERTY OWNERSHIPS

The Specific Plan area is comprised of approximately 223 gross acres. Armada, LLC, owns approximately 74 gross acres, Amberhill Development, LTD owns approximately 64 gross acres, and the Pietersma Family Trust/ Bidart Family Trust own the remaining 85 gross acres of the Specific Plan area. Exhibit 4, “Existing Property Ownerships and Williamson Act Contract Status” illustrates the property ownerships within the Esperanza Specific Plan boundary.

3.2 WILLIAMSON ACT CONTRACTS

The Ronald and Kristine Pietersma Family Trust and Bidart Family Trust properties are currently under a Williamson Act Contract that expires in 2011. A portion of the property owned by Amberhill Development, LTD (APN: 0218-252-03) is currently under cancellation of this Williamson Act contract. Amberhill Development, LTD, has filed application for cancellation of a Williamson Act Contract that expires on January 1, 2015. Exhibit 4, “Existing Property Ownerships and Williamson Act Contract Status” illustrates the status of Williamson Act Contracts within the Esperanza Specific Plan boundary.

3.3 EXISTING IMPROVEMENTS

The Specific Plan area historically has been used for agricultural purposes, primarily dairy and crop farming, and is generally undeveloped with existing agricultural operations scattered throughout the northern and eastern portions of

the Specific Plan area as illustrated on Exhibit 5, “Existing and Surrounding Land Uses.” Existing improvements within that portion of the Specific Plan area controlled by Armada, LLC and Amberhill Development, LTD, include single-family residences and row crops. All dairy related structures in this area have been demolished and removed. Existing agricultural related facilities such as modular structures and feedlots are located within the properties owned by the Pietersma Family Trust / Bidart Family Trust.

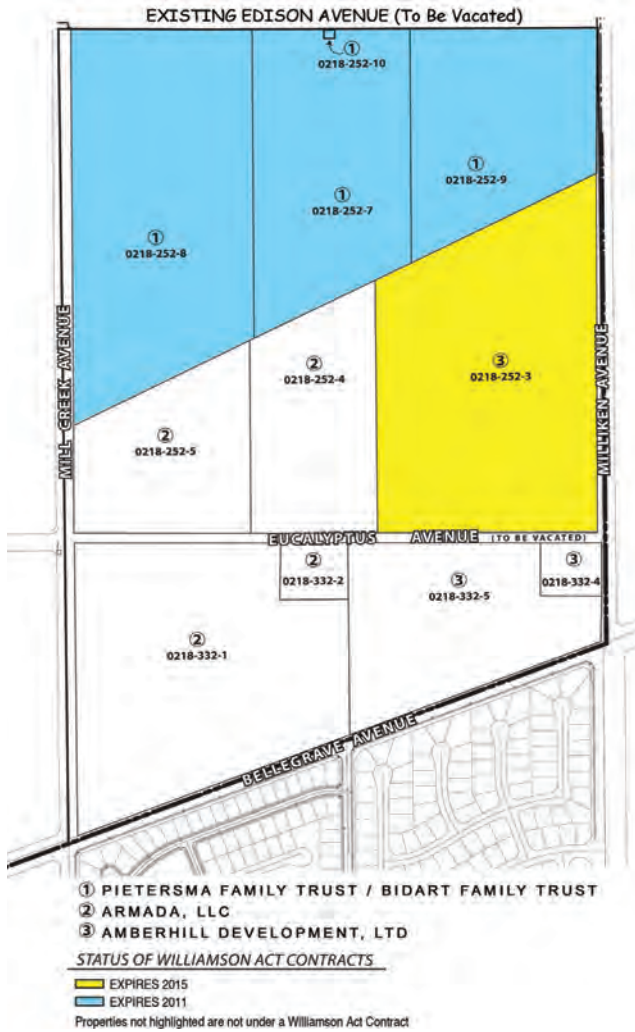
3.4 SURROUNDING LAND USE CHARACTERISTICS

Land uses adjacent to the Specific Plan area include:

North	Rural Residential and Agricultural Operations
West	Rural Residential and Dairy Operations
South	Planned Residential Communities
East	Vacant Land

The City of Ontario NMC General Plan designates the undeveloped areas located to the west of the Specific Plan area as “Residential – Low Density” and “Golf Course” and the undeveloped areas located to the north of the Specific Plan as “Major Center” and “Residential High-Density.” Land adjacent to the Specific Plan area to the east is located within Riverside County and is zoned “Very High Density Residential” / “Community Center.” This area will be developed by Lewis Operating Corp. as the “Resort at Eastvale.” The 200 acre project includes development of 1,700 homes, a school, a park and 10 acres of commercial land. Land south of the Specific Plan area is also located in Riverside County and developed with single-family and low density residential land uses. Exhibit 6, “Land Use Designations” illustrates the proposed land uses adjacent to the Specific Plan area within the NMC and the County of Riverside.

Section 3. EXISTING CONDITIONS



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Exhibit 4
 Existing Property Ownerships and Williamson Act Contract Status

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Exhibit 5
Existing and Surrounding Land Uses



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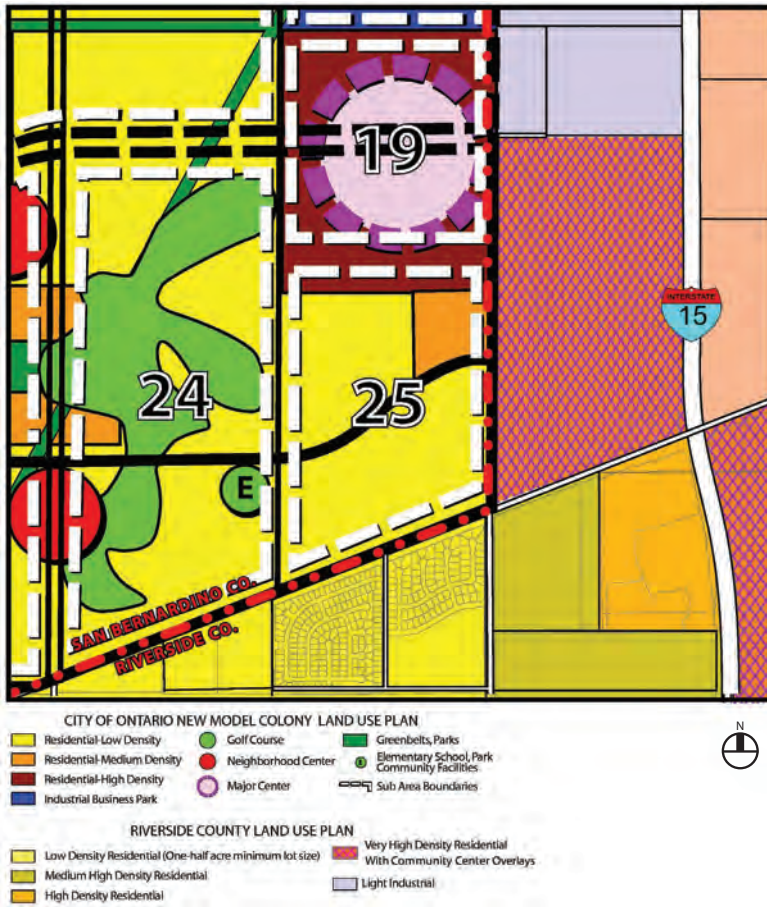


Exhibit 6
Land Use Designations

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3.5 TOPOGRAPHY

The Specific Plan area is relatively flat and generally slopes from the northeast to southwest as illustrated on Exhibit 7, "Existing Site Topography and Well Locations." The site falls at an average slope of approximately two percent (2%). There is an existing earthen drainage interceptor ditch paralleling the southerly boundary of the site and an existing drainage basin located in the southwest corner of the Specific Plan area.

3.6 EXISTING CIRCULATION AND ACCESS

Interstate 15 (I-15) is located one-half mile east of the Specific Plan area. Access to I-15 is located approximately 1.5 miles southeast of the Specific Plan area, via Hamner and Limonite Avenues. The Specific Plan area is approximately 1.8 miles south of State Route 60.

Bellegrave Avenue, designated as a "Standard Arterial" in the City of Ontario's NMC General Plan, borders the Specific Plan on the south. The south half of Bellegrave Avenue within Riverside County has been improved with 55 feet of paving and a 21-foot parkway as part of the residential development to the south. Milliken Avenue, designated as a "Divided Arterial Parkway 1-1" borders the Specific Plan area on the east. Milliken Avenue is partially improved with two lanes for traffic and 38 feet of paving. Mill Creek Avenue, designated as a "Collector" street, borders the Specific Plan area to the west. Mill Creek Avenue is partially improved, north of Eucalyptus Avenue with two lanes for traffic and 20 feet of paving. Existing Edison Avenue borders the Specific Plan to the north and is partially improved with two lanes for traffic and 20 feet of paving. Existing Eucalyptus Avenue bisects the Specific Plan area and is partially improved with two lanes for traffic and 20 feet of paving.

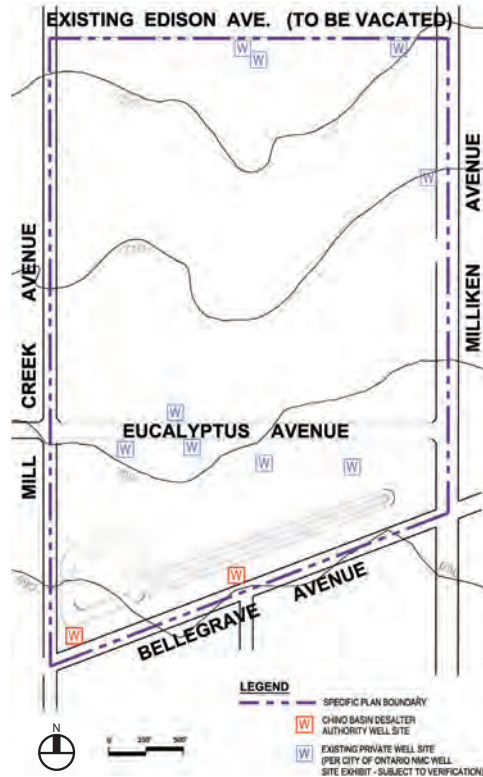


Exhibit 7
Existing Site Topography and Well Locations

3.7 EXISTING INFRASTRUCTURE / UTILITIES / PUBLIC SERVICES

3.7.1 Water

The Specific Plan area is located within the 925' Zone. The City of Ontario does not have water facilities in the vicinity of the project. The nearest City of Ontario water mains are in Riverside Drive, approximately 1.5 miles north of the Specific Plan area. These existing water mains have not been sized to serve development in the 925' Zone. On site residential use on the site are served by private wells. Existing well locations within the Specific Plan area are illustrated on Exhibit 7, "Existing Site Topography and Well Locations." A well use/destruction plan and schedule for all existing private or agricultural wells shall be submitted prior to issuance of permits for any construction activity. If a private well is actively used for water supply, the developer shall submit a plan to abandon the well and connect residential users to the City's domestic water system and agricultural users to the City's recycled water system when available. Well destruction requires permitting from the County Health Department. A copy of the permit and Well Completion Report DWR Form 188 shall be provided to the City's Development Engineering Department and the Utilities Engineering Department prior to issuance of grading and/or building permits.¹ If the developer proposes temporary use of an existing agricultural well for purposes other than agriculture, such as grading or dust control during project construction, the developer shall make a formal request to the City of Ontario for such use prior to issuance of permits for the construction activity. Upon approval, the developer shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by the agreement.

An existing 16" high-pressure water main is located along the east side of Milliken Avenue, ad-








present to the Specific Plan area, in the County of Riverside, and is owned by Jurupa Community Services District, (JCSD). JCSD also owns a 30" water main in Bellegrave Avenue east of Milliken Avenue and a 30" water main in Hamner Avenue south of Bellegrave Avenue which provides water to the existing residential areas on the south side of Bellegrave Avenue.

3.7.2 Sewer

The City of Ontario does not have sewer facilities in the vicinity of the Specific Plan area. Existing on site residences utilize private septic systems. Prior to grading operations, existing septic tanks and subsurface disposal fields will need to be abandoned in accordance with Department of Health Services requirements. An existing 42" Santa Ana Regional Interceptor (SARI) sewer main extends southerly in Hamner Avenue south of Bellegrave Avenue. The SARI line is primarily available for industrial wastewater, which is conveyed to Orange County for treatment and disposal. JCSD is currently utilizing the SARI line for the disposal of residential wastewater, and has excess capacity for this purpose.

3.7.3 Drainage

The County Line Channel is located within Bellegrave Avenue. The channel is a City of Ontario Master Plan facility intended to carry urban runoff from those properties tributary to the north, to the Cucamonga Creek Channel. With the exception of the County Line Channel, the existing storm drain system throughout the Specific Plan area, is generally unimproved and consists primarily of open earthen swales along area roadways and the earthen drainage interceptor ditch paralleling the southerly boundary of the Specific Plan area which outlets into the existing drainage basin located at the southwest corner of the site. The drainage basin outlets into an existing Riverside

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"a 30" water main in Bellegrave Avenue east of Milliken Avenue and a 30" water main in Hamner Avenue south of Bellegrave Avenue which provides water to the existing residential areas on the south side of Bellegrave Avenue."
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-  Graphic Element Inserted
-  Text Inserted
"a 30" water main in Bellegrave Avenue east of Milliken Avenue and a 30" water main in Hamner Avenue south of Bellegrave Avenue which provides water to the existing residential areas on the south side of Bellegrave Avenue."
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[Old]: "shall be provided to the City's Engineering and Public Works Agency prior to issuance of grading or"
[New]: "and Well Completion Report DWR Form 188 shall be provided to the City's Development Engineering Department and the Utilities Engineering Department prior to issuance of grading and/or"
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"1"

County storm drain line in Mill Creek Avenue, formerly known as Cleveland Avenue. The on-site basin and the connection to the Riverside County storm drain line are interim improvements. Upon development of the Specific Plan area the basin will be eliminated and the storm flows from the Specific Plan area will be tributary to the County Line Channel.

3.7.4 Recycled Water

The Specific Plan area is located within the 930 Zone. The City of Ontario does not have recycled water facilities in the vicinity of the project. As a part of the development of the Specific Plan area, the construction of new recycled water system facilities will be required by the developer consistent with the City's approved Recycled Water Master Plan.

3.7.5 Electricity

The Esperanza Specific Plan is located within the service territory of Southern California Edison Company.

3.7.6 Natural Gas

The Southern California Gas Company provides natural gas service within the Specific Plan area. Facilities in this area include an existing 6-inch main on Milliken Avenue; an existing 2-inch main on Eucalyptus Avenue; and an existing 2-inch main on Cleveland Avenue (future Mill Creek Avenue).

3.7.7 Communication Systems

Verizon provides telephone service within the Specific Plan area.

3.7.8 Solid Waste

The City of Ontario Public Works Agency currently, by request, provides solid waste collection and disposal to the NMC.

3.8 HYDROLOGY







Since most of the Specific Plan area has been in agricultural use, only a limited portion of the Specific Plan area is now covered with impervious surfaces. Normal rainfall to the area is able to percolate through on-site soils and does not result in high volumes of surface runoff as is typically associated with urban use. During periods of heavy rainfall, when ground surfaces are saturated, surface runoff is collected in the existing storm drains, culverts, and retention basins located within the Specific Plan area.

With the exception of major regional flood control channels such as the Cucamonga Creek Channel, intended primarily to carry urban runoff, the existing storm drain system throughout the Specific Plan area is generally unimproved and consists primarily of open earthen swales along area roadways or curbed roadway surfaces.

Ground waters within the NMC, as a whole, contain high concentrations of salt, attributable to historic agricultural activities such as dairy farming. The high organic content of on-site soils has contributed incrementally to the degradation of surface and groundwater quality. Removal of the organic materials, which constitute by-products of those dairy operations, and compliance with National Pollution Discharge Elimination System (NPDES) and other storm water permit requirements, will beneficially impact regional water quality.

3.9 GEOLOGY AND SOILS

The City of Ontario NMC General Plan EIR identifies the Specific Plan area as underlain by Pleistocene age (older than 12,000 years)

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"3.8 HYDROLOGY"
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"The City of Ontario Public Works Agency currently, by request, provides solid waste collection and disposal to the NMC."
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and Holocene age (less than 12,000 years old) alluvial deposits. The youngest surficial deposit is eolian sands (Qhs), comprising wind-blown sands having fine- to medium-sized grains.

These loose sands form sheets and low-dune deposits that have been stabilized by vegetation. These deposits are exposed in the eastern portion of the NMC area and extend westward to an area defined generally by a diagonal line extending from Harrison Avenue, within Riverside County, on the south to Vineyard Avenue on the north.

It is expected that most of these materials will be uncemented and subject to consolidation when saturated under structural loads. Erosion potential is considered high. Foundation and back-fill suitability should be satisfactory with proper over-excavation, mixing with a finer-grained binder material, and compaction.

The Specific Plan area contains delhi series soils, as mapped by the United States Department of Agriculture, Soil Conservation Service in 1971 and 1980. Delhi series soils have been used for agriculture, primarily for grapes and citrus, since the 1800's. As part of the EIR prepared for the Esperanza Specific Plan additional geologic and soils information for the Specific Plan area will be provided.

3.10 SEISMICITY

The City of Ontario NMC General Plan EIR identified numerous earthquake faults within a 50-mile radius of the Specific Plan area. Major mapped faults include, but are not limited to, the Chino, Whittier and North Elsinore, and Cucamonga Faults. For the "maximum probable earthquake" (MPE), defined as the 100-year event normally considered in the design of non-critical structures, the values range from about 0.13 to 0.20 g (i.e., the unit force of gravity). In the design of certain critical or important facilities such as hospitals and dams, the "maxi-

mum probable earthquake" (MPE) event is considered. For the three faults, the MPE should yield an estimated peak horizontal acceleration in the range of 0.33 to 0.52 g.

A zone of concentrated, relatively low-magnitude seismicity extends to the southwest from the San Jacinto fault zone (Rialto-Colton branch) along what is referred to an "inferred fault near Fontana." Where the "inferred fault" (Fontana trend) stops, this zone of micro-seismicity continues in a southwesterly to westerly direction terminating in the Sphere of Influence area. It is expected that the MPE for this fault structure could produce horizontal accelerations in the range of 0.3 to 0.5g. More distant faults are capable of larger earthquakes with a higher probability of occurrence. The San Andreas fault is expected to generate a MCE event every 150 to 200 years, yielding a peak horizontal ground acceleration of approximately 0.21 to 0.26 g in the NMC.

In accordance with the "Uniform Building Code" (UBC), the Esperanza Specific Plan area is located within Seismic Zone No. 4. UBC procedures have been designed to ensure that all subsequent development occurs in a safe manner relative to those known hazards. As part of the EIR prepared for the Esperanza Specific Plan, additional seismicity analysis will be prepared.

3.11 VEGETATION

The Specific Plan area has been extensively used for agricultural operations including dairy use. Those areas not in active agricultural production are occupied by rural residential housing. The natural vegetation and soils conditions that once occurred throughout the Specific Plan area have been significantly altered through agricultural uses, leaving little or no native vegetation. As part of the EIR prepared for the Esperanza Specific Plan, additional vegetation analysis will be prepared.

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- Image Deleted
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Endnotes

1 Revision per OMUC.

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Compare Results

Summary of Comments on Esperanza Sect 4.indd

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New File:

Esperanza Sect 4R.pdf

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9/8/2020 4:34:18 PM

Total Changes

33

Content

17

Replacements

12

Insertions

4

Deletions

Styling and Annotations

0

Styling

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Annotations

[Go to First Change \(page 1\)](#)

SECTION 4. LAND USE

4.1 INTRODUCTION

The Esperanza Specific Plan offers a variety of residential housing types within a community designed around a system of parks and an elementary school located within easy walking distance from each residential Planning Area. Pedestrian and bicycle connectivity is provided through a system of street separated walkways and on-street bicycle trails linking each residential Planning Area and connecting to parks and an elementary school centrally located within Esperanza.

Residential development, comprised of approximately 164.08 net acres, is designed to address a variety of lifestyles, such as singles, families, executives and "empty nesters." Single family detached housing types will include conventional detached homes on lots varying between 3,900 and 4,900 square feet in size, homes designed in a 2-Pack configuration, alley loaded cottage homes, and two types of courtyard homes. Attached housing will include row townhomes and motorcourt townhomes designed around a common motorcourt.

Parks comprise approximately 9.89 net acres of Esperanza and are distributed throughout the community offering recreational opportunities within close proximity to each residential neighborhood. A centrally located school site of approximately 10.02 net acres is designated for elementary school development.

The Land Use Plan shown in Exhibit 8, "Land Use Plan" depicts the proposed land uses for Esperanza. The "Land Use Summary," Table 2, provides a tabulation of land uses by acreage and residential density.

4.2 RESIDENTIAL USE


The Esperanza Specific Plan permits the development of up to 1,594 residential dwelling units providing single-family detached homes and single family attached homes. Residential land use areas are contained within 10 distinctive Planning Areas linked by a network of street separated sidewalks and on-street bicycle paths connecting all the Planning Areas to a centrally located park and school site.


4.2.1 Variety of Housing Types


Esperanza provides a mix of housing types to address a variety of lifestyle choices and economic segments. Single family detached and single family attached residential products, with a variety of architectural styles, will be offered within Esperanza. Altogether, a total of 1,594 residential dwelling units will be developed at an overall average density of 7.65 dwelling units per gross acre.


4.2.1.1 Single Family Detached – RD-1 (50' wide lots)


The Esperanza Specific Plan allows for the development of approximately 158 conventional single-family detached dwelling units at an average density of approximately 6.12 dwelling units per net acre. The RD-1 neighborhoods will be designed with access to homes from the local street with an emphasis on architectural orientation toward the street. Garage configurations will include shallow recessed garages, mid or deep recessed garages, split garages, and tandem garages, to highlight the home's architecture and create a more attractive streetscene. RD-1 homes are located within Planning Areas 7 and 9.


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Section 4. LAND USE

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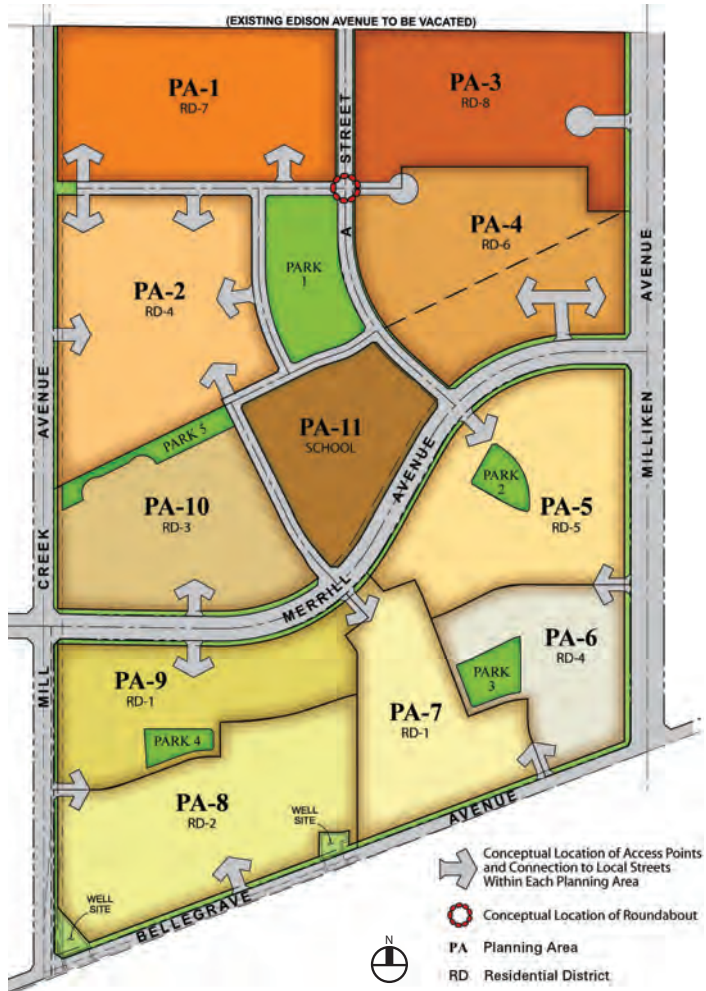











Exhibit 8
Land Use Plan

LAND USE	UNITS	GROSS ACRES	UNITS/ GROSS ACRES	NET ACRES	UNITS/ NET ACRES
Residential Uses					
PA-1 (RD-7 / Row Townhomes)	258 DU	21.48 AC	12.01 DU/AC	18.62 AC	13.86 DU/AC
PA-2 (RD-4 / SFD Cottages)	165 DU	24.68 AC	6.69 DU/AC	20.81 AC	7.93 DU/AC
PA-3 (RD-8 / Motorcourt Townhomes)	238 DU	19.84 AC	12.00 DU/AC	17.38 AC	13.69 DU/AC
PA-4 (RD-6/6 Pack Courtyard & Rowtowns)	333 DU	23.81 AC	14.0 DU/AC	19.92 AC	16.72 DU/AC ³
PA-5 (RD-5 / 4 Pack Courtyard)	157 DU	23.78 AC	6.60 DU/AC	17.64 AC	8.90 DU/AC
PA-6 (RD-4 / SFD Cottages)	78 DU	13.64 AC	5.72 DU/AC	10.00 AC	7.80 DU/AC
PA-7 (RD-1 / SFD 50' wide lots)	76 DU	14.36 AC	5.29 DU/AC	12.56 AC	6.05 DU/AC
PA-8 (RD-2 / SFD 55' wide lots)	107 DU	23.72 AC	4.51 DU/AC	19.26 AC	5.56 DU/AC
PA-9 (RD-1 / SFD 50' x 80')	82 DU	17.75 AC	4.62 DU/AC	13.27 AC	6.18 DU/AC
PA-10 (RD-3 / SFD 2 Pack)	100 DU	19.92 AC	5.02 DU/AC	14.62 AC	6.84 DU/AC
Park		6.92 AC			
Residential Land Use Total	1,594 DU	209.90 AC	7.65 DU/AC	164.08 AC	9.36 DU/AC⁴
Parks				9.89 AC	
Neighborhood Edge Buffers				6.62 AC	
Roadways				28.25 AC	
SCE Easements and Well Sites				4.14 AC	
Community Facilities Use					
PA-11 (School)		13.10 AC		10.02 AC	
PROJECT TOTAL	1,594 DU	223.00 AC		223.00 AC	

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NOTES:

- 1) Gross residential acres do not include the 13.10 gross acres for a school site.
- 2) Net residential acres are gross acres less parks, neighborhood edge buffers, roadways, easements and net area for school site.

Table 2
Land Use Summary

4.2.1.2 Single Family Detached – RD-2 (55' wide lots)

The Esperanza Specific Plan allows for the development of approximately 107 conventional single-family dwelling units at a density of approximately 5.56 dwelling units per net acre. The RD-2 neighborhood is designed with access from the local street with garage configurations which include recessed garages, mid or deep recessed garages, split garages and tandem garages to present an architecture forward streetscene. RD-2 homes are planned within Planning Area 8.

4.2.1.3 Single Family Detached – RD-3 (2-Pack)

Approximately 100 residential 2-Pack dwelling units will be developed on approximately 14.62 acres at a density of 6.84 dwelling units per net acre with a minimum lot size of 3,400 square feet. By configuring the units in a 2 Pack design, a larger usable sideyard area is provided for each unit and garages can be either located to the rear of the lot or set back from the front of the homes at a distance, which preserves the streetscene for home frontage. Residential housing in a 2 Pack design is planned for Planning Area 10.

4.2.1.4 Single Family Detached – RD-4 (Cottage Homes)

Esperanza will allow for approximately 243 single family detached cottage home residential dwelling units developed on approximately 30.81 acres on lots of approximately 2,400 minimum square feet at an average density of 7.89 dwelling units per net acre. This alley loaded residential development will be designed to embrace the street and maintain an architectural orientation for the street. Cottage single family detached residential dwelling units are proposed for Planning Areas 2 and 6 within Esperanza.

4.2.1.5 Single Family Detached or Attached – RD-5 and RD-6 (Courtyard & Row-Townhomes)

Two types of single family detached housing in a courtyard design are proposed for Esperanza. A total of 157 dwelling units will be developed as RD-5 residential housing within a module comprised of 4 residential units surrounding a common motorcourt. RD-5 residential products are proposed for 17.64 acres of Esperanza within Planning Area 5 at a density of 8.90 dwelling units per net acre. A total of 333 dwelling units will be developed as RD-6 residential housing within a module comprised of 6 residential units surrounding a common motorcourt or row townhomes. RD-6 residential products are proposed for 19.92 acres of Esperanza within Planning Area 4 at a density of 16.72 dwelling units per net acre. Garages are accessed from the motorcourt or alley, which allows for the fronts of garages to be turned away from the street or set back far enough from the street that the residential architecture is the predominant streetscene feature.

4.2.1.6 Single Family Attached – RD-7 (Row Townhomes)

RD-7 residential product proposed for Esperanza consists of 258 units of attached row townhomes to be developed on approximately 18.6 acres at density of 13.87 dwelling units per net acre within Planning Area 1. RD-7 residential product is designed with alley access maintaining an architectural streetscene.

4.2.1.7 Single Family Attached – RD-8 (Motorcourt Townhomes)

RD-8 residential product proposed for Esperanza consists of 238 units of attached townhomes designed around a common motorcourt. RD-8 residential product will be developed on approximately 17.38 acres at a density of 13.76 dwelling units per net acre within Planning Area 3.

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4.2.2 Neighborhood Design

The community plan for Esperanza offers a neighborhood design reminiscent of older traditional Southern California neighborhoods. The design features described below are intended to create a strong identity and sense of neighborhood for the residents of Esperanza.

A “modified grid” style of street design in residential neighborhoods with sidewalks separated by landscaped parkways provide visual interest, slow traffic on each street by providing alternate routes, and enhance a pedestrian orientation for neighborhoods. Sidewalks separated from streets by landscaped parkways promote pedestrian mobility and encourage opportunities for neighbors to meet and greet each other along the street.

A human scale of architecture within Esperanza will enhance the pedestrian friendly character of the community. Architectural features such as front porches, railings, enhanced entries, a mix of materials and textures, and authentic detailing on elements such as windows and doors, columns, balconies, and lighting combine to create a human scale of residential architecture.

Innovative garage designs will be utilized in order to de-emphasize the visual impact of garage doors on the streetscene. Such design techniques will include shallow, mid, or deep recessed garages, split-garages, turn-in garages, tandem garages, garages located on rear alleys, and garages located around a common courtyard in order to de-emphasize their view from the street.

4.3 PARKS

Parks are provided throughout the Esperanza Specific Plan area within easy walking distance to any residential neighborhood. Exhibit 9, “Master Plan of Parks,” illustrates the types and locations of parks planned for Esperanza.

4.3.1 Neighborhood Park

An approximately 5.39 net acre centrally located neighborhood park will be developed as part of Esperanza. The neighborhood park will include picnic areas, tot lots, trails, and open play fields.

4.3.2 Pocket Parks

An approximately .84 net acre park will be provided for recreational use within Planning Area 9. An approximately 1.29 net acre park will be located within Planning Area 6, a one acre park will be provided within Planning Area 5, and an approximately 1.39 net acre linear park will be provided in Planning Area 10. Private open space areas of approximately ½ acre in size will be provided as part of the development of Planning Areas 1, 3 and 4. The exact size and locations of these private open space areas will be determined as part of the final site design for these neighborhoods.

4.4 SCHOOL SITE

A 10.02 net acre site will be reserved within the Esperanza Specific Plan for the development of an elementary school to serve the K-5 school age needs of the Ontario community. The school site will be large enough to accommodate all school related parking and circulation requirements on site including employee parking and bus and student drop off and pick up areas. The school site is located within walking distance from all residential neighborhoods within Esperanza. Recreational activities for the elementary school will be augmented by the proximity of the 5.36 acre neighborhood park planned for development adjacent to the elementary school site. In the event the school site in Esperanza is not purchased by the Mountain View School District the 10.02 acre site may revert to a residential zone for the development of an additional 46 single-family residential dwelling units pursuant to the provisions established in Section 7, “Implementation.”

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Section 4. LAND USE

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Exhibit 9
Master Plan of Parks

Endnotes

- 1 Revised total unit count.
- 2 Revised Title to include Townhomes, revised unit totals.
- 3 Revised table unit count and DU/AC.
- 4 Revised total unit count and DU/AC.
- 5 Revised PA4 unit count, density and project totals.

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Compare Results

Summary of Comments on Esperanza Sect 5.indd

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Old File:

Esperanza Sect 5.pdf

29 pages (9.11 MB)
9/4/2020 11:26:31 AM

versus

New File:

Esperanza Sect 5R.pdf

30 pages (6.83 MB)
9/8/2020 5:14:18 PM

Total Changes

119

Content

56 Replacements
30 Insertions
33 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

**SECTION 5.
INFRASTRUCTURE AND SERVICES**

The infrastructure, utilities, and public services to be provided as part of the development of the Esperanza Specific Plan are discussed in this section.

5.1 CIRCULATION

The circulation plan for Esperanza reinforces the objectives of providing a traditional neighborhood design. In addition to providing safe and efficient movement of vehicular traffic through the project, the Circulation Plan also provides a safe environment for pedestrian movement and bicycle traffic reducing the reliance on the automobile as a means of travel. In addition, transit stops and bus turnouts will be provided as required by Omnitrans, along the Master Plan streets, which are a part of the Esperanza community. The "Master Circulation Plan," Exhibit 10 establishes the hierarchy and general location of roadways within Esperanza.

The minimum design speeds to be used for centerline curve radii, super elevation, corner sight distance; vertical and horizontal alignment and sight distance, etc. are listed below:

Hamner Avenue	50 m.p.h.
Eucalyptus Avenue	40 m.p.h.
Bellegrove Avenue	45 m.p.h.
Mill Creek Avenue	40 m.p.h.
"A" Street	45 m.p.h.

5.1.1 Master Planned Roadways

The Esperanza Specific Plan is bounded on the east, south, west, and is bisected by four City of Ontario Master Plan roadways, which will provide access to and from the Specific Plan area. Additional rights of way may be needed

at critical intersections to accommodate additional left and right turn lanes pursuant to the recommendations of the traffic study prepared for the Ontario Ranch. Hamner Avenue bounds the Specific Plan area to the east and is the county line between San Bernardino and Riverside Counties; Bellegrove Avenue bounds the Specific Plan area to the south and is also the county line between San Bernardino and Riverside Counties; Mill Creek Avenue bounds the Specific Plan area to the west, and Eucalyptus Avenue bisects the Specific Plan area in an east/west direction.

Where the Specific Plan limits extend to the centerline of any roadway, the development project shall construct the full half-width street improvement, plus a 14-foot travel lane with a 5-foot paved shoulder beyond the centerline. If the roadway includes a raised median, the project shall construct the full median, and the additional 14-foot travel lane with a 5-foot paved shoulder. The 14-foot travel lane is a minimum that may be increased as necessary pursuant to the requirements of the City Engineer.

5.1.1.1 Hamner Avenue

Hamner Avenue bounds the Specific Plan area on the east. Hamner Avenue is a designated Divided Arterial Parkway 1-1 roadway with a total right-of-way of 148 feet. Hamner Avenue will carry regional traffic to and from Esperanza and will provide access to the specific plan area along the eastern boundary of the specific plan area. Exhibit 11, "Hamner Avenue" illustrates the improvements for Hamner Avenue. The developer of the Specific Plan area adjacent to Hamner Avenue will be responsible for all on site improvements for the westerly half of Hamner Avenue as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and the Conditions of Approval established on the approved tentative maps for the project. Bus turnouts will be

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Exhibit 10
Master Circulation Plan

required along Hamner Avenue to the satisfaction of the City Engineering Department and Omnitrans. Parking will be prohibited on Hamner Avenue.

5.1.1.2 Bellegrave Avenue

Bellegrave Avenue, a Standard Arterial roadway, abuts the Specific Plan area on the south and carries regional east/west traffic to and from Esperanza. Improvements to the south side of Bellegrave Avenue currently exist. Exhibit 12, "Bellegrave Avenue" illustrates the half-street improvements for Bellegrave Avenue. The developer will be responsible for all on site improvements for the northerly half of Bellegrave Avenue. Phasing of the improvements will be determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and the Conditions of Approval established on the approved tentative maps for the project. Bus turnouts will be required along Bellegrave Avenue to the satisfaction of the City and Omnitrans.

5.1.1.3 Mill Creek Avenue

Mill Creek Avenue abuts the Specific Plan area on the west. Mill Creek Avenue is a designated Collector Street with an ultimate right-of-way of 88 feet, with 64 feet of paved area and a 12-foot parkway on each side of the street, to include a 5-foot sidewalk separated from the street by a 7-foot landscaped area. In addition a landscaped buffer of 18 feet in width will be provided between the back of the sidewalk and the residential community wall. The right-of-way improvements required to Mill Creek Avenue are illustrated in Exhibit 13, "Mill Creek Avenue." The developer(s) will be responsible for the off site improvements as determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and the Conditions of Approval established on the approved tentative maps for the project. Bus turn-

outs will be required along Mill Creek Avenue to the satisfaction of the City and Omnitrans. Parking will be prohibited on Mill Creek

Avenue. Exhibit 13, "Mill Creek Avenue" illustrates these improvements.

5.1.1.4 Eucalyptus Avenue

Eucalyptus Avenue bisects the Specific Plan area and is designated as a Standard Arterial roadway. Exhibit 14, "Eucalyptus Avenue" illustrates the Eucalyptus Avenue full-street improvements. The developer will be responsible for all improvements to Eucalyptus Avenue. The phasing of these improvements will be determined by the City Engineer and pursuant to the mitigation measures identified in the EIR and the Conditions of Approval established on the tentative maps for the project. Parking will be prohibited on Eucalyptus Avenue.

5.1.2 Local Streets and Alleys

Within the Specific Plan area neighborhood streets of varying design will provide access and circulation through the community. Many of the neighborhoods will be served by private alleys, which are located in the rear of residences, in order to maintain a traditional, "architecture forward" streetscape for the community. Public and private local streets within residential areas are designed to distribute vehicular traffic from the public arterial and collector streets adjacent to the Specific Plan area into and through residential neighborhoods. Local streets and private alleys proposed for Esperanza are illustrated on Exhibit 15, "A Street" – Primary Local Street" Exhibit 16, "Local Streets and Cul-De-Sac Sections;" Exhibit 17, "Private Neighborhood Streets;" and Exhibit 18, "Private Alley and Drive Aisle Sections;" and discussed below.

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Exhibit 11
Hamner Avenue

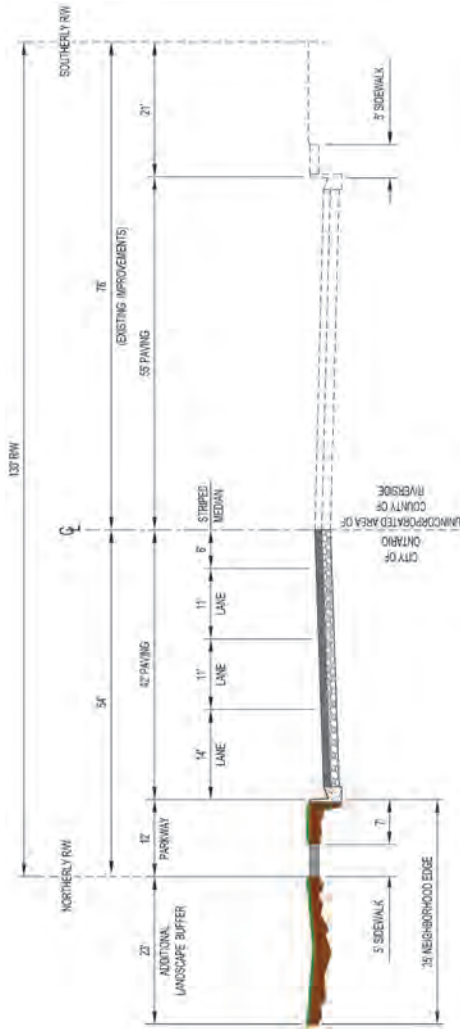


Other Principal Arterial Parkway 1-1
Hamner Avenue

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Note: Final required level of improvement of Bellegrave Avenue within the City of Ontario to be determined by City of Ontario and Riverside County.

Minor Arterial
Bellegrave Avenue
 (On Street Parking is Prohibited)

Exhibit 12
 Bellegrave Avenue

5.1.2.1 "A Street"

"A Street" bisects the Specific Plan area in a north/south direction and is designated as a Primary Local Street. "A Street" will provide internal access and connectivity between residential areas and the Neighborhood Park and school site. Exhibit 15, "A Street" – Primary Local Street" illustrates the improvements planned for "A Street."

5.1.2.2 Local Neighborhood Streets and Cul-De-Sac Streets

A network of local public neighborhood streets and cul-de-sac streets will provide internal circulation throughout Esperanza for residents. Exhibit 16, "Local Streets and Cul-de-sac Sections" illustrates these street concepts.

5.1.2.3 Private Neighborhood Streets

Private neighborhood streets will provide internal circulation within single family attached and single family courtyard product areas. Water, recycled water, and sewer utilities may be designated as "public utilities" if located within public or private streets. All public utilities within private streets shall be designed per City standards and contained within acceptable easements. The CC&Rs for the project shall contain language requiring all work proposed by the HOA within such easements to be plan checked and inspected by the City, including applicable fees. Generally, utilities will not be accepted as public within alleys, parking areas or driveways. The extent to which said utilities will be accepted as public utilities shall be at the full discretion of the City during final design review. Private Neighborhood Streets planned for Esperanza are illustrated in Exhibit 17, "Private Neighborhood Streets."

5.1.2.4 Private Alleys

Private alleys within the residential development will have a minimum of 20 feet of paved area with 5 feet of landscaping on each side. In areas where fire access is required, the minimum paved area will be 24 feet with 3 feet of landscaping on each side. Alleys with "dead end" conditions will be a maximum length of 150 feet. Parking is prohibited along alleys. Tapers will be incorporated at the point where private alleys intersect with public streets. The taper width will be determined per the approval of City of Ontario Fire Department, Engineering Department and Planning Department.

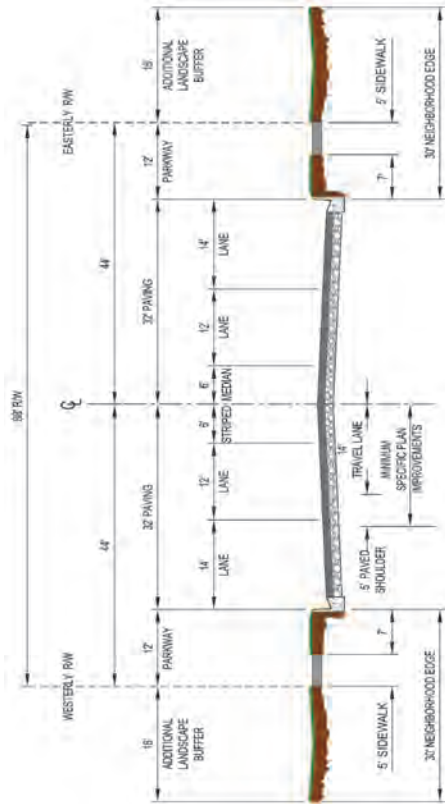
5.1.2.5 Private Drive Aisles

Private drive aisles are planned with a total paved width of 24 feet and an 18 foot deep parking area on each side.

Water, recycled water, and sewer utilities may be designated as "public utilities" if located within public or private streets. All public utilities within private streets shall be designed per City standards and contained within acceptable easements. The CC&Rs for the project shall contain language requiring all work proposed by the HOA within such easements to be plan checked and inspected by the City, including applicable fees. Generally, utilities will not be accepted as public within alleys, parking areas or driveways. The extent to which said utilities will be accepted as public utilities shall be at the full discretion of the City during final design review. Private Alleys and Private Drive Aisles planned for Esperanza are illustrated in Exhibit 18, "Private Alley and Drive Aisle Sections."

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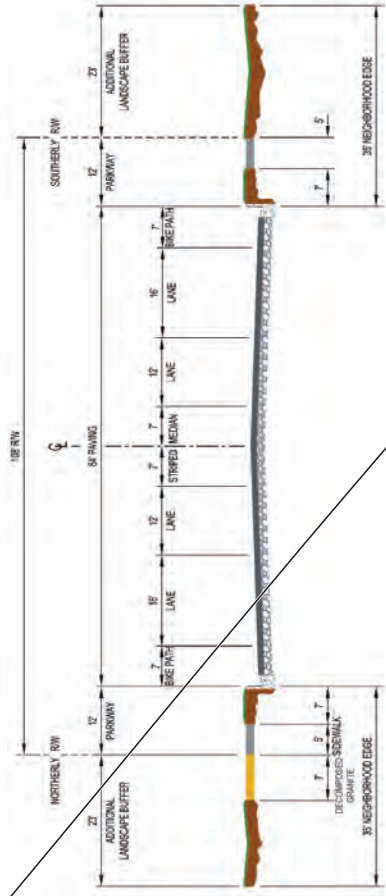
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Collector
Mill Creek Avenue
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Exhibit 13
Mill Creek Avenue

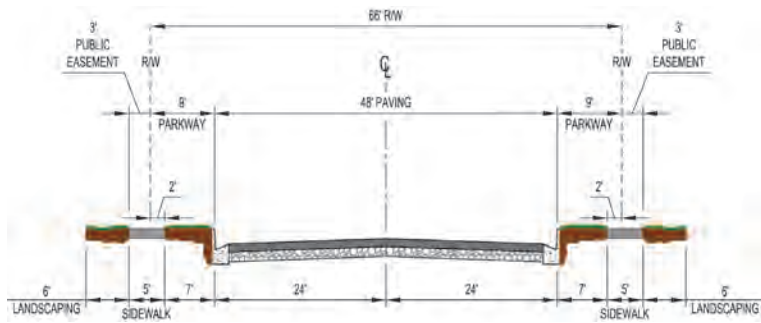
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Collector
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Exhibit 14
Merrill Avenue⁵

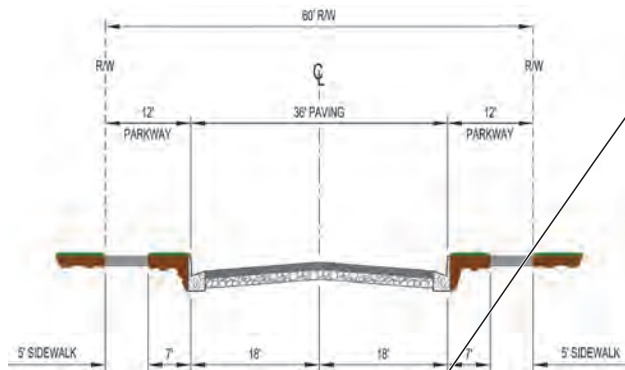
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"A Street"
(Parking Permitted)

Exhibit 15
"A Street" – Primary Local Street

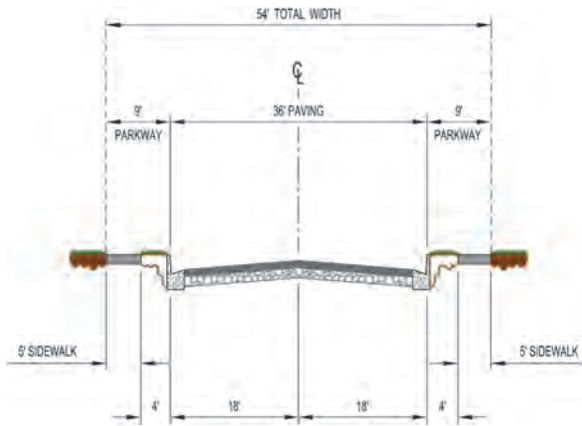
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Note: Parking may be restricted within 100-150 feet of Merrill Avenue, A Street, Mill Creek Avenue and Hamner Avenue Intersections.

Exhibit 16
Local Streets and Cul-De-Sac Sections

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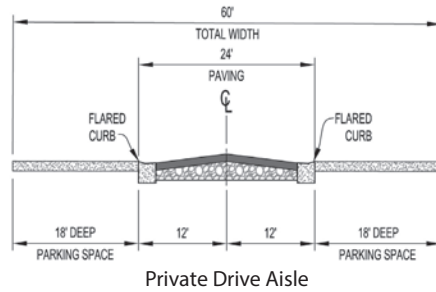
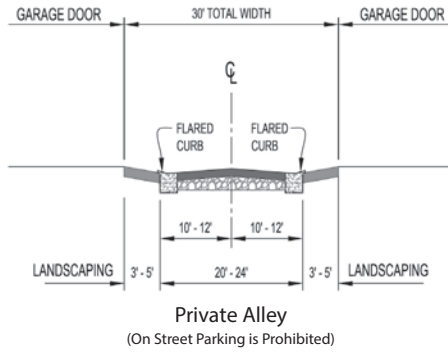


Private Neighborhood Streets
(Located in Planning Areas 1, 3, 4 & 5)

Note: All public utilities within private streets shall be designed per City standards and contained within acceptable easements. The extent to which said utilities will be accepted as public utilities shall be determined at the full discretion of the City during final design review.

Exhibit 17
Private Neighborhood Streets

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Notes:

1. Final Alley Design is subject to approval by the City Engineer, Fire Department and Planning Department.
2. All public utilities within private streets shall be designed per City standards and contained within acceptable easements. The extent to which said utilities will be accepted as public utilities shall be determined at the full discretion of the City during final design review.

Exhibit 18
Private Alley and Drive Aisle Sections

5.1.3 Traffic Calming

The Esperanza Specific Plan includes design features within residential neighborhoods to encourage drivers to proceed slowly and reduce traffic noise on streets contributing to safe and livable neighborhoods in which to walk, bike, and drive.

Traffic calming within the Esperanza Specific Plan is designed to address the following goals:

- Reduction in traffic speeds.
- Reduction in traffic related noise.
- A safe and pedestrian friendly circulation system to encourage walking.

The following design features will be implemented in the roadways within Esperanza.

Local Neighborhood Street Design

Neighborhood streets within Esperanza are designed in a “modified grid” with landscaping on either side within parkways to add interest in the street encouraging drivers to slow their travel speed and observe their surroundings. Incorporating tapered intersections for local streets as illustrated in Exhibit 19, “Neighborhood Street Tapers,” may reduce traffic speeds on local residential streets.

Alleys Tapers

Private alleys within Esperanza will consist of 20-24 feet of paved travel area with 3-5 feet of landscaping on each side. Speeds for traffic entering the alleys and cut through traffic can be reduced by incorporating tapers at the entrance to these alleys as illustrated on Exhibit 20, “Alley Tapers.”

Landscaping

Landscaping adjacent to streets within the Specific Plan area will combine the use of shade trees, shrubs, and groundcover adjacent to sidewalks to create a more intimate streetscape encouraging drivers to reduce driving speeds. The landscape concept for Esperanza is designed to contribute to a sense of the street system as a pedestrian protected area to promote slower traffic speeds.

Roundabouts

A roundabout will be incorporated into the street design at the intersection of two local streets as illustrated in Exhibit 10, “Master Circulation Plan.” The use of a roundabout rather than a conventional all-way stop at this intersection will maintain traffic flow by requiring traffic entering the roundabout to yield to traffic traveling within the roundabout. The lack of a stop sign allows entering traffic to merge with the flow of traffic.

5.1.4 Pedestrian Circulation

Off-street pedestrian circulation will be available throughout Esperanza by means of the interconnected, paved sidewalk system within the roadway right-of-way, separated from vehicular travel lanes by a landscaped parkway. The Esperanza pedestrian system provides connectivity among residential neighborhoods to the Neighborhood Park, pocket parks, and the elementary school within the Specific Plan area.

5.1.5 Bicycle Trails

Bicycle trails are an integral element to creating accessibility and mobility within Esperanza. A Class 1 bike trail will be provided within the parkway on the north side of Eucalyptus Avenue and an on-street bike trail will be provided on both sides of Eucalyptus Avenue connecting to

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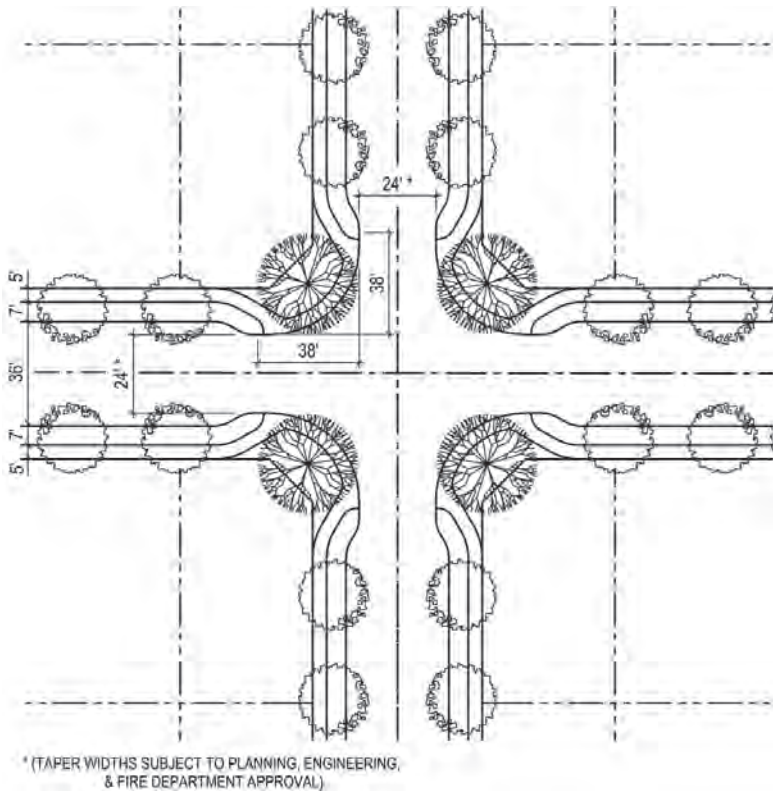


Exhibit 19
Neighborhood Street Tapers

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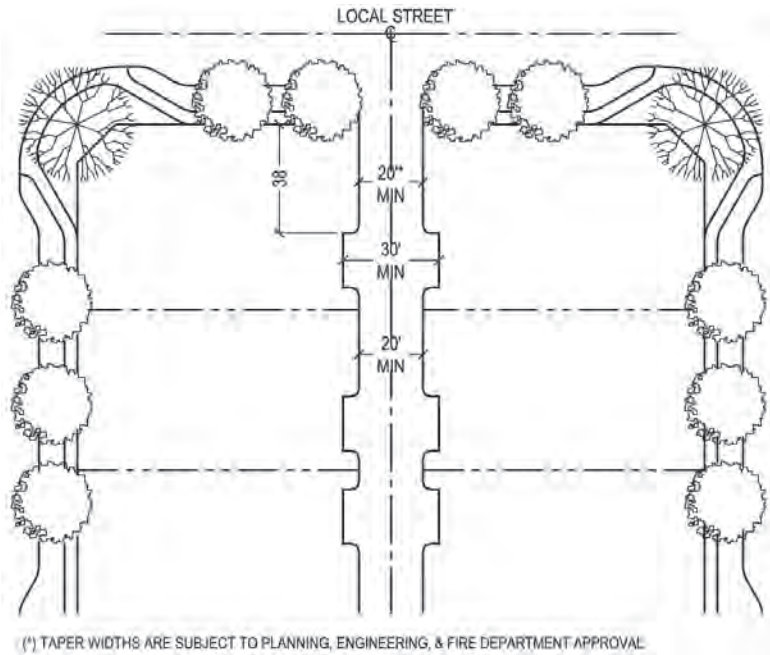


Exhibit 20
Alley Tapers

Section 5. INFRASTRUCTURE AND SERVICES

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Exhibit 21
Pedestrian and Bicycle Circulation Plan

on-street bike trails provided on local residential streets within the Specific Plan to connect all residential neighborhoods to one another, to the Neighborhood Park and to the elementary school located toward the center of the Specific Plan boundary.

Class II on-street striped bike lanes shall be provided on roadways within the Esperanza Specific Plan area as determined by City Engineer.²

The Master Plan for pedestrian and bicycle circulation for Esperanza is illustrated on Exhibit 21, "Pedestrian and Bicycle Circulation Plan."

5.2 DOMESTIC AND RECYCLED WATER MASTER PLAN

Domestic water will be provided by the City of Ontario. The Ontario Ranch Water Master Plan Phase 1 (Phases 1a-1d) identifies new water facilities to include one reservoir, three groundwater wells and potable and reclaimed transmission water lines. Construction of the on site and off site Master Plan water service improvements shall be the responsibility of the developer(s) and is required prior to issuance of building permits for Esperanza. Two of the waterlines included in the Phase 1 improvements are a 24 inch water line in Hamner Avenue, adjacent to the site on the east, and a 24-inch water main in Eucalyptus Avenue, which goes through the center of the project.

5.2.1 Domestic Water

The project lies within the 925 Zone. New domestic water mains to be constructed as part of the development of Esperanza will include a 12-inch Master Plan water main in Mill Creek Avenue, from the northerly boundary of the Specific Plan to Eucalyptus Avenue. Within the Specific Plan area, a network of 8-inch and 12' inch water lines will be installed. The On Site







water system will include connections to two different transmission mains.

The City is in the process of updating the Water Master Plan. Any changes resulting from the updated Master Plan will be incorporated into the Esperanza Water Master Plan.

There are two groundwater wells located adjacent to Bellegrave Avenue to the north. These wells and water transmission lines in Bellegrave Avenue, are owned and operated by the Chino Basin Desalter Authority (CDA). As part of the development of the Specific Plan area, improvements shall be made, to the satisfaction of the CDA and the City of Ontario, surrounding the two existing well sites located at the north side of the ultimate right of way of Bellegrave Avenue. Improvements shall include, but are not limited to, perimeter fencing, relocation of existing utilities within the ultimate right of way, street landscaping within the right of way fronting the project, and driveway approaches. The Master Plan for domestic water for Esperanza is illustrated on Exhibit 22, "Conceptual Domestic Water Master Plan." The conceptual on site domestic water system is illustrated on Exhibit 23 "On Site Domestic Water Plan."

5.2.2 Recycled Water System

The Inland Empire Utilities Agency (IEUA) will ultimately provide recycled water from IEUA's RP-1 and RP-1 outfall parallel located in Carpenter Avenue via City of Ontario recycled water mains as presented in the Water Master Plan for the Ontario Ranch. The Specific Plan area is located within the 930 Zone. The construction phase source of recycled water to serve the Specific Plan area will be conveyed to the 930 Zone from the 1050 Zone via a Master Plan pressure reducing station located in Archibald Avenue north of Chino Avenue. The master planned recycled water mains to be constructed

-  Text Inserted
"Class II on-street striped bike lanes shall be provided on roadways within the Esperanza Specific Plan area as determined by City Engineer. 2"
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[Old]: "NMC"
[New]: "Ontario Ranch"
-  Text Replaced
[Old]: "Milliken"
[New]: "Hamner"
-  Text Replaced
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[New]: "Eucalyptus"
-  Text Replaced
[Old]: "NMC"
[New]: "Ontario Ranch."
-  Text Replaced
[Old]: "Merrill"
[New]: "Eucalyptus"

as part of the development of Esperanza will include the following:

- A 12-inch recycled water line in Mill Creek Avenue from the northerly boundary of the Specific Plan area to Eucalyptus Avenue.
- An 8-inch recycled water line in Hamner Avenue from the northern boundary of the Specific Plan area to Eucalyptus Avenue.
- An 8-inch recycled water line in Eucalyptus Avenue from Hamner Avenue to Mill Creek Avenue.
- A 12-inch line in Eucalyptus Avenue from Mill Creek Avenue to Haven Avenue.
- A 16-inch line in Eucalyptus Avenue from Haven Avenue to Archibald Avenue.
- A 16-inch line in Archibald Avenue from Eucalyptus Avenue to Edison Avenue.
- A 20-inch line in Archibald Avenue from Edison Avenue to Schaefer Avenue.
- A 36-inch line in Archibald Avenue reducing to a 24-inch line from Schaefer Avenue to Chino Avenue.
- Utilization of the existing 10-inch main which extends from the IEUA facility adjacent to Westwind Park to the intersection of Archibald Avenue and Schaefer Avenue.

The developer will provide all recycled water lines required to serve the Specific Plan area.

Within the Specific Plan area, 8-inch recycled water mains are proposed to serve the development. The City's goal is to maximize the use of recycled water including but not limited to irrigation of parks, schools, street landscaping, recreation trails, common area residential landscaping and commercial/industrial landscaping edges. The parks, school, and landscaped areas that will be irrigated with recycled water and the calculated recycled water demand are contained in the report titled, "Esperanza Water and Recycled Water Hydraulic Analysis." An Engineer's Report approved by the City and

the Department of Health is required prior to the use of recycled water.

The conceptual Master Plan for recycled water for Esperanza is illustrated on Exhibit 24, "Conceptual Recycled Water Plan." The conceptual on site recycled water system is illustrated on Exhibit 25, "Conceptual On Site Recycled Water System."

5.3 SEWER MASTER PLAN

Sewer service for Esperanza will be provided by the City of Ontario. The City's Sewer Master Plan identifies ultimate sewer facilities from the Specific Plan area to the Eastern Trunk Sewer. These Master Planned facilities include a 15-inch sewer main extending from the northerly boundary of the Specific Plan area, along Mill Creek Avenue increasing to a 21-inch sewer main at Eucalyptus Avenue and a 24-inch sewer main along Beltgrave Avenue westerly to the Master Planned Eastern Trunk Sewer. Completion of these Master Plan improvements is required to provide the ultimate sewer service to Esperanza. Within the Specific Plan area a network of 8-inch and 15-inch sewer lines will be installed. The sizing and alignment of all off-site sewer improvements necessary for mitigation of impacts shall follow the results of the approved Sanitary Sewer Technical Study.³

The Conceptual Sewer Master Plan for Esperanza is illustrated on Exhibit 26, "Sewer Master Plan." The conceptual on site sewer lines are illustrated on Exhibit 27, "Conceptual On Site Sewer."

5.4 DRAINAGE

The City's Storm Drain Master Plan identifies new storm drain facilities to serve the Specific Plan area extending northerly from the County Line Channel within Mill Creek Avenue. Completion of these Master Plan improvements

- Text Inserted
"The parks, school, and landscaped areas that will be irrigated with recycled water and the calculated recycled water demand are contained in the report titled, "Esperanza Water and Recycled Water Hydraulic Analysis." An Engineer's Report approved by the City and the Department of Health is required prior to the use of recycled water."
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- Text Replaced
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[New]: "Eucalyptus"
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[Old]: "Milliken"
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[Old]: "Merrill"
[New]: "Eucalyptus"
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"The Conceptual Sewer Master Plan for Esperanza is illustrated on Exhibit 26, "Sewer Master Plan." The conceptual on site sewer lines are illustrated on Exhibit 27, "Conceptual On Site Sewer." The developer will provide all recycled water lines required to serve the Specific Plan area. Within the Specific Plan area, 8-inch recycled water mains are proposed to serve the development. The City's goal is to maximize the use of recycled water including but not limited to irrigation of parks, schools, street landscaping, recreation trails, common area residential landscaping and commercial/industrial landscaping edges."
- Text Replaced
[Old]: "parks, school, and landscaped areas that will be irrigated with recycled water and the calculated recycled water demand are contained in the report titled, "Esperanza Water and Recycled Water Hydraulic Analysis." An Engineer's Report approved by the City and the Department of Health is required prior to the use of recycled water."
[New]: "sizing and alignment of all off site sewer improvements necessary for mitigation of impacts shall follow the results of the approved Sanitary Sewer Technical Study. 3"
- Text Inserted
"The developer will provide all recycled water lines required to serve the Specific Plan area. Within the Specific Plan area, 8-inch recycled water mains are proposed to serve the development. The City's goal is to maximize the use of recycled water including but not limited to irrigation of parks, schools, street landscaping, recreation trails, common area residential landscaping and commercial/industrial landscaping edges."
- Text Inserted
"The Conceptual Sewer Master Plan for Esperanza is illustrated on Exhibit 26, "Sewer Master Plan." The conceptual on site sewer lines are

as part of the development of Esperanza will include the following:

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illustrated on Exhibit 27, "Conceptual On Site Sewer."

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will provide permanent storm drain service to Esperanza.

That portion of the Master Planned line, which lies within Esperanza, will be constructed as a part of the development of the project. These improvements include a 90-inch storm drain in Mill Creek Avenue transitioning to a 102-inch storm drain, connecting to the County Line Channel.

On site storm drains will be constructed to convey the on site flows to the proposed Master Planned storm drain line in Mill Creek Avenue. The locations and size of on site storm drains within Esperanza will be established in accordance with City requirements as part of the approval by the City of Ontario of tentative tract maps for the Esperanza Specific Plan area.

The Drainage Master Plan for Esperanza is illustrated in Exhibit 28, "Storm Drain Master Plan." The size and location of the proposed storm drain may change based on the final design.

5.4.1 NPDES Compliance

The grading and drainage of the Esperanza Specific Plan area shall be designed to detain, filter and treat surface runoff, in a manner and combination which is practical, to comply with the most recent requirements of the San Bernardino County NPDES Storm Water Program's Quality Management (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, Source Control Best

Management Practices (BMP's) and/or either on-site Structural Treatment Control BMP's, or participation in regional or watershed-based Treatment Control BMP's.

Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP) will also be prepared. The SWPPP will be prepared to comply with the California State Water Resources Control Board's (State Water Board) current, "General Permit to Discharge Storm Water Associated With Construction Activity" and the current Area Wide Urban Storm Water Runoff (Regional NPDES Permit). The SWPPP will identify and detail all appropriate Best Management Practices (BMP's) to be implemented or installed during construction of the project.

In addition to the preparation of a SWPPP for construction-related activities, and as part of the approval of any grading plans within the Specific Plan Area, the applicant will be required to submit a Water Quality Management Plan (WQMP) on the regional model form provided by the City. The WQMP shall identify and detail all Site Design BMP's, Source Control BMP's and Treatment Control BMP's to be implemented or installed at this site in order to reduce storm water pollutants and site runoff.

An off site regional stormwater runoff treatment facility with capacity to accept and treat drainage from portions of the Specific Plan Area has been constructed. This regional treatment facility will be part of an overall solution for storm water treatment within this planned development area. Projects with reserved treatment capacity allocation in the regional facility will utilize this off-site facility as their primary BMP for addressing urban runoff water quality and hydro-modification impacts, in their respective WQMPs. If a project cannot obtain treatment capacity in the regional stormwater treatment facility, alter-

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[Old]: "A proposed regional runoff treatment facility for the sub-watershed area that this project lies within is being considered for construction. This regional treatment facility would be part of an overall solution for storm water treatment. If an approved regional storm water treatment facility is not completed and operational prior to construction of this project, all necessary on-site treatment control BMP's and/or temporary water control devices"
[New]: "An off site regional stormwater runoff treatment facility with capacity to accept and treat drainage from portions of the Specific Plan Area has been constructed. This regional treatment facility will be part of an overall solution for storm water treatment within this planned development area. Projects with reserved treatment capacity allocation in the regional facility will utilize this off site facility as their primary BMP for addressing urban runoff water quality and hydro-modification impacts, in their respective WQMPs. If a project cannot obtain treatment capacity in the regional stormwater treatment facility, alter-

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native on-site or off-site Low Impact Design BMBs will be required based on the must current MS4 Permit requirements.⁴

5.5 SCHOOLS

The Mountain View School District is the school district serving the K-8 school needs of Esperanza. The Chaffey Joint Union High School District serves the 9-12 school age needs of the Specific Plan area. Additional elementary, middle, and high schools are needed to serve the needs of school age children within the Ontario Ranch. An elementary school site has been proposed within the Esperanza Specific Plan and a middle school site has been proposed in Planning Subarea 24. Colony High School is located at the southwest intersection of Mill Creek Avenue and Riverside Drive and a future high school has been proposed in Planning Subarea 23. Development of the Esperanza Specific Plan area will generate an estimated student population as follows (based on student generation numbers supplied by the City of Ontario, "School Generation for Ontario Ranch Subareas," July 2, 2004. The developer(s) of Esperanza will be required to pay school fees as required by State of California.

Grades K- 5
Generation Factor 0.38/D.U.
0.38 x 1594 = 606

Grades 6-8
Generation Factor 0.22/D.U.
0.22 x 1594 = 351

Grades 9-12
Generation Factor 0.20/D.U.
0.20 x 1594 = 319

5.6 PUBLIC UTILITIES

5.6.1 Natural Gas

The Gas Company will provide natural gas to the Specific Plan area. Gas mains will be installed to the Specific Plan area by the Gas Company as necessary.

5.6.2 Electricity

Southern California Edison will provide electricity to the Specific Plan area from existing facilities in the vicinity of the Specific Plan area. Proposed new facilities to serve the project will be owned and operated by the City of Ontario and located underground. Existing lines within the Specific Plan area shall be placed underground by developer and according to the City of Ontario adopted ordinance.

5.6.3 Telecommunications

The City of Ontario will be providing OntarioNet, fiber-to-the-home. OntarioNet is a fiber optic telecommunications system capable of providing advanced Internet/data services to all homes and businesses within the Ontario Ranch. OntarioNet will provide community related services including: traffic management; on-line civic services; meter reading; educational services; and a variety of other community services. Based on the demographics of the Ontario Ranch and the traffic issues in Orange and Los Angeles Counties, the demand for telecommuting in the Ontario Ranch is anticipated to be significant. OntarioNet and the high-speed data services it provides will allow residents of the Esperanza Specific Plan to effectively telecommute to their jobs and in general provide a significant economic benefit to Ontario. Verizon currently provides telephone service within the Specific Plan area and can provide telecommunication service if they choose to do so.

5.6.4 Solid Waste

The City of Ontario provides solid waste collection services for the Ontario Ranch and

- Text Inserted
"5.6 PUBLIC UTILITIES 5.6.1 Natural Gas The Gas Company will provide natural gas to the Specific Plan area."
- Text Replaced
[Old]: "will be installed pursuant to the requirements of the current regional NPDES Permit and the approved Water Quality Management Plan for this project."
[New]: "native on -site or off -site Low Impact Design BMBs will be required based on the must current MS4 Permit requirements. 4"
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"if retaining walls are required, the following criteria shall be used:"
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"Section 5. INFRASTRUCTURE AND SERVICES"
- Graphic Element Deleted
- Text Replaced
[Old]: "NMC"
[New]: "Ontario Ranch"
- Text Inserted
"Ontario Esperanza Specific Plan 5.48"
- Text Deleted
"The Gas Company will provide natural gas to the Specific Plan area."
- Text Deleted
"5.6 PUBLIC UTILITIES 5.6.1 Natural Gas"
- Image Inserted

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Southern California Edison will provide electricity to the Specific Plan area from existing facilities in the vicinity of the Specific Plan area. Proposed new facilities to serve the project will be owned and operated by the City of Ontario and located underground. Existing lines within the Specific Plan area shall be placed underground by developer and according to the City of Ontario adopted ordinance.

5.6.3 Telecommunications

The City of Ontario will be providing OntarioNet, fiber-to-the-home. OntarioNet is a fiber-optic telecommunications system capable of providing advanced Internet/data services to all homes and businesses within the Ontario Ranch. OntarioNet will provide community related services including: traffic management; on-line civic services; meter reading; educational services; and a variety of other community services. Based on the demographics of the Ontario Ranch and the traffic issues into Orange and Los Angeles Counties, the demand for telecommuting in the Ontario Ranch is anticipated to be significant. OntarioNet and the high-speed data services it provides will allow residents of the Esperanza Specific Plan to effectively telecommute to their jobs and in general provide a significant economic benefit to Ontario. Verizon currently provides telephone service within the Specific Plan area and can provide telecommunication service if they choose to do so.

5.6.4 Solid Waste

The City of Ontario provides solid waste collection services for the Ontario Ranch and

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 "Ontario Esperanza Specific Plan 5.48"

will service the Specific Plan area. The project will comply with Municipal Code Section 6-3.314, "Commercial Storage Standards" and Section 6-3.601, "Business Recycling Plan" for the use of any commercial bin service for apartment development. All residential development shall comply with Municipal Code Section 6-3.308.9 (a) and (d), "Residential Receptacles, Placement" for curbside automated container service. The project shall comply with Municipal Code Article 6, "Recycling Requirements for Specified Business Activity", Section 6-3.601 Business Recycling Plan, and Section 6-3.602, "Construction and Demolition Recycling Plan." All site development shall comply with the City of Ontario refuse collection standards. All project sites shall be designed to meet all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Area, Accessibility for Collection Vehicles, and Collection of Sorted/ Diverted Waster Types including Organics.

5.7 GRADING CONCEPT

The site falls at an average slope of approximately two percent (2%). The Grading Concept for Esperanza is to work with the existing topography to maintain natural grade and elevations wherever possible. The grading operation for the Specific Plan area will generally consist of the removal of any manure remaining from dairy operations, clearing and grubbing, demolition of existing structures, and moving of surface soils to construct building pads and streets. Additionally where slope conditions are present, the property shall be located at the top of the slope. In areas adjacent to a ridgeline or in moderate slope areas, dwelling units and structures should be sited to:

- Use the natural ridgeline as a backdrop for structures;
- Use landscape plant materials as a backdrop; and

Use structures to maximize concealment of cut slope.

If retaining walls are required, the following criteria shall be used:

- Exposed walls and fences facing roadways shall be no greater than 3-foot retaining (9-foot total wall) in height, except as necessary for acoustical purposes to satisfy the intent of the noise ordinance.
- Where retaining walls or fences face roadways, they shall be built, when feasible, of decorative materials consistent with the wall theme of the neighborhood.

The Conceptual Grading Plan, as illustrated in Exhibit 29, "Conceptual Grading Plan," will provide for a balance of cut/fills for the site. Grading plans for each tract in the Specific Plan area will be reviewed and approved by the City of Ontario Building, Planning, and Engineering Departments prior to the issuance of grading permits. All grading plans and activities will conform to the City grading ordinance and dust and erosion control requirements.

Text Inserted	"Section 5. INFRASTRUCTURE AND SERVICES"
Text Inserted	"Use structure to maximize concealment of cut slope."
Graphic Element Inserted	
Text Inserted	"If retaining walls are required, the following criteria shall be used:"
Text Inserted	"All project sites shall be designed to meet all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Area, Accessibility for Collection Vehicles, and Collection of Sorted/ Diverted Waster Types including Organics."
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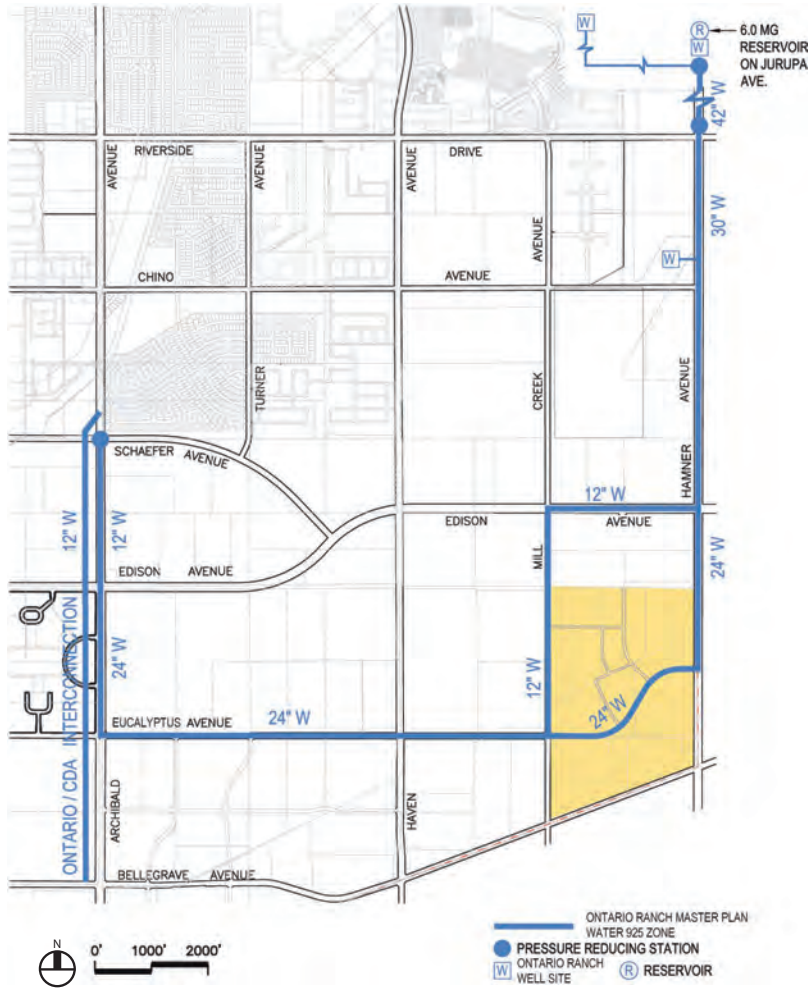
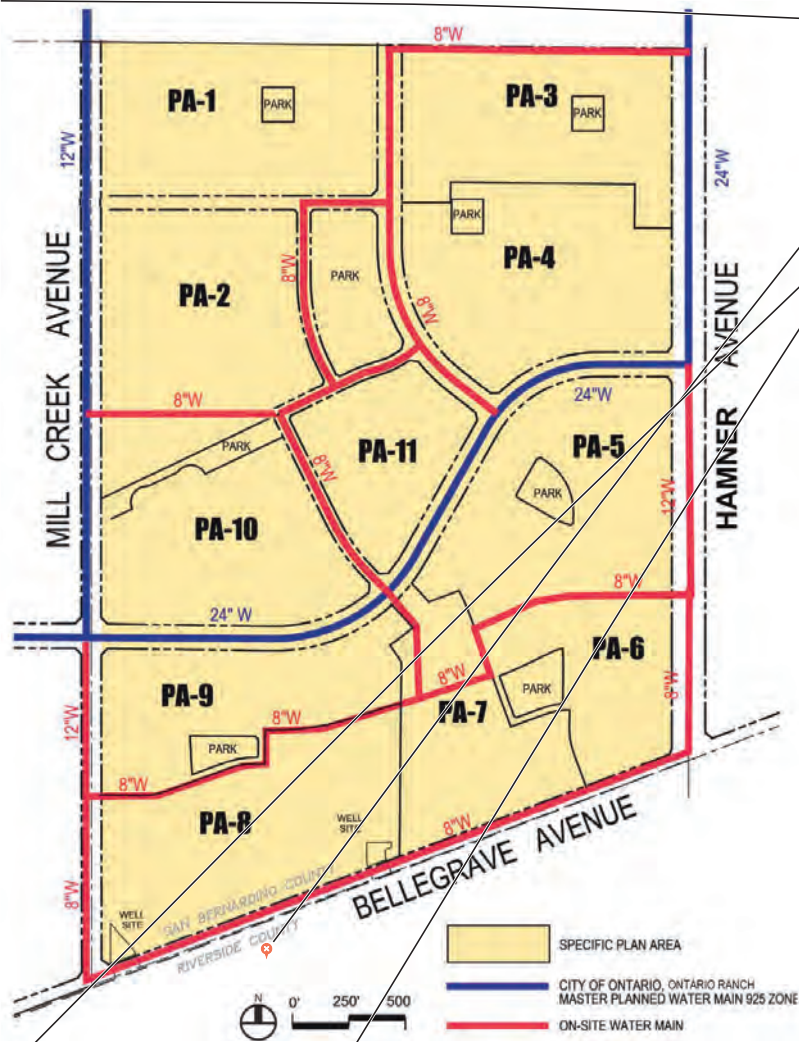
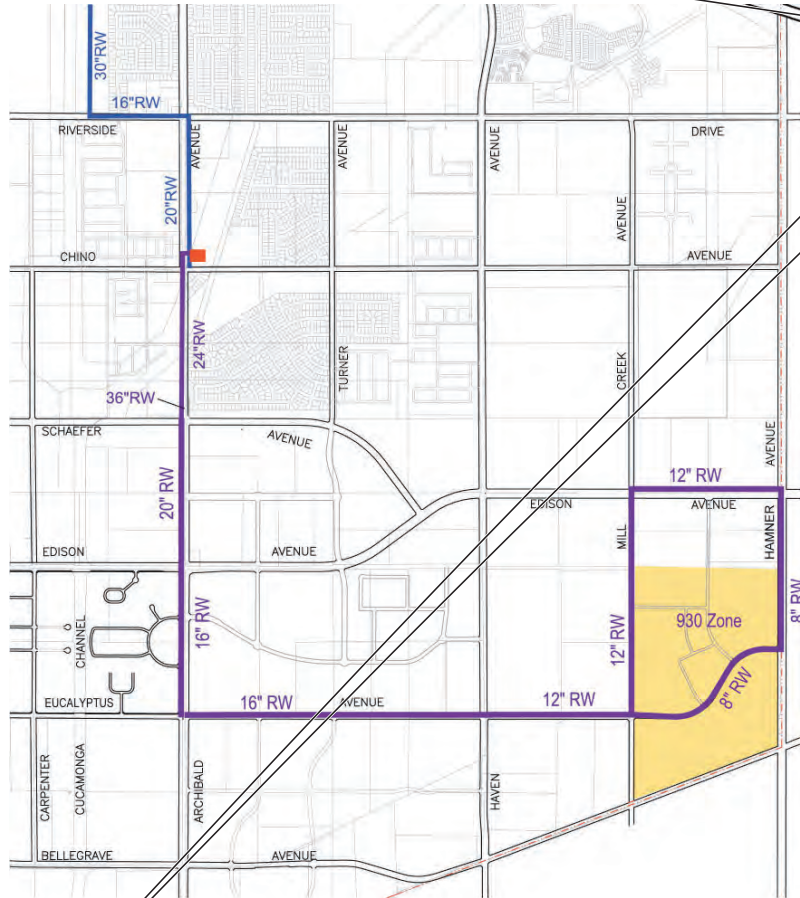


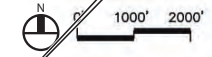
Exhibit 22
Conceptual Domestic Water Master Plan



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[New]: "5.52"



- ONTARIO RANCH MASTER PLANNED RECYCLED WATER-930 ZONE
- ONTARIO RANCH MASTER PLANNED RECYCLED WATER-1050 ZONE
- PRESSURE REDUCING STATION

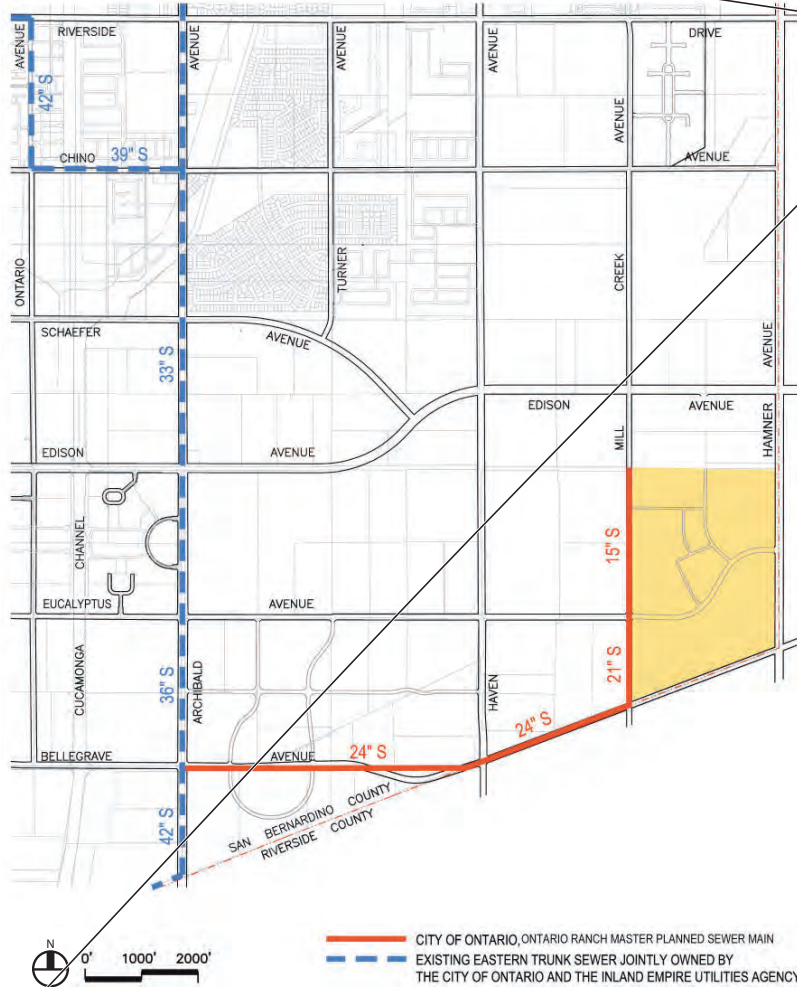
Exhibit 24
Conceptual Recycled Water Plan



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- Text Inserted "Section 5. INFRASTRUCTURE AND SERVICES"
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- Image Deleted
- Image Deleted
- Text Deleted "Section 5. INFRASTRUCTURE AND SERVICES"
- Text Deleted "N Exhibit 24 Ontario Esperanza Specific Plan Conceptual Recycled Water Plan"
- Text Deleted "5.52"
- Text Inserted "5.53 Ontario Esperanza Specific Plan"

NOTE: ALL AREAS MAINTAINED BY HOA SHALL BE IRRIGATED WITH RECYCLED WATER

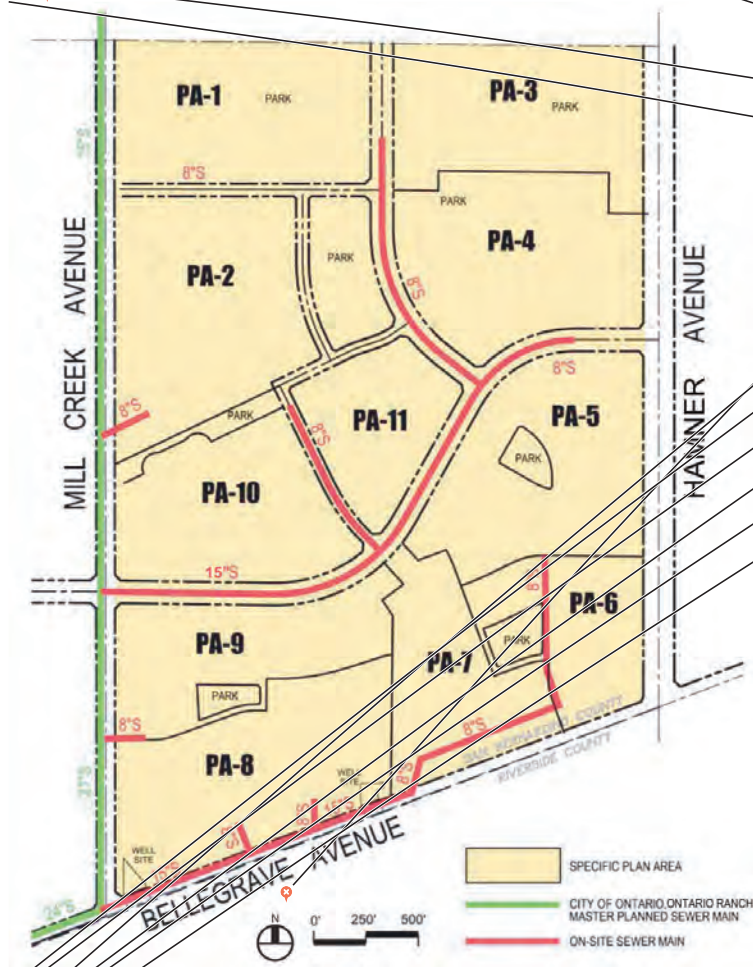
bit 25
Conceptual On Site Recycled Water System



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 [New]: "5.54"

Exhibit 26
 Sewer Master Plan



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"N Exhibit 26 Ontario Esperanza Specific Plan Sewer Master Plan"
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"5.54"
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- Image Deleted

Conceptual On Site Sewer

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Exhibit 28
Storm Drain Master Plan

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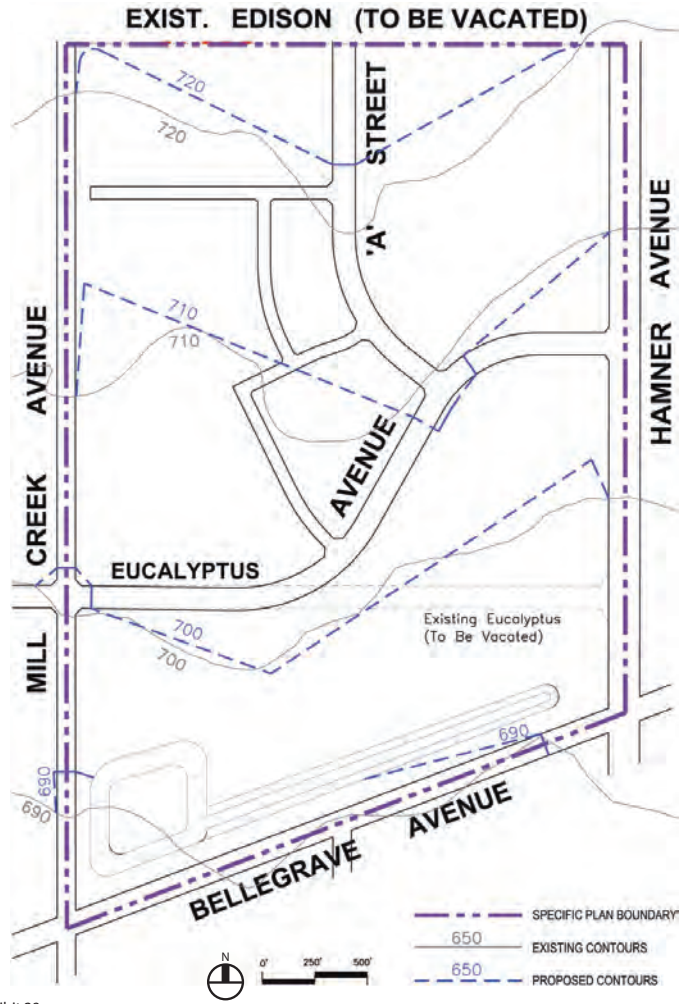


Exhibit 29
Conceptual Grading Plan

Endnotes

- 1 Updated table
- 2 Updated language per Engineering
- 3 Updated language per OMUC.
- 4 Updated language on WQMP
- 5 Updated sidewalk/granite trail

9/9/2020 11:34:59 AM

Compare Results

Summary of Comments on Esperanza Sect 6.indd

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Old File: Esperanza Sect 6.pdf 13 pages (1.17 MB) 9/4/2020 11:28:21 AM	versus	New File: Esperanza Sect 6R.pdf 14 pages (1.17 MB) 9/8/2020 5:15:47 PM
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Total Changes

19

Content

5 Replacements
11 Insertions
1 Deletion

Styling and Annotations

2 Styling
0 Annotations

[Go to First Change \(page 2\)](#)

SECTION 6. DEVELOPMENT REGULATIONS

6.1 INTRODUCTION

The provisions contained herein will regulate design and development within the Esperanza Specific Plan.

6.2 DEFINITION OF TERMS

The meaning and construction of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code Article 2, "Definitions," unless otherwise specifically provided herein. The definitions of product types shall be those defined in Section 4, "Land Use" within the discussion of each respective product type. The definition of architectural and design terms shall be the same as those provided in the City of Ontario Glossary of Design Terms which follows the City of Ontario Development Code.

6.3 APPLICABILITY

The development regulations contained herein provide specific standards for land use development within the Esperanza Specific Plan area. Regulations address residential land uses and provide for general landscaping regulations. Application of the following regulations is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Esperanza Specific Plan shall take precedence. Where the Esperanza Specific Plan is silent, City codes shall apply. These regulations shall reinforce specific site planning, architectur-

al design, and landscape design guidelines contained in Section 8, "Design Guidelines" of the Esperanza Specific Plan.

6.4 ADMINISTRATION

The Esperanza Specific Plan, upon adoption, will serve as the implementation tool for the General Plan as well as the zoning for the Specific Plan area. The Esperanza Specific Plan Development Regulations address general provisions, permitted uses, and development standards for the community.

6.5 GENERAL SITE DEVELOPMENT CRITERIA

The following general site development criteria shall apply to all land development proposed in Esperanza.

1. **Gross Acres** - Except as otherwise indicated, gross acres for all development areas are measured to the centerline of streets.
2. **Grading** - Development within the Specific Plan area shall utilize grading techniques as approved by the City of Ontario. Grading concepts shall respond to the design guidelines included in the Esperanza Specific Plan which guide the development of land use toward the goal of providing for a livable community with streets and entries designed for walking and resident interaction.
3. **Building Modification** - Additions and alterations permitted by the Esperanza Specific Plan shall match the architectural style of the primary unit and shall be constructed of the same materials, details, and colors as the primary unit.
4. **Utilities** - All new and existing public utility distribution lines of 35.5kV or less shall be subsurface throughout the planned community.

5. **Technology** - All homes and businesses shall accommodate modern telecommunications technology (OntarioNet) for computer internet access, phone, fax, and television. Broadband fiber optics cable will be installed to all the properties per the approved Fiber Optic Master Plan.
6. **Transfer of Dwelling Units** -The Esperanza Specific Plan allocates a total number of units to each Planning Area as indicated in the "Land Use Summary" Table 2, Section 4, of the Esperanza Specific Plan. Variations in the number and type of dwelling units within each residential Planning Area may occur at the time of final design of the neighborhood depending upon the residential product identified for development. Changes in allocation of residential units, up to a maximum of fifteen percent (15%), are permitted among the residential planning areas within the Esperanza Specific Plan, subject to approval by the City and upon agreement of each respective property owner/developer, provided the total number of units established for the Esperanza Specific Plan area is not exceeded.
7. **Best Management Practices** – Development of storm water runoff improvements, within the Esperanza Specific Plan, shall adhere to currently adopted Best Management Practices (BMP's). The Site Design BMP's may include but not be limited to creating landscape strips and landscaped setback areas that can be swaled and depressed to retain and infiltrate irrigation water and runoff from smaller storm events, drain rooftops into rain gutters which would drain into an area of porous subgrade, and depressing the park areas to provide storm water infiltration and water quality treatment. Common area landscaping and parks shall be designed to function as a series of shallow storm water treatment basins and infiltration zones for storm water runoff from surrounding areas wherever moderately well draining soils exist.

Currently the City of Ontario is considering construction of a regional storm water runoff treatment facility for the sub-watershed area that this project lies within. If the treatment facility is constructed, it may satisfy the requirement for on-site treatment control BMP's for the Esperanza project.

8. **Maximum Number of Dwelling Units** - The maximum number of residential dwelling units permitted within the Esperanza Specific Plan is 1,594 unless the 10.02 acre elementary school site is not purchased by the Mountain View School District. Pursuant to approval of a Specific Plan Amendment the total permitted residential dwelling units within the Esperanza Specific Plan area shall be 1,640 dwelling units.¹
9. **Agricultural Buffer** - A minimum 100-foot separation shall be required between a new residential structure and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied through an off-site easement with adjacent properties, acceptable to the Planning Director, submitted with a final map, and recorded prior to or concurrent with a final map.
10. **Solid Waste/Recycling** - Development within the Esperanza Specific Plan area shall comply with City of Ontario requirements for the provision and placement of solid waste and recycling receptacles.

- Text Replaced
[Old]: "1,410"
[New]: "1,594"
- Text Inserted
"-1"
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[Old]: "1,456"
[New]: "1,640"

6.6 RESIDENTIAL DEVELOPMENT STANDARDS

6.6.1 Residential Detached (RD-1 through RD-6)

6.6.1.1 General

This category includes the development of single-family detached dwelling units. The purpose of the residential standards for single-family detached housing is to establish the minimum criteria for the development of these product types on individual lots within the neighborhoods specified within Esperanza.

6.6.1.2 Permitted Uses

1. Single family detached dwellings.
2. Public or private parks, recreational buildings, greenbelts, and open space.
3. Accessory uses to include the following:
 - a. Garages.
 - b. Granny Flats (i.e. Second Dwelling Units, in accordance the City's Development Code.)
 - c. Home occupations.
 - d. Swimming pools, spas, sports courts, and other similar outdoor recreational amenities.
 - e. Patios and patio covers.
 - f. Storage, garden structures, cabanas, and greenhouses.
 - g. Monument signage.
 - h. Model home and subdivision sales trailers; temporary construction parking, offices, and facilities; real estate signs, signage indicating future development and directional signage in accordance with the City's Development Code.
 - i. Second story additions to existing single story dwelling units.

- j. Small family child care/day care facilities (up to 8 children), in accordance with the City's Development Code.

6.6.1.3 Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues.
2. Large family child/day care facilities (between 8-14 children), in accordance with the City's Development Code.

6.6.1.4 Temporary Uses

1. Temporary uses shall be permitted pursuant to Article 13 of the City's Development Code.

6.6.1.5 Free Standing Satellite Dish / Antennas

1. Free standing satellite dishes and/or antennas are permitted pursuant to Article 32, Section 9.1.3289 of the City of Ontario Development Code.

6.6.1.6 Recreational Vehicle Storage and Parking

1. Recreational Vehicle (RV) storage is prohibited on public and private streets and in private alleys. RV parking on public and private streets is limited to 72 hours.

PRODUCT TYPE	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6
	50' Wide Lots PA-7 and PA-9	55' Wide Lots PA-8	2-Pack PA-10	Cottage PA-2 PA-6	4-Pack Courtyard PA-5	6-Pack Courtyard & Row-town PA-4
LOT CRITERIA						
Min. Lot Width at Front Setback Line for Standard Lot	50'	55'	40'	33'	NA	NA
Min. Lot Width at PL for Cul de sac, standard knuckle or modified knuckle lots (Min. side and rear yard setbacks to be maintained)	35'	35'	35'	33'	NA	NA
Min. Lot Width on Corner	55'	60'	45'	38'	NA	NA
Min. Lot Depth	80'	90'	75'	75'	NA	NA
Min. Lot Size	3,900 sq.ft.	4,800 sq.ft.	3,400 sq.ft.	2,400 sq.ft.	2,500 sq.ft.	2,200 sq.ft.
MINIMUM SETBACKS ⁽¹⁾						
All setbacks are measured from PL except for RD-5 and RD-6 where front and streetside setbacks are measured from back of sidewalk.						
Front Setbacks						
• Living Area	10'	12'	10'	10'	10'	10'
• Porch w/single story plate	8' ⁽²⁾	8' ⁽²⁾	8' ⁽²⁾	8' ⁽²⁾	8'	8'
• Front Entry Garage (street facing door) ⁽³⁾	18'	18'	18'	NA	18'	18'
• Turn in Garage	10'	10'	NA	NA	NA	NA
Side ⁽⁴⁾						
• From Interior PL	5'	5'	5'	4'	4'	4'
• From Residential Street or Parking Lot	10'	10'	10'	10'	10'	10'
Rear						
• Main Structure 1st Floor	15'	15'	10'	5' from Alley if/w	10'	10'
• Main Structure 2nd Floor	15'	15'	10'	5'	10'	10'
• Garage (Single Story Plate Line)	5'	5'	5'	3'	5'	5'
• Patio Cover / 2nd Story Deck	5'	5'	5'	5'	5'	10'
LOT COVERAGE						
Max. Coverage	50%	50%	50%	55%	55%	55%

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 [Old]: "6-Pack Courtyard"
 [New]: "6-Pack Courtyard & Row-town"

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Table 3
 Residential Detached Site Development Standards

PRODUCT TYPE	RD-1	RD-2	RD-3	RD-4	RD-5	RD-6
	50' Wide Lots PA-7 and PA-9	55' Wide Lots PA-8	2-Pack PA-10	Cottage PA-2 PA-6	4-Pack Courtyard PA-5	6-Pack Courtyard & Row-town PA-4
MINIMUM BUILDING SEPARATION						
Between main structures rear to rear	20'	20'	15'	30'	6'	20'
Between main structures front to front	NA	NA	NA	20'	NA	30'
Between structures side to side ⁽¹⁾	10'	10'	10'	8'	6'	6'
Between main structures front to side	NA	NA	NA	NA	8'	6'
Between front porch/ balcony to front porch/balcony	NA	NA		15'		
MAXIMUM BUILDING HEIGHT						
Main Structure	35'	35'	35'	35'	35'	35'
WALLS, FENCES, AND HEDGES						
Maximum Height at Front and Street Side Property Line ⁽⁵⁾	3'	3'	3'	3'	3'	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾	6'	6'	6'	6'	6'	6'
Maximum Height of Retaining Walls	3'	3'	3'	3'	3'	3'
PARKING						
Min. Number of Parking Spaces Required Per Unit ⁽⁷⁾	2	2	2	2	2	2

- Text Attributes Changed
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"& Row-town"
- Text Inserted
"3"

Notes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet with a minimum clear area of 70 square feet.
3. Minimum 20' for front facing/ garage forward design.
4. RD-3, RD-4, RD-5 and RD-6 with shared-use easement sideyards.
5. Solid masonry walls or wood fencing materials may be permitted on the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
6. Walls may exceed six feet in height for noise attenuation purposes subject to an Acoustical Study and Planning Department approval.
7. All parking spaces to be within an enclosed garage (minimum 20' X 20' clear inside dimension) for two spaces and 10' x 20' for single spaces.

Table 3
Residential Detached Site Development Standards (cont.)

Section 6. DEVELOPMENT REGULATIONS

This page contains no comments



LEGEND

- FRONT YARD
- SIDE YARD
- REAR YARD

Notes:
 All setbacks illustrated are minimums.
 * Units plotted in these configurations do not have rear yard setback standards.

4-Pack and 6-Pack Typical Plotting

**6.6.2 Residential Attached
(RD-6, RD-7 and RD-8)**

6.6.2.1 General

This category includes the development of attached type residential dwelling units such as townhomes, and other attached multi-family products.

6.6.2.2 Permitted Uses

1. Single family attached row townhomes, motorcourt townhomes, paired homes, condominiums, apartments, and duplexes.
2. Public or private parks, recreational buildings, greenbelts, pocket parks, and/or open space.
3. Accessory uses to include the following:
 - Garages.
 - Home occupations in accordance with the City's Development Code.
 - Swimming pools, spas, tennis courts, sports courts, and other similar outdoor recreational amenities.
 - Patios and patio covers.
 - Mailboxes.
 - Recreation center buildings.
 - Maintenance storage buildings.
 - Monument signage.
 - Model units, sales offices, and subdivision sales trailers, temporary construction offices and facilities, real estate signs, signage indicating future development and directional signage in accordance with the City's Development Code.
 - Small family child care facilities/day care facilities, up to 8 children in accordance with the City's Development Code.
 - Permanent Leasing Offices.

6.6.2.3 Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues.
2. Large family child care facilities/day care facilities (8-14 children) in accordance with the City's Development Code.

6.6.2.4 Temporary Uses

1. Temporary uses shall be permitted pursuant to Article 13 of the City's Development Code.

6.6.2.5 Free Standing Satellite Dish/Antennas

1. Free standing satellite dishes and/or antennas are permitted pursuant to Article 32, Section 9.1.3289 of the City of Ontario Development Code.

6.6.2.6 Recreational Vehicle Storage and Parking

1. Recreational Vehicle (RV) storage is prohibited on public and private streets and in private alleys. RV parking on public and private streets is limited to 72 hours.

6.6.2.7 Open Space

1. A minimum of 150 square feet of private open space shall be provided per dwelling unit as follows:
 - a. Private open space features may include fenced yards, patio areas, and balconies.
 - b. At least one-half (½) of the required open space area must be provided at the ground level, not including front yard setbacks, and not more than ½ of the open space requirement is to be satisfied by balconies or roof decks. For the Row Townhome product (RD-6) open space may be satisfied by balconies for up to 33% of the units proposed.²

Graphic Element Deleted

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Text Replaced
[Old]: "RD-7"
[New]: "(RD-6, RD-7"

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"For the Row Townhome product (RD-6) open space may be satisfied by balconies for up to 33% of the units proposed. 2"

- c. Private open space located at ground level shall have a minimum contiguous area of one hundred and fifty (150) square feet in area with a minimum dimension ten (10) feet in any one direction and shall be landscaped. Open space located on roof decks or balconies must have a minimum contiguous area of fifty (50) square feet in area and a minimum dimension of five (5) feet in any one direction.
- d. Private, ground level open space on the street side of a structure is to be suitably screened from streets by a fence, densely planted shrub, or combination of both.
- 2. A minimum of 250 square feet of common open space shall be provided per unit as follows:
 - a. Common Open space features include, but are not limited to, landscaping, picnic and barbecue areas, pools and spas, tennis and sport courts, clubhouse, tot lots or playgrounds, paseos, and trails.
 - b. Common open space shall have a minimum contiguous area of three hundred (300) square feet with no dimension less than 15 feet in any direction.
 - c. All required ground level common open spaces shall be planted with permanent landscaping or be devoted to recreational facilities, such as swimming pools, tennis courts, tot lots, patios or similar open space and/or recreational facilities.
 - d. Common and private open spaces are to be permanently maintained in an orderly fashion.
 - e. Parking areas, driveways or service areas shall not be counted in the minimum open space requirement.

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PRODUCT TYPE	RD-6 & RD-7	RD-8
	Row Townhomes PA-1 & PA-4	Motorcourt Townhomes PA-3
MINIMUM SETBACKS ⁽¹⁾		
All front and corner setbacks for RD-8 are measured from the property line at back of sidewalk. All other setbacks for RD-8 are measured from the parcel line of the cluster. All setbacks for RD-7 are measured from property line unless otherwise noted.		
Front		
• Living Area	10'	10'
• Porch ⁽²⁾	8'	8'
Side		
• From Residential Street	10'	10'
• From any local streetside property line	10'	10'
• From interior property line for RD-7 or parcel line for RD-8	5'	4'
Rear		
• 1st floor from alley R/W for RD-7 or parcel line for RD-8	3'	10'
• 2nd floor from alley R/W for RD-7 or parcel line for RD-8	3'	15'
MINIMUM BUILDING SEPARATION		
• Front to front	25'	25'
• Side / Side	10'	25'
• Front / Side	NA	25'
• Rear / Rear	25'	NA
• Front of garage to front of garage	30'	30'
BUILDING SITE COVERAGE		
Max. Coverage	50% of site	50% of site
MAXIMUM BUILDING HEIGHT		
Main Structure	35'	35'

Text Inserted
"RD-6 &"

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"& PA-4"

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[Old]: "5"
[New]: "3"

Table 4
Residential Attached Site Development Standards

PRODUCT TYPE	RD-6 & RD-7	RD-8
	Row Townhomes PA-1 & PA-4	Motorcourt Townhomes PA-3
WALLS, FENCES, AND HEDGES		
Maximum Height at Front and Street Side Property Line ⁽³⁾	3'	3'
Maximum Height at Interior or Rear Property Line ⁽⁴⁾	6'	6'
Maximum Height of Retaining Walls	3'	3'
PARKING ⁽⁵⁾		
Min. Resident Parking Required	1.75 spaces per one bedroom unit including 1 in a garage or carport, 2 spaces per two bedroom unit including 1 in a garage or carport, and 2.5 spaces per three or more bedroom unit including 2 in a garage or carport.	
Min. Guest Parking Required	1 space for each 4 units under 50 on the building lot. 1 space for every 5 units between 51-100 units on the building lot. Public on-street parking may be counted toward guest requirement.	

Notes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet with a minimum area of 70 square feet.
3. Solid masonry walls or wood fencing materials may be permitted on the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
4. Walls may exceed six feet in height for noise attenuation purposes subject to an Acoustical Study and Planning Department approval.
5. All parking spaces within an enclosed garage shall have a minimum 20'X20' clear inside dimension for double spaces and 10' x 20' single spaces.

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"RD-6 &
Text Inserted
"& PA-4"
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"4"

Table 4
Residential Attached Site Development Standards (cont.)

6.7 LANDSCAPE STANDARDS

6.7.1 General Provisions

1. All landscape and irrigation plans for streetscapes and graphic designs with regard to the identity of Esperanza, neighborhood identity or entry monuments shall conform to the Design Guidelines and regulations as set forth herein and shall be subject to review and approval by the City of Ontario at the time of Development Plan review. The form and content of landscape plans for streets, parks, and other common areas shall conform to the requirements of the City's Development Plan application requirements.
2. The Landscape/Streetscape improvements for the Esperanza Specific Plan shall establish a landscape theme reminiscent of the regional landscape character of the surrounding area.
3. The design and improvement of all parks, including landscape and irrigation plans, within Esperanza shall be reviewed and approved by the City at the time of Development Plan review and shall conform with the requirements of the City's Parks and Maintenance Department.
4. Installation of landscaping and automatic irrigation within the front yards of all residential areas will be provided by the home builder. At a minimum, the builder will install turf and appropriate shrubs and trees in the front yards of homes within residential areas. At a minimum two trees shall be installed, of which at least one, is a shade tree. A variety of front yard landscape designs shall be provided by the developer for use by homeowners. Within multi-family residential areas the builder shall be responsible for the installation of full landscape improvements within the multi-family development. Areas not used for hardscape shall be fully

landscaped. All landscape plans shall be reviewed and approved by the City at the time of Development Plan review.

6.7.2 Landscape Standards

1. Landscaping within the Esperanza Specific Plan area shall be provided in accordance with the Design Guidelines utilizing plant materials specified on the Plant Palette included in Section 8, "Design Guidelines" established for the Esperanza Specific Plan.
2. Boundary landscaping will be required adjacent to residential areas. Landscaping shall generally be placed along the entire perimeter property line.
3. Landscaping and automatic irrigation systems within the public rights of way of the Esperanza Specific Plan area shall be installed by the developer.
4. Freestanding perimeter walls and view fencing shall be provided within, and at the perimeter of the Specific Plan area as specified in the Wall and Fence Master Plan contained within, Section 8, "Design Guidelines." Such walls and fences will be constructed concurrently with the construction of improvements required for development of the neighborhoods of the Specific Plan.
5. Walls and Fencing - Perimeter walls shall be constructed in locations and of a design consistent with the "Wall Master Plan" and "Wall Details" Exhibits located within Section 8, "Design Guidelines." Perimeter walls shall not exceed six feet in height from finished grade. If required for sound attenuation, perimeter walls may exceed six feet in height, subject to the recommendations of an acoustical study and approval by the Planning Department. Perimeter walls shall be constructed of either masonry or other permanent, durable, low maintenance material. Thematic perimeter fencing shall be constructed of all durable

materials, which may include materials with a wood-like appearance, or tubular steel subject to approval by the City. In no instance shall wooden fencing be permitted along perimeters.

Individual residential lot side and rear yard walls and fencing shall not exceed six feet in height from highest adjacent finished grade. Side and rear walls may exceed six feet (6') in height if required by the City for sound attenuation pursuant to the recommendations of an Acoustical Report. Walls and fencing within the residential front yard setback area shall not exceed three feet in height. Side and rear yard walls shall be of decorative masonry construction on both sides of the wall or other permanent low maintenance materials. Front yard fences may be constructed of either wood, or any other durable materials with a wood like appearance, subject to approval by the Planning Department. View fencing may be of a decorative wrought iron, tubular steel/aluminum glass panels, or other durable material approved by the City.

6. All perimeter wall and fence materials throughout Esperanza will be of uniform manufacture with colors specified for the overall design theme.
7. The developer will provide site inspection of all construction and installation of open space areas in accordance with City of Ontario requirements.
8. Non-toxic vegetation shall be utilized adjacent to all public open space areas.

6.8 SIGNAGE

A Master Sign Program shall be submitted by the developer(s) of Esperanza and approved by the City of Ontario pursuant to Article 31 of the City's Development Code to address residential project entries, residential neighborhood identification signs, and way finding signs within Esperanza. No project signs shall be permitted in the public right-of-way. All other signs shall be subject to the approval of a sign permit pursuant to the City's Development Code.

6.8.1 Master Sign Program Contents

All sign programs shall address, at a minimum, the following:

1. Permitted signs.
2. Prohibited signs.
3. The hierarchy of signage.
4. Definition of types of signs.
5. Locations and dimensions for monument signs, neighborhood identification signs, and public facilities signs.
6. Locations and dimensions of directional signage.
7. Provisions for size, location, and duration of display of temporary signs.
8. Permitted sign types, styles, construction materials, colors, and lettering styles.
9. Requirements for a sign permit application.
 - a. Procedures for obtaining approval of a sign permit.
 - b. Procedures for amendments to the sign program.

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6.9 LIGHTING

6.9.1 Street Lights along Public Streets

Streetlights along public streets, within the Esperanza Specific Plan shall be high-pressure sodium vapor. Design of fixtures shall be approved by the City as part of the City's Development Plan Review.

6.9.2 Alley Lighting Fixtures

Alley lighting fixtures shall be on sensors for automatic nighttime lighting. Style and specifications for alley lights shall be approved by the City as part of the City's Development Plan Review.

6.9.3 Lighting within Parks, Paseos, Tot Lots and Other Recreational Areas

Lighting within Parks, paseos, tot lots and other recreational areas shall be approved by the City as part of the City's Development Plan Review of these facilities.

6.10 PARK FURNITURE

Park furniture, including but not limited to, benches, barbeques and picnic tables, shall be approved as part of the City's Development Plan Review of parks, paseos and other public gathering places.

6.11 BUS SHELTERS

Bus shelters shall be installed in a number of locations designated by OmniTrans and shall be compatible with the architectural character established at the project entries to Esperanza.

6.12 MAILBOXES

Within RD-3 through RD-8 Residential Planning areas mailboxes shall be clustered and installed in locations approved by the City as part of the City Development Plan Review of each resident project within Esperanza.

Endnotes

- 1 Revised total residential units.
- 2 Revised section title and Open Space requirements.
- 3 Revised table to include Rowtown under RD-6
- 4 Revised table to include RD-6 (PA-) under Townhome.

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Compare Results

Summary of Comments on Esperanza Sect 7.indd

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Old File:

Esperanza Sect 7.pdf

7 pages (65 KB)

9/4/2020 11:30:04 AM

versus

New File:

Esperanza Sect 7R.pdf

9 pages (69 KB)

9/8/2020 5:17:00 PM

Total Changes

59

Content

2 Replacements

38 Insertions

19 Deletions

Styling and Annotations

0 Styling

0 Annotations

[Go to First Change \(page 2\)](#)

SECTION 7. IMPLEMENTATION

The City of Ontario will adopt the Esperanza Specific Plan by ordinance. Following approval by the City, the Esperanza Specific Plan will serve as the implementation tool for the NMC General Plan as well as the zoning for the Specific Plan area. Concurrently with the adoption of the Specific Plan, the City Planning Commission will also approve tentative tract maps establishing legal residential lots within the Esperanza Specific Plan area.

7.1 METHODS AND INTERPRETATION

Development within the Esperanza Specific Plan shall be implemented through the approval by the City of tentative and final tract maps and through development plans approved through the Development Plan Review process as established in the City of Ontario Development Code. The implementation process described below provides the mechanisms for review and approval of development projects within the Esperanza Specific Plan area.

7.2 APPLICABILITY

All development proposals within the Esperanza Specific Plan shall be subject to the implementation procedures established herein. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Esperanza Specific Plan shall take precedence.

7.3 INTERPRETATION

Unless otherwise provided, any ambiguity concerning the content or application of the Esperanza Specific Plan shall be resolved by the City of Ontario Planning Director (Director) or

his/her designee in a manner consistent with the goals, policies, purpose and intent established in this Specific Plan.

7.4 SEVERABILITY

If any portion of these regulations is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

7.5 IMPLEMENTATION OF DESIGN GUIDELINES

Adoption of the Esperanza Specific Plan by the City includes adoption of the design guidelines contained herein, which shall be the design criteria by which development projects within the Specific Plan area will be reviewed during Development Plan Review. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review by the City of developer projects during Development Plan Review.

Any major deviation from the design guidelines within the Esperanza Specific Plan shall require approval by the Planning Commission. The determination of a major deviation from the design guidelines shall be made by the Director.

7.6 DEVELOPMENT REVIEW PROCESS

7.6.1 Subdivision Maps

Approval of tentative tract maps may occur concurrently with the adoption of the Esperanza Specific Plan. All tentative and final tract maps will be reviewed and approved pursuant to applicable provisions of the City of Ontario Subdivision Ordinance and consis-

tent with the applicable provisions of Land Use, Infrastructure, Design Guidelines, and Development Regulations contained within the Esperanza Specific Plan.

7.6.2 Development Plan

All development projects within Esperanza shall be subject to the Development Plan Review Process as established in Article 8 of the City's Development Code. Pursuant to these provisions, the Development Plan process constitutes a design review of project architecture, site plans, and landscape plans. Adoption of the Specific Plan by the City includes adoption of the design guidelines contained within the Specific Plan and which provide direction for the design of development projects within Esperanza. Where the Esperanza Specific Plan development regulations and design guidelines are silent, the applicable development regulations and design guidelines contained within the City's Development Code shall apply. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review by the City of developer projects during design review.

All development project applications shall include a landscape and irrigation plan describing plant materials and their growth habits, plant size and spacing, methods of irrigation and landscaping maintenance, site plans, architectural elevations, floor plans, grading plans and other requirements as specified by the City.

7.6.3 Additional Entitlement Requirements

All entitlement applications shall prepare and submit a Conceptual Utilities Systems Map, Integrated Waste Management Report, and Solid Waste Handling Plan in accordance with requirements of the Development Application.¹

7.7 DWELLING UNIT ALLOCATIONS

The Esperanza Land Use Plan allocates a maximum number of dwelling units to each residential Planning Area. Variations in number of dwelling units, per Planning Area, may occur at the time of final design of the Planning Area subject to approval by the City and agreement by affected property owners/developers, depending upon the residential product identified for development. Variations in allocation of units within the Planning Areas of the Esperanza Specific Plan are permitted provided the increased number of dwelling units in a Planning Area does not exceed 15% and the maximum dwelling unit count for the entire Specific Plan area does not exceed that established for Esperanza.

1. Water and Sewer Technical Studies shall be prepared to study how the transfers change the quantity and locations of sewer and water demands and how those changes impact the Water and Sewer Master Plan Systems and local sewer and water systems.
2. If unit transfers result in net changes to the overall projected water demands, then the initializing project shall be responsible for processing an Amendment to the Water Master Plan as part of the entitlement process of Implementation.
3. If unit transfers result in net changes to the overall projected sewer demands or the sewer demands are transferred between different Master Plan Trunk Sewer Tributary Areas and Specific Plan Sewer Tributary Areas, then the initializing project shall be responsible for processing an Amendment to the Sewer Master Plan as part of the entitlement process of Implementation.²

7.8 SPECIFIC PLAN MODIFICATIONS AND AMENDMENTS

7.8.1 Minor Modifications

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"1. Water and Sewer Technical Studies shall be prepared to study how the transfers change the quantity and locations of sewer and water demands and how those changes impact the Water and Sewer Master Plan Systems and local sewer and water systems. 2. If unit transfers result in net changes to the overall projected water demands, then the initializing project shall be responsible for processing an Amendment to the Water Master Plan as part of the entitlement process of Implementation. 3. If unit transfers result in net changes to the overall projected sewer demands or the sewer demands are transferred between different Master Plan Trunk Sewer Tributary Areas and Specific Plan Sewer Tributary Areas, then the initializing project shall be responsible for processing an Amendment to the Sewer Master Plan as part of the entitlement process of Implementation. 2 All entitlement applications shall prepare and submit a Conceptual Utilities Systems Map, Integrated Waste Management Report, and Solid Waste Handling Plan in accordance with requirements of the Development Application. 1"

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"7.6.3 Additional Entitlement Requirements"

The following constitute minor modifications to the Specific Plan, not requiring a Specific Plan Amendment, and are subject to review and approval by the Zoning Administrator. The Zoning Administrator shall have the discretion to refer any such request for modification to the Planning Commission or the City Council.

1. Change in utility and/or public service provider.
2. Collector roadway alignment when the change results in a centerline shift of less than 250 feet.
3. An increase of more than fifteen percent (15%) in the number of units within an individual Planning Area are subject to approval of the City and agreement of the property owners, provided the total number of units for the entire Specific Plan area does not exceed that established in the Specific Plan.
4. Adjustment of a Planning Area boundary or acreage designated for a Planning Area provided the total acreage of the affected Planning Area does not increase by more than 15%.
5. Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the conceptual design set forth in the design guidelines contained within the Specific Plan.
6. Minor changes to the design guidelines, which are intended to be conceptual in nature only, and are intended to be flexible in implementation.
7. Other modifications of a similar nature to those listed above, which are deemed minor by the Zoning Administrator, which are in keeping with the purpose and intent of the approved Esperanza Specific Plan and which are in conformance with the NMC General Plan.

7.8.2 Reversion of Planning Area 11 to Residential Uses

The NMC General Plan established a total residential unit allocation of 1,456 units for the Esperanza Specific Plan. The Land Use Plan for Esperanza designates a total of 1,410 residential dwelling units within Planning Areas 1-10 and reserves Planning Area 11, a 10.02 acre site, for purchase and use by the Mountain View School District (School District) of an elementary school. In the event the School District does not purchase Planning Area 11 for development of an elementary school Planning Area 11 may revert to a Residential - Low Density zoning district permitting development of a maximum of 46 residential dwelling units subject to approval by the City of a Specific Plan Amendment. On XX-XX, 2020 a request for an increase in density for Planning Area 4, from 6.26 gross DU/AC to 14.0 gross DU/AC and an accompanying general plan amendment to increase the density from low density residential (2.1-5 DU/AC) to medium density residential (11.1-25 DU/AC) was approved, which increased the total residential allocation of 1,640 units (1,594 units if the school remains a school). The Environmental Impact Report prepared for the Esperanza Specific Plan has evaluated the impacts of development of Planning Area 11 alternatively for 46 residential dwelling units in conjunction with the analysis of all other project related impacts. Development of Planning Area 11 for residential land uses shall be subject to all other review and administrative and discretionary approvals requirements required for residential land uses as established within the Esperanza Specific Plan.

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"7.8.2 Reversion of Planning Area 11 to Residential Uses"
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[Old]: "establishes"
[New]: "established"
- Text Inserted
"On XX-XX, 2020 a request for an increase in density for Planning Area 4, from 6.26 gross DU/AC to 14.0 gross DU/AC and an accompanying general plan amendment to increase the density from low density residential (2.1-5 DU/AC) to medium density residential (11.1-25 DU/AC) was approved, which increased the total residential allocation of 1,640 units (1,594 units if the school remains a school)."
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"7.9 VARIANCES Variances and Administrative Exceptions to the development regulations contained in the Esperanza Specific Plan with respect to landscaping, screening, site area, site dimensions, yards and projects into yards, heights of structures, distances between buildings, open space and off-street parking and loading can be considered pursuant to Article 10, "Variances and Administrative Exceptions" of the City of Ontario Development Code. 7.10 CONDITIONAL USE PERMITS Uses specified as conditionally permitted uses within Section 6, "Development Regulations, of the Esperanza Specific Plan shall be reviewed and approved by the City pursuant to the requirements of Article 9, "Conditional Use Permits.""
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"3"
- Graphic Element Deleted
- Text Deleted
"Amendments to the Esperanza Specific Plan may be requested by the applicant or by the City at any time pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments. In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) are responsible for preparing the necessary CEQA documentation."
- Text Deleted
"7.8.3 Specific Plan Amendments"
- Text Deleted
"7.8.2 Reversion of Planning Area 11 to Residential Uses"
- Image Inserted

7.8.3 Specific Plan Amendments

Amendments to the Esperanza Specific Plan may be requested by the applicant or by the City at any time pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments. In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) are responsible for preparing the necessary CEQA documentation.

7.9 VARIANCES

Variations and Administrative Exceptions to the development regulations contained in the Esperanza Specific Plan with respect to landscaping, screening, site area, site dimensions, yards and projects into yards, heights of structures, distances between buildings, open space and off-street parking and loading can be considered pursuant to Article 10, "Variations and Administrative Exceptions" of the City of Ontario Development Code.

7.10 CONDITIONAL USE PERMITS

Uses specified as conditionally permitted uses within Section 6, "Development Regulations, of the Esperanza Specific Plan shall be reviewed and approved by the City pursuant to the requirements of Article 9, "Conditional Use Permits."

7.11 COMPLIANCE WITH MITIGATION MONITORING PLAN

Certification of an Environmental Impact Report (EIR) shall be required prior to approval of the Esperanza Specific Plan. Development within the Esperanza Specific Plan area shall comply with all approved mitigation measures as described in the Mitigation Monitoring Program included as part of the Esperanza EIR.

7.12 PROJECT PHASING

Phasing of the Esperanza Specific Plan will meet the following objectives:

- Orderly build-out of the community based upon market and economic conditions.
- Provision of adequate infrastructure and public facilities as determined and deemed necessary by the City Engineer concurrent with development of each phase.
- Protection of public health, safety and welfare.
- Accommodation of continued agricultural operations within the proposed Specific Plan area.

7.12.1 Residential Development

The phasing of residential development areas will be determined by the developer. The development of residential uses will be implemented through the approval of tentative and final tract maps and development permits for each Planning Area as developed. Appropriate levels of infrastructure and community facilities shall be subject to the review and approval of the City Engineer and shall be installed and available to serve each subsequent phase of residential development as it occurs.

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"7.8.3 Specific Plan Amendments Amendments to the Esperanza Specific Plan may be requested by the applicant or by the City at any time pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments. In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) are responsible for preparing the necessary CEQA documentation."

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7.12.2 Infrastructure

Backbone infrastructure to serve all areas of Esperanza shall be installed by the developer in accordance with the City's adopted Master Plan or any approved amendments to it. Infill service mains will be installed and constructed in phases as development proceeds and conditioned by the City Engineer's office to support individual phases of development, which may require installation of offsite infrastructure improvements beyond a given phase boundary.

Grading and installation of infrastructure to serve Esperanza are anticipated to be completed in three phases. Following completion of grading and infrastructure installation, the developer will construct models for each product type within each neighborhood. Phase I will include installation of infrastructure adequate to serve Planning Areas 5-9 located south of Merrill Avenue between Milliken Avenue and Mill Creek Avenue. Phase II will include installation of infrastructure adequate to serve Planning Areas 4A and 10, as well as the school site. Phase III will include installation of infrastructure adequate to serve Planning Areas 1-4B and the Neighborhood Park. As the Specific Plan is Phased, the following minimum criteria shall be met for each Subdivision and Development of each Phase:

1. For Domestic Water, all the Master Plan, Regional and Local Infrastructure identified in Section 5 and the Conceptual Domestic Water Plan for the Water Pressure Zone that the Phase is within shall be completed as part of the Phase's infrastructure requirements. Also, any domestic water infrastructure necessary to provide primary looping, secondary looping, and meet all hydraulic criteria and fire flow shall be completed as part of the Phase's infrastructure requirements.
2. For Recycled Water, all the Master Plan, Regional and Local Infrastructure identified

in Section 5 and the Conceptual Recycled Water Plan for the Recycled Water Pressure Zone that the Phase is within shall be completed as part of the Phase's infrastructure requirements. Also, any recycled water infrastructure necessary to provide primary looping, secondary looping, and meet all hydraulic criteria shall be completed as part of the Phase's infrastructure requirements.

3. For Sewer, all the Master Plan, Regional and Local Infrastructure identified in Section 5 and the Conceptual Sewer Plan for the Master Plan Sewer Tributary Area that the Phase is within and upstream of shall be completed as part of the Phase's infrastructure requirements. Also, any sewer infrastructure necessary to meet all hydraulic criteria shall be completed as part of the Phase's infrastructure requirements.

7.12.3 Parks

Following issuance of Certificates of Occupancy for no more than 50% of the total dwelling units within Esperanza, Park 1, the Neighborhood Park, will be developed. The timing for installation of infrastructure and utilities and the provision of public services will be determined as part of the City's approval of tentative maps of development plans. Facilities will be constructed and services made available in a timely manner as development progresses. Pocket Park 2 will be developed at the time of issuance of 50% of Certificates of Occupancy for Planning Area 5. Pocket Park 3 will be developed at the time of build-out of Planning Areas 6 and 7 combined. Pocket Park 4 will be developed at the time of issuance of 50% of Certificates of Occupancy for Planning Areas 8 and 9. Pocket Park 5 will be developed at the time of issuance of 50% of Certificates of Occupancy for Planning Area 10.

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"As the Specific Plan is Phased, the following minimum criteria shall be met for each Subdivision and Development of each Phase: 1. For Domestic Water, all the Master Plan, Regional and Local Infrastructure identified in Section 5 and the Conceptual Domestic Water Plan for the Water Pressure Zone that the Phase is within shall be completed as part of the Phase's infrastructure requirements. Also, any domestic water infrastructure necessary to provide primary looping, secondary looping, and meet all hydraulic criteria and fire flow shall be completed as part of the Phase's infrastructure requirements. 2. For Recycled Water, all the Master Plan, Regional and Local Infrastructure identified in Section 5 and the Conceptual Recycled Water Plan for the Recycled Water Pressure Zone that the Phase is within shall be completed as part of the Phase's infrastructure requirements."
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7.12.4 Community Facilities and Services

The timing for installation of community facilities and payment of impact fees for public improvements and services for the Esperanza Specific Plan will be determined as part of the City's approval of tentative tract maps in accordance with the provisions of the existing City development impact fee ordinances. Community facilities such as bike trails will be developed in conjunction with construction of the public street improvements.

7.13 APPEALS

Appeals from any determination of the City Planning Director, Zoning Administrator or the Planning Commission, may be made by the applicant or any other aggrieved party filing an application on forms provided by the City of Ontario and accompanied by the appropriate filing fee, where applicable, within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of Article 5, "Appeals" of the City of Ontario Development Code.

7.14 PROJECT FINANCING

The financing of construction, operation, and maintenance of public improvements and facilities (the "facilities"), and public services will include funding through a combination of financing mechanisms. Final determination as to the facilities to be constructed and as to maintenance responsibilities, whether publicly or privately maintained, will be made prior to recordation of final maps. In order for the project to be fiscally self-sufficient, the following financing options can be considered for implementation.

7.14.1 Facilities and Services

- Private capital investment for the construction of facilities.

~~Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services.~~

7.14.2 Operation and Maintenance

- By individual private property owner.
- By private property owners or Home Owners Association (HOA).
- By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district.

City Council approval is a prerequisite for the implementation and establishment of any and all special district-financing mechanisms. The use of the Mello-Roos Community Facilities District Act of 1982 (the "Act") to finance public facilities and services will be at the City's sole discretion. Moreover, the use of the Act must be consistent with the City's adopted goals and policies concerning the use of the Act.

7.15 MAINTENANCE RESPONSIBILITIES

The public and private improvements constructed within Esperanza will be maintained through a combination of public and private entities as described below and in Table 5.

7.15.1 Public Maintenance

1. All streets and sidewalks serving residential product areas RD-1 through RD-6 single family detached or attached residential will be dedicated as public streets to the City of Ontario and will be maintained by the City.
2. Landscape improvements within the public right-of-way of Master Plan streets, neighborhood edges, community and neighborhood entries, and public street lights within Esperanza shall be maintained through a

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 "Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services."

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 "7.14.2 Operation and Maintenance • By individual private property owner. • By private property owners or Home Owners Association (HOA). • By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district."

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 "Private capital investment for the construction of facilities. • Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services. 7.14.2 Operation and Maintenance • By individual private property owner. • By private property owners or Home Owners Association (HOA). • By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district."

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 "Private capital investment for the construction of facilities."

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 "Ontario Esperanza Specific Plan 7.78"

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Section 7. IMPLEMENTATION

	City/CFD	Private Homeowners Association (HOA)	Private Homeowner	Utility Entity
Master Plan Roadways (Bellegrave Avenue, Milliken Avenue, Mill Creek Avenue, Merrill Avenue)	•			
Interior Public Project Streets (curb to curb for primary entry streets, secondary entry streets, and neighborhood streets)	•			
Parkways of Master Plan Roadways and Neighborhood Edges (curb to perimeter walls, including landscape, sidewalks and street lights)	•			
Parkways of Interior Project Streets (landscaping and sidewalks)		•		
Traffic Signals and Street Lights	•			
Traffic Control Signs	•			
Alleys and Drive Aisles		•		
Interior Streets within Single-Family Attached (Multi-Family) Dev.		•		
Off-site and In-Tract Water, Sewer, and Storm Drain Improvements (only those facilities in public roads and those in private streets within public utilities easements that meet public improvement design criteria)				•
On-site water, sewer, and storm drain improvements (improvements that are: private, laterals, and lines behind meters and /or DCDAs, improvements serving only one lot/parcel, not within public or private roads, not within public utility easements, or not meeting public improvement design criteria)		•		
Neighborhood Park		•		
Pocket Parks		•		
Linear Parks		•		
Private Recreation Areas		•		
Front Yard and Corner Streetside Landscaping for Single Family Detached Areas RD-1 through RD-4			•	
Front Yard and Corner Streetside Landscaped Areas RD-5 through RD-8		•		
Community Theme Wall on Master Planned Roadways (outside face for graffiti removal and paint)	•			
Community Theme Wall on Master Planned Roadways: Surface (interior) opposite streetside (structural integrity and face repair)		•		
Private Interior Yard Walls		•	•	
Alley Landscaping and Lighting		•		
Police and Fire	•			
Electricity and Natural Gas				•
Communication Systems	•			•
NPDES Facilities (onsite) W.Q.M.P. (1)	•			
NPDES Facilities/Interim Detention Basin on Private Property		•		

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"Section 7. IMPLEMENTATION"
- Table Row(s) Deleted
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"Off-site and In-Tract Water, Sewer, and Storm Drain Improvements (only those facilities in public roads and those in private streets within public utilities easements that meet public improvement design criteria)"
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- Table Row(s) Inserted
- Graphic Element Inserted
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"Notes: (1) Only those facilities in public roads and/or easements, including Table 5 Maintenance Responsibilities restoration work following public street repair."
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"7.79 Ontario Esperanza Specific c Plan"
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Table 5
Maintenance Responsibilities

Notes:
(1) Only those facilities in public roads and/or easements, including restoration work following public street repair.

landscape and lighting district or other special maintenance district established by the City for the New Model Colony.

3. All on site water, sewer, and storm drain facilities that meet public improvement design criteria within the public streets or easements dedicated to the City shall be constructed by the developer and, upon acceptance, shall be maintained by the City.

4. Offsite infrastructure improvements such as water, sewer and storm drain facilities will be maintained by the City. The City intends to participate in a Regional Water Quality Basin. In the event permanent on site basins are developed within Esperanza as an alternative to a regional water quality basin, such facilities shall be maintained by the HOA.

5. NPDES facilities within public streets and/or easements. Operation and Maintenance (O&M) requirements for all NPDES storm water runoff source control and treatment control Best Management Practices (BMP's) shall be identified in the approved Water Quality Management Plan for the project. An O&M Plan shall be created to ensure ongoing long-term maintenance of all structural and non-structure BMP's.

enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the HOA or other entity maintaining those enhancements.

• Courts, parkways and landscaping within the residential areas.

• Parkway of Interior Local Streets including sidewalks, landscaping and street lights as well as common areas distinct to individual residential types and neighborhoods.

• Maintenance of interior local streets including landscaping and associated architectural monument elements required to restore these areas to their condition as originally installed.

• Internal slopes fronting streets and slope areas in the rear of homes.

• All internal open spaces, parks, and common areas.

• NPDES facilities within private streets and/or common areas.

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"enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the HOA or other entity maintaining those enhancements."

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"that meet public improvement design criteria"

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"• Courts, parkways and landscaping within the residential areas. • Parkway of Interior Local Streets including sidewalks, landscaping and street lights as well as common areas distinct to individual residential types and neighborhoods. • Maintenance of interior local streets including landscaping and associated architectural monument elements required to restore these areas to their condition as originally installed. • Internal slopes fronting streets and slope areas in the rear of homes. • All internal open spaces, parks, and common areas. • NPDES facilities within private streets and/or common areas."

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7.15.2 Homeowner Association


A Homeowner Association will be established for the maintenance of common area landscape improvements within residential areas of Esperanza. Improvements to be maintained by the Homeowner Association include:


- Designated private alleys and adjacent landscaping.
- Designated private streets and landscaping. During the course of maintenance of public utilities within public streets, private streets, private drive aisles, or alleys, the City will restore the streets to City standards for trench backfill, pavement repair, and hardscape or landscape, as applicable. Restoration of any


Endnotes


- 1 Added 7.6.3 per OMUC.
- 2 Added to 7.7 per OMUC.
- 3 Added information regarding increase in total unit count and increased density for PA4
- 4 Added "attached" to residential type.
- 5 Revised language to 7.14.1 per OMUC.

Page: 9

 Text Inserted
"Endnotes"

 Text Replaced
[Old]: "enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the HOA or other entity maintaining those enhancements."
[New]: "1 Added 7.6.3 per OMUC. 2 Added to 7.7 per OMUC. 3 Added information regarding increase in total unit count and increased density for PA4. 4 Added "attached" to residential type. 5 Revised language to 7.14.1 per OMUC."

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"Ontario Esperanza Specific Plan 7.78"

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"Courts, parkways and landscaping within the residential areas. • Parkway of Interior Local Streets including sidewalks, landscaping and street lights as well as common areas distinct to individual residential types and neighborhoods. • Maintenance of interior local streets including landscaping and associated architectural monument elements required to restore these areas to their condition as originally installed. • Internal slopes fronting streets and slope areas in the rear of homes. • All internal open spaces, parks, and common areas. • NPDES facilities within private streets and/ or common areas."

9/9/2020 11:38:41 AM

Compare Results

Summary of Comments on Esperanza Sect 8A.indd

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Old File:

Esperanza Sect 8A.pdf

40 pages (62.27 MB)
9/4/2020 11:35:54 AM

versus

New File:

Esperanza Sect 8AR.pdf

41 pages (62.40 MB)
9/8/2020 5:18:40 PM

Total Changes

13

Content

1 Replacement
8 Insertions
4 Deletions

Styling and Annotations

0 Styling
0 Annotations

[Go to First Change \(page 23\)](#)

SECTION 8. DESIGN GUIDELINES

8.1 INTRODUCTION

On a sunny morning in the fall of 1882, George Chaffey stands on a mesa between the floodwater washes of Cucamonga Canyon to the east and San Antonio Canyon on the west, gazing at the country directly in front of him lying at the foot of snow-capped Old Baldy, beneath the Sierra Madre Mountain Range. Having little capital, George would rely on his powers of leadership and vision and, at that moment, would throw his heart and soul into the new colonizing movement sweeping Southern California. With help of his brother William and surveyor J. C. Dunlap, he would purchase 6,218 acres and design what would become the “City of Ontario,” named after his former home in Ontario, Canada. His vision of a model colony featured the first reclamation irrigation system, abundant electricity power and a beautiful parkway that captured the imagination and interest of people throughout the world. His vision was one of hope for a great community. “Esperanza,” which means “hope” in Spanish and accurately describes the original vision intended for the “new” Ontario.

Ontario is a thriving city today, although the orchards and packing houses have since given way to new landmarks such as Ontario Mills, Ontario Convention Center and Ontario International Airport. Hundreds of new businesses have discovered that Ontario is “The Gateway” to Southern California, conveniently located 35 miles east of Los Angeles, and easily accessible to I-10, I-15 and I-60 freeways.

Ontario spans nearly 28,000 square miles, with a population of over 168,000, and is one of Southern California’s fastest growing cities. Ontario’s sun-belt mild weather and 312 days of sunshine, allows you to enjoy the many parks as



well as the nearby mountains, beaches, and deserts. The world-class Empire Lakes Golf Course, designed by Arnold Palmer, will challenge the avid golfer. The wine aficionados will love sampling California’s finest at Galleano Winery, Joseph Filippi Winery, and Vineyards.

8.2 DESIGN GUIDELINES FOR ARCHITECTURAL CHARACTER

Architectural design should provide for high quality neighborhoods.

- Residential project design should consider the total context of the site with the incorporation of appropriate scale and proportions of building massing and details.
- The use of transitional spaces between common and private areas such as entry courtyards, private patios, low walls, and porches is encouraged.
- The variation of both front and rear building setbacks should be implemented to create visual variety.
- The variation of garage placement on adjacent lots is encouraged to provide a more diverse street scene.
- Residential structures should be varied in massing and articulation to provide visual interest.



Neighborhoods should be sustained over time.

- Architectural design themes should reflect historic Southern California styles.
- The use of natural indigenous building materials and colors is encouraged.
- Structures should incorporate genuine architectural details and decorative features.
- Architectural design should relate to human scale.
- The location of doors and windows should consider indoor/outdoor relationships to create intimate and secure spaces.
- Architectural designs should create a cohesive community without dominating the overall street scene.

Building designs should be sensitive to climatic conditions and context.

- Building elevations should consider sun orientation by including shaded and sheltered areas.
- Variation of architectural designs should include methods of protection from inclement weather.

- Residential structures should be compatible with, and responsive to, the environmental setting.
- Building designs should incorporate spaces that encourage outdoor use to take advantage of temperate climatic conditions.

Architectural design should incorporate materials and techniques that are cost effective.

- The use of building materials should reflect the implementation of efficient construction methods.
- Building elevations should include compatible window and doors sizes that create a consistent design theme.
- Construction techniques should incorporate the use of standard components and dimensions.

Varied floor plans and elevations in single-family detached residential architectural packages should be incorporated as follows:

Reverse elevations and floor plans are considered as a separate elevation and floor plan. Reverse floor plans and elevations are considered as a separate floor plan and/or elevation for purposes of implementing the table below.

Number of Dwelling Units	Number of Differing Floor Plans and Elevations
5-10	As required by Planning Commission
11-25	2
26-50	3
51-75	3
76-100	4
Over 100	4; +1 additional floor plan with 4 elevations for each additional 50 units exceeding 100

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Diversity is a fundamental guiding principle at Esperanza. This ensures that neighborhoods are varied and that blanket uniformity is avoided.

Builders are required to produce a minimum of two styles for a 3-plan design program, and three styles for a 4-plan or more design program.

8.3 ARCHITECTURAL CONTEXT

The original model colony of Ontario has a rich agricultural legacy of farming including citrus orchards, grape vineyards and alfalfa fields. Typical of Southern California farming communities, Ontario has a variety of traditional architectural styles. Western European and East Coast architectural details and forms were incorporated into the farm houses and local styles evolved from Country French and Tuscan styles and new interpretations of Monterey, Traditional, Craftsman and Ranch styles were erected. Architectural styles, elements and massing were reinvented utilizing available indigenous building materials. Plan designs and elements such as window sizes and proportions were modified to address local climatic conditions which were warmer and drier. Materials were plaster, stucco and siding with brick, stone or other masonry accent materials. The sunny Southern California climate allowed year round use of outdoor spaces and inspired covered porches and balconies.

Southern California was also influenced by Spanish architectural styles brought to the region by Spanish settlers and missionaries. These homes were well suited for the temperate climate of Southern California. The architectural theme for Esperanza is based upon these historical styles found in Ontario and the architectural styles have been selected in order to be reflective of older neighborhoods of historic Ontario.

Each architectural style outlined in these guidelines should be detailed with elements



that represent the authentic character of that particular style.

Together the styles should be designed to create a neighborhood character that will be sustainable over time. Each home should contribute to the architectural character of the neighborhood. Design elements such as porches, recessed windows, architectural details and accents, alternate garage configurations / orientations, covered balconies, and articulated elevations are encouraged to enhance individual homes and to promote the overall neighborhood character.

8.3.1 Residential Design Objectives

- Interpret architectural styles that are authentic and reflect the historical character of the region.
- Emphasize styles of architecture that are compatible, yet vary enough to create interest and diversity.
- Create visually interesting neighborhood streets by varying elevation and floor plan plotting.
- Utilize authentic materials and colors that reinforce the overall design theme.

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- Emphasize front elevations that relate strongly to the street and contribute to the livability of that realm.
- Provide alternative garage configurations.

The Esperanza Design Guidelines are to be used as a tool to ensure the character and design quality anticipated for the Community. The Guidelines express objectives and approaches rather than formulas and standards, allowing certain architectural creativity and flexibility. The images and sketches illustrated in the Guidelines are intended to be conceptual in nature and are to be used as general visual aids in understanding the basic architectural design intent of Esperanza. They are not meant to depict specific floor plans or architectural elevations.

These Guidelines are organized into the following sections:

- Architectural Styles
- Massing Principles
- Materials & Detailing
- Home Types
- Landscape Design

8.3.2 Architectural Styles

The architectural character within each neighborhood shall consist of complementary traditional architectural styles. The materials and colors of these home styles shall complement the overall neighborhood design.

Architectural styles within each neighborhood and product area within each neighborhood should be compatible with one another and blend with the character of each neighborhood.

Within cluster court style residential products, a consistent architectural style shall be used throughout the individual cluster.

Acceptable architectural styles within Esperanza include:

- Country French
- Tuscany
- Monterey
- Spanish Colonial
- Craftsman
- Traditional
- Western Ranch

The styles selected share similar design attributes and have been selected in response to the following considerations:

- They have a historic relevance to the region.
- They are compatible and complementary.
- They can be interpreted in a variety of ways.
- They are generally accepted by the market.
- They can be constructed using current building materials and methods.

Note: Additional styles proposed by the homebuilder must be submitted to, and approved by, the City of Ontario. Builders may submit home designs using alternative architectural styles that meet the design objectives of the specific plan, provided they are appropriate to the region and compatible with the character of Esperanza.

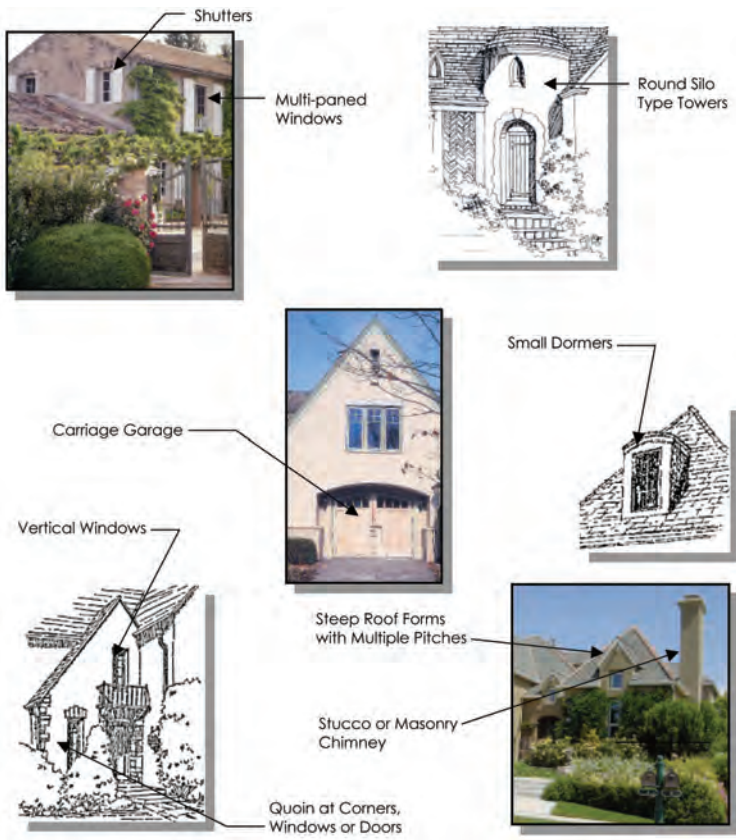
8.3.2.1 Country French

History and Character:

French Country architectural style is based upon early American interpretations of French Medieval architecture that made their way across the United States from the Mississippi regions around the turn of the century. Usually taking the form of larger manor homes and estates, this architectural style was adapted to fit smaller rural homes. The French Country style conveys a romantic and picturesque architecture. American interpretations include houses with simple forms with steeply-pitched roofs.

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Country French

Massing:

- Simple massing with asymmetrical forms and gable roofs.

General Materials:

- Stucco finished walls.
- Deep recessed accents.
- Vertical windows.
- Simple detailing.
- Stucco or masonry chimneys.
- Decorative chimney caps.
- Carriage garage doors or roll-up doors with a variety of panel patterns to reflect architectural style.

Roof Materials and Forms:

- Small dormers.
- Steep roof forms with multiple pitches.
- Gable roof forms, accented with flared roof treatments.
- Large, simple roof planes.
- Gable end venting in various styles.
- Rooflines may extend below window.
- Extended roof overhangs.
- Flat concrete tile to simulate slate materials.
- Round silo type towers.

Detail Elements:

- Decorative shutters.
- Wood balcony railings.
- Deep recessed windows.
- Multi-paned windows.
- Quoin at corners, windows or doors.

8.3.2.2 Tuscany

History and Character:

Tuscan-inspired homes began appearing at the turn of the 20th Century in Southern California as an interpretation of the picturesque movement in art where the architecture was less formalized and more responsive to the natural environs. Arranged building forms of predominantly stucco and stone with tile roofs reflecting the architectural styles of Northern Italy took root in informal plan arrangements and massing.

Massing:

- Simple massing with assembled forms and varied roof forms.

General Materials:

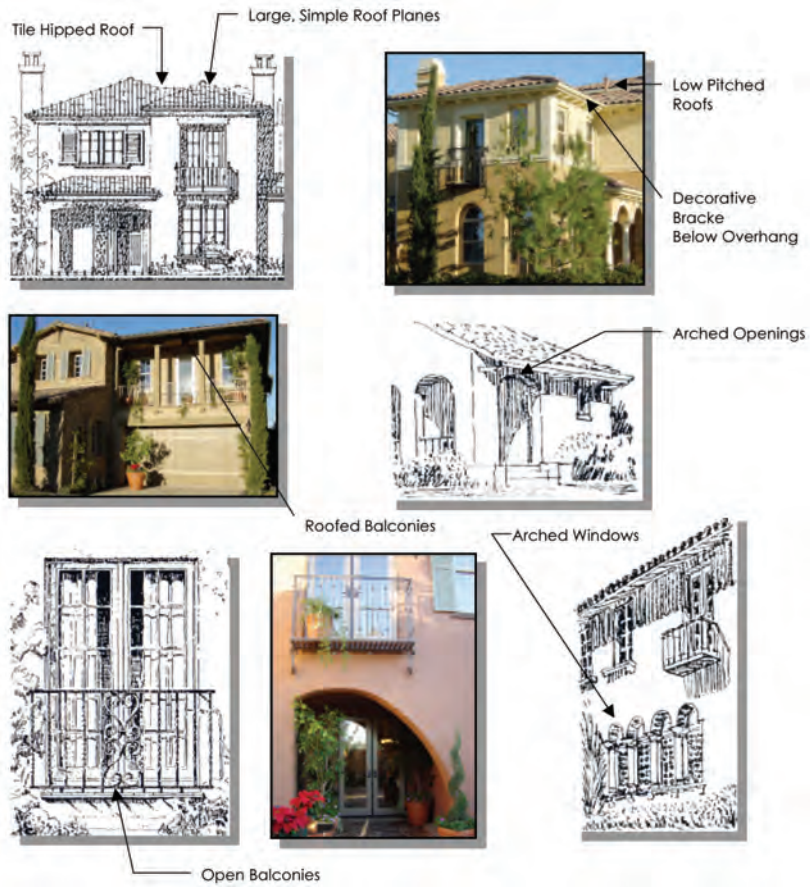
- Stucco finished walls and columns.
- Large, simple roof planes.
- Extended roof overhangs.
- Wood posts or masonry columns.
- Simple stucco chimneys.
- Decorative columns accents.
- Simple wrought iron, metal railings and details.
- Shutters as occasional accent.
- Deep recessed openings.
- Covered patios /porches.

Roof Materials and Forms:

- Tile hipped roofs.
- Low-pitched roofs.
- Stucco eave details or wood corbeled rafter tails.
- Gable end roof vents with decorative stucco accents.
- Gables and appropriate hip roofs.
- Shallow sloped, concrete 'S' tile roofs.

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Tuscany

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Detail Elements:

- Barrel/S-Tile roof.
- Varied stucco finish.
- Shallow pitch roof.
- Exposed rafter tails.
- Arched openings.
- Recessed windows
- Wrought iron accents below windows.
- Vertical proportioned or arched windows.
- Balconies opened or roofed.
- Decorative brackets below roof overhangs.

8.3.2.3 Monterey

History and Character:

The Monterey style is a combination of Spanish construction methods and the basic two-story Eastern Colonial house. The wooden second story enabled single story Spanish Adobe homes to be developed as two story homes. Cantilevered balcony elements defined the front of the house which originally used adobe wall construction. Exposed rafters, gable or hipped roof, simple wood posts and side chimneys that anchor one end of the house, accompany the balcony as Monterey design elements.

Massing:

- Simple, straightforward rectangular or “L” shaped building forms.
- Cantilevered balcony and covered colonnades.

General Materials:

- Stucco on first level.
- Siding on second floor.
- Use of brick or stone on first level.
- Shutter accents.
- Wood or stucco trim.
- Brick and siding used to accent stucco forms.

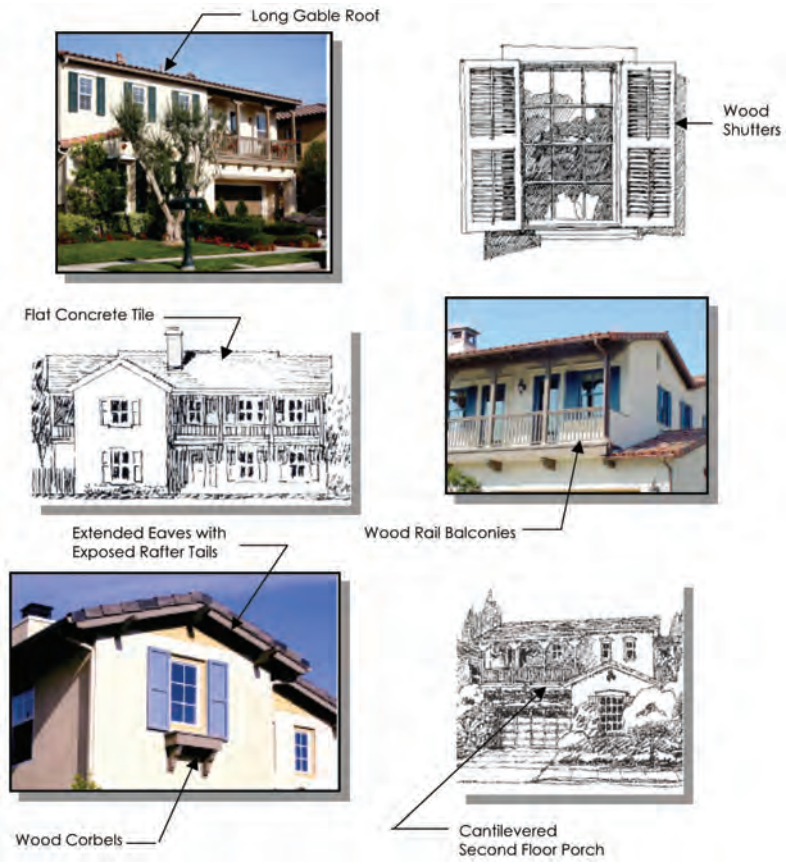
Roof Materials and Forms:

- Flat concrete tile.
- Simple forms with low pitch.
- Gable forms are predominant. (Long gable roof)
- Tight rake ends.
- Extended eaves with exposed rafter tails.

Detail Elements:

- Wood balcony railing.
- Recessed windows, single hung.
- Wood corbels.
- Accent shutters.
- Cantilevered second floor porch.

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Monterey

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8.3.2.4 Spanish Colonial

History and Character:

Spanish Colonial homes are an adaptation of the Mission Revival style, reflecting features such as strong form and mass, plain wall surfaces, and tile roofs. The Spanish Colonial style is often characterized by a semi-formal plan arrangement such as a courtyard design.

Massing:

- Simple massing and forms and varied roof forms

General Materials:

- Stucco finished walls.
- Wood / stucco columns.
- Decorative stucco chimneys.
- Round arches.
- Decorative columns and trim.
- Ornate wrought iron railing and accents.
- Wood shutter accents.
- Thick walls.
- Deep recessed openings.
- Stucco or tile details at gable ends.

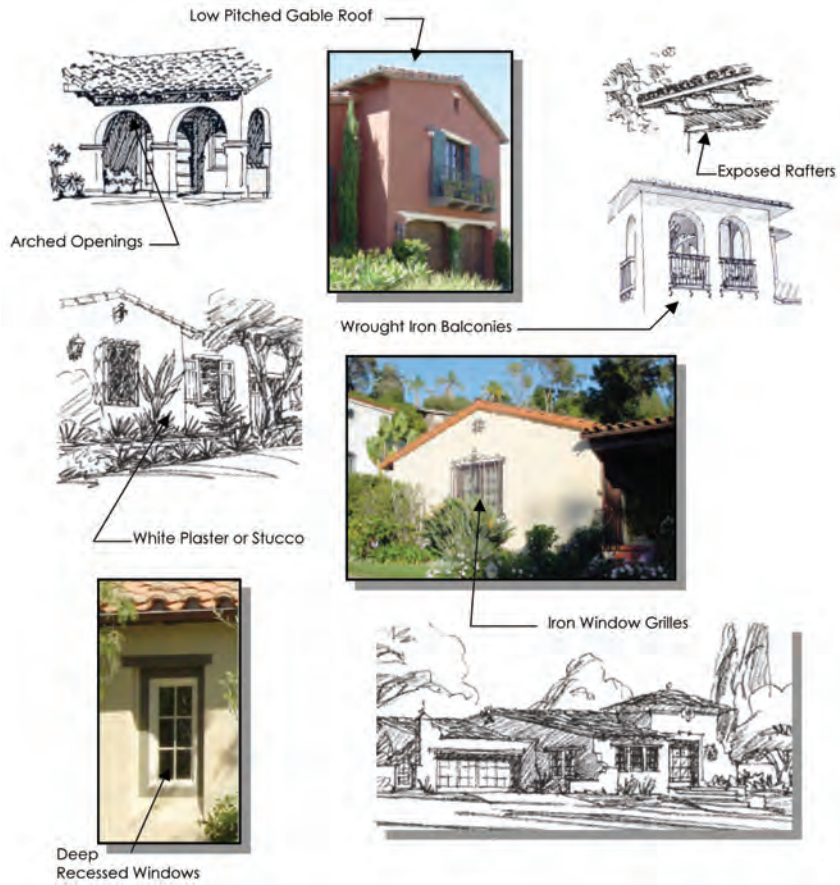
Roof Materials and Forms:

- Low-pitched roofs, with minimal overhang.
- Tight rake ends.
- Extended eaves with exposed rafter tails.
- Gables and hip roofs typical.
- Shallow sloped, concrete 'S' tile roofs.

Detail Elements:

- S-Tile roof.
- Arched window/door openings.
- Recessed window.
- Ornamental wrought iron details.
- Vertical proportioned windows.
- Wrought iron window. Grilles on windows.

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Spanish Colonial

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8.3.2.5 Craftsman

History and Character:

The Craftsman style home evolved from the late 19th century American Arts and Crafts movement. These moderately detailed buildings are characterized by the use of handcrafted architectural elements and details. Broad open porches, low sloping roofs, deep overhangs, multiple gables, trellis features, oversized first floor windows, expressive trim, rafters, brackets, and wood columns with masonry bases characterize the Craftsman style.

Massing:

- Horizontal proportions simple massing often asymmetrical at the second level.

General Materials:

- Simple roof lines with wide projecting gables.
- Covered entry and roofed porches.
- Deep, broad porch elements.
- Expressive structural elements such as rafters, posts, and columns.
- Use of wood, stone or brick at porch columns typical.
- A mixture of materials such as stucco, stone, brick and shingle siding.
- Asymmetrical window and door compositions.

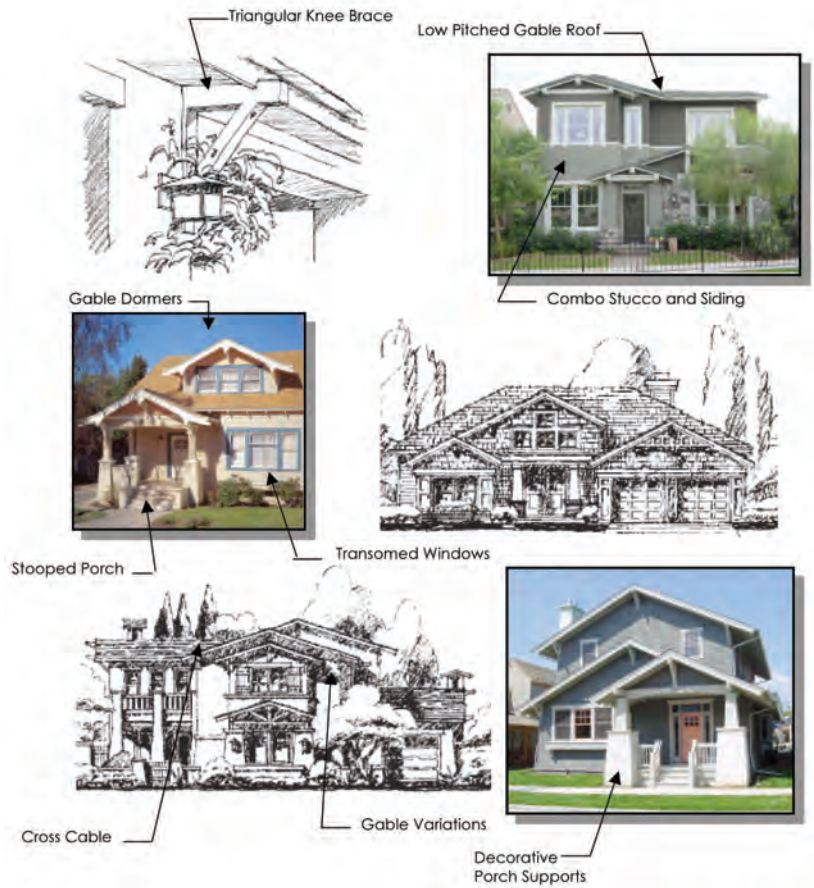
Roof Materials and Forms:

- Predominantly low-pitched gabled roofs, occasional hipped or shed roofs.
- Shallow-pitched roofs with deep overhangs.
- Roof dormers.
- Flat concrete tile or architectural grade asphalt shingle.
- Variation of the gable roof (i.e.: cross gable).

Detail Elements:

- Large gables
- Low pitch roofs with flat concrete tile.
- Windows with accent mullions.
- Exposed rafters and outlookers, triangular knee brace.
- Decorative gable vent detail.
- Decorative porch supports and railings.
- Transomed Windows.

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Craftsman

8.3.2.6 Traditional

History and Character:

The Traditional style is based on classical design principles established the American Colonial period and interpreted or blended with the Prairie and Bungalow regional styles. Massing is horizontal in appearance with vertical proportioned windows and door surrounds. Front porches are common. The houses are composed of simple forms with centered entry elements over the front door.

Massing:

- Simple, symmetrical massing.
- Typical two story rectangular masses with added one-story elements such as porches forming more complex building configurations.

General Materials:

- Symmetrical and asymmetrical composition of doors and windows are common.
- Simple classical details such as columns.
- Siding or stucco with brick veneer accents.
- Front porches with wood columns and railings.

- Porches that extend length of the front elevation.
- Stone and brick veneer.

Roof Materials and Forms:

- Medium roof pitch with pitched roof dormer.
- Shallow roof pitch used over the porch.
- Flat concrete roof tile.
- Dormers reinforce symmetrical elevations.
- Bay windows and shed roofed elements added to simple building forms.
- Cupolas, weather vanes and other decorative roof ornamentations.

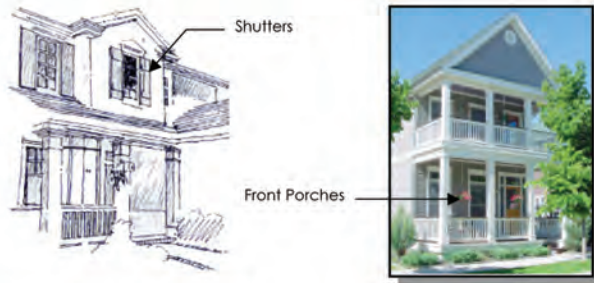
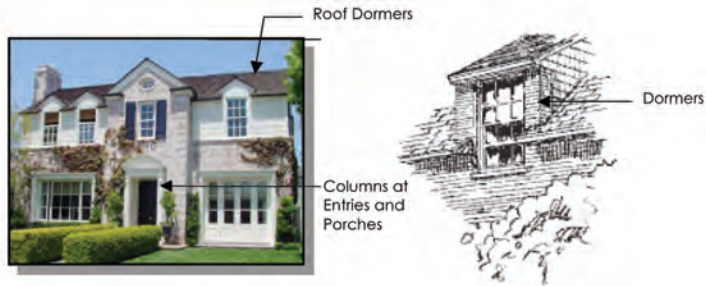
Detail Elements:

- Symmetrical or centered entry feature.
- Shutters accented with color.
- Columns at entries and porches.
- Roof dormers.
- Stooped porches.



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Traditional

8.3.2.7 Western Ranch

History and Character:

The Western Ranch style is reminiscent of the early ranchers and farmers of Southern California. The Ranch Style evolved regionally in response to available building materials and environmental considerations. The distinctive porch covered terrace elements are a natural response to the temperate Southern California climate. Ranch style homes utilized simplified architectural details inspired by Spanish Colonial, Colonial and Monterey architecture.

Massing:

- Simple horizontal massing and rectilinear forms.

General Materials:

- Stucco, board and batten, and horizontal siding.
- Porches along front and rear elevations with a shallow roof break.
- Decorative shutters at windows.
- Wood window trim surrounds.

- Simple column and railing detailing.
- Substantial (8" x 8" min.) wood columns.

Roof Materials and Forms:

- Horizontal gable roofs with medium pitch and deep overhangs.
- Porches with shallow roof pitch.
- Gabled dormers.

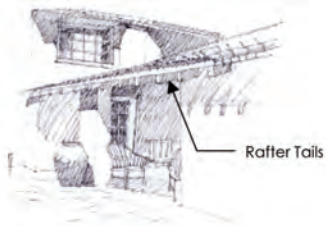
Detail Elements:

- Corbeled wood columns.
- Heavy rafter elements.
- Simple accent shutters.
- Minimum 8" x 8" wood posts.



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Stucco, Board and Batten and Horizontal Siding



Corbeled Wood Columns



Decorative Shutters



Porches along Front and Rear Elevations with a Shallow Roof Break

Western Ranch

8.4 MASSING PRINCIPLES

This section provides suggestions for creating neighborhoods and street scenes that have a variety of building forms that are proportionate to a human-scale and inviting to the pedestrian.

General Elements:

The general elements of building massing include:

- Front Articulation.
- Rear Articulation.
- Garage Placement.
- Roof Form.
- Balconies and Projections.
- Building Offsets/Variable Setbacks.

Objectives:

- Incorporate single-story elements.
- Avoid large flat two-story walls.
- Minimize two-story dominance on street scene, sidewalks and open spaces.
- Vary building setbacks along the street.
- Minimize visual impact of garages.

8.4.1 Front Articulation

Intent:

The front elevation of the home is an important element in creating a quality community at Esperanza. Close attention will be placed on the elevations and how they address the streetscene. Emphasis on location and entry designs, living areas and garages will provide a special street appeal. Emphasis on a variety of building massing will create a diverse street scene.

Guidelines:

- Building massing should reflect the architectural style.

- Massing elements should project enough to avoid elevations that appear to be “tacked on.”
- Building details such as doors and windows should be in proportion to the overall massing.
- Building form is encouraged to reflect the interior uses of the home.
- Front elevations for two-story homes should incorporate a single-story element.
- Recessed two-story elements should create human-scale buildings.
- All homes should have at least two plane variations (excluding the garage) in front elevation massing.

8.4.2 Rear Articulation

Intent:

Special attention shall be given to the design of those dwellings adjacent to, or in close proximity of, major community roadways, common areas, open spaces, or entry features. Whether viewed from distant or close range, massing requirements will be implemented to ensure positive community character in these conditions. Generally, repetitious elements such as similar building profiles and continuous gable ends are to be avoided.

Guidelines:

- Architectural massing and articulation should be consistent with the style of the home.
- Plans shall incorporate projections and/or offsets that extend from the main wall lane.
- Vertical and horizontal plane breaks are encouraged.
- Homes directly adjacent to arterial roadways, collector roads, entry drives, common areas, and open spaces should be given particular attention in their rear articulation, contributing positively to these edges.

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8.5 GARAGE PLACEMENT

Intent:

The configuration, location and orientation of the garage on the lot are integral design elements, both for the composition of the home and its contribution to the streetscene. De-emphasizing the garage is important in order to maintain the overall community design. Emphasizing the living areas of the home as they address the street will achieve this goal.

Placing living areas forward promotes social interaction and facilitates 'eyes on the street' for neighborhood security, while at the same time establishing neighborhood orientation to the pedestrian instead of the automobile.

Guidelines:

- Garage door patterns should vary among elevation types and reinforce the architectural theme of the home.
- Standard 3-car garage configurations are discouraged.

8.5.1 Garage Treatments

The home and the yard rather than the garage must be the primary emphasis of the elevation as seen from the street. Each plan shall incorporate one of the garage design techniques listed below and each parcel shall include at least two of these techniques to reduce the emphasis on the garage; and therefore, enhance the variable massing of the streetscene.

8.5.1.1 Shallow Recessed Garages

Setting the garage back a minimum of three feet in relationship to the front of the house/ or porch is intended to reduce the overall visual mass of the garage. The number of homes with shallow recess garage configurations shall be

limited to 25% of the total number of units in each builder package.

8.5.1.2 Mid or Deep Recessed Garages

Setting the garage back to the middle or rear of the lot. This design treatment is intended to expose more living space areas toward the street, further reducing the visual impact of the garage along the street.

8.5.1.3 Alley Loaded

The use of the alleyways locates garages off a main loop road and creates a more traditional streetscene, with the fronts of the houses facing the street.

8.5.1.4 Split Garage

This treatment de-emphasizes the garage by reducing the length of the continuous door. Typically a one car garage and a one or two car garage are split to provide a variation in the appearance of the home. The single car garage elements in this split condition may option into living space that further enhances the streetscene by replacing the garage door with windows.

8.5.1.5 Tandem Garage

This garage layout de-emphasizes the third garage by concealing it behind a standard two-car garage condition. The tandem space is located so that it may option into living space. The two car garage is typically either shallow or deeply recessed into the lot and incorporated into the architecture of the home.

8.5.1.6 Setbacks

A varied setback is encouraged along the street frontage. Refrain from strict compliance to the minimum garage setback so as not to contrib-

ute to a repetitious and monotonous appearance along the street.

Where garages are adjacent to one another at common property lines, a two-foot minimum difference in setbacks shall occur.

8.6 ACCESSORY STRUCTURES

Intent:

Accessory structures should be designed to reinforce the architectural style of the primary residence.

Guidelines:

- Detached structures, such as casitas, pool cabanas and guest quarters associated with the single-family lot shall be designed to match the style, detail, roof material/pitch and massing criteria of the primary home.
- Detached garages, storage buildings and outdoor sheds should incorporate design features, materials and colors compatible with the primary home.

8.7 ROOF FORM/PITCH

Intent:

- Roof form is another important design element as it relates to the character of the community, observed from both the external edges and inside the neighborhood.
- Variety of roof form along streets creates a positive visual edge.
- Appropriate massing of roof forms helps to create human scale architecture to the street.

Guidelines:

- Roof forms/pitch should reinforce the architectural style of the homes.
- Roofs shall be composed of a series of simple roof forms.

- Primary roof forms should be gable or hip designs.
- Roofs shall vary in massing along street scene and open spaces.
- Changes in the primary roof (ridge) orientation are encouraged.
- Flat roof elements should be minimized and incorporated only if appropriate to the architectural style.

8.8 BALCONIES AND PROJECTIONS

Intent:

As part of the overall design of a two-story dwelling, balconies and projections provide relief and interest at the second story. Balcony projections shall be consistent with the architectural character of the home. Additionally, these elements create ideal outdoor spaces.

8.9 BUILDING OFFSETS/ VARIABLE SETBACKS

Intent:

Quality neighborhood design orients the 'living' areas of the home towards the street. To encourage this orientation, alternative setbacks are allowed for living areas as measured from the back of walk.

The development standards for each planning area/home type including building setbacks are established by the Esperanza Specific Plan. Additionally, building offsets or variable setbacks for both living and garages are encouraged to create variety in street scenes.

Guidelines:

- Setbacks shall be appropriate and proportionate to the housing type and lot size.
- Front setback should be varied along the street. A front offset of a minimum of two

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feet (2') is encouraged between the front walls of adjacent homes.

- Edge conditions such as homes backing to collector roads and back-to-back homes should incorporate variable rear setbacks to create variety.

8.10 MATERIALS AND DETAILS

Architectural materials and detailing are central elements to creating quality communities. Appropriate focus should be given to the architectural details and the design of the details and architectural elements of the home.

General Elements:

The general elements comprising the materials and details of a building are:

- Wall Materials/Finishes.
- Doors and Windows.
- Roofing Materials and Slope.
- Fascias, Eaves and Rakes.
- Accent Materials.
- Exterior Colors.

8.10.1 Wall Materials/Finishes

Approved Materials:

- Board and batten siding.
- Cement plank siding.
- Stucco
- Exposed masonry walls (brick, slump block, etc.)
- Stone, brick, brick veneers (accent materials).

Approved Finishes:

- Stucco finishes appropriate to the architectural style of the home.

- Smooth or sand finishes are encouraged. Heavy or Spanish Lace stucco finishes are prohibited.

Guidelines:

- Building materials should reflect the architectural style of the home.
- Siding materials should be wrapped beyond front elevations and should terminate at an inside corner or extend to the location of the lateral fence.
- Masonry elements and accents should reflect building forms and not appear as an applied veneer.
- Footings shall be exposed no higher than six inches (6") above finished grade.

8.10.2 Accent Materials

Accent materials promote individuality in each home and ensure diverse character within the neighborhood. Accents can be used to reinforce the architectural theme of the home.

Guidelines:

- Accent materials should complement the overall color and style of the home.
- Accent materials shall terminate at inside corners and be wrapped to coincide with an architectural element.
- Accent materials may terminate at location of the lateral fence or at logical end.
- Architectural trim applied to all elevations should be consistent with front elevation of the home.

8.10.3 Doors and Windows

The design and detail of the doors and windows on a home reinforce the architectural style and are key elements in the composition of the exterior elevation of the home.

Guidelines:

- Door designs shall be consistent with the architectural style of the home.
- Doors should be protected by porch elements or recessed entries.
- Garage and entry door design shall be appropriate to the style of the home.
- Maximum garage door height shall be eight feet (8').
- Garage doors should be recessed a minimum of twelve inches (12") from building plane.
- Alignment and proportions of windows shall be appropriate to the architectural style of the home.
- All windows (including garage door windows) are to be consistent with the architectural style of the home.
- Divided light windows are encouraged in keeping with the architectural style.
- Highly reflective glazing is not permitted.
- Window details such as shutters, trim surrounds, window boxes and window recesses are encouraged in keeping with the architectural style.

8.10.4 Roofing Materials and Details

Roofing materials as well as roof forms, pitch and design details are integral elements that reinforce the intended architectural style of the home.

Proposed roofs should be reflective of the architectural style of the home.

Attention should be given to address the context of the roof of each home relative to the adjacent homes along the street.

Approved Roofing Materials:

(Subject to compatibility with the intended architectural style)

- Concrete tile (flat or curved profile)
- Clay tile
- Slate
- High profile composition shingle (3-Dimensional)

Prohibited Roof Materials:

- Wood Shake
- Wood Shingle
- Low Profile Asphalt Composition
- Corrugated Metal

Guidelines:

- Roof materials and roof pitches need to be selected to reinforce the architectural style.
- Standing seam metal roofs painted in non-reflective neutral colors are allowed in appropriate architectural styles.
- Avoid repetition in continuous gable-ends and similar ridge heights.
- Skylights are not allowed on the sloped roofs of the front elevations of the building.

8.10.5 Roof Options

8.10.5.1 Eaves, Fascias and Rakes

Guidelines:

- Eave, fascia and rake proportions are to be appropriate to the architectural style.
- Larger eave overhangs provide opportunities for shading and should be used in appropriate architectural styles.
- Exposed rafter tails shall be a minimum of four inches (4") in thickness.

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- Wood fascias and rafters shall be painted or stained to reinforce the style of the home.
- Attention shall be given to rake return detail.

8.10.5.2 Color

Intent:

Home colors are important to establishing a blended community at Esperanza, yet they should give the impression that each home was designed on its own.

Appropriate color selections make each home unique, but still look natural and in place in the neighborhood context.

Guidelines:

- Diversity of color is encouraged.
- Color shall contribute to distinguishing the overall architectural style of the home.
- Colors should reflect the natural hues found in Southern California.
- Color and hue variation in adjacent homes shall be provided to create neighborhood diversity.

8.10.6 Additional Design Elements

Intent:

Design elements that are utilitarian in nature should be designed as integral features that support the intended architectural style.

Guidelines:

- Exposed gutters and downspouts shall match roof or wall color.
- Faux copper patina is acceptable.
- Rooftop mechanical equipment is prohibited.
- Air conditioning/heating equipment shall be screened from the street and neighboring views and shall be ground mounted.

- Pool, spa, and water softening equipment shall be screened from neighboring views.
- Meters shall be screened from public view to the extent possible.

8.11 HOME TYPES

A variety of housing types, utilizing an architectural program composed of detached and attached housing, are offered at Esperanza. This diversity ensures a range of choices and a mix of homes within each neighborhood. Residences ranging from attached row townhomes and motorcourt townhome/condominiums to alley loaded and traditional single family homes along with innovative home types such as "two-pack" homes and courtyard homes, shall be articulated in traditional architectural styles. Providing a variety of housing programs allows homeowners the opportunity to move-up within the community as their lifestyles and needs change over time.

All project sites shall be designed to meet all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Locations of Collection Area, Accessibility for Collection Vehicles and Collection of Sorted/ Diverted Waste Types.¹

The following pages provide graphic and written information that describes the general appearance of each anticipated home type. Future homebuilders within Esperanza should use these descriptive pages as a guide when designing the home type designated for the appropriate planning area.

Text Inserted
 "All project sites shall be designed to meet all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Locations of Collection Area, Accessibility for Collection Vehicles and Collection of Sorted/ Diverted Waste Types. 1"

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 "• Exposed gutters and downspouts shall match roof or wall color. • Faux copper patina is acceptable. • Rooftop mechanical equipment is prohibited. • Air conditioning/heating equipment shall be screened from the street and neighboring views and shall be ground mounted."

Section 8. DESIGN GUIDELINES

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8.11.1 ROW Townhomes



ROW TOWNHOMES

- Neo-traditional design places garages onto alleys, hidden from streets.
- Grid street pattern reinforces traditional neighborhood pattern.
- Front doors and porches face onto streets and/or greenbelts.
- Neighborhood open space provides a focal point of the neighborhood.



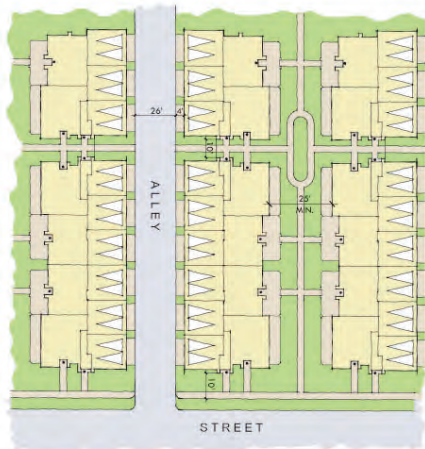
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ROW TOWNHOMES

- Patios / Balconies enhance social interaction
- Front Doors face open space greenbelts
- Street architecture creates traditional front door character
- Garage doors oriented away from neighborhood streets

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATIONS



CONCEPTUAL REAR ELEVATIONS

* Images suggest concept
Row Townhomes

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8.11.2 Cottage Single Family Homes

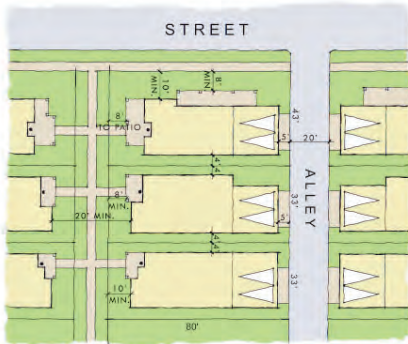


COTTAGE SINGLE FAMILY HOMES

- Neo-traditional design places garages onto alleys, hidden from streets.
- Grid street pattern reinforces traditional neighborhood pattern.
- Front doors and porches typically face onto streets.
- Alternative front door orientation onto greenbelts provide compatible neighborhood edge conditions.
- Public park provides a focal point of the neighborhood.



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COTTAGE SINGLE FAMILY HOMES

- Porches enhance social interaction
- Front Doors can face open space greenbelts
- Garage doors oriented away from neighborhood streets
- Neotraditional street scene places front doors and porches facing neighborhood streets

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATIONS



CONCEPTUAL STREET SCENE

* Images suggest concept

Cottage Single Family Homes

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8.11.3 Motorcourt Homes

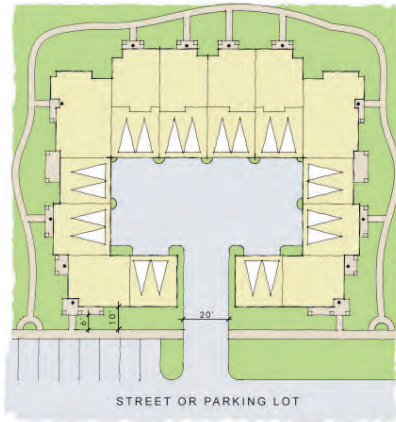


MOTORCOURT TOWNHOMES

- Motorcourt building design minimizes garage orientation along streets and common drives.
- Grid circulation pattern reinforces traditional neighborhood pattern.
- Orientation of front doors, porches and patios onto streets and/or greenbelts is encouraged.
- Neighborhood open space provides a focal point of the neighborhood.



This page contains no comments



MOTORCOURT TOWNHOMES

- Garage doors are oriented around a motorcourt hidden from residential streets
- Front doors face onto open space greenbelts

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATION



CONCEPTUAL REAR ELEVATION

Motorcourt Townhomes

8.11.4 6-Pack Courtyard Single Family Homes



6-PACK COURTYARD SINGLE FAMILY HOMES

- Courtyard design minimizes garage orientation along streets.
- Grid circulation pattern reinforces traditional neighborhood pattern.
- Conventional building design places front doors, porches and patios onto private motorcourts.
- Neighborhood open space provides a focal point of the neighborhood.



Image Inserted

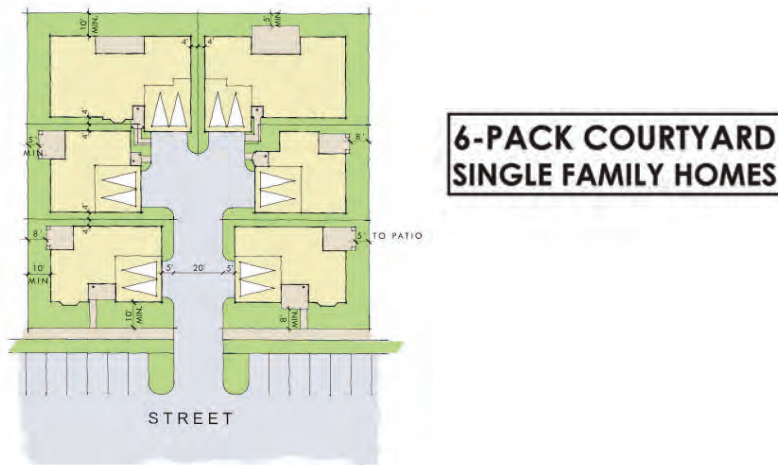
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Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATIONS



CONCEPTUAL PEDESTRIAN COURT VIEW

* Images suggest concept

6-Pack Courtyard
Single Family Homes

This page contains no comments

8.11.5 4-Pack Courtyard Single Family Homes

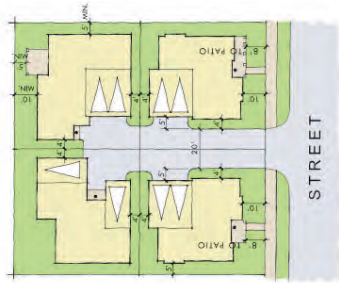


**4-PACK COURTYARD
SINGLE FAMILY HOMES**

- Courtyard design minimizes garage orientation along streets.
- Modified grid street pattern reinforces traditional neighborhood pattern.
- Front doors and porches face onto streets and/or greenbelts.
- Central pocket park provides a focal point of the neighborhood.

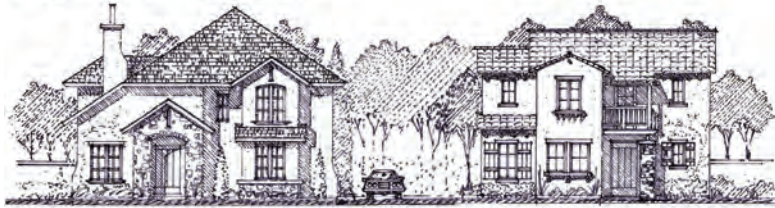


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**4-PACK COURTYARD
SINGLE FAMILY HOMES**

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL STREETSCENE



CONCEPTUAL PEDESTRIAN COURT VIEW

* Images suggest concept

4-Pack Courtyard
Single Family Homes

This page contains no comments

8.11.6 50 Foot Wide Lots (40' Wide Homes)



50 FOOT WIDE LOTS
(40' WIDE HOMES)

- Architecture forward design places living space and porches closer to the street than garages to reinforce pedestrian scale along streets.
- Alternative garage configurations provide further visual relief from the garage along streets.
- Grid street pattern reinforces traditional neighborhood pattern.
- Central pocket park/school provides a focal point of the neighborhood.



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**50 FOOT WIDE LOTS
(40' WIDE HOMES)**

- Architectural elements minimize garage door presence along neighborhood streets
- Front porches and entries are placed forward of the garage
- Alternate garage configurations create pedestrian oriented street scenes.

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATIONS



CONCEPTUAL STREET SCENE

* Images suggest concept

This page contains no comments

8.11.8 55 Foot Wide Lots (45' Wide Homes)



55 FOOT WIDE LOTS
(45' WIDE HOMES)

- Architecture forward design places living space and porches closer to the street than garages to reinforce pedestrian scale along streets.
- Alternative garage configurations provide further visual relief from the garage along streets.
- Grid street pattern reinforces traditional neighborhood pattern.
- Central pocket park provides a focal point of the neighborhood.



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55 FOOT WIDE LOTS
(45' WIDE HOMES)

- Architectural elements minimize garage door presence along neighborhood streets.
- Front porches and entries are placed forward of the garage.
- Alternate garage configurations create pedestrian oriented streetscenes.

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATIONS



CONCEPTUAL STREETSCENE

* Images suggest concept

This page contains no comments

8.11.9 2-Pack Single Family Homes

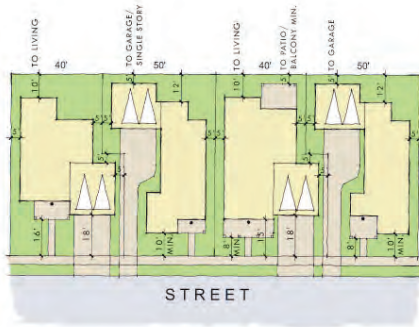


2-PACK SINGLE FAMILY HOMES

- Innovative design provides alternating recessed and deeply recessed garages along streets.
- Grid street pattern reinforces traditional neighborhood pattern.
- Architecture forward design places living space and porches closer to the street than garages to reinforce pedestrian scale along streets.
- Front doors and porches face onto streets.
- Neighborhood open space provides a focal point of the neighborhood.



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2-PACK SINGLE FAMILY HOMES

- Deep recessed garages are hidden by adjacent home
- Deep recessed garages minimizes visible garages from neighborhood streets
- "Architecture forward" plan design places living area and porches in front of garages

Building setbacks per Ontario Esperanza Specific Plan



CONCEPTUAL FRONT ELEVATIONS



CONCEPTUAL STREET SCENE

* Images suggest concept

Endnotes

- 1 Revised per OMUC
- 2 Revised selected area to include PA-4
- 3 Revised map, removed PA 4 from 6-Pack

9/9/2020 11:43:17 AM

Compare Results

Summary of Comments on Esperanza Sect 8B.indd

This page contains no comments

Old File:

Esperanza Sect 8B.pdf

36 pages (35.94 MB)
9/4/2020 11:40:24 AM

versus

New File:

Esperanza Sect 8BR.pdf

37 pages (38.69 MB)
9/8/2020 5:21:28 PM

Total Changes

232

Content

36 Replacements
120 Insertions
75 Deletions

Styling and Annotations

1 Styling
0 Annotations

[Go to First Change \(page 1\)](#)

8.12 DESIGN GUIDELINES FOR LANDSCAPE ARCHITECTURAL CHARACTER

Careful consideration has been given to the design of the community landscape architectural character for the Ontario Esperanza Specific Plan. The following design guidelines are organized to help define the basic landscape design principles for the Ontario Esperanza Specific Plan. Observing these guidelines will help to assure the “design vision” and integrity of this planned community.

All landscape plans, streetscape plans, and graphic designs with regard to community identity, neighborhood identity, or entry monumentation shall conform to the guidelines as set forth herein, and shall be subject to review and approval by the City of Ontario.

The “Conceptual Landscape Master Plan,” Exhibit 30 on the next page shows the perimeter streetscape design, Community entries and monumentation, neighborhood park and mini parks, pedestrian greenbelts, and general landscape features of the Ontario Esperanza Specific Plan area.

8.12.1 Perimeter Streetscape Design

Streetscape design guidelines establish a hierarchy for the landscape development along the surrounding roadways, as well as establishing a framework for consistency of design. Three major arterial roadways surround the Ontario Esperanza Specific Plan area: **Hamner Avenue** to the West, Bellegrave Avenue to the North, and Mill Creek Avenue to the East. Landscape easements associated with these roadways have been defined, as noted in the City of Ontario **Ontario Ranch** General Plan.



Landscape development surrounding this community will help to set the character, while maintaining consistency with the City of Ontario’s pedestrian pathway system illustrated in the Trails and Bikeways section of the **Ontario Ranch** General Plan. The following section discusses the streetscapes for the Esperanza Specific Plan area. Exhibit 31 “Streetscapes Legend” provides a guide to the location of the streetscapes discussed below.

8.12.2 Hamner Avenue

Hamner Avenue streetscape shall include the following:

- A landscaped parkway (15’ wide min.) with a row of street trees (24” Box min.) along both sides of the street.
- A 5’ wide sidewalk along west side of the street.
- A 14’ wide landscaped median with a single row of street trees.
- A landscape easement (neighborhood edge) of 45’ taken from face of curb to perimeter wall.

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Text Replaced	[Old]: "Milliken Avenue Milliken" [New]: "Hamner Avenue Hamner"
Text Replaced	[Old]: "(20" [New]: "(15"
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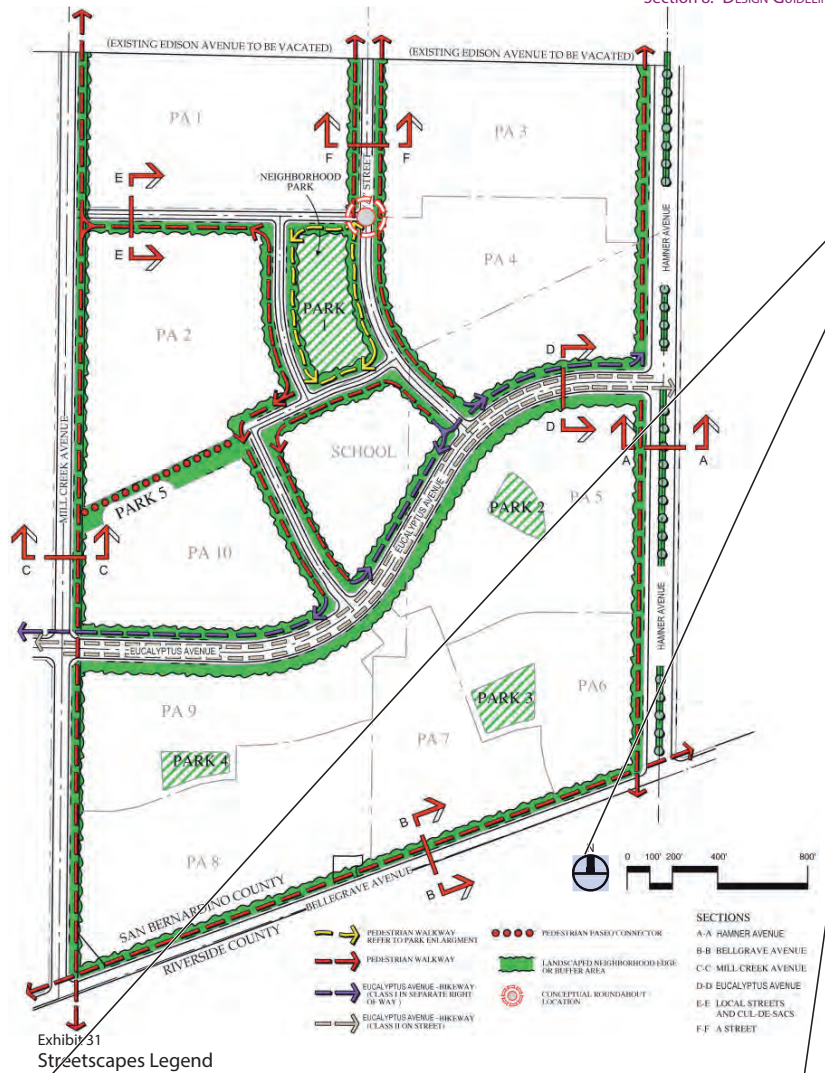


Exhibit 30
Conceptual Landscape Master Plan

Graphic Element Inserted

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Ontario Esperanza Specific Plan

8.123

- Background trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in Exhibit 30, "Conceptual Landscape Master Plan."
- Refer to Exhibit 32, "Hammer Avenue" section for streetscape illustration."

8.12.3 Bellegrave Avenue

Bellegrave Avenue streetscape shall include the following:

- A 5 foot wide lineal sidewalk and a 7 foot wide landscaped parkway along north side of the street.
- A landscape easement (neighborhood edge) of 35' taken from face of curb to perimeter wall on both sides of the street.
- Background trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in the Conceptual Landscape Master Plan, Exhibit 30, "Conceptual Landscape Master Plan."
- Refer to Exhibit 33, "Bellegrave Avenue" section below for streetscape illustration.
- Additional landscaping requirements for well sites along Bellegrave Avenue may include: landscape screening, earth berming or combination of both to screen undesirable views from public.

8.12.4 Mill Creek Avenue

Mill Creek Avenue streetscape shall include the following:

- A 12 foot wide landscaped parkway on the west with an additional 23' landscape ease-

ment include a single row of street trees (24" Box min.) along both sides of the street. The east side of Mill Creek Avenue includes a 12 foot wide landscaped parkway with an additional 50' Southern California Edison (SCE) easement taken from back of improved street right-of-way.

- Provide drought tolerant large shrub (max. 15') and drought tolerant landscaping within the SCE easement.
- Background trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in Exhibit 30, "Conceptual Landscape Master Plan."
- Refer to Exhibit 34, "Mill Creek Avenue" and Exhibit 35 "Mill Creek Avenue at the SCE Corridor" for streetscape illustration."

8.12.5 Interior Streetscape Design

Streetscape design within the interior of the Ontario Esperanza Specific Plan community shall be consistent in character with the perimeter streetscapes and should help to promote pedestrian circulation into the "Community Core."

Where interior streetscapes interface with neighborhood/mini parks and open space, special consideration should be taken to integrate pedestrian circulation into these areas via a streetside pedestrian system that links city sidewalks to active walking trails and open space uses. This is especially important within the multi-family/high density residential planning areas.

Two interior roadways bring residents into the "Community Core," Eucalyptus Avenue, running East/West, and "Street A" that intersects with Eucalyptus Avenue, running North/South.

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"Where interior streetscapes interface with neighborhood/mini parks and open space, special consideration should be taken to integrate pedestrian circulation into these areas via a streetside pedestrian system that links city sidewalks to active walking trails and open space uses. This is especially important within the multi-family/high density residential planning areas."

Graphic Element Deleted

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"Two interior roadways bring residents into the "Community Core," Eucalyptus Avenue, running East/West, and "Street A" that intersects with Eucalyptus Avenue, running North/South."

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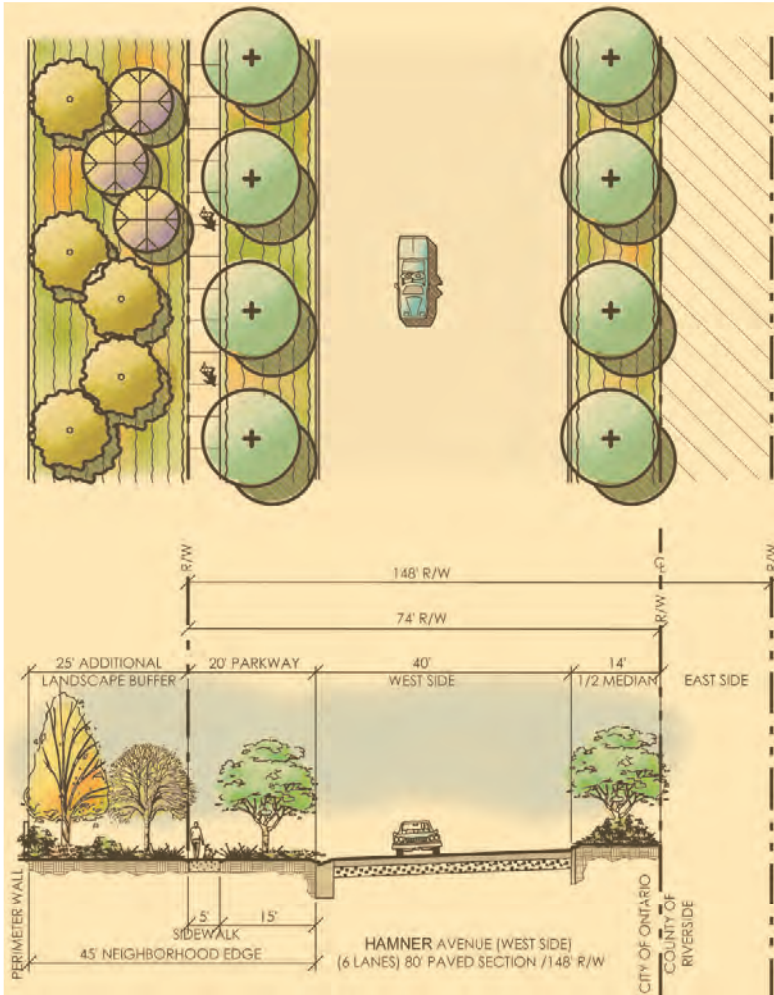
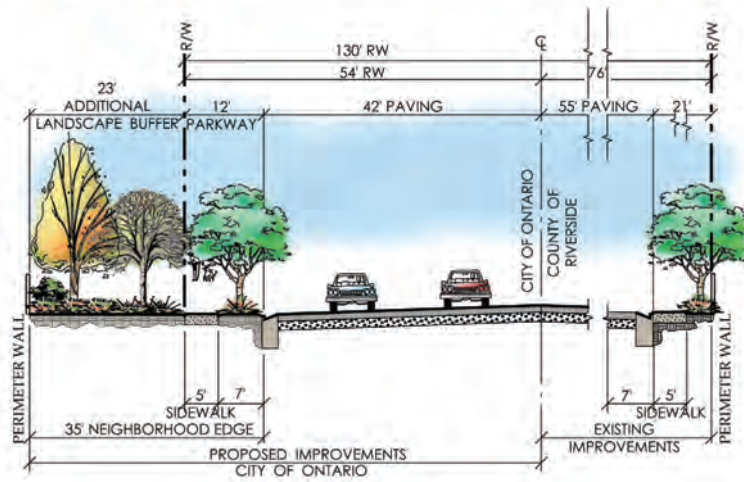
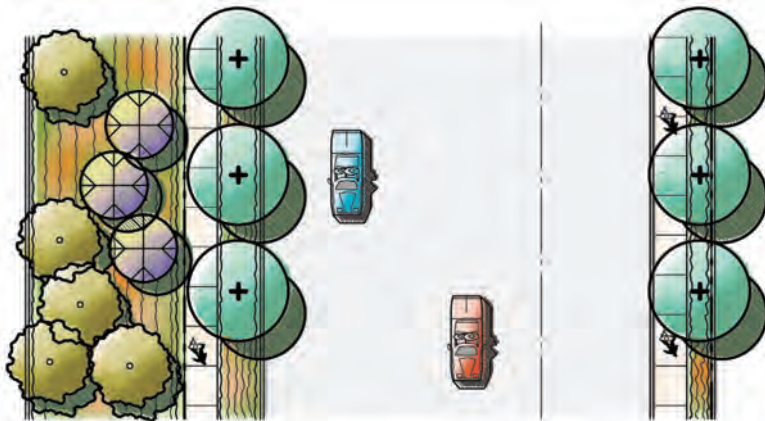


Exhibit 32
Milliken Avenue

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BELLEGRIVE AVENUE (HALF STREET)
97' PAVED SECTION / 130' R/W

Exhibit 33
Bellegrave Avenue

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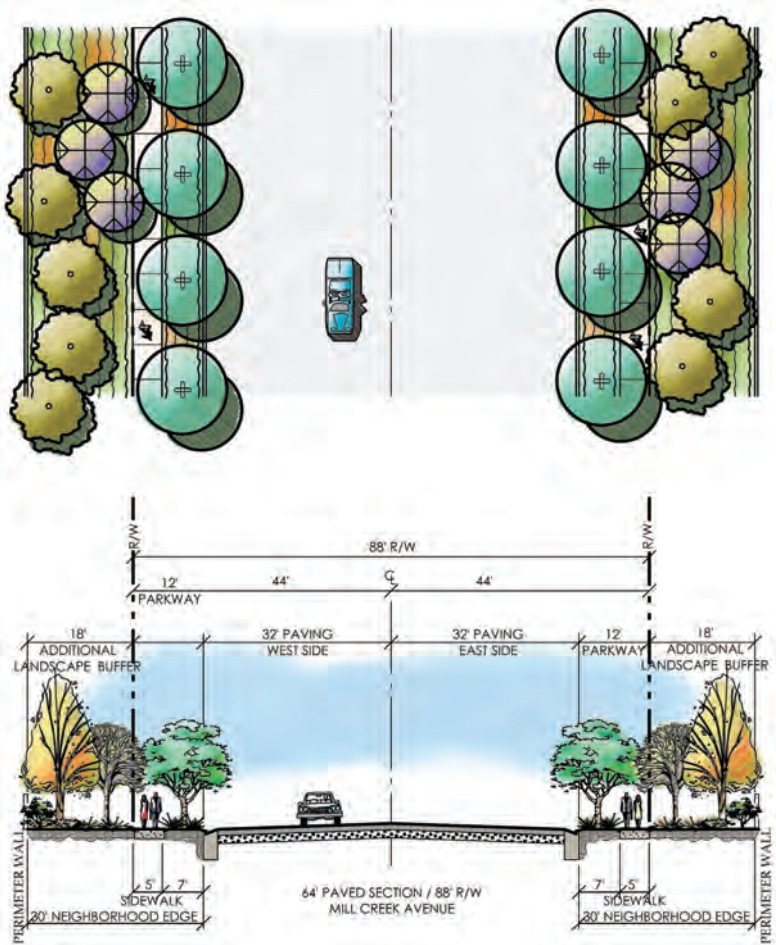


Exhibit 34
Mill Creek Avenue

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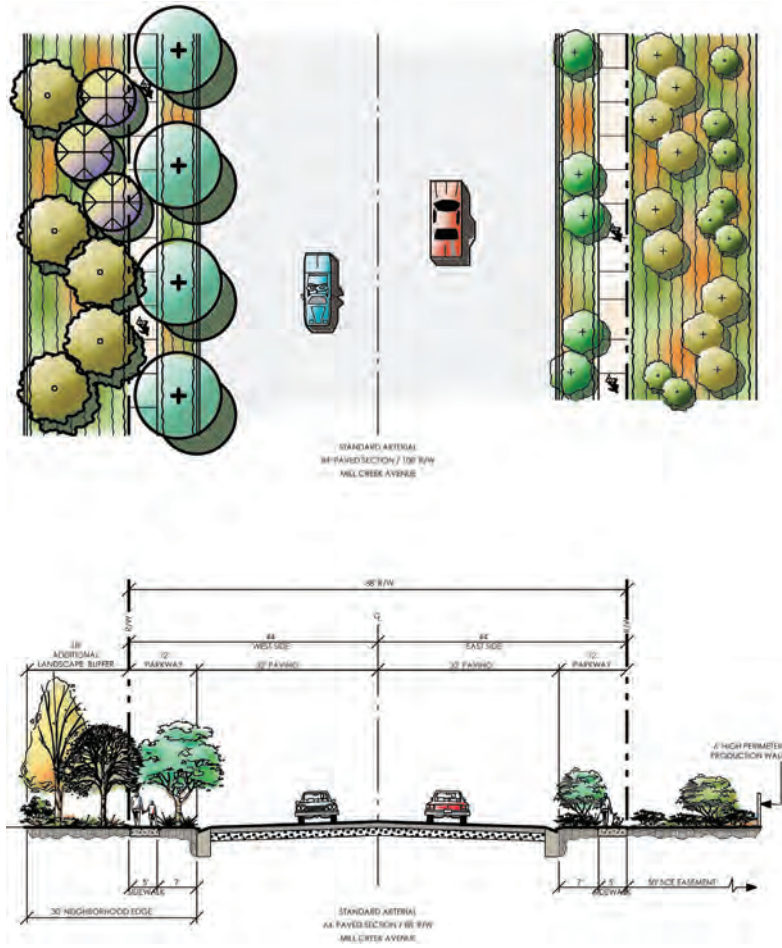


Exhibit 35
Mill Creek Avenue at the SCE Corridor

8.12.6 Eucalyptus Avenue

Eucalyptus Avenue streetscape shall include the following:

- A 7 foot wide landscaped parkway with a single row of street trees (24" Box min.) along both sides of the street.
- A 5 wide concrete sidewalk with a 7" wide decomposed granite multi-purpose trail.
- A 7 foot wide Class II striped on-street bicycle trail within the right of way on both sides of the street.
- A landscape easement (neighborhood edge) of 35' taken from face of curb to perimeter wall on both sides of the street.
- Background trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in Exhibit 30, "Conceptual Landscape Master Plan."
- Refer to Exhibit 36, "Eucalyptus Avenue" section for streetscape illustration.

Monumentation as shown in Exhibit 30, "Conceptual Landscape Master Plan."

- Refer to Exhibit 37, "A Street" section for streetscape illustration.

8.12.8 Local Streets, Private Alleys, and Private Neighborhood Streets

Local Streets

Local Street streetscapes shall include the following:

- A landscaped parkway (7' wide minimum) with a single row of street trees, 24" box minimum, along both sides of the street.
- A 5' wide sidewalk on both sides of the street.
- A 5' wide minimum planter area from side-yard wall to back of sidewalk along reverse frontage conditions.
- Refer to Exhibit 38, "Local Street and Cul-de-Sac" for streetscape illustration.

Private Neighborhood Streets

Private Neighborhood streets shall include the following:

- A landscaped parkway (7' wide minimum) with a single row of street trees, 24" box minimum, along both sides of the street.
- A 4' wide sidewalk on both sides of the street.
- A 7' wide minimum planter area from side-yard wall to back of sidewalk along reverse frontage conditions.
- Refer to Exhibit 39, "Private Neighborhood Street Section" for streetscape illustration.

Private Alleys

Private Alleys shall include a 5' wide landscaped area on both sides of the alley when the paved area is a maximum of 20' in width. Landscaping will be provided as appropriate in areas of less than 5' in width depending upon the final design

8.12.7 A Street

A Street streetscape shall include the following:

- A landscaped parkway (7' wide minimum) with a single row of street trees (24" box minimum) along both sides of the street.
- A 5' sidewalk separated from the street by a 7 foot wide landscaped parkway on both sides of the street.
- A landscaped buffer of 6' to 10' taken from the back of sidewalk to the perimeter wall on both sides of the street.
- Background trees and shrub masses planted in a series of layers (foreground, midground and background) to help define borders and plant groupings while combining interesting textures and colors.

- Text Deleted
"Where interior streetscapes interface with neighborhood/mini parks and open space, special consideration should be taken to integrate pedestrian circulation into these areas via a streetside pedestrian system that links city sidewalks to active walking trails and open space uses. This is especially important within the multi-family/high density residential planning areas. Two interior roadways bring residents into the "Community Core," Merrill Avenue, running East/West, and "Street A" that intersects with Merrill Avenue, running North/South."
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"Refer to Exhibit 37, "A Street" section for streetscape illustration."
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"Private Neighborhood Streets Private Neighborhood streets shall include the following:"
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"A landscaped parkway (7' wide minimum) with a single row of street trees (24" box minimum) along both sides of the street. • A 5' sidewalk separated from the street by a 7 foot wide landscaped parkway on both sides of the street. • A landscaped buffer of 6' to 10' taken from the back of sidewalk to the perimeter wall on both sides of the street. • Background trees and shrub masses planted in a series of layers (foreground, midground and background) to help define borders and plant groupings while combining interesting textures and colors."
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"Refer to Exhibit 37, "A Street" section for streetscape illustration."
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- Image Deleted
- Text Deleted
"Exhibit 37 A"
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- Image Deleted
- Text Deleted
"Exhibit 36 Ontario Esperanza Specific Plan Merrill Avenue"
- Text Inserted
"8.12.7 "A""

Section 8. DESIGN GUIDELINES

8.12.6 Eucalyptus Avenue

Eucalyptus Avenue streetscape shall include the following:

- A 7 foot wide landscaped parkway with a single row of street trees (24" Box min.) along both sides of the street.
- A 5' wide concrete sidewalk with a 7" wide decomposed granite multi-purpose trail.
- A 7 foot wide Class II striped on-street bicycle trail within the right of way on both sides of the street.
- A landscape easement (neighborhood edge) of 35' taken from face of curb to perimeter wall on both sides of the street.
- Background trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in Exhibit 30, "Conceptual Landscape Master Plan."
- Refer to Exhibit 36, "Eucalyptus Avenue" section for streetscape illustration.

8.12.7 A Street

"A" Street streetscape shall include the following:

- A landscaped parkway (7' wide minimum) with a single row of street trees (24" box minimum) along both sides of the street.
- A 5' sidewalk separated from the street by a 7 foot wide landscaped parkway on both sides of the street.
- A landscaped buffer of 6' to 10' taken from the back of sidewalk to the perimeter wall on both sides of the street.
- Background trees and shrub masses planted in a series of layers (foreground, midground and background) to help define borders and plant groupings while combining interesting textures and colors.

- Monumentation as shown in Exhibit 30, "Conceptual Landscape Master Plan."
- Refer to Exhibit 37, "A Street" section for streetscape illustration.

8.12.8 Local Streets, Private Alleys, and Private Neighborhood Streets

Local Streets

Local Street streetscapes shall include the following:

- A landscaped parkway (7' wide minimum) with a single row of street trees, 24" box minimum, along both sides of the street.
- A 5' wide sidewalk on both sides of the street.
- A 5' wide minimum planter area from side-yard wall to back of sidewalk along reverse frontage conditions.
- Refer to Exhibit 38, "Local Street and Cul-de-Sac" for streetscape illustration.

Private Neighborhood Streets

Private Neighborhood streets shall include the following:

- A landscaped parkway (7' wide minimum) with a single row of street trees, 24" box minimum, along both sides of the street.
- A 4' wide sidewalk on both sides of the street.
- A 7' wide minimum planter area from side-yard wall to back of sidewalk along reverse frontage conditions.
- Refer to Exhibit 39, "Private Neighborhood Street Section" for streetscape illustration.

Private Alleys

Private Alleys shall include a 5' wide landscaped area on both sides of the alley when the paved area is a maximum of 20' in width. Landscaping will be provided as appropriate in areas of less than 5' in width depending upon the final design

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Font-color changed.
- Image Deleted
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"Section 8. DESIGN GUIDELINES"
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"A"
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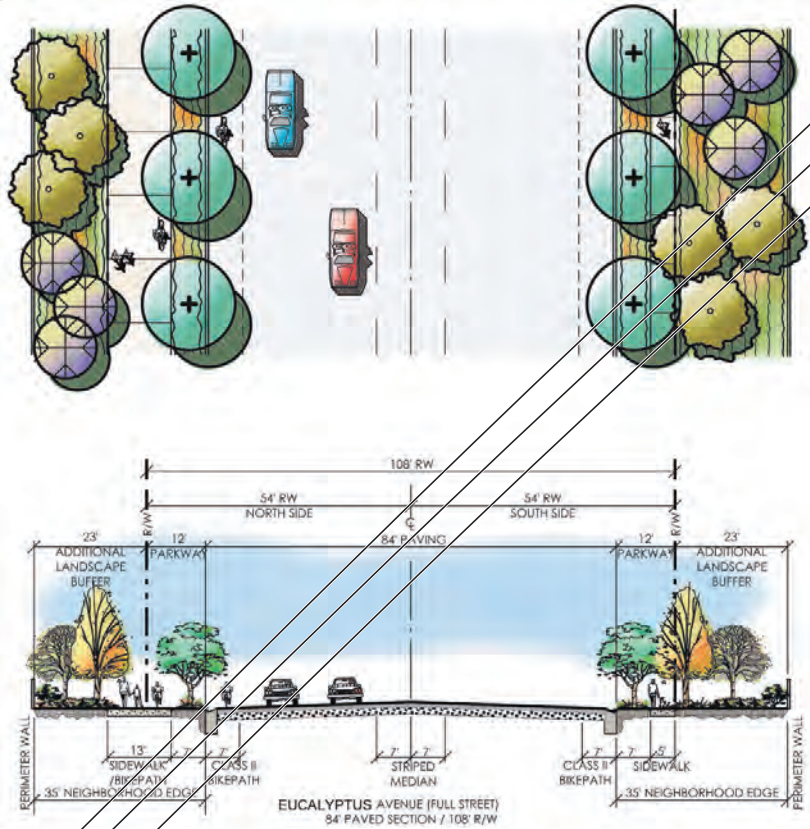


Exhibit 36
Eucalyptus Avenue

8.130

Ontario Esperanza Specific Plan

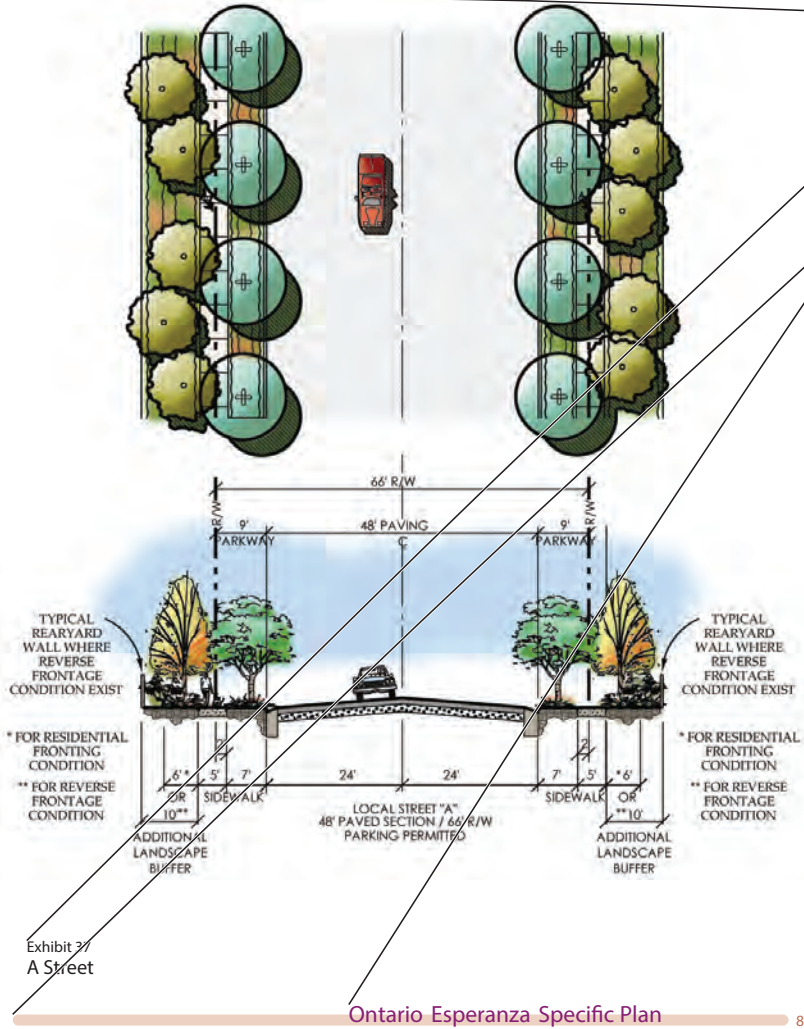
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"8.131 Ontario Esperanza Specific Plan"

Image Inserted



8.131

Text Inserted
"Section 8. DESIGN GUIDELINES"

Image Inserted

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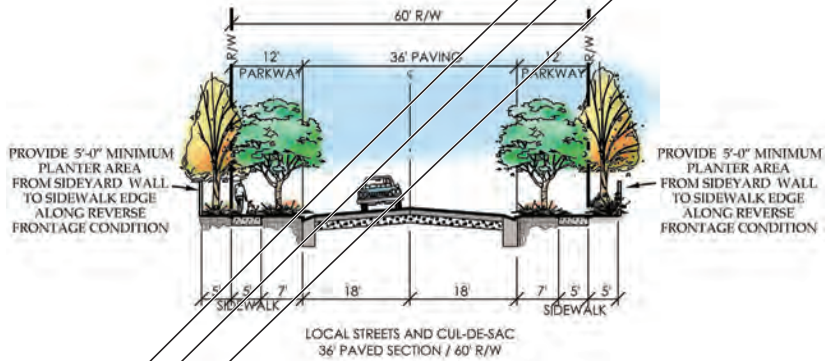
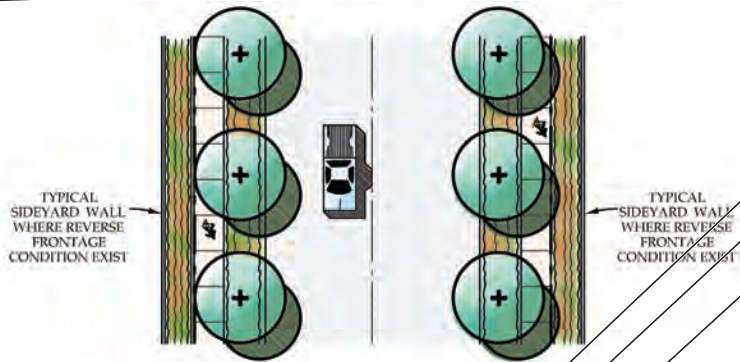


Exhibit 38
Local Street and Cul-de-Sac

of the private alley. Refer to Exhibit 40, "Private Alleys" for illustration.

8.13 CITY OF ONTARIO "GATEWAY" MONUMENT

At the corner of Hamner Avenue and Bellegrave Avenue, a city "Gateway" monument will be located. Special consideration should be made to integrate the perimeter landscaping along Hamner and Bellegrave Avenue into the final monument design and landscape character. The City of Ontario is currently developing the "Gateway" monument program for the Ontario Ranch. Additional coordination with the City of Ontario will be needed prior to developing this area.

8.14 ENTRIES AND MONUMENTATION

Monumentation occurs throughout the Ontario Esperanza Specific Plan community and is designed to establish a basic hierarchy for entering each area of the community. Along the perimeter edges there are several entry points into the community. At key entries a landscape and monumentation program will be utilized to help identify the community as well as convey a "welcoming" feeling for both vehicular and pedestrian traffic. Inspired by the local historical village of "Guasti," home of the Italian Vineyard Company, the project monuments for Ontario Esperanza embody some of the character of this Ontario icon, through the use of similar materials, architectural styles/detailing and landscaping.

Three basic monument treatments are used to set the hierarchy of the entries and monumentation: the Primary Community Entry and Monumentation, the Secondary Community Entry and Monumentation, and the Neighborhood Entry and Monumentation.



8.14.1 Primary Community Entry and Monumentation

The Primary Community Entry and Monumentation shall include the following:

- Freestanding curved monument walls at each corner with highlighted pedestrian portal.
- Identification field for potential sign lettering placement.
- Architectural concrete caps, trim, and bases to help delineate architectural detailing and veneer material used.
- Use of "real" veneer materials instead faux concrete veneers.
- Use of large specimen native trees to anchor each side of entry drive at site entry.
- Seasonal perennial flowering to allow for seasonal flowering interest throughout the year.

Graphic Element Inserted
Image Inserted
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Text Replaced [Old]: "Milliken" [New]: "Hamner"
Text Replaced [Old]: "NMC." [New]: "Ontario Ranch."
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Text Deleted "Exhibit 40 Private Alleys"
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Text Inserted
"Section 8. DESIGN GUIDELINES"

Image Inserted

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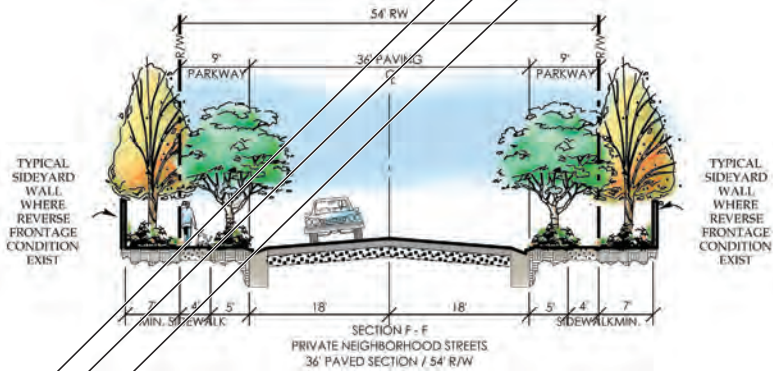
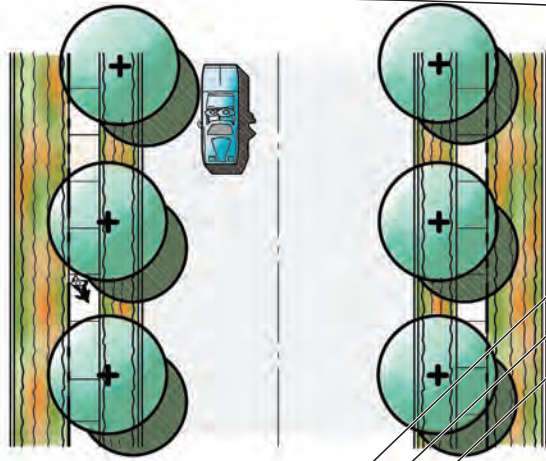


Exhibit 39
Private Neighborhood Street Section

8.134

Ontario Esperanza Specific Plan

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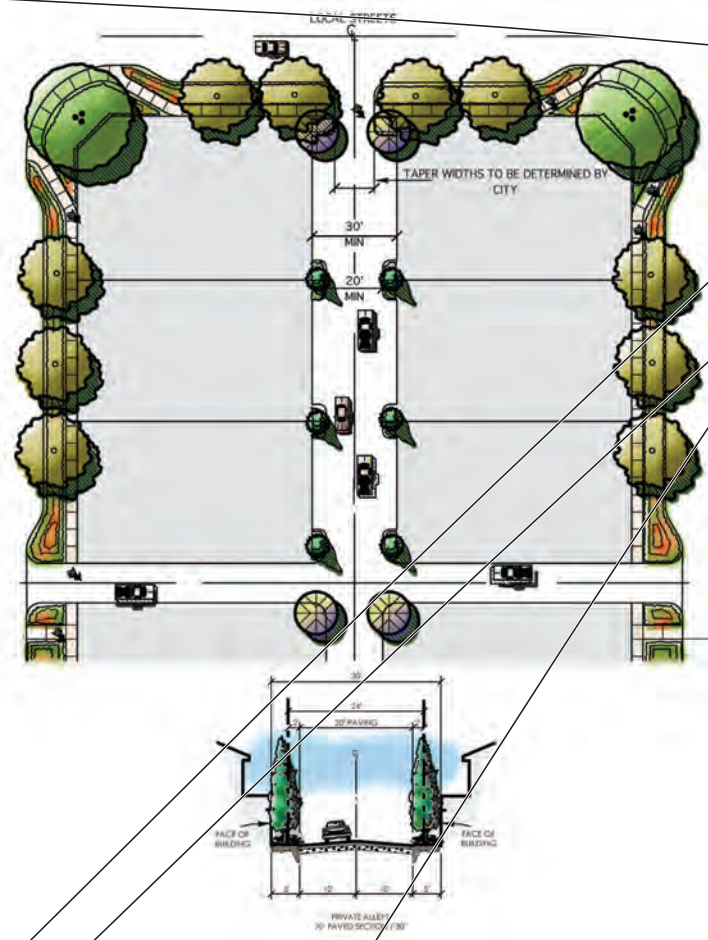


Exhibit 40
Private Alleys

Ontario Esperanza Specific Plan

8.135

- Enhanced pedestrian paving at street crossing and at monument location as approved by the City Engineer.
- Accent trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Accent lighting of landscape/monumentation.
- Handicapped ramps designed to City standards.
- Refer to Exhibit 30, "Conceptual Landscape Master Plan" and Exhibits 41-43, "Primary Community Entry and Monumentation" and, "Primary Community Entry and Monumentation - Hamner Avenue, and, "Primary Community Entry and Monumentation - Mill Creek Avenue" for detailed conceptual illustration.

- Enhanced pedestrian paving at street crossing and at monument location as approved by the City Engineer.
- Accent trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Accent lighting of landscape/monumentation.
- Handicapped ramps designed to City standards.
- Refer to Exhibit 30, "Conceptual Landscape Master Plan" and Exhibit 44, "Secondary Community Entry and Monumentation Elevation/Plan" for detailed conceptual illustration.

8.14.3 Neighborhood Entry and Monumentation

Neighborhood entries and monumentation should occur on interior corner entries within the Ontario Esperanza Specific Plan Community. These entries should be used to help continue the landscape character theme to the "core" of the community. Each neighborhood built within the project will have the opportunity to identify their individual project character while providing the basic design features of the other monuments. Refer to The Neighborhood Entry and Monumentation shall include the following:

- Freestanding large entry pilaster set within the landscaped parkway. This pilaster should embody the same character as that of the Primary Community Entry Monument portal, but is reduced in scale to create a "pedestrian gateway" into each neighborhood. Project identification plaque or icon can be located at this pilaster

8.14.2 Secondary Community Entry and Monumentation

The Secondary Community Entry and Monumentation shall include the following:

- Freestanding curved walls at each corner with anchoring entry pilaster.
- Identification field for potential sign lettering placement on enhanced perimeter corner cut wall.
- Architectural concrete caps, trim, and bases to help delineate architectural detailing and veneer material used.
- Enhancement of corner cut wall and use of accent pilasters to balance each side.
- Use of "real" veneer materials instead faux concrete veneers.
- Use of large specimen native trees to anchor each side of entry drive at site entry.
- Seasonal perennial flowering to allow for seasonal flowering interest throughout the year.

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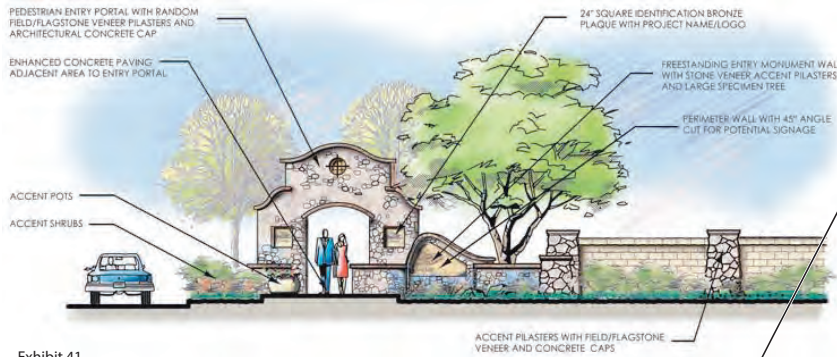


Exhibit 41
 Primary Community Entry and Monumentation

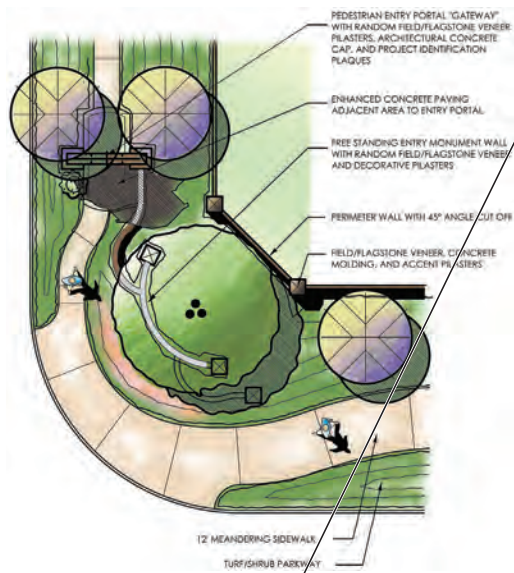


Exhibit 42
 Primary Community Entry and Monumentation – Hamner Avenue

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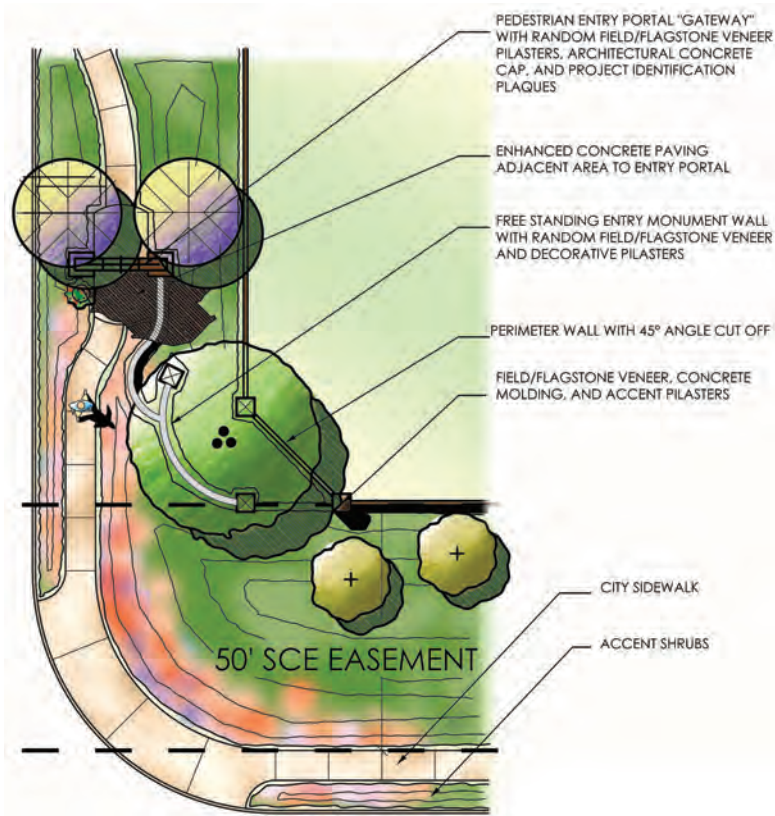


Exhibit 43
Primary Community Entry and Monumentation – Mill Creek Avenue

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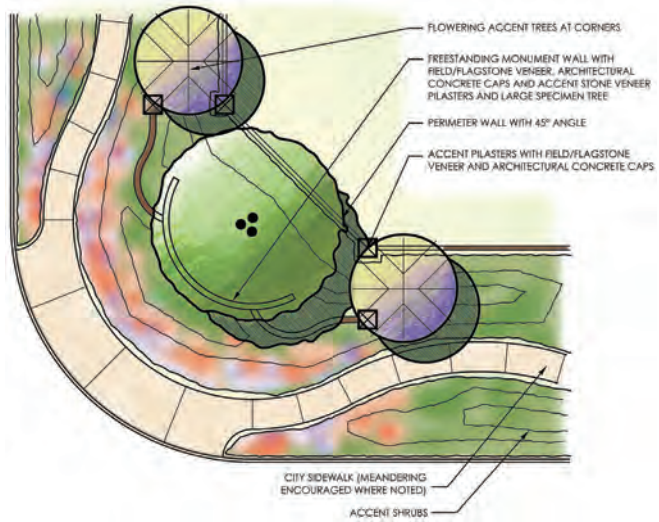


Exhibit 44
Secondary Community Entry and Monumentation Elevation/Plan

- Identification field for potential sign lettering placement on enhanced perimeter corner cut wall.
- Architectural concrete caps, trim, and bases to help delineate architectural detailing and veneer material used.
- Enhancement of corner cut wall and use of accent pilasters to anchor each side.
- Use of "real" veneer materials instead faux concrete veneers.
- Seasonal perennial flowering to allow for seasonal flowering interest throughout the year.
- Enhanced pedestrian paving at street crossing and at monument location as approved by the City Engineer.
- Accent trees and shrub masses planted in series of layers (foreground, midground, background) to help define borders and plant groupings while combining interesting foliage textures and color.
- Accent lighting of landscape/monumentation.
- Handicapped ramps designed to City standards.
- Refer to Exhibit 30, "Conceptual Landscape Master Plan" and Exhibit 45, "Neighborhood Entry and Monumentation" for detailed conceptual illustration.

8.15 PARKS AND OPEN SPACE

The Ontario Esperanza Specific Plan Community will have a central "Community Core" that centers on the Neighborhood Park and the School. Exterior walkways and trails should lead to this centralized area. Exhibit 46, "Pedestrian Circulation Plan" illustrates the pedestrian accessibility and connectivity throughout the Esperanza Specific Plan area. Exhibits 47 through 50 illustrate the planning concepts for the Neighborhood Park and Mini Parks planned for the Esperanza Specific Plan area.

All project sites shall be designed to meet all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Area, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types.

8.15.1 The Neighborhood Park

Park 1, the Neighborhood Park, consists of the following:

- Parking - Parking shall be adequate to accommodate daily use of the park, and should be screened from public view using a combination of berming and landscaping. In addition, the parking configuration should take into consideration alignment with proposed neighborhood streets and provide a minimum of (15) fifteen to (20) twenty parking stalls (including one van accessible handicap stall/unloading area).
- Children's Tot Lot Play Area - A Tot Lot will be located within close proximity to the parking lot and Restroom Building. Play structures and equipment should be designed to allow for separated use based on age (2-5 yr. and 5-12 yr.). The Tot Lot should also follow ADA guidelines and provide access based off of equipment selected. Play areas and fall zones shall be constructed with synthetic surfacing per ADA standards with wood fiber ("Fibar") being available as an alternative in non-fall zone areas. Seating areas shall be located near the Tot Lot to provide areas for parental supervision.
- Open turf area/Barbecue Picnic Facilities - The Neighborhood Park should provide an open turf area and barbecue picnic facilities scattered throughout a looped concrete walkway system. Barbecue facilities (minimum of 50%) should be located adjacent to the walkway system for ADA accessibility; the remaining percentage set in open turf

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"• All project sites shall be designed to meet all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Area, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types."

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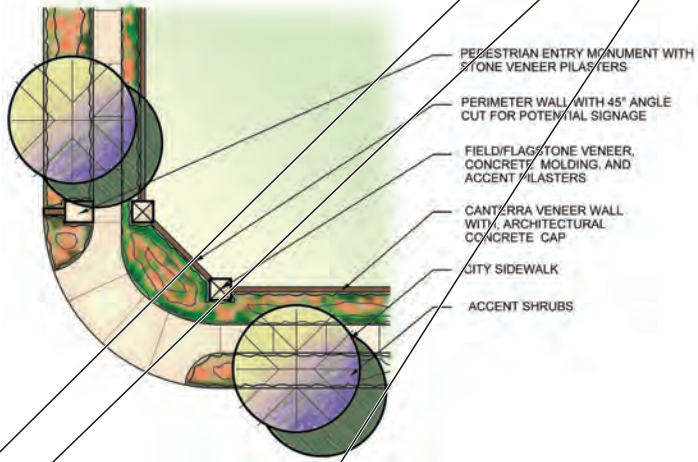
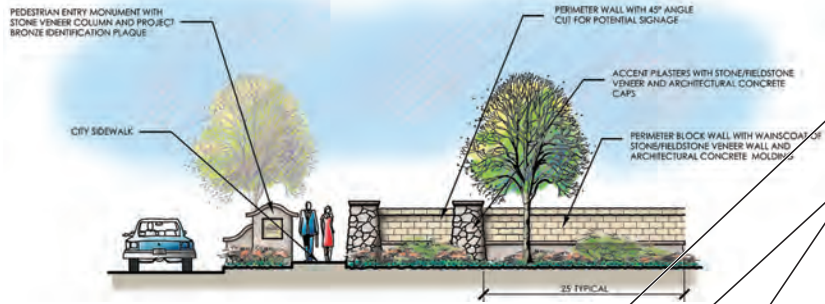
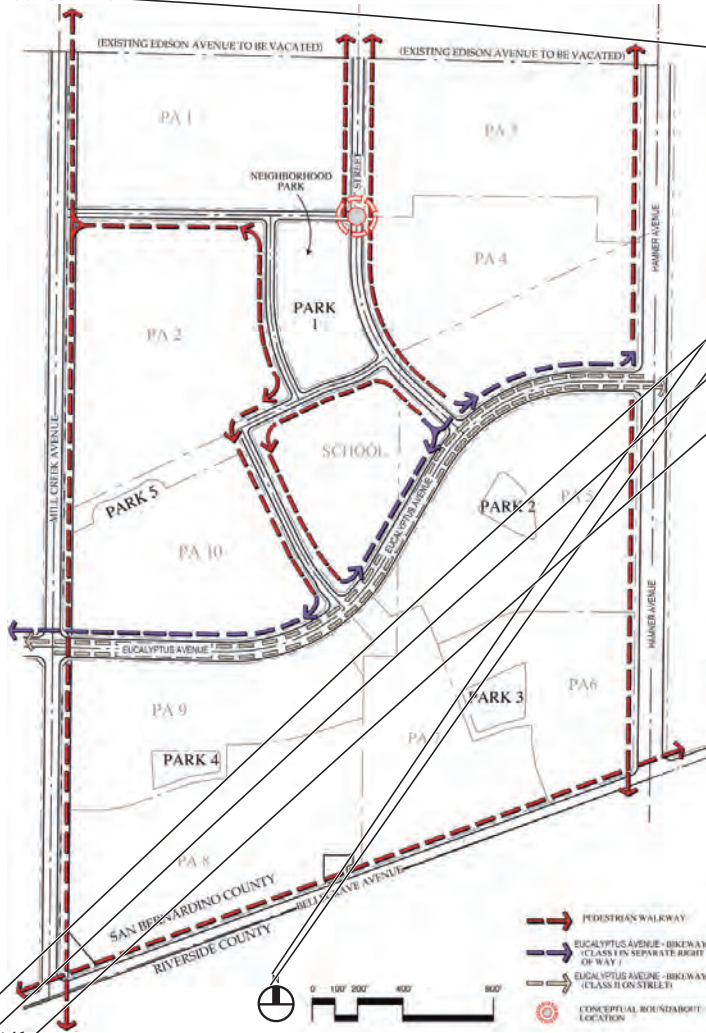


Exhibit 45
Neighborhood Entry and Monumentation Elevation/Plan

Ontario Esperanza Specific Plan

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Exhibit 46
Pedestrian Circulation Plan

areas. Each barbecue picnic facility shall provide a picnic table, freestanding barbecue, and trash receptacle. These barbecue facilities can be placed on concrete or any other ADA acceptable surfacing. The design of the Neighborhood Park open space should take into account pedestrian circulation and the linkage to the two adjacent roads as well as the surrounding community.

• Sports Fields for unorganized play – The open space turf area should be arranged to accommodate two baseball/softball fields and a soccer field overlay. Sports lighting should be discouraged at the park. Wherever feasible a minimum distance of 20 feet should be provided between streets and play areas. Sports fields will be improved in accordance with the City's Parks and Maintenance Department requirements.

• Landscaping – Landscaping within the Neighborhood Park shall harmonize with the surrounding streetscapes. Large specimen trees should be used within the open turf areas to help provide shade and screening of unwanted views. Accent trees should also be used at pedestrian entries and around the Tot Lot for color and seasonal interest. The park shall be irrigated with reclaimed water by an automated system per the City Standard Specifications for irrigation systems.

• Lighting – Security walkway lighting shall be provided in accordance with City requirements and the design guidelines contained herein.

• Restroom Building – A restroom building shall be located adjacent to the tot lot in clear view of the public streets surrounding the park. The building should be designed to provide separate restroom facilities for both sexes and shall conform to ADA design guidelines. Additional provisions for a storage room for the City of Ontario maintenance personnel shall also be designed (all designs shall be submitted to the City

- ~~Ontario and County Health Department for approval).~~
- ~~Park monumentation/signage and a lockable trash enclosure area.~~
- ~~Refer to Exhibit 47, "Neighborhood Park" for detailed conceptual illustrations.~~

8.15.2 Mini Parks and Pedestrian Trails

Pedestrian circulation is highly encouraged within the Ontario Esperanza Specific Plan Community. Landscape easements are provided along major roadways and are encouraged within the neighborhood communities.

- Interior walkways should be designed to provide connections to adjacent neighborhoods as well as linking the Neighborhood Park and School to dedicated neighborhood edge treatments and enhanced landscaped areas.
- Exhibit 47, shows a Neighborhood Park example (5 Acre)."
- Enhanced paving at pedestrian connections when pedestrian circulation crosses roadways.

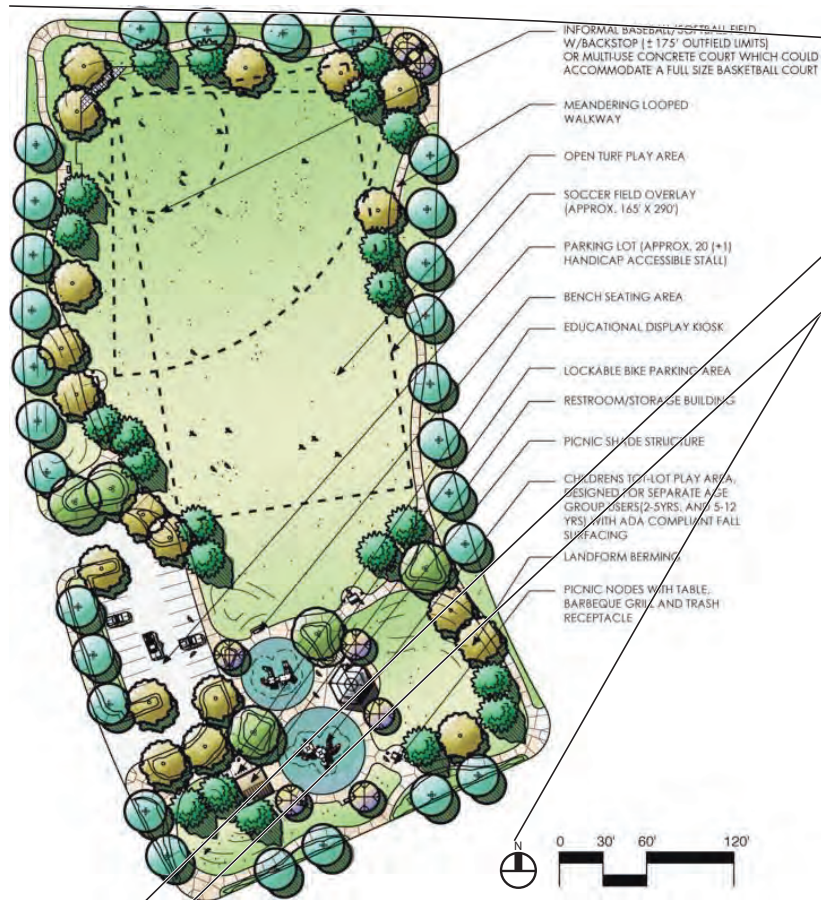
Paseos should provide strong connections to "Community Core" (school/5 AC neighborhood park).

- Connection of neighborhood pocket parks to community. The pocket parks are intended to provide minimal amenities, and should be designed with strong neighborhood "eyes-on" approach. Pocket Parks should range between 3/4 – 1 acre in size.

Mini parks for children's play areas may contain the following amenities:

- Paseo walkway (paved/encouraged/ADA accessible).
- Landscaping - Landscaping shall harmonize with the surrounding streetscapes and utilize trees, shrubs, and groundcovers identified in the plant matrix.

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Exhibit 47
Neighborhood Park

- Lighting – Pole mounted fixtures spaced at appropriate intervals for safety and security.
- Open turf play area

The Mini Parks might contain one or more of the following amenities:

- Barbecue Picnic Facilities
- Basketball/Volleyball Courts
- Tot Lots
- Rose Garden
- Covered Picnic Structures
- Seatwalls/benches
- Community Garden
- Refer to Exhibits 48 through 51 for detailed conceptual illustrations.

8.16 COMMUNITY WALLS AND FENCING

Walls are a major component in achieving an overall community theme within the Ontario Esperanza Specific Plan. A strong cohesive appearance is achieved through the use of "community walls" and general overall wall guidelines as illustrated in Exhibit 52, "Master Walls and Fence Plan" and Exhibit 53, "Wall and Fence Details."

All walls that adjoin community street scenes (major streetscapes identified under Perimeter/Interior Streetscapes) shall be deemed "community walls." All wall and fencing designs and layout shall be approved by the City of Ontario prior to construction.

8.16.1 Community Walls

Community walls shall be decorative in nature. Community walls shall incorporate the use of pilasters of a design consistent with the materials of the community walls. The location and spacing of pilasters shall be subject to Planning Department review and approval.

8.16.2 Solid Walls and Fencing

Solid walls shall be decorative. The use of vinyl fencing and wood fencing is prohibited. Reverse frontage walls and any wall return that is visible from public view, shall be constructed of split-face block or precision block that is veneered, burnished (using color other than common gray), plastered or stuccoed, and should complement color scheme dictated in Ontario Esperanza Specific Plan color palette. Decorative caps and the use of pilasters to help enhance the perimeter appeal of the walls are encouraged. Walls visible from the community streets may not be made of exposed or painted precision block or slumped block.

8.16.3 View Fencing

If applicable, view fences should be located in the rear yards of those properties abutting large slope areas where the adjacent property is a minimum of 15' above/below the house pad. These fences allow open views but not physical access; they shall be 5'-6" high and made of tubular steel or lexan glass panel construction. Areas where view fencing occurs will be subject to review by the City of Ontario. The use of tubular steel view fencing shall incorporate pilasters utilizing materials consistent with adjacent walls.

8.17 OUTDOOR LIGHTING

Lighting standards within the Ontario Esperanza community shall be consistent in style, color, and materials in order to maintain uniformity throughout. Lighting should be subtle, providing a soft wash of light over illuminated objects such as monumentation. Hierarchy shall be established by using a variety of lighting fixtures and illumination levels based off of lighting design intent. Lighting styles shall tie into architectural styles and provide sufficient illumination for the safety and well

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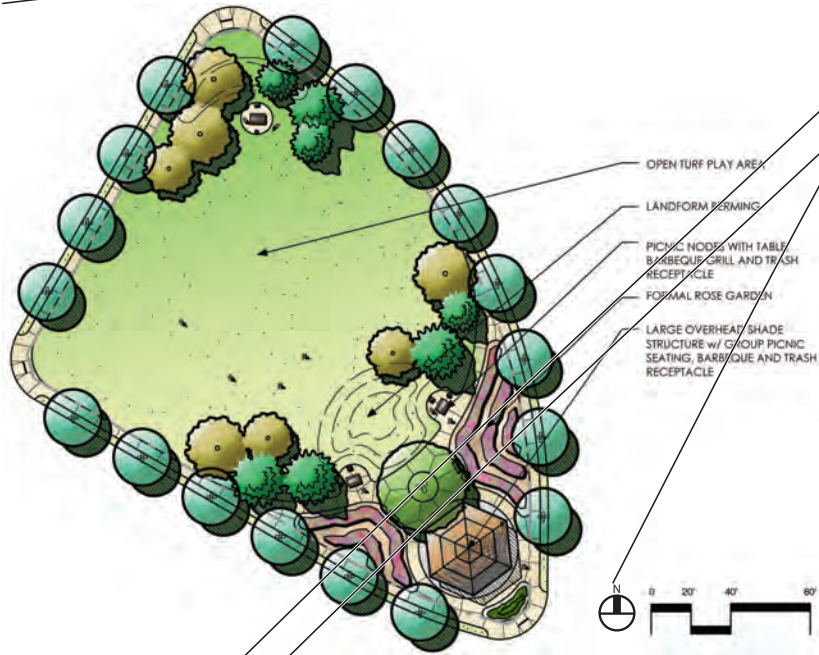


Exhibit 48
Mini Park Example (Park 2)

8.146 Ontario Esperanza Specific Plan

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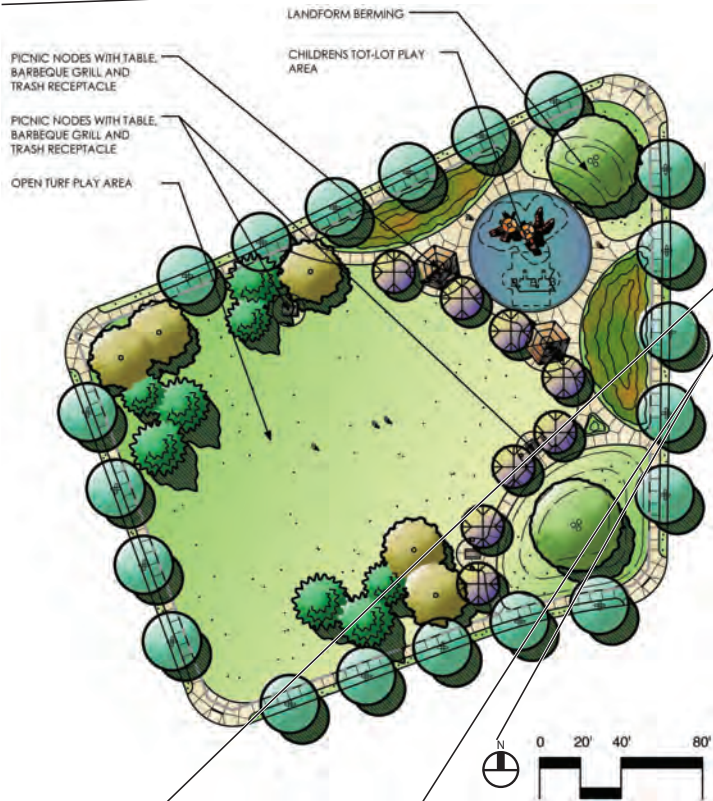


Exhibit 49
Mini Park Example (Park 3)

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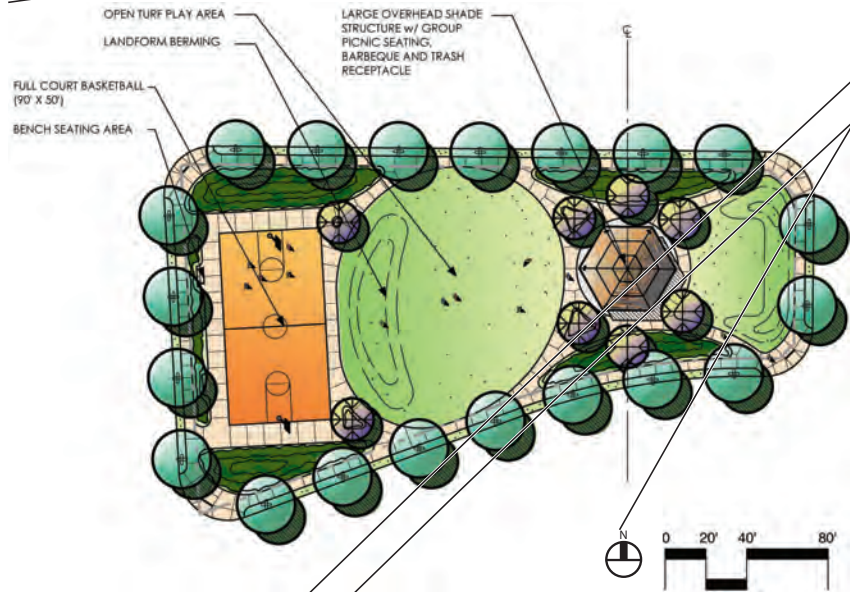


Exhibit 50
Mini Park Example (Park 4)

8.148 **Ontario Esperanza Specific Plan**

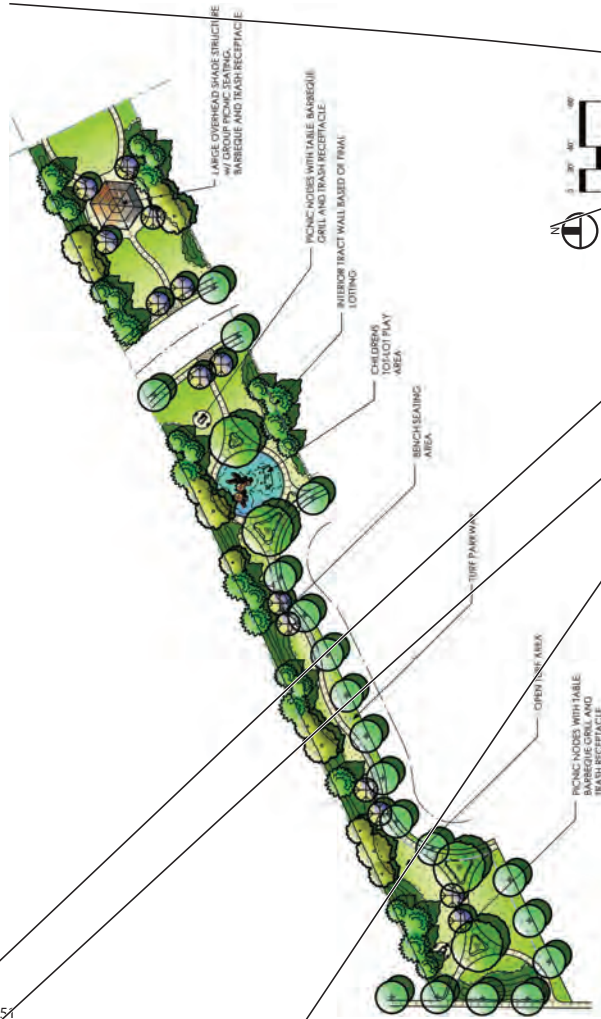


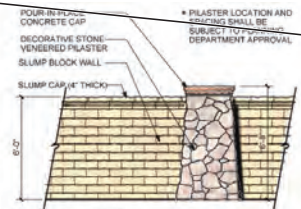
Exhibit 51
Mini Park Example (Park 5)

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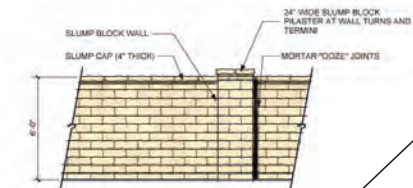
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Exhibit 52
Master Walls and Fence Plan



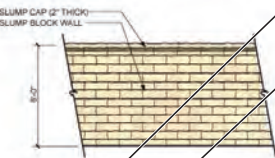
COMMUNITY THEME WALL

COMMUNITY THEME COLORED SLUMP BLOCK WALL WITH MORTAR "OOZE" JOINTS AND DECORATIVE STONE VENEERED PLASTERS



EUCALYPTUS AVENUE THEME WALL

COLORED SLUMP BLOCK WALL WITH MORTAR "OOZE" JOINTS WITH SLUMP BLOCK PLASTERS AT CHANGES IN WALL DIRECTION



SLUMP BLOCK WALL

NEIGHBOURHOOD BLOCK WALL IS TYPICALLY USED WHERE PRIVACY IS DESIRED AT GAZE YARD REARUS AND PROPERTY LINE LOCATIONS. OVERALL WALL HEIGHT SHALL BE 6'-0" FEET.



TUBULAR STEEL VIEW FENCING

OPEN TUBULAR STEEL FENCING IS TYPICALLY UTILIZED ON MULTI-FAMILY HIGH DENSITY PROJECTS AROUND THE PERIMETER AND IN REAR YARDS WHERE VIEW PRESERVATION IS DESIRABLE.

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Exhibit 53
Wall and Fence Details

being of the community. Preservation of "Night-Sky" should be considered in lighting design layout and fixture selection. Use of "cut-off" or louvered lamps to preserve ambience of "Night-Sky" is highly encouraged. Fixture locations should be designed so that light source is not visible by pedestrian or vehicular traffic. Frosted, louvered, or prismatic lens should be considered where decorative lighting fixtures are visible and part of the aesthetic lighting program. Accent lighting of landscape and monumentation shall be incorporated into the following areas:

shall be vandal resistant, not less than (8) eight feet from ground level. Luminaries of not less than (42") may be utilized to illuminate a walkway if adjacent landscaping is of a variety which does not mature higher than (2) two feet.

8.17.1 Entry Monument Lighting:

Avoid intensely bright or "hot" lighting of monuments; rather, each should be lit to provide a soft wash of light across the monument signage. Specimen trees should be up-lit with several fixtures into the canopy to avoid creating dark sides of the trees.

8.17.2 Neighborhood Park/ Mini Parks/Walkway Lighting

Lighting of the walkways, tot lots, restroom facility, and parking areas within the Parks should be considered for safety and security. All planned parking areas shall have a minimum maintained lighting level of one-foot candle (1 F.C.) or greater. The lighting shall be from sunset to sunrise and be operated by a photocell. The site plan shall be provided to the Police Department. It shall show all buildings, parking areas, walkways, detailed landscape areas and point-by-point photometry calculation of required light levels. Utilization of a traditional Globe/Acorn Post mounted light fixture should be considered for both the park open space areas as well as interior street lighting fixtures. Keeping with the character of traditional materials, (like those found in the "Model Colony" in Downtown Ontario) this will help to create a better sense of scale to the pedestrian. Fixtures

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8.18 LANDSCAPE DESIGN

8.18.1 Public Landscapes

- Landscape plantings in public areas should reflect a commitment to both developing a “sense of place” and maintaining harmony with the Ontario Ranch.
- Community Facilities District (CFD) areas shall be separated with a 6” by 6” concrete mow strip when adjacent to private property.
- A landscape architect licensed in California shall be retained to prepare planting and irrigation plans for all public areas. Arrangement of plants should incorporate the concepts of mass planting; plants should be placed to allow them to grow to their natural sizes and forms, and sheared hedges should be kept to a minimum.

The plant matrix at the end of this section offers a suggested plant palette for Ontario Esperanza; while it is by no means all-inclusive, plantings in public areas should draw primarily from this palette for visual community continuity.

8.18.2 Front Yard Landscapes*

Plantings in front yards may vary substantially from the Ontario Esperanza palette, but should retain some of the character and style of the public plantings. No more than 25% of the total square footage of any front yard shall be lawn; the balance shall be composed of shrubs and groundcovers, with an emphasis on drought tolerant plant species. No more than 55% of the front yard area shall be hardscape. Turf areas shall be sized and shaped to optimize irrigation efficiency. If turf is used in isolated areas such as driveway strips, subsurface irrigation or microspray heads shall be required to avoid overspraying of these areas. Irregular shapes that cannot be irrigated should be avoided.

- Each single-family lot shall be provided with front yard landscaping and a permanent au-

omatic irrigation system. At a minimum, a seeded turf lawn, appropriate shrubs and trees shall be provided as landscaping materials. A variety of typical landscape designs shall be provided for use on each lot within the subdivision.

Multiple family residential product areas shall be provided with full landscape improvements throughout the development. At a minimum, a seeded turf lawn, appropriate shrubs and trees, and a permanent irrigation system shall be provided.

- Landscape and irrigation drawings for each development shall be submitted in conjunction with house construction plans. The plans shall be approved by the Planning Department and the Landscape Planning Division prior to the issuance of building permits.
- Areas of a lot or site which are not used for drive entries, parking, or approved outdoor uses shall be fully landscaped; all unpaved areas shall be landscaped; and all future development phase areas shall be hydroseeded.

8.18.3 Soil Testing

Soil samples shall be taken from several locations after the completion of rough grading operations, and a reputable soil testing laboratory shall perform an agronomic soils test. The test shall assess soil fertility needs for water-wise California native and Mediterranean plant types. No planting shall take place until the soil has been properly prepared based on the recommendations of the soils testing laboratory. Organic soils amendments shall be incorporated as necessary to achieve a recommended percolation rate of one inch per hour.

- Text Inserted
"At a minimum, a seeded turf lawn, appropriate shrubs and trees shall be provided as landscaping materials."
- Text Replaced
[Old]: "• Each single-family lot shall be provided with front yard landscaping and a permanent automatic"
[New]: "tomatic"
- Text Replaced
[Old]: "NMC. • Landscape Maintenance Districts (LMD)"
[New]: "Ontario Ranch. • Community Facilities District (CFD)"
- Text Replaced
[Old]: "Public Facilities Development Section"
[New]: "Landscape Planning Division"
- Text Deleted
"At a minimum, a seeded turf lawn, appropriate shrubs and trees shall be provided as landscaping materials."
- Text Inserted
"4"
- Text Replaced
[Old]: "70%"
[New]: "25%"
- Text Replaced
[Old]: "60%"
[New]: "55%"
- Text Inserted
"• Each single-family lot shall be provided with front yard landscaping and a permanent au-"

8.184 Slope Landscaping

All manufactured and cut/fill slopes which exceed 3' in height shall be planted with an effective mixture of ground cover, shrubs, trees, and include jute matting. Such slopes shall also be irrigated as necessary to ensure germination and establishment.⁵

**8.185 Interior Slopes:
Residential Interior**

- Interior slopes may be more ornamental in character than exterior slopes. They may have a somewhat broader range of plant materials than exterior slopes, but should still be chosen primarily from the Ontario Esperanza plant palette and are subject to the same fuel modification restrictions.
- All manufactured and cut/fill slopes which exceed 3' in height shall be planted with an effective mixture of groundcover, shrubs, and trees. Such slopes shall also be irrigated as necessary to ensure germination and establishment.

8.186 Streetscape Landscaping

Streetscape Development Standards

- Turf grass shall only be used in areas with street side parking and shall be located adjacent to the sidewalk or curb line.⁶
- All new plantings within the Ontario Esperanza planned community shall draw substantially from the Ontario Esperanza Plant List included in this document.
- All streetscape landscaping within the Ontario Esperanza planned community will be implemented by the Developer in accordance with this Specific Plan.

- The Developer shall install all primary and secondary improvements concurrently with the construction of the roadway on which they front. Neighborhood intersections shall be constructed as each neighborhood street is built.
- The Developer shall provide site inspection of all construction and installation of entries and intersections in accordance the City of Ontario requirements.

8.18.7 Irrigation Design

Irrigation for both public and private landscapes should be designed to be as water-efficient as possible. All irrigation systems shall have automatic controllers designed to properly water plant materials given the site's soil conditions and irrigation systems for all public landscapes shall have automatic rain shut-off devices. Drip irrigation is not permitted with CFD landscape areas. Spray systems shall have low volume (gpm) matched-precipitation heads. All CFD areas are to be controlled with a central control irrigation system and all trees are to be irrigated utilizing a flush grade bubbler system on a separate valve. All CFD areas shall be designed to City Standard Specifications.⁷

All irrigation products specified shall achieve an irrigation operational distribution uniformity of 70% or greater in all turf areas and 80% in all other landscaped areas. Turf areas shall be irrigated with equipment that has a precipitation rate of one inch or less per hour as specified by the manufacturer. Stream rotator heads or low volume spray heads are acceptable for turf areas. Use of standard spray heads shall be avoided. Non turf shrub areas shall be irrigated with low volume micro spray or point application devices, where manufacturer's specification indicates output measured and expressed in gallons per hour.

- Text Replaced [Old]: "groundcover, shrubs, and trees." [New]: "ground cover, shrubs, trees, and include jute matting."
- Text Inserted "5"
- Text Replaced [Old]: "LMD" [New]: "CFD"
- Text Replaced [Old]: "LMD" [New]: "CFD"
- Text Replaced [Old]: "LMD" [New]: "CFD"
- Text Inserted "7"
- Text Replaced [Old]: "not exceed 30% of streetscape planting" [New]: "only be used in areas with street side parking"
- Text Inserted "6"

Image Replaced

Text Inserted

Botanical Name	Common Name	Barclayville Avenue (Per Ontario North Simcoe) Water Park	Belgrave Avenue (Per Ontario North Simcoe) Water Park	Mill Creek Avenue (Per Ontario North Simcoe) Water Park	Mill Creek Avenue (Per Ontario North Simcoe) Water Park	SCE Easement (Mill Creek Avenue)	Primary Community Entries	Secondary Community Entries	Neighborhood Entries	Neighborhood Park Open Space	Mill Parks	Mill Parks
<i>Arbutus unedo</i>	Strawberry Tree											
<i>Acacia cultriformis</i>	Knife Acacia											
<i>Brachycthon populineus</i>	Bottle Tree											
<i>Callistemon viminalis</i>	Weeping Bottlebrush											
<i>Cedrus deodara</i>	Deodar Cedar											
<i>Chionanthus retusus</i>	Chinese Fringe Tree											
<i>Cupressus sempervirens</i>	Italian Cypress											
<i>Dodonaea viscosa</i>	Hopsseed Bush											
<i>Cercis canadensis</i>	Eastern Redbud											
<i>Juniperus chinensis 'Tortuosa'</i>	Hollywood Juniper											
<i>Lagerstroemia indica hybrids</i>	Crape Myrtle											
<i>Liquidambar styraciflua</i>	American Sweet Gum											
<i>Olea europaea</i>	Olive											
<i>Olea europaea</i>	Olive											
<i>Melaleuca insarifolia</i>	Faxeaf Paperbark											
<i>Melaleuca nesophila</i>	Pink Melaleuca											
<i>Melaleuca quinquenervia</i>	Cajeput Tree											
<i>Pinus canarensis</i>	Canary Island Pine											
<i>Platanus acerifolia</i>	London Plane Tree											
<i>Platanus racemosa</i>	Western Sycamore											
<i>Podocarpus gracilior</i>	Yew Pine											
<i>Tristania conferta</i>	Brisbane Box											
<i>Fraxinus uhdei</i>	Ash											
<i>Quercus agrifolia</i>	Coast Live Oak											
<i>Quercus ilex</i>	Holly Oak											
<i>Rhus lancea</i>	African Sumac											
<i>Schinus molle</i>	California Pepper											
<i>Tristania laurina</i>	Water Gum											

Table 6
Plant Matrix - Trees⁸

Image Replaced

Text Inserted

Botanical Name	Common Name	Esplanade Avenue	Burgrave Avenue	Mill Creek Avenue	Hammer Avenue	SCE Element (Mill Creek Avenue)	Primary Community Entries	Secondary Community Entries	Neighborhood Entries	Community Park/Open Space	Linear Park	Project Trail System	Plaza
Agapanthus species	Lily of the Nile												
Anigozanthos species	Kangaroo Paw												
Arbutus unedo 'Compacta'	Compact Strawberry Tree												
Arctostaphylos cf. 'Howard McMin'	McMin Manzanita												
Asparagus densiflorus 'Myers'	Myers Asparagus												
Begonia cordifolia	Begonia												
Buxus japonica	Japanese Boxwood												
Calliandra haematocephala	Pink Powder Puff												
Callistemon 'Little John'	Dwarf Callistemon												
Camellia species	Camellia												
Campanula poschcharskyana	Serbian Bellflower												
Carex tumulicola	Berkeley Sedge												
Cercia occidentalis	Western Redbud												
Salvia	Sage												
Salvia	Sage												
Cornus pulchella 'Mission Betty'	Australian Fuchsia												
Cotoneaster lacteus	Cotoneaster												
Daschampsia cespitosa	Hair Grass												
Dietsia iridoides	Fortnight Lily												
Dodonaea viscosa	Hopseed-Bush												
Echium fastuosum	Pride of Madiera												
Festuca mairei	Atlas Fescue												
Geranium incanum	Carpet Geranium												
Geranium 'Johnson's Blue'	Johnson's Blue Geranium												
Helictotrichon	Oat Grass												
Helictotrichon	Oat Grass												
Helictotrichon sempervirens	Blue Oat Grass												
Hemerocallis hybrids (evergreen)	Daylily - mixed colors												
Heuchera sanguinea	Coral Bells												
Juniperus species	Juniper												
Kniphofia uviana	Red Hot Poker												
Lantana species	Lantana												
Lavatera maritima	Tree Mallow												
Leptospermum scoparium	New Zealand Tea Tree												
Ligustrum japonicum 'Texanum'	Japanese Privet												
Mahonia aquifolium	Oregon Grape												
Mimulus species	Monkey Flower												
Muhlenbergia rigens	Deer Grass												
Mycoporum parvifolium	Trailing Mycoporum												
Myrtus communis 'Compacta'	Dwarf Myrtle												
Nandina domestica	Heavenly Bamboo												
Nephrolepis cordifolia	Southern Sword Fern												
Nesselia tenuisissima	Mexican Feather Grass												
Penstemon species	Beard Tongue												
Phormium hybrids	Hybrid New Zealand Flax												
Photinia x fraseri	Photinia												
Plumbago auriculata	Cape Plumbeago												
Prunus c. 'Bright 'n' Tight'	Carolina Laurel Cherry												
Rosa species	Rose												
Rosmarinus officianalis and hybrids	Rosemary												
Salvia greggii and cultivars	Autumn Sage												
Sedum 'Autumn Joy'	Autumn Joy Stonecrop												
Tecomania capensis	Cape Honeybuckle												
Tecocium x lucidys	Bush Germander												
Xylosma congestum	Shiny Leaf Xylosma												
Viburnum tinus 'Spring Bouquet'	Spring Bouquet Laurustinus												

Table 7
Plant Matrix - Shrubs⁹

Endnotes

- 1 Revised Milliken parkway to 15'
- 2 Remove bullet per Landscape
- 3 Revision per OMUC.
- 4 Revised per Landscape
- 5 Revised per Landscape
- 6 Revised per Landscape
- 7 Revised per Landscape
- 8 Revised per Landscape
- 9 Revised per Landscape

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT19-010, A TENTATIVE TRACT MAP (NO. 20285) TO SUBDIVIDE 8.57 ACRES OF LAND INTO 11 NUMBERED LOTS AND 6 LETTERED LOTS FOR LAND GENERALLY LOCATED AT THE NORTHEAST CORNER OF CLIFTON AND EUCALYPTUS AVENUES, WITHIN THE PA-4 LAND USE DISTRICT OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-302-01.

WHEREAS, Patrick McCabe for Christopher Development Group, Inc. ("Applicant"), has filed an Application for the approval of a Tentative Tract Map, File No. PMTT19-010, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 8.57 gross acres of land generally located the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan, and is presently partially vacant and partially improved with dairy/agricultural land uses; and

WHEREAS the parcels to the north of the Project site are located within PA-4 (RD-6 / 6 Pack Courtyard) and are presently vacant or developed with dairy/agricultural uses, the parcels to the west of the Project site are within PA-11 (School) and are presently vacant, and the parcels to the south of the Project site are within PA-5 (RD-5 / 4 Pack Courtyard) and are developed with residential land uses, and all are located within the Esperanza Specific Plan. The parcels to the east of the Project site are located within the City of Eastvale and are designated for development with industrial land uses; and

WHEREAS, a General Plan Amendment, Specific Plan Amendment, and Development Plan, File Nos. PGPA19-003, PSPA19-003, and PDEV19-030, respectively, were filed in conjunction with the proposed Tentative Tract Map. The three applications consist of: 1) An amendment to The Ontario Plan to change the land use designation from Low-Density Residential to Medium-Density Residential; 2) an amendment to the Esperanza Specific Plan to increase the maximum density for PA-4 from 6.26 to 14 dwelling units per acre; and 3) a Development Plan (File No. PDEV19-030) to construct 126 multiple-family residential dwellings; and

WHEREAS, the proposed Tentative Tract Map will subdivide the Project site into 11 numbered lots and 6 lettered lots to facilitate the construction of 126 multiple-family residential dwellings in rowtown home configurations; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010

(hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of Project approval and are incorporated herein by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing

procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 21, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB20-048, recommending the Planning Commission approve the Application; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 (“Certified EIR”), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (333) and density (14

du/ac) specified in the Available Land Inventory, which designates a total unit count of 1,410 units and an overall density range of 13-24 du/ac for the Project area.

SECTION 4: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Tentative Tract Map is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is proposed to be located within the Medium-Density Residential land use district of the Policy Plan Land Use Map, and PA-4 of the Esperanza Specific Plan. With approval of related File Nos. PGPA19-003, PSPA19-003, and PDEV19-030, the proposed subdivision will be consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the Project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and

visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*).

(2) ***The design or improvement of the proposed Tentative Tract Map is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is proposed to be located within the Medium-Density Residential land use district of the Policy Plan Land Use Map, and PA-4 of the Esperanza Specific Plan. With approval of related file numbers PGPA19-003, PSPA19-003, and PDEV19-030, the proposed design or improvement of the subdivision will be consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, as the Project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the Project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.*** With approval of related file numbers PGPA19-003, PSPA19-003, and PDEV19-030, the Project site will meet the minimum lot area and dimensions of the PA-4 land use district of the Esperanza Specific Plan, and will be physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The Project site is proposed for residential development at a maximum density of 14 dwelling units per acre. With approval of related file numbers PGPA19-003, PSPA19-003, and PDEV19-030, the Project site will meet the minimum lot area and dimensions of PA-4 of the Esperanza Specific Plan, and is physically suitable for this proposed density. Furthermore, the proposed density was previously reviewed and

approved under The Ontario Plan EIR's assumed densities for the Esperanza Specific Plan area.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The Project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the residential improvements existing or proposed on the Project site, are not likely to cause serious public health problems, as the Project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or Project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the Project site.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plans or planned unit developments; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim,

action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT19-010 / TM 20285
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: September 22, 2020
File No: PMTT19-010 (TT 18876)
Related Files: PGPA19-003, PSPA19-003, and PDEV19-030

Project Description: A Tentative Tract Map to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots, to facilitate a related Development Plan to construct 126 multiple-family dwellings generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01); **submitted by Patrick McCabe, Christopher Development Group, Inc.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract Map on file with the City. Variations from the approved Tentative Tract Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) The subject Tentative Tract Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract Map and CC&Rs.

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.4 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.5 Walls and Fences. All Project walls and fences shall comply with the requirements of the Esperanza Specific Plan and Ontario Development Code Division 6.02 (Walls, Fences and Obstructions), as applicable.

2.6 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of the Esperanza Specific Plan and City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(c) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.7 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

(h) The CC&R's for the Ventana development shall be established so as to allow for reciprocal resident amenity access by and between Ventana (TM 20265) and the adjacent Dorado development (TM 17931).

2.8 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.9 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.10 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.11 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.12 Additional Requirements.

(a) Tract Map File No. PMTT19-010 approval is contingent on Planning Commission approval of related Development Plan File No. PDEV19-030, and City Council approval of related General Plan Amendment File No. PGPA19-003 and Specific Plan Amendment File No. PSPA19-003. No building permits shall be issued until final approval is obtained for the aforementioned related applications.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section]; Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Financial Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP	<input checked="" type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. TM-20285 RELATED FILE NO(S). PMTT19-010, PDEV19-030		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor, (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn, (909) 395-2416

DAB MEETING DATE: _____

PROJECT NAME / DESCRIPTION: TM-20285, a Tentative Tract Map to subdivide 9.41 acres of land into eleven (11) numbered lots and 6 lettered lots within the PA-4 Esperanza SP

LOCATION: NWC Hamner Avenue and Eucalyptus Avenue

APPLICANT: Christopher Development Group, Inc.

REVIEWED BY: *[Signature]* 9/11/20
 Bryan Lirley, P.E. Date
 Principal Engineer

APPROVED BY: *[Signature]* 9/16/20
 Raymond Lee, P.E. Date
 Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL: **Check When Complete**

- 1.01 Dedicate to the City of Ontario, the right-of-way, described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.

- 1.02 Dedicate to the City of Ontario, the following easement(s):
 - a. 47' public utility easement along the proposed private 'A' Street
 - b. 26' public utility easement along the following proposed private alleys: 'B' (from westerly curb return of alley 'C' to 'A' Street), 'C', 'D', 'F' (from 'A' Street to alley 'G'), 'G', 'H' (from alley 'N' to northerly alley limits) and 'N'.
 - c. 24' public utility easement along private alley 'O' and alley 'B' (from westerly curb return of alley 'C' to Clifton Avenue).
 - d. 20' public utility easement along private alley 'E'.
 - e. 15' wide public utility easement along a portion of the following private alleys: 'F' (east of alley 'G'), 'H' (east of alley 'H'), 'I', 'J', 'K', 'L' and 'M'. Locations and easement limits to be determined during plan check.
 - f. Easement for water purposes for the proposed master meter locations along the project site. Locations and easement limits to be determined during plan check.
 - g. Emergency access easement along private 'A' Street and alley 'B'.

- 1.03 Restrict vehicular access to the site as follows:
 - a. Proposed ingress/egress at Clifton Avenue and alley 'B' shall be temporary for emergency access only. Access and driveway approach shall be removed, and landscape parkway constructed when Clifton Avenue is extended to the north. See item 2.16 d. for more details.
 - b. Access to subdivision shall only be granted at those locations shown in the approved Tentative Map and Esperanza Specific Plan.

- 1.04 Vacate the following street(s) and/or easement(s): _____

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.

- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning



Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. Also, identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance of these facilities. The Solid Waste Handling Plan, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Financial Services at (909) 395-2353 to initiate the CFD application process.

- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).



- 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).**

- 1.14 Other conditions:**
 - a. **The final map and dedications shall comply with the approved Esperanza Specific Plan, Development Agreement, and the conditions of approval for this tentative tract map.**

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL (Permits includes Grading, Building, Demolition and Encroachment)

- 2.01 Record Parcel Map/Tract Map No. 20285 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per TM-20233.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)



- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: Mountain View School District for temporary street easement for cul-de-sac.**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the Ontario Municipal Utilities Company (OMUC) for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.16 **Other conditions:**
 - a. **All the required improvements for this tract shall be subject to completion of the required public improvements including public utilities beyond the tract limits as specified in Esperanza Specific Plan, the Development Agreement and the Conditions of Approval for TM-20233 (formerly TM-17749).**
 - b. **The applicant/developer shall grant a private ingress/egress easement to the future development to the north for the use of private 'A' Street.**
 - c. **The applicant/developer shall obtain a temporary street easement for the proposed cul-de-sac from the property owner located on the west side of Clifton Avenue (APN: 0218-722-01). Easement shall be dedicated to the City of Ontario for the proposed portion of cul-de-sac located on said property.**



- d. **The applicant/developer shall pay an in-lieu fee for the removal of the proposed temporary emergency access fronting Clifton Avenue. In-lieu fee is to include but not be limited to: construction of AC, curb, gutter, sidewalk, landscape parkway with irrigation, removal of the drive approach and driveway. An engineering unit cost estimate on City forms shall be submitted for plan check. In-lieu fee will be based on the approved cost estimate.**
- e. **Tract Map shall follow the TTM20285 Final Utility Systems Map (USM), dated 06/24/2020, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.**
- f. **The applicant/developer shall enter into an agreement with the property owner to the north (0218-252-07 and 0218-252-09) for the maintenance and construction of the temporary drainage swale being proposed on said property owner's parcels. The agreement shall be reviewed and approved by the City Engineer and City Attorney.**



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Clifton Avenue	Private 'A' Street and Alleys B, C, D, E, F, G, H, O (per TTM)	Eucalyptus Avenue	Hamner Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 24 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 44 ft. curb to curb	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New; Temporary to Alley 'B' <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (both sides) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway^(a)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- a. The parkway/neighborhood edge improvements along the Eucalyptus Avenue project frontage shall include the design and construction of the multipurpose trail.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 8 inch sewer main is available for connection by this project in Eucalyptus Avenue and Clifton Avenue. (Ref: Sewer plan bar code: S16186 and S15240)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **Install 8-inch sewer mains throughout Tract Map streets with a point of connection to the 15-inch sewer main in Eucalyptus Avenue at Clifton Avenue and another point of connection to the 8-inch sewer main in Eucalyptus Avenue at 'A' Street. This shall include 8-inch sewer mains in Clifton Avenue from Eucalyptus Avenue to the Northern Tract-20285 Boundary. See TTM20285 Utility Systems Map Overview, dated 06/24/2020.**
 - b. **The proposed sewer point of connection for this Tract map is in Eucalyptus Avenue through 'A' Street and Alley 'D' to Clifton Avenue. The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:**
 - i. **Sewer System Connection: Consistent with the SSAMP dated 06/24/2020, sewer main shall be installed with a connection to the 8-inch sewer main in Eucalyptus Avenue at 'A' Street and to the 15-inch sewer main in Eucalyptus Avenue at Clifton Avenue through Alley 'D'.**
 - c. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM20285 SSAMP, dated 06/24/2020, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval. In accordance with the SSAMP sewer system design and velocities, submit a Utility Variance Request for the deviation from standard depths and minimum velocity criterion with the submittal of the sewer improvement plans.**

D. WATER

- 2.27 **A 24 and 8 inch water main is available for connection by this project in Eucalyptus Avenue and Clifton Avenue respectively. (Ref: Water plan bar code: W15441)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.



- 2.29 Other conditions:**
- a. **Install 8-inch 925 PZ potable water mains in Clifton Avenue with a point of connection to the existing 24-inch 925 PZ potable water main in Eucalyptus Avenue to the Northern Tract-20285 Boundary. See TTM20285 Utility Systems Map, dated 06/24/2020.**
 - b. **Install 8-inch 925 PZ potable water mains throughout Tract Map streets with a point of connection to the existing 24-inch 925 PZ potable water main in Eucalyptus Avenue at 'A' Street and to the 8-inch 925 PZ potable water main in Clifton Avenue at Alley 'B'. See TTM20285 Utility Systems Map, dated 06/24/2020.**

E. RECYCLED WATER

- 2.30 A 8 inch recycled water main is available for connection by this project in Eucalyptus Avenue and Clifton Avenue. (Ref: Recycled Water plan bar code: P10237 and P11232)**
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.**
- 2.34 Other conditions:**
- a. **Install 8-inch 930 PZ recycled water mains throughout Tract Map streets sufficient to connect all HOA parks and HOA maintained landscaped areas with a point of connection to the existing 8-inch 930 PZ recycled water main in Eucalyptus Avenue at Alley 'B'. This shall include 8-inch recycled water mains in Clifton Avenue from Eucalyptus Avenue to the Northern Tract-20285 Boundary. See TTM20285 Utility Systems Map, dated 06/24/2020.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
- 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. The applicant/developer shall modify the eastbound dual left turn striping on Eucalyptus Avenue to accommodate full access to "A" Street (private) via a two-way left turn pocket.
 - b. If Clifton Avenue has not been constructed north of this development (by the time this development is underway), the applicant/developer shall terminate the street as a temporary cul-de-sac per City of Ontario Standard Drawing No. 1103.
 - c. If the traffic signal at Clifton Avenue and Eucalyptus Avenue has not been constructed (by the time this development is underway), the applicant/developer shall be responsible to design and construct the traffic signal.
 - d. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
 - e. The applicant/developer shall design and construct a temporary dead end on the north end of private 'A' Street per City of Ontario Standard Drawing No. 1310.

G. DRAINAGE / HYDROLOGY

- 2.38 A 48 inch storm drain main is available to accept flows from this project in Eucalyptus Avenue. (Ref: Storm Drain plan bar code: D11948)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:**
- a. The applicant/developer shall design and construct the proposed storm drain in 'A' Street to the northerly tract boundary. Storm drain shall be sized adequately to accept drainage from the future development to the north.

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality



Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 Other conditions:** _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Financial Services Department at (909) 395-2353 to initiate the CFD application process.**
- 2.49 Other conditions:** _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.**
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:**

<https://www.ontarioca.gov/omuc/integrated-waste>



2.53 Other conditions:



- a. **Integrated Waste and Organics Recycling:** This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
 - i. Each residential unit shall be provided with two (2) 96-gallon automated cans (refuse and recycling) and one (1) 32-gallon automated cans (organics) and corresponding storage and staging space.
 - ii. **Park/Recreation Space:** If there are going to be structures or amenities that generate solid waste (BBQs, picnic tables, refuse receptacles, etc.) in the park or recreation areas, then a trash enclosure sized for three 96-gallon automated cans shall be provided by the project for storage of solid waste generated by these uses and for collection by the City.
- b. **Solid Waste Collections:** The Developer shall provide all buyers an informational disclosure with map exhibit showing the designated can placement locations for collections for their units. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
- c. **Final Solid Waste Handling Plan (SWHP):** The TTM-20285 Solid Waste Handling Plan, dated 06/24/2020, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "*Solid Waste Handling Plan Requirements*".
- d. **Final Integrated Waste Management Report (IWMR):** The TTM-20285 Integrated Waste Management Report, dated 12/17/2019, shall be updated to meet all other conditions and revised into a Final IWMR. A Final IWMR shall be submitted for review and approval with the Precise Grading Plan. The IWMR shall demonstrate compliance with the "*Integrated Waste Management Report Requirements*".



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01** Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02** Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: Tract Map No. 20285

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: June 18, 2019

SUBJECT: PMTT19-010 – A Tentative Tract Map to subdivide 9.41 gross acres of land into 11 numbered lots and 6 lettered lots located at the northeast corner of Clifton Avenue and Eucalyptus Avenue, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01). Related Files: PDEV19-030, PGPA19-003 and PSPA19-003

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 11, 2019
SUBJECT: PMTT19-010

-
- The plan does adequately address the departmental concerns at this time.
 No comments
 Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: June 06, 2019

SUBJECT: FILE #: PMTT19-010

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide 9.41 gross acres of land into 11 numbered lots and 6 lettered lots located at the northeast corner of Clifton Avenue and Eucalyptus Avenue, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01). Related Files: PDEV19-030, PGPA19-003 and PSPA19-003.

The plan does adequately address the departmental concerns at this time.

- No comments
- Report attached (1 copy and email 1 copy)
- Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

- The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department

POLICE DEPARTMENT

Signature

[Handwritten Signature]

Title

POLICE OFFICER

Date

6/24/19



CITY OF ONTARIO MEMORANDUM

TO:

Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: December 13, 2019

SUBJECT: **FILE #: PMTT19-010**

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Friday, December 27, 2019**.

PROJECT DESCRIPTION: A Tentative Tract Map (TT 20285) to subdivide 8.57 gross acres of land into 11 numbered lots and 6 lettered lots located at the northeast corner of Clifton Avenue and Eucalyptus Avenue, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01). Related Files: PDEV19-030, PGPA19-003 and PSPA19-003.

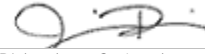
- The plan does adequately address the departmental concerns at this time.
 - No comments
 - See previous report for Conditions
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Department: Landscape Planning Division
 Signature: [Handwritten Signature]
 Title: Landscape Planner
 Date: 1/24/20

**CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
303 East "B" Street, Ontario, CA 91764**

DAB CONDITIONS OF APPROVAL

Sign Off



Jamie Richardson, Sr. Landscape Planner

1/24/20

Date

Reviewer's Name:
Jamie Richardson, Sr. Landscape Planner

Phone:
(909) 395-2615

D.A.B. File No.:
PMTT19-010

Related Files:
PDEV19-030 Rev1

Case Planner:
Alexis Vaughn

Project Name and Location:

Esperanza
TM 20285 NEC Clifton and Eucalyptus

Applicant/Representative:

Christopher Development Group, Inc. Patrick McCabe pmccabe@plcland.com (949) 729-1241
23 Corporate Plaza Drive, Suite 246
Newport Beach, CA 92660

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | A Tentative Tract Map (dated 12/13/19) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval. |

CORRECTIONS REQUIRED

On Grading or Utility Construction Plans:

- Section K; remove concrete v ditch.
- Show or note transformers shall be located in planter areas and set back 3' from paving for small transformers less than 4' high and 5' setback for large transformer greater than 4' high. Locate on level grade. Coordinate with landscape plans.
- Show or note backflow devices shall be located in planter areas and set back min 3' from paving. Locate on level grade. Coordinate with landscape plans.
- Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the minimum spacing to allow space for street trees.
- Show light standards 15' away from required tree locations.
- Show AC unit locations on plan.
- After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,326.00
Inspection—Construction (per phase up to 3 inspections).....	\$278.00
Total.....	\$2,604.00
Inspection—Field - additional.....	\$83.00

Once items are complete you may email an electronic set to:

landscapeplancheck@ontarioca.gov



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
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Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: June 06, 2019

SUBJECT: FILE #: PMTT19-010

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Tentative Tract Map to subdivide 9.41 gross acres of land into 11 numbered lots and 6 lettered lots located at the northeast corner of Clifton Avenue and Eucalyptus Avenue, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01). Related Files: PDEV19-030, PGPA19-003 and PSPA19-003.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations Anna Vaca, Sr. Systems Analyst 7/22/2019
Department Signature Title Date

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-010 & PDEV19-030

Address: Northeast corner of Clifton Avenue & Eucalyptus Avenue

APN: 0218-302-01

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 9.41 acres into 11 numbered lots and 6 lettered lots; Development Plan to construct 126 multi-family units

Site Acreage: 9.41 acres Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 7/25/19

CD No.: 2019-042

PALU No.:

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

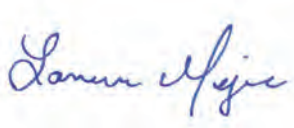
Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: 

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-042
PALU No.: _____

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-030, A DEVELOPMENT PLAN TO CONSTRUCT 126 MULTIPLE-FAMILY DWELLINGS GENERALLY LOCATED AT THE NORTHEAST CORNER OF CLIFTON AND EUCALYPTUS AVENUES, WITHIN THE PA-4 LAND USE DISTRICT OF THE ESPERANZA SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-302-01.

WHEREAS, Patrick McCabe for Christopher Development Group, Inc. ("Applicant"), has filed an Application for the approval of a Development Plan, File No. PDEV19-030, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 8.57 gross acres of land generally located the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan, and is presently partially vacant and partially improved with dairy/agricultural land uses; and

WHEREAS The parcels to the north of the Project site are located within PA-4 (RD-6 / 6 Pack Courtyard) and are presently vacant or developed with dairy/agricultural uses, the parcels to the west of the Project site are within PA-11 (School) and are presently vacant, and the parcels to the south of the Project site are within PA-5 (RD-5 / 4 Pack Courtyard) and are developed with residential land uses, and all are located within the Esperanza Specific Plan. The parcels to the east of the Project site are located within the City of Eastvale and are designated for development with industrial land uses; and

WHEREAS, a General Plan Amendment, Specific Plan Amendment, and Tentative Tract Map, File Nos. PGPA19-003, PSPA19-003, and PMTT19-010, respectively, were filed in conjunction with the proposed Development Plan. The three applications consist of: 1) An amendment to The Ontario Plan to change the land use designation from Low-Density Residential to Medium-Density Residential; 2) an amendment to the Esperanza Specific Plan to increase the maximum density for PA-4 from 6.26 to 14 dwelling units per acre; and 3) a Tentative Tract Map (File No. PMTT19-010) to subdivide 8.57 acres of land into 11 numbered lots and 6 lettered lots; and

WHEREAS, the proposed Development Plan will facilitate the construction of 126 multiple-family residential dwellings in rowtown home configurations; and

WHEREAS, The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, the environmental impacts of this Project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of Project approval and are incorporated herein by this reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 21, 2020, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB20-048, recommending the Planning Commission approve the Application; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — State Clearinghouse No. 2008101140 (“Certified EIR”), which was certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The previous Certified EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Certified EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Certified EIR reflects the independent judgment of the Planning Commission; and

(5) The proposed Project will introduce no new significant environmental impacts beyond those previously analyzed in the previous Certified EIR, and all mitigation measures previously adopted with the Certified EIR, are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the

preparation of a subsequent or supplemental Certified EIR is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The Project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The Project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed Project is consistent with the number of dwelling units (333) and density (14 du/ac) specified in the Available Land Inventory, which designates a total unit count of 1,410 units and an overall density range of 13-24 du/ac for the Project area.

SECTION 4: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is proposed to be located within the Medium-Density Residential land use district of the Policy Plan Land Use Map, and PA-4 of the Esperanza Specific Plan. With approval of related file numbers PGPA19-003, PSPA19-003, and PMTT19-010, the development standards and conditions under which the proposed Project will be constructed and maintained will be consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** With approval of related file numbers PGPA19-003, PSPA19-003, and PMTT19-010, the Project will be been designed consistent with the requirements of the City of Ontario Development Code and the PA-4 land use district of the Esperanza Specific Plan, including standards relative to the particular land use

proposed (multiple-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Planning Commission has required certain safeguards, and imposed certain conditions of approval, which have been established to ensure that: [i] the purposes of the Esperanza Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Esperanza Specific Plan. With approval of related file numbers PGPA19-003, PSPA19-003, and PMTT19-010, the Project will complement and improve upon the quality of existing development in the vicinity of the Project site. The Project site is currently vacant, and the proposed development will provide additional housing options to the greater Ontario community, as well as additional recreational facilities for the immediate neighborhood.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Esperanza Specific Plan and the Ontario Development Code, as applicable, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (multiple-family residential). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the related General Plan Amendment, Specific Plan Amendment, and Tentative Tract Map (File Nos. PGPA19-003, PSPA19-003, and PMTT19-010), and with the Project conditions of approval, will be consistent with the development standards and guidelines described in the Esperanza Specific Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim,

action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV19-030
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: September 22, 2020

File No: PDEV19-030

Related Files: PMTT19-010, PGPA19-003, PSPA19-003

Project Description: A Development Plan to construct 126 multiple-family dwellings generally located at the northeast corner of Clifton and Eucalyptus Avenues, within the PA-4 land use district of the Esperanza Specific Plan (APN: 0218-302-01); **submitted by Patrick McCabe, Christopher Development Group, Inc.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility, and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of the Esperanza Specific Plan and Ontario Development Code Division 6.02 (Walls, Fences and Obstructions), as applicable.

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of the Esperanza Specific Plan and City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(c) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

(e) Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

2.6 Site Lighting.

(a) All recreation facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and shall be designed to confine emitted light to the recreation and open space areas. Recreation facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by vegetative screens or parapet walls that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of the Esperanza Specific Plan and Ontario Development Code Division 8.1 (Sign Regulations), as applicable.

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001), for which an EIR (SCH# 2008101140) was certified by the City Council on January 27, 2010. This Application introduces no new significant environmental impacts, as the overall dwelling unit count for the Esperanza Specific Plan remains under the previously reviewed and approved threshold as set forth by The Ontario Plan EIR (1,636.51 units assumed and analyzed, 1,594 units proposed). All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) Key windows on front elevations and any windows not provided a full built-up trim surround, shall be recessed a minimum of two inches.

(b) The applicant shall work with staff during the Plan Check phase to final all architectural details and paint colors (including, but not limited to, the incorporation of varying front door colors).

(c) Development Plan File No. PDEV19-030 approval is contingent on Planning Commission approval of related Tract Map File No. PMTT19-010, and City Council approval of related General Plan Amendment File No. PGPA19-003 and Specific Plan Amendment File No. PSPA19-003. No building permits shall be issued until final approval is obtained for the aforementioned related applications.



ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section]; Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Financial Services Department Conditions incorporated)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input checked="" type="checkbox"/> TRACT MAP
PROJECT FILE NO. TM-20285 RELATED FILE NO(S). PMTT19-010, PDEV19-030		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: ___/___/___		

CITY PROJECT ENGINEER & PHONE NO: Miguel Sotomayor, (909) 395-2108 *MS*

CITY PROJECT PLANNER & PHONE NO: Alexis Vaughn, (909) 395-2416

DAB MEETING DATE: _____

PROJECT NAME / DESCRIPTION: TM-20285, a Tentative Tract Map to subdivide 9.41 acres of land into eleven (11) numbered lots and 6 lettered lots within the PA-4 Esperanza SP

LOCATION: NWC Hamner Avenue and Eucalyptus Avenue

APPLICANT: Christopher Development Group, Inc.

REVIEWED BY: *[Signature]* 9/11/20
Bryan Lirley, P.E. Date
Principal Engineer

APPROVED BY: *[Signature]* 9/16/20
Raymond Lee, P.E. Date
Assistant City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL:	Check When Complete
--	---------------------

- | | | | |
|-------------------------------------|------|---|--------------------------|
| <input type="checkbox"/> | 1.01 | Dedicate to the City of Ontario, the right-of-way, described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.02 | Dedicate to the City of Ontario, the following easement(s): <ul style="list-style-type: none"> a. 47' public utility easement along the proposed private 'A' Street b. 26' public utility easement along the following proposed private alleys: 'B' (from westerly curb return of alley 'C' to 'A' Street), 'C', 'D', 'F' (from 'A' Street to alley 'G'), 'G', 'H' (from alley 'N' to northerly alley limits) and 'N'. c. 24' public utility easement along private alley 'O' and alley 'B' (from westerly curb return of alley 'C' to Clifton Avenue). d. 20' public utility easement along private alley 'E'. e. 15' wide public utility easement along a portion of the following private alleys: 'F' (east of alley 'G'), 'H' (east of alley 'H'), 'I', 'J', 'K', 'L' and 'M'. Locations and easement limits to be determined during plan check. f. Easement for water purposes for the proposed master meter locations along the project site. Locations and easement limits to be determined during plan check. g. Emergency access easement along private 'A' Street and alley 'B'. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.03 | Restrict vehicular access to the site as follows: <ul style="list-style-type: none"> a. Proposed ingress/egress at Clifton Avenue and alley 'B' shall be temporary for emergency access only. Access and driveway approach shall be removed, and landscape parkway constructed when Clifton Avenue is extended to the north. See item 2.16 d. for more details. b. Access to subdivision shall only be granted at those locations shown in the approved Tentative Map and Esperanza Specific Plan. | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.04 | Vacate the following street(s) and/or easement(s): _____ | <input type="checkbox"/> |
| <input type="checkbox"/> | 1.05 | Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 1.06 | Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning | <input type="checkbox"/> |



Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. Also, identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance of these facilities. The Solid Waste Handling Plan, shall be included in the CC&R's with a provision that the HOA will enforce the can collections placement requirements of this Plan.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Financial Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____

- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.

- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.

- 1.11 Provide a preliminary title report current to within 30 days.

- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Financial Services at (909) 395-2353 to initiate the CFD application process.

- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).



- 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).**

- 1.14 Other conditions:**
 - a. **The final map and dedications shall comply with the approved Esperanza Specific Plan, Development Agreement, and the conditions of approval for this tentative tract map.**

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. 20285 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.**
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.**
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per TM-20233.**
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____ .
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.**
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)



- California Department of Fish & Game
- Inland Empire Utilities Agency (IEUA)
- Other: Mountain View School District for temporary street easement for cul-de-sac.**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the Ontario Municipal Utilities Company (OMUC) for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.16 **Other conditions:**
 - a. **All the required improvements for this tract shall be subject to completion of the required public improvements including public utilities beyond the tract limits as specified in Esperanza Specific Plan, the Development Agreement and the Conditions of Approval for TM-20233 (formerly TM-17749).**
 - b. **The applicant/developer shall grant a private ingress/egress easement to the future development to the north for the use of private 'A' Street.**
 - c. **The applicant/developer shall obtain a temporary street easement for the proposed cul-de-sac from the property owner located on the west side of Clifton Avenue (APN: 0218-722-01). Easement shall be dedicated to the City of Ontario for the proposed portion of cul-de-sac located on said property.**



- d. **The applicant/developer shall pay an in-lieu fee for the removal of the proposed temporary emergency access fronting Clifton Avenue. In-lieu fee is to include but not be limited to: construction of AC, curb, gutter, sidewalk, landscape parkway with irrigation, removal of the drive approach and driveway. An engineering unit cost estimate on City forms shall be submitted for plan check. In-lieu fee will be based on the approved cost estimate.**
- e. **Tract Map shall follow the TTM20285 Final Utility Systems Map (USM), dated 06/24/2020, and any deviation from this plan shall require the USM to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted for review and approval with the Potable Water, Recycled Water, and Sewer Improvement Plans.**
- f. **The applicant/developer shall enter into an agreement with the property owner to the north (0218-252-07 and 0218-252-09) for the maintenance and construction of the temporary drainage swale being proposed on said property owner's parcels. The agreement shall be reviewed and approved by the City Engineer and City Attorney.**



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Clifton Avenue	Private 'A' Street and Alleys B, C, D, E, F, G, H, O (per TTM)	Eucalyptus Avenue	Hamner Avenue
Curb and Gutter	<input checked="" type="checkbox"/> New; 24 ft. from C/L (both sides) <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> New; 44 ft. curb to curb	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input checked="" type="checkbox"/> New; Temporary to Alley 'B' <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New (both sides) <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway^(a)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace



Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:

- a. The parkway/neighborhood edge improvements along the Eucalyptus Avenue project frontage shall include the design and construction of the multipurpose trail.



- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 **Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).**
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 8 inch sewer main is available for connection by this project in Eucalyptus Avenue and Clifton Avenue. (Ref: Sewer plan bar code: S16186 and S15240)**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 - a. **Install 8-inch sewer mains throughout Tract Map streets with a point of connection to the 15-inch sewer main in Eucalyptus Avenue at Clifton Avenue and another point of connection to the 8-inch sewer main in Eucalyptus Avenue at 'A' Street. This shall include 8-inch sewer mains in Clifton Avenue from Eucalyptus Avenue to the Northern Tract-20285 Boundary. See TTM20285 Utility Systems Map Overview, dated 06/24/2020.**
 - b. **The proposed sewer point of connection for this Tract map is in Eucalyptus Avenue through 'A' Street and Alley 'D' to Clifton Avenue. The applicant must satisfy the following requirements for the proposed Sewer System Point of Connection:**
 - i. **Sewer System Connection: Consistent with the SSAMP dated 06/24/2020, sewer main shall be installed with a connection to the 8-inch sewer main in Eucalyptus Avenue at 'A' Street and to the 15-inch sewer main in Eucalyptus Avenue at Clifton Avenue through Alley 'D'.**
 - c. **Sewer Sub-Area Master Plans (SSAMPs) with Sewer Sizing Design Calculations: The Tract Map sewer mains design shall follow the TTM20285 SSAMP, dated 06/24/2020, and any deviation from this design shall require the SSAMP to be updated and resubmitted to OMUC for review and approval. In accordance with the SSAMP sewer system design and velocities, submit a Utility Variance Request for the deviation from standard depths and minimum velocity criterion with the submittal of the sewer improvement plans.**

D. WATER

- 2.27 **A 24 and 8 inch water main is available for connection by this project in Eucalyptus Avenue and Clifton Avenue respectively. (Ref: Water plan bar code: W15441)**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.



- 2.29 Other conditions:**
- a. **Install 8-inch 925 PZ potable water mains in Clifton Avenue with a point of connection to the existing 24-inch 925 PZ potable water main in Eucalyptus Avenue to the Northern Tract-20285 Boundary. See TTM20285 Utility Systems Map, dated 06/24/2020.**
 - b. **Install 8-inch 925 PZ potable water mains throughout Tract Map streets with a point of connection to the existing 24-inch 925 PZ potable water main in Eucalyptus Avenue at 'A' Street and to the 8-inch 925 PZ potable water main in Clifton Avenue at Alley 'B'. See TTM20285 Utility Systems Map, dated 06/24/2020.**

E. RECYCLED WATER

- 2.30 A 8 inch recycled water main is available for connection by this project in Eucalyptus Avenue and Clifton Avenue. (Ref: Recycled Water plan bar code: P10237 and P11232)**
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.**
- 2.34 Other conditions:**
- a. **Install 8-inch 930 PZ recycled water mains throughout Tract Map streets sufficient to connect all HOA parks and HOA maintained landscaped areas with a point of connection to the existing 8-inch 930 PZ recycled water main in Eucalyptus Avenue at Alley 'B'. This shall include 8-inch recycled water mains in Clifton Avenue from Eucalyptus Avenue to the Northern Tract-20285 Boundary. See TTM20285 Utility Systems Map, dated 06/24/2020.**

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
- 1. On-site and off-site circulation
 - 2. Traffic level of service (LOS) at 'build-out' and future years
 - 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.



- 2.37 Other conditions:**
- a. The applicant/developer shall modify the eastbound dual left turn striping on Eucalyptus Avenue to accommodate full access to "A" Street (private) via a two-way left turn pocket.
 - b. If Clifton Avenue has not been constructed north of this development (by the time this development is underway), the applicant/developer shall terminate the street as a temporary cul-de-sac per City of Ontario Standard Drawing No. 1103.
 - c. If the traffic signal at Clifton Avenue and Eucalyptus Avenue has not been constructed (by the time this development is underway), the applicant/developer shall be responsible to design and construct the traffic signal.
 - d. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
 - e. The applicant/developer shall design and construct a temporary dead end on the north end of private 'A' Street per City of Ontario Standard Drawing No. 1310.

G. DRAINAGE / HYDROLOGY

- 2.38 A 48 inch storm drain main is available to accept flows from this project in Eucalyptus Avenue. (Ref: Storm Drain plan bar code: D11948)**
- 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.**
- 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.
- 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project.
- 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program.
- 2.43 Other conditions:**
- a. The applicant/developer shall design and construct the proposed storm drain in 'A' Street to the northerly tract boundary. Storm drain shall be sized adequately to accept drainage from the future development to the north.

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality



Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.

If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 Other conditions:** _____

J. SPECIAL DISTRICTS

- 2.48 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Financial Services Department at (909) 395-2353 to initiate the CFD application process.**
- 2.49 Other conditions:** _____

K. FIBER OPTIC

- 2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.**
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.**

L. Solid Waste

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:**

<https://www.ontarioca.gov/omuc/integrated-waste>



2.53 Other conditions:

- a. **Integrated Waste and Organics Recycling:** This site shall comply with the requirements of State Assembly Bill AB 1826 and AB 341, the Integrated Waste Department, and the Refuse & Recycling Planning Manual. The City of Ontario is dedicated to meeting its diversion goals, please contact the Integrated Waste Department at (909) 395-2050 to start.
 - i. Each residential unit shall be provided with two (2) 96-gallon automated cans (refuse and recycling) and one (1) 32-gallon automated cans (organics) and corresponding storage and staging space.
 - ii. **Park/Recreation Space:** If there are going to be structures or amenities that generate solid waste (BBQs, picnic tables, refuse receptacles, etc.) in the park or recreation areas, then a trash enclosure sized for three 96-gallon automated cans shall be provided by the project for storage of solid waste generated by these uses and for collection by the City.
- b. **Solid Waste Collections:** The Developer shall provide all buyers an informational disclosure with map exhibit showing the designated can placement locations for collections for their units. This informational disclosure with map exhibit shall be submitted with Precise Grading Plan for review and approval of Ontario Municipal Utility Company.
- c. **Final Solid Waste Handling Plan (SWHP):** The TTM-20285 Solid Waste Handling Plan, dated 06/24/2020, shall be updated to meet all conditions and revised into a Final SWHP. A Final SWHP shall be submitted for review and approval with the Precise Grading Plan. The SWHP shall demonstrate compliance with the "*Solid Waste Handling Plan Requirements*".
- d. **Final Integrated Waste Management Report (IWMR):** The TTM-20285 Integrated Waste Management Report, dated 12/17/2019, shall be updated to meet all other conditions and revised into a Final IWMR. A Final IWMR shall be submitted for review and approval with the Precise Grading Plan. The IWMR shall demonstrate compliance with the "*Integrated Waste Management Report Requirements*".



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01** Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02** Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03** The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04** NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05** Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06** Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: Tract Map No. 20285

The following items are required to be included with the first plan check submittal:

1. **A copy of this check list**
2. **Payment of fee for Plan Checking**
3. **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4. **One (1) copy of project Conditions of Approval**
5. **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6. **Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).**
7. **Three (3) sets of Public Street improvement plan with street cross-sections**
8. **Three (3) sets of Private Street improvement plan with street cross-sections**
9. **Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)**
10. **Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)**
11. **Four (4) sets of Public Sewer improvement plan**
12. **Five (5) sets of Public Storm Drain improvement plan**
13. **Three (3) sets of Public Street Light improvement plan**
14. **Three (3) sets of Signing and Striping improvement plan**
15. **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16. **Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)**
17. **Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.**
18. **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19. **One (1) copy of Hydrology/Drainage study**
20. **One (1) copy of Soils/Geology report**



21. **Payment for Final Map/Parcel Map processing fee**
22. **Three (3) copies of Final Map/Parcel Map**
23. **One (1) copy of approved Tentative Map**
24. **One (1) copy of Preliminary Title Report (current within 30 days)**
25. **One (1) copy of Traverse Closure Calculations**
26. **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
27. **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner
Planning Department

FROM: Paul Ehrman, Deputy Fire Chief/Fire Marshal
Fire Department

DATE: August 15, 2019

SUBJECT: PDEV19-030 – A Development Plan to construct 126 multiple-family dwellings on 8.57 acres of land located at the northeast corner of Clifton Avenue and East Eucalyptus, within the PA-4 land use district of the Esparanza Specific Plan (APN: 0218-302-01). Related Files: PMTT19-010, PSPA19-003 and PGPA19-003

-
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): Varies, Multiple Floor Plans 1400 Sq. Ft. Total
- D. Number of Stories: 2
- E. Total Square Footage: 1400 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finalized) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Alexis Vaughn
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: June 11, 2019
SUBJECT: PDEV19-030

-
- The plan does adequately address the departmental concerns at this time.
- No comments
- Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.
2. Project is subject to ADA requirements.

KS:lr



CITY OF ONTARIO

MEMORANDUM

TO: Alexis Vaughn, Assistant Planner

FROM: Officer Emily Hernandez, Police Department

DATE: June 20, 2019

SUBJECT: PDEV19-030: A DEVELOPMENT PLAN TO CONSTRUCT 126 MULTI-FAMILY DWELLINGS AT THE NORTHEAST CORNER OF CLIFTON AVENUE AND EAST EUCALYPTUS STREET

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

The Applicant is invited to call Emily Hernandez at (909) 408-1755 regarding any questions or concerns.



CITY OF ONTARIO MEMORANDUM

TO:

- Scott Murphy, Development Director
- Cathy Wahlstrom, Planning Director (Copy of memo only)
- Diane Ayala, Advanced Planning Division (Copy of memo only)
- Charity Hernandez, Economic Development
- Kevin Shear, Building Official
- Khoi Do, City Engineer
- Jamie Richardson, Landscape Planning Division**
- Ahmed Aly, Municipal Utility Company
- Emily Hernandez, Police Department
- Paul Ehrman, Deputy Fire Chief/Fire Marshal
- Jay Bautista, T. E., Traffic/Transportation Manager
- Lorena Mejia, Airport Planning
- Eric Woosley, Engineering/NPDES
- Joe De Sousa, Code Enforcement (Copy of memo only)
- Jimmy Chang, IT Department

FROM:

Alexis Vaughn, Assistant Planner

DATE:

December 13, 2019

SUBJECT:

FILE #: PDEV19-030

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

PROJECT DESCRIPTION: A Development Plan to construct 126 multiple-family dwellings on 8.57 acres of land located at the northeast corner of Clifton Avenue and East Eucalyptus, within the PA-4 land use district of the Esparanza Specific Plan (APN: 0218-302-01). Related Files: PMTT19-010, PSPA19-003 and PGPA19-003.

The plan does adequately address the departmental concerns at this time.

No comments

See previous report for Conditions

Report attached (1 copy and email 1 copy)

Standard Conditions of Approval apply

The plan does not adequately address the departmental concerns.

The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Landscape Planning Division
Department

Signature

Title

Landscape Planner 1/24/20

Date

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

CONDITIONS OF APPROVAL

Sign Off


 Jamie Richardson, Sr. Landscape Planner

1/24/20
 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner** Phone: **(909) 395-2615**

D.A.B. File No.: PDEV19-030 Case Planner: Alexis Vaughn

Project Name and Location:
 Esperanza
 TM 20285 NEC Clifton and Eucalyptus

Applicant/Representative:
 Christopher Development Group, Inc. Patrick McCabe pmccabe@plcland.com (949) 729-1241
 23 Corporate Plaza Drive, Suite 246
 Newport Beach, CA 92660

- A Preliminary Landscape Plan (dated 12/13/19) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
- A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
 Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Show light standards 15' away from required tree locations.
2. Show on plans step outs at parking spaces adjacent to planters; 12" wide monolithic curb, 12" compacted decomposed granite or pavers adjacent to the 6" curb.
3. Show AC unit locations on plan.
4. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
5. Show backflow devices set back 4' from paving all sides. Locate on level grade
6. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept. (show city standard on Eucalyptus and Clifton/Eucalyptus and Hamner).
7. Dimension all planters to have a minimum 5' wide inside dimension.
8. Provide a recycled and potable water meter exhibit. Parkways, pocket parks, and HOA common areas shall be irrigated with recycled water. HOA maintained homeowner common areas (alleys and front yard spaces shall be irrigated with potable water (unless master metered).

Landscape Plans

9. Provide landscape plans for Hamner Avenue median; street tree for Hamner median is the Platanus acerifolia 'Bloodgood.'
10. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
11. Show and call out all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
12. Show corner ramp and sidewalk per city standard drawing 1213.
13. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide curbs where parking spaces are adjacent to planters. See Sheet CLMP - 4.
14. Provide a recycled and potable water meter exhibit. Parkways, pocket parks, and HOA common

areas shall be irrigated with recycled water. HOA maintained homeowner common areas (alleys and front yard spaces shall be irrigated with potable water (unless master metered). MAWA/EWU calculations may need to change based on this.

15. Replace invasive, high water using, short lived, high maintenance or poor performing plants: Replace Blue Oak Grass (poor performing).
16. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
17. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
18. Provide phasing map for multi-phase projects.
19. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Fees are:

Plan Check—5 or more acres.....	\$2,326.00
Inspection—Construction (up to 3 inspections per phase).....	<u>\$278.00</u>
Total.....	\$2,604.00
Inspection—Field – any additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov



CITY OF ONTARIO MEMORANDUM

TO: Scott Murphy, Development Director
 Cathy Wahlstrom, Planning Director (Copy of memo only)
 Diane Ayala, Advanced Planning Division (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, City Engineer
 Carolyn Bell, Landscape Planning Division
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 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Airport Planning
 Eric Woosley, Engineering/NPDES
 Joe De Sousa, Code Enforcement (Copy of memo only)
 Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: June 06, 2019

SUBJECT: FILE #: PDEV19-030 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Thursday, June 20, 2019**.

- Note:
- Only DAB action is required
 - Both DAB and Planning Commission actions are required
 - Only Planning Commission action is required
 - DAB, Planning Commission and City Council actions are required
 - Only Zoning Administrator action is required

PROJECT DESCRIPTION: A Development Plan to construct 126 multiple-family dwellings on 9.41 acres of land located at the northeast corner of Clifton Avenue and East Eucalyptus, within the PA-4 land use district of the Esparanza Specific Plan (APN: 0218-302-01). Related Files: PMTT19-010, PSPA19-003 and PGPA19-003.

- The plan does adequately address the departmental concerns at this time.
 - No comments
 - Report attached (1 copy and email 1 copy)
 - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
 - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

Broadband Operations	Anna Vaca	Senior Systems Analyst	7/22/2019
Department	Signature	Title	Date

1. The City of Ontario is developing a fiber-optic telecommunications system throughout the city commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced Internet/data services to homes and businesses in feasible areas within the city. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides will keep the city on par with the modern workforce and ever changing lifestyles of the people and the community.
2. Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the developer, as illustrated in Exhibit A, "Fiber Optics Plan". Maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not that of the developer, private homeowners association or private homeowners. Development of the project requires the installation by the developer of all fiber optic infrastructure necessary to service the project as a standalone development.
3. The City requires public utility easement for fiber optics on all private aisles/alley ways.
4. Trenching, joint trenching, and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with Street Light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500-feet apart in major streets and no greater than 300-feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units.
5. Structured Wiring – An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:
 - Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance
 - Allows for uniform receipt & distribution of technology services
 - Ensures scalability of wiring for future technology advances
 - Provides consistent & identical wiring protocols throughout developments
 - Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity
 - Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services
6. Building Entrance (Multi-family) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
7. Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
8. A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecom/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
9. A Fiber Optics Improvement Design Plan sheet should be part of the Design Plan submission and should be provided in digital format (PDF) as well, on future revisions

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT19-010 & PDEV19-030

Address: Northeast corner of Clifton Avenue & Eucalyptus Avenue

APN: 0218-302-01

Existing Land Use: Vacant

Proposed Land Use: Tentative Tract Map to subdivide 9.41 acres into 11 numbered lots and 6 lettered lots; Development Plan to construct 126 multi-family units

Site Acreage: 9.41 acres Proposed Structure Height: 30 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 7/25/19

CD No.: 2019-042

PALU No.:

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 FT +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2019-042
PALU No.: _____

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *PC FORCIE*

DATE: September 22, 2020

SUBJECT: ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN AMENDMENT FOR FILE NOS. PGPA19-008 AND PSPA19-011:

A General Plan Amendment (File No. PGPA19-008) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation on 10.49 acres of land, from School to Low-Medium Density Residential, in conjunction with modification of the Future Buildout Table (Exhibit LU-03) to be consistent with the proposed land use designation change, and an Amendment to The Avenue Specific Plan (File No. PSPA19-011), changing the land use designation on the project site from School to Low-Medium Density Residential, generally located at the northeast corner of La Avenida Drive and Manitoba Place. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140), certified by the City Council on January 27, 2010. This application introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0218-652-27) **submitted by Ontario Schaefer Holdings, LLC. City Council action is required.**

The public hearing for the above-described project is being continued to the October 27, 2020, Planning Commission meeting.



PLANNING COMMISSION STAFF REPORT

September 22, 2020

FILE NO.: PDCA18-003

SUBJECT: A Development Code Amendment proposing to: [1] revise current provisions regarding the regulation of Accessory Dwelling Units, replacing an Urgency Ordinance previously approved by the City Council on January 21, 2020; [2] revise current provisions regarding the MU-1 (Downtown Mixed Use) zoning district, to facilitate the establishment of the Downtown District Plan; [3] establish new provisions regarding the regulation of small lot infill subdivisions, which are proposed to be allowed in Mixed Use zoning districts and the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 du/ac), MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac), MDR-25 (Medium-High Density Residential – 18.1 to 25.0 du/ac), and HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning districts; [4] revise current provisions regarding Massage Services and Massage Establishments, establishing that such uses are subject to Administrative Use Permit issuance and requirements; and [5] modify certain Development Code provisions to include various clarifications, including Chapter 2.0 (Administration and Procedures), Chapter 3.0 (Nonconforming Lots, Land Uses, Structures, and Signs), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 7.0 (Historic Preservation), Chapter 8.0 (Sign Regulations), and Chapter 9.0 (Definitions and Glossary); **City Initiated. City Council action is required.**

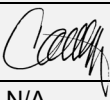
PROPERTY OWNER: N/A

RECOMMENDED ACTION: That the Planning Commission consider and adopt the attached resolution recommending that the City Council:

[1] Repeal Ordinance No. 3150, an Urgency Ordinance previously approved by the City Council on January 21, 2020; and

[2] Approve File No. PDCA18-003 pursuant to the facts and reasons contained in the staff report and resolution.

PROJECT SETTING: The proposed Development Code Amendment is of Citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. The City of Ontario is substantially built-out with a mix of residential, commercial, industrial, agricultural, airport, recreational, and institutional/public land uses.

Case Planner:	Charles Mercier
Planning Director Approval:	
Submittal Date:	N/A

Hearing Body	Date	Decision	Action
PC	9/22/2020		Recommend
CC 1 st read'g	10/20/2020		Introduction
CC 2 nd read'g	11/3/2020		Final

According to the California Department of Finance, the City of Ontario's 2020 estimated population is 186,653 persons and it is ranked the 25th largest city in the State in terms of population.

PROJECT ANALYSIS: The Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens. On December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. Staff is now initiating a myriad of alterations to the Development Code, including those required in compliance with changes in State law, as well as those changes deemed necessary to adjust and clarify various provisions of the Development Code, which are described below.

[1] MU-1 (Downtown Mixed Use) Zoning District — Staff is proposing changes to the current the MU-1 (Downtown Mixed Use) zoning district provisions to facilitate the establishment of the Downtown District Plan. The MU-1 (Downtown Mixed Use) zoning district will be divided into 4 land use areas, as follows:

[a] LUA-1 (Euclid Avenue Entertainment) District. The LUA-1 (Euclid Avenue Entertainment) district is intended to provide the vitality, amenities, and a range of entertainment, shopping, restaurant, outdoor dining, and cultural offerings.

[b] LUA-2 (Arts) District. The LUA-2 (Arts) district is intended as a dynamic destination for locals and tourists, while creating a fulfilling urban experience energized by artistic, educational, and commercial participants.

[c] LUA-3 (Holt Boulevard) District. The LUA-3 (Holt Boulevard) district recognizes Holt Boulevard as a vital east-west link to the historic downtown area, particularly from Ontario International Airport, the Ontario Convention Center, and the nearby hospitality center. Additionally, the district is intended for market rate and attainable housing, vertical or horizontal mixed-use developments, with retail or live/work on the ground floor, shopping, public services, open space, and public transportation.

[d] LUA-4 (Civic Center) District. The LUA-4 (Civic Center) district is intended for City services at City Hall, the Public Library, or the Community Center.

The proposed revisions are shown in Attachment A of the attached resolution (refer to pages 5.01-6 through 5.01-9).

[2] Changes Required by State Mandate —

[a] Accessory Dwelling Units. Staff has revised current Development Code provisions regarding the regulation of Accessory Dwelling Units (“ADUs”), which replaces an Urgency Ordinance previously approved by the City Council on January 21, 2020, in order to bring the City’s current provisions governing ADUs into compliance with changes in State law that became effective on January 1, 2020, (Senate Bill 13, Assembly Bill 68 and Assembly Bill 881) and Government Code Sections 65852.2 and 65852.22. The proposed revisions are shown in Attachment A of the attached resolution (refer to pages 5.03-3 through 5.03-9).

[b] Family Daycare Homes. The Development Code currently stipulates that small-family daycare homes (up to 8 children) are a permitted land use (as required by State law) and large-family daycare homes (up to 14 children) are subject to Administrative Use Permit approval. A recent change in State law requires that large-family daycare homes must be treated the same as small-family daycare homes. To this end, the large-family daycare home and small-family daycare home land use categories have been combined into a single “Family Child Daycare Homes” (up to 14 children) land use category. As required by State law, the use will be permitted in zoning districts allowing residential uses, only in conjunction with an existing residence, including a single-family dwelling, a townhouse dwelling, a dwelling unit within a single-family dwelling, a multiple-family dwelling, or a dwelling unit within a multiple-family dwelling.

[c] Employee (Farmworker) Housing. Section 5.03.177 (Employee (Farmworker) Housing) has been added to the Development Code as mandated by the Employee Housing Act (commencing with Health and Safety Code Section 17000).

[3] Massage Services and Massage Establishments — Staff is proposing certain changes to current Development Code provisions regarding massage services and massage establishments. Table 5.02-1 (Land Use Matrix) will be revised to establish that massage establishments are subject to Administrative Use Permit (“AUP”) approval and requirements (Conditional Use Permit approval is currently required). Current AUP provisions allow for noncompliant facilities to be fined and/or AUP revoked by the Police Chief or Community Improvement Manager.

In addition, Section 5.03.270 (Massage Establishments and Services) will be revised to eliminate provisions that currently allow a massage therapist to engage in the business of massage without obtaining certification by the California Massage Therapy Council (CAMTC) pursuant to the State of California Business and Professions Code. The proposed Development Code revision requires that a Massage Therapist must obtain certification by CAMTC prior to the issuance of a business license by in the City. The proposed revisions are shown in Attachment A of the attached resolution (refer to page 5.02-32 and pages 5.03-80 through 5.03-86).

[4] Small Lot Infill Subdivisions — Staff is proposing the establishment of new provisions regarding the regulation of small lot infill subdivisions. The small lot infill subdivision provisions are intended to regulate the development and subdivision of existing infill lots within Mixed Use zoning districts and the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 du/ac), MDR-18 (Medium Density Residential – 11.1 to 18.0 du/ac), MDR-25 (Medium-High Density Residential – 18.1 to 25.0 du/ac), and HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning districts, with infill small lots allowed as an alternative form of fee-simple homeownership. The proposed revisions are shown in Attachment A of the attached resolution (refer to pages 6.01-41 through 6.01-47)

[5] Other Various Changes — Staff is proposing modification to various Development Code provisions within Chapter 2.0 (Administration and Procedures), Chapter 3.0 (Nonconforming Lots, Land Uses, Structures, and Signs), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 7.0 (Historic Preservation, Chapter 8.0 (Sign Regulations), and Chapter 9.0 (Definitions and Glossary). The proposed revisions are summarized in Table A: Proposed Development Code, below, and are included in Attachment A of the attached resolution.

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
Division 2.02—Application Filing and Processing	
1) Modifies Table 2.02-1 (Review Matrix), as follows: <ul style="list-style-type: none"> a) Clarifies that ministerial actions are exempt from CEQA review pursuant to Section 15268 of the CEQA Guidelines and identifies which actions are deemed ministerial. b) Clarifies that the environmental review of any project within the ONT (Ontario International Airport) zoning district is under the purview of the Ontario International Airport Authority. c) Clarifies that an application that does not require a public hearing is to be reviewed and acted upon under the Consent Calendar portion of the Reviewing Authority’s meeting agenda. 	2.02-6 and 2.02-7
2) Adds clarification that the submittal of a time extension request includes an automatic 90-day time extension to provide adequate time for the processing of the time extension by the City.	2.02-18
Division 3.01—Nonconforming Lots, Land Uses, and Structures	
3) Adds text pointing to provisions that allow for alteration/expansion of nonconforming multiple-family residential developments (Subchapter I) and nonconforming nonresidential structures (Subchapter J).	3.01-6

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
4) Deletes current provisions that specify the conditions in which residential developments may be altered/expanded, allowing a one-time maximum 25% increase in density for multiple-family residential developments that are nonconforming as to base residential density, subject to Conditional Use Permit approval by the Zoning Administrator (projects totaling up to 4 DUs with expansion) or Planning Commission (projects totaling 5 or more DUs after expansion).	3.01-8
Division 5.01—Zoning Districts and Boundaries	
5) Additions and deletions intended to clarify the purpose of the ICC (Interim Community Commercial) Overlay zoning district and Clarifies that the City’s official zoning map may be amended pursuant to the requirements of Section 4.01.040 (Zone Changes).	5.01-12
Division 5.02-1 General Land Use Provisions	
6) Revises Table 5.02-1 (Land Use Matrix), as follows: <ul style="list-style-type: none"> a) Various corrections and expansions to NAICS Code references have been made. (throughout) b) The suitability of land uses has been established within each Land Use Area (LUA) of the MU-1 zoning district. (throughout) c) Residential land uses have been reorganized and various changes have been made to further expand upon and clarify certain single-family residential uses. (Pgs. 5.02-6 and 7) d) Aquaculture has been added a conditionally permitted land use in the IL, IH, and AG zoning districts. (pg. 5.02-7) e) Clarification of the Boutique Manufacturing Facilities land use has been added to include Artisan Small-Scale and Micro Manufacturing Facilities. (pg. 5.02-8) f) Prohibits Alcoholic Beverage Manufacturing in the LUA-4 (Civic Center) district of the MU-1 (Downtown Mixed Use) zoning district. (Pg. 5.02-9) g) Fertilizer Manufacturing from Manure Operations (FMMO) has been added as a conditionally permitted land use in the AG zoning district. (Pg. 5.02-10) h) Expands upon the Other Chemical Product and Preparation Manufacturing land use to provide clarification on the types of land uses included within the classification. (Pg. 5.02-10) i) Provides clarification on the types of land uses included within the All Other Miscellaneous Metal Product Manufacturing classification. (Pg. 5.02-12) j) Provides clarification on the types of land uses included within the Other Miscellaneous Durable Goods wholesale trade classification. (Pg. 5.02-13) k) Petroleum Brokers (office only) has been added to the list of allowed Wholesale Trade Agents and Brokers, as a permitted land use in the OL, OH, BP, and IP zoning districts. (Pg. 5.02-13) 	5.02-5 thru 5.02-34

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
<p>l) Motorcycles, Personal Watercraft, All Terrain Vehicles, and Other Similar Vehicles has been added to the list of allowed Other Motor Vehicle Dealers, as a conditionally permitted use in the CC, CR, CCS, and IP zoning districts. (Pg. 5.02-13)</p> <p>m) Provides Clarification on the types of land uses included within the Air Transportation classification. (Pg. 5.02-16 and 17)</p> <p>n) Adds to the list of allowed Motion Picture and Video Industries to include Teleproduction and Other Postproduction Services as permitted uses in the BP, IP, IL, IG, and IH zoning districts, and Other Motion Picture and Video Industries (such as: booking agencies, film libraries, film laboratories and film restoration) as a permitted land use in the OL, OH, BP, and IP zoning districts. (Pg. 5.02-18)</p> <p>o) Professional, Scientific, and Technical Services has been added as a permitted land use in the CCS zoning district. (Pg. 5.02-20)</p> <p>p) Educational Support Services has been added as a permitted land use in the CCS zoning district. (Pg. 5.02-24)</p> <p>q) The description of Nursing and Care Facilities and pursuant to State law has been expanded, clarifying that facilities of 6 or fewer persons are permitted only in conjunction with an existing single-family residence. (Pg. 5.02-25 and 26)</p> <p>r) Pursuant to changes in State law, the large-family daycare home and small-family daycare home land use categories have been combined into a single Family Child Daycare Homes (up to 14 children) land use category, which is permitted in zoning districts allowing residential uses, only in conjunction with an existing residence, including a single-family dwelling, a townhouse dwelling, a dwelling unit within a single-family dwelling, a multiple-family dwelling, or a dwelling unit within a multiple-family dwelling. (Pg. 5.02-26)</p> <p>s) Expands on the list of Performing Arts, Spectator Sports, and Related Industries, to include:</p> <ul style="list-style-type: none"> ▪ Promoters of Performing Arts, Sports, and Similar Events (offices only); ▪ Agents and Managers for Artists, Athletes, Entertainers and Other Public Figures (offices only); and ▪ Independent Artists, Writers, and Performers (offices only). (Pg. 5.02-27) <p>t) The Dancing, Dance Clubs, Dance Halls, Ballrooms, and Discotheques land use has been divided into subcategories of facilities having a gross floor area less than 5,000 square feet and facilities having a gross floor area of 5,000 square feet or more. Furthermore, within LUA-1 (Euclid Avenue Entertainment) of the MU-1 zoning district, facilities having a gross floor area less than 5,000 square feet are subject to Administrative Use Permit approval and would be allowed only in conjunction with a bona fide full-service restaurant or alcoholic beverage manufacturer’s tasting room. Within all other zones that dancing, dance clubs, dance halls, ballrooms, and discotheques are allowed, they are subject to Conditional Use Permit approval. (Pg. 5.02-27)</p> <p>u) The Live Entertainment land use subcategories will be reduced to facilities having a gross floor area less than 5,000 square feet (from 10,000 square feet) and</p>	

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
<p>facilities having a gross floor area of 5,000 square feet or more. Furthermore, within residential zoning districts, live entertainment (less than 5,000 square feet) will be allowed in conjunction with a banquet facility established in association with a historic property. Additionally, within the MU-1 (Downtown Mixed Use) zoning district, LUA-1 thru 4, standalone live entertainment facilities will be subject to Conditional Use Permit approval and will be prohibited on property located along the Euclid Avenue corridor. (Pg. 5.02-28)</p> <p>v) Alcoholic beverage sales for on-premises consumption has been added as an allowed use in residential zoning districts, subject to the approval of an Administrative Use Permit, only in conjunction with a banquet facility less than 10,000 square feet in area that is established in association with a historic property or a not for profit homeowners association that maintains/operates a clubhouse or similar place of assembly for exclusive use by association members and their guests. (Pg. 5.02-29)</p> <p>w) Adds a provision prohibiting standalone bars, taverns, and other similar facilities within the MU-1 (Downtown Mixed Use) zoning district, LUA-1, 2N, and 2S, on property located along the Euclid Avenue corridor. (Pg. 5.02-30)</p> <p>x) The list of All Other Automotive Repair and Maintenance facilities has been expanded to include Tire Sales, Installation, and Repair (except retreading) Services as a permitted use in the CC, CR, BP, IP, IL, and IG zoning districts. (Pg. 5.02-31)</p> <p>y) The list of allowed Parking Lots and Parking Garages has been expanded to clarify that commercial parking facilities means “pay to park” and adds Publicly-Owned Facilities and Facilities Required in Conjunction with Allowed Uses as permitted land uses. (Pg. 5.02-33)</p>	
Division 5.03—Supplemental Land Use Regulations	
<p>7) The title for Division 5.03 has been changed from “Standards for Certain Land Uses, Activities, and Facilities” to “Supplemental Land Use Regulations.”</p>	5.03-1
<p>8) Development Code Section 5.03.010.B (Accessory Residential Structures (excepting Accessory Dwelling Units)) has been revised as follows:</p> <p>a) Restricts the size of an Accessory Residential Structure added to an existing residence to no more than 50% of the floor area of the existing residence. (Pg. 5.03-9)</p> <p>b) The maximum height of an Accessory Residential Structure permitted by right has been increased from 14 feet to 16 feet, consistent with Accessory Dwelling Units. (Pg. 5.03-10)</p> <p>c) Various additions and deletions to the Table 5.03-2 (Development Standards for Detached Accessory Residential Structures) Notes, for the purposes of clarification. (Pg. 5.03-10)</p>	5.03-9 thru 5.03-11

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
d) Adds a prohibition to the use of shipping containers to accommodate on-site storage but does not prohibit the conversion of shipping containers into legally established buildings. (Pg. 5.03-11)	
9) Development Code Section 5.03.037 (Boutique/Artisan Small-Scale and Micro Manufacturing Facilities) has been added, establishing minimum standards for use establishment and operation.	5.03-45
10) Development Code Section 5.03.067 (Banquet Facilities – Historic Properties) has been added, establishing standards for the establishment and operation of banquet facilities located on historically designated properties that are outside of zoning districts that would otherwise allow the activity.	5.03-46 and 5.03-47
11) In compliance with recent changes in State law, the large-family daycare home and small-family daycare home land use categories have been combined into a single “Family Child Daycare Homes” (up to 14 children) land use category. The associated land use standards have been revised accordingly.	5.03-53 and 5.03-54
12) Development Code Section 5.03.150 (Drive-Thru Facilities) has been modified as follows: a) Makes certain wording changes for the purposes of clarification; b) Deletes provision prohibiting drive-thru facilities within the MU-1(Downtown Mixed-Use) zoning district and stipulates that drive-thru facilities cannot be visible from Euclid Avenue; c) Reduces the minimum floor area from 3,000 square feet to 2,000 square feet and reduces the minimum interior floor area from 2,500 square feet to 1,500 square feet; and d) Adds a stipulation that the Planning Director may require an increased drive-thru stacking length to accommodate businesses known to generate a higher drive-thru demand.	5.03-57 and 5.03-58
13) Section 5.03.177 (Employee (Farmworker) Housing) has been added as mandated by the Employee Housing Act (commencing with HSC Section 17000).	5.03-62 thru 5.03-65
14) Section 5.03.187 (Fertilizer Manufacturing from Manure Operations) has been added, establishing standards for the establishment and operation of Fertilizer Manufacturing from Manure Operations. The proposed standards are derived from the San Bernardino County development standards for commercial fertilizer operations.	5.03-66 thru 5.03-68
15) Section 5.03.200 (Freight Transportation Arrangement) has been expanded, specifying that within the BP and IP zoning districts, freight transportation arrangement is limited to offices only and within the IG and IH zoning districts, the use is only allowed when ancillary to a truck transportation use.	5.03-68

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
16) Section 5.03.245 (Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers) has been expanded, specifying that smoking and vaping lounges are prohibited, excepting hookah establishments. Additionally, standards governing smoking and vaping retail shops have been established.	5.03-76 and 5.03-77
17) Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation) has been modified, adding Subsection F to clarify that hotels, motels, residence inns, and other similar traveler accommodations that are located in the SP zoning district are subject to Conditional Use Permit approval.	5.03-79
18) Section 5.03.257 (Live Entertainment) has been added, establishing standards for the establishment and operation of live entertainment facilities.	5.03-79
19) Section 5.03.285: Mixed-Use Developments has been revised to differentiate Residential Mixed Use projects (a mix of residential and commercial uses) from Nonresidential Mixed Use projects (a mix of commercial and business park or light industrial uses) and establish standards for the development of nonresidential mixed use projects.	5.03-90 thru 5.03-92
20) Amends Section 5.03.300 (Mobile Washing and Detailing Services) to allow mobile washing and detailing services as a home occupation, provided no washing or detailing of vehicles is performed on the premises.	5.03-94
21) Section 5.03.355 (a previously reserved section) has been amended to address self-storage facilities, establishing a procedure by which a self-storage facility may be allowed to exceed the maximum FAR of the zoning district in which it is located, subject to the submittal of an Equivalent Impact Study, which determines the project's maximum allowed gross floor area based upon the comparable traffic generation of other existing permitted land uses in the same general vicinity and the same zoning district, constructed at the maximum allowed FAR of the zoning district.	5.03-101 and 5.03-102
<p>22) Section 5.03.395.J (Temporary Wireless Telecommunications Facilities) has been revised, eliminating provisions addressing Temporary Test-Only Wireless Telecommunications Facilities. The current provisions are a holdover from the days of an analog wireless system and their interference with the City's public safety radio channels. The wireless industry's switch to a digital system may years ago has eliminated the need for temporary test-only wireless telecommunications facilities.</p> <p>Furthermore, clarifications have been added which specify that:</p> <ul style="list-style-type: none"> ▪ The Planning Director may administratively approve temporary wireless telecommunications facilities to fulfill short-term wireless capacity and/or coverage needs; and ▪ If a generator is needed to operate or provide backup power to a temporary wireless telecommunications facility, the City's noise provisions must be fully complied with. 	5.03-112 and 5.03-113

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
23) Section 5.03.410.C.2 (Commercial Animal Production) has been revised to include clarifications that specify: <ul style="list-style-type: none"> ▪ Within the AR-2 zoning district, kennels and catteries having fewer than 8 animals are be permitted as a Home Occupation; ▪ Within the CC and CR zoning districts kennels and catteries for the purpose of boarding only, are allowed in conjunction with veterinary and/or animal hospital services; ▪ Kennels and catteries are allowed within the IL and IH zoning districts; and ▪ Kennels and catteries in conjunction with veterinary or animal hospital services are not subject to a 2-acre minimum lot size. 	5.03-119 and 5.03-120
24) Section 5.03.410.C.3 (Aquaculture Production) has been added, establishing that aquaculture production is for the commercial sale of freshwater and saltwater fish, crustaceans, mollusks, aquatic plants, algae, and other organisms, which are under controlled conditions for food. Additionally, in the IG and IH zoning districts, aquaculture production must incorporate an integrated and holistic design, which is wholly contained within a building.	5.03-122
25) Section 5.03.410.D (Commercial Crop Production and Farming) has been amended to in clarification that commercial crop production and farming does not include community gardens and urban farms allowed pursuant to the Land Use Matrix (Table 5.02-1).	5.03-122 and 5.03-123
26) Section 5.03.410.E (Community Gardens) has been amended to include a provision allowing aquaculture as an incidental activity to a Community Garden.	5.03-126
27) Section 5.03.410.F (Urban Farms) has been amended to include a provision allowing aquaculture as an incidental activity to an Urban Farm.	5.03-129
28) Section 5.03.420(Wireless Telecommunications Facilities) has been amended to include various minor wording changes and the addition of cross references to other Development Code sections, for purposes of clarification.	5.03-131 thru 5.03-139
Division 6.01—District Standards and Guidelines	
29) Deletes the current reference to Small Lot and Cluster Single-Family Residential Development Standards and expands upon the type and description of allowed residential development types, including: <ul style="list-style-type: none"> ▪ Traditional single-family residential developments; ▪ Small lot traditional single-family residential developments; ▪ Small lot alley-loaded single-family residential developments; ▪ Cluster single-family residential developments; and 	6.01-3 and 6.01-4

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
<ul style="list-style-type: none"> ▪ Multiple-family residential developments. 	
<p>30) Various revisions have been made to Table 6.01-1 (Traditional Single-Family Residential Development Standards), including:</p> <ul style="list-style-type: none"> ▪ Adds the MDR-18, MDR-25, and HDR-45 zoning districts to the table; ▪ Adds setback requirements for rear and side alley conditions; ▪ For clarification purposes, adds a rear setback for patio covers that matches the setback for all single-story structures (10 feet); ▪ Clarifies that the required 6-foot minimum separation between buildings only applies to buildings on the same lot; ▪ Addition of Note 7 clarifying that lots having a street abutting the rear property line must setback the rear wall 5 feet behind the street property line to allow for landscaping beyond the required parkway landscaping; ▪ Addition of Note 8 clarifying that a useable rear yard area having minimum horizontal dimension of 20 FT in any direction and a clear vertical dimension of 8 FT is required to be provided; and ▪ Addition of Note 9 clarifying that the minimum setbacks from private streets are to be measured from a point 12 feet behind the face of curb. 	6.01-5 thru 6.01-7
<p>31) Adds Figure 6.01-1A, which exemplifies a typical traditional single-family residential development with vehicular access from the street, and Figure 6.01-1B, exemplifying a typical traditional single-family residential development with public alley access.</p>	6.01-8 and 6.01-9
<p>32) Various revisions have been made to Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards), including:</p> <ul style="list-style-type: none"> ▪ Adds the MDR-18, MDR-25, and HDR-45 zoning districts to the table; ▪ Increases the maximum lot coverage and decreases the minimum lot depth to establish consistency with similar development in Ontario Ranch; ▪ Adds and amends certain setback requirements to establish consistency with similar development in Ontario Ranch; ▪ Clarifies that the required 6-foot minimum separation between buildings only applies to buildings on the same lot; ▪ Adds Note 6 clarifying that lots having a street abutting the side or rear property line must setback the rear wall 5 feet behind the street property line to allow for landscaping beyond the required parkway landscaping; ▪ Adds Note 7 clarifying that the minimum setbacks from private streets are to be measured from a point 12 feet behind the face of curb; and ▪ Adds Note 8 allowing the interior side property line setback to be reduced to 4 feet if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls. 	6.01-10 thru 6.01-12

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
33) Adds Figure 6.01-2A, an example of a typical small lot traditional single-family residential development with vehicular access from the street.	6.01-13
34) Various revisions have been made to Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards), including: <ul style="list-style-type: none"> ▪ Adds the MDR-18, MDR-25, and HDR-45 zoning districts to the table; ▪ Adds minimum lot width, lot depth, and lot coverage requirements to establish consistency with similar development in Ontario Ranch; ▪ Adds and amends certain setback requirements to establish consistency with similar development in Ontario Ranch; ▪ Adds Note 5 clarifying that lots having a street abutting the side or rear property line must setback the rear wall 5 feet behind the street property line to allow for landscaping beyond the required parkway landscaping; ▪ Adds Note 6 allowing the interior side property line setback to be reduced to 4 feet if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls; and ▪ Adds Note 8 clarifying that the minimum setbacks from private streets are to be measured from a point 12 feet behind the face of curb. 	6.01-14 thru 6.01-16
35) Adds Figure 6.01-2B, exemplifying a typical small lot alley-loaded single-family residential development.	6.01-17
36) Various revisions have been made to Table 6.01-2C (Cluster Single-Family Residential Development Standards), including: <ul style="list-style-type: none"> ▪ Adds the MDR-18, MDR-25, and HDR-45 zoning districts to the table; ▪ Adds and amends certain setback requirements to establish consistency with similar development in Ontario Ranch; ▪ Adds Note 5 clarifying that lots having a street abutting the side or rear property line must setback the rear wall 5 feet behind the street property line to allow for landscaping beyond the required parkway landscaping; ▪ Adds Note 6 allowing the interior side property line setback to be reduced to 4 feet if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls; and ▪ Adds Note 8 clarifying that the minimum setbacks from private streets are to be measured from a point 12 feet behind the face of curb. 	6.01-18 thru 6.01-20
37) Adds Figure 6.01-2B, exemplifying a typical cluster single-family residential development.	6.01-21

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
38) Various revisions have been made to Table 6.01-3 (Multiple-Family Residential Development Standards), including: <ul style="list-style-type: none"> ▪ Various word insertions have been made for purposes of clarification; ▪ The minimum project area for the HRD-45 zoning district has been reduced, from 2.5 acres to one-acre; ▪ The minimum lot width for the HRD-45 zoning district has been reduced, from 330 feet to 180 feet; ▪ The minimum lot depth for the HRD-45 zoning district has been reduced, from 330 feet to 200 feet; ▪ The minimum arterial street setback for the HRD-45 zoning district has been reduced, from 20 feet to 10 feet; ▪ The minimum setback for a primary entry facing onto an interior property line has been reduced from 15 feet to 10 feet (Note 4); ▪ Clarifies that a residential lot must be developed at no less than the minimum density range of the applicable zoning district (Note 7); and ▪ Adds Note 9 clarifying that the minimum setbacks from private streets are to be measured from a point 12 feet behind the face of curb. 	6.01-22 thru 6.01-24
39) Adds Figures 6.01-3A, 6.01-3B, 6.01-3C, and 6.01-3D, providing examples of various multiple-family densities.	6.01-25 thru 6.01-28
40) Revises the exceptions to residential development standards as follows: <ul style="list-style-type: none"> ▪ Adds parapet walls to the list of building elements that may exceed the maximum building height by up to 25 percent; ▪ Porte cocheres attached to a main dwelling will be allowed to extend a maximum of 30 percent into the required setback depth (same as porches, patios, and decks); ▪ A side setback that is encroached upon by a porte cochere, can be reduced to less than 3 feet, matching allowed encroachments by fireplaces and chimneys. This is an increase from the current 2.5-foot allowed encroachment; ▪ Adds utility and storage closets to the list of building elements that may encroach 2 feet into a side setback; however, like fireplaces and chimneys, the setback cannot be reduced to less than 3 feet. 	6.01-29 and 6.01-30
41) Revises the residential open space requirements as follows: <ul style="list-style-type: none"> ▪ Various word insertions and deletions have been made for purposes of clarification; ▪ Open space requirements will apply only to projects consisting of 4 or more dwellings; ▪ Adds splash pads to the description of major recreation facilities; and 	6.01-30 thru 6.01-32

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
<ul style="list-style-type: none"> ▪ Adds tot lots for ages 2 to 5, play areas/equipment for ages 5 to 12, and cabanas and shade structures to the description of minor recreation facilities. 	
42) Various word insertions and deletions have been made to the infill single-family housing provisions to clarify that the provisions are intended to apply to only infill traditional single-family dwellings.	6.01-39
43) Deletes swimming pool, hot tub, spa, and pond fencing requirements that are duplicated in Development Code Section 6.02.020.A.3 (Ponds and Swimming Pools) and adds section reference. Additionally, reduces the side and rear setback for swimming pools, hot tubs, spas, and ponds from 5 feet to 3 feet.	6.01-40
44) Revises the exceptions to commercial development standards, adding parapet walls to the list of building elements that may exceed the maximum building height by up to 25 percent.	6.01-55
45) Adds clarification that the use of transparent glazing on commercial developments provides the City's public safety personnel the ability to view inside a building without having to first enter the structure.	6.01-49
46) Revises the exceptions to industrial development standards, adding parapet walls to the list of building elements that may exceed the maximum building height by up to 25 percent.	6.01-65
47) Development standards for the EA (Euclid Avenue) Overlay District have been revised to: <ul style="list-style-type: none"> ▪ Specify that land development within the overlay district is subject to the requirements of the Downtown Ontario Design Guidelines (see Reference C—Downtown Ontario Design Guidelines); and ▪ Eliminate the prohibition of medical offices and clinics on the first floor of buildings that have street frontage on Euclid Avenue. 	6.01-80
48) Development standards for the ICC (Interim Community Commercial) Overlay District have been revised to eliminate certain provisions restricting the overlay to properties within the HDR-45 zoning district.	6.01-82
Division 6.03—Off-Street Parking and Loading	
49) Adds exception to off-street parking requirements, specifying that within the MU-1 (Downtown Mixed Use) zoning district, off-street parking is not required for existing buildings having a floor area of less than 10,000 square feet.	6.03-3
50) Table 6.03-1 (Off-Street Parking Requirements) has been revised as follows: <ul style="list-style-type: none"> ▪ Change in the method of calculation for residential guest/visitor parking. The change in method will not result in a change in the number of parking spaces that would otherwise be required; and 	6.03-5

Table A: Proposed Development Code Amendment

Proposed Changes	Corrected Pages**
<ul style="list-style-type: none"> ▪ The number of parking spaces required for accessory dwelling unit (ADUs) has been changed to conform to State law. 	
51) Eliminates discussion of tandem parking for second units, as the term “second unit” is no longer used in the Development Code.	6.03-12
52) Revises Table 6.03-2 (Standards for Parking Spaces, Drive Aisles, and Driveways), eliminating the maximum gradients permitted at driveway entrances, as the current requirements are inconsistent with the City’s Building Code.	6.03-14
53) Eliminates Sections 6.03.060 (Prohibition of Parking on Undeveloped or Unpaved Lots) and 6.03.065 (Prohibition of Parking on Landscaped or Unpaved Areas of a Lot), which were previously added to the City’s Municipal Code.	6.03-20 and 6.03-21
Division 6.05—Landscaping	
54) Adds reference to Executive Order No. B-29-15 (updated 2015), Model Water Efficient Ordinance (MWEL0)	6.05-1
55) Amends the tree staking, ground cover spacing, and grading design and stormwater management requirements to be consistent with the City’s current landscape standards and specifications.	6.05-19 and 6.05-20
Division 6.06—Street Naming and Street Address Numbering	
56) Eliminates the use of “Via” as an allowed private street name prefix at the request of the Post Office.	6.06-3
Division 6.08—Development Projects and Subdivisions	
57) Certain additions and deletions have been made throughout Division 6.08 for the purpose of clarifying that the Development Code’s dedication and public improvement requirements apply to development plans and projects, and not only to subdivisions.	6.08-1 thru 6.08-32
Division 6.10—Property Appearance and Maintenance	
58) Eliminates the Property Appearance and Maintenance provisions, which were previously added to the City’s Municipal Code.	6.10-1 thru 6.10-7
Division 7.01—Historic Preservation	
59) Revises the Mitigation Fee structure based on the most current International Code Council (ICC) Building Valuation Data. Fees can range from 10 to 30 percent of the square foot cost to construct the building or structure that is being demolished.	7.01-6 and 7.01-7

Table A: Proposed Development Code Amendment

<i>Proposed Changes</i>	<i>Corrected Pages**</i>
Division 8.01—Sign Regulations	
60) Adds topical headings to the listing of exempt signs.	8.01-2 and 8.01-3
61) In commercial and industrial zoning districts, all existing standards addressing wall signs with multiple lines of copy have been eliminated. Signs with multiple lines of copy will now be treated like all other signs in the zoning district.	8.01-17, 8.01-21, 8.01-22, 8.01-24, and 8.01-25
Division 9.01—Definitions	
62) Adds various new definitions and makes certain changes to existing definitions for the purposes of clarification.	Throughout
Division 9.02—Glossary	
63) Makes certain changes to existing definitions for the purposes of clarification.	Throughout
<i>Note: ** Refer to Attachment A of the attached Planning Commission resolution for Development Code additions and deletions</i>	

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City’s Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Pursue City’s Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario’s Commercial and Residential Neighborhoods

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

➤ Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

▪ Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➤ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan).

[a] Land Use Element – Balance:

▪ Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➤ LU1-1: Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

➤ LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.

➤ LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

➤ LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.

➤ LU1-6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

➤ LU1-7 Revenues and Costs. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.

[b] Land Use – Compatibility

- Goal LU2: Compatibility between wide ranges of uses.
 - LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.
 - LU2-6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

[c] Land Use – Phased Growth

- Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.
 - LU4-3 Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.

[d] Community Design Element – Image & Identity:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.
 - CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.
 - CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected and enhanced in accordance with our land use policies.
 - CD1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.
 - CD1-5 View Corridors. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.

[e] Community Design Element – Design Quality

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.

➤ CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.

➤ CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural

daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

[f] Community Design Element – Pedestrian & Transit Environments

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

[g] Community Design Element – Protection of Investment

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

[h] Mobility Element – Roadway System:

- Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

- M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

[i] Mobility Element – Bicycles & Pedestrians:

- Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

- M2-1 Bikeway Plan. We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.

- M2-2 Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.

- M2-3 Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

[j] Housing Element – Housing Supply & Diversity:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H2-1 Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally, and aesthetically suited to corridors.

➤ H2-3 Ontario Airport Metro Center. We foster vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.

➤ H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

[k] Community Economics Element – Complete Community:

▪ Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-1 Jobs-Housing Balance. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.

➤ CE1-7 Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

[l] Community Economics Element – Place-Making:

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

➤ CE2-6 Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly owned property.

HOUSING ELEMENT COMPLIANCE: The Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project furthers the purposes, principals, goals, and policies of the Housing Element, in that it will expand upon the types of housing that may be constructed throughout residential and

mixed use zoning districts of the City and will allow for alternate forms of home rental and fee-simple homeownership.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the common sense exemption (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL REPEAL ORDINANCE NO. 3150, AN URGENCY ORDINANCE PREVIOUSLY APPROVED BY THE CITY COUNCIL ON JANUARY 21, 2020, IN ORDER TO BRING THE CITY'S CURRENT PROVISIONS GOVERNING ACCESSORY DWELLING UNITS INTO COMPLIANCE WITH CHANGES IN STATE LAW, AND APPROVE FILE NO. PDCA18-003, A DEVELOPMENT CODE AMENDMENT PROPOSING TO: [1] REVISE CURRENT REGULATIONS GOVERNING ACCESSORY DWELLING UNITS; [2] REVISE CERTAIN REGULATIONS GOVERNING THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, FACILITATING THE ESTABLISHMENT OF THE DOWNTOWN DISTRICT PLAN; [3] ESTABLISH NEW REGULATIONS GOVERNING THE ESTABLISHMENT OF SMALL LOT INFILL SUBDIVISIONS; [4] REVISE CURRENT REGULATIONS GOVERNING MASSAGE SERVICES AND MASSAGE ESTABLISHMENTS; AND [5] MODIFY CERTAIN DEVELOPMENT CODE REGULATIONS TO INCLUDE VARIOUS CLARIFICATIONS, INCLUDING CHAPTER 2.0 (ADMINISTRATION AND PROCEDURES), CHAPTER 3.0 (NONCONFORMING LOTS, LAND USES, STRUCTURES, AND SIGNS), CHAPTER 5.0 (ZONING AND LAND USE), CHAPTER 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS), CHAPTER 7.0 (HISTORIC PRESERVATION), CHAPTER 8.0 (SIGN REGULATIONS), AND CHAPTER 9.0 (DEFINITIONS AND GLOSSARY), AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA18-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application is of Citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south; and

WHEREAS, current Development Code provisions regarding the regulation of Accessory Dwelling Units ("ADUs") have been revised, which is intended to replace an Urgency Ordinance (Ordinance No. 3150) previously approved by the City Council on January 21, 2020, in order to bring the City's current provisions governing ADUs into compliance with changes in State law that became effective on January 1, 2020, (Senate

Bill 13, Assembly Bill 68, and Assembly Bill 881) and Government Code Sections 65852.2 and 65852.22; and

WHEREAS, the City of Ontario is initiating a myriad of alterations to the Development Code, including those required in compliance with changes in State law, as well as those changes deemed necessary to adjust and clarify various provisions of the Development Code, attached hereto as "Attachment A," and incorporated herein by this reference; and

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, on December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. The City is now initiating a myriad of alterations to the Development Code, including those required in compliance with changes in State law, as well as those changes deemed necessary to adjust and clarify various provisions of the Development Code; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) assigns the Planning Commission the responsibility and authority to review and make recommendation to the Planning Commission on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan ("ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, City of Ontario Development Code Division 2.03 (Public Hearings) prescribes the manner in which public notification shall be provided and hearing

procedures to be followed, and all such notifications and procedures have been completed; and

WHEREAS, on September 22, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the recommending authority for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The proposed Development Code Amendment is exempt from the requirements of the CEQA and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the common sense exemption (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

(3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: Housing Element Compliance. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, the project furthers the purposes, principals, goals, and policies of the Housing Element, in that it will

expand upon the types of housing that may be constructed throughout residential and mixed use zoning districts of the City and will allow for alternate forms of home rental and fee-simple homeownership.

SECTION 3: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the PLANNING COMMISSION, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the Planning Commission hereby concludes as follows:

(1) *The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* Staff has thoroughly reviewed the proposed Municipal Code Amendment and the conditions under which it will be implemented, and has determined the proposed Municipal Code provisions to be consistent with the applicable goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) *The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.* The proposed changes serve to clarify and adjust existing provisions and would not result in changes to the Development Code that would alter its purpose, intent, or application.

SECTION 5: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby recommends the City Council

(1) Repeal Ordinance No. 3150, an Urgency Ordinance previously approved by the City Council on January 21, 2020, in order to bring the City's current provisions governing ADUs into compliance with changes in State law, which became effective on January 1, 2020, (Senate Bill 13, Assembly Bill 68, and Assembly Bill 881) and Government Code Sections 65852.2 and 65852.22; and

(2) Approve the herein described Development Code Amendment, including each and every addition and deletion identified in Attachment A of this resolution.

SECTION 6: *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 22nd day of September 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. _____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on September 22, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDCA18-003
Development Code Revisions**

All additions are identified by **yellow highlighted** text and
all deletions are identified by **red-strikethrough** text.

**** *Document follows this page* ****

Division 2.02—Application Filing and Processing

Sections:

- [2.02.000](#): Purpose
- [2.02.005](#): Applicability
- [2.02.010](#): Applications and Fees
- [2.02.015](#): Application Processing Procedures
- [2.02.020](#): Environmental Review
- [2.02.025](#): Time Limits and Extensions
- [2.02.030](#): Failure by Applicant to Complete Application Processing
- [2.02.035](#): Limitations on Application Refiling
- [2.02.040](#): Indemnification

2.02.000: Purpose

The purpose of this Division is to establish procedures and requirements for the preparation, filing and processing of applications for permits, amendments, and approvals stipulated by this Development Code.

2.02.005: Applicability

Table 2.02-1 (Review Matrix), below, establishes the recommending, approving, and appeal authorities for all permits, amendments, and approvals stipulated by this Development Code. The symbols used within the Table have the following meanings:

- R = Advisory (Recommending) Authority
- X = Approving Authority
- A = Appeal Authority

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]									
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
A. LEGISLATIVE ACTIONS										
1. Airport Land Use Compatibility Plan and Amendments [1] (Ref: ODC Section 4.01.010)								R	X	
2. Development Agreements [1] (Ref: ODC Section 4.01.015)								R	X	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]									
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
3. Development Code Amendments [1] (Ref: ODC Section 4.01.020)								R	X	
4. Amendment to the Policy Plan (General Plan) Component of The Ontario Plan [1] (Ref: ODC Section 4.01.025)								R	X	
5. Planned Unit Developments and Amendments [1] (Ref: ODC Section 4.01.030)								R	X	
6. Specific Plans and Amendments [1] (Ref: ODC Section 4.01.035)								R	X	
7. Williamson Act Contract Cancellations [1] (Ref: GC Section 51200 et.seq.)								R	X	
8. Zone Changes [1] (Ref: ODC Section 4.01.040)								R	X	
B. DISCRETIONARY PERMITS AND ACTIONS										
1. Administrative Exceptions (Ref: ODC Section 4.02.020.C)				X				A	A	
2. Billboard Relocation Agreements [1] (Ref: ODC Section 4.02.010)								R	X	
3. Conditional Use Permits (Ref: ODC Section 4.02.015)										
a. Hotels, Motels and Residence Inns [1]								R	X	
b. Use established in conjunction with a Development Plan [1]					R			X	A	
c. Use established within an existing structure [1]				X				A	A	
d. Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) [1]								X	A	
e. Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) [1]				X				A	A	
4. Density Bonus and Other Incentives per ODC Section 6.01.010.G (Density Bonus and Other Incentives) [1]								R	X	
5. Development Plans (Ref: ODC Section 4.02.025)										
a. Residential developments totaling 5 or more dwelling units or the development of 3 or more dwelling units on a single lot or parcel					R			X	A	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]									
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
b. Commercial developments, and developments in the CIV, OS-R, OS-C and UC zoning districts, greater than 500 SF in area					X			A	A	
c. Industrial developments equal to or less than 0.45 FAR					X			A	A	
d. Industrial developments exceeding 0.45 FAR					R			X	A	
e. Wireless telecommunications facilities pursuant to Section 5.03.415 (Wireless Telecommunications Facilities) of this Development Code										
(1) Tier 2 facilities					X			A	A	
(2) Tier 3 facilities [1]					R			X	A	
f. All others					X			A	A	
6. Extensions of Legal Nonconforming Status [1] (Ref: ODC Section 4.02.030)				X				A	A	
7. Fair Housing and Reasonable Accommodation [1] (Ref: ODC Section 4.02.035)				X				A	A	
8. Historic Preservation										
a. Certificates of Appropriateness (Ref: ODC Section 4.02.050)										
(1) Designated Historic Landmarks and Contributors, and Architectural Conservation Areas; and Demolition of an Historic Resource [1]						R	X		A	
(2) Deferral of Replacement Structure [1]						R	X		A	
(3) Eligible Historic Resources [1]						X	A		A	
(4) Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) [1]						R	X		A	
(5) Waivers for Minor Improvements	X					A[6]	A[6]			
b. Certificates of Economic Hardship [1] (Ref: ODC Section 4.02.055) [1]						R	X		A	
c. Certificates of Economic Hardship—Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) [1]						R	X		A	
d. Conservation Plans (Ref: ODC Section 4.02.060)						X	A		A	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]									
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
e. Historic Resource Tiering (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)						X	A		A	
f. Local Historic Landmark and Local District Designations, and Architectural Conservation Areas (Ref: ODC Section 4.02.040), including Rescinding or Amending Status (Ref: ODC Section 4.02.045)						R	R		X	
g. Mills Act Contracts (Ref: ODC Section 4.02.065)						R	R		X	
h. Mills Act Cancellations [1] (Ref: ODC Section 4.02.065)						R	R		X	
i. Addition/Removal of Resources to/from the Ontario Register (Ref: ODC Section 4.02.045)										
(1) At the request of the property owner, or upon City initiation if the most recently prepared Historic Resource Survey evaluating the resource is more than 5 years old.						X	A		A	
(2) Loss of all historic and/or cultural significance due to a catastrophe causing a loss of integrity, or due to extensive legally performed alterations performed after the property was initially surveyed.	X						A		A	
9. Interpretations and Land Use Determinations (Ref: ODC Section 1.02.010)				X				A	A	
10. Master Plans and Amendments [1] (Ref: ODC Section 4.02.070)								R	X	
11. Minor Variances (Ref: ODC Section 4.02.020.D)				X				A	A	
12. Nonconforming Structure Reconstruction [1] (Ref: ODC Section 3.01.020)								X	A	
13. Parking Reduction (Ref: ODC Section 6.03.025)								X	A	
14. Sign Programs (Ref: ODC Section 4.02.075)	X							A	A	
15. Specific Plan Minor Amendments (Ref: ODC Section 4.02.080)	X							A	A	
16. Stays of Permit Approval Time Limit (Ref: ODC Section 2.02.025.A.8)				X[5]	X[5]	X[5]	X[5]	X[5]	X[5]	
17. Subdivisions										

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]									
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
a. Lot Merger (Merger of Contiguous Parcels) [1] (Ref: ODC Section 4.02.085)					R			X	A	
b. Reversions to Acreage [1] (Ref: ODC Section 4.02.090)					R			X	A	
c. Tentative Tract and Parcel Maps, and Vesting Maps [1] (Ref: ODC Section 4.02.095)					R			X	A	
d. Tentative Tract and Parcel Map Time Extensions (Ref: ODC Section 2.02.025.A.3 & 4)					R			X	A	
18. Time Extensions, excepting tentative subdivision maps (Ref: ODC Section 2.02.025)	X							A	A	
19. Variances (Ref: ODC Section 4.02.020.E)										
a. Homeowner [1]				X				A	A	
b. Other [1]					R			X	A	
C. MINISTERIAL (ADMINISTRATIVE) PERMITS AND DECISIONS										
1. Administrative Use Permits (Ref: ODC Section 4.03.015)	X									
2. Airport Land Use Compatibility Plan (ALUCP) Interagency Reviews [7] (Ref: ALUCP)	X								A[8]	
3. Business License - Zoning/Land Use Compliance (Ref: OMC 3-1.129 (Zoning Compliance))	X							A	A	
4. Development Applications within the ONT zoning district	X									
5. Landscape and Irrigation Plans (Ref: ODC Section 6.05.005)	X							A	A	
6. Off-Site (Public) Improvement Plans (Ref: ODC Section 6.08.040)		X						A	A	
7. Other Plan Checks required by this Development Code	X							A	A	
8. Shopping Cart Retention Plans (Ref: ODC Section 6.11.020)	X							A	A	
9. Sign Plans (Ref: ODC Section 4.03.020)	X							A	A	
10. Subdivisions										
a. Certificates of Compliance (Ref: ODC Section 4.03.025)		X						A	A	

Table 2.02-1: Review Matrix

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]									
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2] [11]	Historic Preservation Commission [11]	Planning Commission [11]	City Council [11]	Ontario International Airport Authority
b. Final Tract and Parcel Maps, and Vesting Maps (Ref: ODC Section 4.03.030)									X	
c. Lot Line Adjustments (Ref: ODC Section 4.03.035)		X						A	A	
d. Map Corrections and Amendments (Ref: ODC Section 4.03.040)		X						A	A	
e. Street Address Numbering (Ref: ODC Section 6.06.010)			X					A	A	
f. Street Name Assignment (Ref: ODC Section 6.06.010)	X							A	A	
g. Subdivision Improvement Agreement (Ref: ODC Section 6.08.040.G)		X						A	A	
11. Tier 1 wireless telecommunications facility pursuant to ODC Section 5.03.415 (Wireless Telecommunications Facilities)	X							A	A	
12. Wall, Fence, and Obstructions Plans (Ref: ODC Section 6.02.005)	X							A	A	
D. ENVIRONMENTAL DETERMINATIONS AND ACTIONS										
1. Environmental Impact Reports (EIRs) (Ref: CCR Section 15080 et seq.)								X[3]	X[3]	
2. Exempt Projects (Ref: CCR Section 15300 et seq.)	X[3]			X[3]	X[3]	X[3]	X[3]	A	A	
3. Ministerial Projects (Ref: CCR Section 15268)	X[3] Ministerial projects are exempt from the requirements of CEQA [10]									
4. Negative Declarations (NDs) and Mitigated Negative Declarations (MNDs) (Ref: CCR Section 15070 et seq.)				X[3]	X[3]	X[3]	X[3]	X[3]	X[3]	
5. Addendums to previously certified EIRs and previously adopted NDs and MNDs (Ref: CCR Section 15164)				X[3]	X[3]	X[3]	X[3]	X[3]	X[3]	
6. Environmental review for projects located within the ONT zoning district [9]										X

Notes:

- [1] A public hearing is required pursuant to the procedures set forth in Division 2.03 (Public Hearings) of this Development Code; however, public notification shall not be required for Development Advisory Board or Historic Preservation Subcommittee hearings when acting in the capacity of an Advisory Authority.
- [2] The Approving Authority may refer any application subject to their review to the next higher authority (Appeal Authority).

- [3] *The Approving Authority for environmental determinations/actions shall be the same as the related legislative or discretionary actions. NDs and MNDs, and Addendums to previously certified EIRs, and previously adopted NDs or MNDs, which are not associated with, or are independent of, legislative or discretionary actions, shall be subject to Development Advisory Board review and adoption. EIRs that are not associated with, or are independent of, legislative or discretionary actions shall be subject to Planning Commission review and certification.*
- [4] *An application submitted for concurrent review and action with another application, action or decision requiring review and action by a higher Reviewing Authority shall be subject to concurrent review and action by that higher Reviewing Authority.*
- [5] *The Approving Authority responsible for issuing a “Stay of Permit Approval Time Limit” pursuant to Section 2.02.025 (Projects Involving Pending Litigation) of the Development Code, shall be the same as for the related application, action or decision.*
- [6] *An appeal of an Historic Preservation—Certificate of Appropriateness—Waiver shall be considered by the Historic Preservation Subcommittee, except that an Historic Preservation—Waiver for an Historic Landmark shall be considered by the Historic Preservation Commission*
- [7] *Refer to the ALUCP for procedures for application processing and administration, and appeals processing.*
- [8] *Appeal shall be subject to review by the Mediation Board established pursuant to ALUCP Section 4.*
- [9] *Pursuant to the Joint Powers Authority agreement between the City of Ontario and the County of San Bernardino, the Ontario International Airport Authority shall be the lead agency.*
- [10] *Ministerial projects are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15268 of the CEQA Guidelines. The following projects or actions shall be deemed ministerial:*
- *Administrative Use Permit issuance;*
 - *ALUCP inter agency reviews;*
 - *Building permit issuance;*
 - *Business license issuance;*
 - *Encroachment permit issuance;*
 - *Final subdivision map approval;*
 - *Individual utility service connection and disconnection approval;*
 - *Landscape and irrigation plan approval;*
 - *Lot Line Adjustment approval;*
 - *Public improvement plan approval;*
 - *Shopping cart retention plan approval;*
 - *Sign Plan approval;*
 - *Street address number issuance;*
 - *Subdivision Improvement Agreement approval;*
 - *Subdivision map corrections and amendments approval;*
 - *Temporary Use Permit issuance;*
 - *Tier 1 wireless telecommunications facility approval; and*
 - *Wall and/or fence plan approval.*
- [11] *Applications that do not require a public Hearing pursuant to Note 1, above, may be reviewed and acted upon under the “Consent Calendar” portion of the Approving Authority meeting agenda.*

2.02.010: Applications and Fees

A. Application filing.

1. An application for a permit, permit modification, amendment, or any other matters pertaining to this Development Code shall be filed with the City, on a City application form, together with any required fees, plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the application.
2. An application may be initiated by the City, owner(s) or lessee(s) of property, or their agent(s), or person(s) who have contracted to purchase property contingent upon their ability to acquire the necessary permits under this Development Code, or their agent(s).
3. A project requiring the filing of more than one land use or entitlement permit application shall, to the extent possible, be filed with all related applications for concurrent review

and action by the highest required Reviewing Authority, except that an Administrative Exception application filed in conjunction with a Development Plan shall require separate review and action by the appropriate Reviewing Authority.

B. Filing Fees.

1. The City Council may establish by resolution, a schedule of fees for permits, amendments, inspections, licenses, services, and other matters pertaining to this Development Code. The schedule of fees may be changed or modified only by resolution of the City Council.

2. Application review and action shall not commence until such time that all applicable filing fees and/or deposits have been paid in full. An application received without all applicable filing fees and/or deposits shall be deemed incomplete for filing and further processing, and shall be deemed just cause for denial of the application. In the case of time and materials projects, the payment of additional deposits may be required to fully cover all City processing costs.

C. Refunds and Withdrawals.

1. The refund of filing fees in response to the denial of an application shall be prohibited, recognizing that filing fees are utilized to cover City costs related to public hearings, mailings, postings, transcripts, and staff time involved in processing applications.

2. An applicant wishing to withdraw their application may do so by written request to the Planning Director at any time prior to action by the Approving Authority.

3. Upon receipt of a request for application withdrawal, the Planning Director may order the refund of all or part of the filing fees, based upon the prorated costs to date and determination of the status of the application at the time of withdrawal.

2.02.015: Application Processing Procedures

This section is intended to provide general procedures for the processing of applications for legislative actions, discretionary permits and actions, and ministerial permits and decisions filed pursuant Table 2.02-1 (Review Matrix) of this Division.

A. Legislative Actions. The Advisory and Approving Authorities for legislative actions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.01 (Legislative Actions) of this Development Code, the procedure for reviewing and acting upon an application resulting in a legislative action is as follows:

1. Initial Review for Application Completeness. Legislative actions shall be initially reviewed for application completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Following receipt of an application filed in compliance with this Division, the Planning Department shall determine, in writing, whether the application is complete for processing and shall transmit the determination to the applicant.

(2) If an application is determined to be incomplete for processing, the Planning Department shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the City in response to the list and description, which shall be reviewed pursuant to Subparagraph A.1.a(1), above.

(3) If the application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs A.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the Planning Department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the Planning Department may require in order to take final action on the application.

(2) Prior to accepting an application as complete for processing, the Planning Department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph A.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Section shall not be construed as limiting the ability of the Planning Department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation and Report.

a. Following acceptance of an application as complete for processing pursuant to Subparagraph B.1 (Initial Review for Application Completeness), above, the Planning Department shall investigate the facts bearing on the application and shall prepare a written report, which shall be transmitted to the appropriate Reviewing Authority.

b. The Planning Department's report shall provide the information necessary for action on the application, consistent with the provisions of this Development Code and The Ontario Plan, and shall report all findings to the appropriate Reviewing Authority.

c. During the investigation of the facts bearing on the application, the Planning Department may consult with other City departments and public agencies.

3. Public Hearings.

a. The Advisory and Approving Authorities established by Table 2.02-1 (Review Matrix), shall each conduct at least one public hearing, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

b. The Planning Department’s written report, prepared pursuant to Subparagraphs A.2.a through c, above, shall be made available to the property owner and applicant, if different from the property owner, at least 72 hours prior to the public hearing.

4. Advisory Authority Review and Recommendation. The procedure for review and recommendation on a legislative action by an Advisory Authority is as follows:

a. The Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form, or deny an application, which shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority.

b. The Advisory Authority shall forward its recommendation to the Approving Authority within 60 days following the date its decision was rendered.

5. Approving Authority Review and Action. The procedure for review and action on a legislative action by the Approving Authority is as follows:

a. Upon receipt of the Advisory Authority’s recommendation, the Approving Authority shall approve, approve in modified form, or deny an application.

b. The action of the Approving Authority shall be by written decision, setting forth the basis for the action, and shall include any applicable findings prescribed by Division 4.01 (Legislative Actions) of this Development Code. There shall be no time limit within which the Approving Authority must act on a legislative action.

c. The Approving Authority’s action shall be final and conclusive.

6. Effective Date of Approving Authority Action. A legislative approval granted by resolution is effective immediately upon adoption of the numbered resolution by the City Council. A legislative approval granted by ordinance is effective 30 days following the date of adoption of the ordinance by the Approving Authority.

B. Discretionary Permits and Actions. The Advisory, Approving, and Appeal Authorities for discretionary permits and actions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.02 (Discretionary Permits and Actions) of this Development Code, the procedure for reviewing and acting upon an application resulting in a discretionary permit or action is as follows:

1. Initial Review for Application Completeness. Applications requesting discretionary permits and/or actions shall be initially reviewed for application completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Within 30 days following receipt of an application filed in compliance with this Division, the Planning Department shall determine, in writing, whether the application is complete for processing and shall transmit the determination to the applicant. If the written determination is not made within the required period, the application shall be automatically deemed complete for processing. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which time completeness of the resubmitted application shall be determined.

(2) If an application is determined to be incomplete for processing, the Planning Department shall specify those parts of the application that are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the Planning Department in response to the list and description, which shall be reviewed pursuant to Subparagraph B.1.a(1), above.

(3) If the application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs B.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the Planning Department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial application, the entirety of the information that the City may require in order to facilitate final action on the application.

(2) Prior to accepting an application as complete for processing, the Planning Department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph B.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Subsection shall not be construed as limiting the ability of the Planning Department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation and Report.

a. Following acceptance of an application as complete for processing pursuant to Subparagraph B.1 (Initial Review for Application Completeness), above, the Planning Department shall investigate the facts bearing on the application and shall prepare a written report, which shall be transmitted to the appropriate Reviewing Authority.

b. The Planning Department's report shall provide the information necessary for action on the application, consistent with the provisions of this Development Code and The Ontario Plan, and shall report all findings to the appropriate Reviewing Authority.

c. During the investigation of the facts bearing on the application, the Planning Department may consult with other City departments and public agencies.

3. Public Hearings.

a. The Advisory, Approving and Appeal Authorities established by Table 2.02-1 (Review Matrix), and which require a public hearing pursuant to the Review Matrix, shall each conduct at least one public hearing, which shall be duly noticed, heard, and acted upon pursuant to Division 2.03 (Public Hearings) of this Development Code.

b. The Planning Department's written report, prepared pursuant to Subparagraphs B.2.a through c, above, shall be made available to the property owner and applicant, if different from the property owner, at least 72 hours prior to the public hearing.

4. Advisory Authority Review and Recommendation. If required pursuant to Table 2.02-1 (Review Matrix), the procedure for review and recommendation on a discretionary permit or action by an Advisory Authority is as follows:

a. The Advisory Authority shall make recommendation to the Approving Authority whether to approve, approve in modified form, or deny an application, which shall be transmitted to the Approving Authority in such manner and form as specified by the Approving Authority.

b. The Advisory Authority shall forward its recommendation to the Approving Authority within 60 days following the date its decision was rendered.

c. In instances where review and recommendation by more than one Advisory Authority is required, the initial Advisory Authority shall forward its recommendation whether to approve, approve in modified form, or deny an application to the subsequent Advisory Authority within 30 days following the date its decision was rendered. The 30-day time limit may be extended by mutual agreement of the applicant and City.

5. Approving Authority Review and Action. The procedure for review and action on a discretionary permit or action by an Approving Authority is as follows:

a. Upon receipt of the Advisory Authority's recommendation, the Approving Authority shall approve, approve in modified form, or deny an application, and may impose reasonable conditions to the approval of an application.

b. The action of the Approving Authority shall be by written decision, setting forth the basis for the action, and shall include any applicable findings prescribed by Division 4.02 (Discretionary Permits and Actions) of this Development Code. A discretionary permit or action shall be acted upon within the timeframes specified by GC Section 65950, 65950.1, 65951, and 65952, except that Tentative Subdivision Maps shall be acted upon within the timeframes specified by GC Section 66452.1.

c. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code.

6. Effective Date of Approving Authority Action. A discretionary permit or action shall become effective on the City business day following Approving Authority action, unless the discretionary permit is being processed concurrently with and dependent upon any legislative action; in which case, the effective date of the discretionary permit or action shall be governed by Paragraph A.6 (Effective Date of Approving Authority Action) of this Section. The Approving Authority’s action to approve, approve in modified form, or deny a discretionary permit or action shall be immediately suspended upon the filing of an appeal pursuant to Division 2.04 (Appeals) of this Development Code.

C. Ministerial Permits and Decisions. The Advisory, Approving and Appeal Authorities for ministerial permits and decisions are established by Table 2.02-1 (Review Matrix) of this Division. Unless otherwise stipulated by Division 4.03 (Ministerial Permits and Decisions) of this Development Code, the procedure for reviewing and acting upon an application requiring a ministerial permit or decision is as follows:

1. Initial Review for Application Completeness. Applications requesting ministerial permits and/or decisions shall be initially reviewed for completeness and acceptance, as follows:

a. *Review for Application Completeness.*

(1) Within 30 days following receipt of an application filed in compliance with this Division, the City shall review the application and determine, in writing, whether the application is complete for further processing, and shall transmit the determination to the applicant. If the written determination is not made within the required period, the application shall automatically be deemed complete for further processing. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which time completeness of the resubmitted application shall be determined.

(2) If an application is determined to be incomplete for processing, the City shall specify those parts of the application that are incomplete, and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the responsible City department in response to the list and description, which shall be reviewed pursuant to Subparagraph C.1.a(1), above.

(3) If an application, together with the submitted materials, is determined to be incomplete for processing, the applicant may appeal that decision to the Planning Commission pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

(4) Failure of an applicant to submit complete or adequate information pursuant to the provisions of Subparagraphs C.1.a(1) and (2), above, shall constitute grounds for denial of the application.

b. *Application Acceptance.*

(1) Following acceptance of an application as complete for processing, no new or additional information may be requested of the applicant; however, in the course of processing the application, the responsible City department may request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application. This provision shall not be so construed as to require an applicant to submit with the initial

application, the entirety of the information that the responsible City department may require in order to facilitate final action on the application.

(2) Prior to accepting an application as complete for processing, the responsible City department shall inform the applicant of any information included in the list prepared pursuant to Subparagraph C.1.b(1), above, which will subsequently be required from the applicant in order to complete final action on the application.

(3) The provisions of this Subsection shall not be construed as limiting the ability of the responsible City department to request and obtain information that may be needed in order to comply with the provisions of PRC Division 13 (commencing with Section 21000).

2. Investigation. Following acceptance of an application as complete for processing, the responsible City department shall investigate the facts bearing on the application and provide the information necessary for action or determination, consistent with this Development Code and The Ontario Plan, which shall be reported to the Approving Authority.

3. Review and Action.

a. The Approving Authority shall review the application and shall then approve, approve in modified form, or deny the application. The decision of the Approving Authority shall be final and conclusive in the absence of an appeal filed pursuant to the provisions of Division 2.04 (Appeals) of this Development Code.

b. The Approving Authority shall act on a ministerial approval request within 60 days following acceptance of an application as complete for processing pursuant to Paragraph C.1 (Initial Review for Application Completeness), above. The 60-day time limit may be extended by mutual agreement of the applicant and City.

4. Effective Date of Approving Authority Action. A ministerial permit or action shall become effective immediately upon Approving Authority action. An Approving Authority action to approve or deny a ministerial permit or decision shall be immediately suspended upon the filing of an appeal pursuant to Division 2.04 (Appeals) of this Development Code.

2.02.020: Environmental Review

A. Purpose. The purpose of this Section is to assist the City in accomplishing the basic objectives of CEQA, as follows:

1. Enhance and provide long-term protection for the environment, while providing a decent home and satisfying living environment for every Californian;

2. Provide information to governmental decision-makers and the public regarding the potential significant environmental effects of the proposed project;

3. Provide an analysis of the environmental effects of future actions associated with a project in order to adequately apprise all interested parties of the true scope of the project for intelligent weighing of the environmental consequences of the project;

4. Identify ways that environmental damage can be avoided or significantly reduced;

5. Prevent significant avoidable environmental damage through utilization of feasible project alternatives or mitigation measures; and

6. Provide full public disclosure of the City's basis for project approval in the manner chosen. Public participation is an essential part of the CEQA process. Each public agency should encourage wide public involvement, formal and informal, in order to receive and evaluate public reactions to environmental issues related to a public agency's activities. The involvement should include, whenever possible, making environmental information available in electronic format on the Internet, on a web site maintained or utilized by the public agency.

B. Applicability. The provisions of this division shall apply to any activity of the City that is determined to be a "project" pursuant CEQA (PRC Section 21000 through Section 21178) and the CEQA Guidelines (CCR Section 15000 through Section 15387).

C. CEQA Implementation. Local guidelines for the implementation of CEQA shall be adopted by Resolution of the City Council. The guidelines may be changed or modified only by resolution of the City Council.

D. Environmental Review. The City of Ontario shall conduct an environmental review of any activity within the City that constitutes a "project" pursuant CEQA, the CEQA Guidelines and the City's local guidelines for the implementation of CEQA. Depending upon the nature and scope of a "project," it may be found to be exempt from further environmental review, or a negative declaration, mitigated negative declaration or environmental impact report may be required to be completed. Negative declarations, mitigated negative declarations and environmental impact reports shall be prepared pursuant to the requirements of CEQA and the implementing guidelines, and City's local guidelines for the implementation of CEQA.

2.02.025: Time Limits and Extensions

A. Time Limits. Discretionary permits/actions granted pursuant to this Division shall become invalid if not exercised within the below-listed timeframes:

1. Generally. Unless otherwise stipulated by the conditions of approval, a discretionary permit/action shall become invalid if not exercised within 12 months following the effective date of application approval, except as specified in Paragraphs A.2 through A.6, below, unless extended by time extension pursuant to Subsection B (Time Extensions) of this Section.

2. Development Plan. Unless otherwise stipulated by the conditions of approval, a Development Plan shall become invalid if not exercised within 24 months following the effective date of application approval, unless extended by time extension pursuant to Subsection B (Time Extensions) of this Section.

3. Tentative Subdivision Map. A Tentative Tract or Parcel Map shall become invalid if not exercised within the time limits specified by GC Section 66452.6.

4. Vesting Tentative Maps.

a. A vesting tentative map shall become invalid if not exercised within the time limits specified by Paragraph A.3 (Tentative Subdivision Map), above.

b. If a final tract map is approved prior to the expiration of the vesting tentative map, the tentative map vesting rights for the final tract map area shall last for the periods listed below:

(1) An initial period of 12 months following recordation of the final tract map. Where several final tract maps are recorded on phases of a project covered by a single vesting tentative map, the 12-month period for each final tract map shall begin on the date of recordation of that final tract map;

(2) The initial period set forth in Subparagraph A.4.b.(1), above, shall be automatically extended by any time used by the City for processing a complete application for a grading permit or for design or architectural review, if such processing exceeds 30 days; provided, that the extension shall only be for the number of days in excess of 30 days; and

(3) If during the 24-month period following approval of a final tract map or parcel map, the City receives a complete application for a building permit and the subdivider has satisfied all requirements for the issuance of a building permit, the right to proceed with development in accordance with the tentative map shall continue until the expiration of the building permit.

5. Expiration of Vesting Development Rights. Vesting development rights shall expire if a final map is not filed for approval prior to the expiration of the vesting tentative map, as provided in Paragraph A.6 (Vesting Tentative Maps) of this Section. If the final map is approved, these rights shall last for the following time periods, extending beyond the recording of the final map:

a. An initial period of 12 months, except that where several final maps are recorded for various project phases of a single vesting tentative tract map, this initial time period shall begin with each phase, when the final map for that phase is recorded;

b. The initial time period set forth in Subparagraph A.6.b(1) of this Section shall be automatically extended by any time used for processing a complete application for a grading permit or for design or architectural review, if the processing exceeds 30 days from the date a complete application is filed;

c. A subdivider may apply for a 12-month extension at any time before the initial expiration date for map approval; and

d. If the subdivider submits a complete application for a building permit during the time periods specified in Subparagraphs A.5.a through A.5.c, above, the rights referred to herein shall continue until the expiration of that permit, or any extension of that permit.

6. Certificate of Appropriateness. A Certificate of Appropriateness granted pursuant to this Division shall become invalid if not exercised within the time limit specified by the conditions of approval, or within 24 months if no time limit has been specified.

7. Phased Projects.

a. Wherein a project involves the construction of multiple phases over an extended period, and the conditions of approval do not specify a time limit differing from Paragraphs A.2 through A.5, above, the portion of entitlement applicable to a particular phase shall be deemed exercised through the issuance of a building permit for that phase. The remainder of the entitlement related to further construction shall expire 12 months following building permit expiration, final building inspection, or Certificate of Occupancy issuance for the previous construction phase, unless extended pursuant to Subsection B, below.

b. A building permit may be issued for a subsequent phase if no more than 12 months have lapsed since a Certificate of Occupancy was issued for the previous phase and the applicant is diligently pursuing the project toward completion. However, if more than 12 months have lapsed since Certificate of Occupancy issuance or final inspection has occurred for the previous phase, and the entitlement was not extended pursuant to Subsection B, below, the entitlement granting the construction of any subsequent phases shall be deemed invalid and no further building permits shall not be issued, unless a time extension is granted pursuant to Section 2.02.025 (Time Limits and Extensions) of this Division.

8. Projects Involving Pending Litigation. The time limits specified in Paragraphs A.1 through A.5, above, including any time extension granted pursuant to Subsection B, below, shall not include the period of time during which a lawsuit involving the approval or conditional approval of a discretionary permit is or was pending in a court of competent jurisdiction, if the stay of the time period is approved by the Approving Authority pursuant to this Division. After service of the initial petition or complaint in the lawsuit upon the City, the applicant, or property owner if different from the applicant, may apply to the local agency for a Stay of Permit Approval Time Limit. Within 40 days after receiving the application, the Review Authority may stay the time limit for up to 5 years.

9. Definition. For the purposes of this Section, the term “exercised” shall mean the following:

a. The applicant, or property owner if different from the applicant, has completed or fulfilled all conditions of approval imposed upon the permit or action by the Approving Authority; and

b. In the case of permits or actions pertaining to a development project approval, a Building Permit shall have been issued and construction shall have been diligently pursued toward project completion. In the case of permits or actions pertaining to a land use approval, the approved use shall have commenced. In the case of a Merger of Contiguous Parcels, Reversion to Acreage, or Tentative Subdivision Map, the Merger, Reversion, or Final Subdivision Map shall have been recorded at the office of the San Bernardino County Recorder.

B. Time Extensions. The time limits within which a discretionary permit or action must be exercised, may be extended as follows:

1. Project Applicant or Property Owner Requested Time Extension.

a. The project applicant, or property owner if different from the applicant, may file a Time Extension request, together with any required filing fees, with the City (Planning Department or Engineering Department, as applicable) prior to the expiration date of an approved discretionary permit or action.

b. Upon the submittal of a Time Extension request, the affected discretionary permit or action shall be granted an automatic 90-day time extension to allow sufficient time for application processing.

2. An extension of the expiration date for an approved discretionary permit or action shall be acted upon as follows:

a. The Approving Authority may grant a Time Extension upon determination of the following:

(1) Each of the findings and conditions of the original approval are still applicable to the project and there are no changed circumstances;

(2) The Time Extension will not adversely affect the public health, safety or welfare; and

(3) There has been diligent pursuit to exercise the permit or action for which an extension is being requested.

b. The burden of proof shall lie with the permittee to establish with substantial evidence that the approval for which the Time Extension is requested should not be allowed to expire. If the Approving Authority determines that the permittee has good-faith intent to commence with the proposed project, the Approving Authority may grant a Time Extension.

c. A discretionary permit or action may be granted Time Extensions for a period or periods not to exceed a total of 5 years, excepting tentative subdivision maps, which shall be subject to the provisions of GC Section 66452.6.

3. Blanket Time Extensions Granted by the City Council.

a. In addition to the Time Extensions allowed pursuant to Paragraph B.1 of this Section, the City Council may, by resolution, grant time extensions for discretionary permits and actions, as identified in Table 2.02-1 (Review Matrix) of this Division, to benefit homeowners, developers, landowners, and business owners within the City that may be negatively affected by economic slowdown/downturn or recession.

b. A blanket time extension shall be applicable only to those permits and actions that have not expired prior to the date that the Time Extension is granted.

2.02.030: Failure by Applicant to Complete Application Processing

A. Within 180 days following a written request by the City for plan changes, corrections, revisions, or the submittal of additional information, an application shall be deemed withdrawn if the Planning Director determines that the applicant has not made reasonable progress toward providing necessary plan changes or corrections, or additional information. Application processing shall not resume thereafter until a new application is filed, including fees, plans, exhibits, and other materials required for any project on the same site.

B. Upon written request of the applicant, the Planning Director may order the refund of all or a portion of filing fees pursuant to Section 2.02.010.C (Refunds and Withdrawals) of this Division.

2.02.035: Limitations on Application Refiling

A final action denying an application shall prohibit the further filing of the same or a substantially similar application for a period of not less than 12 months following the date of application denial, except that an application denied without prejudice may be resubmitted within the 12-month period following application denial.

2.02.040: Indemnification

It shall be a condition of any application approved pursuant to this Division, or any approval or certification required pursuant to CEQA or the CEQA Guidelines, that a property owner or applicant, if different from the property owner, shall defend, indemnify, and hold harmless the City and its agents, officers, attorneys, and employees:

A. From any claim, action, or proceeding brought against the City or its agents, officers, attorneys, or employees, to attack, set aside, void, or annul the City's decision to approve any development, land use permit, and/or approvals and certifications under CEQA, but excluding any subdivision approval governed by GC Section 66474.9. This indemnification shall include, but not be limited to, damages, fees, and/or costs awarded against the City, if any, and the cost of any suit, attorney's fees, and/or other costs, liabilities, and expenses incurred in connection with a lawsuit, whether incurred by the applicant, the City, and/or the parties initiating or bringing a lawsuit;

B. For all costs incurred in additional investigation and/or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as, but not limited to, a negative declaration, mitigated negative declaration, environmental impact report, general plan amendment, specific plan, or specific plan amendment), if made necessary by a lawsuit and if the applicant desires to pursue securing approvals that are condition of application approval, after initiation of a lawsuit; and

C. For all costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth in Subsections A and B of this Section.

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Division 3.01—Nonconforming Lots, Land Uses, and Structures

Sections:

- [3.01.000:](#) Purpose
- [3.01.005:](#) Applicability
- [3.01.010:](#) Nonconforming Lots
- [3.01.015:](#) Nonconforming Land Uses
- [3.01.020:](#) Nonconforming Structures and Improvements
- [3.01.025:](#) Abatement of Nonconforming Adult Businesses

3.01.000: Purpose

A. The City Council finds that nonconforming lots, land uses, structures, and improvements within the City, including those that are legally established and those that are illegal, are detrimental to the orderly development of the City, and the health, safety, peace, comfort and welfare of persons and property within the City.

B. The purpose of this Division is to provide for the orderly termination of nonconforming rights for lots, land uses, structures, and improvements that were previously legally established; however, due to revisions to the Development Code, the previously legally established provisions no longer comply with the Development Code. The orderly termination of legally established nonconforming lots, land uses, structures, and improvements is necessary to promote the public health, safety and welfare, and to bring nonconforming lots, land uses, and structures into conformity with current Development Code provisions, and the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

C. This Division is intended to limit the expansion of nonconforming lots, land uses, structures and improvements, establish the circumstances under which they may be continued, and provide for their correction, maintenance, and removal.

D. This Division is intended to provide for the elimination of nonconforming lots, land uses, structures, and improvements as rapidly as possible, without infringing upon the constitutional rights of their owners.

3.01.005: Applicability

A. Nonconforming lots, land uses, structures, and improvements may be maintained, expanded, altered, and/or abated only in accordance with the provisions of this Division. It shall be the property owner's responsibility to provide evidence or information to justify the establishment of the nonconforming rights provided under this Division.

B. Any designated historic landmark, contributing structure within a designated historic district, or any property listed on the California Register of Historical Resources or National Register of Historic Places, shall be exempt from the provisions of this Division with respect to the restoration and maintenance of structures, provided that all construction plans are approved through a Certificate of Appropriateness by the Historic Preservation Commission.

C. A lot, land use, structure, or improvement that becomes nonconforming due to a change in zoning district boundary or Development Code regulation, the period prescribed for abatement of the use or improvement of the lot or structure shall begin on the effective date of the change in zoning district boundary or Development Code regulation.

3.01.010: Nonconforming Lots

A. A lot that is not in compliance with the development standards prescribed by this Development Code, as they pertain to minimum area, dimension, or configuration, shall be deemed a "legal nonconforming lot," provided the lot was lawfully created and existing at the time the ordinance codified in this Development Code that created the nonconformity became effective.

B. A legal nonconforming lot shall be granted all development rights and land uses of the zoning district in which it is located.

3.01.015: Nonconforming Land Uses

A use that lawfully occupied a building or land at the time an ordinance codified in this Development Code became effective, and does not conform to the use regulations of the zoning district in which it is located, shall be deemed a "legal nonconforming use." A legal nonconforming use may continue, subject to the following:

A. Discontinuance and Abandonment of Use, and Loss of Legal Nonconforming Status.

1. Without further action by the City, a legal nonconforming use shall lose its legal nonconforming status and shall not be reestablished if the legal nonconforming use is abandoned for any reason.

a. *Residential Land Uses.* A legal nonconforming residential land use shall be deemed abandoned if the use is discontinued for a period of 180 or more consecutive days.

b. *Nonresidential Land Uses.* A legal nonconforming nonresidential land use shall be deemed abandoned if the use is discontinued for a single period of 180 or more consecutive days. Wherein special circumstances exist, the legal nonconforming status of a nonresidential land use may be extend pursuant to Section 4.02.030 (Extensions of Legal Nonconforming Status) of this Development Code.

2. Wherein the determination of abandonment of a land use is in question, the determination of abandonment shall be made by the Zoning Administrator, based upon satisfactory evidence. If there are no business receipts, records, or necessary licenses available to provide evidence that the land use in question has been in continual operation, the Zoning Administrator may make a determination of "abandonment of use" based upon consideration of **[i]** the removal, without replacement, of equipment, furniture, machinery, fixtures, structures, or other components necessary to business operation, and/or **[ii]** the shut-off or disconnect of utilities (water, electricity, and/or natural gas).

3. Following the discontinuance of a nonconforming land use, the use of a property shall comply with all current requirements of this Development Code and the applicable zoning district.

B. Change in Ownership, Tenancy or Management. A change in ownership, tenancy or management of a nonconforming use shall not affect its legal nonconforming status, provided the use is not discontinued pursuant to Subsection A (Discontinuation of Use and Loss of Legal Nonconforming Status), above, or the type of use and/or intensity of use does not change.

C. New Development. New development on any lot upon which a legal nonconforming use exists shall require that all uses on the property conform to the provisions of this Development Code.

D. Alterations and Expansion of Use. A nonconforming use shall not be enlarged or extended in such a way as to occupy any part of any structure or property that the use did not occupy prior to the creation of the nonconformity.

E. Intensification of Use. A nonconforming use shall not be intensified in such a way as to increase the discrepancy between existing conditions and the standards set forth in this Development Code

F. Replacement of a Nonconforming Use by Another Nonconforming Use. A legal nonconforming use may be replaced by another nonconforming use if the Zoning Administrator can clearly establish the following:

1. The nonconforming use is similar to the use(s) originally permitted in the structure/on the site;
2. The nonconforming use will not adversely affect, or be materially detrimental to, adjoining properties; and
3. The previous nonconforming use has not ceased for a period of 90 or more consecutive days.

G. Abatement of Nonconforming Uses. Nonconforming uses shall be abated as follows:

1. A use shall be discontinued upon the issuance of a cease and desist order by the City if [i] the use is nonconforming due to an operation or process that poses a threat to the public health, safety or welfare, as determined by the Planning Director or Building Official; and [ii] the owner fails to discontinue the operation or process, or to fully mitigate the hazard(s) involved.

2. A use that does not occupy a structure, or that occupies a structure having an assessed valuation of less than \$2,500 and causes a public or private nuisance, shall be discontinued within 5 years following the effective date of the ordinance codified in this Development Code.

3. The abatement of nonconforming adult businesses shall be governed by Section 3.01.025 (Abatement of Nonconforming Adult Businesses) of this Division.

4. A nonconforming use that has been discontinued or abandoned shall comply with Subsection A (Discontinuance and Abandonment of Use, and Loss of Legal Nonconforming Status) of this Section.

3.01.020: Nonconforming Structures and Improvements

A structure or improvement that was lawfully constructed or installed at a time an ordinance codified in this Development Code became effective, and does not conform to the development standards of the zoning district in which it is located, shall be deemed a “legal nonconforming structure” or “legal nonconforming improvement,” as applicable. A legal nonconforming structure or improvement may continue, subject to the following:

A. Damage or Destruction of a Legal Nonconforming Structure.

1. A legal nonconforming structure that is damaged or partially destroyed by fire or other calamity, or the public enemy, or other cause which is beyond the control of the property owner, and which could not otherwise have been prevented by reasonable care and maintenance of the structure, may be reconstructed, restored, or rebuilt up to the original size, placement and density, provided that total cost of the reconstruction, restoration, or rebuilding does not exceed more than 50 percent of the structure’s fair market value prior to said damage or destruction. Structure reconstruction, restoration, or rebuilding shall commence within 180 days following the occurrence of damage, unless extended by the Zoning Administrator, and shall be diligently pursued to completion.

2. In the event that the cost of reconstructing, restoring, or rebuilding a structure exceeds 50 percent of the fair market value of the structure prior to such damage occurring, the structure may be reconstructed, restored, or rebuilt up to its original size, placement, and density prior to such damage occurring, and the use of the structure resumed, subject to the following:

a. The Zoning Administrator, at a duly noticed public hearing, shall first find that the reconstruction, restoration, or rebuilding of the nonconforming structure: [i] will not be detrimental or injurious to the health, safety or general welfare of persons residing or working in the neighborhood, [ii] will not be detrimental or injurious to property and improvements in the neighborhood, and [iii] continuation of the nonconforming structure will not result in an annoyance to and/or reduction of any surrounding property.

b. The public hearing and findings prescribed in Subparagraph A.2.a, above, shall not be required for the reconstruction, restoration, or rebuilding of a legal nonconforming single-family dwelling located on a lot that is designated for single-family dwellings by the Land Use Plan (Exhibit LU-01) contained in the Policy Plan component of The Ontario Plan.

c. The reconstruction, restoration, or rebuilding shall be commenced within 180 days following the date that the damage or destruction occurred, unless extended pursuant to Section 4.02.030 (Extensions of Legal Nonconforming Status) of this Development Code, and diligently pursued to completion.

d. Nothing in this section shall be construed to permit the continuation of conditions that will endanger the health, safety, or welfare of building occupants, the residents of the area, or which constitute a public or private nuisance.

B. Reconstruction, Restoration or Rebuilding of Legal Nonconforming Multiple-Family Housing.

1. Pursuant to GC Section 65852.25, legal nonconforming multiple-family housing that has been involuntarily damaged or destroyed by fire or other catastrophic event, or the public enemy, and such involuntarily damage or destruction could not otherwise have been prevented by reasonable care and maintenance of the structure, may be reconstructed up to the original

size, placement and density, excepting multiple-family housing that conforms with one or more of the following:

a. The reconstruction, restoration, or rebuilding will be detrimental or injurious to the health, safety or general welfare of persons residing or working in the neighborhood, or will be detrimental or injurious to property and improvements in the neighborhood;

b. The existing nonconforming use of the building or structure would be more appropriately moved to a zone in which the use is permitted, or that there no longer exists a zone in which the existing nonconforming use is permitted; or

c. The existing nonconforming use of the building or structure has ceased for a period of 180 or more consecutive days.

2. The reconstruction, restoration, or rebuilding of any legal nonconforming multiple-family housing pursuant shall conform to all of the following:

a. The California Building Standards Code, as that code was in effect at the time of reconstruction, restoration, or rebuilding;

b. Any more restrictive local building standards authorized pursuant to HSC Sections 13869.7, 17958.7, and 18941.5, as those standards were in effect at the time of reconstruction, restoration, or rebuilding;

c. The State Historical Building Code (Part 2.7 (commencing with Section 18950) of HSC Division 13) for work on qualified historical buildings or structures;

d. The provisions of this Development Code, so long as the predamage size and number of dwelling units are maintained;

e. Architectural regulations and standards, so long as the predamage size and number of dwelling units are maintained; and

f. A building permit shall be obtained within 2 years following the date that the damage or destruction occurred, and diligently pursued to completion.

3. The reconstruction, restoration, or rebuilding of multiple-family housing that is involuntarily damaged or destroyed by fire or other catastrophic event, or by the public enemy, shall be prohibited within any industrial zoning district.

C. Alterations and Expansions to Legal Nonconforming Structures.

A nonconforming structure shall not be moved, altered or enlarged so as to increase the discrepancy between existing conditions and the most current standard as prescribed by the zoning district in which the structure is located. Furthermore, reasonable repairs and alterations may be made to legal nonconforming nonresidential structures, provided that no structural alterations shall be made that would prolong the life of supporting members, such as bearing walls, columns, beams, or girders, of a structure. Structural elements may be modified only if the modification or repair is immediately necessary to protect the public health and safety, occupants of the legal nonconforming structure, or adjacent property, as determined by the Building Official, excepting alteration and/or enlargement of the following:

1. A nonconforming structure shall not be moved, altered or enlarged so as to increase the discrepancy between existing conditions and the most current standard as prescribed by the zoning district in which the structure is located, excepting alteration and/or enlargement of:

a. A single-family dwelling conducted pursuant to Subsection H (Nonconforming Single-Family Residential Structures) of this Section.

b. A multiple-family development conducted pursuant to Subsection I (Nonconforming Multiple-Family Residential Development) of this Section.

c. A nonresidential lot and/or structure conducted pursuant to Subsection J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Section.

2. Within nonresidential zoning and land use districts, reasonable repairs and alterations may be made to legal nonconforming nonresidential structures, provided that no structural alterations shall be made that would prolong the life of supporting members, such as bearing walls, columns, beams, or girders, of a structure. Structural elements may be modified only if the modification or repair is immediately necessary to protect the public health and safety of occupants of the legal nonconforming structure or adjacent property, as determined by the Building Official, except as otherwise allowed by Subsection J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Section. The total cost of the repairs or alterations may not exceed 50 percent of the replacement cost of the nonconforming structure; however, improvements required to reinforce an unreinforced masonry structure shall be permitted without replacement cost limitations, provided the retrofitting is strictly limited to compliance with current earthquake safety standards.

D. Interior Modifications to Legal Nonconforming Structures. Changes to interior partitions or other nonstructural improvements and repairs may be made to legal nonconforming structures provided that, over any consecutive 5-year period, the total cost of the desired improvements or repairs does not exceed 50 percent of the replacement cost of the structure. For the purpose of this provision, the replacement cost shall be determined by the Planning Director.

E. New Structures. Any new structure constructed on a lot with an existing legal nonconforming structure shall be constructed in conformance with all applicable provisions of this Development Code; however, in no case may a new nonresidential structure be constructed on the same lot as an existing legal nonconforming residential structure.

F. Abatement of Nonconforming Structures Posing a Threat to the Public Health, Safety and General Welfare. A structure that is nonconforming because of a violation or deficiency that poses a threat to the public health, safety, or general welfare, as determined by the Building Official, and that fails to provide necessary improvements to resolve the nonconformity or to fully mitigate the hazard involved, shall be abated, condemned or demolished upon the issuance of a nuisance abatement, condemnation, or demolition order by the City.

G. Conversion of Nonconforming Residential Structures Located Within Industrial Zoning Districts. A nonconforming residential structure located within an industrial zoning district shall not be converted to accommodate a commercial or industrial land use, excepting those single-family homes determined to meet the designation criteria for local historic landmarks set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Development Code.

H. Alteration and/or Expansion of a Nonconforming Single-Family Residential Structures. In addition to the requirements of Subsections A through G of this Section, a nonconforming single-family residential lot and/or structure that was lawfully established and maintained prior to the adoption of the ordinance codified in this Development Code, but which under the provisions of this Development Code does not conform with the regulations of the zoning district in which it is located with respect to use, design, and/or development standards, and which is continuously used and maintained for single-family residential purposes, shall be subject to the following:

1. Alterations and Expansions to Single-Family Structures in Nonresidential Zones.

a. Necessary repairs and desirable alterations, as deemed appropriate by the Planning Director, may be made to a legal nonconforming single-family residential structure that is nonconforming as to use.

b. A single-family dwelling that is nonconforming as to use may be enlarged by an additional 25 percent of the original enclosed floor area, provided the addition meets all other provisions of this Development Code.

c. A single-family dwelling that is nonconforming as to its location within a zoning district that does not permit single-family dwellings, and in which the residential use was lawfully established and continuously maintained, shall be subject to the development regulations of the LDR-5 (Low Density Residential – 5 Dwelling Units/Acre) zoning district.

d. The addition or enlargement of a garage for the purpose of providing off-street parking facilities in compliance with Division 6.03 (Off-Street Parking & Loading) of this Development Code shall be permitted and shall not be counted toward the additional floor area permitted by Subparagraph H.1.b, above.

2. Continuation of a Nonconforming Setback. A single-family dwelling having a nonconforming side yard setback, which is added to, extended or enlarged, may continue the nonconforming setback, provided the addition, extension or enlargement maintains a side yard setback equal to or greater than the existing side yard setback, and is no greater than 14 FT in height.

3. On-site Parking. A single-family residential dwelling that is nonconforming as to site development or design, which is expanded or enlarged to include more than 3 bedrooms, or wherein a second unit or guesthouse is constructed subject to the requirements of this chapter, off-street parking required pursuant to Division 6.03 (Off-Street Parking & Loading) of this Development Code shall be provided, unless physical constraints exist that would make it impractical to provide the required parking facility(ies), as determined by the Planning Director, given the existing site design and configuration. For the purpose of this provision, a bedroom shall be considered any room within the structure that is not a clearly established garage, kitchen, bathroom, hallway or open living area (e.g., dining, family, and living rooms).

4. Fences and Walls. A street side yard fence or wall that is nonconforming as to setback and was lawfully constructed prior to 1998, may be replaced with a block wall or other fence, keeping within the existing setback, provided visual evidence (such as a photograph) of the nonconforming setback is provide to the Planning Department prior to building permit issuance for the new fence or wall. If a fence or wall nonconforming as to setback is demolished or removed prior to obtaining a building permit for a new fence or wall, the new fence or wall must meet the setback requirements in effect at the time of building permit issuance.

5. Historic Structures. A nonconforming single-family structure shall comply with the applicable requirements of Division 8.01 (Historic Preservation) of this Development Code.

I. Alteration and/or Expansion of a Nonconforming Multiple-Family Residential Development.

In addition to the applicable requirements of Subsections A through G of this Section, a nonconforming multiple-family residential structure that was lawfully established and maintained prior to the adoption of the ordinance codified in this Development Code, but which under the provisions of this Development Code does not conform with the regulations of the zoning district in which it is located with respect to use, design, and/or development standards, and which is continuously used and maintained for multiple-family residential purposes, shall be subject to the following:

1. ~~The alteration and/or expansion of a nonconforming multiple family residential land use or structure may be allowed provided there is no net increase in overall density.~~ An existing multiple-family residential development that is nonconforming as to base residential density, may be granted a one-time increase in residential density, not to exceed 25 percent of the residential density before the increase, subject to the granting of a Conditional Use Permit pursuant to the provisions of Section 4.02.015 (Conditional Use Permits) of this Development Code.

2. ~~The alteration and/or expansion of a nonconforming multiple family residential lot and/or structure shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any comments and/or testimony provided by the public, only after considering and clearly establishing all of the below listed findings, and giving reasons in support of each finding. The application shall be denied if one or more of the below listed findings cannot be clearly established.~~ The increase in residential density shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any comments and/or testimony provided by the public, only after considering and clearly establishing all of the below-listed findings, which shall be in addition to the findings for Conditional Use Permit approval contained in Section 4.02.015 (Conditional Use Permits) of this Development Code, and giving reasons in support of each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

a. ~~The alteration and/or expansion is not for the purpose of increasing the number of living units on the project site.~~ The density increase will protect a valuable property investment;

b. ~~The alteration and/or expansion will benefit the health, safety, and welfare of the building's occupants.~~ The density increase will not adversely affect or be materially detrimental to surrounding properties;

c. ~~The alteration and/or expansion is architecturally compatible with the existing building.~~ The expansion is architecturally compatible with the existing building;

d. ~~The alteration and/or expansion is compatible with the character of the surrounding area.~~ The density increase and building expansion is compatible with the character of the surrounding area; and

e. ~~The alteration and/or expansion will provide adequate parking pursuant to the City's off-street parking provisions, and will not displace existing parking facilities.~~ The density increase will provide adequate parking pursuant to the City's off-street parking provisions (Division 6.3 (Off-Street Parking and Loading) of this Development Code).

3. Notwithstanding the density increase described in Paragraph 1, above, the City shall not preclude an existing multiple-family residential development that is nonconforming as to base residential, the addition of at least one dwelling unit.

J. Alteration and/or Expansion of a Nonconforming Nonresidential Structure. In addition to the requirements of Subsections A through G of this Section, a nonconforming nonresidential lot and/or structure that was lawfully established and maintained prior to the adoption of the ordinance codified in this Development Code, but which under the provisions of this Development Code does not conform with the regulations of the zoning district in which it is located with respect to use, design, and/or development standards, and which is continuously used and maintained for nonresidential purposes (excepting Nonconforming Adult Businesses, which shall comply with Section 3.01.025 (Abatement of Nonconforming Adult Businesses) of this Division), shall be subject to the following:

1. A nonconforming nonresidential land use or structure may be granted a one-time, 25 percent expansion in area, subject to the granting of a Conditional Use Permit pursuant to the provisions of Section 4.02.015 (Conditional Use Permits) of this Development Code.

2. The alteration and/or expansion of a nonconforming nonresidential lot and/or structure shall be acted on based upon the information provided in the submitted application, evidence presented in the Planning Department's written report, and any comments and/or testimony provided by the public, only after considering and clearly establishing all of the below-listed findings, which shall be in addition to the findings for Conditional Use Permit approval contained in Section 4.02.015 (Conditional Use Permits) of this Development Code, and giving reasons in support of each finding. The application shall be denied if one or more of the below-listed findings cannot be clearly established.

- a. The alteration/expansion will protect a valuable property investment;
- b. The alteration/expansion and the proposed use will not adversely affect or be materially detrimental to surrounding properties;
- c. The alteration/expansion will allow for modernization in order to properly operate the use and protect valuable property rights;
- d. The alteration/expansion is architecturally compatible with the existing building;
- e. The alteration/expansion is compatible with the character of the surrounding area; and
- f. The alteration/expansion will provide adequate parking pursuant to the City's off-street parking provisions, and will not displace existing parking facilities.

K. Nonconforming Improvements. Nonconforming improvements such as landscaping, screen walls, security fences, and enclosures for trash receptacles, shall be altered to comply with the district regulations covering the following standards as a condition of any discretionary land use or development entitlement approval required by this Development Code:

- 1. The landscaping of setback areas, insofar as a setback exists;

2. The landscaping of parking areas, provided fulfilling the requirement does not reduce off-street parking or loading spaces to fewer than prescribed by Division 6.03 (Off-Street Parking and Loading) of this Development Code;
3. The screening of outdoor storage and loading areas;
4. The design, height, and placement of security fences; and
5. The enclosure of trash receptacles.

3.01.025: Abatement of Nonconforming Adult Businesses

Nonconforming adult business uses shall be abated as follows:

A. An adult business that lawfully occupied a building or land at the time an ordinance codified in this Development Code became effective, and does not conform to the land use regulations of the zoning district in which it is located, is deemed a “legal nonconforming adult business,” and may not be increased, enlarged, or altered, except to change the use to a conforming use.

B. The below-listed amortization schedule for the abatement of legal nonconforming adult businesses be complied with, unless an extension is granted pursuant to Section 4.02.030 (Extensions of Legal Nonconforming Status) of this Development Code

1. A legal nonconforming adult business shall be terminated within one year following the adoption of this Section;

2. An adult business legally existing on real property that is subsequently annexed to the City shall be terminated within one year following the date of annexation;

3. Notwithstanding the amortization periods above, any discontinuance or abandonment of a nonconforming adult business for a period of 30 or more days shall result in the loss of nonconforming status.

C. Any adult business that becomes nonconforming by reason of the provisions established by this Development Code shall be notified by the Zoning Administrator by certified mail. Notice shall be given within 180 days of the date the use will become nonconforming and shall be provided to the property owner and business owner, if different from the property owner. In addition, the notice shall identify the applicable amortization period and the process for requesting an extension thereof.

D. The owner or operator of a legal nonconforming adult business may apply under the provisions of this Subsection, to the City Manager for an extension of time within which to terminate the nonconforming use, as follows:

1. An application for extension of time within which to terminate a use made nonconforming by the provisions of this Development Code may be filed by the owner of the real property upon which such use is operated, or by the operator of the use. The application shall be filed with the City Manager, at least 90 days, but not more than 180 days, prior to the time established in Subsection B of this Section, for termination of the use.

2. The application shall state the grounds for requesting an extension of time. The filing fee for the application shall be the same as that for Variance, as is set forth in the schedule of fees established by resolution of the City Council.

3. The City Manager shall appoint a hearing officer to hear the application. The hearing officer shall set the matter for hearing within 45 days following receipt of the application. All parties involved shall have the right to offer testimonial, documentary and tangible evidence bearing on the issues; may be represented by counsel; and shall have the right to confront and cross-examine witnesses. Any relevant evidence may be admitted that is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs. The decision of the hearing officer shall be final and subject to judicial review pursuant to CCP Section 1094.6. If the Applicant fails to seek judicial review within the allotted time period, the decision of the hearing officer shall have res judicata and collateral estoppel effect in any other proceeding involving the same applicant.

4. An extension under the provisions of this Section shall be for a reasonable period of time commensurate with the investment involved, and shall be approved only if the hearing officer makes all the following findings or any other findings as required by law:

a. The applicant has made a substantial investment in the property or structure on or in which the nonconforming adult business is conducted, and the property or structure cannot be readily converted to another use and the investment was made prior to the date the adult business became nonconforming.

b. The applicant will be unable to recoup their investment as of the date established for termination of the use; and

c. The applicant has made a good faith effort to recoup the investment and to relocate the use in conformance with City requirements.

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Division 5.01—Zoning Districts and Boundaries

Sections:

- [5.01.000](#): Purpose
- [5.01.005](#): Establishment of Base Zoning Districts
- [5.01.010](#): Zoning Map Adoption
- [5.01.015](#): Zoning District Boundaries

5.01.000: Purpose

The purpose of this Division is to establish zoning districts to implement the goals of the community as stated in The Ontario Plan. The text and maps of the Policy Plan component of The Ontario Plan will provide additional guidance in the development and use of properties throughout the City.

5.01.005: Establishment of Base Zoning Districts

In order to carry out the purpose and provisions of this Development Code, the City is hereby divided into the following zoning districts:

A. Residential Zoning Districts.

1. AR-2 (Residential-Agricultural—0 to 2.0 DU/Acre) Zoning District. The AR-2 zoning district is hereby established to accommodate single-family residences on large lots, at a density range of 0 to 2.0 dwelling units per acre and allow for limited agricultural activities and animal keeping within a rural environment. The AR-2 zoning district is further intended to maintain a rural agricultural heritage and protect the area from suburban infringement, while maintaining a harmonious relationship between the rural and adjacent suburban land uses. The AR-2 zoning district is consistent with and implements the Rural Residential land use designation of the Policy Plan component of The Ontario Plan.

2. RE-2 Rural Estate—0 to 2.0 DU/Acre) Zoning District. The RE-2 zoning district is hereby established to accommodate single-family residences on larger lots, at a density range of 0 to 2.0 dwelling units per acre, in a semi-rural environment where limited animal keeping is permitted. The RE-2 zoning district is consistent with and implements the Rural Residential land use designation of the Policy Plan component of The Ontario Plan.

3. RE-4 Residential Estate—2.1 to 4.0 DU/Acre) Zoning District. The RE-4 zoning district is hereby established to accommodate single-family homes on estate-sized lots, in a suburban environment, at a density range of 2.1 to 4.0 dwelling units per acre. The RE-4 zoning district is consistent with and implements the Low Density Residential land use designation of the Policy Plan component of The Ontario Plan.

4. LDR-5 (Low Density Residential—2.1 to 5.0 DU/Acre) Zoning District. The LDR-5 zoning district is hereby established to accommodate single-family homes on individual lots, in a suburban environment, at a density range of 2.1 to 5.0 dwelling units per acre. The LDR-5 zoning district is consistent with and implements the Low Density Residential land use designation of the Policy Plan component of The Ontario Plan.

5. MDR-11 (Low-Medium Density Residential—5.1 to 11.0 DU/Acre) Zoning District. The MDR-11 zoning district is hereby established to accommodate a variety of attached and detached housing types, in a suburban environment, at a density range of 5.1 to 11.0 dwelling units per acre. The MDR-11 zoning district is consistent with and implements the Low-Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

6. MDR-18 (Medium Density Residential—11.1 to 18.0 DU/Acre) Zoning District. The MDR-18 zoning district is hereby established to accommodate a variety of attached and detached housing types, in a suburban environment, at a density range of 11.1 to 18.0 dwelling units per acre. The MDR-18 zoning district is consistent with and implements the Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

7. MDR-25 (Medium-High Density Residential—18.1 to 25.0 DU/Acre) Zoning District. The MDR-25 zoning district is hereby established to accommodate higher density residential developments, in a more urbanized environment, at a density range of 18.1 to 25.0 dwelling units per acre. The MDR-25 zoning district is consistent with and implements the Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

8. HDR-45 (High Density Residential—25.1 to 45.0 DU/Acre) Zoning District. The HDR-45 zoning district is hereby established to accommodate high-density multiple-family developments in an urban environment, generally located within 1/2-mile of a transit corridor or station, at a density range of 25.1 to 45.0 dwelling units per acre. The HDR-45 zoning district is consistent with and implements the High Density Residential land use designation of the Policy Plan component of The Ontario Plan.

B. Commercial Zoning Districts.

1. CS (Corner Store) Zoning District. The CS zoning district is hereby established to accommodate pedestrian-oriented neighborhood retail and service establishments developed at a maximum intensity of 0.4 FAR, which would have few impacts to adjacent residential uses due to the types of uses allowed and their limited hours of operation. CS zoning district locations are within established or planned neighborhoods, generally along residential collector streets, and are intended to provide their goods and services within walking distance to most of their customers. This zoning district provides for a scale and character of development that tends to attract and promote a walk-in clientele. Development within the CS zoning district should maximize human scale design elements, while providing a sensitive transition between the allowed uses and neighboring residences, including the provision of adequate and properly sited parking (including allowances for on-street parking). Sites within this zoning district are typically small in size (less than 0.5-acre), are usually stand-alone land uses, and are intended to fit into and protect the residential pattern of development. The CS zoning district is consistent with and implements the Neighborhood Commercial land use designation of the Policy Plan component of The Ontario Plan.

2. CN (Neighborhood Commercial—0.4 Maximum FAR) Zoning District. The CN zoning district is hereby established to accommodate the development of convenience centers at a maximum intensity of 0.55 FAR and are intended to serve residents within a one to 2-mile radius, with some customers within walking distance. Intended uses are smaller scale, which support the local market rather than a citywide or regional market (i.e., the difference between a Best Buy and a Radio Shack). Given their proximity to residential uses, the hours and types of uses allowed within the CN zoning district may be limited either by ordinance or by conditions of approval. Uses may be standalone or within a center generally 10 to 15 acres in size. The CN zoning district is

consistent with and implements the Neighborhood Commercial land use designation of the Policy Plan component of The Ontario Plan.

3. CC (Community Commercial—0.4 Maximum FAR) Zoning District. The CC zoning district is hereby established to accommodate retail, office, and service uses developed at a maximum intensity of 0.4 FAR, which serve residents within a 5-mile radius. If located within close proximity to residential areas, the operation of the commercial land uses may be limited to protect the nearby sensitive uses. Commercial uses within the CC zoning district may be standalone or within centers generally 10 to 20 acres in size. The CC zoning district is consistent with and implements the General Commercial land use designation of the Policy Plan component of The Ontario Plan.

4. CR (Regional Commercial—0.4 Maximum FAR) Zoning District. The CR zoning district is hereby established to accommodate commercial and entertainment centers which are larger in size than would otherwise be accommodated in the CC zoning district, developed at a maximum intensity of 0.4 FAR. The zoning district is intended for intense, regional-serving commercial and entertainment uses, and is generally located adjacent to, or in close proximity to, freeways and arterial roadways that accommodate regional traffic. Uses may be standalone or within a center generally 15 or more acres in size. The CR zoning district is consistent with and implements the General Commercial and Office Commercial land use designations of the Policy Plan component of The Ontario Plan. Furthermore, the CR zoning district is consistent with and implements the Office Commercial land use designation of the Policy Plan component of The Ontario Plan; provided, (a) the property shall have a minimum of 350 lineal feet of freeway frontage along Interstate 10 or Interstate 15, and (b) the use of the property shall be restricted to automobile dealers (including new and used automobiles, light trucks and vans).

5. CCS (Convention Center Support Commercial) Zoning District. The CCS zoning district is intended to accommodate uses developed at a maximum intensity of 1.0 FAR, which predominantly serve the Ontario Convention Center, regional uses, and the special needs of leisure and business clientele who visit the City and surrounding region. The CCS zoning district is consistent with and implements the Hospitality land use designation of the Policy Plan component of The Ontario Plan.

6. OL (Low Intensity Office) Zoning District. The OL zoning district is hereby established to accommodate low-intensity office and support commercial uses developed at a maximum intensity of 0.75 FAR, which are typically located in close proximity to residential developments. Development within this zoning district is residential in scale and typically no more than 2 stories in height. Uses within this zoning district are generally limited in their hours of operation to limit their impact upon nearby residents, and include administrative and business support services, local branches of financial institutions, legal services, insurance services, real estate services, medical and dental services, and similar support services. The OL zoning district is consistent with and implements the Office/Commercial land use designation of the Policy Plan component of The Ontario Plan.

7. OH (High Intensity Office) Zoning District. The OH zoning district is hereby established to accommodate intense professional office and supporting uses developed at a maximum intensity of 0.75 FAR, and is intended to be applied in areas planned for more concentrated urban uses, or in key locations of potential mass transit, major intersections, or in close proximity to identified activity centers. The OH zoning district is consistent with and implements the Office/Commercial land use designation of the Policy Plan component of The Ontario Plan.

C. Mixed-Use Zoning Districts.

1. MU-1 (Downtown Mixed Use) Zoning District.

a. The MU-1 zoning district is hereby established to accommodate a fairly intensive mixture of vertical and horizontal retail, entertainment, and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 DU/AC, with the most intensive uses envisioned along Euclid Avenue and Holt Boulevard. Development projects are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area.

b. Furthermore, the MU-1 zoning district is established to: **[i]** recognize, protect, and enhance the visual character and quality of Ontario’s historic downtown area as a historic resource; **[ii]** establish and recognize Ontario’s historic downtown as the arts and entertainment mecca for the surrounding region, to include a wide range of allowed uses, such as shopping, restaurants, outdoor dining, cultural offerings, street fairs, artist festivals, galleries, work/live lofts, breweries, and artisan co-ops; **[iii]** recognize Holt Boulevard as a vital east-west link to Ontario’s historic downtown, offering opportunities for vertical and horizontal mixed use developments consisting of market rate and below market rate housing, retail and offices, and work/live uses; and **[iv]** recognize Ontario’s civic center for its significant outdoor spaces, amenities and services, which serve to enhance the historic downtown’s shopping, dining, and living experiences.

c. In order to carry out the purposes and provisions of the Land Use component of The Ontario Plan and this Development Code, the MU-1 zoning district is hereby divided into four Land Use Areas. The boundaries of each Land Use Area (LUA) is shown in Figure 5.01-1 (MU-1 (Downtown Mixed Use) Zoning District Land Use Areas Map) of this Division, and their purposes are described below.

(1) LUA-1 (Euclid Avenue Entertainment) District—The Euclid Avenue Entertainment District is a central urban location intended to provide the vitality, amenities, and a range of entertainment, shopping, restaurant, outdoor dining, and cultural offerings. The District is further intended to promote a variety of dense housing options; enhanced public and private rights-of-way to improve pedestrian, bicyclist, and vehicular connectivity; and grow employment opportunities.

(2) LUA-2 (Arts) District—

(a) The Arts District is intended as a dynamic destination for locals and tourists, while creating a fulfilling urban experience energized by artistic, educational, and commercial participants. The focus of the Area is to increase the number of collaborated events and programs within the Area, with the intent to attract visitors, promote economic vitality, and boost revenue. Street fairs, artist festivals, restaurants, galleries, work/live lofts, breweries, and artisan co-ops will contribute to the physical and cultural diversity of the Arts District.

(b) The Arts District is divided into two subareas: Arts District North and Arts District South.

(i) Arts District North is intended to accommodate a mix of work/live lofts, artisan co-ops, restaurants, galleries, breweries, and other commercial uses intended to strengthen the economic base of the area.

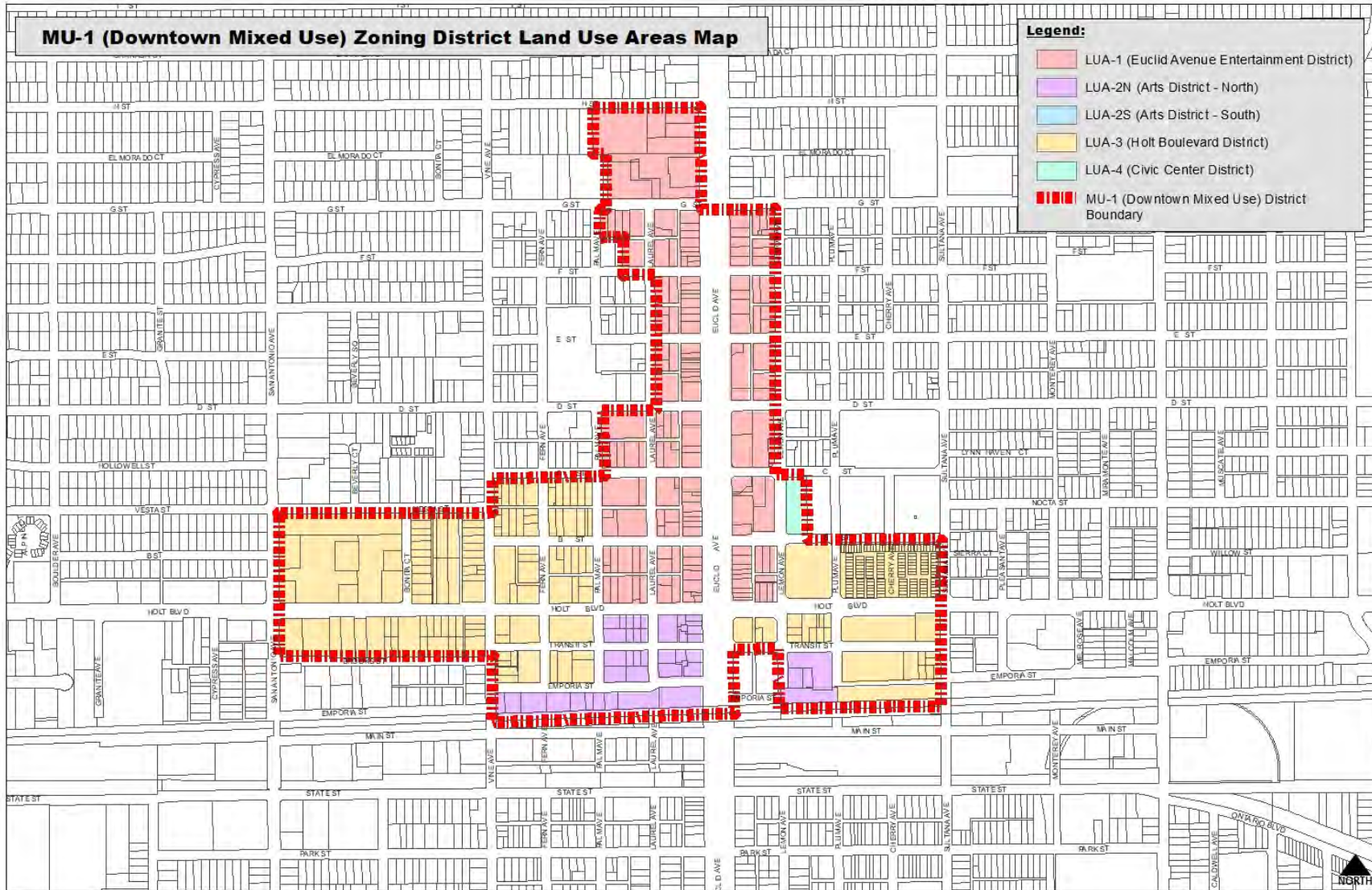


Figure 5.01-1: MU-1 (Downtown Mixed-Use) Zoning District Land Use Areas Map

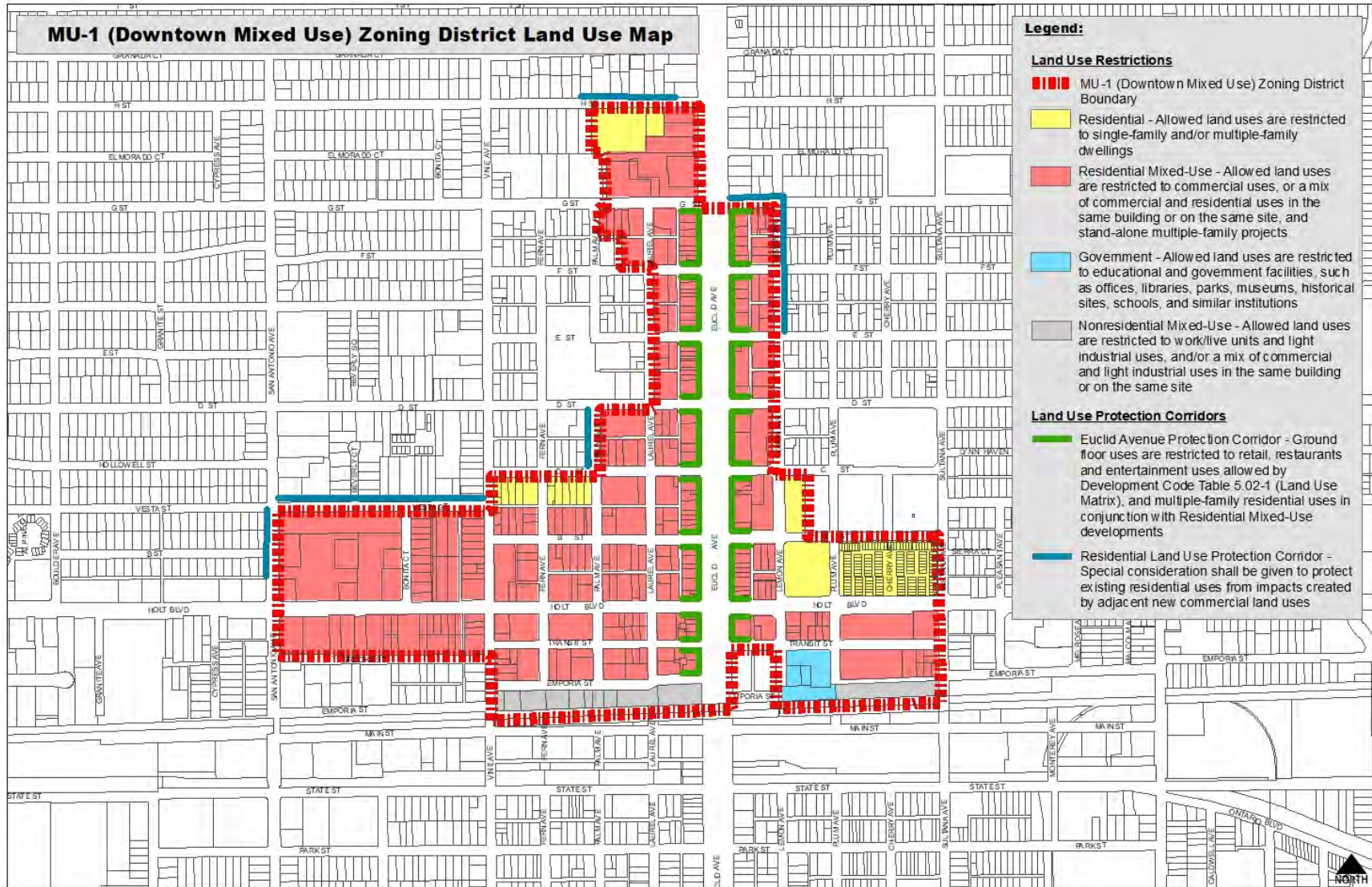


Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map

(ii) Arts District South is situated between Union Pacific and Southern Pacific Rail Lines, within an area not particularly suited to uses having a residential component (such as work/live lofts). Arts District South is envisioned to accommodate a mix of commercial, business park, and light industrial activities, which like Arts District North, will serve to stimulate the economic vitality of the area.

(3) LUA-3 (Holt Boulevard) District—Holt Boulevard is a vital east-west link to the downtown, particularly from Ontario International Airport, the Ontario Convention Center, and the nearby hospitality center. The Holt Boulevard District offers the most opportunity for development of market-rate and attainable housing. Mixed-use may be vertical or horizontal, with retail or live/work on the ground floor. Residents will have access to many downtown amenities, including shopping, public services, open space, and public transportation (Bus Rapid Transit or “BRT”). The District will be designed as a signature gateway to the City’s historic downtown.

(4) LUA-4 (Civic Center) District—The Civic Center District’s proximity to the Euclid Avenue Entertainment District will contribute to the community character and commercial vitality of Ontario’s historic downtown area. People in need of City services at City Hall, the Public Library, or the Community Center, are potential shoppers and diners at downtown stores and restaurants. Furthermore, the Civic Center’s significant outdoor spaces provide a link to downtown shopping, dining, streetscapes and friendly pedestrian experiences.

d. To accomplish the objectives of the MU-1 (Downtown Mixed Use) zoning district, certain blocks have been imposed with use restrictions, as shown in Figure 5.01-2 (MU-1 (Downtown Mixed Use) Zoning District Land Use Map) of this Division.

e. The MU-1 zoning district, along with the Land Use Areas and Land Use Subdistricts established thereunder, is consistent with and implements the Downtown Mixed Use land use designation of the Policy Plan component of The Ontario Plan.

2. MU-2 (East Holt Mixed Use) Zoning District. The MU-2 zoning district is hereby established to accommodate the intensification of the Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 1.0 FAR and 2.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center. The MU-2 zoning district is consistent with and implements the East Holt Mixed Use Area land use designation of the Policy Plan component of The Ontario Plan.

3. MU-11 (Euclid/Francis Mixed Use) Zoning District. The MU-11 zoning district is hereby established to accommodate a mixture of low-rise (up to 3 stories) retail uses at an intensity of up to 1.0 FAR, and residential uses at a density of 14 to 25 DU/AC, that will create identity and place along the Euclid Avenue corridor. The MU-11 zoning district is consistent with and implements the Euclid and Francis Mixed Use Area land use designation of the Policy Plan component of The Ontario Plan.

D. Industrial Zoning Districts.

1. BP (Business Park) Zoning District. The BP zoning district is hereby established to accommodate industrial-serving commercial and office uses, and very light industrial uses, which may be developed at a maximum intensity of 0.6 FAR. Development within this zoning district is

typically multi-tenant in nature; however, single-tenant buildings are not precluded. The BP zoning district is consistent with, and implements, the Business Park land use designation of the Policy Plan component of The Ontario Plan.

2. IP (Industrial Park) Zoning District. The IP zoning district is hereby established to accommodate a combination of commercial activity and light industrial uses, which may be developed at a maximum intensity of 0.6 FAR, and which support services to nearby industrial uses, technology centers, research and development, “clean” industry, and limited manufacturing activities. The IP zoning district is consistent with, and implements, the Business Park land use designation of the Policy Plan component of The Ontario Plan.

3. IL (Light Industrial) Zoning District. The IL zoning district is hereby established to accommodate lighter manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR. This zoning district is typically located within 500 feet of residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. And is intended to serve as a buffer between residentially zoned areas and heavier industrial zoning districts. Allowed uses are expected to have little or no impacts on nearby residential uses with regard to noise, odor, or hazards. The IL zoning district is consistent with, and implements, the Business Park and Industrial land use designations of the Policy Plan component of The Ontario Plan.

4. IG (General Industrial) Zoning District. The IG zoning district is hereby established to accommodate a wide range of manufacturing and assembly activities, storage and warehousing activities, and other similar uses developed at a maximum intensity of 0.55 FAR, which desire to locate in larger buildings and on larger sites. This zoning district is generally located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IG zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan.

5. IH (Heavy Industrial) Zoning District. The IH zoning district is hereby established to accommodate heavier manufacturing, assembly, storage, warehousing, and other similar industrial activities, as well as adult uses, which may have negative impacts when located near residential or other sensitive land uses, and which may be developed at a maximum intensity of 0.55 FAR. This zoning district is intended to be located away from residentially zoned properties, public parks and schools, and mixed-use properties having a residential component. The IH zoning district is consistent with, and implements, the Industrial land use designation of the Policy Plan component of The Ontario Plan.

E. Specialized Use Zoning Districts.

1. CIV (Civic) Zoning District. The CIV zoning district is hereby established to accommodate permanent public facilities such as City Hall, public libraries, public schools, police and fire stations, and other similar facilities that require significant public investment and are utilized by the public. The CIV zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. MHP (Mobile Home Park) Zoning District. The MHP zoning district is hereby established to accommodate communities consisting of mobile homes and manufactured housing at a density range of 5.1 to 8.0 dwelling units per acre. The MHP zoning district is consistent with, and implements, the Low-Medium Density Residential land use designation of the Policy Plan component of The Ontario Plan.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is hereby established to accommodate Ontario International Airport and surrounding properties directly impacted by airport operations. This zoning district includes uses such as airport terminals (including commercial and service uses related to the terminals), car rental agencies, and airport-related industrial, and delivery uses developed at a maximum intensity of 0.55 FAR. The ONT zoning district is consistent with, and implements, the Ontario International Airport land use designation of the Policy Plan component of The Ontario Plan.

4. OS-C (Open Space-Cemetery) Zoning District. The OS-C zoning district is hereby established to accommodate cemetery sites. Cemeteries provide visual open space, but not recreational opportunities, and have unique characteristics and activities that warrant a separate zoning designation to address their operational characteristics. The OS-C zoning district is consistent with, and implements, the Open Space-Nonrecreation land use designation of the Policy Plan component of The Ontario Plan.

5. OS-R (Open Space-Recreation) Zoning District. The OS-R zoning district is hereby established to accommodate open space uses such as public parks and recreation centers. The OS-R zoning district is consistent with, and implements, the Open Space-Parkland and Open Space-Water land use designation of the Policy Plan component of The Ontario Plan.

6. PUD (Planned Unit Development) Zoning District. The PUD zoning district is hereby established to accommodate projects that require master plan approval pursuant to The Ontario Plan Policy Plan, which focuses on the character of the development, relationship of uses, public and private access, parking, pedestrian facilities, building form, integration with the roadways and pedestrian ways, public spaces, landscaping, amenities, and unique product types. The PUD zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

7. RC (Rail Corridor) Zoning District. The RC zoning district is hereby established to accommodate permanent rail or fixed transit corridors through the City, and includes stations and ancillary facilities. The RC zoning district is consistent with, and implements, the Railroad land use designation of the Policy Plan component of The Ontario Plan.

8. SP (Specific Plan) Zoning District. The SP zoning district is hereby established to accommodate the adoption of Specific Plans pursuant to this Development Code. The SP zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

9. UC (Utilities Corridor) Zoning District. The UC zoning district is hereby established to accommodate flood control channels, retention and detention basins, electrical transmission corridors and landfills, and may include ancillary recreational facilities, such as public trails in conjunction with the primary use of the site. The UC zoning district is consistent with, and implements, the Open Space-Nonrecreation land use designation of the Policy Plan component of The Ontario Plan.

F. Overlay Districts.

1. AG (Agriculture) Overlay Zoning District. The AG Overlay zoning district is hereby established to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that development is slated to occur consistent with the Policy Plan component of The Ontario Plan and the underlying zoning district. Furthermore, it is the intent of this overlay zoning district is to permit continued agricultural use of properties or to establish

general agricultural uses, including dairies, which are appropriate for areas of concentrated agricultural uses. The AG Overlay zoning district is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. EA (Euclid Avenue) Overlay Zoning District. The EA Overlay zoning district is intended to: [i] recognize, protect, and enhance the visual character and quality of Euclid Avenue as a major scenic and historic resource of the City; [ii] recognize and protect Euclid Avenue’s position on the National Register of Historic Places; and [iii] recognize Euclid Avenue as a major contributor to Ontario’s historic downtown area.

3. ES (Emergency Shelter) Overlay Zoning District. The ES Overlay zoning district is hereby established to accommodate Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers pursuant to the Housing Element of the Policy Plan component of The Ontario Plan, and GC Section 65583. The ES overlay district is consistent with, and implements, all land use designations of the Policy Plan component of The Ontario Plan.

4. MTC (Multimodal Transit Center) Overlay Zoning District. The MTC Overlay zoning district is hereby established to allow for the interim use of existing industrial buildings located in the Multimodal Mixed-Use land use designation, as shown on the Land Use Plan (Exhibit LU-01) of The Ontario Plan, with general industrial land uses allowed in the IG zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Division, while at the same time preserving the City’s vision for the development of a multi-modal transit center and supporting mixed-use development. The MTC Overlay zoning district is consistent with, and implements, the Multimodal Mixed-Use land use designation of the Policy Plan component of The Ontario Plan.

5. ICC (Interim Community Commercial) Overlay Zoning District. The ICC Overlay zoning district is hereby established to allow for the interim use of existing commercial buildings, which are nonconforming as to zoning and/or ~~located in the High Density (25.1 to 45 DU/Acre) land use designation as shown on the Land Use Plan (Exhibit LU-01) of The Ontario Plan~~. Property in the ICC Overlay zoning district shall be ~~allowed with Community Commercial the land uses allowed in~~ **subject to the land use requirements of** the CN and CC zoning districts, as shown in ~~pursuant to~~ Table 5.02-1 (Land Use Matrix) of this Division, while at the same time preserving the City’s **long term** vision for the development and use of **high density residential projects in the High Density (25.1 to 45 DU/Acre) property consistent with the underlying Policy Plan (general plan)** land use designation. The ICC Overlay District is consistent with, and implements, ~~the High Density (25.1 to 45 DU/Acre) all~~ land use designations of the Policy Plan component of The Ontario Plan.

5.01.010: Zoning Map Adoption

The City Council hereby adopts the official zoning map of the City, entitled “City of Ontario Zoning Map” (hereafter referred to as “Zoning Map”). The Zoning Map is hereby incorporated into this Development Code by reference and shall be maintained on file in the office of the Planning Department. The boundaries of the zones as set forth on the Zoning Map are confirmed, adopted and established, and may be amended ~~in accordance with~~ **pursuant to the requirements of Section 4.01.040 (Zone Changes) of** this Development Code.

5.01.015: Zoning District Boundaries

When uncertainty exists as to the boundary of a district shown on the Zoning Map, the following regulations shall control:

- A.** Where a boundary line is indicated as following a street or alley, the boundary line shall be construed as following the centerline of the right-of-way;
- B.** Where a boundary line follows or coincides approximately with a lot line or property ownership line, the boundary line shall be construed as following the lot line or boundary line;
- C.** Where the boundary line is not indicated as following a street or alley and does not follow or coincide approximately with a lot line or property ownership line, unless specifically indicated by dimensions on the Zoning Map, the boundary line shall be determined based on the scale of the Zoning Map;
- D.** Where uncertainty exists, the Zoning Administrator shall determine in writing, the location of the boundary in question, giving due consideration to the location indicated on the Zoning Map, the objectives of the Development Code, and the specific purposes for each district; and
- E.** Where a street or alley is officially vacated or abandoned, the area within the area of vacated street or alley on each side of the centerline shall be classified in the same zoning district as the adjoining property.

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Division 5.02—General Land Use Provisions

Sections:

- [5.02.000](#): Purpose
- [5.02.005](#): Applicability
- [5.02.010](#): Allowed Land Uses, Activities and Facilities

5.02.000: Purpose

The purpose of this Division is to identify those land uses, activities and facilities that may be established in conjunction with any buildings, improvements, lots, or premises that are privately owned, leased, operated, or controlled within the zoning districts established by Section 5.01.005 (Establishment of Base Zoning Districts) of this Development Code, and is to serve as a guide for the establishment of publicly owned land uses, activities and facilities (see Subsection 1.01.015.F (City Properties) of this Development Code.

5.02.005: Applicability

A. Land Use Matrix.

1. Land and facilities thereon shall ~~only~~ be developed, divided and/or used only for those activities and facilities listed in Table 5.02-1 (Land Use Matrix) of this Division. Table 5.02-1 (Land Use Matrix) establishes uses that are permitted, conditionally permitted, administratively permitted, or expressly prohibited, within the zoning districts established by Section 5.01.005 (Establishment of Base Zoning Districts) and identified on the Zoning Map established by Section 5.01.015 (Zoning Map Adoption) of this Chapter. A use that is not specifically allowed by Table 5.02-1 (Land Use Matrix) shall be deemed a prohibited use unless otherwise allowed by the Zoning Administrator pursuant to Subsection C (Land Uses, Activities and Facilities Not Addressed by the Land Use Matrix) of this Section. Notwithstanding any other provision of this Development Code, a medical marijuana dispensary, as defined in Division 9.01 (Definitions) of this Development Code shall be a prohibited use in all zoning districts of the City (see Section 5.03.295 (Medical Marijuana Dispensary) of this Chapter).

2. Table 5.02-1 (Land Use Matrix) further establishes a hierarchy of land uses, activities, and facilities, based upon the North American Industry Classification System (NAICS) — the standard used by Federal statistical agencies in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data related to the U.S. business economy — and identifies the NAICS code for each industry sector (2-number code), subsector (3-number code), group (4-number code), subgroup (5-number code), and use (6-number code), as they are applicable to the City, allowing the user to effectively reference the [NAICS Association web site](#) to obtain definitions for each industry, along with background information and access to various NAICS reference files and tools.

B. Land Use Regulations, Operating Conditions, and Development Standards. The “Additional Regulations” column of Table 5.02-1 (Land Use Matrix) references the location of regulations, operating conditions, and/or development standards that are applicable to the corresponding land uses, activities and facilities.

C. Land Uses, Activities and Facilities Not Addressed by the Land Use Matrix. Land uses, activities, or facilities not addressed by Table 5.02.1 (Land Use Matrix) may be considered by the Zoning Administrator upon the request for a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code.

D. Specialized Use and Overlay Zoning Districts. Land uses, activities, and facilities within Specialized Use and Overlay Zoning Districts, which are not addressed in Table 5.02-1 (Land Use Matrix), shall be applied as follows:

1. PUD (Planned Unit Development) Zoning District. The PUD zoning district is established to accommodate the development and use of properties that require Planned Unit Development approval pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. Land uses, activities, and facilities within the PUD zoning district shall only be allowed pursuant to the applicable Planned Unit Development document.

2. SP (Specific Plan) Zoning District. The SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All land uses, activities, and facilities within the SP zoning district shall only be allowed pursuant to the applicable Specific Plan document.

3. EA (Euclid Avenue) Overlay District. The EA Overlay District is established to protect Euclid Avenue as a major scenic and historic resource of the City. All land uses, activities, and facilities within the EA Overlay district shall be allowed pursuant to the requirements of the applicable underlying base zoning district.

4. ES (Emergency Shelter) Overlay District. The ES Overlay District is established to accommodate Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers within areas of the City predetermined by the Housing Element (contained within the Policy Plan component of The Ontario Plan), pursuant to GC Section 65583. Within the ES Overlay District, Emergency Shelters, Supportive Housing, Transitional Housing, and Transitional Living Centers are permitted by right of being within the correct zoning district, and are subject to the land use standards contained within Section 5.03.400 (Temporary Shelters) of this Chapter and the development standards and guidelines contained within (Division 6.01 (District Standards and Guidelines) of this Development Code, as applicable to the underlying base zoning district.

5. MTC (Multimodal Transit Center) Overlay District. The MTC Overlay District is established to allow for the interim use of existing buildings located within the overly district boundary (established pursuant to Paragraph 5.01.010.F.4 (MTC (Multimodal Transit Center) Overlay District) of this Development Code), while at the same time preserving the City's vision for development of a multi-modal transit center and supporting mixed-use development. To this end, the below-listed land uses shall be permitted within existing buildings located within the MTC Overlay District:

- a. General warehousing, storage, and distribution trades;
- b. Wholesale trades;
- c. Retail trades, limited to 15 percent of the building GFA or 8,000 SF, whichever is less;
- d. Office administrative and business support services; and

e. Other uses approved by the Zoning Administrator that are similar in nature to those uses listed in Subparagraphs B.5.a through d, above, provided all activities are wholly contained within the building and do not have the potential to negatively impact properties in the vicinity, or are consistent with the Vision and Policy Plan components of The Ontario Plan.

E. Mobile Business Activities not addressed by Table 5.02-1 (Land Use Matrix). Any mobile business activity that is not otherwise allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Division, or has been allowed by the Zoning Administrator following a request for a use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, shall be expressly prohibited.

5.02.010: Allowed Land Uses, Activities and Facilities

A. Land Use Matrix (Table 5.02-1) Symbols. Land and facilities thereon shall only be developed, divided and/or used for those activities listed in Table 5.02-1 (Land Use Matrix) of this Division. The symbols shown in the Land Use Matrix shall have the following meanings:

1. “P” (permitted) shall mean the land use, activity, or facility within the specified zoning district is permitted by right of being in the proper zoning district, and is subject to the each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in Division 5.03 (~~Standards For Specific Uses, Activities and Facilities~~ Supplemental Land Use Regulations) of this Development Code.

2. “C” (conditionally permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of this Development Code, and is subject to each Development Code provision applicable to the specified zoning district and the standards for specific uses, activities, and facilities contained in Division 5.03 (Standards For Specific Uses, Activities and Facilities).

3. “A” (administratively permitted) shall mean the land use, activity, or facility within the specified zoning district is subject to the granting of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, and is subject to Development Code provisions applicable to the specified zoning district and the standards for specific uses, activities and facilities contained in Division 5.03 (Standards For Specific Uses, Activities and Facilities).

4. “---” (prohibited) shall mean the land use, activity, or facility within the specified zoning district is expressly prohibited and shall not be allowed within the specified zoning district unless changed by Development Code Amendment.

B. Consistency with the Policy Plan (General Plan) Component of The Ontario Plan. No land use, activity or facility shall be permitted that is inconsistent with the objectives, polices, general land uses and programs specified in Policy Plan (General Plan) component of The Ontario Plan. A land use is consistent with The Ontario Plan if considering all of its aspects, it is found to further the objectives and policies of The Ontario Plan.

C. Table 5.02-1 (Land Use Matrix) Organization. The land uses addressed in Table 5.02-1 (Land Use Matrix) are organized as follows:

<i>NAICS Codes</i>	<i>Land Uses, Activities and Facilities</i>
	Residential
	Mixed Use
11	Commercial Agriculture
21	Mining, Quarrying, and Oil and Gas Extraction
22	Utilities
23	Construction
31-33	Manufacturing
42	Wholesale Trade
44-45	Retail Trade
48-49	Transportation and Warehousing
51	Information
52	Finance and Insurance
53	Real Estate, Rental and Leasing
54	Professional, Scientific and Technical Services
55	Management of Companies and Enterprises
56	Administrative and Support, and Waste Management and Remediation Services
61	Education Services
62	Health Care and Social Assistance
71	Arts, Entertainment and Recreation
72	Accommodation and Food Services
81	Other Services (except Public Administration)
92	Public Administration
	Temporary and Interim Land Uses, Buildings and Structures

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations									
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25		HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT		OS-C	OS-R	RC	UC					
														LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																					
RESIDENTIAL																																							
Animal Keeping (as an accessory use)																																							
Birds																																							
	• Fewer than 25 birds	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	See residential animal keeping standards contained in Section 5.03.410 (Urban Agriculture)		
	• 25 to 100 birds	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---			
	• More than 100 birds	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---			
	Cattle & Buffalo	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---			
	Exotic Pets	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---		
	Horses	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---		
Household Pets (limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only)																																							
	• 4 or fewer pets	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	See residential animal keeping standards contained in Section 5.03.410 (Urban Agriculture)		
	• 5 to 8 pets	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		---	
	• More than 8 pets	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		---	
	Llamas, Alpacas, Burros, Donkeys, and Mules	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		---	
	Ostriches, Emus, and Rheas	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		---	---
	Poultry and Fowl	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		---	---
	Rabbits and Chinchillas	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		---	---
	Swine	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		---	---
	Sheep, Goats, and Similar Livestock	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
	Caretaker Quarters (excludes Caretaker Quarters established in conjunction with Self-Storage Facilities (NAICS 493190))	---	---	---	---	---	C	C	C	C	---	C	---	---	---	---	---	C	---	C	C	C	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---		
	Community Gardens, Urban Farms, and Related Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	---	A	A	---	---	---	A	See community garden and urban farms standards contained in Section 5.03.410 (Urban Agriculture)			
	Employee (Farmworker) Housing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.177 (Employee (Farmworker) Housing)		
	Home Occupations	A	A	A	A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A	---	A	---	---	---	---	---	---	---	---	See Section 5.03.240 (Home Occupations)		
	Mobilehome Parks	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	See Section 5.03.295 (Mobilehome Parks)		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations					
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC		
	Residential Development Projects																																		
	Accessory Residential Structures (structures that are incidental to a primary single-family dwelling)																																		
	Accessory Dwelling Units	P	P	P	P	---	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	See Subsection A (Accessory Dwelling Units) of Section 5.03.010
	Accessory Residential Structures (includes guesthouses, pool houses, freestanding recreation rooms, garages, carports, garden and tool sheds, and other ancillary buildings and structures determined appropriate by the Planning Director)	P	P	P	P	---	---	---	---	---	---	P	P	---	P	---	P	P	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	See Subsection B (Accessory Residential Structures) of Section 5.03.010	
	Multiple-Family Dwellings	---	---	P	P	---	---	---	---	---	---	P	P	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Table 6.01-3 (Multiple-Family Residential Development Standards)	
	Single-Family Dwellings	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings)	
	<ul style="list-style-type: none"> Traditional Single-Family Residential Subdivisions 	P	P	P	P	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings) See Table 6.01-1 (Traditional Single-Family Development Standards)		
	<ul style="list-style-type: none"> Small Lot Traditional Single-Family Residential Subdivisions 	---	P	P	P	---	---	---	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings) See Table 6.01-2A (Small Lot Traditional Residential Development Standards)		
	<ul style="list-style-type: none"> Small Lot Alley-Loaded Single-Family Residential Subdivisions 	---	---	P	P	---	---	---	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings) See Table 6.01-2B (Small Lot Alley-Loaded Residential Development Standards)		
	<ul style="list-style-type: none"> Cluster Single-Family Residential Subdivisions 	---	---	P	P	---	---	---	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings) See Table 6.01-2C (Cluster Single-Family Residential Development Standards)		
	Small Lot Infill Subdivisions	---	---	P	P	---	---	---	---	---	---	P	P	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 6.01.010.F (Small Lot Infill Subdivisions)		
	Senior Citizen Housing Developments	---	---	P	P	---	---	C	---	---	---	P	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.360 (Senior Citizen Housing Developments)			
	Single Room Occupancy (SRO) Facilities	---	---	---	C	---	---	C	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.370 (Single Room Occupancy (SRO) Facilities)		
	Supportive Housing	P	P	P	---	---	---	C	---	---	---	C	---	---	C	---	---	---	---	---	P	C	---	C	---	---	---	---	---	---	---	See Section 5.03.405 (Transitional Shelter Housing)			
	MIXED USES																																		
	Nonresidential Mixed-Use Developments (development projects containing a mix of commercial and light industrial uses in the same building or on the same site)	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)	
	Residential Mixed-Use Developments (development projects containing a mix of commercial and residential uses in the same building or on the same site)	---	---	---	---	---	C	C	---	---	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)		
	Work/Live Units	---	---	---	---	---	---	---	---	---	C	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.425 (Work/Live Units)		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations											
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC						
115210	Support Activities for Animal Production	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---		
21	MINING, QUARRYING, AND OIL AND GAS EXTRACTION																																						
211	Oil and Gas Extraction	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
212	Mining (except oil and gas)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
213	Support Activities for Mining	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
22	UTILITIES																																						
221	Utilities																																						
2211	Electric Power Generation, Transmission and Distribution																																						
221111	Hydroelectric Power Generation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
221112	Fossil Fuel Electric Power Generation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---	---	---	---	---	---	---	
221113	Nuclear Electric Power Generation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
221114, 221115	Solar and Wind Electric Power Generation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	C	See Section 5.03.160 (Electric Power Generation, Solar and Wind)	
221116, 221117, 221118	Geothermal, Biomass, and All Other Electric Power Generation (excepting solar and wind electric power generation)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
221121, 221122	Electric Power Transmission, Control and Distribution (includes power transmission and control, and power distribution)	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	---	C	C	P	C	C	C	C	C	C	C	C	C	C			
23	CONSTRUCTION																																						
236, 237, 238	Contractors (limited to businesses whose primary activity is performing specific activities involved in building construction, engineering and capital improvement projects, or the preparation of sites for construction)																																						
	• Completely within a Building	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	
	• With Outdoor Storage (screened from public view)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	See Section 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors)
31-33	MANUFACTURING																																						
***	Boutique/Artisan Small-Scale and Micro Manufacturing Facilities (includes all types of small-scale businesses that produce tangible goods, such as but not limited to: textiles, hardware and hardware prototyping, woodworking, metal working, 3D printing, consumer product design and prototyping, nonalcoholic beverage production, local food production and packaging, soaps, perfumes and lotions. Businesses may provide products directly to the consumer and/or to other businesses)	---	---	---	---	---	---	G	G	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	*** NAICS number shall be established based upon the primary manufacturing land use type See Section 5.03.037 (Artisan Small-Scale and Micro Manufacturing Facilities)
311	Food Manufacturing																																						
3111	Animal Food Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC	UC				
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																				
3112	Grain and Oilseed Milling																		P	P																	
3113	Sugar and Confectionery Product Manufacturing																		P	P																	
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing																		P	P																	
3115	Dairy Product Manufacturing																		P	P																	
3116	Animal Slaughtering and Processing																																				
3117	Seafood Product Preparation and Packaging																																				
3118	Bread and Tortilla Manufacturing																		P	P	P	P														See Section 5.03.085 (Bread and Tortilla Manufacturing)	
3119	Other Food Manufacturing (including snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing)																	P	P	P	P	P													See Section 5.03.190 (Food Manufacturing, Other)		
312	Beverage and Tobacco Product Manufacturing																																				
312111 312112 312113	Beverage Manufacturing (including soft drink, bottled water and ice manufacturing; however, excludes alcoholic beverage manufacturing)																				P	P															
312120 312130 312140	Alcoholic Beverage Manufacturing (including breweries, wineries and distilleries, and related tasting rooms)																																				
	• GFA less than 10,000 SF						C	C	C				A	A	A	A	A		P	P	P	P	P												See Section 5.03.023 (Alcoholic Beverage Manufacturing)		
	• GFA 10,000 or More SF																		P	P	P	P	P														
3122	Tobacco Products Manufacturing																																				
313	Textile Mills (transforms basic fiber into fabric)																				P	P															
314	Textile Product Mills (transforms fabric into product, except apparel)																		P	P	P	P															
315	Apparel Manufacturing																	P	P	P	P	P														See Section 5.03.035 (Apparel Manufacturing)	
316	Leather and Allied Product Manufacturing																																				
3161	Leather and Hide Tanning and Finishing																																				
3162	Footwear Manufacturing																	P	P	P	P	P														See Section 5.03.195 (Footwear Manufacturing)	
3169	Other Leather and Allied Product Manufacturing (limited to manufacturing of luggage, handbags, purses, personal leather goods and other leather products)																	P	P	P	P	P													See Section 5.03.255 (Leather and Allied Product Manufacturing, Other)		
321	Wood Product Manufacturing																						P	P													
322	Paper Manufacturing																																				
3221	Pulp, Paper, and Paperboard Mills																					P	P														
3222	Converted Paper Product Manufacturing																			C	P	P															

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations											
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC	UC									
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4															MU-2	MU-11							
323	Printing and Related Support Activities	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
324	Petroleum and Coal Products Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
325	Chemical Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
3251	Basic Chemical Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
3252	Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
325311	Fertilizer Manufacturing from Manure Operations (FMMO)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.187 (Fertilizer Manufacturing from Manure Operations (FMMO))
325314	<i>Fertilizer Manufacturing (limited to mixing of purchased materials; excludes on-site composting facilities—see NAICS 562219)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
325320	<i>Pesticide and Other Agricultural Chemical Manufacturing</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
3254	Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing—see NAICS 325414, below)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.325 (Pharmaceutical and Medicine Manufacturing)	
325414	<i>Biological Product (except diagnostic) manufacturing</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
3255	Paint, Coating, and Adhesive Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
3256	Soap, Cleaning Compound, and Toilet Preparation Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.375 (Soap, Cleaning Compound, and Toilet Preparation Manufacturing)
3259	Other Chemical Product and Preparation Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	G	G	---	---	---	G	---	---	---	---	---	---	---	---	---	---	---	
325910	Printing Ink Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
325920	Explosives Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
325991	Custom Compounding of Purchased Resins	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
325992	Photographic Film, Paper, Plate, and Chemical Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
325998	All Other Miscellaneous Chemical Product and Preparation Manufacturing (such as: activated carbon and charcoal, antifreeze preparations, electronic cigarette vapor refills, industrial salt, lighter fluids (e.g., charcoal, cigarette), matches and matchbooks, pyrotechnics (e.g., flares, flashlight bombs, signals), sugar substitutes (i.e., synthetic sweeteners blended with other ingredients) made from purchased synthetic sweeteners, swimming pool chemical preparations, and writing inks)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
326	Plastics and Rubber Products Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
3261	Plastics Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.335 (Plastics Product Manufacturing)
3262	Rubber Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
327	Nonmetallic Mineral Product Manufacturing (except glass and glass product manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts					Additional Regulations							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25		HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG		CIV	MHP	ONT	OS-C	OS-R	RC	UC
		LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																												
327211 327212 327213 327215	Glass and Glass Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---	---
331	Primary Metal Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---	
332	Fabricated Metal Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
3321	Forging and Stamping	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---	---	---	---	---	
3322	Cutlery and Hand Tool Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.135 (Cutlery and Hand Tool Manufacturing)
3323	Architectural and Structural Metals Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---
3324	Boiler, Tank and Shipping Container Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---
3325	Hardware Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	See Section 5.03.235 (Hardware Manufacturing)
3326	Spring and Wire Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.385 (Spring and Wire Product Manufacturing)
3327	Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	See Section 5.03.260 (Machine Shops, Turned Product, and Screw, Nut and Bolt Manufacturing)
3328	Coating (e.g., anodizing, electroplating, etc.), Engraving, Heat Treating, and Allied Activities (except painting, powder coating, and polishing metal and metal products for the trade)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---
332812	Painting, Powder Coating and Polishing Metal and Metal Products for the Trade	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---
3329	Other Fabricated Metal Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
332911 332912 332913 332919	Metal Valve Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	---	---
332991	Ball and Roller Bearing Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---
332992	Small Arms Ammunition Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---
332993	Ammunition (except Small Arms) Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing, limited to the following:	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	• Small Arms Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---
	• Other Ordnance and Accessories Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---
332996	Fabricated Pipe and Pipe Fitting Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations																				
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC																	
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing (such as: foil containers (except bags), industrial patterns, metal hair curlers, metal ironing boards, metal pallets, metal pipe hangers and supports, metal safes, metal vaults (except burial), permanent metallic magnets, portable metal ladders, sanitary ware (e.g., bathtubs, lavatories, sinks), metal and enameled metal, and steel wool)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.185 (Fabricated Metal Product Manufacturing, All Other Miscellaneous)									
333	Machinery Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---								
334	Computer and Electronic Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.115 (Computer and Electronic Product Manufacturing)							
335	Electrical Equipment, Appliance, and Component Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.165 (Electrical Equipment, Appliance, and Component Manufacturing)							
336	Transportation Equipment Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---						
337	Furniture and Related Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.215 (Furniture and Related Product Manufacturing)						
339	Miscellaneous Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---					
3391, 3399	Medical Equipment and Supplies; Jewelry and Silverware; Sporting and Athletic Goods; Dolls, Toys and Games; Office Supplies; Signs; and All Other Miscellaneous Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.265 (Manufacturing, Miscellaneous)					
42	WHOLESALE TRADE																																																	
423	Merchant Wholesalers, Durable Goods																																																	
4231	Motor Vehicles and Motor Vehicle Parts and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---						
4232	Furniture and Home Furnishings	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---				
4233	Lumber and Other Construction Materials	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---				
4234	Professional and Commercial Equipment and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
4235	Metals and Minerals (except Petroleum)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
4236	Household Appliances, and Electrical and Electronic Goods	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
4237	Hardware and Plumbing, and Heating Equipment and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4238	Machinery, Equipment and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
4239	Miscellaneous Durable Goods	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
423910	Sporting and Recreational Goods and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
423920	Toy and Hobby Goods and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
423930	Recyclable Materials (includes wholesale activity only; refer to NAICS 562920 (Material Recovery Facilities) for recovery/processing (recycling) activities)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
423940	Jewelry, Watches, Precious Stones, and Precious Metals	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations												
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC	UC										
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4															MU-2	MU-11								
423990	Other Miscellaneous Durable Goods, excepting ordnance and accessories (includes uses such as: firearms (except sporting), musical instruments, prerecorded audio and video tapes and discs, phonograph records, prerecorded compact discs (CDs) and digital video discs (DVDs), and timber and timber products (except lumber))	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
424	Merchant Wholesalers, Nondurable Goods (excludes industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
424690	Fireworks and Explosives	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
424690	Industrial Gases and Liquefied Gases (except petroleum gases)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
424710	Petroleum Bulk Stations and Terminals	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
424720	Petroleum and Petroleum Products (except bulk stations and terminals)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
425	Wholesale Electronic Markets and Agents, and Brokers																																								
425110	Business to Business Electronic Markets (via internet or other electronic means)	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.090 (Business to Business Electronic Markets)
425120	Wholesale Trade Agents and Brokers, limited to the following:																																								
	• Automobile auctions (wholesale auctions only)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• Durable and Nondurable Goods Agents and Brokers (office only)	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.155 (Durable and Nondurable Goods Agents and Brokers)	
	• Petroleum Brokers (office only)	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
44-45	RETAIL TRADE																																								
441	Motor Vehicle and Parts Dealers																																								
4411	Automobile Dealers, limited to new and used automobiles, and light trucks and vans (includes vehicle sales, and ancillary motor vehicle repair and maintenance activities)																																								
441110	New Vehicles	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.040 (Automobile Dealers - New Vehicle Sales and Leasing, and Automobile Rental) and Section 5.03.305 (Motor Vehicle Dealers)
441120	Used Vehicles	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)	
4412	Other Motor Vehicle Dealers																																								
441210	Recreational Vehicles	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
441222	Boats	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)
441228	Motorcycles, Personal Watercraft, All Terrain Vehicles, and Other Similar Vehicles	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations													
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC								
4413	Automotive Parts, Accessories and Tire Stores																																								
441310	<i>Automotive Parts and Accessories (excludes automotive repair)</i>	---	---	---	---	---	P	P	P	---	---	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
441320	<i>Tire Stores</i>	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
442	Furniture and Home Furnishings Stores	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.210 (Furniture and Home Furnishings Stores)	
443	Electronics and Appliance Stores	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.175 (Electronics and Appliance Stores)		
444	Building Materials, Garden Equipment and Supplies Stores	---	---	---	---	---	---	P	P	---	---	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
445	Food and Beverage Stores																																								
4451	Grocery Stores																																								
445110	<i>Supermarkets and Other Grocery Stores (primarily retailing a range of grocery items and meats), Commissaries and Food Stores</i>	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
445120	<i>Convenience Stores</i>	---	---	---	---	P	P	P	P	P	---	P	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---		
4452	Specialty Food Stores																																								
445210	<i>Confectionary and Baked Goods, Confectionary and Nut Stores, Dairy Products, Ice Cream, Meat, Seafood, Produce (except farmers markets and certified farmers' markets), Soft Drink, Tea and Coffee, Water Stores, and All Other Specialty Foods</i>	---	---	---	---	P	P	P	P	P	---	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
445220		---	---	---	---	P	P	P	P	P	---	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
445230		<i>Farmers Markets and Certified Farmers Markets</i>	---	---	---	---	C	C	C	---	---	---	C	C	C	---	C	C	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	C	---	---			
445291		---	---	---	---	P	P	P	P	P	---	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
445292		---	---	---	---	P	P	P	P	P	---	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
445299	---	---	---	---	P	P	P	P	P	---	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
4453	Alcoholic Beverage Sales for Off-Premise Consumption																																								
445310	<i>Alcoholic Beverage Sales for Off-Premise Consumption (except beer, wine and liquor stores (see below); and business to consumer internet retail wine sales (Type 85 ABC license) (NAICS 454111))</i>	---	---	---	---	C	C	C	C	C	---	C	C	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.025 (Alcoholic Beverage Sales)	
445310	<i>Beer, Wine and Liquor Stores</i>	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
446	Health and Personal Care Stores																																								
446110	<i>Pharmacies and Drug Stores</i>	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.330 (Pharmacies and Drug Stores)	
	<i>Marijuana Dispensary</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.	
	<i>Marijuana Dispensary</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.280 (Marijuana Dispensary)	
446120	<i>Cosmetics, Beauty Supplies, and Perfume Stores</i>	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	
446130	<i>Optical Goods Stores</i>	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	
446191	<i>Food (Health) Supplement Stores</i>	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

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		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC						
446199	All Other Health and Personal Care Stores (such as: hearing aids, medical equipment and supplies, personal mobility scooters, and prosthetics)	---	---	---	---	---	P	P	P	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
447	Gasoline and Fueling Stations	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
447110	Gasoline Fueling with Convenience Stores	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
447190	Self-Serve and Full Service Fueling Stations	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---		
447190	Automated Fueling Facilities ("card lock" facilities)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---		
447190	Truck Stops	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---		
448	Clothing and Clothing Accessories Stores	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
451	Sporting Goods, Hobby, Book, and Music Stores (such as: sporting goods stores; hobby, toy and game stores; sewing, needlework and piece goods (fabric and upholstery materials) stores; musical instrument and supplies stores; bookstores; and news dealers and newsstands)	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
452	General Merchandise Stores	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4522	Department Stores	---	---	---	---	---	---	P	P	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4523	General Merchandise Stores	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
452311	Warehouse Clubs and Supercenters	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
452319	All Other General Merchandise Stores (includes dollar stores, general merchandise catalog showrooms (except catalog mail order), general stores, general merchandise trading posts, home and automobile supply stores, and variety stores)	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	
453	Miscellaneous Store Retailers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
4531	Florists	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	
4532	Office Supplies, Stationery, and Gift Stores	---	---	---	---	---	P	P	P	P	---	P	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	
4533	Used Merchandise Stores (except motor vehicles), limited to the following (NAICS 453310):	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
453310	Antique, Vintage and Collectibles Shops	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
453310	Consignment Shops	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
453310	Flea Markets and Swap Meets (indoor only)	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
453310	Precious Metals, Gemstones, Jewelry, and Similar Merchandise (includes purchase of previously owned merchandise, such as "cash for gold" stores)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---
453310	Personal Property Donation Bins	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
453310	Thrift and Secondhand Stores, and Used Goods Stores	---	---	---	---	---	---	P	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC			
												LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																				
4539	Other Miscellaneous Store Retailers																																			
453910	<i>Pet and Pet Supplies Stores</i>	---	---	---	---	---	P	P	P	---	---	---	P	---	---	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453920	<i>Art Dealers</i>	---	---	---	---	---	P	P	P	---	---	P	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
453930	<i>Manufactured (Mobile) Home Dealers, limited to the following:</i>																																			
	• <i>Without Display of Homes</i>	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• <i>With Indoor Display of Homes (no outdoor display of homes permitted)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---		
453991	<i>Smoking/Vaping Retailers (includes cigar stores, cigarette stands, electronic cigarette stores, hookah supplies stores, smoking / vaping supplies stores, tobacco stores, and other similar facilities — In-store smoking and/or vaping shall be prohibited)</i>	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.245 (Hookah Establishments, Smoking / Vaping Lounges, and Smoking / Vaping Retailers)	
453998	<i>All Other Miscellaneous Store Retailers, limited to the following:</i>																																			
	• <i>Art Supplies, Candles, Closet Organizers, Collectibles, Flowers, Home Security Equipment, Hot Tubs, Janitorial Supplies, Police Supplies, Religious Goods, Swimming Pool Supplies and Trophy Shops</i>	---	---	---	---	---	P	P	P	---	---	P	---	---	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• <i>Auction Houses</i>	---	---	---	---	---	---	---	C	---	---	C	---	---	C	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• <i>Industrial Retail Sales (limited to the ancillary retail sales of goods and/or product either manufactured, warehoused or wholesaled on-site)</i>																																			
	[1] ≤ 15% of Building GFA Area or 8,000 SF, whichever is less	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---		
	[2] > 8,000 SF or 15% of Building GFA	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	C	C	C	C	C	---	---	---	P	---	---	---	---	---	---	---	---		
454	Nonstore Retailers																																			
4541	<i>Electronic (internet) Shopping and Mail-Order Houses (includes direct business to consumer internet retail sales, internet auctions, and/or mail order retail sales)</i>	---	---	---	---	---	P	P	P	---	P	P	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	See Section 5.03.170 (Electronic Shopping and Mail-Order Houses)	
4542	<i>Vending Machine Operators</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4543	<i>Direct Selling Establishments</i>																																			
454312	<i>Fuel Dealers (liquefied petroleum gas)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
454390	<i>Other Direct Selling Establishments (such as: bottled water, coffee-break supplies, door-to-door retail sales, frozen food and meal plan providers, locker meat provisioners, newspaper home delivery, produce stands (temporary), and water softener service providers)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
48-49	TRANSPORTATION AND WAREHOUSING																																			
481	<i>Air Transportation, limited to the following:</i>																																			
481111 481112	<i>Scheduled Passenger Air Transportation and Scheduled Freight Air Transportation (Airport Facilities)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.020 (Air Transportation)

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations											
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC								
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																								
481211 481212	Nonscheduled Chartered Passenger Air Transportation and Nonscheduled Chartered Freight Air Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	
481219	Other Nonscheduled Air Transportation (such as: aircraft charter services, aviation clubs, and privately-owned aircraft)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---		
481219	Helipad/Heliport	---	---	---	---	---	---	---	P	C	---	C	---	---	---	---	---	---	---	P	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
482	Rail Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
482111 482112	Line-Haul, Short-Line and Beltline Railroads	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	---
484	Truck Transportation (includes general and specialized freight trucking)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
485	Transit and Ground Passenger Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4851	Urban Transit Systems (includes public mixed-mode, commuter rail and bus transit passenger terminals and stations)	---	---	---	---	---	---	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	C	C	C	C	C	C	C	C	C		
4853	Taxi and Limousine Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4855	Charter Bus Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
4859	Other Transit and Ground Passenger Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
485991	Special Needs Transportation (such as: handicapped passenger transportation, paratransit transportation, pet transportation, senior citizen transportation, and special needs passenger transportation)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---		
485999	Other Transit and Ground Passenger Transportation (such as: airport limousine and shuttle services, and carpool and vanpool operations)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
488	Support Activities for Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4881	Support Activities for Air Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P
4882	Support Activities for Rail Transportation (includes servicing and maintenance facilities)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	
488210	Railroad Passenger Terminals (line-haul, short-line and belt-line railroads)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P		
488210	Railroad Equipment Maintenance Yards	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C		
4884	Support Activities for Road Transportation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
488410	Towing Services (see Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
488490	Bus Passenger Terminals (independent)	---	---	---	---	---	---	C	C	C	---	C	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4885	Freight Transportation Arrangement (limited to shipping agents and brokers)	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.200 (Freight Transportation Arrangement)	
491	Postal Service (limited to US Postal Service and contract services. See "Private Mail Centers and Postal Services and Supplies" (NAICS 561431) for commercial mail services)	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---			

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts								Additional Regulations			
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC	UC	
492	Couriers and Messengers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	
493	Warehousing and Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
493110	<i>General Warehousing and Storage, limited to the following:</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• <i>Within a Wholly Enclosed Building</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
	• <i>Outside Materials and Equipment Storage</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	[1] <i>In conjunction with an allowed use</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
	[2] <i>As a primary use of property</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	---	---	---	P	---	---	---	---	---	---	
493120	Refrigerated Warehousing and Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
493190	<i>Other Warehousing and Storage, limited to the following:</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	• <i>Bulk Petroleum Storage (tank farm)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	• <i>Lumber Storage</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	• <i>Motor Vehicle Storage</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	[1] <i>Indoor Vehicle Storage</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
	[2] <i>Outdoor Vehicle Storage</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	---	---	C	
	• <i>Self-Storage Facilities (includes one Caretaker Quarters)</i>	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---
51	INFORMATION																																	
511	Publishing Industries (except Internet—see Other Information Services)																																	
5111	Newspaper, Periodical, Book, and Directory Publishers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	
5112	Software Publishers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---
512	Motion Picture and Sound Recording Industries																																	
5121	Motion Picture and Video Industries																																	
512110 512120	<i>Motion Picture and Video Production and Distribution</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	P	---	---	---	---	---	
512131	<i>Motion Picture and Video Exhibition (movie theaters, except drive-in theaters)</i>	---	---	---	---	---	---	C	P	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
512191	Teleproduction and Other Postproduction Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---
512199	Other Motion Picture and Video Industries (such as: booking agencies, film libraries, film laboratories and film restoration)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---
5122	Sound (Audio) Recording Facilities	---	---	---	---	---	---	P	P	---	---	P	P	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---
515	Broadcasting (except Internet—see Other Information Services)																																	
515111 515112	Radio Networks and Stations	---	---	---	---	---	C	P	P	---	---	P	P	P	P	---	---	C	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	
515120	Television Broadcast Studios	---	---	---	---	---	C	P	P	---	---	P	P	P	P	---	---	C	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations										
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC					
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																					
515120	Radio and Television Transmission/Antenna Facilities	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---
517	Telecommunications Facilities																																					
517311	Wired telecommunications Facilities	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	---	P	P	P	P	P	P	P	P			
517312	Wireless Telecommunications Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	C	P	P	P	P	P	P	P	P	P	P	P	P		
5174	Satellite Facilities	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	---	---	---	
5179	All Other Telecommunications (includes telecommunications resellers, radar station operations, and satellite telemetry operations and tracking stations)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	
518	Data Processing, Hosting and Related Services	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---		
519	Other Information Services																																					
51911	News Syndicates (office only)	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
51912	Libraries and Archives	C	C	C	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P	C	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		
51913	Internet Publishing and Broadcasting	---	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
52	FINANCE AND INSURANCE																																					
522	Credit Intermediation and Related Activities																																					
5221	Depository Credit Intermediation (limited to commercial banking, savings institutions and credit unions)	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
5222	Nondepository Credit Intermediation (such as: credit card issuing, sales financing, consumer and real estate lending, and secondary market financing, excluding pawn shops and pawn brokers)	---	---	---	---	---	---	P	P	---	P	P	---	---	---	P	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
522298	Pawnshops and Pawnbrokers	---	---	---	---	---	---	C	C	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
5223	Activities Related to Credit Intermediation																																					
522310	Mortgage and Nonmortgage Loan Brokers	---	---	---	---	---	P	P	P	P	P	P	P	P	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
522320	Financial Transactions Processing and Clearinghouse Activities	---	---	---	---	---	---	P	P	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
522390	Other Activities Related to Credit Intermediation (limited to check cashing, money order issuance, money transmission and payday advance services)	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
523, 524, 525	Securities, Commodity Contracts, and Other Financial Investments; Insurance Carriers; and Related Activities, Funds, Trusts, and Other Financial Vehicles	---	---	---	---	---	P	P	P	---	P	P	P	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts					Additional Regulations											
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC						
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																						
53	REAL ESTATE RENTAL AND LEASING																																						
531	Real Estate																																						
5311	Real Estate Rental or Leasing, except banquet halls	---	---	---	---	---	P	P	P	P	P	P	P	P	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
531120	Banquet Halls (standalone facilities)	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.067 (Banquet Facilities - Historic Properties) for administratively permitted banquet facility uses located on historically designated properties	
5312	Real Estate Agents and Brokers	---	---	---	---	---	P	P	P	---	P	P	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
5313	Activities Related to Real Estate (such as: escrow services, fiduciaries, listing services, property managers, and appraisers)	---	---	---	---	---	P	P	P	---	P	P	P	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
532	Rental and Leasing Services																																						
5321	Automotive Equipment Rental and Leasing																																						
53211	Passenger Car Rental and Leasing	---	---	---	---	---	---	C/P	C/P	C/P	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.040 (Automobile Dealers—New Vehicle Sales and Leasing, and Automobile Rental)	
53212	Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---		
5322	Consumer Goods Rental (limited to rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs)	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.120 (Consumer Goods Rental)	
5323	General Rental Centers (limited to home and garden tool and equipment rental)	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.230 (General Rental Centers)	
5324	Commercial and Industrial Machinery and Equipment Rental and Leasing	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	C	C	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
54	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES																																						
541	Professional, Scientific, and Technical Services, except Scientific Research and Development Services, and Veterinary and Animal Hospital Services (such as legal, accounting, tax preparation, bookkeeping, payroll, architecture, engineering, and specialized design services; systems design; management, scientific, and technical consulting services; and advertising and public relations services)	---	---	---	---	---	---	P	P	P	P	P	P	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
5417	Scientific Research and Development Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
5419	Other Professional, Scientific, and Technical Services (except veterinary and animal hospital services)	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
541940	Veterinary and Animal Hospital Services	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---		
55	MANAGEMENT OF COMPANIES AND ENTERPRISES																																						
551	Management of Companies and Enterprises (limited to offices of holding companies, and corporate, subsidiary and regional managing offices)	---	---	---	---	---	P	P	P	P	P	P	P	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations										
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC							
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																							
	<ul style="list-style-type: none"> Recycling Facilities (implements the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500 et seq.)) 																																							
	<i>[1] Reverse Vending Machines</i>	---	---	---	---	---	A	A	A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	<i>[2] Small Collection Facilities (a facility 500 SF or less in area, including Mobile Recycling Units, Bulk Reverse Vending Machines, Kiosk Type Units, and Unattended Containers)</i>	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	<i>[3] Large Collection Facilities (a facility greater than 500 SF in area)</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	<i>[4] Processing Facilities</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	<ul style="list-style-type: none"> Salvage Facilities (such as automobile dismantling and metal salvage/recycling. See NAICS 562920, Material Recovery Facilities, for the recovery/processing (recycling) of waste materials) 																																							
	<i>[1] Within a Wholly Enclosed Building</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	<i>[2] With Outdoor Storage and/or Processing Activities</i>	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
562112	Hazardous Waste Collection, limited to the following:																																							
	<ul style="list-style-type: none"> Hazardous Waste Collection and Storage Facilities (except household hazardous waste collection facilities) 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	<ul style="list-style-type: none"> Hazardous Waste Collection Services 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	<ul style="list-style-type: none"> Household Hazardous Waste Collection Facility 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
562119	Other Waste Collection Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
5622	Waste Treatment and Disposal																																							
562211	Hazardous Waste Treatment and Disposal	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
562212	Solid Waste Landfill	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
562213	Solid Waste Combustors and Incinerators	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
562219	Other Nonhazardous Waste Treatment and Disposal (limited to composting facilities and anaerobic digestion; excludes fertilizer manufacturing—see NAICS 325314)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
5629	Remediation and Other Waste Management Services																																							
562910	Remediation Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562920	Material Recovery Facilities (MRF) (consists of the removal of recyclable materials from a waste stream)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562920	<ul style="list-style-type: none"> Electronic Equipment Recycling 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations								
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC	UC						
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4															MU-2	MU-11				
562920	<ul style="list-style-type: none"> Salvage Facilities (includes facilities for the recovery/processing (recycling) of waste materials. See NAICS 562111 for automobile dismantling and metal salvage/recycling facilities. See NAICS 327999 for concrete and asphalt crushing or grinding) 																																				
562920	[1] Within a Wholly Enclosed Building	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Sections 5.03.275 (Material Recovery Facilities) and 5.03.350 (Salvage Facilities)
562920	[2] With Outdoor Storage and/or Processing Activities	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
562920	<ul style="list-style-type: none"> Tires and Scrap Rubber Recycling 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.275 (Material Recovery Facilities)
562991	Septic Tank and Related Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
562998	All Other Miscellaneous Waste Management Services (includes but is not limited to storm and catch basin cleaning services, grease trap cleaning services, sewer cleaning and rodding services, and tank cleaning and disposal services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
61	EDUCATION SERVICES																																				
611	Educational Services																																				
6111, 6112, 6113	Elementary and Secondary Schools, Junior Colleges, and Colleges, Universities and Professional Schools (includes activities and facilities ancillary to, and/or serving, an educational service, such as, but not limited to, administrative offices, student and educator housing, libraries and museums, performing arts and sports facilities, eating facilities, medical clinics, etc.)																																				
	<ul style="list-style-type: none"> Public Schools 	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	CP	P	P	---	---	---	---	---	---	---	---	---	---	---	
	<ul style="list-style-type: none"> Private Schools 	C	C	C	C	C	C	C	---	---	C	C	C	C	C	---	---	C	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	
6114	Business Schools and Computer and Management Training	---	---	---	---	---	---	C	C	---	---	---	---	C	---	---	C	C	C	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	
6115	Technical and Trade Schools	---	---	---	---	---	---	C	C	---	---	C	---	---	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---
6116	Other Schools and Instruction																																				
611610	<i>Fine Arts Schools (nonacademic instruction, including music, dance, performing arts, drama, photography, ceramics, painting and sculpture)</i>																																				
	<ul style="list-style-type: none"> GFA less than 2,000 SF 	---	---	---	---	---	P	P	P	P	---	P	P	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	<ul style="list-style-type: none"> GFA 2,000 SF or more 	---	---	---	---	---	C	C	C	C	---	C	C	C	C	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
611620	<i>Sports and Recreation Instruction (cheerleading, gymnastics, and martial arts)</i>																																				
	<ul style="list-style-type: none"> GFA less than 10,000 SF 	---	---	---	---	---	P	P	P	P	---	P	---	---	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	<ul style="list-style-type: none"> GFA 10,000 or More SF 	---	---	---	---	---	C	C	C	P	---	C	---	---	C	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
611691	Exam Preparation and Tutoring Services	---	---	---	---	---	---	P	P	---	P	P	P	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
611692	Automobile Driving School	---	---	---	---	---	---	C	C	---	---	C	---	---	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
611699	Other Schools of Instruction (public speaking, survival training, and speed reading)	---	---	---	---	---	---	C	C	---	---	C	---	---	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations									
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC				
												LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																					
6117	Educational Support Services (limited to testing, evaluation, tutorial, and online education services)	---	---	---	---	---	---	P	P	P	P	P	P	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
62	HEALTH CARE AND SOCIAL ASSISTANCE																																				
621	Ambulatory Health Care Services																																				
6211, 6212, 6213, 6214, 6215, 6216	Offices of Physicians and Dentists, Other Health Practitioners, Outpatient Centers, Laboratory Testing Services, Home Healthcare Services, and Community Clinics (excludes massage establishments—see NAICS 812199)	---	---	---	---	---	P	P	P	P	P	P	---	---	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.02.270 (Massage Establishments and Services) for massage therapists or massage practitioners See Section 6.01.035.B.2.c (Development Standards and Guidelines) for medical offices and clinics that front Euclid Avenue
6219	Other Ambulatory Health Care Services																																				
621910	<i>Ambulance Services</i>	---	---	---	---	---	---	P	---	---	---	P	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	C	---	---	---	---	---	---	---		
621991	<i>Blood and Organ Banks</i>	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
621999	<i>All Other Miscellaneous Ambulatory Health Care Services (limited to blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services)</i>	---	---	---	---	P	P	P	---	P	P	P	---	---	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.030 (Ambulatory Health Care Services—All Other Miscellaneous)
622	Hospitals	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
623	Nursing and Residential Care Facilities																																				
6231	Nursing Care Facilities (includes State licensed facilities engaged in providing inpatient nursing and rehabilitative services by a permanent core staff of registered/licensed practical nurses who, along with other staff, provide nursing and continuous personal care services)	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
6232	Residential Intellectual and Developmental Disability, Mental Health, and Substance Abuse Facilities																																				
623210	Residential Intellectual and Developmental Disability Facilities (includes State licensed group homes, hospitals and intermediate care facilities primarily engaged in providing residential care services – room, board, protective supervision, and counseling services -- for persons diagnosed with intellectual and developmental disabilities)																																				
	• 6 or fewer persons	*P	*P	*P	*P	---	---	---	---	---	---	---	---	---	---	---	*P	*P	*P	*P	---	---	---	---	---	---	*P	---	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence.	
	• More than 6 persons	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---		
623220	Residential Mental Health and Substance Abuse Facilities (includes State licensed residential care and treatment – room, board, protective supervision, and counseling services -- for patients with mental health and/or substance abuse illnesses. Medical services may be provided incidental to counseling, mental rehabilitation, and support services offered)																																				
	• 6 or fewer persons	*P	*P	*P	*P	---	---	---	---	---	---	---	---	---	---	---	*P	*P	*P	*P	---	---	---	---	---	---	*P	---	---	---	---	---	---	---	---	* Allowed only in conjunction with an existing single-family residence.	
	• More than 6 persons	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations															
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC										
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																										
713990	Golf Driving Ranges, Miniature and Pitch-N-Put Golf Courses, and Practice Ranges	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	
713990	Hookah Establishments and Facilities	---	---	---	---	---	C	C	---	---	---	---	*A	*A	*A	*A	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	<p>* In the MU-1 zoning district, hookah facilities are administratively permitted only in conjunction with a bona fide full-service restaurant. Standalone establishments and facilities shall not be allowed.</p> <p>See Section 5.03.245 (Hookah Establishments)</p>					
713990	Live Entertainment (excludes adult-oriented establishments)																																										
	<ul style="list-style-type: none"> GFA Less than 10,000 5,000 SF 	‡A	‡A	‡A	‡A	---	C	C	C	C	---	---	*A/ **C	*A/ **C	*A/ **C	*A/ **C	---	C	C	C	---	---	---	---	---	C	---	P	---	---	---	---	---	---	---	---	<p>* In the MU-1 zoning district, live entertainment is administratively permitted only in conjunction with a bona fide full-service restaurant or alcoholic beverage manufacturer's tasting room.</p> <p>** Standalone live entertainment activities/facilities shall be subject to Conditional Use Permit approval and shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations.</p>						
	<ul style="list-style-type: none"> GFA 10,000 5,000 or More SF 	---	---	---	---	---	C	C	C	C	---	---	**C	---	---	**C	---	C	C	C	---	---	---	---	---	C	---	C	---	---	---	---	---	---	---	---	<p>‡ Allowed in residential zoning districts only in conjunction with a banquet facility in association with a historic property</p>						
713990	Off-Road Vehicle Riding Facilities (recreational)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
713990	Open Space and Park Lands (publicly owned facilities)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P									
713990	Shooting and Archery Ranges and Galleries — Indoor Only	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
713990	Simulated Racing (limited to go-carts, radio-controlled vehicles and other similar facilities)	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
713990	Simulated Shooting Games — Indoor Only (limited to laser tag and paint ball)	---	---	---	---	---	C	C	---	---	---	---	C	---	---	C	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
713990	Skating Rinks and Parks (indoor only)	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
713990	Smoking Lounges, Vape Lounges, and Other Similar Facilities (excluding hookah establishments)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---						
713990	Stables (commercial riding)	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---							

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC			
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4															MU-2	MU-11	
722410	Bars, Cocktail Lounges, Nightclubs and Taverns, and Other Similar Facilities <ul style="list-style-type: none">GFA less than 5,000 SFGFA 5,000 or More SF	---	---	---	---	---	---	C	C	C	---	C	**A	**A	**A	C	---	C	C	---	---	---	---	---	---	---	---	P	---	C	---	---	** Standalone bars, taverns, and other similar facilities shall be prohibited on property located along the Euclid Avenue Protection Corridor (refer to Figure 5.01-2: MU-1 (Downtown Mixed Use) Zoning District Land Use Map) for locations. See Section 5.03.025 (Alcoholic Beverage Sales)	
7225	Restaurants and Other Eating Places																																	
722511	Full-Service Restaurants (includes ancillary banquet facilities—see NAICS 531120 for standalone banquet facilities)	---	---	---	---	---	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	---	---	---	P	---	P	---	P	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.	
722513	Limited-Service and Fast Food Restaurants	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	---	---	---	P	---	P	---	P	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.	
722514	Cafeterias and Buffets	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	---	---	---	P	---	P	---	P	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.	
722515	Snack and Nonalcoholic Beverage Bars	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	P	P	P	---	---	---	P	---	P	---	P	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.	
81	OTHER SERVICES (EXCEPT PUBLIC ADMINISTRATION)																																	
811	Repair and Maintenance																																	
8111	Motor Vehicle Repair and Maintenance (Note: See Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)																																	
811111	Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail activities that involves the limited use of pneumatic tools or equipment that create noise impacts)	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.065 (Automotive Repair and Maintenance—Servicing Facilities)
811111	General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, and suspension systems; and engine, transmission, and drive train)																																	
	<ul style="list-style-type: none">Automobile, Light Truck and Van Repair and MaintenanceLarge Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	P	---	---	---	---	---	See Section 5.03.060 (Automotive Repair and Maintenance—General Repair Facilities)	
811121	Automotive Body, Paint, and Interior Repair and Customization																																	
	<ul style="list-style-type: none">Automobile, Light Truck and Van Body, Paint, and Interior Repair and CustomizationMinor Customization Work (limited to the “bolt-on” replacement or addition of parts only -- no body or paint work is allowed)Large Truck and Bus Body, Paint, and Interior Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	---	---	---	---	---	---	See Section 5.03.045 (Automotive Body, Paint, and Interior Repair and Customization—Minor Customization Work)

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts							Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts							Additional Regulations						
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1				MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC	UC				
													LUA-1	LUA-2N	LUA-2S	LUA-3																	LUA-4			
	<ul style="list-style-type: none"> Mobile Body and Paint Repair Services 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services)
811122	Automotive Glass Replacement Shops (limited to stationary and mobile services)	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	See Section 5.03.055 (Automotive Glass Replacement Shops)	
811191	Automotive Oil Change and Lubrication Shops	---	---	---	---	---	P	P	P	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---
811192	Car Washes--Full-Service and Self-Service (excludes facilities ancillary to fueling stations)																																			
	<ul style="list-style-type: none"> Automobiles, Light Trucks and Vans Trucks and Similarly Large Vehicles 	---	---	---	---	---	---	C	C	---	---	---	---	---	C	C	---	C	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---
	<ul style="list-style-type: none"> Mobile Washing and Detailing Services 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.300 (Mobile Washing and Detailing Services)
811198	All Other Automotive Repair and Maintenance																																			
	<ul style="list-style-type: none"> Emissions Testing (test only facilities), and Diagnostic Centers and Safety Inspection Services (without repair) Rustproofing and Undercoating Shops Spray-On Bedliner Installation Shops 	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	<ul style="list-style-type: none"> Tire Sales, Installation, and Repair (except retreading) Services 	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	<ul style="list-style-type: none"> Plug-In Electric Vehicle (PEV) Charging Facilities (ancillary to an allowed land use) 	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
8112	Electronic and Precision Equipment Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	
8114	Personal and Household Goods Repair and Maintenance																																			
811411, 811412	Home and Garden Equipment and Appliance Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
811420	Reupholsters and Furniture Repair	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
811430	Footwear and Leather Goods Repair	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
811490	Other Personal and Household Goods Repair and Maintenance -- Without Retail Sales (limited to garment alteration and repair, gun repair, jewelry repair, key duplicating, musical instrument repair and tailor shops)	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
811490	Boat Repair and Maintenance Services (no retail sales of new boats)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
811490	Motorcycle Repair and Maintenance Services (no retail sales of new motorcycles)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	C	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations																									
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC																				
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																																				
812	Personal and Laundry Services																																																				
8121	Personal Care Services																																																				
812111 812112 812113	Barber Shops, Beauty Salons, Nail, and Skin Care Services	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
812191	Diet and Weight Reducing Centers	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---							
812199	Other Personal Care Services, limited to the following:																																																				
	• Chair Massage	---	---	---	---	P	P	P	P	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services)					
	• Color Consulting Services	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---						
	• Day Spas	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---						
	• Hair Removal Services	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---					
	• Hair Replacement Services	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---					
	• Make-Up Salons (includes the application of permanent cosmetics)	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application)					
	• Massage Establishments	---	---	---	---	---	---	GA	---	GA	---	---	GA	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.270 (Massage Establishments and Services)				
	• Tanning Salons	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---				
	• Body Art Services (includes tattooing, body piercing, and branding)	---	---	---	---	---	---	C	---	C	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.390 (Tattoo, Body Piercing, Branding, and Permanent Cosmetics Application)				
8122	Death Care Services																																																				
812210	Funeral Director Services (limited to office/retail only)	---	---	---	---	---	P	P	P	---	---	---	P	P	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.205 (Funeral Director Services)		
812210	Funeral Parlors and Mortuary Services (excludes funeral establishments)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
812210	Funeral Establishments	---	---	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
812220	Cemeteries restrictions	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
812220	Crematories	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
8123	Drycleaning and Laundry Services																																																				
812310	Coin-Operated Laundries and Drycleaners	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812320	Drycleaning and Laundry Services (except Coin-Operated)	---	---	---	---	---	P	P	P	P	---	---	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.150 (Drive-Thru Facilities) for the inclusion of drive-thru facilities.	
812331	Linen Supply	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---			
812332	Industrial Launderers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: In addition to the requirements of this Table, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the land use requirements and standards of the ALUCP.</i>	Residential Zoning Districts				Commercial Zoning Districts						Mixed Use Zoning Districts					Industrial Zoning Districts					Specialized Use and Overlay Zoning Districts						Additional Regulations											
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1					MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP		ONT	OS-C	OS-R	RC	UC						
													LUA-1	LUA-2N	LUA-2S	LUA-3	LUA-4																						
922160	Fire Protection	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
923	Administration of Human Resource Programs (limited to administrative offices for education, public health and veterans' affairs, and other similar facilities)	---	---	---	---	---	---	P	P	---	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES																																							
	Temporary and Interim Land Uses	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
	Temporary and Interim Buildings, Structures, and Facilities																																						
	• Fewer than 5 years	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		
	• 5 to 10 years	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C		
	• More than 10 years	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Division 5.03—~~Standards for Certain Land Uses, Activities, and Facilities~~ Supplemental Land Use Regulations

Sections:

- [5.03.000:](#) Purpose
- [5.03.005:](#) Applicability
- [5.03.010:](#) Accessory Residential Structures
- [5.03.015:](#) Adult-Oriented Businesses
- [5.03.020:](#) Air Transportation
- [5.03.023:](#) Alcoholic Beverage Manufacturing
- [5.03.025:](#) Alcoholic Beverage Sales
- [5.03.030:](#) Ambulatory Health Care Services—All Other Miscellaneous Services
- [5.03.035:](#) Apparel Manufacturing
- [5.03.037:](#) Artisan Small-Scale and Micro Manufacturing Facilities
- [5.03.040:](#) Automobile Dealers—New Vehicles Sales and Leasing, and Automobile Rental
- [5.03.045:](#) Automotive Body, Paint, and Interior Repair and Customization—Minor Customization Work
- [5.03.050:](#) Automotive Body and Paint—Mobile Repair Services
- [5.03.055:](#) Automotive Glass Replacement Shops
- [5.03.060:](#) Automotive Repair and Maintenance—General Repair Facilities
- [5.03.065:](#) Automotive Repair and Maintenance—Servicing Facilities
- [5.03.067:](#) Banquet Facilities - Historic Properties
- [5.03.070:](#) Bed-and-Breakfast Inns
- [5.03.075:](#) Billiard Parlors and Pool Halls
- [5.03.080:](#) Boarding, Lodging, and Rooming Houses
- [5.03.085:](#) Bread and Tortilla Manufacturing
- [5.03.090:](#) Business to Business Electronic Markets
- [5.03.095:](#) Caretaker Quarters
- [5.03.100:](#) Child Daycare Services
- [5.03.105:](#) Community Care Facilities for the Elderly—More Than 6 Persons
- [5.03.110:](#) Community Care Facilities for the Elderly—6 or Fewer Persons
- [5.03.115:](#) Computer and Electronic Product Manufacturing
- [5.03.120:](#) Consumer Goods Rental
- [5.03.125:](#) Convenience Markets and Specialty Food Stores
- [5.03.130:](#) Credit Intermediation-Related Activities
- [5.03.135:](#) Cutlery and Hand Tool Manufacturing
- [5.03.140:](#) Data Processing, Hosting, and Related Services
- [5.03.145:](#) Depository Credit Intermediation
- [5.03.150:](#) Drive-Thru Facilities
- [5.03.155:](#) Durable and Nondurable Goods Agents and Brokers
- [5.03.160:](#) Electric Power Generation, Solar and Wind
- [5.03.165:](#) Electrical Equipment, Appliance, and Component Manufacturing
- [5.03.170:](#) Electronic Shopping and Mail Order Houses
- [5.03.175:](#) Electronics and Appliance Stores
- [5.03.177:](#) Employee (Farmworker) Housing
- [5.03.180:](#) Exterminating Services
- [5.03.185:](#) Fabricated Metal Product Manufacturing, All Other Miscellaneous
- [5.03.187:](#) Fertilizer Manufacturing from Manure Operations (FMMO)
- [5.03.190:](#) Food Manufacturing, Other
- [5.03.195:](#) Footwear Manufacturing
- [5.03.200:](#) Freight Transportation Arrangement

- [5.03.205:](#) Funeral Director Services
- [5.03.210:](#) Furniture and Home Furnishings Stores
- [5.03.215:](#) Furniture and Related Product Manufacturing
- [5.03.220:](#) Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities
- [5.03.225:](#) Gasoline and Fueling Stations
- [5.03.230:](#) General Rental Centers
- [5.03.235:](#) Hardware Manufacturing
- [5.03.240:](#) Home Occupations
- [5.03.245:](#) Hookah Establishments and Facilities, Smoking/Vaping Lounges, and Smoking/Vaping Retailers
- [5.03.250:](#) Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation
- [5.03.255:](#) Leather and Allied Product Manufacturing, Other
- [5.03.260:](#) Machine Shops, and Turned Product, Screw, Nut, and Bolt Manufacturing
- [5.03.265:](#) Manufacturing, Miscellaneous
- [5.03.270:](#) Massage Services
- [5.03.275:](#) Material Recovery Facilities (MRF)
- [5.03.280:](#) Marijuana Dispensary
- [5.03.285:](#) Mixed-Use Developments
- [5.03.290:](#) Mobile Food Services
- [5.03.295:](#) Mobilehome Parks
- [5.03.300:](#) Mobile Washing and Detailing Services
- [5.03.305:](#) Motor Vehicle Dealers
- [5.03.310:](#) Motor Vehicle Storage Facilities
- [5.03.315:](#) Personal Fitness Trainer
- [5.03.320:](#) Personal Property Donation Bins
- [5.03.325:](#) Pharmaceutical and Medicine Manufacturing
- [5.03.330:](#) Pharmacies and Drug Stores
- [5.03.335:](#) Plastics Product Manufacturing
- [5.03.340:](#) Recycling Facilities
- [5.03.345:](#) Residential Care Facilities, Other—6 or Fewer Persons
- [5.03.350:](#) Salvage Facilities
- [5.03.355:](#) **Self-Storage Facilities**
- [5.03.360:](#) Senior Citizen Housing Developments
- [5.03.365:](#) Single-Family Dwellings
- [5.03.370:](#) Single Room Occupancy (SRO) Facilities
- [5.03.375:](#) Soap, Cleaning Compound, and Toilet Preparation Manufacturing
- [5.03.380:](#) Sound (Audio) Recording Facilities
- [5.03.385:](#) Spring and Wire Product Manufacturing
- [5.03.390:](#) Tattooing, Body Piercing, Branding, and the Application of Permanent Cosmetics
- [5.03.395:](#) Temporary and Interim Land Uses, Buildings, and Structures
- [5.03.400:](#) Thrift and Secondhand Stores, and Used Goods Stores
- [5.03.405:](#) ~~Transitional Shelter Housing~~ **Temporary Shelters and Supportive Housing**
- [5.03.410:](#) Urban Agriculture
- [5.03.415:](#) Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities
- [5.03.420:](#) Wireless Telecommunications Facilities
- [5.03.425:](#) Work/Live Units

5.03.000: Purpose

The purpose of this Division is to provide operating, site planning and/or development standards for certain land uses allowed by Division 5.02 (Land Use) of this Development Code, and for

activities and facilities that require special standards to mitigate their potential adverse impacts, thereby assuring a land use, activity, and/or facility of stable and desirable character, which is compatible with existing and future development and land uses in the vicinity, and protects the use and enjoyment of neighboring properties consistent with goals and policies of The Ontario Plan.

5.03.005: Applicability

- A.** The land uses, activities and facilities addressed by this Division shall be located in compliance with Division 5.02 (Land Use) of this Development Code.
- B.** The standards for specific uses, activities and facilities established by this Division shall supplement, and are required in addition to, the applicable development and subdivision regulations contained in Chapter 6.0 (Development and Subdivision Regulations) of this Development Code.
- C.** Each and every physical improvement required to be installed or constructed in conjunction with the establishment of a land use, activity or facility addressed by this Division, shall be completed prior to the commencement of the land use.

5.03.010: Accessory Residential Structures

This Section shall govern the development and use of structures that are accessory to primary dwellings, and are attached to, or detached from, the primary dwelling, such as accessory dwelling units, carports, garages, garden and tool sheds, guesthouses, and other similar ancillary structures.

A. Accessory Dwelling Units.

1. Purpose. The purpose of this Subsection A is to establish standards for the construction and use of Accessory Dwelling Units in conjunction with existing primary dwellings located within residential or mixed use zoning districts. These standards have been established in compliance with GC Sections 65852.2 and 65852.22, which govern Accessory Dwelling Units and Junior Accessory Dwelling Units, respectively.

2. Applicability.

a. ~~In compliance with the provisions of State Accessory Dwelling Unit law, t~~The provisions of this Subsection A shall govern the establishment and use of Accessory Dwelling Units within the City of Ontario. An Accessory Dwelling Unit is either [i] an independent accessory dwelling that is attached to, or located within, a proposed or existing primary dwelling, including attached garages, storage areas, and similar uses; [ii] or an independent accessory dwelling that is detached from a proposed or existing primary dwelling and is located on the same lot as the proposed or existing primary dwelling.

b. Accessory Dwelling Units that conform to this Subsection A shall:

(1) Be deemed an accessory residential land use that does not exceed the allowable density and/or lot coverage for the lot on which it is located;

(2) Be deemed a residential land use that is consistent with the existing Land Use Plan of the Policy Plan component of The Ontario Plan, and the zoning designation for the lot on which the ADU is located; and

(3) Not be considered in the application of any ordinance, policy, or program that may be adopted by the City, to limit residential growth.

3. Definitions. As used in this Subsection A, the words or phrases listed below shall have the meanings thereafter specified:

a. *Accessory Dwelling Unit (ADU)*. An attached or detached dwelling unit with complete independent living facilities for one or more persons, and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot in which an existing primary dwelling is situated. An ADU also includes Efficiency Dwelling Units, and Manufactured Homes as defined by Health and Safety Code Section 18007. The Classifications of ADU are as follows:

b. **Integrated Junior ADU**. An ADU that ~~[i] is on a lot zoned for residential uses or mixed uses, which contains an existing primary dwelling unit; [ii] is contained within, and shares living area with, the existing primary dwelling or legally established accessory structure; [iii] has independent exterior access from the primary dwelling; and [iv] has side and rear setbacks sufficient for fire safety~~ is no more than 500 square feet in size and contained entirely within an existing or proposed single-family residence. A Junior ADU may include separate sanitation facilities or may share sanitation facilities with the existing structure.

c. *Efficiency Dwelling Unit (EDU)*. As provided in HSC Section 17958.1, an ~~Standard~~ ADU or Junior ADU having a minimum living area of 150 SF, which is for occupancy by no more than two persons. Furthermore, an EDU shall contain a separate bathroom and an area containing an efficiency kitchen, which, at a minimum, includes a sink, cooking appliance, refrigeration facility, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the EDU.

4. Development and Use Standards for ~~Standard~~ ADUs. ~~Standard~~ ADUs shall comply with all of the following standards:

a. An ~~Standard~~ ADU shall only be allowed in conjunction with a primary dwelling located within any residential or mixed use zoning district. The ADU may be rented separate from the primary residence; however, it may not be sold or otherwise conveyed separate from the primary residence.

b. An ~~Standard~~ ADU that is attached to the principal residential structure shall comply with the development standards applicable to the primary dwelling (refer to Section 6.01.010 (Residential Zoning Districts) of this Development Code), except as otherwise provided by this Section.

c. An ~~Standard~~ ADU that is proposed to be attached to an existing primary dwelling shall contain no more than 50 percent of the gross floor area of the existing primary dwelling, except as otherwise provided by this Section.

d. ~~A Standard~~ ADUs ~~that is detached from the primary residential structure~~ shall comply with the development standards contained in Table 5.03-1 (Development Standards for ~~Detached~~ Accessory Dwelling Units), below.

Table 5.03-1: Development Standards for ~~Detached~~ Accessory Dwelling Units

Requirements	Residential Zoning Districts				Additional Regulations
	AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	
A. Maximum Height					
1. Conditional Use Permit Required	35 FT				Note 1
2. Permitted by Right	16 FT				
B. Maximum Floor Area	850 SF for studio and one-bedroom ADUs; and 1,000 SF for 2 or more bedroom ADUs				Note 6
C. Minimum Setbacks					
1. Minimum Setback from Streets					
a. From Arterial Streets	30 FT – Front Street 20 FT – Side and Rear (through lot) Street				
b. From Collector and Local Street	30 FT	20 FT – Front Street 10 FT – Side and Rear (through lot) Street			
2. From Interior Property Lines (Side and Rear)	4 FT				Notes 2 and 3
3. Minimum Separation Between Detached Structures	6 FT				
4. Minimum Separation from Major Pipelines	50 FT				Note 4
D. Off-Street Parking	[1] Comply with the minimum off-street parking requirements for ADUs contained in Table 6.03-1 (Off-Street Parking Requirements) of this Development Code. [2] Required parking spaces for ADUs may be provided as tandem parking on an existing driveway pursuant to the requirements for ADUs in Section 6.03.025 (Tandem Parking) of this Development Code, and may be permitted within setback areas, unless it is determined by the Planning Director to not be feasible based upon specific site, fire, and life safety conditions.				Note 5

Notes:

1. ~~Detached Accessory Residential Structures in excess of~~ ADUs that are detached from the primary dwelling shall not exceed 16 FT in height unless a Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) approval has first been obtained pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code.
2. No additional setback is required for an existing garage or other accessory structure, or existing space above an existing garage or other accessory structure, that is converted to an ADU.
3. New floor area constructed above an existing garage or other accessory structure shall not be required a side and/or rear property line setback of more than 4 FT.
4. Includes major high-pressure pipelines for fuel oil, gasoline, diesel, and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and

- b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
5. *When off-street parking required for an existing primary dwelling pursuant to this Development Code, which is uncovered or located in a garage, carport, or covered parking structure, is razed, or otherwise eliminated in conjunction with the construction of an ADU, replacement parking is not required.*
6. *A structure containing an ADU that is detached from the primary dwelling, and which includes an attached Residential Accessory Structure (excluding ADUs and Junior ADUs), shall not exceed 1,440 SF in GFA, unless a Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) has first been obtained pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code.*

e. An ~~Standard~~ ADU is not intended for sale separate from the primary dwelling; however, the ~~Standard~~ ADU may be leased or rented for a term of no less than 30 days. The short-term rental (less than 30 days) of a Standard ADU is prohibited.

f. An ~~Standard~~ ADU is not required to provide fire sprinklers if they are not required for the primary dwelling.

g. An ~~Standard~~ ADU may be metered separately from the primary dwelling for gas, electricity and water services. A sewer connection separate from the primary dwelling may also be provided.

h. If an entrance to an ~~Standard~~ ADU is provided separate from the primary dwelling, the entrance shall not be on the same street exterior elevation as the main dwelling.

i. No passageway (a pathway that is unobstructed clear to the sky and extends from a street to an entrance of an accessory dwelling unit) shall be required in conjunction with the construction of an ~~Standard~~ ADU.

j. An ~~Standard~~ ADU shall comply with the requirements of ~~the City's Building Code, as established by~~ OMC Title 8 (Building Regulations).

k. A lot developed with an ~~Standard~~ ADU shall maintain a useable rear yard having a minimum dimension of 20 FT in any direction, except that small lot residential dwellings shall maintain a useable rear yard having a minimum dimension of 10 FT in any direction.

l. ADUs may be proposed in conjunction with existing multiple-family development projects, as follows:

(1) ADUs shall be permitted within portions of existing multiple-family development projects that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages; provided, that each unit complies with State building standards for dwellings;

(2) ADUs shall be permitted within existing multiple-family development projects, not to exceed one ADU allowed within 25 percent of the existing multiple-family dwelling units; and

(3) Not more than two ADUs that are detached from the existing primary multiple-family dwelling structure, may be located on a lot that has an existing multiple-family development project.

m. Notwithstanding any of the aforementioned Development and Use Standards (Subparagraphs A.4.a through A.4.i, above), the City shall not preclude the construction of an ADU that is not at least 800 SF in area, is no more than 16 FT in height, and has a side and/or rear yard setback of no less than 4 FT.

n. An ADU may be combined with a Junior ADU as described in Paragraphs A.5 et seq., below.

5. Development and Use Standards for Integrated Junior ADUs. Junior ADUs shall comply with the following development standards:

a. An Integrated Junior ADU shall be permitted only in conjunction with an existing or proposed ~~primary single-family~~ dwelling located within a residential or mixed-use zoning district.

b. Not more than one Integrated Junior ADU is allowed on a lot; however, this provision does not preclude the conversion of an existing garage or other accessory residential structure to a Standard ADU.

c. An Integrated Junior ADU shall contain no more than ~~50 percent of the gross 500 SF of~~ floor area and shall be contained entirely within the exterior boundary walls of the ~~existing primary~~ existing or proposed single-family dwelling, including garages and other accessory residential structures attached to the single-family dwelling, except that the existing space of a single-family dwelling may include an expansion of not more than 150 SF beyond the existing physical dimensions of the single-family dwelling to accommodate ingress and egress.

d. The single-family residence in which a Junior ADU is proposed shall be owner occupied. The owner may reside in either the remaining portion of the structure or the newly created Junior ADU. Owner-occupancy shall not be required if the owner is another governmental agency, land trust, or housing organization.

e. A Junior ADU shall require the recordation of a deed restriction, which shall run with the land and shall include the following:

(1) A prohibition on the sale of the Junior ADU separate from the sale of the single-family residence, including a statement that the deed restriction may be enforced against future purchasers; and

(2) A restriction on the size and attributes of the junior accessory dwelling unit that conforms with this Section.

f. A Junior ADU shall be provided with an entrance separate from the main entrance to the proposed or existing single-family residence.

g. A Junior ADU shall include an efficiency kitchen that complies with the following:

(1) Provide: a kitchen sink, maximum 16 inches x 16 inches and having a maximum waste line diameter of 1.5 inches; refrigerator; cooking facilities; and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the Junior ADU.

and (2) No kitchen appliance shall require natural or propane gas hookup;

(3) No appliances shall require electrical service greater than 120 volts.

h. A Junior ADU may share a bathroom or living area with the single-family residence.

i. No additional parking shall be required as a condition to grant Junior ADU approval.

j. For purposes of providing service for water, sewer, or power, including a connection fee, a Junior ADU shall not be considered a separate or new dwelling unit.

k. An ~~Integrated Junior~~ ADU shall comply with the setback requirements applicable to the existing or proposed ~~primary single-family~~ dwelling or ~~legally established accessory structure~~ in which it is integrated, ~~as prescribed by this Section~~.

l. An ~~Integrated Junior~~ ADU is not intended for sale separate from the ~~primary existing or proposed single-family~~ dwelling; however, the Junior ADU may be leased or rented for a term of no less than 30 days. The short-term rental (less than 30 days) of a Junior ADU is prohibited.

m. An ~~Integrated Junior~~ ADU is not required to provide fire sprinklers if they are not required for the existing or proposed ~~primary single-family~~ dwelling.

n. No passageway (a pathway that is unobstructed clear to the sky and extends from a street to an entrance of an ADU) shall be required in conjunction with the construction of an ~~Integrated Junior~~ ADU.

o. An ~~Integrated Junior~~ ADU shall comply with the requirements of ~~the City's Building Code~~, as established by OMC Title 8 (Building Regulations).

6. ADU/Junior ADU Review and Approval.

a. A permit application for an ADU or Junior ADU shall be reviewed and approved ministerially, without discretionary review or a hearing, notwithstanding the requirements of GC Sections 65901 or 65906, or Development Code Sections 4.02.015 or 4.02.020, which regulate Conditional Use Permits and Variances.

b. The City shall act on the application to create an ADU or a Junior ADU within 60 days from the date the City receives a completed application if there is an existing single-family dwelling or existing multiple-family dwellings on a subject site.

c. If the permit application to create an ADU or a Junior ADU is submitted with a permit application to create a new primary single-family dwelling on the a subject site, the City may delay acting on the permit application for the ADU or a Junior ADU until the City acts on the permit application to create the new primary single-family dwelling; however, the application to create the ADU or Junior ADU shall be considered without discretionary review or hearing.

d. If the applicant requests a delay in the 60-day time period for ADU or Junior ADU review and approval, such review and approval shall be tolled for the period of the requested delay.

B. Accessory Residential Structures (excepting Accessory Dwelling Units).

1. Purpose. The purpose of this Subsection B is to establish standards for the construction and use of Accessory Residential Structures (other than Accessory Dwelling Units allowed pursuant to Subsection A of this Section) in conjunction with existing single-family dwellings located within single-family or multiple-family zoning districts. (Note: The construction and use of Accessory Residential Structures in conjunction with existing multiple-family dwellings shall be subject to the development standards applicable to the primary multiple-family dwellings.)

2. Applicability. For purposes of this Subsection B, the herein established development standards shall apply to Accessory Residential Structures such as garages, carports, guesthouses, storage sheds, pool houses, recreation rooms, etc., which are incidental or subordinate to the primary dwelling.

3. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

a. *Accessory Residential Structure.* A structure that is incidental or subordinate to the primary dwelling on the same site, or the use of which is incidental or subordinate to the use of the primary dwelling of the site.

b. *Attached Accessory Residential Structure.* An Accessory Residential Structure that is joined to the primary dwelling by means of a shared common wall or is joined by a roof that extends the full width of the smaller of two connecting structures, creating a covered breezeway. An Attached Accessory Residential Structure is deemed to be attached to, and a part of, the primary dwelling.

c. *Breezeway.* A fully roofed, open passage that connects two buildings, such as a house and garage.

4. General Requirements. Accessory detached residential structures shall be developed pursuant to the following standards:

a. Accessory Residential Structures shall only be allowed on a lot containing a single-family dwelling, and may be attached to the primary dwelling, or may be an independent structure that is detached from the primary dwelling.

b. An Accessory Residential Structure that is attached to the primary residential structure shall contain no more than 50 percent of the gross floor area of the primary residential structure and shall be subject to the development standards applicable to the primary residential structure (refer to Section 6.01.010 (Residential Zoning Districts) of this Development Code).

c. An Accessory Residential Structure that is detached from the primary residential structure shall comply with the development standards contained in Table 5.03-2 (Development Standards for Accessory Residential Structures), below:

Table 5.03-2: Development Standards for Detached Accessory Residential Structures

Requirements	Residential Zoning Districts				Additional Regulations
	AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	
E. Maximum Height					
1. Conditional Use Permit Required	35 FT				Note 1
2. Permitted by Right	44-16 FT				
F. Maximum Area					
1. Conditional Use Permit Required	As deemed appropriate by the Approving Authority				Note 2
2. Permitted by Right	650 SF/1,100 SF				Note 2
3. Guesthouses	650 SF				
G. Minimum Setbacks					
1. From Street Side Property Line	10 FT				Notes 3 and 4
2. From Interior Side Property Line	10 FT	0 FT/5 FT			Notes 3 and 5
3. From Rear Property Line					
a. Width of Structure ≤25 FT	5 FT				Note 3
b. Width of Structure >25 FT	10 FT				Note 3
4. From Alley Property Line (alley-facing garages only)	6 FT				Note 6
H. Minimum Separation Between Structures	6 FT				Note 3
I. Minimum Separation from Major Pipelines	50 FT				Note 7

Notes:

1. Detached Accessory Residential Structures in excess of 44 16 FT in height shall require Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) approval.
2. Detached accessory structures in excess of 650 SF in area shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable, except that the maximum area allowed without benefit of Conditional Use Permit or Certificate of Appropriateness approval may be increased to 1,100 SF to accommodate garage parking required for uses on the affected property pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.
3. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures; provided, the accessory structure is located within a side or rear yard area and is screened from public view.
 - ~~a. The accessory structure is located within a side or rear yard area;~~
 - ~~b. The accessory structure does not exceed 5 FT in length and/or width, and 6 FT in height; and~~
 - ~~c. The accessory structure is fully screened from view of public or private streets.~~
4. Garages with vehicle doors facing a public street shall be setback a minimum of 20 FT behind the street property line (minimum 18 FT behind the street property line if an overhead rollup garage door is provided).
5. Within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts, the interior side setback shall be 5 FT for structures located 75 FT or less from the front property line, and 0 FT for structures located more than 75 FT from the front property

line For a setback less than 3 FT, the Zoning Administrator may require that an easement be provided on the contiguous lot to ensure access to all sides of the structure for the purpose of building maintenance.

6. *A detached garage that takes access from a public alley shall be setback a minimum of 6 FT from the property line that is common to the public alley, measured from the wall containing the vehicle access door.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
 - a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
 - b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

d. An Accessory Residential Structure that is detached from the primary residential structure shall be located on the rear one-half of the lot on which it is constructed.

e. The sum total of the area of all Accessory Residential Structures on a lot, excepting ADUs conforming to Subsection A (Accessory Dwelling Units) of this Section, shall be equal to no more than 50 percent of the gross floor area of the primary residential structure.

f. An Accessory Residential Structure shall not contain a kitchen or cooking facilities (excluding outdoor kitchens and cooking facilities).

g. The size, footprint, height, bulk, and scale of an Accessory Residential Structure shall be compatible with the primary residential structure, and other Accessory Residential Structures in the surrounding neighborhood.

h. The area of an Accessory Residential Structure shall be the minimum necessary to house, shelter, or secure the use proposed within the structure; however, in no case shall the total gross floor area of all Accessory Detached Residential Structures on a lot exceed the floor area of the primary residential structure, excepting those accessory structures used for animal keeping purposes. In calculating the area of all Accessory Residential Structures on a lot, required parking within a garage shall be excluded from the calculation, up to a maximum of 3 covered parking stalls (maximum 651 SF).

i. Accessory Residential Structures shall match the primary residential structure with respect to architectural design and detailing, roof material and design, exterior color, exterior finish materials, window and door design, and design and placement of attic vents, excepting those Accessory Detached Residential Structures less than 120 SF in area, and those used solely for animal keeping purposes within the AR-2 and RE-2 zoning districts, and the AG Overlay district. For the purposes of this Section, Accessory Residential Structures intended solely for animal keeping purposes may also be used for the storage of vehicles, machinery, and equipment used in animal keeping.

j. No shipping container or other similar container shall be located on any residentially zoned property to accommodate the on-site storage of tools, vehicles, equipment, and other materials. This provision is not intended to prohibit the conversion of shipping containers into legally established buildings for habitable or non-habitable purposes.

k. Accessory Residential Structures shall not be located within front yards, street side yards of corner lots, or in front of the main dwelling.

l. An Accessory Residential Structure containing mechanical or other fixed equipment capable of creating a noise that is audible beyond the property line shall be placed a minimum of 5 FT from an interior side or rear property line.

m. An Accessory Residential Structure shall only be placed within the interior side or rear yard area of a lot.

n. A lot developed with an Accessory Residential Structure shall maintain a useable rear yard that is equal to a minimum of 10 percent of the net lot area. In addition, a traditional single-family dwelling shall maintain a useable rear yard area having minimum dimension of 20 FT in any direction, and a small lot single-family dwelling shall maintain a useable rear yard having a minimum dimension of 10 FT in any direction.

o. On a reversed corner lot, an Accessory Residential Structure shall comply with the following:

(1) The Accessory Residential Structure located within the rear yard area shall not project beyond the minimum required front yard setback of the adjoining key lot, and shall be located no closer than 5 FT from the side property line of the key lot (rear property line of the reverse corner lot); and

(2) The Accessory Structure shall be no closer to the rear property line than the minimum required side yard setback on the adjoining key lot.

5. Guesthouses. In addition to the standards applicable to Other Accessory Residential Structures contained in Subsection B of this Section, guesthouses shall comply with the following additional standards:

a. Not more than one Guesthouse shall be permitted per lot containing a primary single-family dwelling, and a Guesthouse shall not be constructed if an Accessory Dwelling Unit exists on the lot.

b. A Guesthouse shall be for the sole use of the family of the occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. In addition, Guesthouses shall not be rented or otherwise used as a separate, independent residence.

6. Carports. No Carport shall be allowed within a front or street side yard setback area. Carports shall not be permitted in lieu of a garage required pursuant to the provisions of Table 6.03-1 (Off-Street Parking Requirements) of this Development Code, unless otherwise permitted by this Section.

7. Restrictive Covenant. Prior to the issuance of a building permit for an Accessory Residential Structures, the Planning Director may require that a restrictive covenant running with the land, which is binding on the property owner and their successors in interest, be recorded with the office of the San Bernardino County Recorder, which specifies that the Accessory Residential Structure shall not be used as an independent dwelling unit. Furthermore, restrictions may be included that are intended to ensure on-going compliance with the provisions of this Subsection B.

5.03.015: Adult-Oriented Businesses

The following regulations shall govern the establishment and operation of adult-oriented businesses within the City:

A. Purpose. It is the intent of these Adult-Oriented Business regulations to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods, which can be brought about by locating Adult-Oriented Businesses in close proximity to each other or proximity to other incompatible uses such as schools, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of Adult-Oriented Businesses causes an increase in the number of transients in the area, and an increase in crime, and in addition to the effects described above, can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of these Adult-Oriented Business regulations to establish reasonable and uniform regulations to ameliorate the harmful effects of Adult-Oriented Businesses or their close proximity to incompatible uses, while providing reasonable alternative avenues of communication.

Moreover, it is also the purpose of these Adult-Oriented Business regulations to facilitate regulation of Adult-Oriented Businesses and the performers that may be employed by such establishments pending resolution of the prior permitting issues raised in *Baby Tam & Co., Inc. v. City of Las Vegas*, 154 F.3d 1097 (9th Cir. 1998). The intent of the registration requirements contained in these Adult-Oriented Business regulations is to provide enforcement agencies with sufficient information to assist them in ensuring that criminal elements do not infiltrate Adult-Oriented Businesses, that minors are not employed by such establishments, and that the establishments will comply with the zoning and operational standards imposed by these Adult-Oriented Business regulations.

B. Findings. The City Council of the City of Ontario, California, hereby, finds as follows:

1. The City Council finds that various studies and court decisions presented to the City Council have determined that the establishment of Adult-Oriented Businesses is linked to increases in crime and other adverse effects. The City, in enacting this ordinance, more specifically finds that these studies provide convincing evidence that:

a. Adult-Oriented Businesses are linked to, and associated with, increases in crime rates in those areas in which they are located and in surrounding areas;

b. Both the proximity of Adult-Oriented Businesses to sensitive land uses and the concentration of Adult-Oriented Businesses tend to result in the blighting and deterioration of the areas next to which, and near which, they are located;

c. There is substantial evidence that an increase in crime tends to accompany, concentrate around, and be aggravated by Adult-Oriented Businesses, including but not limited to an increase in the crimes of narcotics distribution and use, prostitution, pandering, and violence against persons and property. The studies from other cities establish convincing evidence that Adult-Oriented Businesses that are not regulated as to permissible locations often have a deleterious effect on nearby businesses and residential areas, causing, among other adverse secondary effects, an increase in crime and a decrease in property values;

d. Studies concerning increases in crime surrounding Adult-Oriented Businesses are further supported by the City's own experiences confirming an inordinate amount of police response calls to the City's two existing Adult-Oriented Businesses, "the Reel One" and "the Villa Theater." The police response statistics from the Ontario Police Department for the period from 1996 to 1998 indicate that City police have been called out to these locations over 70 times to investigate solicitation and prostitution activities, lewd conduct, indecent exposure, illegal drug use and possession, use of counterfeit money, thefts, burglaries, and other disturbances;

2. Based on the forgoing, the City Council finds and determines that special regulation of Adult-Oriented Businesses is necessary to ensure that their adverse secondary effects will not cause or contribute to an increase in crime rates or the blighting or deterioration of the areas in which they are located or surrounding areas. The need for such special regulations is based upon the recognition that Adult-Oriented Businesses not only cause adverse secondary effects, but also have seriously objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances or located in direct proximity to sensitive uses, thereby having a deleterious effect upon an adjacent area. It is the purpose and intent of these regulations to prevent or mitigate such adverse secondary effects;

3. The protection and preservation of the public health, safety and welfare require that certain distances be maintained between Adult-Oriented Businesses and other sensitive uses, including residential, religious and educational uses, as well as to minimize the adverse secondary effects between the proximity of Adult-Oriented Businesses and other Adult-Oriented Businesses and truck stops. Moreover, the locational requirements established by this Section do not unreasonably restrict the establishment or operation of constitutionally protected Adult-Oriented Businesses in the City. A sufficient and reasonable number of appropriate locations for the operation of Adult-Oriented Businesses will remain available after the enactment of these Adult-Oriented Business regulations.

4. The City Council also finds that locational criteria alone do not adequately protect the health, safety, and general welfare of the citizens of the City, and thus, certain requirements with respect to the ownership and operation of Adult-Oriented Businesses are in the public interest. In addition to the findings and studies conducted in other cities regarding increases in crime rates, decreases in property values, and the blighting of areas in which Adult-Oriented Business are located, the city Council also takes legislative notice of the facts recited in the case of *Kev, Inc., v. Kitsap County* (9th Cir. 1986) 793 F.2d 1053, and *Colacurcio v. City of Kent*, 1998 WL 848036 (9th Cir.), regarding how live adult entertainment results in adverse secondary effects such as prostitution, drug dealing, and other law enforcement problems;

5. Zoning, permitting, licensing, and other police power regulations are legitimate, reasonable means of accountability to help protect the quality of life in the City and to help assure that owners, operators and performers of Adult-Oriented Businesses comply with reasonable regulations and are located in places that minimize the adverse secondary effects that naturally accompany the operation of Adult-Oriented Businesses;

6. The City Council recognizes that possible harmful effects on children and minors exposed to the secondary effects of Adult-Oriented Businesses, the deterioration of respect for family values, and the need and desire of children and minors to stay away from, and avoid, Adult-Oriented Businesses, which causes children to be fearful and cautions when walking through or visiting the immediate neighborhood of these businesses. The City Council desires to: minimize and control the adverse secondary effects associated with the operation of Adult-Oriented Businesses and thereby protect the health, safety, and welfare of the citizens of Ontario, and in particular, the health, safety, and welfare of children and minors in the City; protect the citizens

from increased crime; preserve their quality of life; preserve property values and the character of surrounding neighborhoods and businesses; deter the spread of urban blight and protect against the threat to health from the spread of communicable and sexually transmitted diseases;

7. Nothing in these Adult-Oriented Business regulations is intended to authorize, legalize, or permit the establishment, operation, or maintenance of any business, building, or use that violates any applicable City ordinance or any statute of the State of California relating to public nuisances, unlawful or indecent exposure, sexual conduct, lewdness, obscene or harmful matter, or the exhibition or public display thereof;

8. The City Council further finds the following, in part, based upon its understanding of the judicial decisions and the reports, studies and other documents in the public record:

a. Evidence indicates that the existence of Adult-Oriented Businesses that permit nudity have been shown in some cities to increase the secondary effects of crime and decrease property values;

b. Evidence has demonstrated that Performers employed by Adult-Oriented Businesses have been found to offer and provide private shows to patrons who, for a price, are permitted to observe and participate with the performers in live sex shows;

c. Evidence indicates that performers at Adult-Oriented Businesses have been found to engage in acts of prostitution with patrons of the establishment;

d. Evidence indicates that fully enclosed booths, individual viewing areas, and other small rooms whose interiors cannot be seen from public areas of the Adult-Oriented Business regularly have been found to be used as locations for engaging in unlawful sexual activity; and

e. As a result of Subparagraphs B.8.a through d, above, and the increase in the incidence of AIDS and Hepatitis B, which are both sexually transmitted diseases, the City Council has a substantial interest in adopting regulations that will reduce to the greatest extent possible, the possibility for the occurrence of casual sex acts at Adult-Oriented Businesses;

9. In regulating nudity and semi-nudity in Adult-Oriented Businesses, the City Council does not intend to proscribe the communication of erotic messages or any other communicative element or activity, but rather only to regulate nudity and semi-nudity in Adult-Oriented Businesses due to the adverse secondary effects associated therewith, including prostitution, sexual assault, and associated crimes;

10. The City Council further finds, as a wholly independent basis, that it has a substantial public interest in preserving societal order and morality, and that such interest is furthered by the regulation of nudity and semi-nudity in Adult-Oriented Businesses;

11. While the City Council desires to protect the rights conferred by the United States and California Constitutions on Adult-Oriented Businesses, it does so in a manner that ensures the continued and orderly development of property within the City and diminishes, to the greatest extent feasible, those undesirable secondary adverse effects which the Studies have shown to be associated with the development and operation of Adult-Oriented Businesses; and

12. In enacting nudity and semi-nudity regulations pursuant to these Adult-Oriented Business regulations, the City Council declares that the regulations do not create or regulate a

criminal offense, and the City Council has not provided a criminal penalty for a violation of these regulations;

13. The City Council finds that preventing the direct exchange of money between Performers and Patrons also reduces the likelihood of drug and sexual transactions occurring in Adult-Oriented Businesses;

14. Requiring a 10-FT separation between performers and patrons reduces the likelihood that these persons will negotiate narcotics sales, or negotiate for the purpose of engaging in sexual activities or obtaining sexual favors within the Adult-Oriented Businesses; and

15. Enclosed or concealed booths and dimly lit areas within Adult-Oriented Businesses greatly increase the potential for misuse of the premises, including unlawful conduct of a type that facilitates transmission of disease. Requirements that all indoor areas be open to view by management at all times and that adequate lighting be provided are necessary in order to reduce the opportunity for, and, therefore, the incidence of illegal conduct within Adult-Oriented Businesses, and to facilitate the inspection of the interior of the premises thereof by law enforcement personnel.

C. Definitions. As used in these Adult-Oriented Business regulations, the following words, terms, and phrases are defined as follows:

1. Applicant. A person who is required to file an application for a registration certificate under these Adult-Oriented Business regulations, including an individual owner, managing partner, officer of a corporation, or any other operator, manager, employee, or agent of an Adult-Oriented Business.

2. Bar. Any commercial establishment licensed by the State Department of Alcoholic Beverage Control to serve any alcoholic beverages on the premises.

3. Chief of Police. The Chief of Police of the City of Ontario or his or her designee.

4. City Council. The City Council of the City of Ontario.

5. Day. A calendar day and not business day. Whenever “day” is used to identify requirements of these Adult-Oriented Business regulations to be performed on a particular day, which day falls upon a holiday, Saturday or Sunday, the day for performance of the requirements of these Adult-Oriented Business regulations will be the next business day after the holiday, Saturday or Sunday.

6. Distinguished or Characterized by an Emphasis Upon. The dominant or essential theme of the object described by the phrase. For example, when the phrase refers to films “which are distinguished or characterized by an emphasis upon “the depiction or description of specified sexual activities or specified anatomical areas, the films so described are those whose dominant or predominant character and theme are the depiction of the enumerated sexual activities or anatomical areas.

7. Establishment of an Adult-Oriented Business. Means and includes any of the following:

a. The opening or commencement of any Adult-Oriented Business as a new business;

b. The conversion of an existing business, whether or not an Adult-Oriented Business, to any Adult-Oriented Business defined herein;

c. The addition of any of the Adult-Oriented Businesses defined herein to any other existing Adult-Oriented Business; or

d. The relocation of any Adult-Oriented Business.

8. Figure Model. Any person who, for pecuniary compensation, consideration, hire or reward, poses in a modeling studio to be observed, sketched, painted, drawn, sculptured, photographed or otherwise depicted.

9. Health Officer. The Health Officer of the County of San Bernardino, or his or her duly authorized representative.

10. Nudity or State of Nudity. The showing of the human male or female genitals, pubic area, buttocks or anus with less than a full opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernible turgid state.

11. Patron. A customer of an Adult-Oriented Business.

12. Permit. Any permit or registration certificate issued pursuant to these Adult-Oriented Business regulations.

13. Permittee. Any person to whom an Adult-Oriented Business registration certificate is issued.

14. Person. Any individual, partnership, copartnership, firm, association, joint stock company, corporation, or combination thereof, in whatever form or character.

15. Regularly Features. With respect to an adult theater, adult cabaret, adult arcade or adult motion picture theater, a regular and substantial course of conduct. Performances that are distinguished or characterized by an emphasis upon the display of specified anatomical areas or specified sexual activities, occur on 2 or more occasions within a 30 day period; 3 or more occasions within a 60 day period; or 4 or more occasions within a 180 day period shall, to the extent permitted by law, be deemed to be a regular and substantial course of conduct.

16. Religious Institution. A structure that is used primarily for religious worship and related religious activities.

17. School. Any child or daycare facility, or an institution of learning for minors, whether public or private, offering instruction in those courses of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

18. Semi Nude or Semi-Nudity. State of dress in which clothing covers no more than the genitals, pubic region, buttocks, areola of the female breast, as well as portions of the body covered by supporting straps or devices.

19. Adult-Oriented Businesses. Any one of the following:

a. *Adult Arcade*. An establishment that, for any form of consideration, provides one or more still or motion picture projectors, or similar machines, for viewing by patrons and which shows films, computer generated images, motion pictures, video cassettes, slides, or similar photographic reproductions, more than 30 percent of which showings are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

b. *Adult Bookstore*. An establishment having a substantial and a significant portion of its business derived from the sale or rental of books, magazines, periodicals or other printed matter, or of photographs, films, motion pictures, video cassettes, slides, tapes, or other form of visual or audio representations that are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas, or sexually oriented merchandise. The fact that more than 30 percent of the establishment inventory is composed of such materials, 30 percent of its floor area is devoted to such materials, or that 30 percent of its gross income is derived from such materials, or that the establishment advertises itself as "adult" in nature, shall, to the extent permitted by law, be evidence that the establishment is an "Adult Bookstore."

c. *Adult-Oriented Business*. Any business establishment or concern which operates as an Adult Bookstore, Adult Video Store, Adult Arcade, Adult Cabaret, Adult Theater, Adult Motion Picture Theater, Adult Motel, Escort Agency, Massage Establishment, Modeling Studio, Sexual Encounter/Rap Studio, Sexual Novelty Store or any other business or concern that regularly features or offers to its patrons as a substantial significant portion of its business, products, merchandise, services, or entertainment that are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas, but not including those uses or activities the regulation of which is preempted by State law. "Adult-Oriented Business" also includes any establishments, which as a regular and substantial course of conduct, provides or allows performers, models, or employees to appear in any public place dressed only in lingerie. "Adult-Oriented Business" does not include those uses, businesses or activities of licensed professionals who are otherwise exempt from classification as a "Massage Establishment" pursuant to this Development Code.

d. *Adult Cabaret or Adult Theater*. A nightclub, restaurant, or business establishment that regularly features live performances that are distinguished or characterized by an emphasis upon the display of specified sexual activities; regularly featured persons who appear semi-nude; or that shows films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

e. *Adult Hotel or Motel*. A hotel, motel, or similar business establishment offering public accommodations for any form of consideration, which provides patrons with closed circuit television transmissions, films, computer generated images, motion pictures, video cassettes, slides, or other photographic reproductions 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified

sexual activities or specified anatomical areas for less than a 6-hour period, or rents, leases, or lets any single room more than twice in a 24-hour period.

f. *Adult Motion Picture Theater.* A business establishment where, for any form of consideration, films, computer generated images, motion pictures, video cassettes, slides or similar photographic reproductions are shown, and 30 percent or more of the number of which are distinguished or characterized by an emphasis upon the depiction or description of specified sexual activities or specified anatomical areas.

g. *Escort Agency.* A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.

h. *Massage Establishment.* An establishment having a fixed place of business where any person association, firm, or corporation engages in, conducts, or carries on or permits to be engaged in, conducted, or carried on, any business of giving Turkish, Russian, Swedish vapor, sweat, electric, salt, or any other kind of character of baths and where alcohol rubs, fomentations, baths, or manipulations of the body, or similar procedures, are given including acupuncture clinics or establishments.

i. *Modeling Studio.* A business that regularly features, for pecuniary compensation, monetary, or other consideration, hire or reward figure models who, for the purposes of sexual stimulation of patrons, display specified anatomical areas to be observed, sketched, photographed, painted, sculpted or otherwise depicted by persons paying such consideration. "Modeling Studio" does not include schools maintained pursuant to standards set by the State Board of Education, or a studio or similar facility owned, operated or maintained by an individual artist or group of artists, that does not provide, permit, or make available "specified sexual activities."

20. Adult-Oriented Business Operator or Operator. A person who supervises, manages, inspects, directs, organizes, controls, or in any other way is responsible for or in charge of the premises of an Adult-Oriented Business, or the conduct or activities occurring on the premises thereof.

21. Adult-Oriented Business Performer or Performer. Any person who is an employee or independent contractor of the Adult-Oriented Business, and any person who, with or without any compensation or other form of consideration, performs live entertainment dressed in no more than a state of semi-nudity for patrons of an Adult-Oriented Business.

22. Sexually Oriented Merchandise. Sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto-sucks, sexually oriented vibrators, edible underwear, ben-wah balls, inflatable orifices, anatomical balloons with orifices, simulated and battery-operated vaginas, and similar sexually oriented devices, or any other merchandise characterized by an emphasis on sexual activities or specified anatomical parts.

23. Sexually Oriented Merchandise. Sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto-sucks, sexually oriented vibrators, edible underwear, ben-wah balls, inflatable orifices, anatomical balloons with orifices, simulated and battery-operated vaginas and similar sexually oriented devices, or other merchandise characterized by an emphasis on sexual activities or specified anatomical parts.

24. Specified Anatomical Areas. Means and includes any of the following less than completely and opaquely covered human:

- a. genitals or public region;
- b. buttocks;
- c. female breast below a point immediately above the top of the areola;
- d. Human male genitals in a discernibly turgid state, even if completely and opaquely covered; or
- e. Any device, costume or covering that simulates any of the body parts included in Subparagraphs B.24.a or b, above.

25. Specified Sexual Activities. Means and include any of the following, whether performed directly or indirectly through clothing or other covering:

- a. The fondling or other erotic touching of human genitals, public region, buttocks, anus, or female breast;
- b. Sex acts, actual or simulated, including intercourse, oral copulation or sodomy;
- c. Masturbation, actual or simulated; or
- d. Excretory functions as part of or in connection with any of the other activities described in Subparagraphs B.25.a through c, above.

26. Studies. The studies and reports prepared by other cities and judicial rulings referred to in Paragraph B.1 herein of these Adult-Oriented Business regulations, including studies and reports prepared by the City relating to the adverse secondary impacts of existing Adult-Oriented Businesses.

D. Minimum separation and locational requirements.

1. No Adult-Oriented Business shall be located within 1,500 FT of any property located within a residential or mixed-use zoning district, or any property located within a residential or mixed-use land use district of an adopted Specific Plan.

2. No Adult-Oriented Business shall be located within 1,000 FT of the following:

- a. Any church, chapel, or similar place of worship, whether inside or outside of Ontario city limits;
- b. Any school or daycare establishment, or public or private park or playground, whether inside or outside of Ontario city Limits;
- c. Any retirement or convalescent hospital, whether inside or outside of Ontario city limits;

d. Any recreational facility, such as game arcade, bowling alley, skateboard rink, skating rink, or similar area where minors regularly congregate, whether inside or outside Ontario city limits;

e. City Hall, City offices, and other government buildings normally open to the public;

f. Libraries, whether inside or outside Ontario city limits;

g. Any truck stops, whether inside or outside Ontario city limits.

3. No Adult-Oriented Business shall be located within 300 FT of another Adult-Oriented Business, whether inside or outside Ontario city limits;

4. For purposes of the regulations contained herein, all distances shall be measured in a straight line, without regard for intervening structures, from the nearest property line for which the Adult-Oriented Business is proposed to be located to the nearest property line of a use or district identified in these Adult-Oriented Business regulations.

E. Adult-Oriented Business Development and Performance Standards. The following development and performance standards shall be applicable to Adult-Oriented Businesses in the City:

1. No Adult-Oriented Business shall be operated in any manner that permits the observation of any materials or activities depicting, describing or relating to Specified Sexual Activities or Specified Anatomical Areas from any public way or from any location outside the building or area of such establishment. No Adult-Oriented Business shall be operated in any manner that permits the observation of any live performance depicting, describing or relating to specified sexual activities or semi-nudity from any public way, or from any location outside the building or area of such establishment. This provision shall apply to any display, decoration, sign, show window or other opening. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.

2. All off-street parking area and premise entries of the Adult-Oriented Business shall be illuminated from dusk to closing hours of operation with a lighting system that provides an average maintained horizontal illumination of one footcandle of light, measured on the parking surface or walkway. The required lighting level is established in order to provide sufficient illumination of the parking areas and walkways serving the Adult-Oriented Business for the personal safety of patrons and employees, and to reduce the incidence of vandalism and criminal conduct.

3. The premises within which the Adult-Oriented Business is located shall provide sufficient sound-absorbing insulation so that noise generated inside the premises shall not be audible anywhere on any adjacent property or public right-of-way, or within any other building or other separate unit within the same building.

4. Except for those businesses also regulated by the California Department of Alcoholic Beverage Control, an Adult-Oriented Business shall be open for business only between the hours of 8:00AM and 12:00PM (midnight) on any particular day.

5. The building entrance to an Adult-Oriented Business shall be clearly and legibly posted with a notice indicating that persons under 18 years of age are precluded from entering the premises. The notice shall be constructed and posted to the satisfaction of the Chief of Police. No person under the age of 18 years shall be permitted within the premises at any time.

6. All indoor areas of the Adult-Oriented Business within which patrons are permitted, except restrooms, shall be open to view by the management at all times.

7. Any Adult-Oriented Business that is also an Adult Arcade that provides viewing area(s), shall comply with the following additional requirements:

a. Each Adult Arcade shall have at least one manager's station. It shall be the duty of the operator(s) to ensure that at least one employee is on duty and situated at each manager's station at all times that any patron is present inside the Adult Arcade.

b. The interior of the Adult Arcade shall be configured in such a manner that there is an unobstructed view from a manager's station of every area of the Adult Arcade to which any patron is permitted access for any purpose, excluding restrooms. If the Adult Arcade has two or more manager's stations designated, then the interior of the Adult Arcade shall be configured in such a manner that there is an unobstructed view of each area of the Adult Arcade to which any patron is permitted access for any purpose, excluding restrooms, from at least one of the manager's stations. The view required by this Subparagraph must be by direct line of sight from the manager's station. There shall be a security system that visually records each viewing booth at all times that the business is open or occupied for business.

c. It shall be the duty of the operator(s) and also the duty of all employees present in the Adult Arcade to ensure that the individual viewing areas remain unobstructed by any doors, walls, persons, merchandise, display rack or other materials at all times and to ensure that no patron is permitted access to any area of the Adult Arcade that has been designated as an area in which patrons will not be permitted.

d. No individual viewing area may be occupied by more than one person at any one time. "Individual viewing area" shall mean a viewing area designed for occupancy by one person. Individual viewing areas of the Adult Arcade shall be operated and maintained without any hole or other opening, or means of direct communication, or visual or physical access between the interior spaces of two or more Individual viewing areas.

e. No individual viewing area shall contain booths, stalls, or partitioned portions of individual viewing area used for the viewing of sexually oriented material or other forms of entertainment having doors, curtains, or portal partitions, unless the individual viewing areas containing booths, stalls, or partitioned portions have at least one side open to the manager's station and is visible to the manager's station. Any booth, stall, or partitioned portion of an individual viewing area authorized under this subparagraph shall be constructed to allow 12 inches of open space between the bottom of the stall or partition and the floor. The open space shall remain unobstructed at all times.

f. The Adult Arcade shall be equipped with overhead lighting fixtures of sufficient intensity to illuminate every place to which patrons are permitted access, but such lighting shall not be of an intensity as to prevent the viewing of the sexually oriented material.

g. It shall be the duty of the operator(s) and all employees present at the Adult Arcade to ensure that the illumination described in Subparagraph E.7.f, above, is maintained at all times that any patron is present in the Adult Arcade.

h. The floors, seats, walls, and other interior portions of all booths shall be maintained clean and free from waste and bodily secretions. Presence of human excrement, urine, semen or saliva in any such booths shall be evidence of improper maintenance and inadequate sanitary controls.

8. All areas of the Adult-Oriented Business that are accessible to the public shall be illuminated at the following minimum footcandles, which shall be minimally maintained and evenly distributed at ground level, pursuant to Table 5.03-3 (Minimum Lighting Requirements for Adult-Oriented Businesses), below.

Table 5.03-3: Minimum Lighting Requirements for Adult-Oriented Businesses

<i>Area</i>	<i>Minimum Foot-Candles</i>
Bookstores and other retail establishments:	20
Theaters and cabarets (except during performances, at which time lighting shall be at least 1.25 foot-candles):	5
Arcades:	10
Motels/Hotels (in public areas):	20
Modeling Studios:	20

9. Patrons and employees shall not use the same restrooms. The Adult-Oriented Business shall provide and maintain separate restroom facilities for male patrons and employees, on the one hand, and female patrons and employees, on the other. Male patrons and employees shall be prohibited from entering any restroom for females, and female patrons and employees shall be prohibited from entering any restroom for males, except when an employee carries out duties of repair, maintenance, or cleaning of the restroom facilities. All restrooms shall be free from any sexually oriented materials. No restrooms shall contain television monitors or other motion picture or video projection, computers, recording, or reproduction equipment. The foregoing provisions of this Paragraph shall not apply to an Adult-Oriented Business that deals exclusively with sale or rental of sexually oriented materials that are not used or consumed on the premises, such as an Adult Bookstore or Adult Video Store, and which does not provide restroom facilities to its patrons or the public.

10. The following additional requirements shall pertain to Adult-Oriented Businesses that provide live performances in Adult Cabarets or Adult Theaters:

a. No person shall perform live entertainment for patrons of an Adult-Oriented Business except upon a stage at least 2 FT above the level of the floor, which is separated by a distance of at least 10 FT from the nearest area occupied by patrons, and no Patron shall be permitted within 10 FT of the stage while the stage is occupied by an Adult-Oriented Business performer.

b. The Adult-Oriented Business shall provide separate dressing room facilities for performers that are exclusively dedicated to the performers' use. No public access shall be permitted to any dressing room facility.

c. The Adult-Oriented Business shall provide an entrance and exit for performers that is separate from the entrance and exit used by patrons.

d. The Adult-Oriented Business shall provide access for performers between the stage and dressing rooms, which are completely separated from the patrons. If separate access is not physically feasible, the Adult-Oriented Business shall provide a minimum 3-FT wide walk aisle for performers between the dressing room area and the stage, with a railing, fence, or other barrier separating the patrons and the performers capable of, and which actually results in, preventing any physical contact on the premises of the Adult-Oriented Business.

e. No performer, either before, during, or after performances, shall have any physical contact with any Patron, and no patron shall have physical contact with any performer before, during, or after performances by a performer. This Subparagraph shall only apply to physical contact on the premises of the Adult-Oriented Business.

f. Fixed guardrails at least 30 inches in height shall be maintained establishing the separations between performers and patrons required by the herein-stated Adult-Oriented Business Development and Performance Standards.

g. No patron shall directly pay or give any gratuity to any performer, and no performer shall solicit any pay or gratuity from any patron.

11. No operator, owner, or other person with managerial control over an Adult-Oriented Business shall permit any person on the premises of an Adult-Oriented Business to engage in a live showing of any specified anatomical areas. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical areas required to be covered. Notwithstanding any other penalties that may be provided in this Development Code or the Ontario Municipal Code, a violation of this Subparagraph shall be grounds for revocation of an Adult-Oriented Business registration certificate.

12. No Adult-Oriented Business performer on the premises of an Adult-Oriented Business shall engage in a live showing of any specified anatomical areas. This provision may not be complied with by applying an opaque covering simulating the appearance of the specified anatomical areas required to be covered. Notwithstanding any other penalties that may be provided in this Development Code or the Ontario Municipal Code, a violation of this Subparagraph shall be grounds for revocation of an Adult-Oriented Business registration certificate.

13. Adult-Oriented Businesses shall employ security guards in order to maintain the public peace and safety, and to prevent any illegal activity from occurring on the premises, based upon the following standards:

a. Adult-Oriented Businesses featuring live entertainment shall provide at least one security guard at all times while the business is open. If the occupancy limit of the premises is greater than 35 persons, an additional security guard shall also be on duty at all times while the business is open.

b. Security guards for other Adult-Oriented Businesses may be required if it is determined by the Chief of Police that their presence is necessary in order to maintain public peace and safety, and to prevent any illegal activity from occurring on the premises.

c. Security guards shall be charged with preventing violations of law and enforcing compliance by patrons of the requirements of these regulations. Each security guard shall be uniformed in such a manner so as to be readily identifiable as a security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state law. No security guard required pursuant to this Subparagraph shall act as a door person, ticket seller, ticket taker, admittance person, or sole occupant of the manager's station while acting as a security guard.

14. The Adult-Oriented Business shall provide a security system that visually records and monitors all parking lot areas at all times that the business is open or occupied for business.

15. Views of parking areas and doorways of Adult-Oriented Businesses shall be unobstructed so as to allow visibility of these areas from public rights-of-way.

16. The Adult-Oriented Business shall comply with the City's sign regulations.

17. The Adult-Oriented Business shall comply with the development, parking, and design requirements of the underlying zone for the specific underlying use. All exterior areas of an Adult-Oriented Business, including buildings, landscaping, and parking areas shall be maintained in a clean and orderly manner.

F. Employment of and Services Rendered to Persons Under the Age of 18 Years Prohibited.

1. It shall be unlawful for any operator or other person in charge of any Adult-Oriented Business to employ any person who is not at least 18 years of age.

2. It shall be unlawful for any operator or other person in charge of any Adult-Oriented Business to permit to enter, or remain within the Adult-Oriented Business, any person who is under the age of 18.

G. Inspection and Operators. All operators shall permit the Chief of Police, representatives of the San Bernardino County Health Department, and the City of Ontario Fire Department to conduct unscheduled inspections of the premises of the Adult-Oriented Business for the purpose of insuring compliance with the laws, and the development and performance standards applicable to Adult-Oriented Businesses at any time it is occupied or opened for business.

H. Regulations Nonexclusive. The provisions of this Development Code regulating Adult-Oriented Businesses are not intended to be exclusive and compliance therewith shall not excuse noncompliance with any other regulations pertaining to the operation of businesses as adopted by the City Council.

5.03.020: Air Transportation

A. ONT (Ontario International Airport).

1. Development Standards. The following standards are established to accommodate further development of Ontario International Airport and surrounding properties directly impacted by airport operations. All development within the ONT zoning district shall be designed and constructed pursuant to the standards contained in Table 5.03-4 (ONT Development Standards), below.

Table 5.03-4: ONT Development Standards

<i>Requirements</i>	<i>Standards</i>	<i>Additional Regulations</i>
A. SITE DEVELOPMENT STANDARDS		
1. Minimum Lot Size	10,000 SF	Note 1
2. Maximum Floor Area Ratio (FAR)	0.55	Notes 2 and 3
3. Minimum Landscape Coverage	Interior Lots: 10 percent; Corner Lots: 15 percent for	
4. Minimum Parking Space and Drive Aisle Separations		
a. Parking Space or Drive Aisle to Street Property Line	10 FT	
b. Parking Space or Drive Aisle to Interior Property Line	0 FT	
c. Parking Space to Buildings, Walls and Fences	5 FT	
<u>Exceptions:</u> Within enclosed loading and storage yard areas	0 FT	
d. Drive Aisle to Buildings, Walls, and Fences	10 FT to office elements; 5 FT to all other building walls	
<u>Exceptions:</u> Within enclosed loading and storage yard areas	0 FT	
e. Enclosed Loading and Storage Yards to Buildings, Walls, and Fences	0 FT	
5. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Industrial Zoning Districts).	
6. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).	
7. Landscaping	Refer to Division 6.05 (Landscaping).	
8. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).	
9. Signs	Refer to Division 8.1 (Sign Regulations).	
10. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
11. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	
12. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.	
B. BUILDING DEVELOPMENT STANDARDS		
1. Minimum Building Setbacks		
a. From Front Property Line	10 FT, plus one additional FT for each FT in excess of 35 FT	

Table 5.03-4: ONT Development Standards

Requirements	Standards	Additional Regulations
b. From Street Side Property Line	10 FT	
c. From Interior Side Property Line	0 FT	
d. From Rear Property Line	0 FT	
2. Minimum Building Separations	0 FT	
3. Maximum Building Height	55 FT	Note 3

Notes:

- [1] An existing lot of record that is substandard as to minimum “lot” area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).
- [2] Reviewing Authority approval is required for an FAR exceeding 0.45.
- [3] The maximum building/structure height and FAR may be restricted pursuant to the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.

2. Exceptions to Development Standards. The following exceptions from the industrial zoning district development standards stipulated in Table 5.03.-4 (ONT Development Standards) shall be permitted:

- a. *Popouts and Other Horizontal Architectural Projections.* Popouts and other horizontal architectural projections may extend into a required street or interior property line setback area a maximum of 25 percent of the required setback, not to exceed 2.5 FT.
- b. *Signs.* Signs and advertising structures may encroach into a required front street setback area pursuant to Division 8.1 (Sign Regulations) of this Development Code.
- c. *Towers and Other Vertical Architectural Projections.* Towers and other vertical architectural projections may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district, provided said projections do not extend over more than 10 percent of the horizontal building area.
- d. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls and Obstructions) of this Development Code.

3. Other Development Requirements. The following regulations are applicable to all uses and structures within the ONT zoning district:

- a. Except as otherwise provided herein, required setback areas adjoining streets may only be used for landscaping, access drives, walkways, and lighting standards (poles).
- b. The outdoor storage of materials and equipment is permitted only within an area surrounded by a wall or fence at least 8 FT in height, with gates capable of being locked. Within such areas, except for trucks or other vehicles necessary for the operation or use, no such

materials are to be stored to a height greater than 8 FT. Where the storage area is visible by the public, or from adjoining properties developed with residential, mobilehome park, office, public, or institutional land uses, the storage area is to be screened by a minimum 8-FT high decorative masonry block wall, with view-obstructing gates, along each side of the storage area that is visible to the public or applicable land use.

c. Any use employing toxic or hazardous substances as a part of processes or uses, a security fence or wall at least 8 FT in height, with gates capable of being locked, shall be provided at the perimeter of the area within which the process or activity is conducted. The gate(s) shall be kept closed and locked when not in use or under direct supervision.

(1) All processes and activities shall be conducted within a completely enclosed building or structure, excepting the outdoor storage of materials and finished products, subject to required screening and location requirements, and outdoor dining areas. The outdoor display of building materials and similar large equipment is prohibited.

d. Exterior mechanical equipment, heating and ventilating equipment, air conditioning equipment, tanks, and other mechanical devices, shall be fully screened, and shall be treated with a neutral color when visible to the public or adjoining properties developed with residential, mobilehome park, office, public, or institutional land uses.

B. Helipads/Heliports. Within the CR, IG, and IH zoning districts, helipad/heliport facilities shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone helipad/heliport facilities shall be prohibited within these zoning districts.

5.03.023: Alcoholic Beverage Manufacturing

The following regulations shall govern the establishment and operation of alcoholic beverage manufacturing uses and activities, as follows:

A. Alcoholic Beverage Manufacturing in the MU-1 (Downtown Mixed Use) Zoning District. Alcoholic beverage manufacturing facilities established within LUA-1, LUA-2 North, and LUA-2 South areas of the MU-1 zoning district shall comply with the following:

1. Land use approval shall be subject to the approval of an Administrative Use Permit pursuant to the requirements of Section 4.03.015 (Administrative Use Permits) of this Development Code;

2. The GFA of an alcoholic beverage manufacturing facility shall be less than 10,000 SF;

3. An alcoholic beverage manufacturer shall not be permitted unless the licensed alcoholic beverage manufacturer also sells alcoholic beverages to consumers for consumption on the premises, within a tasting room that complies with Subsection D of this Section, or in a bona fide restaurant that is located on the licensed premises, or at a bona fide restaurant that is contiguous to the licensed premises;

4. No video, electronic or other amusement devices or games shall be permitted;

5. Outdoor storage in conjunction with an alcoholic beverage manufacturer shall be prohibited.

B. Sewer Study May Be Required for Alcoholic Beverage Manufacturers in the MU-1 (Downtown Mixed Use) Zoning District. Alcoholic beverage manufacturing facilities established within the CC, CR and CCS zoning districts shall comply with the following:

1. Land use approval shall be subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code;
2. The GFA of an alcoholic beverage manufacturer shall be less than 10,000 SF;
3. An alcoholic beverage manufacturer shall not be permitted unless the licensed alcoholic beverage manufacturer also sells alcoholic beverages to consumers for consumption on the premises, within a tasting room that complies with Subsection D of this Section, or in a bona fide restaurant that is located on the licensed premises, or at a bona fide restaurant that is contiguous to the licensed premises.
4. No video, electronic or other amusement devices or games shall be permitted.
5. Outdoor storage in conjunction with an alcoholic beverage manufacturer shall be prohibited.

C. Conditional Use Permit Required for Tasting Rooms in the IL (Light Industrial), IG (General Industrial) and IH (Heavy Industrial) Zoning Districts. Within the IL, IG and IH zoning districts, the establishment of a tasting room in conjunction with an alcoholic beverage manufacturer shall require the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code. Tasting rooms shall be designed in compliance with the requirements of Subsection D of this Section.

D. Tasting Rooms Not to Exceed 1,000 SF Unless Otherwise Permitted by a Conditional Use Permit. A tasting room shall not exceed 1,000 SF in area, except that within the MU-1 zoning district, tasting rooms in excess of 1,000 SF may be permitted by Conditional Use Permit approval. The tasting room floor area shall include any indoor area within the alcoholic beverage manufacturing licensed premises where alcoholic beverages are consumed, including any bar and seating areas, but shall exclude restrooms serving the tasting room and any outdoor patio areas. Outdoor patio areas may be permitted, provided they are not located in any required parking space or access way, and do not exceed 1,000 SF in total area.

E. Use of Grain Silos. A grain silo may be located outside of a building occupied by an alcoholic beverage manufacturing use, which shall comply with the following:

1. The grain silo shall not be located in any required parking space, driveway or drive aisle, or situated so as to adversely affect the pedestrian path of travel.
2. One sign identifying the alcoholic beverage manufacturing use may be placed on the grain silo, having a maximum area of 9 SF. The silo sign is permitted in addition to any wall signs or monument signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Development Code.

F. Outdoor Utility Equipment Shall Be Completely Screened. Outdoor utility equipment associated with an alcoholic beverage manufacturing use shall be completely screened from public view.

G. Property Shall Be Permanently Maintained. The real property upon which an alcoholic beverage manufacturing use is operated shall be permanently maintained in an orderly fashion by the provision of regular landscape maintenance, removal of trash and debris, and removal of graffiti within 24 hours from the time of occurrence.

H. Roof-Mounted or Ground-Mounted Mechanical Equipment Shall Be Completely Screened. Any proposed roof-mounted or ground-mounted mechanical equipment shall be completely screened from public view. Equipment screening information shall be specifically shown on the plans submitted for building permit issuance.

I. Security Plan Required. A security plan, in a form satisfactory to the Ontario Police Department, shall be submitted to and approved by the Police Chief prior to building permit issuance. The security plan shall be formulated to deter unlawful conduct of employees and patrons, to promote the safe and orderly assembly and movement of persons and vehicles, and to prevent disturbances to surrounding land uses and the neighborhood in general, by excessive noise created by patrons entering or leaving the alcoholic beverage manufacturer's licensed premises.

J. On-Site Lighting Required to Provide a Safe and Secure Environment. Parking lots, driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings occupied by an alcoholic beverage manufacturing use shall be provided with enough lighting to illuminate and make clearly visible, the presence of any person on or about the alcoholic beverage manufacturer's licensed premises during the hours of darkness, and shall provide a safe and secure environment for all persons, property, and vehicles on and around the premises.

K. Admission Fee, Cover Charge, and Minimum Purchase Requirements. It shall be unlawful to require the payment of an admission fee or cover charge or require a minimum purchase.

L. Alcoholic Beverage Signs Required. Signs shall be posted inside the business, near the exit door, which states "NO ALCOHOLIC BEVERAGE ALLOWED BEYOND THIS POINT."

M. Maximum Occupancy Load Shall Not Be Exceeded. The number of persons shall not exceed the maximum occupancy load as determined by the Ontario Fire Department. Signs indicating the maximum occupant load shall be posted in a conspicuous place on an approved sign near the main exit from the room.

N. No Live Entertainment or Dancing Permitted without First Obtaining Conditional Land Use Permit Approval. There shall be no live entertainment or dancing permitted on the alcoholic beverage manufacturer's licensed premises at any time, without first obtaining land use approval for the activities pursuant to the requirements of this Development Code.

O. Display of Alcoholic Beverages. The display of alcoholic beverages shall not be located outside of a building or within 5 FT of any public entrance to the building.

P. Alcoholic Beverages Distributed By Competing Alcoholic Beverage Manufacturers Shall Not Be Served. An alcoholic beverage manufacturer shall not serve brands of alcoholic beverages distributed by a competing alcoholic beverage manufacturer. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control.

5.03.025: Alcoholic Beverage Sales

A. Purpose. The purpose of this Section is to establish standards governing the establishment and operation of alcoholic beverage sales within the City.

B. Applicability.

1. Conditional Use Permit and/or Administrative Use Permit Required.

a. The retail sales of alcoholic beverages, whether intended for consumption on or off the premises wherein the beverage is sold, shall require the approval of a Conditional Use Permit pursuant to Development Code Section 4.02.015 (Conditional Use Permit), or the approval of an Administrative Use Permit pursuant to Development Code Section 4.03.015 (Administrative Use Permits), as applicable, prior to the establishment of the use, excepting temporary alcoholic beverage sales allowed by Paragraph B.2, of this Section.

b. The violation of any provision of this Section shall be grounds for, and may result in, the modification or revocation of such Conditional Use Permit by the City, pursuant to Division 2.05 (City Initiated Modification or Revocation) of this Development Code.

c. A Conditional Use Permit and/or Administrative Use Permit for alcoholic beverage sales may be granted only in conjunction with, and shall be ancillary to, those legally established land uses identified in Subsections D (Alcoholic Beverage Sales for Consumption on the Premises) and E (Alcoholic Beverage Sales for Consumption off the Premises) of this Section.

2. Alcoholic Beverage Sales and/or Tasting in Conjunction with a Temporary Activity. Temporary alcoholic beverage sales and/or tasting may be allowed, provided an Administrative Use Permit issued pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code is first obtained prior to the establishment of the temporary activity, and the temporary activity is in full compliance with Subsection D (Temporary Alcoholic Beverage Sales) of Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) of this Division.

3. Undue Concentration of Alcoholic Beverage Licenses within a Census Tract. A Conditional Use Permit for the retail sale of alcoholic beverages shall not be issued for a business located within a census tract that has been determined to contain an undue concentration of alcoholic beverage licenses, as defined in BPC Section 23958.4, unless a determination of public convenience or necessity is made by the Reviewing Authority pursuant to Subsection F (Public Convenience or Necessity Determination) of this Section.

C. Compliance with State of California Department of Alcoholic Beverage Control (ABC) Regulations. Any business engaging in the retail sales of alcoholic beverages shall first obtain the appropriate retail license from ABC and shall operate such business in strict compliance with the Alcoholic Beverage Control Act (commencing with BPC Section 23000 et seq.), and all applicable ABC rules, regulations, and orders.

D. Alcoholic Beverage Sales for Consumption on the Premises (On-Sale Alcoholic Beverage Sales). On-sale alcoholic beverage sales comprises establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption on the premises in which they are sold. Typical uses include, but are not limited to, bars, brew pubs, nightclubs, wine bars, and restaurants that serve alcoholic beverages.

Establishments engaged in on-sale alcoholic beverage sales shall comply with the following:

1. Conditional Use Permit approval shall be required for an on-sale alcoholic beverage sales activity, and/or for the on premise tasting of any alcoholic beverage in conjunction with a legally established and ABC-licensed wine grower, beer manufacturer, brandy manufacturer, or distilled spirits manufacturer, except that within the MU-1 (Historic Downtown Mixed Use) zoning district, Administrative Use Permit approval shall be obtained from the City prior to establishing an on-sale alcoholic beverage sales use or activity.

2. Any business engaged in on-sale alcoholic beverage sales or on-premises tasting of any alcoholic beverage in conjunction with a legally established and ABC-licensed wine grower, beer manufacturer, brandy manufacturer, or distilled spirits manufacturer, shall not allow any alcoholic beverage to be consumed outside of the enclosed building, except within an outdoor area that has been designed to be separated from direct public contact/access by a wall, fence or other barrier acceptable to the City. The design of said outdoor area and required wall, fence or other barrier shall be subject to review and approval by the Planning Director and Police Chief.

E. Alcoholic Beverage Sales for Consumption off the Premises (Off-Sale Alcoholic Beverage Sales). Off-sale alcoholic beverage sales comprises establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment for consumption off the premises in which they are sold. Typical uses include, but are not limited to, convenience stores, grocery stores, and liquor stores.

Establishments engaged in off-sale alcoholic beverage sales shall comply with the following:

1. Conditional Use Permit approval shall be required for off-sale alcoholic beverage sales.

2. Establishments engaged in the concurrent sale of motor vehicle fuel with alcoholic beverage sales shall comply with all of the following conditions pursuant to BPC Section 23790.5:

a. No beer or wine shall be displayed within 5 FT of the cash register or the front door unless it is in a permanently affixed cooler.

b. No advertisement of alcoholic beverages shall be displayed at motor fuel islands;

c. No sale of alcoholic beverages shall be made from a drive-up window;

d. No display or sale of beer or wine shall be made from an ice tub;

e. No beer or wine advertising shall be located on motor fuel islands and no self-illuminated advertising for beer or wine shall be located on buildings or windows; and

f. Employees on duty between the hours of 10 p.m. and 2 a.m. who sell beer or wine shall be at least 21 years of age.

3. The on-premises consumption of an alcoholic beverage shall be prohibited.

F. Public Convenience or Necessity Determination. BPC Section 23958.4 provides that the City shall have authority to review a retail alcoholic beverage license application proposed within an area having an “undue concentration” (high density of alcoholic beverage sales locations) of licenses; determine whether public convenience or necessity would be served by license issuance; and inform ABC of the determination.

1. Purpose. The purpose of this Subsection is to establish a procedure by which the public convenience or necessity may be determined, as provided by State law, and establish the criteria by which the determination shall be made.

2. Applicability. In considering a Conditional Use Permit or Administrative Use Permit (as applicable) application for alcoholic beverage sales, it shall be the responsibility of the Reviewing Authority prescribed by Table 2.02-1 (Review Matrix) of this Development Code, to make a determination of public convenience or necessity, if required pursuant to this Subsection.

3. Determining Public Convenience or Necessity for On-Sale Alcoholic Beverage Sales Licenses. Within a census tract having an undue concentration of on-sale ABC licenses, whether the public convenience or necessity would be served by an ABC license issuance shall be determined as follows:

- a. *Alcoholic Beverage License Issuance in Conjunction with a Bona Fide Restaurant.* The issuance of an alcoholic beverage license in conjunction with a bona fide restaurant is hereby deemed to be provided as convenience to business patrons. The Reviewing Authority shall, therefore, establish that the public convenience would be served by the issuance of an ABC license in such cases;

- b. *All Other On-Sale Alcoholic Beverage Licenses.* For all other on-sale alcoholic beverage licenses, the Approving Authority shall determine whether public convenience or necessity would be served by ABC license issuance on a case-by-case basis, upon a thorough review of the facts pertaining to the proposed use.

4. Criteria for Determining Public Convenience or Necessity for Off-Sale Alcoholic Beverage Sales Licenses. Within a census tract having an undue concentration of off-sale ABC licenses, the City desires to strike a balance between the number of off-sale ABC licenses and the convenience of business patrons. Consequently, the Approving Authority is hereby granted authority to make determinations of public convenience and necessity, and shall rely upon the following factors in making such determinations:

- a. The proposed retail alcohol license is not located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole), including, but not limited to, disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all BPC violations, drug violations, and driving while intoxicated or under the influence;

- b. The proposed retail alcohol license is not located within close proximity (600 FT or less, as measured in a straight line from any point along the outer boundaries of the building GFA containing the business) of an existing or proposed ~~residential or~~ sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen

care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate;

c. The anticipated amount (percentage) of retail sales to be derived from alcoholic beverages is clearly incidental to the primary land use, making-up no more than one-third of anticipated gross retail sales;

d. If the business for which the retail alcoholic beverage license application is proposed is a grocery store, it shall contain at least 12,000 SF of GFA;

e. No more than 10 percent of the retail business' GFA shall be devoted to alcoholic beverage display and sale;

f. At least 10 percent of the retail business' GFA shall be devoted to food display and sales. (Note: Food preparation areas shall not be counted toward the food sales floor area calculation); and

g. The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department case, and complies with applicable Development Code regulations, including, but not limited to, property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

5. Criteria for Determining Public Convenience or Necessity for Off-Sale Alcoholic Beverage Sales in Conjunction with Alcoholic Beverage Manufacturing Uses. Within a census tract having an undue concentration of off-sale ABC licenses, the Reviewing Authority is hereby granted authority to make determinations of public convenience and necessity for off-sale alcoholic beverage sales in conjunction with an alcoholic beverage manufacturing uses, and shall rely upon the following factors in making such determinations:

a. The proposed alcoholic beverage manufacturing use is not located within a high crime area, which is defined as an area characterized by a high ratio of Police Department calls for service to alcohol-related incidences, not to exceed 20 percent greater than the average number of alcohol-related incidences reported for the City as a whole), including, but not limited to, disturbing the peace, public intoxication, assault and battery, prostitution, vandalism, graffiti, loitering, pan-handling, all BPC violations, drug violations, and driving while intoxicated or under the influence;

b. The proposed retail alcohol license is not located within close proximity (600 FT or less, as measured in a straight line from any point along the outer boundaries of the building GFA containing the business) of an existing or proposed residential or sensitive land use (as provided in BPC Section 23789), including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate;

c. The retail sales of alcoholic beverages is ancillary to the primary alcoholic beverage manufacturing use; and

d. The building or property wherein the proposed business is located has no outstanding building or health code violations, is not an active Code Enforcement Department

case, and complies with applicable Development Code regulations, including, but not limited to, property maintenance, building improvements, off-street parking (design and number of spaces provided), and landscape and lighting improvements.

G. Deemed Approved Alcoholic Beverage Sales Regulations. The provisions of this Subsection shall be known as the Ontario Deemed Approved Alcoholic Beverage Sales Regulations.

1. Purpose. The general purposes of the Deemed Approved Alcoholic Beverage Sale Regulations are to protect and promote the public health, safety, comfort, convenience, prosperity, and general welfare of the citizens of the City by requiring that alcoholic beverage sales commercial activities that were legal nonconforming Activities immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations are operated to achieve the following objectives:

a. Protect residential, commercial, industrial, and civic areas from nuisance, and minimize the adverse impacts of nonconforming and incompatible uses;

b. Provide opportunities for Alcoholic Beverage Sale Activities to operate in a mutually beneficial relationship to each other, and to other commercial and civic services;

c. Provide mechanisms to address problems often associated with the public consumption of alcoholic beverages, such as litter, loitering, graffiti, unruly behavior, and escalated noise levels;

d. Assure that Alcoholic Beverage Sale Commercial Activities are not the source of undue public nuisances in the community;

e. Encourage properly maintained alcoholic beverage sale establishments so that negative impacts generated by these activities are not harmful to the surrounding environment in any way; and

f. Monitor deemed approved activities to ensure they do not substantially change in mode or character of operation.

2. Applicability.

a. The Deemed Approved Alcoholic Beverage Sale regulations shall be applicable, to the extent permissible under other laws, to the following:

(1) All Legal Nonconforming Alcoholic Beverage Sale Commercial Activities within the City;

(2) The Nonconforming Use provisions contained in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code; and

(3) A Conditional Use Permit operated pursuant to its conditions of approval.

b. Whenever any provision of the Deemed Approved Alcoholic Beverage Sale regulations and any other provision of law, whether set forth in this Development Code, or in any other law, ordinance, or resolution of any kind, imposes overlapping or contradictory regulations, or contain restrictions covering any of the same subject matter, the provision that is

more restrictive, or imposes a higher standard, shall control, except as otherwise expressly provided by the Deemed Approved Alcoholic Beverage Sale Regulations.

3. Zoning Administrator. The Zoning Administrator shall conduct public hearings and make recommendations intended to encourage and achieve the compliance of particular sites with the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section, as appropriate. This Paragraph is not intended to restrict the powers and duties otherwise pertaining to other City officers or bodies, in the field of monitoring and ensuring the harmony of Alcoholic Beverage Sale Commercial Activities in the City. These parties shall have the powers and duties assigned to them by the Development Code, by the zoning regulations, by other codes and ordinances, or by valid administrative authority.

4. Definitions. For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

Alcoholic Beverage. Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, which contains 0.5 percent or more of alcohol by volume and which is fit for beverage purposes, either alone or when diluted, mixed, or combined with other substances, and sales of which requires an ABC license.

Alcoholic Beverage Sales Commercial Activity. The retail sale, for on-site or off-site consumption, of liquor, beer, wine, or other alcoholic beverages at establishments including, but not limited to, stores, liquor stores, specialty wine shops, restaurants, restaurant/bars, bars, taverns, brew pubs, cabarets, and businesses with temporary or permanent licenses from ABC to sell alcoholic beverages to the general public.

Deemed Approved Activity. Any Legal Nonconforming Alcoholic Beverage Sales Commercial Activity, as defined in this section, where the activity was in existence immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section. These activities shall be considered a Deemed Approved Activity as long as the establishment conducting the Deemed Approved Activity complies with the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

a. *Deemed Approved Status*. The permitted use of land for a Deemed Approved Activity. Deemed Approved Status replaces legal nonconforming status with respect to Alcoholic Beverage Sales Commercial Activity.

b. *Illegal Activity*. An activity that has been finally determined to be in noncompliance with the Deemed Approved performance standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), of this Section. Such an activity shall lose its Deemed Approved Status and shall no longer be considered a Deemed Approved Activity.

c. *Legal Nonconforming Alcoholic Beverage Sales Commercial Activity (Legal Nonconforming Activity)*. An Alcoholic Beverage Sales Commercial Activity that was a nonconforming use pursuant to the Nonconforming Use regulations contained in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code, and for which a valid ABC license had been issued and used in the exercise of the rights and privileges conferred by the license, at a time immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations. The Activity shall be considered a Deemed Approved Activity, and shall no longer be considered a Legal Nonconforming Activity, except the Activity shall be subject to those zoning regulations relating to nonconforming uses as specified in Division 3.01

(Nonconforming Lots, Uses, Structures, and Signs), as of the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations.

d. *Low-End Fortified Wine.* A class of inexpensive fortified wines. In contrast to table wine, which may be enjoyed as an accompaniment to a meal, or high-end fortified wine, enjoyed as an aperitif, low-end fortified wines are generally considered suitable only for intoxication.

e. *Off-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption off the premises where sold.

f. *On-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption on the premises where sold.

g. *Performance Standards.* Regulations prescribed in the Deemed Approved Performance Standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, regulating the business practice, activities and land use for locations with Deemed Approved Status, or those further requirements imposed by the Zoning Administrator to achieve these goals. Performance Standards constitute requirements that must be complied with by an establishment in order for the establishment to retain its Deemed Approved Status.

h. *Premises.* The building and land surrounding it considered as a single business engaged in Alcoholic Beverage Sales Activities. The premises shall include parking areas, outdoor patios and similar features.

i. *Supplemental Conditions of Approval.* Those requirements imposed by the Zoning Administrator following a public hearing conducted pursuant to the provisions of Paragraph G.8 (Violations of Performance Standards, Supplemental Conditions of Approval, or Other Provisions of this Article—Public Hearing) et seq. of this Section. Supplemental Conditions of Approval constitute requirements that must be complied with by an establishment in order for the establishment to retain its Deemed Approved Status.

5. Automatic Deemed Approved Status.

a. All Alcoholic Beverage Sales Commercial Activities that were Legal Nonconforming Activities immediately prior to the effective date of the Deemed Approved Alcoholic Beverage Sale Regulations shall automatically become Deemed Approved Activities as of the effective date of the Deemed Approved Alcoholic Beverage Sale regulations and shall no longer be considered Legal Nonconforming Activities.

b. Each establishment with Deemed Approved Status shall retain its Deemed Approved Status; provided, it complies with the Deemed Approved performance standards as set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, or as promulgated by the Zoning Administrator. However, any change in the State Department of Alcoholic Beverage Control license type, revocation of the ABC license, or a substantial physical change of character of the establishment, as defined in CCR Title 4, Section 64.2(b), shall terminate the Deemed Approved Status for the establishment and shall thereafter require a Conditional Use Permit or other applicable entitlements allowing Alcoholic Beverage Sales Commercial Activity to continue the activity.

c. If any establishment with Deemed Approved Status discontinues operation, is suspended from operations, or surrenders the premises for more than 90 consecutive days, the Deemed Approved Status is subject to revocation per the requirements of Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs) of this Development Code. Any subsequent Alcoholic Beverage Sales Commercial Activity may only be resumed upon the granting by the City of a Conditional Use Permit allowing such Activity. Revocation of Deemed Approved Status pursuant to this Section may be made following a public hearing by the Zoning Administrator pursuant to the provisions of Paragraph G.8 (Violations of Performance Standards, Supplemental Conditions of Approval or Other Provisions of this Article – Public Hearing) et seq. of this Section.

6. Performance Standards and Deemed Approved Activities. A Deemed Approved Activity shall retain its Deemed Approved Status only if it conforms to each of the following Deemed Approved Performance Standards:

a. The Deemed Approved Activity shall not result in adverse impacts to the health, peace or safety of persons residing or working in the surrounding area;

b. The Deemed Approved Activity shall not result in jeopardizing or endangering the public health or safety of persons residing or working in the surrounding area;

c. The Deemed Approved Activity shall not result in nuisance activities within the premises or in close proximity of the premises, including but not limited to disturbance of the peace, illegal drug activity, public drunkenness, drinking in public, harassment of passersby, gambling, prostitution, sale of stolen goods, public urination, theft, assaults, batteries, acts of vandalism, excessive littering, loitering, graffiti, illegal parking, excessive loud noises, especially in the late night or early morning hours, traffic violations, sales to minors, curfew violations, lewd conduct, or police detentions and arrests;

d. The Deemed Approved Activity shall comply with all applicable provision of any local, state, or federal regulation, ordinance or statute, including, but not limited to, those of the ABC, BPC Sections 24200, 24200.6 and 25612.5, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders. This includes compliance with annual City business taxes and alcohol sales administrative program fees imposed pursuant to the OMC; and

e. The upkeep and operating characteristics of the Deemed Approved Activity shall be compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood.

7. Notification to Owners of Establishments Conducting Deemed Approved Activities. The Zoning Administrator shall notify the owner of each establishment conducting a Deemed Approved Activity, and the property owner, if different from the Deemed Approved Activity, of the establishment's Deemed Approved Status. The notice shall be sent via certified mail return receipt requested; shall include a copy of the performance standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), above, with the requirement that these be posted in a conspicuous and unobstructed place, which is visible from the entrance of the establishment for public review; notification that the establishment is required to comply with all performance standards; that a review fee is required, as adopted by separate resolution of the City Council, and the amount of the fee that is required to be paid; and that the activity is required to comply with all other aspects of the Deemed Approved Alcoholic Beverage Sale Regulations. Should the notice be returned, it shall then be sent via regular U.S. Mail.

8. Violations of Performance Standards, Supplemental Conditions of Approval or Other Provisions of this Article—Public Hearing.

a. Upon receipt of a complaint that an establishment conducting a Deemed Approved Activity is in violation of the Performance Standards set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities) of this Section, or other conditions promulgated by the Zoning Administrator, or any other provision of these Deemed Approved Alcoholic Beverage Sales Regulations, and once it is reasonably determined by the City that the violations have occurred, or are occurring, then the Deemed Approved Status of the establishment in question shall be reviewed by the Zoning Administrator at a public hearing. Notification of the public hearing shall be provided pursuant to Paragraph G.10 (Notification of Public Hearing) of this Section.

b. The purpose of the public hearing is for any interested party to submit evidence to the Zoning Administrator concerning whether the operating methods of the establishment conducting the Deemed Approved Activity is violating the Performance Standards, Supplemental Conditions of Approval, other provisions of these Deemed Approved Alcoholic Beverage Sales Regulations, or are causing a nuisance in the area surrounding the establishment. Within 10 days of completion of the hearing, the Zoning Administrator shall render a written decision. The Zoning Administrator’s decision may allow the Deemed Approved Status to continue for the establishment in question, to impose Supplemental Conditions of Approval pursuant to Paragraph G.9 (Supplemental Conditions of Approval) of this Section, that are, in the judgment of the Zoning Administrator, necessary to ensure compliance with the Performance Standards or the provisions of these Deemed Approved Alcoholic Beverage Sales Regulations, or to suspend or revoke the establishment’s Deemed Approved Status. The decision of the Zoning Administrator shall be based upon information and evidence submitted by staff, evidence submitted by the business establishment owner and evidence submitted by any other interested parties. Supplemental Conditions of Approval shall be made a part of the Deemed Approved Status, and the establishment shall be required to comply with these Supplemental Conditions of Approval in order to retain its Deemed Approved Status. The determination of the Zoning Administrator shall become final 10 calendar days after the date of decision, unless appealed to the Planning Commission pursuant to Division 2.04 (Appeals) of this Development Code.

9. Supplemental Conditions of Approval.

a. The Zoning Administrator may impose Supplemental Conditions of Approval relating to one or more of the following (may not apply to Wineries with a Type O2 ABC license):

- (1) Entertainment uses, activities, or amusement devices on the premises;
- (2) Separation, monitoring, or design of area devoted to alcohol sales;
- (3) Security measures for both the interior and exterior of the premises;
- (4) Lighting, litter, trash receptacles, graffiti or nuisance abatement, or other similar requirements; or
- (5) Maintenance.

b. Specific Supplemental Conditions of Approval that may be imposed, include, but are not limited to, the following:

(1) **Sound Walls.** If the Deemed Approved Activity abuts residential areas, a sound wall may be required between the establishment conducting the Deemed Approved Activity and the abutting residential areas. The sound wall must comply with all state and local requirements for construction and location, and must not obstruct the view of the building and parking areas from the street. Vegetation may be required to be planted along the sound wall to improve the appearance of the sound wall.

(2) **Trash Receptacles.** Permanent, non-flammable trash receptacles, may be required to be located at convenient locations, appropriately screened from view, outside the establishment and in the establishment's parking area (if any). The operators of the business may be required to remove on a daily basis, or more frequently if needed to maintain a litter-free environment, all trash from these receptacles and from the sidewalk adjacent to the establishment. The operators of the business also may be required to remove, at least three times per week, all trash originating from its establishment deposited on public property within 250 FT of any boundary of its premises.

(3) **Pay Telephones.** Pay telephones on the site of the establishment may either be (a) prohibited; or (b) required to be of the type that only allow outgoing calls and be located in a visible and well-lighted location.

(4) **Program.** A "complaint response-community relations" program established and maintained by the establishment conducting the Deemed Approved Activity may be required. The program may include the following:

(a) Posting at the entry of the establishment providing the telephone number for the area commander of the local law enforcement substation to any requesting individual.

(b) Coordinating efforts with the Police Department to monitor community complaints about the establishment's activities.

(c) Having a representative of the establishment meet with neighbors or the applicable neighborhood association on a regular basis and at their request, attempt to resolve any neighborhood complaints regarding the establishment.

(5) **Activities.** If appropriate, the following activities may be prohibited on the premises: pool or billiard tables, pinball games, arcade style video or electronic games, or coin-operated amusement devices.

(6) **Prohibited Products.** To discourage nuisance activities, an Off-Sale Alcohol Outlet may be prohibited from selling one or more of the following products or may be required to sell products in the manner prescribed below:

(a) Malt beverage products with alcohol content greater than 5-1/2 percent by volume;

(b) Wine with an alcoholic content greater than 18 percent by volume. No sales of low-end fortified wine are permitted;

(c) Containers of beer or malt liquor larger than 39 ounces;

(d) Distilled spirits in bottles or containers smaller than 375 milliliters;

(e) Cooler products, either wine- or malt-beverage-based, in less than manufacturer pre-packaged multi-unit quantities;

(f) No beer or malt beverage products shall be sold, regardless of container size, in quantities of less than manufacturer pre-packaged multi-unit quantities;

(g) Wine in less than 750 milliliter volume containers, specialty wine products in less than 375 milliliter volume containers, or in less than manufacturer pre-packaged multi-unit quantities; and/or

(h) Wine coolers, beer coolers, or pre-mixed distilled spirit cocktails in must be sold in manufacturer pre-packaged multi-unit quantities. No sales of single containers of wine coolers, beer coolers, or pre-mixed spirit cocktails are permitted.

(7) Alcoholic Beverage Sales/Delivery Restricted to Building Confines. The sales and/or delivery of alcoholic beverages shall be restricted to and within the confines of the building portion of the premises.

(8) Alcoholic Beverage Sales/Delivery through a Pass-Through Window. The sales and/or delivery of alcoholic beverages through any pass-through window is prohibited.

(9) Exterior Advertising or Signage that Promotes or Indicates the Availability of Alcohol Beverages. There shall be no exterior advertising or sign of any kind or type (other than business identification), including advertising directed to the exterior from within, promoting or indicating the availability of alcohol beverages (interior displays of alcoholic beverages or signs that are clearly visible to the exterior shall constitute a violation of this condition).

(10) Chilled Alcoholic Beverages. An Off-Sale Alcohol Outlet may be prohibited from maintaining refrigerated or otherwise chilled alcoholic beverages on the premises.

(11) Hours of Operation. In an On-Sale or Off-Sale Alcohol Outlet, the sale of alcoholic beverages may be restricted to certain hours of each day of the week and may be limited further by ABC.

(12) Paper or Plastic Cups. In Off-Sale Alcohol Outlets, the sale or distribution to the customer of paper or plastic cups in quantities less than their usual and customary packaging may be prohibited.

(13) Signs. The following signs may be required to be prominently posted in a readily visible manner in English, Spanish, and the predominant language of the patrons:

(a) "California State Law prohibits the sale of alcoholic beverages to persons under 21 years of age"; and

(b) "It is illegal to possess an open container of alcohol in the vicinity of this establishment."

(14) Presentation of Documents. A copy of all Conditions of Approval and the California Department of Alcoholic Beverage Control license may be required to be kept on the premises and presented to any law enforcement officer or authorized state or county official upon request.

(15) Mitigating Alcohol-Related Problems. The establishment may be required to operate in a manner appropriate with mitigating alcohol-related problems that negatively impact those individuals living or working in the neighborhood, including but not limited to: sales to minors, the congregation of individuals, violence on or near the premises, drunkenness, public urination, solicitation, drug dealing, drug use, loud noise, and litter.

(16) Employee Training. The owners and all employees of the Deemed Approved Activity may be required to attend a Deemed Approved regulations training class and to complete an approved course in “responsible beverage service training.” Owners and employees of the Deemed Approved Activity may thereafter be required to attend these training classes once every three years. All salesclerks in On-Sale Alcohol Outlets and Off-Sale Alcohol Outlets may be required, within 90 days of the beginning of employment, to attend these same classes. The establishment may be required to provide evidence of the employee’s completion of this training to city, county or state authorities within 10 days following completion of training.

(17) Drug Paraphernalia. An Off-Sale Alcohol Outlet may be prohibited from selling drug paraphernalia products as defined in HSC Section 11014.5 and Section 11364.5. “Drug Paraphernalia” means all equipment, products and materials of any kind that are used, intended for use, or designed for use, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the California Uniform Controlled Substances Act (commencing with HSC Section 11000).

(18) Loitering. The establishment’s operators or employees may be required to discourage loiterers and to ask persons loitering longer than 15 minutes to leave the area and contact local law enforcement officials for enforcement of applicable trespassing and loitering laws if persons requested to leave fail to do so.

(19) Security Cameras. A minimum of two 24-hour time-lapse security cameras may be required to be installed and properly maintained on the exterior of the building at locations recommended by the Police Department. All criminal and suspicious activities recorded on this surveillance equipment must be reported to local law enforcement. To the extent allowed by law, the establishment’s operators may be required to provide any tapes or other recording media from the security cameras to the police department.

(20) Prohibited Vegetation. No exterior vegetation may be planted or maintained that could be used as a hiding place for persons on the premises. Exterior vegetation may be planted and maintained in a manner that minimizes its use as a hiding place.

(21) Security Guards. An establishment may be required to retain a specified number of security guards. The number of security guards shall vary based upon the specific facts and circumstances of each establishment’s site and operation. All security guards shall have all required state and City permits and licenses.

c. An On-Sale Alcohol Outlet may also be required to comply with the following supplemental conditions:

(1) Sales and delivery of alcoholic beverages to customers shall be made from behind a counter or bar where an establishment employee will obtain the product;

(2) No self-service of alcoholic beverages will be permitted. This does not include pouring the beverage for oneself or another after an establishment employee has served the alcoholic beverage to a patron;

(3) Sales, delivery and consumption of alcoholic beverages shall be restricted to and within the confines of the building portion of the premises or other approved areas, such as enclosed patios;

(4) The premises shall be maintained as a bona fide food restaurant, as defined by applicable provisions of the BPC, and shall provide a menu containing an assortment of foods normally offered in such restaurants; and

(5) No alcoholic beverages shall be consumed on any property adjacent to the premises under the control of the On-Sale Alcohol Outlet.

10. Notification of Public Hearing.

a. The Zoning Administrator shall notify the owner of each establishment conducting the Deemed Approved Activity, and shall notify the property owner, if different from the Deemed Approved Activity, of the time and place of the public hearing. The notice shall be personally delivered or sent via certified mail return receipt requested and shall include notification that the Deemed Approved Status of the establishment conducting the Deemed Approved Activity will be considered before the Zoning Administrator. The public hearing notice shall also be given by mail or delivery to all persons shown on the last available equalized assessment roll as owning real property in the city within 300 FT of the subject property. No notice shall be given less than 10 days prior to the date set for the hearing, if such is to be held. Fees for notification shall be pursuant to Paragraph G.11 (Annual Inspection Applicability) of this Section and paid for by the establishment in question that is conducting Deemed Approved Activity.

b. Notice by mail is deemed given on the date the notice is placed into the U.S. Mail system.

11. Annual Inspection Applicability. Annual inspections shall be conducted at all alcohol sales facilities, including all existing On-Sale and Off-Sale Deemed Approved facilities, as well as existing and future On-Sale and Off-Sale alcohol sales facilities operating under a Conditional Use Permit.

12. Fees Schedule. Fees including annual inspection, appeal, and reinspection fees shall be pursuant to the City master fee schedule.

13. Official Action. All officials, departments, and employees of the City, which are vested with the authority to issue permits, certificates, or licenses, shall adhere to, and require conformance with, the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

14. Violations and Penalties.

a. *Violations of Deemed Approved Alcoholic Beverage Sale Regulations.* Any person who violates, causes, or permits another person to violate any provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section is guilty of either an infraction or misdemeanor, as determined by OMC Section 1-2.01 (Punishment for Violation). Either any person convicted of an infraction or misdemeanor under the provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section shall be punished by a fine, imprisonment, or both, according to state law.

b. *Separate Offenses for Each Day.* Any violator shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of these regulations is committed, continued, permitted, or caused by such violator and shall be punishable accordingly.

c. *Any Violation a Public Nuisance.* In addition to the penalties provided in this section, any use or condition caused or permitted to exist in violation of any of the provisions of these regulations shall be and is declared to be a public nuisance and may be abated as such by the City.

d. *Injunction as Additional Remedy.* Any violation of any provision of these regulations shall be and is declared to be contrary to the public interest and shall, at the discretion of the City, create a cause of action for injunctive relief.

e. *Administrative Penalties.* In addition to any other penalties provided in this section, a person who violates, causes, or permits another person to violate any provision of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section may be issued an administrative citation pursuant to the provisions of OMC Title 1, Chapter 5 (Administrative Citations). Violations of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section are subject to the "health and safety penalties" listed in OMC Section 1-5.04 (Amount of Fines).

f. *Assessment of Additional Penalties.* There will be no additional penalties assessed to owners other than those provided above.

g. *Liability for Expenses.* In addition to the punishment provided by law, a violator is liable for such costs, expenses, and disbursements paid or incurred by the City or any of its contractors in correction, abatement, and prosecution of the violation. Reinspection fees to ascertain compliance with previously noticed or cited violations shall be charged against the owner of the establishment conducting the Deemed Approved Activity or owner of the property where the establishment is located. Fees shall be in the amount described in Paragraph G.11 (Annual Inspection Applicability) of this Section, for charged reinspections. The inspection official shall give the owner or other responsible party of such affected premises a written notice showing the itemized cost of such chargeable service and requesting payment thereof. Should the bill not be paid in the required time, the charges shall be placed as a lien against the property.

15. Enforcement. The City shall designate the appropriate personnel to enforce the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section.

16. Inspection and Right of Entry. The officials responsible for enforcement of the provisions of the Deemed Approved Alcoholic Beverage Sale Regulations set forth in this Section, other provisions of the Development Code, or their duly authorized representatives, may enter on

any site or into any structure for the purpose of investigation, provided they shall do so in a reasonable manner, whenever they have cause to suspect a violation of any provision of the Deemed Approved Alcoholic Beverage Sale Regulations, or whenever necessary to the investigation of violations to the Deemed Approved performance standards or conditions of approval prescribed in these regulations. All inspections shall be conducted in compliance with the Fourth Amendment to the United States Constitution.

5.03.030: Ambulatory Health Care Services—All Other Miscellaneous Services

The following standards shall govern the establishment and operation of “all other miscellaneous ambulatory health care services”:

- A. “All other miscellaneous ambulatory health care services” shall include blood pressure screening, health screening, hearing testing, industrial clinics, pacemaker monitoring, physical fitness evaluation, and smoking cessation program services.
- B. Within the OL zoning district, operating hours shall be limited to 7:00AM to 7:00PM, daily.
- C. Within the MU-1 zoning district, the use shall not be allowed on the ground floor of storefronts that directly front on to Euclid Avenue.
- D. Within the BP, IP, IL, IG, and ONT zoning districts, services shall only be limited to industrial clinics.

5.03.035: Apparel Manufacturing

Within the BP and IP zoning districts, the development of new apparel manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.037: Boutique/Artisan Small-Scale and Micro Manufacturing Facilities

The following standards shall govern the establishment and operation of “boutique/artisan small-scale and micro manufacturing facilities”:

- A. Boutique/artisan small-scale and micro manufacturing facilities shall not exceed 10,000 SF in GFA;
- B. Storage of materials and production activities must be maintained within a completely enclosed structure; and
- C. The use shall not include the bulk storage of flammable materials for use or sale, or the bulk storage of hazardous waste.

5.03.040: Automobile Dealers—New Vehicles Sales and Leasing, and Automobile Rental

A. Automobile Dealers—New Vehicles Sales and Leasing. For new automobile dealers, up to a maximum of 49 percent of the total number of vehicles on-site at any one time, which are available for sale or lease, may consist of previously owned vehicles.

B. Vehicle Rental and Leasing.

1. Passenger car and light truck, utility trailer, recreational vehicle and truck rental and leasing may be conditionally permitted as a freestanding land use pursuant to Table 5.02-1 (Land Use Matrix).

2. Passenger car and light truck rental shall be permitted by right pursuant to Table 5.02-1 (Land Use Matrix), when established in conjunction with, and ancillary to, new motor vehicle sales, motor vehicle general repair facilities, motor vehicle body and paint facilities, or full-service hotels.

3. It is intended that passenger car, truck, utility trailer, and recreational vehicle rental facilities allowed pursuant to Table 5.02-1 (Land Use Matrix), shall be permitted to maintain an on-site rental vehicle fleet, provided adequate off-street parking facilities are provided pursuant to the requirements of Division 6.03 (Off-Street Parking and loading) of this Development Code.

5.03.045: Automotive Body, Paint, and Interior Repair and Customization—Minor Customization

Minor customization work shall be limited to the "bolt-on" replacement or addition of parts only. No body or paintwork shall be permitted, except as may be allowed pursuant to Section 5.03.050 (Automotive Body and Paint—Mobile Repair Services) of this Division.

5.03.050: Automotive Body and Paint—Mobile Repair Services

The following standards shall govern the establishment and operation of mobile automotive body and paint repair services:

A. The mobile operation shall be based at a fixed location within the City pursuant to Table 5.02-1 (Land Use Matrix). The use shall not be licensed as a home occupation.

B. Comply with all applicable requirements of the South Coast Air Quality Management District (SCAQMD). Compliance with SCAQMD regulations shall be demonstrated to the Planning Department prior to business license issuance by the City.

C. Mobile body and paint repair services shall be limited to minor dent and blemish removal/repair on motor vehicles, and the performing of minor reparative and touch-up painting to damaged or blemished areas of motor vehicles.

D. Mobile body and paint repair services shall only be performed for automobile dealerships, car rental agencies and fleet vehicle operators, within zoning districts allowing these land uses. Repair services shall not be provided to individuals.

E. All work shall be performed within areas that are completely screened from public view.

F. Paint shall be applied using a high volume, low pressure coating delivery and application system utilizing a turbine motor to produce high volumetric flow rates at a low pressure, not to exceed 5 pounds per square inch.

G. Prior to business license issuance, the business owner or operator shall provide to the Planning Department for review and approval, written policies and procedures and for:

1. The storage, use and disposal of cleaning solvents and thinners used in conjunction with painting and repair activities pursuant to federal, state, county and local laws, regulations, ordinances and orders;

2. The recording of daily use of solvents, thinners, coating materials and formulations used in conjunction with painting and repair activities;

3. The packaging, handling and transportation of hazardous materials used in conjunction with painting and repair activities;

4. The control of solids and liquids produced during grinding, sanding or coating, to prevent contact with the ground and potentially contaminating storm water runoff;

5. The storage, handling and disposal of hazardous wastes created as a result of painting and repair activities, pursuant to federal, state, county and local laws, regulations, ordinances and orders; and

6. Workspace safety and organization.

H. As a condition of business operations, the licensee shall fully comply with the approved policies and procedures established by Subsection G of this Section, and shall consent to the following requests by the authorized representatives of the City's Police Department, Fire Department, Planning Department, Engineering Department or Code Enforcement Officers, during regular business hours, for the purpose of making reasonable unscheduled inspections to observe and enforce compliance with the applicable regulations, laws, and provisions of this Ordinance:

1. Review of business records pertaining to the daily use of solvents, thinners, coating materials and formulations used in conjunction with painting and repair activities;

2. Observation of vehicle repair and painting activities; and

3. Inspection of vehicles, materials and equipment used in conjunction with painting and repair activities.

I. Failure to comply with the mobile body and paint repair services standards contained in this Section may result in business license revocation by the City.

5.03.055: Automotive Glass Replacement Shops

The following standards shall govern the establishment and operation of automotive glass replacement shops:

- A. Automotive glass replacement shops shall include both stationary and mobile services.
- B. Mobile services shall be licensed to a fixed location within the City and shall not be licensed as a home occupation.

5.03.060: Automotive Repair and Maintenance—General Repair Facilities

Automotive general repair facilities shall include mechanical and electrical repair such as air conditioning, brake, cooling, electric, exhaust, and suspension systems repair, and engine, transmission, and drive train repair and maintenance activities.

5.03.065: Automotive Repair and Maintenance—Servicing Facilities

Automotive servicing facilities shall include mechanical and electrical retail-oriented services such as emissions testing, battery replacement and other similar retail activities that do not involve the use of pneumatic tools or equipment that create noise impacts.

5.03.067: Banquet Facilities - Historic Properties

The following standards shall govern the establishment and operation of banquet facilities on historically designated properties that are located outside of zoning districts that would otherwise allow the activity:

- A. A banquet facility shall be allowed in all zoning districts within a commercial structure or on property designated as a local historic landmark, or a contributing structure within a designated historic district, established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservations Areas) of this Development Code, and shall be subject to the regulations therein during the life of the permit.
- B. The minimum number of parking spaces required shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code. A parking demand study may be prepared by a qualified traffic consultant or engineer to support a reduction in the required number of parking spaces. The intent is to provide lower, flexible parking standards wherever possible and appropriate. Consideration shall be given to shared parking systems, on and off-street parking resources, compatibility with historic patterns of development, and the availability of mass transit resources.
- C. Live entertainment shall be prohibited. Request for live entertainment shall require conditional use permit approval by the Zoning Administrator. Karaoke, DJs, live musical acts, and other similar forms of entertainment are considered live entertainment. Amplified prerecorded music may be permitted; however, the sound emitted from the premises shall not be audible beyond the property lines of the business establishment.
- D. Alcohol beverage sales shall be prohibited. Request for service of alcohol beverage sales shall require a conditional use permit by the Zoning Administrator.

E. The applicant shall comply with all applicable building code regulations related to the change of use of the structure to a banquet facility.

5.03.070: Bed-and-Breakfast Inns

The following standards shall govern the establishment and operation of bed-and-breakfast inns:

F. A bed-and-breakfast inn shall be allowed only within a structure designated as a local historic landmark, or a contributing structure within a designated historic district, established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservations Areas) of this Development Code, and shall be subject to the regulations therein during the life of the permit.

G. The inn structure shall serve as the primary residence of the bed-and-breakfast inn owner(s), or the majority shareholder if the facility is owned by a corporation.

H. The bed-and-breakfast inn shall be accessory to the residential use of the property.

I. The lot upon which the bed-and-breakfast inn is operated shall conform to the standards of the zoning district in which it is located, and the applicable land use and operational requirements of this Development Code.

J. No long-term rental of rooms shall be permitted. The maximum length of stay for any guest shall be 14 days within any 30-day period.

K. Guests may check in only between the hours of 9:00AM and 9:00PM.

L. Breakfast shall be the only full meal served, excepting light snacks and refreshments, and may only be served to guests of the bed-and-breakfast inn. Restaurants are prohibited, and no cooking facilities shall be allowed within any guestroom.

M. The applicant shall comply with all applicable building code regulations related to the change of use of the structure to a bed-and-breakfast inn.

5.03.075: Billiard Parlors and Pool Halls

The following standards shall govern the establishment and operation of billiard parlors and pool halls:

A. All billiard and pool tables are to be located so as to be visible at all times by one or more employees of the business.

B. Unless otherwise specifically approved by Conditional Use Permit, billiard and pool tables shall be limited to a size not typically used for regular professional tournament play (9 FT long by 4.5 FT wide), as established by the World Billiard Congress, World Pool-Billiard Association, American Pool Players Association, and other similar professional organizations.

C. Billiard parlors and pool halls shall be located a minimum of 300 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other

healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

D. Minors shall not be permitted to enter or remain in a billiard parlor and pool hall during the following periods, unless accompanied by a parent or legal guardian:

1. Monday through Friday, between 8:00AM and 3:00PM, or after 10:00PM; and Saturday and Sunday, after 10:00PM.

2. The weekday daytime hours of restriction shall not apply to school vacation days or holidays, as established by any public school district or private elementary, middle (junior high) or high school operating within the City.

3. Notice of the herein specified hours of restriction for minors shall be posted at the facilities entrance(s), in lettering of at least 2 inches in height.

E. The establishment shall not be open to customers, patrons or any member of the public between the hours of 2:00AM and 6:00AM.

F. "No Loitering" signs shall be posted at the front and rear of the business.

G. The facility shall have a minimum of one managing employee at least 21 years of age during all working hours.

H. Occupancy shall not exceed the number required under the City's building and fire codes, and the maximum occupancy load shall be posted at the main entrance.

I. The establishment shall maintain and operate a video surveillance system during all business hours, which is capable of storing a minimum of 186 hours (7 days) of video surveillance.

1. The video surveillance system shall cover the entire interior of the premises and all entrances and exits of the establishment, and shall be capable of delineating upon playback of the system, the activity and physical features of persons or areas within the premises.

2. The business owner shall permit City Police and/or Code Enforcement officers to inspect the stored video surveillance during normal business hours, upon demand.

3. The video surveillance system shall be maintained in good working order.

4. A sign shall be posted inside and at the entrances to the establishment indicating that the premises are under video surveillance.

J. The business owner shall submit and receive approval of a Fire Exit Plan from the Fire Department. The plan shall address all requirements of the City's building and fire codes, including, but is not limited to, showing all necessary dimensions, equipment location, aisle locations/path of travel, building exiting, and panic hardware.

K. Window areas shall not be covered or made opaque in any way. All windows and entrances must be unobstructed at all times so as to allow an unimpaired line-of-sight by police officers.

L. The Chief of Police is hereby authorized to require the business owner/operator provide a security guard on the premises in the event that there are significant calls for service relating to assaults, gang-related activity, weapons offenses, disturbances, juvenile related crime and truancy, or other good causes. The decision of the Chief of Police may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

M. No exterior pay phones shall be allowed on a property containing a billiard parlor or pool hall.

5.03.080: Boarding, Lodging, and Rooming Houses

The following standards shall govern the establishment and operation of boarding, lodging and rooming houses:

A. All boarding, lodging, and rooming houses shall require the submittal and approval of an Administrative Use Permit or Conditional Use Permit, and business license, prior to establishing the use.

B. No more than one Federal, State or Youth Authority parolee shall be allowed to live in a boarding, lodging, or rooming house.

C. The application submitted for approval of a boarding, lodging, or rooming house shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. That information shall be provided by the landlord to each lessee or renter upon signing a lease or other rental agreement. Owners and/ or operators of approved boarding, lodging or rooming houses shall update the information required by this Section anytime a person that is a Federal, State, or Youth Authority parolee is provided accommodation in the approved boarding, lodging, or rooming house.

D. All boarding, lodging, and rooming houses shall require boarders to sign a Crime Free Lease Addendum to their lease or rental agreement. The Crime Free Lease Addendum shall provide that any criminal violations perpetrated by boarders shall be grounds for termination of the written or oral lease, sublease, or agreement.

E. Boarding, lodging, or rooming houses shall be operated and maintained in full compliance with all applicable requirements of this Development Code and the Ontario Municipal Code, prior to the issuance of an Administrative Use Permit or Conditional Use Permit authorizing the use, and at all times following permit issuance. Violation of any local, State, or Federal laws by individual boarders while on the premises, shall be grounds for revocation of the permit, including, but not limited to, violations of PC Section 3003.5.

F. No boarding, lodging, or rooming house shall be maintained as a nuisance.

G. The violation of any provision of this Section shall be grounds for revocation of the Administrative Use Permit or Conditional Use Permit authorizing the boarding, lodging, or rooming house use. In revoking an Administrative Use Permit or Conditional Use Permit, the procedures contained in Division 2.05 (City Initiated Modification or Revocation) of this Development Code shall be followed.

H. All boarding, lodging, and rooming houses shall be required to pay to the City, an administrative fee in an amount determined by separate resolution of the City Council, to cover

the costs of Administrative Use Permit or Conditional Use Permit review and issuance, and inspection of the facilities.

I. Boarding, lodging, and rooming houses may provide rented, leased, or subleased accommodations for occupancy by no more than 6 individuals, excluding a resident owner, agent, or manager. The operator may seek relief from the strict application of this provision by submitting a request for reasonable accommodation pursuant to Section 4.02.035 (Fair Housing and Reasonable Accommodation) of this Development Code.

5.03.085: Bread and Tortilla Manufacturing

Within the IP zoning district, bread and tortilla manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.090: Business to Business Electronic Markets

Within the BP zoning district, the development of business to business electronic markets shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) developments.

5.03.095: Caretaker Quarters

The following standards shall govern the establishment and operation of caretaker quarters:

- A. Caretaker quarters may be allowed in conjunction with, and accessory to, an allowed land use, when determined by the Reviewing Authority to be essential to providing 24-hour on-site property security and surveillance.
- B. Caretaker quarters shall not exceed 600 SF in gross floor area and shall contain no more than one bedroom.
- C. Caretaker quarters shall be for occupancy by the business owner or an employee of the business.

5.03.100: Child Daycare Services

The following standards shall govern the establishment and operation of child daycare services:

A. Child Daycare Centers.

- 1. No City permit for a child daycare center shall be effective until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained.
- 2. Child daycare centers shall not be allowed in conjunction with a residential land use.

3. Within industrial zoning districts, child daycare centers shall be limited to employer-provided services, which are only for employee use. Such centers may also be established by a group of industrial businesses, which are located within close proximity, to serve their employees at an on-site or off-site location.
4. Comply with all fire and life safety standards required by the State Fire Marshall and the Ontario Fire Department.
5. All areas designated for active play, or any play structures, shall only be permitted within a side yard or rear yard area. In addition, all play areas shall be enclosed by a 6 FT high decorative fence or wall. Property line fences or walls may be used to fulfill this requirement.
6. Landscaping and decorative masonry block walls shall be used to buffer noise in side and rear yard areas when abutting a residential zoning district.
7. Outdoor play areas shall be located at least 25 FT from any residential structure located on an abutting residentially zoned lot.
8. Any swimming pool, pond, wading pools, or similar bodies of water greater than 18 inches in depth shall be fully enclosed by a minimum 5 FT high non-climbable fence. Additionally, all entrances and exits shall have self-closing and latching gates. All latches shall be located at least 54 inches above adjacent grade.
9. All trash receptacles and air-conditioning units located outdoors and adjacent to any play area shall be fully enclosed by a wall or fence.
10. A daycare center shall not be located within any area in which the measurable exterior noise level is 65 CNEL or greater.

B. Family Child Daycare Homes, ~~Large Family.~~

1. To prevent over concentrations of family child daycare homes that would impair the integrity of residential neighborhoods, a minimum 300-FT separation shall be provided between ~~a large family daycare home and any other~~ dwellings licensed with the California Department of Social Services as a family child daycare home. The distance between any structure used as a family child daycare home and another structure used as a family child daycare home shall be measured in a straight line, without regard to intervening structures, from the closest property line of the structure used as a family child daycare home to the closest property line of another structure used as a family child daycare home.

~~2. A family child daycare home shall only be allowed in conjunction with a single family dwelling.~~

3. A family child daycare home shall be clearly incidental and subordinate to the primary residential use of the dwelling.

4. No family child daycare home shall commence until ~~City permit for a family child daycare home shall be effective until satisfactory evidence has been provided to the City demonstrating that~~ all necessary State licenses and permits have first been obtained from the California Department of Social Services.

~~5. In addition to those off street parking spaces required of the primary residential land use, one off street parking space shall be provided for each employee of the daycare provider. The driveway may be used to fulfill this requirement.~~

~~6. The applicant shall submit a plan showing the location of a loading and unloading area for children.~~

~~7. Play equipment shall not be located within the front yard area. All areas designated for active play, or any play structures, shall only be permitted in a side yard or rear yard. In addition, all play areas shall be enclosed by a 6 FT high decorative fence or wall. Property line fences or walls may be used to fulfill this requirement.~~

~~8. Comply with all fire and life safety standards required by the State Fire Marshall and the Ontario Fire Department.~~

~~9. Any swimming pool, pond, wading pools, or similar bodies of water greater than 18 inches in depth shall be fully enclosed by a minimum 5 FT high non-climbable fence. Additionally, all entrances and exits shall have self closing and latching gates. All latches shall be located at least 54 inches above adjacent grade.~~

~~10. All trash receptacles and air conditioning units located outdoors and adjacent to any play area shall be fully enclosed by a wall or fence.~~

~~11. Trash receptacles shall be maintained in a sanitary condition with no odor detectable from adjacent properties.~~

5.03.105: Community Care Facilities for the Elderly—More Than 6 Persons

The following standards shall govern the development and/or operation of community care facilities for the elderly, which are designed for occupancy by more than 6 persons:

A. Within residential and mixed-use zoning districts, the maximum density of a community care facility for the elderly that incorporates shared or common kitchen facilities, if proposed at a density greater than allowed by the underlying zoning district, shall be determined based upon a study of equivalent impact, assessing factors of traffic generation, water usage, and sewerage generation, in comparison to a multiple-family residential development on the same site, constructed at maximum density. Applicants for community care facilities for the elderly shall be responsible for all City costs incurred in preparation of the study.

B. Within commercial zoning districts, the maximum allowed density of a community care facility for the elderly shall be based a study of equivalent impact, assessing traffic/transportation, water usage, and sewerage generation, in comparison to a typical commercial development on the same site. Applicants for community care facilities for the elderly shall be responsible for providing appropriate traffic, water usage and sewerage generation information to the City to assist in determining allowed densities.

C. Community care facilities for the elderly should be located where public transit linkages are available, such as bus or transit facilities on or adjacent to the site, regular shuttle service to a regular transit route, or equivalent alternative methods as approved by the Planning Director.

- D. A minimum of 75 SF of private open space and 75 SF of common open space shall be provided per dwelling or room used for dwelling purposes. Common spaces shall be provided with recreation room(s), swimming pools, lawn bowling courts and similar recreational facilities, based upon the size of proposed facility and the anticipated needs of its occupants.
- E. Common or individual laundry, eating and/or kitchen facilities may be provided.
- F. Occupancy of a community care facility for the elderly may be age restricted by means of a deed restriction or an agreement acceptable to the City Attorney.
- G. Occupancy of community care facility for the elderly shall not be granted by the City until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained for the use.

5.03.110: Community Care Facilities for the Elderly—6 or Fewer Persons

Community care facilities for the elderly, for 6 or fewer persons, may only be established in conjunction with a single-family dwelling.

5.03.115: Computer and Electronic Product Manufacturing

Within the IP zoning district, the development of new computer and electronic product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.120: Consumer Goods Rental

The following standards shall govern the establishment and operation of consumer goods rental services:

- A. Consumer goods rental services shall include the rental of consumer electronics and appliances, costumes, formal wear, furniture rental, home health equipment, musical instrument rental, party and banquet accessories, recreational goods, and video tapes and discs.
- B. Outdoor storage shall be prohibited in conjunction with consumer goods rental services.

5.03.125: Convenience Markets and Specialty Food Stores

The following standards shall govern the establishment and operation of convenience markets and specialty food stores:

- A. Within the CS zoning district, hours of operation shall be limited to between 7:00AM and 10:00PM, daily.
- B. All convenience markets and specialty food stores that sell prepared or prepackaged food items shall provide and maintain outdoor trash receptacles adjacent to the business entry, for use by customers.

C. Where a convenience market or specialty food store abuts a residential zoning district, no commercial loading activity is permitted between the hours of 7:00PM and 7:00AM.

5.03.130: Credit Intermediation-Related Activities

The following standards shall govern the establishment and operation of credit intermediation-related activities:

A. Credit intermediation-related activities include check cashing, money order issuance, money transmission and payday advance services.

B. Within the MU-1 zoning district, credit intermediation-related activities shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone credit intermediation-related activities within the MU-1 zoning district shall be prohibited.

5.03.135: Cutlery and Hand Tool Manufacturing

Within the IP zoning district, the development of new cutlery and hand tool manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.140: Data Processing, Hosting, and Related Services

Within the OL and OH zoning districts, data processing, hosting, and related services shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone data processing, hosting, and related services shall be prohibited within these zoning districts.

5.03.145: Depository Credit Intermediation

The following standards shall govern the establishment and operation of depository credit intermediation uses:

A. Depository credit intermediation shall include commercial banking, savings institutions, and credit unions.

B. Drive-thru facilities in conjunction with depository credit intermediation shall be permitted subject to the provisions of Section 5.03.150 (Drive-Thru Facilities) of this Division.

5.03.150: Drive-Thru Facilities

The following standards shall govern the establishment and operation of drive-thru facilities, and are intended to result in facilities that are well designed, encourage pedestrian activity, and enhance the commercial areas in which they located:

A. Location Standards.

1. Drive-thru facilities shall be permitted in conjunction with the below-listed land uses, except that such facilities ~~shall be prohibited~~ located within the MU-1(Downtown Mixed-Use) zoning district ~~shall not be visible from Euclid Avenue, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan), below.~~

- a. Pharmacies and Drug Stores;
- b. Banks and Credit Unions;
- c. Restaurants and other eating places;
- d. Drycleaning and Laundry Services; and

e. Other land uses deemed appropriate by the Zoning Administrator, as determined pursuant to the procedures established in Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code.

2. Drive-thru ~~businesses~~ facilities shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially zoned property. Furthermore, ~~the use~~ drive-thru facilities shall not interfere with the normal use of adjoining properties or the potential for a planned commercial development.

B. Development Standards. Uses incorporating drive-thru facilities shall comply with each of the following development standards:

1. Lot Area. Drive-through businesses shall be located on lots having a minimum area of one-acre. This area may be reduced when the business is within an integrated shopping center.

2. Lot Coverage. The lot coverage shall not exceed 40 percent of the lot area.

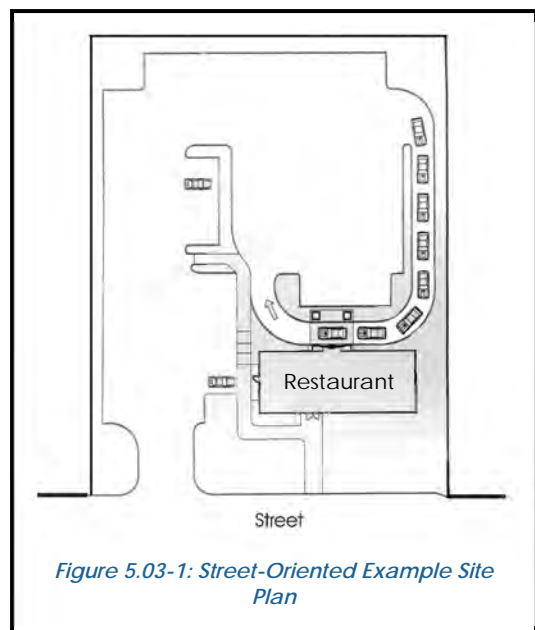
3. Floor Area. The minimum area for businesses incorporating a drive-thru shall be ~~3,000~~ 2,000 SF (including ~~enclosed~~ gross floor area ~~within~~ of the building and ~~associated~~ outdoor seating areas), with a minimum interior floor area of ~~2,500~~ 1,500 SF.

4. Setbacks.

a. Setbacks shall be provided pursuant to the requirements of the underlying zoning district in which the drive-thru facility is proposed.

b. A minimum 25-FT landscaped setback shall be maintained between any drive-thru facility, including drive-up windows, drive-thru lane and menu/order stations, and any adjacent residentially zoned property or residential land use.

c. The building shall maintain a minimum 20-FT landscaped setback from street



property lines. Design elements, such as trellises, may encroach into the setback when well-integrated with the landscape.

5. Building Orientation. Buildings incorporating drive-thru facilities should be oriented toward the street, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan).

6. Access. Each developed site shall not have more than one drive approach per street frontage. Drive-thru ingress and egress aisles shall not take direct access from a public street or thoroughfare, but instead shall take access from a parking area or on-site drive aisle, as demonstrated in Figure 5.03-1 (Street-Oriented Example Site Plan).

7. Building Height. Buildings with drive-thru facilities shall not exceed a height of 35 FT.

8. Site Design.

a. Buildings shall be oriented toward the street, with drive-thru lanes, pick-up windows, and off-street parking facilities oriented toward the rear yard or side yard areas.

b. Decorative low garden walls shall be provided to screen the parking lot and drive-thru aisle from view of the public street.

c. All service and loading areas shall be screened from public view, to the extent possible.

d. Restrooms shall not be accessed from outside the structure.

e. Ladders for roof access shall be mounted on the inside of the building or shall be completely concealed from public view.

f. The site design shall minimize pedestrian/vehicle conflicts by creating opportunities for courtyards, plazas, outdoor dining, and landscaped pathways that promote safe and convenient pedestrian movement.

9. Drive-Thru Lane Design.

a. Drive-thru lanes in conjunction with restaurants shall have a minimum length of 144 FT, measured from entry to pick-up window, which accommodates a minimum of 6 vehicles. (Note: The Planning Director may require an increased drive-thru stacking length to accommodate businesses known to generate a higher drive-thru demand.)

b. Drive-thru lanes shall have a minimum width of 11 FT on straight sections and 12 FT on curved sections.

c. Drive-thru lanes shall be screened from view of a public street through building orientation, landscaping, low screen walls, and trelliswork.

C. Maintenance.

1. The premises shall be kept clean, and the operator shall make all reasonable efforts to see that no trash or litter originating from the use is deposited on adjacent properties.

2. Adequate trash containers shall be provided, and, on a daily basis, employees shall be required to pick up trash originating from the site, both on site and within 50 FT of the perimeter of the site.

3. No undesirable odors shall be generated on-site.

4. All merchandise, wares, crates in the form of temporary and permanent storage, displays, and goods offered for sale shall be maintained wholly within the building. Storage of any kind shall be contained completely within an enclosed structure.

D. Noise. Noise emanating from sound systems, including intercom and public address systems, shall not be audible beyond the property line.

E. Signs. All signs shall conform to the sign provisions of Division 8.1 (Sign Regulations) of this Development Code. Facilities within an integrated shopping center or plan must comply with the uniform sign program as established in the center. Menu signs will be limited to two 6-FT high signs, having a maximum area of 24 SF each. Menu board signs shall not obscure vehicular visibility.

F. Design Guidelines. The following design guidelines are intended as a reference to assist the designer in understanding the City's goals and objectives for high quality commercial development. The guidelines compliment the mandatory development standards contained in Subsection B (Development Standards), above, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory regulations.

The design guidelines are general in nature and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the City's development review process to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the project designer(s). However, unless there is a compelling reason, these design guidelines shall be observed.

1. Architecture.

a. Style. The construction of the building should depict a specific architectural style by distinctive elements and features consistent with the chosen style. Accessory structures should portray the style through their features as well. The style of the building should also reflect and complement the styles of surrounding commercial buildings. Architectural treatment should be employed over the entire building exterior (360-degree architecture), and the building should be individually designed for its site. The use of standardized corporate architectural styles is highly discouraged.

b. Materials. A variety of quality building materials should be incorporated into the building, such as brick, finished wood, natural stone, tinted/textured concrete masonry, and ceramic tile, which have a substantial and long-lasting appearance. Veneers having a prefabricated or false appearance shall not be used.

c. Structure. Drive-up windows should be covered by a structure that reflects the style of the building and is substantial in character; however, it should remain subsidiary to the main structure. Entries should project 10 to 12 FT from the building in order to add depth and variation to the façade.

d. *Entry Design.* Gables, awnings, sign locations, or other features should clearly express the location of doorways. Greater attention should be given to materials and detailing adjacent to entries.

e. *Arcades and Awnings.* Outdoor arcades are encouraged to protect pedestrians from summer heat and winter rain. Where an arcade is not provided, a separate awning or other architectural feature should be used for each business to enhance the individual identity of small shops. Because they can quickly deteriorate, canvas awnings are discouraged, or should be properly maintained.

f. *Roof Forms.* Roof forms should reflect the architectural style and internal organization of buildings. Hipped and gable roofs are encouraged. Flat roof parapets should be accompanied by a cornice or other shadow-creating detail at its “top.”

g. *Drive-Up Windows.* Construct roofs or trellises over drive-up windows. Posts supporting roofs or trellises should be substantial in appearance and fully integrated into the architecture of the building. The stacking area for drive-up windows should be screened from the street through a combination of low walls and landscaping.

h. *Lighting.*

(1) On-site lighting must be directed away or shielded from adjacent freeways, roads, streets, and adjacent properties. All exterior lighting shall be of an indirect nature, coming from under eaves and canopies, or at ground level, with in landscaped areas.

(2) Exterior lighting fixtures should be a decorative and reinforce the architectural style of the building.

(3) Light standards less than 15 FT in height (including lighting bollards) should illuminate all street sidewalks and connecting walkways and are encouraged throughout the project.

i. *Landscaping.*

(1) The minimum amount of on-site landscaping, including defined plazas and courtyards, shall equal 15 percent of the net lot area. Landscaping should be used on the site to show transition from adjacent uses, define a circulation pattern on the lot, screen the parking lot from the street, highlight entries, provide shade for parking as well as outdoor seating areas, and to soften the appearance of the building.

(2) At a minimum, landscaping shall include 15-gallon trees planted no more than 20 FT on center, within minimum 5-FT wide planters. A suitable plant material (grasses, ivy, etc.) should be used as ground cover. Minimum 10-FT wide planters containing a combination of hedges and low walls shall be used to screen drive-thru lanes from view of public streets.

(3) Pedestrian walkways should not intersect drive-thru lanes; however, in the event this occurs, adequate visibility for pedestrians and vehicles shall be provided, and pedestrian crossings shall be clearly marked with signs.

j. *Play Structures.*

(1) Play structures should be placed indoors, becoming an integral part of the architecture, yet remaining a subordinate element. If located outside, play structures shall be oriented away from the public street and properly screened, and shall be no more than 11 FT in height.

(2) Indoor restaurant playground facilities shall be ancillary to the restaurant use. Scale and massing shall not dominate the main structure and the height of the playground facility shall not exceed the height of the main roof of the main structure.

5.03.155: Durable and Nondurable Goods Agents and Brokers

Within the BP and IP zoning districts, business to business electronic markets shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.160: Electric Power Generation, Solar and Wind

Solar and wind electric power generation facilities shall only be allowed in conjunction with a permitted or conditionally permitted land use, except that standalone facilities shall be allowed within the OS-U zoning district.

5.03.165: Electrical Equipment, Appliance, and Component Manufacturing

Within the IP zoning district, electrical equipment, appliance, and component manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.170: Electronic Shopping and Mail Order Houses

A. Within the IP, IL, IG, and IH industrial zoning districts, direct business to consumer sales via the internet, direct mail, or telephone shall only be allowed ancillary to a permitted or conditionally permitted land use, such as manufacturing, warehousing, wholesaling, and/or distribution activities.

B. Standalone (office only) business to consumer sales via the internet, direct mail, or telephone shall be allowed as a primary land use only within the CN, CC, CR, OL, and OH commercial zoning districts; the MU-1, MU-2, and MU-11 mixed-use zoning districts; and the BP industrial zoning district.

5.03.175: Electronics and Appliance Stores

Within the CN zoning district, only small-scale (GFA of 5,000 SF or less) electronics and appliance stores may be established.

5.03.177: Employee (Farmworker) Housing

Where allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, Employee (Farmworker) Housing units and complexes shall be subject to the below-listed requirements.

A. General Requirements.

1. Every person, or agent, or officer thereof, which constructs, operates, or maintains Farmworker Housing, shall comply with the requirements of this Section, and all applicable health, safety, and building codes and standards.

2. Farmworker Housing shall be designed, constructed, and maintained in conformance with the Employee Housing Act (commencing with HSC Section 17000), CCR Tiles 24 and 25, and the California Building Code.

3. A Farmworker Housing unit providing accommodations for 6 or fewer employees, or for one employee and their respective household, shall be deemed a single-family structure.

4. A Farmworker Housing Complex consisting of up to 36 beds in a group quarters, or 12 units or spaces designed for use by a single family or household, shall be deemed an agricultural use.

5. Farmworker Housing shall not include hotels, motels, boarding houses, bed and breakfast inns, rooming houses, dormitories, or other similar uses that would imply that the employee housing is a business run for profit, or differs in any way from a single-family dwelling or an agricultural use.

6. Farmworker housing provided by the employer and maintained in connection with the work, or place where work is being performed, shall comply with all provisions of HSC Section 17008(a). Farmworker housing not maintained in connection with any workplace, and provided by someone other than an agricultural employer, shall comply with all provisions of HSC Section 17008(b).

7. Farmworker Housing for agricultural employees and their families shall be allowed subject to the same fees applicable to any other agricultural use. In the event the Farmworker Housing is converted to another use, the units shall be subject to all applicable Development Code standards in existence at the time of conversion. For the purposes of this Section, the term "agricultural employee" shall mean a person who works full or part-time (24 or more hours per week) in the service of bona fide commercial agricultural operations, in any of the branches of farming

8. All Farmworker Housing shall comply with all City regulations and permitting requirements, including, but not limited to, building construction, sewage disposal, water supply, NPDES, and storm water quality control, prior to occupancy of the housing units.

9. No person shall construct, reconstruct, erect, install, relocate, or alter any building used for human habitation, building accessory thereto, or other housing accommodations, intended to be used for Farmworker Housing, or any electrical, mechanical, or plumbing equipment installed in Farmworker Housing, without first obtaining all necessary City permits.

10. Farmworker housing is not required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

11. The minimum lot size for Farmworker Housing shall be 10 acres.

B. Farmworker Dwelling Units.

1. Housing for up to 6 agricultural employees or one farm employee and his or her household is an allowed use in the AG Overlay District.

2. A farmworker dwelling unit is subject to all requirements relevant to this Development Code, which are applicable to single-family dwellings, including, but not limited to, site and building development standards, off-street parking requirements, security standards, wall and fencing requirements, and landscaping requirements. At least one off-street parking space shall be provided for each dwelling unit.

3. A farmworker dwelling unit provided pursuant to Paragraph B.4, below, shall not be required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

4. A farmworker dwelling unit shall meet the standards for single-family dwellings contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code, and applicable requirements of the Ontario Building Code.

5. A farmworker dwelling unit shall not be subdivided from the primary lot on which it is located.

6. At least one off-street parking space shall be provided for each farmworker dwelling unit.

C. Farmworker Housing Complex.

1. A farmworker housing complex, with up to 36 beds in group quarters or 12 units designed for use by single families or households, which comply to the standards for single-family dwellings contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code, is an allowed use in the AG Overlay District.

2. A minimum of 50 SF of floor area shall be provided for sleeping purposes for each occupant of group living quarters, such as barracks and bunkhouses, within a farmworker housing complex.

3. At least one off-street parking space shall be provided for each dwelling unit, or one parking space for each 3 beds, whichever is greater, plus one off-street parking space for each farmworker housing complex employee.

D. Farmworker Verification.

1. All new permanent farmworker dwelling units and farmworker housing complexes shall require the completion of a Farmworker Housing Verification Form prior to building permit application submittal.

2. The Farmworker Housing Verification Form shall include information regarding the housing type, number of dwelling units or beds, length of occupancy, number of occupants, occupants' employment information, and, for farmworker housing for 5 or more workers, proof that a permit to operate from HCD has been obtained and maintained (see Paragraph C.8 of this Section).

3. The verification form shall be submitted annually, by May 15th of each year, to the Planning Director, in a form acceptable to the Planning Director, that all the dwelling units or sleeping quarters are being rented to, and occupied by, persons who meet the following agricultural employee employment criteria:

a. Tilling and cultivation of the soil associated with commercial crop production;

b. Raising, production, and cultivation of commercial livestock for the production of food and/or fiber;

c. Growing and harvesting of any commercial agricultural or horticultural commodities;

d. Commercial raising of bees, fur-bearing animals or poultry;

e. Preparation and processing of farm products for market; or

f. Timber or forestry operations.

4. At a minimum, the verification form shall contain the following information:

a. Entity responsible for housing maintenance and upkeep;

b. Description of whether the housing will be based on a permanent, temporary, and/or seasonal basis;

c. Total number of people to be housed on-site at any one time;

d. Description of the housing, including, whether the structures will be permanent and/or temporary, intended as units for families, one person or several persons, and cost of the units and utilities to the workers;

e. Location(s) where the employees will work;

f. Assessment of how much water will be used by the proposed development and description of how water is proposed to be supplied to the housing and how the water system complies with all applicable state and local potable water supply requirements; and

g. Description of the sewage disposal method, such as septic systems, to be used to service the housing, and how the sewage disposal method complies with all applicable state and local potable water supply requirements.

E. Location of Housing.

1. Farmworker housing shall be located no less than 75 FT from barns, pens, or other structures that house livestock or poultry.

2. Farmworker housing must be located off prime and productive agricultural land, unless no other alternative locations exist on-site.

3. Farmworker housing shall be set back a minimum of 200 FT from the property line of any adjacent residential zoning district.

F. Maximum Floor Area for Farmworker Dwelling Units. The maximum floor area allowed for a farmworker dwelling unit shall be 650 SF. As used in this Paragraph, the term “floor area” shall mean the living area of a dwelling, exclusive of any garage or carport, which is measured from the outside surfaces of exterior walls or walls between living areas and a garage.

G. Removal of Housing. Farmworker housing is subject to removal (or conversion to another approved use) within 45 days following cessation of the agricultural employment for which the farmworker dwelling units are needed. This provision shall not apply if it can be shown that elimination of the agricultural use for no more than 24 months is related to the long-term functioning of agriculture on the site(s) used to establish the farmworker housing need (e.g., crop rotation, disease, replanting, etc.).

H. State Reporting Requirements. Farmworker housing for 5 or more employees is subject to permitting requirements of the California Employee Housing Act. The property owner shall obtain and maintain all required permits from HCD, pursuant to the Employee Housing Act and CCR, Title 25, Division 1, Chapter 1, Section 600 through Section 940, prior to the occupancy of the farmworker housing units. A copy of the HCD permit shall be provided to the Planning Director within 14 days following permit issuance, or at the time of building permit application submittal, whichever is earlier.

I. Maximum Number of Housing Units Allowed. No more than 36 beds in a group quarters or 12 farmworker dwelling units or spaces designed for use by a single family or household shall be allowed on a single lot of record. The Planning Commission may authorize additional beds or units, or a combination thereof, by issuance of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code, based upon specific findings that document the necessity for the number of approved beds and/or farmworker dwelling units requested.

J. Facilities to Accommodate Recreational Vehicles, Tents or Other Mobile Camping Equipment.

1. Permits for the installation of appropriate permanent facilities to accommodate mobilehomes and recreational vehicles shall be obtained from the City prior to installation.

2. The use of tents, recreational vehicles, or other mobile camping equipment by farmworkers shall not occur for a period of more than 30 days within any 180 day period. Incidental camping shall be conducted so as not to create any health, fire or other safety hazards. For 5 or more workers, a permit to operate from HCD must be obtained and maintained pursuant to Paragraph C.8 of this Section.

5.03.180 Exterminating Services

The following standards shall govern the establishment and operation of exterminating services:

- A.** A copy of the Emergency Business Contingency Plan and/or Risk Management Prevention Program filed with the San Bernardino County Fire Department shall be filed with the Ontario Fire Department. No changes in practices or procedures, or the type and/or maximum quantity of material shall occur without first notifying the Ontario Fire Department and appropriate amendments made to the Business Emergency/Contingency Plan and/or Risk Management Prevention Program on file with the San Bernardino County Fire Department.
- B.** The outdoor storage of hazardous chemicals or materials is prohibited. Furthermore, the storage of chemicals or service trucks within a 100-year flood zone shall be prohibited.
- C.** The storage and handling of hazardous materials shall be limited to those quantities specified in the City's building and fire codes.
- D.** At all times, all operations shall be in full compliance with all federal, state and local regulations pertaining to containment, including restricting use/storage to designated areas, stacking height limitations of materials, and the provision of appropriate pre-approved containment walls where required.
- E.** A list of all types and amounts of chemical used or stored on the site shall be submitted to the Ontario Engineering Department as well as a Chemical Spillage Control Plan.
- F.** Hazardous chemicals and their containers shall be disposed of at an approved hazardous materials disposal site and not in City sewers or within solid waste dumpsters.
- G.** Individuals and firms operating businesses relating to exterminating services shall be licensed by the State of California according to their particular discipline.
- H.** Access to and the handling of hazardous chemicals and materials shall be limited to properly trained and authorized personnel.

5.03.185: Fabricated Metal Product Manufacturing, All Other Miscellaneous

Within the BP and IP zoning districts, the development of all new "all other miscellaneous fabricated metal product manufacturing" shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.187: Fertilizer Manufacturing from Manure Operations (FMMO)

The following standards shall govern the establishment and operation of Fertilizer Manufacturing from Manure Operation (FMMO):

- A.** All driveways and employee parking areas shall be paved to create an all-weather surface, to the satisfaction of the Planning Director and City Engineer.
- B.** Inorganic chemical additives shall be limited to 10 percent of the total FMMO raw material inventory.

- C.** The FMMO establishment and operation shall comply with the rules, regulations and orders of all appropriate regulatory agencies including, but not limited to, the South Coast Air Quality Management District and the Regional Water Quality Control Board.
- D.** FMMO stockpile areas shall be enclosed by a minimum 8-FT high wall or fence, and shall be fully screened with closely spaced, fast-growing trees, upon review and approval by the Planning Director.
- E.** Except for the stockpiling of raw materials, all FMMO operations, including screening, grinding, mixing, adding, and sacking, shall be wholly contained inside a building.
- F.** All FMMO windrows/stockpiles shall confine their rainstorm runoff waters so they do not drain onto adjoining properties and public rights-of-way.
- G.** Appropriate facilities shall be installed to collect or divert drainage from surrounding lands, away from stockpile areas.
- H.** FMMO windrows/stockpiles shall be at least 120 FT from street property lines and 35 FT from interior side and rear property lines.
- I.** FMMO windrows/stockpiles shall not exceed a 25 FT in height, 150 FT in width, and 250 FT in length; however, the Approving Authority may require a lesser maximum stockpile dimensions so as not to cause a nuisance to neighboring properties and/or to protect the public health and safety.
- J.** Windrows/stockpiles shall be separated from adjacent stockpiles by approved apparatus roads, minimum 20 FT in width.
- K.** FMMO stockpiles and/or any processing of manure shall not occur within 150 FT of a milking barn or milk house of a producer dairy, or a dwelling on adjoining property. The Approving Authority may require greater distances upon determining the direction and magnitude of prevailing winds at the site.
- L.** Approved material-handling equipment shall be maintained on-site for moving windrow/stockpile materials during emergency or firefighting operations.
- M.** The FMMO owner or operator shall develop and submit a plan to the Ontario Fire Department Fire Prevention Bureau for review and approval, which shall include, but not be limited to, methods and policies for:
1. Monitoring, controlling and extinguishing spot fires;
 2. Emergency contact information for personnel who are able to respond to the FMMO location 24 hours a day, 7 days a week;
 3. On-site equipment to assist with firefighting operations (e.g., dozers, water tenders, large tractors, etc.); and
 4. Special considerations for fire safety during extreme weather conditions.

N. Noise levels from the FMMO shall not exceed local ambient levels found for general agricultural uses, when adjoining occupied dwellings.

O. Vehicles carrying materials to and from the site, shall be adequately covered to confine the contents and prevent materials from being windblown or otherwise scattered.

P. No public nuisance shall occur as a result of the FMMO establishment and operation.

5.03.190: Food Manufacturing, Other

The following standards shall govern the establishment and operation of “other food manufacturing” facilities:

A. “Other food manufacturing” shall include snack foods, roasted nuts and peanut butter, coffee and tea, flavoring syrup and concentrate, seasoning and dressing, spice and extract, and all other miscellaneous food manufacturing.

B. Within the BP and IP zoning districts, the development of new “other food manufacturing” shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.195: Footwear Manufacturing

Within the BP and IP zoning districts, the development of all new footwear manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.200: Freight Transportation Arrangement

Freight transportation arrangement shall include shipping agents and brokers. Within the BP and IP zoning districts, such use shall be limited to offices only. Within the IG and IH zoning districts, freight transportation arrangement shall only be allowed as an ancillary use to a truck transportation use (NAICS 448).

5.03.205: Funeral Director Services

Within the IL, IG, and IH zoning districts, funeral director services shall only be allowed as an ancillary use to funeral parlors, mortuaries and embalming services.

5.03.210: Furniture and Home Furnishings Stores

Within the CN zoning district, only small-scale (GFA of 5,000 SF or less) furniture and home furnishings stores may be established.

5.03.215: Furniture and Related Product Manufacturing

Within the IP zoning district, the development of new furniture and related product manufacturing (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) shall be limited to small-scale manufacturers.

5.03.220: Game Arcades, Internet Cafes, Internet Gaming, and Similar Facilities

The following standards shall govern the establishment and operation of any business with a primary business activity consisting of the operation of game arcades, cyber cafes, internet gaming, and similar facilities:

- A.** All video games, pinball machines, computers, gaming stations and similar devices are to be located so as to be visible at all times by one or more employees of the business.
- B.** Game arcades, cyber cafes, internet gaming, and similar facilities shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from a public or private elementary, middle (junior high) or high school, public park, recreation center, sports park, or any other similar facility where minors (persons under 18 years of age) regularly congregate.
- C.** Minors shall not be permitted to enter or remain in a game arcade, cyber cafe, on-line internet gaming facility, or any similar facility during the following periods, unless accompanied by a parent or legal guardian:
 - 1.** Monday through Friday, between 8:00AM and 3:00PM, or after 10:00PM; and Saturday and Sunday, after 10:00PM.
 - 2.** The weekday daytime hours of restriction shall not apply to school vacation days or holidays, as established by any public school district or private elementary, middle (junior high) or high school operating within the City.
 - 3.** Notice of the herein specified hours of restriction for minors shall be posted at the facilities entrance(s), in lettering of at least 2 inches in height.
- D.** The establishment shall not be open to customers, patrons or any member of the public between the hours of 12:00AM and 7:00AM.
- E.** "No Loitering" signs shall be posted at the front and rear of the business. In addition, a waiting area with not less than 8 seats shall be provided for customers waiting to use a computer or game/gaming station. No outside waiting or seating area is permitted.
- F.** No person shall be permitted to consume or sell alcohol on the premises.
- G.** Employees shall be at least 21 years of age. There shall be a minimum of one employee managing the facility during all working hours. If the business has more than 20 games/gaming stations or computers, the business is required to add one additional employee for every additional 20 computers, or portion thereof, and for every 20 computers thereafter, or any portion thereof. During each employee's working hours, the employee shall wear a badge identifying the business and the employee's full name.

H. Occupancy shall not exceed that required under the City's building and fire codes, and the maximum occupancy load shall be posted at the main entrance.

I. The establishment shall maintain and operate a video surveillance system during all business hours, which is capable of storing a minimum of 186 hours (7 days) of video surveillance.

1. The video surveillance system shall cover the entire interior of the premises and all entrances and exits of the establishment and shall be capable of delineating upon playback of the system, the activity and physical features of persons or areas within the premises.

2. The business owner shall permit City Police and/or Code Enforcement officers to inspect the stored video surveillance during normal business hours, upon demand.

3. The video surveillance system shall be maintained in good working order.

4. A sign shall be posted inside and at the entrances to the establishment indicating that the premises are under video surveillance.

J. The business owner shall submit and receive approval of a Fire Exit Plan from the Fire Department. The plan shall address all requirements of the City's building and fire codes, including, but is not limited to, showing all necessary dimensions, equipment location, aisle locations/path of travel, building exiting, and panic hardware.

K. Any display of or access to adult-oriented materials for minors is prohibited. Access to adult-oriented materials, if permitted by the business owner, shall be limited to the hours of 10:30PM to 12:00AM.

L. Window areas shall not be covered or made opaque in any way. All windows and entrances must be unobstructed at all times so as to allow an unimpaired line-of-sight by police officers.

M. The Chief of Police is authorized to require a specific owner/operator to provide a security guard on the premises in the event that there are significant calls for service relating to assaults, gang-related activity, weapons offenses, disturbances, juvenile related crime and truancy, or other good causes. The decision of the Chief of Police may be appealed to the City Council pursuant to Division 2.04 (Appeals) of this Development Code.

N. No exterior pay phones shall be permitted.

O. No gaming tournaments for cash prizes shall be permitted.

5.03.225: Gasoline and Fueling Stations

The below-listed standards shall govern the establishment and operation of gasoline and fueling stations, and are intended to result in facilities that are well-designed, appropriate in scale, and enhance the surrounding community.

A. **Self-Serve and Full Service Fueling Stations.** The following standards shall govern the establishment and operation of self-serve and full service fueling stations:

1. A service station shall only be located at:

- a. The intersection of 2 arterial streets;
 - b. The intersection of an arterial and collector street; or
 - c. The intersection of an arterial street and a freeway.
2. The project site shall have a minimum area of 22,500 SF.
 3. The project site shall have a minimum width and depth of 150 FT.
 4. The project site shall not have more than one access per street frontage.
 5. Landscaping shall comprise a minimum of 20 percent of the site area.
 6. Provide enhanced pavement sections to relieve visually dominant asphalt surfaces.
 7. A self-serve or full service fueling station may include a fully automated car wash (e.g., roll-over or express car wash), which is incidental to the primary fueling station activity.
 8. An automated car wash which is ancillary to a self-serve or full service fueling station shall be setback a minimum of 100 FT from any residential zoning district or any residential dwelling in a mixed-use project.
 9. A full service fueling station may include general repair and servicing facilities (maximum 2 service bays), and automotive parts, accessories and tire sales, which is incidental to the primary fueling station activity.

B. Automated Fueling Facilities. The following standards shall govern the development and/or operation of automated fueling facilities:

1. Automated (card lock) fueling facilities shall be located with least one street frontage on an arterial street.
2. Automated (card lock) fueling facilities shall not locate within 1,000 FT of a residential zoning district and shall not interfere with the normal use of adjoining properties.
3. The project site shall have a minimum area of 40,000 SF.
4. Automated (card lock) fueling facilities located at the intersection of two street shall not have more than one access per street frontage. Mid-block facilities may be allowed two accesses on the same street.
5. Landscaping shall comprise a minimum of 40 percent of the site area.
6. All pump island areas shall be covered by a canopy, which shall not exceed 17 FT in overall height.

C. Conversion of Gasoline and Fueling Stations. A property originally improved as a gasoline or fueling station, and which is proposed to be converted so as to facilitate another allowed use,

shall require upgrading and remodeling of the gasoline or fueling station. Necessary upgrading and remodeling shall include, but is not limited to, the following:

1. Removal of all fuel appurtenances;
2. Removal of canopies;
3. Removal of pump islands;
4. Removal of fuel storage tanks;
5. Removal of overhead doors;
6. Additional off-site street improvements or modification of existing improvements to conform to access requirements in effect at the time of conversion;
7. Exterior remodeling of the building;
8. Additional on-site landscaping and parking improvements to conform with requirements in effect at the time of conversion; and
9. Conformance with all standards and guidelines contained in this Development Code, which are applicable to the base zoning district.

5.03.230: General Rental Centers

The following standards shall govern the establishment and operation of general rental centers:

- A. General rental centers shall include home and garden tool and equipment rental services.
- B. Within commercial and mixed-use zoning districts, general rental centers shall only be allowed in conjunction with "Building Materials, Garden Equipment and Supplies Stores." Standalone general rental centers shall be prohibited within these zoning districts.
- C. All outdoor storage of equipment shall be screened from public view.

5.03.235: Hardware Manufacturing

Within the IP zoning district, hardware manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.240: Home Occupations

- A. **Purpose.** The purpose of these provisions is to allow for the operation of home-based businesses that are incidental to and compatible with residential land uses. A Home Occupation represents a legal income producing activity by the occupant of a residential dwelling unit.

B. Applicability.

1. License Required. No person shall engage in a Home Occupation unless such person holds a valid business license issued by the City.

2. Prohibited Uses. The following list represents example uses that are not considered to be incidental to and/or compatible with residential activities, and for which a Home Occupation permit shall not be issued:

- a. Gun/munitions repair or sales;
- b. Ammunition loading or sales;
- c. Barber and beauty shops;
- d. Businesses involving the harboring, training, breeding, raising or grooming of cats, dogs or other animals on the premises, except as otherwise permitted in the AR-2 zoning district;
- e. Carpentry and cabinet making;
- f. Medical and dental offices or clinics;
- g. Repair or fix-it shops;
- h. Storage of equipment, materials and other accessories to the construction or service trades;
- i. Motor vehicle repair (body or mechanical), upholstery or painting;
- j. Welding or machining;
- k. On-site sales of motor vehicles (new or used);
- l. Massage services, excepting out-call services;
- m. Mobile motor vehicle service and repair; such as detailing and vehicle repair; and
- n. Any other use determined by the Zoning Administrator that is not incidental to and/or compatible with residential activities.

C. Operating Requirements. Home Occupations shall comply with the following operating standards:

- 1. A Home Occupation shall be clearly incidental and subordinate to the primary residential use.
- 2. Only the occupants of the dwelling may engage in the Home Occupation.
- 3. Not more than one client/customer shall visit the premises at any one time, excepting in-home educational activities, including, but not limited to, music lessons, academic

tutoring or religious instruction, provided no more than 3 students are present at any one time and each of the operating requirements enumerated herein are complied with.

4. There shall be no change in the outward appearance of the premises.
5. There shall be no advertising that identifies the home occupation by street address.
6. The Home Occupation shall be conducted within an enclosed structure, completely confined to one room of the dwelling and occupying no more than 10 percent of the GFA of the dwelling, except as follows:
 - a. Floriculture may be conducted outdoors in conjunction with a single-family dwelling located in the appropriate zoning district. All activities shall take place within the rear one-half of the lot and occupy no more than 10 percent of the net lot area.
 - b. Within the AR-2 zoning district, kennels and catteries (limited to fewer than 8 animals) shall be conducted in conjunction with a single-family residential land use, within the rear one-half of the lot, and all applicable requirements of Section 5.03.410.C (Animal Keeping and Production) of this Division shall be complied with.
7. Only one vehicle specifically associated with the Home Occupation, no larger than a one-ton pick-up truck or van, may be maintained on the property.
8. There shall be no use or storage of materials, chemicals, compounds or equipment not typically recognized as being part of a normal household or hobby use.
9. Activities conducted, and equipment or material used, shall not change the fire safety or occupancy classifications of the premises.
10. The Home Occupation shall not generate vehicular or pedestrian traffic in greater volumes than normal in a residential neighborhood.
11. The home occupation shall not involve the use of commercial vehicles for delivery of materials either to or from the premises, excepting the use of standard parcel delivery services.
12. No equipment or processes shall be used that creates noise, odor, smoke, glare, dust, fumes, vibration, or result in interference with radio or television reception detectable to the normal senses outside the dwelling unit in which the Home Occupation is conducted.
13. If the Home Occupation is to be conducted on rental property, the property owner's written authorization shall be provided on the home occupation application.
14. No home occupation shall be conducted without a current City business license.

D. Internet, Direct Mail, and Telephone Retail Sales.

1. Direct business to consumer retail sales via internet, direct mail or telephone, including wine sales (Type 85 ABC license) conducted pursuant to BPC Sections 23393.5, 23661.7, 24045.18, 25503.56, and 25503.9, shall be permitted as a Home Occupation from a residential premises.

2. No items intended for retail sale shall be stored on the premises, or packaged and shipped from the premises, in quantities greater than typical for single-family dwellings.

3. The business premises shall not be open to the public for the purchase or pickup of retail items.

E. Change in Information or Circumstance. If during the life of a home occupation, the applicant has any change in information or circumstance concerning the original application, notification shall be made to the Planning Department, in writing, within 30 days of the change occurring.

F. Inspections. Authorized representatives of the City's Planning Department, Police Department, Building Department, Fire Department, and/or Code Enforcement Officers shall have the right to enter the property upon which a home occupation permit has been granted, during normal business hours, for the purpose of making reasonable unscheduled inspections to observe and enforce compliance with applicable regulations, laws and provisions of this Development Code and the Ontario Municipal Code.

5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers

The following standards shall govern the establishment and operation of hookah establishments:

A. Purpose. The purpose of this Section is to help mitigate negative impacts associated with smoking and vaping uses, in order to serve the public health, safety, and welfare of City residence, and City businesses and their patrons. Furthermore, this Section is specifically intended to reduce the impact of smoking and vaping uses on minors, as an abundance of such uses increases the potential for minors to associate smoking and vaping with a normative lifestyle.

B. Applicability. All smoking and vaping businesses throughout the City shall comply with the regulations and requirements of this Section.

C. Definitions. For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

1. **Electronic Cigarette (E-Cigarette).** An electronic device, which is typically battery-operated, designed to deliver a nicotine-based liquid, or other substance, that is vaporized and then inhaled (called "vaping"), simulating the experience of smoking tobacco. Such devices are manufactured to resemble traditional tobacco cigarettes, cigars, pipes, or even everyday items, such as pens or USB memory sticks. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette or e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed physician.

2. **Hookah Establishments.** Any facility or location whose business operation, whether a primary or accessory use, is characterized as a commercial establishment where patrons gather to share in the smoking of flavored tobacco (shisha) from a communal hookah, including, but not limited to, establishments known variously as a hookah lounge or bar, or shisha bar or den.

3. **Hookah.** A single or multi-stemmed instrument for smoking flavored tobacco (or shisha), whose vapor or smoke is passed through a water basin before inhalation.

4. Smoking/Vaping Lounge. Any facility or location whose business operation, whether a primary or accessory use, is characterized by the sale, offering, and/or preparation of smoking tobacco, cigars, electronic cigarettes, or similar products, including, but not limited to, establishments known variously as smoking lounges, vaping lounges, or cigar bars.

5. Smoking/Vaping Retailer. A smoke shop, tobacco store, electronic cigarette retailer, or any other retail business where more than 25 percent of the gross floor area is dedicated to the sale of tobacco or tobacco products, electronic cigarettes, or related products, for consumption off the premises.

D. Operating Requirements. Hookah establishments, smoking/vaping lounges, and smoking/vaping retailers shall comply with the following operating standards:

1. Hookah Establishments. The following standards shall govern the establishment and operation of hookah establishments:

a. A hookah establishment may be established [i] as a standalone establishment; [ii] in conjunction with a sit-down restaurant, within an outside open patio area; or [iii] in conjunction with an ABC-licensed bona fide eating establishment;

b. A hookah establishment shall not be established in conjunction with live entertainment;

c. A hookah establishment shall not be established in conjunction with a bar or nightclub;

d. A hookah establishment shall operate in compliance with all applicable State laws and regulations pertaining to smoking facilities (limitation on numbers of paid staff shall meet CAL-OSHA requirements for air filtration and circulation, and meet fire standards for smoking lounges);

e. A hookah establishment shall dispose of ash and coals pursuant to the requirements of the Ontario Fire Department;

f. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

g. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other hookah establishment, or a smoking/vaping lounge or smoking/vaping retailer.

2. Smoking/Vaping Lounges. The establishment and operation of smoking/vaping lounges shall be prohibited, excepting hookah establishments established pursuant to Paragraph D.1 (Hookah Establishments) of this Section.

3. Smoking/Vaping Retailers. The following standards shall govern the establishment and operation of smoking/vaping retailers:

a. A smoking/vaping retailer shall be located a minimum of 1,320 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including residential land uses within mixed use developments, hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

b. A smoking/vaping retailer shall be located a minimum of 1,320 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other smoking/vaping retailer, or a hookah establishment or smoking/vaping lounge.

c. No smoking/vaping shall be permitted in conjunction a smoking/vaping retailer.

5.03.250: Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation

The following standards shall govern the establishment, construction, and operation of hotels, motels, residence inns, and other similar traveler accommodation:

A. Kitchens, kitchenettes and Other Cooking Facilities. Kitchens, kitchenettes and other cooking facilities shall not be permitted within guestrooms, excepting the manager's unit and residence inns.

B. Minimum Number of Guestrooms Required. A hotel, motel, residence inn, or other similar traveler accommodation shall contain no fewer than 6 guest rooms.

C. Market Feasibility Report Required. A Conditional Use Permit application to establish a hotel, motel, residence inn, or other similar traveler accommodation, shall be accompanied by a market feasibility report prepared by a professional economist, and shall include the following information:

1. A complete listing of proposed facilities, amenities, and services (i.e.: number and type of rooms, meeting space square footage, recreational amenities, business services such as data ports-workstations-etc., refrigerators in room, laundry service, restaurant-coffee shop-food service, etc.);

2. History of proposed developer and potential operators (i.e.: years in business, principals, capitalization, experience, listing of projects, number of units owned, average rates charged, occupancy rates, etc.);

3. Analysis of economic environment projecting likely future economic conditions as they relate to the operation of the subject hotel;

4. Subjects competitive market (i.e.: identification of their market, 3 and 5 year history of occupancy-average daily rate-revenue per available room trends for that market, estimated share of the market the hotel will capture during the first five years of operation, etc.);

5. Analysis of the economic impacts on existing hotel markets within Ontario (i.e.: estimate of the dilution of the market due to addition of proposed hotel, etc.). Note: new hotel projects should only be approved if competitive market occupancy remains at or above 65 percent for a five year projection period;

6. Relationship to demand generators (i.e.: airport, convention center, corporate market, shopping and entertainment); and

7. Public cost/revenue projections.

D. Minimum Amenity Package. No Development Plan and/or Conditional Use Permit shall be approved for a hotel, motel, residence inn, or other similar traveler accommodation, unless the following amenities are provided:

1. Each guestroom shall include voicemail, wired or wireless internet access, desk with chair, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, ~~color~~ high definition television, and alarm clock or wake-up service;

2. Minimum of 15 SF of meeting space per guestroom for limited -service hotels and 30 SF for full-service hotels;

3. The following minimum active and passive leisure amenities shall be provided:

a. A swimming pool, except that the Approving Authority may approve smaller boutique hotels, motels, residence inns, or other similar travel accommodations having fewer than 75 rooms, with alternate amenities, such as, but not limited to:

(1) A full-service restaurant or café;

(2) Highly amenitized guest rooms, which exceed the minimum amenities required by Paragraph D.1, above;

(3) Meeting space, which substantially exceeds the minimum requirements of Paragraph D.2, above;

(4) Highly detailed architectural features that reflect an established architectural style identified in Reference C (Architectural Styles) of this Development Code; and/or

(5) Other amenities acceptable to the Approving Authority; and

b. A whirlpool/spa; or a furnished cabana containing items such as lighting, ceiling fans, tables, chairs, sofas, lounge chairs, and fire pit;

c. A fitness room; and

4. A full-service restaurant shall be provided in conjunction with a full-service hotel and a guest courtesy lounge (for light meals and snacks) shall be provided with limited-service hotels.

E. Occupancy of Accommodations.

1. No guestroom shall be rented for a period exceeding 30 consecutive calendar days, counting portions of calendar days as full days.
2. No guestroom shall be rented for less than one 24-hour period.

F. Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation Located in the SP (Specific Plan) Zoning District. Hotels, motels, residence inns, and other similar traveler accommodations that are located in the SP (Specific Plan) zoning district shall be subject to Conditional Use Permit approval.

5.03.255: Leather and Allied Product Manufacturing, Other

The following standards shall govern establishment and operation of “other leather and allied product manufacturing” facilities:

- A. “Other leather and allied product manufacturing” shall include the manufacture of luggage, handbags, purses, personal leather goods, and other leather products.
- B. Within the BP and IP zoning districts, the development of new “other leather and allied product manufacturing” shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.257: Live Entertainment

The following standards shall govern the establishment and operation of live entertainment facilities:

- A. No person, firm, partnership, corporation, company, or non-profit or charitable organization shall conduct any entertainment, without first making application to the City and obtaining a Conditional Use Permit or Administrative Use Permit, as applicable, to do so, nor shall any person conduct the same during the time while a permit to do so is revoked.
- B. Any modifications or revisions to the live entertainment provided under a Conditional Use Permit or Administrative Use Permit shall require City approval.

5.03.260: Machine Shops, and Turned Product, Screw, Nut, and Bolt Manufacturing

Within the IP zoning district, the development of new machine shops, and turned product, screw, nut, and bolt manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.265: Manufacturing, Miscellaneous

Within the IP zoning district, the development of new “miscellaneous manufacturing” shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.270: Massage Establishments and Services

The following provisions shall govern Massage Establishments and/or any business providing massage services, or any person that administers massage for financial or other consideration, or acts in the capacity of a Massage Practitioner or Massage Therapist:

A. Requirements for Massage Establishments and Massage Services for Compensation. No person shall provide massage services for compensation or engage in the business of massage, or administer massage or provide services as a Massage Therapist or Massage Practitioner, unless such person holds a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq.

~~1. Such person holds valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq.; or~~

~~2. Such person holds a valid Massage Therapist permit issued by the City, pursuant to the following provisions:~~

~~a. Application and Filing.~~

~~(1) Any person desiring a Massage Therapist permit shall make application to the Zoning Administrator, along with a nonrefundable filing fee set by resolution of the City Council, to defray the City's cost of the investigation, inspections and report required by this Development Code.~~

~~(2) The application and fee required under this section shall be in addition to any license, permit or fee required under any other provision of this Development Code.~~

~~(3) Separate permits need not be obtained by a Massage Therapist operating in more than one location within the City, provided that the application for a single permit discloses each location at which the therapist may operate.~~

~~(4) The application for a permit does not authorize the applicant to practice massage until such permit has been granted.~~

~~(5) Each application for a Massage Therapist permit shall contain the following information:~~

~~(a) The full true name under which the business will be conducted.~~

~~(b) The present or proposed address or addresses where the business is to be conducted.~~

~~(c) — The applicant's full, true name, any other names used, date of birth, California driver's license number or California identification number, social security number, present residence address and telephone number, and the sex, height, weight, color of hair, and color of eyes of the applicant.~~

~~(d) — The address of the previous 2 residences of the applicant and the inclusive dates at each address.~~

~~(e) — Two portrait photographs measuring 2 inches in width by 2 inches in height, taken within the 6 month period prior to application submittal.~~

~~(f) — The applicant's business, occupation, and employment history for 5 years preceding the date of application, and the inclusive dates of same.~~

~~(g) — At least 3 written statements, including dates of relationships, signed by persons who have knowledge of the applicant's background, qualifications and suitability for the position of Massage Therapist. Those persons shall have known the applicant for at least 3 years preceding the date of application.~~

~~(h) — The permit history of the applicant, including whether such person has ever had any permit or license issued by any agency, board, city, county, territory or state, and the date of issuance for such permit or license and whether such permit or license was revoked or suspended. In addition, whether a vocational or professional license or permit was issued, revoked, or suspended, and the reason therefor.~~

~~(i) — Convictions for any crime involving conduct which requires registration under any state law similar to and including PC Section 290, or for conduct which is a violation of the provisions of any state law similar to, and including, PC Sections 266i, 315, 316, 318, or PC Section 647(b), or any crime involving pandering, dishonesty, fraud, deceit, or moral turpitude.~~

~~(j) — Convictions of any felony offense involving the sale of a controlled substance specified in HSC Sections 11054, 11055, 11056, 11057, or 11058, or conviction in any other state of any offense which, if committed or attempted in this State, would have been punishable as one or more of the above mentioned offenses of this Section.~~

~~(k) — A complete definition of all services to be provided.~~

~~(l) — The name and address of any massage business or other like establishment owned or operated by any person whose name is required to be given pursuant to this Section wherein the business or profession of massage is carried on.~~

~~(m) — Acceptable written proof that the applicant is at least 18 years of age.~~

~~(n) — If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its Articles of Incorporation or Charter, together with the state and date of incorporation, and the names and residence addresses of each of its current officers and directors, and of each stockholder holding more than 5 percent of the stock of that corporation.~~

~~(o) — If the applicant is a partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If the applicant is a limited partnership, it shall furnish a copy of its certificate of limited partnership as filed with the County Clerk. If one or more of the partners is a corporation, the provisions of this subdivision pertaining to corporate applicants shall apply.~~

~~(p) — The name of the person designated by the applicant, corporation or partnership to act as its responsible managing officer in charge of the premises.~~

~~(q) — Acceptable written proof that the person designated by the applicant, corporation or partnership to act as its responsible managing officer in charge of the premises, is at least 18 years of age.~~

~~(r) — The applicant, and the person designated by the applicant, corporation or partnership to act as its responsible managing officer in charge of the premises, shall be required to furnish fingerprints for the purpose of establishing identification. Any required fingerprinting fee will be the responsibility of the applicant.~~

~~(s) — A description of any other business to be operated on the same premises, or on adjoining premises, owned or controlled by the applicant.~~

~~(t) — The name and address of the owner and lessor of the real property upon or in which the business is to be conducted. In the event the applicant is not the legal owner of the property, the application must be accompanied by a copy of the lease and a notarized acknowledgment from the owner of the property that a Massage Establishment will be located on his or her property.~~

~~(u) — Authorization for the City, its agents and employees, to seek information and conduct an investigation into the truth of the statements set forth in the application.~~

~~(v) — A certificate from a medical doctor stating that the applicant (other than an owner not acting as a Massage Therapist) has, within 30 days immediately prior thereto, been examined and found to be free of any contagious or communicable disease.~~

~~(w) — The applicant (other than an owner not acting as a Massage Therapist) shall furnish a diploma or certificate of graduation from a recognized school or other institution of learning wherein the method, profession, and work of Massage Therapists is taught.~~

~~(x) — The applicant shall, within 7 calendar days of the change, submit any change of address or fact that may occur during the procedure of applying for a Massage Establishment permit.~~

~~(y) — Such other identification and information as the Police Chief may require in order to discover the truth of the matters hereinbefore specified as required to be set forth in the application.~~

~~(z) — Nothing contained in this Section shall be construed to deny to the Police Chief the right to take additional photographs of the applicant, nor shall anything~~

~~contained in this Development Code be construed to deny the right of the Police Chief to confirm the height and weight of the applicant.~~

~~(6) — The applicant must furnish proof of education and training in accordance with one of the following:~~

~~(a) — A diploma or certificate of graduation and transcripts from a 500-hour course of instruction from either a recognized school of massage or from an existing school or institution of learning outside the State, together with a certified transcript of the applicant's school records showing date of enrollment, hours of instruction and graduation from a course having at least the minimum requirement prescribed by CAC Title 5, Division 21, wherein the theory, method, profession and work of massage are taught, and a copy of the school's approval by its State Board of Education. For the purpose of this provision, the term "recognized school of massage" shall mean any school or institution of learning which teaches the theory, ethics, practice, profession or work of massage, which has been approved pursuant to the California Education Code. Schools offering a correspondence course not requiring attendance shall not be deemed a State-recognized school. The City shall have a right to confirm that the applicant has actually attended class in a State-recognized school; or~~

~~(b) — A diploma or certificate of graduation and transcripts from a minimum 200-hour course of instruction from schools or institutions as described in Subparagraph A.2.a.(vi)(1), above, and furnish proof of completion of up to 300 hours of continuing education courses in massage from schools or institutions as described in Subparagraph A.2.a.(vi)(1), above, or from equivalent organizations as determined by the Zoning Administrator. The minimum combined total course hours and continuing education hours shall equal no less than 500 hours.~~

~~(7) — Each applicant must furnish proof that they hold and maintain a current national certification. For the purpose of this provision, the term "national certification" shall mean an independently prepared and administered national certification exam, which has been recognized by objective standards to fairly evaluate professional levels of skill, safety and competence, as determined by the National Commission for Certifying Agencies (NCCA) or a similar certifying body.~~

~~(8) — Each applicant must furnish proof of membership in a state or national professional massage therapy organization or association, and that they are in good standing. For the purpose of this provision, the term "state or national professional massage therapy organization or association" means an organization or association for massage professionals, which meets each of the following requirements:~~

~~(a) — Requires that its members meet minimal educational requirements appropriate to the nature of their work;~~

~~(b) — Offers and encourages participation in continuing education programs;~~

~~(c) — Has an established code of ethics and has enforcement procedures for the suspension and revocation of membership of persons violating the code of ethics; and~~

~~(d) — The organization does not discriminate on the basis of race, sex, creed, color, age or sexual orientation.~~

~~(9) — Each applicant must furnish the full name, address and telephone number of each Massage Establishment where the therapist will be employed.~~

~~(10) — Such other identification and information as the Zoning Administrator may require in order to discover the truth of the matters herein specified as required to be set forth in the application.~~

~~b. — Investigation.~~

~~(1) — The Zoning Administrator shall refer Massage Therapist applications to the Police Chief for an investigation and recommendation.~~

~~(2) — The Police Chief shall conduct an investigation in such manner deemed appropriate, in order to ascertain whether such permit should be issued as requested. Upon completion of the investigation, the Police Chief shall recommend that the permit be granted if it is found:~~

~~(a) — All required fees have been paid.~~

~~(b) — The application conforms in all respects to the provisions of this Development Code.~~

~~(c) — The applicant has not made a material misrepresentation in the application.~~

~~(d) — The applicant has not been convicted in a court of competent jurisdiction of an offense involving conduct which requires registration under any state law similar to and including PC Section 290, or for conduct which is a violation of the provisions of any state law similar to and including PC Sections 266i, 315, 316, 318 or 647(b), or any crime involving pandering, dishonesty, fraud, deceit, or moral turpitude.~~

~~(e) — The applicant has not been convicted in a court of competent jurisdiction of an offense involving the sale of a controlled substance specified in HSC Sections 11054, 11055, 11056, 11057 or 11058, or conviction in any other state of any offense which, if committed or attempted in this State, would have been punishable as one or more of the above mentioned offenses of this division.~~

~~(f) — The applicant has not had a Massage Therapist, or other similar permit or license denied, revoked, or suspended by the City, or any other state or local agency prior to the date of approval.~~

~~(g) — The applicant is at least 18 years of age.~~

~~c. — Review and Action.~~

~~(1) — The Zoning Administrator shall approve, conditionally approve or deny the application within 45 days of filing. The decision of the Zoning Administrator shall be final and conclusive in the absence of a timely filed appeal. Any appeal of such action shall be subject to the provisions of Division 2.04 (Appeals) of this Development Code.~~

~~(2) — All permits issued pursuant to the provisions of this Section shall be nontransferable; provided, however, a change of location of a Massage Establishment may be permitted pursuant to the provisions of Subparagraph A.2.e (Change of Location) of this Section.~~

~~d. — *Permits Not Assignable.* No Massage Therapist permit may be sold, transferred or assigned by the permittee, or by operation of law, to any other person or persons. Any such sale, transfer, assignment, or attempted sale, transfer or assignment shall be deemed to constitute a voluntary surrender of such permit and such permit shall thereafter be deemed terminated and void.~~

~~e. — *Change of Location.*~~

~~(1) — A change of location of any Massage Therapist must first be approved by the Zoning Administrator, who must determine prior to approval that all ordinances and regulations of the City will be complied with at any proposed new location.~~

~~(2) — No permittee shall operate under any name or conduct any establishment under any designation not specified in permittee's permit.~~

~~(3) — Separate permits need not be obtained by a Massage Therapist operating in more than one location within the City for each such location; provided, that the application for a single permit for more than one location shall disclose each location at which the therapist may operate.~~

~~f. — *Renewal of Permit.*~~

~~(1) — Massage Therapists licensed pursuant to these provisions shall have 30 days from the date of expiration to renew their permit.~~

~~(2) — A Massage Therapist permit shall be renewed on a biannual basis. Permit renewal shall be contingent upon satisfactory compliance with all requirements of this Development Code pertinent to massage services, including a current medical clearance and submission to a background investigation subsequent to fingerprint examination.~~

~~(3) — Every Massage Therapist licensed under this Development Code shall annually complete at least 20 hours of continuing education courses in massage from schools or institutions as described in division A.2(a)(6) of these provisions, or from equivalent organizations as determined by the Zoning Administrator. Failure to complete such hours and submit proof of such completion in a form satisfactory to the Zoning Administrator at the time of permit renewal shall be grounds for denial of permit renewal.~~

~~g. — *Permit Suspension and Revocation.*~~

~~(1) — The Zoning Administrator shall have jurisdiction to revoke any Massage Therapist permit granted in accordance with Subparagraphs A.2.a through A.2.f of this Section. The Zoning Administrator may order any permits suspended, pending such action. It shall be unlawful for any person to carry on the business of a Massage Therapist until the suspended permit has been reinstated by the Zoning Administrator.~~

~~(2) — An action to revoke a permit granted pursuant to these provisions shall be accomplished in the following manner:~~

~~(a) The Zoning Administrator shall conduct a hearing to determine whether the permit should be revoked. The Zoning Administrator shall prepare and deliver to the permittee, a written statement setting forth the factual basis for the proposed revocation and shall state the time and place such hearing will be held, at least 10 days prior to the hearing.~~

~~(b) A permit may be revoked by the Zoning Administrator based upon any one or more of the following grounds:~~

~~(i) Permit approval was obtained by fraud;~~

~~(ii) The permit is being, or has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, ordinance, law or regulation; or~~

~~(iii) The permit has been so exercised as to be detrimental to the public peace, health, safety, welfare, or so as to constitute a nuisance to the annoyance of surrounding businesses or residents.~~

~~(e) The decision of the Zoning Administrator to revoke a permit shall be final and conclusive in the absence of a timely filed appeal.~~

~~h. *Burden of Proof at Hearings.* Unless otherwise specifically provided by law, the burden is on the permittee applicant in any hearing conducted in accordance with Subparagraphs A.2.a through A.2.g of this Section, to prove that the decisions made or action taken is unreasonable, erroneous or clearly abusive of discretion.~~

B. Massage Establishment Operational Requirements Every Massage Establishment shall maintain facilities meeting the following requirements:

1. If wet and dry heat rooms, steam and vapor rooms or cabinets, toilet rooms, shower rooms, bathrooms, tanning booths, whirlpool baths, or pools are offered, they shall be thoroughly cleaned and disinfected as needed, and at least once each day the premises are open. Bathtubs shall be thoroughly cleaned and disinfected. All walls, ceilings, floors, and other physical facilities for the establishment must be in good repair and maintained in a clean and sanitary condition.

2. Instruments for performing massage shall not be used on more than one patron unless they have been sterilized using sterilizing methods approved by the San Bernardino County Health Department.

3. All employees, including Massage Practitioners and/or Massage Therapists, shall be clean, and shall be clothed in a manner consistent with the Massage Therapy Act, BPC Division 2, Chapter 10.5 (commencing with Section 4600).

4. No person shall enter, be or remain in any part of a Massage Establishment while in possession of, consuming or using any alcoholic beverage or drugs, except pursuant to a prescription for such drugs. The owner, operator, responsible managing employee, manager or permittee shall not permit any such person to enter or remain upon such premises.

5. No massage service may be carried on within any cubicle, room, booth or any area within a Massage Establishment which is not immediately accessible to supervisory, safety or inspection personnel during all hours of operation.

6. No Massage Establishment employing Massage Therapists shall be equipped with tinted or "one-way" glass in any room or office.

7. Pads used on massage tables, or on other furniture upon which massage services are performed, shall be covered with a durable, washable plastic or other waterproof material acceptable to the City.

C. Massage Establishment Hours of Operation. Massage Establishment hours of operation shall be limited to 8:00AM To 10:00PM of the same day.

D. Minimum Separation Between a Massage Establishment and Sensitive Land Uses. Maintain a minimum 300-foot separation between a Massage Establishment and any sensitive land use, including schools, preschools, child daycare facilities, or parks.

E. Right of Authorized Representatives to Enter a Massage Establishment. As a condition of business license issuance for a Massage Establishment, the permittee shall consent to the right of authorized representatives of the City's Police Department, Building Department, Fire Department, Code Enforcement Officers or San Bernardino County Health Department to enter the Massage Establishment during regular business hours for the purpose of making reasonable unscheduled inspections, to observe and enforce compliance with applicable regulations, laws, and provisions of this Development Code.

F. Business Owner Required to Maintain a List of all Employees and Independent Contractors, and Their CAMTC or City Certifications. As a condition of business license issuance for a Massage Establishment, the business owner shall provide a list of all employees and independent contractors and their CAMTC or City certifications. The business owner shall notify the City should this information change. Additionally, with the annual renewal of their business license, the business owner shall provide an updated list of all employees and their certifications.

G. Institutions or Classes of Individuals Not Applicable to this Section. The provisions of this section pertaining to massage services shall not apply to the following institutions or classes of individuals, while engaged in the performance of the duties of their respective professions:

1. Hospitals, nursing homes, sanatoriums or other similar health facilities duly licensed by the State;

2. Recognized schools of massage;

3. Physicians, surgeons, chiropractors, osteopaths, or physical therapists, who are duly licensed to practice their respective professions in the State, or other persons licensed to practice any healing art pursuant to BPC Section 500 et seq.;

4. Nurses registered under the laws of the State;

5. Barbers, cosmetologists, beauticians and manicurists who are duly licensed under the laws of the State while engaging in practices within the scope of their licenses, except that this provision shall apply solely to the massaging of the neck, face, scalp, hands and/or feet of the customer client;

6. Coaches and trainers in accredited high schools, junior colleges, and colleges or universities, acting within the scope of their employment; and

7. Trainers of amateur, semi-professional or professional athletes or athletic teams.

H. Chair Massage Services. The following operational requirements shall apply to the location, establishment, and operation of Chair Massage Services:

1. Any person, corporation or partnership wishing to perform chair massage in the City must first be doing business at a fixed location in the City, having a valid business license, or a valid home occupation pursuant to the "home occupations" provisions of this Division.

2. Chair massage services may be performed only by a person with a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq., or a valid City Massage Therapist permit.

3. Chair massage services may only be offered at nonresidential places of business within the CS, CN, CC, CR, CCS, OL, OH, MU-1, and ONT zoning districts and the California Commerce Center North (Ontario Mills) Specific Plan.

4. A Massage Therapist offering chair massage must have a signed contract for service at each location the service is provided. A copy of such contract shall be provided for inspection upon demand, to any City official with responsibility for enforcement of this Section. The contract shall specify the location, days and times the service is to be offered.

5. Chair massage shall be offered at a set time and day at each location and shall not be offered at any other time. Such service shall only be conducted between the hours of 8:00AM and 10:00PM of the same day.

I. Unlawful Conduct. The following actions shall constitute unlawful conduct as they pertain to the location, establishment, and operation of Massage Establishments and Services:

1. It shall be unlawful for any person, for financial or other consideration, to massage any other person, or give or administer any bath, or give or administer any of the other services set forth in this Development Code for immoral purposes, or in a manner intended to arouse, appeal to, or gratify the lust or passions or sexual desires.

2. It shall be unlawful for any Massage Therapist to massage the genital area of any patron or the breasts of any female patron or for any responsible managing officer in charge of the premises of a Massage Establishment to allow or permit such massage.

3. It shall be unlawful for a person serving as a Massage Therapist to be clothed in a manner inconsistent with the Massage Therapy Act, BPC Division 2, Chapter 10.5 (commencing with BPC Section 4600). Massage Therapists shall maintain their permit identification card clearly visible on their person during business hours.

4. It shall be unlawful for a Massage Therapist issued a permit by the City in accordance with Paragraph A.2 of this Section, to perform any massage service at any location other than that location specified on the Massage Therapist's permit. If during the life of a permit, the applicant has any change in information concerning the original application, notification must be made to the Zoning Administrator, in writing, within 30 days of the change.

5. It shall be unlawful for any owner, manager, operator, responsible managing employee, or permittee in charge of or in control of a Massage Establishment to employ or permit

a person to act as a Massage Therapist who is not in possession of a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq.

6. It is unlawful for any Massage Establishment, Massage Therapist or Massage Practitioner to provide, or to offer to provide, out-call massage services in the City. For the purpose of this provision, the term "out-call massage services" shall mean to engage in or carry on massage, not at a fixed location, but at a location designated by the customer or client. "Out-call massage services" shall not include chair massage services conducted pursuant to Subsection G (Institutions or Classes of Individuals Not Applicable to this Section) of this Section.

J. Violations and Penalties. The following violations and penalties shall apply to the location, establishment, and operation of Massage Establishments and Services:

1. Every person, except those persons who are specifically exempted by the massage services provisions pursuant to division F herein, whether acting as an individual, owner, employee of the owner, or operator or employee of the operator, or whether acting as a mere helper for the owner, employee, or operator, or whether acting as a participant or worker in any way who gives massages or conducts a Massage Establishment or room, or who gives or administers, or who practices the giving or administering of steam baths, electric light baths, electric tub baths, shower baths, sponge baths, vapor baths, fomentations, sunbathes, mineral baths, alcohol rubs, Russian, Swedish, or Turkish baths, or any other type of baths, salt glows, or any type of therapy, or who does or practices any of the other services or acts set forth in these provisions, without first obtaining a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq., or who shall violate any operational standard of the massage services provisions, shall be guilty of a misdemeanor.

2. Any owner, operator, manager, or permittee in charge or in control of a Massage Establishment who knowingly employs a person performing as a Massage Therapist, as defined in this Development Code, who is not in possession of a valid, unrevoked Massage Therapist permit issued pursuant to Paragraph A.2 of this Section, or a valid Massage Practitioner or Massage Therapist certification issued by the California Massage Therapy Council (CAMTC) pursuant to BPC Section 4600 et seq., or who allows such an employee to perform, operate, or practice within such a place of business shall be guilty of a misdemeanor.

3. Any owner, operator, manager, or permittee in charge or in control of a Massage Establishment under this Development Code shall be a Responsible Person. "Responsible Person" shall mean a person who causes a violation of this Development Code or the Ontario Municipal Code to occur, or allows a violation to exist or continue, by his or her action or failure to act, or whose agent, employee, or independent contractor causes a violation to occur, or allows a violation to exist or continue. A Responsible Person shall be liable for the violation of his or her agent, employee, or independent contractor. For the purposes of this Development Code, there may be more than one Responsible Person for a violation.

4. Any Massage Establishment operated, conducted, or maintained contrary to the provisions of this Development Code shall be, and the same is hereby declared to be, unlawful and a public nuisance, and the City may, in addition to or in lieu of prosecuting a criminal action hereunder, commence actions or proceedings for the abatement, removal, and enjoinder thereof in the manner provided by law and shall take such other steps and apply to such courts as may have jurisdiction to grant such relief as will abate or remove such Massage Establishment

and restrain and enjoin any person from operating, conducting or maintaining a Massage Establishment contrary to the provisions of this Development Code.

5. Any violation of any of the provisions of this Development Code shall be subject to punishment for violation in accordance with the penalty provisions set forth in OMC Title 1, Chapter 2 (Penalty Provisions). Punishment for any violation of any of this Development Code's provisions shall be in accordance with the Ontario Municipal Code punishment and fine provisions as set forth in OMC Section 1-2.01 (Punishment for Violation).

5.03.275: Material Recovery Facilities (MRF)

All activities associated with a MRF shall be wholly contained within a fully enclosed building, excepting salvage facilities (such as automobile dismantling and metal salvage/recycling) established in compliance with the requirements of Section 5.03.350 (Salvage Facilities) of this Division, which may be allowed outside with the approval of a Conditional Use Permit.

5.03.280: Marijuana Dispensary

Notwithstanding any other provision of this Development Code, a Marijuana Dispensary, as defined in Division 9.01 (Definitions) of this Development Code, shall be a prohibited use in all zoning districts of the City, as follows:

- A. The operation of any marijuana dispensary within the City is hereby declared a public nuisance and shall be abated pursuant to all available remedies. Violations of this Section may be enforced by any applicable law.
- B. No person shall deliver marijuana or marijuana-infused products, such as tinctures, baked goods or other consumable products, to any location within the City from a marijuana dispensary, regardless of whether the marijuana dispensary from which the delivery originated is within the City, or engage in any effort to locate, operate, own, lease, supply, allow to be operated, or aid, abet, or assist in the operation of any marijuana dispensary in the City.
- C. No person shall deliver marijuana or marijuana-infused products with such delivery originating from any marijuana dispensary located within the City, regardless of whether the delivery destination is within the City.

5.03.285: Mixed-Use Developments

A. **Residential Mixed-Use Projects.** The following standards shall govern the development of residential mixed use projects consisting of single-family and/or multiple-family dwellings constructed in conjunction with a variety of complementary nonresidential commercial land uses as may be allowed within the base zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, including office, retail, public, or entertainment uses, in a fully integrated development project having functional interrelationships and a cohesive physical design:

1. **Residential Mixed-Use Developments** Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) of a residential mixed use development project shall be designed and constructed pursuant to, and consistent with, the development standards

(e.g., FAR, landscape coverage, lot size, setbacks and separations, etc.) and design guidelines of the base zoning district.

2. Residential Mixed-Use Developments within Commercial Zoning Districts.

a. As allowed within commercial zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, dwellings may be constructed on the upper floors of commercial buildings containing office, retail, public and/or entertainment uses, or behind commercial buildings containing such uses, at or above ground level.

b. To ensure that the residential portion of a mixed use development is no more intense than the commercial development that would otherwise be allowed, the maximum residential density shall be determined based upon an Equivalent Impact Study (EIS) prepared for the project, which assesses the maximum allowed residential density based upon the comparable traffic generation, water usage, and sewerage generation of the maximum allowed commercial floor area.

c. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

3. Residential Mixed-Use Developments within Mixed Use Zoning Districts. Residential mixed-use development projects within mixed-use zoning districts shall be developed pursuant to the requirements of Section 6.01.020 (Mixed Use Zoning Districts) of this Development Code and the Policy Plan component of The Ontario Plan.

B. Nonresidential Mixed-Use Projects. The following standards shall govern the development of nonresidential mixed use projects consisting of commercial land uses constructed in conjunction with a variety of complementary light industrial and business park land uses as may be allowed within the base zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, in a fully integrated development project having functional interrelationships and a cohesive physical design:

1. Nonresidential Mixed-Use Developments Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) of a nonresidential mixed use development project shall be designed and constructed pursuant to, and consistent with, the development standards (e.g., FAR, landscape coverage, lot size, setbacks and separations, etc.) and design guidelines of the base zoning district.

2. Nonresidential Mixed-Use Developments within Industrial Zoning Districts.

a. As allowed within industrial zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, commercial land uses may be constructed on the upper floors of industrial buildings, or behind industrial buildings containing such uses, at or above ground level.

b. To ensure that the residential portion of a mixed use development is no more intense than the commercial development that would otherwise be allowed, the maximum residential density shall be determined based upon an Equivalent Impact Study (EIS) prepared for the project, which assesses the maximum allowed residential density based upon the comparable traffic generation, water usage, and sewerage generation of the maximum allowed industrial floor area.

c. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

3. Nonresidential Mixed-Use Developments within Mixed-Use Zoning Districts. Within mixed use zoning districts, nonresidential mixed-use developments shall be developed pursuant to the requirements of Section 6.01.020 (Mixed Use Zoning Districts) of this Development Code and the Policy Plan component of The Ontario Plan.

5.03.290: Mobile Food Services

The following standards shall govern the design and establishment of mobile food services:

- A. Mobile food services shall only be allowed in conjunction with a temporary event approved pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code.
- B. All mobile food services shall display a current San Bernardino County Department of Environmental Health Services operating decal and/or permit, and inspection letter grade.
- C. Mobile food service wastewater shall not be discharged to the ground or to a storm drain.
- D. Restroom facilities for mobile food service employees, which shall include facilities for washing hands, shall be provided.

5.03.295: Mobilehome Parks

The following standards shall govern the design and establishment of mobilehome parks:

- A. **Allowed within the MHP Zoning District.** Mobilehome parks shall only be established within the MHP zoning district.
- B. **Site Development Standards.**
 - 1. Project Area. The minimum project area shall be 3.0 acres.
 - 2. Density. The maximum residential density shall not exceed 8.0 dwelling units/acre.
 - 3. Common Open Space and Recreation Areas. A minimum of 300 SF of common recreational open space per mobilehome pad shall be provided. Common recreation amenities shall be provided pursuant to the minimum requirements prescribed for multiple-family developments in Subparagraphs 6.01.010.E.2.c (Active Open Space Area) and d (Passive Open Space Area) of this Development Code.
 - 4. Project Entries. The mobilehome park entrance shall be delineated with enhanced paving treatment (e.g., color pigmented concrete, interlocking pavers, and stamped concrete) and intensified landscaping, including elements such as specimen-sized trees, decorative low garden walls, raised planters, and alluvial rockscapes.

5. Walls and Fences.

- a.** Decorative walls, fences, and gates shall be provided along the project perimeter.
- b.** All private open space areas shall be delineated by a decorative fence or wall.
- c.** All walls and fences shall be designed, constructed, and maintained pursuant to Division 6.02 (Walls, Fences and Obstructions) of this Development Code.

6. Off-Street Parking. Off-street parking facilities shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

7. Landscaping. Landscaped areas shall be designed, installed, and maintained pursuant to Division 6.05 (Landscaping) of this Development Code.

8. Signs. All signs shall be designed, installed, and maintained consistent with the provisions of Division 8.1 (Sign Regulations) of this Development Code.

C. Building Development Standards.

1. Minimum Building Separations. Minimum building and structure separations shall be maintained pursuant to Table 5.03-5 (Minimum Mobilehome Building Separation Requirements), below.

Table 5.03-5: Minimum Mobilehome Building Separation Requirements

<i>Setback Area</i>	<i>Minimum Yard Dimension</i>
Side to side:	20 FT
End to side:	15 FT
End to end:	10 FT
Front to front (across access drive):	36 FT
Mobilehome to any other building, excepting detached garage or accessory structure:	15 FT
Mobilehome to detached garage or accessory structure:	5 FT

Note:

For the purpose of determining minimum separation requirements, awnings, overhangs, enclosed porches, and similar structures shall be deemed a part of the mobilehome unit and shall not be allowed to encroach into a required separation area.

D. Mobilehome Exterior Design and Finishes. The exterior of mobilehomes shall resemble conventionally built single-family homes to the fullest extent feasible. To this end, each mobilehome shall incorporate the following design features:

1. Skirting or Supporting Pad Required. The tongue or hitch each mobilehome shall be removed or suitably screened, and each mobilehome shall be equipped with skirting to screen all foundation jacks and other supporting structure, or a supporting pad shall be provided that is designed to give the appearance that the mobilehome is placed on-grade.

2. Roof Overhang. A minimum roof overhang of one FT shall be provided.
 3. Roof Material. Roof material shall consist of wood shingle or shakes, architectural grade asphalt shingles, or concrete or clay tiles.
 4. Exterior Wall Finishes. Exterior wall finishes shall include wood, stucco, masonry, natural stone, or other suitable materials as determined by the Planning Director. All exterior wall finishes and skirting required pursuant to Paragraph D.1 (Skirting or Supporting Pad Required), above, shall extend to the ground, except when a solid concrete or masonry perimeter foundation is used, in which case, the exterior material shall extend below the top of the foundation.
- E. **Utilities**. All on-site utilities to individual mobilehomes shall be located underground.

5.03.300: Mobile Washing and Detailing Services

The following standards shall govern the establishment of mobile washing and detailing services:

- A. All mobile washing and detailing services shall be licensed to a fixed location ~~occupied by a legally established full service or self service carwash~~ within the City.
- B. A mobile washing and detailing service ~~shall not~~ may be licensed as a home occupation, provided no washing or detailing of vehicles is performed on the premises, excepting personal vehicles of the home occupant.

5.03.305: Motor Vehicle Dealers

The following standards shall govern the establishment and operation of new or used motor vehicle dealers, including automobiles, light trucks and vans (rated at one ton or less), and recreational vehicles, motorcycles, watercraft, all-terrain vehicles, and other similar motor vehicles:

- A. Motor vehicle servicing, repair, and maintenance activities shall be performed within a wholly enclosed building. Service bay doors shall be located so as not to be visible from any public or private street, or office, retail sales and off-street parking facilities on adjoining lots.
- B. There shall be no outside storage of inoperable motor vehicles or motor vehicle parts.
- C. Prior to the issuance of a business license by the City, a site plan shall be submitted to the Planning Department for review and approval, which demonstrates compliance with the following:
 1. Motor vehicle display areas shall meet the minimum parking setback requirements of the zoning district in which the use is located, and the design standards for off-street parking facilities contained in Division 6.03 (Off-Street Parking and Loading) of this Development Code. Setback areas shall be fully landscaped and provided with an automatic irrigation system.
 2. A vehicle loading and unloading area shall be provided for each vehicle sales facility. The loading area shall be clearly demarcated by signs and pavement markings. The

loading area shall not encroach into required parking areas or block fire access lanes, and shall occur on-site, at a location approved by the Fire Department. On-street vehicle loading and unloading shall be prohibited.

- D.** Automobile dealers providing vehicle service and repair shall provide a minimum of 6 queuing (waiting) spaces for service write-ups, which shall not encroach into required parking or loading spaces.
- E.** The retail sales of motor vehicles from a residentially zoned property shall be prohibited as a Home Occupation.
- F.** Motor vehicle sales on any property with shared parking facilities shall only be permitted if all vehicle sales, display, and storage areas are located within a fully enclosed building.
- G.** Motor vehicle sales as a temporary sales event shall only be permitted pursuant to the requirements for “temporary and interim uses” contained in this Division. The motor vehicle retailer must be licensed to a fixed motor vehicle sales location in the City.

5.03.310: Motor Vehicle Storage Facilities

The following standards shall govern the establishment and operation of motor vehicle storage facilities:

- A.** For the purposes of administration and enforcement of this Section:
 - 1.** Any motor vehicle maintained on a property for 72 or more consecutive hours shall be deemed to be “stored.”
 - 2.** Motor vehicle storage shall include the keeping of automobiles, trucks, vans, recreational vehicles and watercraft, motorcycles, trailers, forklifts, and any inoperative vehicle, regardless of vehicle type.
- B.** The indoor storage of motor vehicles shall comply with all applicable requirements of the fire and building codes.
- C.** All vehicles stored outdoors shall be screened from public view by a minimum 8-FT high decorative masonry block wall.
- D.** All vehicles stored outdoors shall comply with all requirements of the base zoning district, which are applicable to the design and use of outdoor storage areas.

5.03.315: Personal Fitness Trainer

Within the IP, IL, and IH zoning districts, a personal fitness trainer shall only be allowed to establish in conjunction with fitness and recreational sports centers (NAICS 713940).

5.03.320: Personal Property Donation Bins

A. Welfare and Institutions Code Division 1, Chapter 2 (commencing with Section 150) allows a city, county, or city and county to impose requirements on the solicitation and sale of salvageable personal property within its jurisdiction.

B. The following regulations shall govern the establishment and operation of salvageable personal property collection boxes/bins within the City:

1. The provisions of Welfare and Institutions Code Division 1, Chapter 1.8 (commencing with Section 148) and Chapter 2 (commencing with Section 150), which governs the acquisition and disposition of salvageable personal property for charitable purposes, and unattended collection bins, respectively, shall be complied with.

2. Salvageable personal property collection bins may only be established in conjunction with a host business, subject to Conditional Use Permit approval pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. Collection bins shall be constructed and maintained with durable, waterproof, and rustproof material, and shall be fully enclosed.

4. Collection bins shall be clearly marked to identify the type of materials that may be deposited.

5. Collection bins shall be swept and maintained in a in a clean, litter-free condition, on a daily basis.

6. Collection bins shall be setback a minimum of 30 FT from any arterial street property line, and 20 FT from any collector or local public street property line, and shall not obstruct pedestrian or vehicular circulation.

7. The occupation of parking spaces by salvageable personal property collection bins shall not reduce available parking spaces below the minimum required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

8. Collection bins shall not encroach upon any existing landscaped areas, unless replaced elsewhere on the site.

9. Additional landscaped areas and architectural elements, such as vertical and horizontal decorative trellises, seat walls, and raised planters, may be required by the Approving Authority to screen collection bins.

5.03.325: Pharmaceutical and Medicine Manufacturing

Within the BP and IP zoning districts, the development of new pharmaceutical and medicine manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.330: Pharmacies and Drug Stores

Drive-thru facilities in conjunction with pharmacies and drug stores shall be permitted subject to the provisions of Section 5.03.165 (Drive-Thru Facilities) of this Division.

5.03.335: Plastics Product Manufacturing

Within the IP zoning district, the development of new plastics product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.340: Recycling Facilities

The purpose of this Section is to implement the California Beverage Container Recycling and Litter Reduction Act (PRC Section 14500 et seq.). The following standards shall govern the establishment and operation of recyclable container collection facilities:

A. Reverse Vending Machines. Reverse vending machines may be established in conjunction with a host business for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with the following:

1. Reverse vending machines shall be established pursuant to the requirements of this Development Code, and the building and fire codes of the City.
2. Reverse vending machines shall be located within 30 FT of the entrance of the host business and shall not obstruct pedestrian or vehicular circulation.
3. Reverse vending machines shall be constructed and maintained with durable waterproof and rustproof materials, and shall be covered.
4. Reverse vending machines shall be clearly marked to identify the type of material to be deposited, operating instructions, and the identity and telephone number of the operator or manager if the facilities become inoperable.
5. Reverse vending machines shall be limited to 3 machines for each host business.
6. Reverse vending machines shall occupy a maximum of 50 SF per installation, including any protective enclosure, and shall not exceed 9 FT in height.
7. Reverse vending machines shall not occupy parking spaces required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code, nor shall it encroach upon any landscaped area.
8. Reverse vending machines shall be maintained in a clean, litter-free condition.
9. The operating hours of reverse vending machines shall be the same as the host business.

10. Reverse vending machines shall be illuminated to ensure comfortable and safe operation if open between dusk and dawn.

B. Small Collection Facilities. Small collection facilities may be established in conjunction with a host business for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with following:

1. Small collection facilities shall occupy a maximum area of 500 SF and shall be established in conjunction with a host business at a fixed location within the City, which complies with this Development Code, and the building and fire codes of the City.

2. Small collection facilities shall be constructed and maintained with durable, waterproof and rustproof material, with fully enclosed materials storage containers.

3. Small collection facilities shall be clearly marked to identify the type of recyclables that may be deposited.

4. The name and telephone number of the owner or manager, and the hours of operation of small collection facilities shall be conspicuously posted.

5. Small collection facility sites shall be swept and maintained in a in a clean, litter-free condition on a daily basis.

6. Small collection facilities shall be setback a minimum of 20 FT from any public street right-of-way and shall not obstruct pedestrian or vehicular circulation.

7. Small collection facilities shall not operate power-driven sorting or consolidating equipment, such as crushers, shredders, balers, or other mechanized equipment.

8. Use of the facility for deposit of solid waste or hazardous waste is prohibited.

9. The operating hours of small collection facilities with attendants shall be the same as the host business, except that facilities located within 100 FT of property zoned for, or occupied by, residential land uses shall only be operated between the hours of 9:00AM and 7:00PM.

10. Small collection facilities without attendants shall be located at least 30 FT from any property zoned for, or occupied by, residential land uses, unless the facility is located within an established service area/corridor and, for sound attenuation purposes, a minimum 6-FT high masonry block wall has been constructed between the small collection facility and the residential land use(s).

11. Mobile recycling facilities shall have an area clearly marked to prohibit other vehicular parking during the hours when the mobile unit is scheduled to be present.

12. The occupation of parking spaces by a small collection facility and any attendant shall not reduce available parking spaces below the minimum required for the host business pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code, unless the facility is located within one-half mile of a supermarket. A reduction in required parking spaces may be allowed to accommodate a small collection facility pursuant to Table 5.03-6 (Small Collection Facility Maximum Parking Reduction), below.

Table 5.03-6: Small Collection Facility Maximum Parking Reduction

Required Number of Parking Spaces	Parking Space Reduction
0 to 25 spaces:	0 spaces
26 to 35 spaces:	2 spaces
36 to 49 spaces:	3 spaces
50 to 99 spaces:	4 spaces
100 or more spaces:	5 spaces

13. Small collection facilities shall not encroach upon any existing landscaped areas, unless replaced elsewhere on the site. Furthermore, additional landscaped areas and architectural elements, such as vertical and horizontal decorative trellises, seat walls, and raised planters, may be required to screen collection containers.

C. Large Collection Facilities. Large collection facilities may be established for the collection of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, and shall comply with following:

1. Large collection facilities shall occupy an area of more than 500 SF and shall not be appurtenant to a host use.

2. Large collection facilities shall not be located within 500 FT of property zoned, planned or occupied for residential land uses.

3. All processing activities shall be within a fully enclosed building.

4. Large collection facilities shall be screened from public view by buildings or decorative masonry block walls, which are of sufficient height to completely screen all loading, processing, and storage activities/facilities. All gates shall be view obstructing.

5. All materials stored outside shall be maintained within fully enclosed containers that are secured and maintained in good condition. Storage containers for flammable materials shall be constructed of nonflammable materials. Oil storage shall be in containers approved by the Ontario Fire Department.

6. Large collection facilities shall be swept and maintained in a in a clean, litter-free condition on a daily basis, and shall be secured from unauthorized entry and removal of materials when unattended.

7. Large collection facilities shall provide adequate area on-site to accommodate a minimum of 6 vehicles, or the anticipated peak customer volume, whichever is higher, to circulate and deposit recyclable materials.

8. Containers provided for after-hours donation shall be located at least 50 FT from any property zoned, planned or occupied for residential use. Containers shall be of sturdy, rustproof construction, have sufficient capacity to accommodate materials collected, and be secured from unauthorized entry or removal of material. Containers shall be located at least 10 FT from any building.

9. Donation containers shall be clearly marked to identify the type of material that may be deposited. Notices shall be conspicuously posted stating that no material shall be left outside of donation containers.

10. The name and telephone number of the owner or manager, and the hours of operation of large collection facilities shall be conspicuously posted.

11. Large collection facilities may operate power-driven processing equipment, including aluminum foil and can compacting, baling, shredding, or other similar light processing activities necessary for efficient temporary storage and shipment of materials, as may be approved by the Planning Director.

12. The business owner and the property owner, if different from the business owner, shall cause the removal of all recyclable materials that have accumulated, or are deposited, on the site, on a regular basis, but no less than annually. Upon failure to remove the recyclable materials, the City may deem the land use and the property thereon to be abandoned and may enter the property for the purpose of removing the recyclable materials. The business owner and the property owner, if different from the business owner, shall be responsible for payment to the City, all costs borne by the City related to the enforcement of this Paragraph.

D. Processing Facilities. Processing facilities may be established for the recycling of post-consumer beverage containers pursuant to the California Beverage Container Recycling and Litter Reduction Act, which are purchased from recycling centers located within the state of California. Processing facilities are not intended for the acceptance of donated or purchased post-consumer food and beverage containers from the general public. Processing facilities shall comply with following:

1. A processing facility shall not accept donated post-consumer food and beverage containers, nor shall it purchase such materials, from the public; however, a processing facility shall not be precluded from operating on the same site with, or in conjunction with, a collection facility, provided each activity is located within the correct zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Processing facilities shall not be located within 500 FT of any property zoned or planned for, or occupied by, residential land uses.

3. All processing activities, including collection, processing, and storage, shall be conducted within a fully enclosed building.

4. Processing facilities shall be screened from public view by buildings or decorative masonry block walls, which are of sufficient height to completely screen all loading, processing, and storage activities/facilities. All gates shall be view obstructing.

5. Processing facilities may operate power-driven processing equipment for the purpose of baling, briquetting, crushing, compacting, grinding, shredding, sorting, or other similar processing activities. Processing facilities shall not shred, compact, or bale ferrous metals, excepting food and beverage containers.

6. Processing facilities shall be maintained in a in a clean, litter-free condition on a daily basis, and shall be secured from unauthorized entry and removal of materials when unattended.

7. A processing facility owner and the property owner, if different from the business owner, shall cause the removal of all recyclable materials that have accumulated, or are deposited, on the site, on a daily basis. Upon failure to remove the recyclable materials, the City may deem the land use and the property thereon to be abandoned and may enter the property for the purpose of removing the recyclable materials. The facility owner, and the property owner, if different from the business owner, shall be responsible for payment to the City, all costs borne by the City related to the enforcement of this Paragraph.

5.03.345: Residential Care Facilities, Other—6 or Fewer Persons

“Other residential care facilities” for 6 or fewer persons may only be established in conjunction with a single-family dwelling.

5.03.350: Salvage Facilities

The following standards shall govern the establishment and operation of salvage facilities for the purpose of reclaiming recyclable equipment, materials, and parts, from home appliances, commercial and industrial machinery, motor vehicles, and other similar recyclable items acceptable to the Approving Authority:

- A. Salvage facilities shall be located a minimum of 300 FT from any residentially zoned lot.
- B. Loading and processing activities, and stored vehicles, materials, and equipment, shall be completely screened from public view and view from adjoining lots, by buildings and/or decorative masonry block walls with view-obstructing gates.
- C. Loading, processing, and storage activities shall not be conducted within a required setback area.
- D. All setbacks from a street property line shall be fully landscaped and permanently maintained, excepting those areas necessary for pedestrian or vehicular access.
- E. All sorting, compaction, shredding, grinding, crushing, and other similar processing activities, shall be conducted within a completely enclosed structure designed to minimize noise and dust generated by the activities.
- F. All existing salvage facilities, regardless of the zoning district in which they are located, shall conform with the requirements of this Section within one-year following notification by the Planning Director of the pending amortization of the use. The Planning Commission may abrogate the requirements of this Subsection because unusual circumstances exist with regard to the site or its location, which makes full compliance with the requirements of this Section impracticable.

5.03.355: ~~***Reserved for Future Use***~~ Self-Storage Facilities

A self-storage facility may exceed the maximum FAR of the zoning district in which it is located, provided that the facility, at its proposed maximum buildout, has been proven to be no more intense than other permitted land uses in the same general vicinity and the same zoning district. To this end, an Equivalent Impact Study (EIS) shall be prepared for the proposed self-storage

facility, which shall determine its maximum allowed gross floor area based upon the comparable traffic generation of other existing permitted land uses in the same general vicinity and the same zoning district, constructed at the maximum allowed FAR of the zoning district.

5.03.360: Senior Citizen Housing Developments

A. Purposes. The purpose of this Section is to establish minimum standards, regulations and incentives for the development of senior citizen housing, and low income senior citizen housing within the City's commercial zoning districts, in a manner that is consistent with the Policy Plan component of The Ontario Plan, this Development Code, and State Density Bonus Law (GC Section 65915).

B. Applicability. Senior Citizen Housing Developments shall be allowed on property located pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

C. Definitions. For purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings thereafter specified:

Affordable Housing Cost for Owner Occupied Low Income Household. The affordable housing costs as defined in HSC Section 50052.5, exclusive of subdivision (a).

Affordable Housing Cost for Owner Renter Occupied Low Income Household. The affordable housing costs as defined in HSC Section 50053, exclusive of subdivision (a).

Affordable Housing Cost for Owner Occupied Very Low Income Household. The affordable housing costs as defined in HSC Section 50052.5, exclusive of subdivision (a).

Affordable Housing Cost for Owner Renter Occupied Very Low Income Household. The affordable housing costs as defined in HSC Section 50053, exclusive of subdivision (a).

Density Bonus Waivers and Modifications. Those waivers and modifications of City development standards granted by City to Owner of a senior citizen housing development defined as conditions affecting the physical location or type of construction of the senior citizen housing development structure and do not include use restrictions, procedural requirements, and fees as more particularly described in GC Section 65915(o)(1).

Low Income Households (Lower Income Households). Households, as defined in HSC Section 50079.5, paying Affordable Housing Costs or Affordable Rents for a Senior Citizen Housing unit.

Very Low Income Households. Households, as defined in HSC Section 50105 paying Affordable Housing Costs or Affordable Rents for a Senior Citizen Housing unit.

D. Base Density. Within residential zoning districts, the base density for a Senior Citizen Housing Development shall be pursuant to the development standards of the respective zoning district. Within nonresidential zoning districts, the base density for a Senior Citizen Housing Development shall be as follows:

<i>Base Density (in DU/Acre)</i>	<i>Districts</i>		
	<i>CN</i>	<i>CC</i>	<i>MU-1</i>
	25	25	25

E. Density Bonus.

1. In addition to the base density provided by Subsection D, above, senior citizen housing developments within residential zoning districts shall be eligible for a density bonus as provided in State density bonus law, as prescribed in Subsection 6.01.010.G (Density Bonus and Other Incentives) of this Development Code. Nonresidential zoning districts shall be eligible for a density bonus as provided in State density bonus law, as follows:

<i>Density Bonus (in percentage/units)</i>	<i>Districts</i>		
	<i>CN</i>	<i>CC</i>	<i>MU-1</i>
	20%	20%	20%

2. For senior citizen housing developments using the density bonus provisions of State density bonus law, a density bonus regulatory agreement securing the use of the senior citizen housing development by qualified senior citizens shall also be required. The density bonus regulatory agreement shall be recorded against the property and shall be in a form acceptable to the City Attorney.

3. The density bonus provisions shall apply to senior citizen housing developments consisting of 5 or more dwelling units, exclusive of a caretaker’s unit. All density calculations resulting in fractional units shall be rounded up to the next whole number.

4. Pursuant to State density bonus law, applicants for senior citizen housing developments may request certain waivers and modifications of the City’s development standards. For purposes of considering such requests for waivers and modifications of development standards, the “development standards” shall be defined as conditions affecting the physical location or type of construction of the senior citizen housing project, and do not include use restrictions, procedural requirements, and fees as more particularly described in GC Section 65915(o)(1).

5. Use of the senior citizen housing development for use by senior citizen households shall be secured via use of covenants and/or agreements recorded against the property in a form acceptable to the City Attorney.

F. Affordability Bonus for Senior Citizen Housing Developments.

1. In addition to the base density provided by Subsection D and the density bonus authorized by Subsection E of this Section, senior citizen housing developments shall be eligible for an additional density bonus of 10% above the total number of units that can be constructed (base density plus density bonus) whenever an applicant makes at least 50% of the additional units affordable (affordable rental units or affordable for-sale housing) to very low and/or low income senior citizen households. In example, a senior citizen housing development that is entitled to construct 100 units, may construct 10 additional units when it makes 5 of those units available to very low and/or low income senior citizen households.

2. All density calculations resulting in fractional units shall be rounded up to the next whole number, including the determination of affordable units. Use of the affordability bonus provided in this Section shall be subject to the senior citizen housing development meeting the development standards contained in this Section.

3. Affordability of the units for very low and/or low income senior citizen households shall be secured via use of covenants and/or agreements for a minimum term of 45 years for ownership units and 55 years for rental units. The affordability covenants/agreement shall be in a form acceptable to the City Attorney.

G. Senior Citizen Housing Locational Criteria. A request for Conditional Use Permit approval of a senior citizen housing development shall be reviewed pursuant to the extent to which the senior citizen housing development substantially complies with each of the following locational criteria:

1. Transit Amenities. The site is within one-quarter mile of a transit station, rail station, commuter rail station or bus station, or bus stop with service at least every 30 minutes during the hours of 7:00AM to 9:00AM, and 4:00PM to 6:00PM.

2. Parks and Open Space. The site is within one-quarter mile of a public park (not including school grounds, unless there is a bona fide, formal joint use agreement between the City and the school district providing availability to the general public of the school grounds and/or facilities) or a community center, senior citizen center, or other facility offering daily services specifically designed for senior citizens, which is open to the general public.

3. Library. The project site is within one-quarter mile of a public library, or senior or community center, which contains a library.

4. Daily Shopping Opportunities. The project site is within one-quarter mile of a grocery store/supermarket where staples, fresh meat, and fresh produce are sold.

5. Medical Facilities. The project site is within one mile of a medical clinic or hospital (not merely a private doctor's office).

6. Pharmacy. The project site is within one mile of a pharmacy or supermarket containing an interior pharmacy.

H. Senior Citizen Housing Development Amenities. A request for Conditional Use Permit approval of senior citizen housing development shall be reviewed pursuant to the extent to which the senior citizen housing development substantially complies with one or more of the following development amenities:

1. High speed internet service is provided in each unit (free of charge to the tenants) or within a group activity room within the senior citizen housing development.

2. The senior citizen housing development will provide a bona fide service coordinator available on the premises to assist with activities of daily living, or provision of counseling services, social event planning, and/or concierge service.

3. The Senior Citizen Housing Development will provide exercise facilities on the premises.

I. Senior Citizen Dwelling Unit Standards. Notwithstanding any other provision of this Section, the minimum floor area for each residential unit for senior citizen use shall be as follows:

1. Bachelor or studio-type dwelling units: Four hundred fifty (450) square feet;
2. One-bedroom dwelling units: Five hundred fifty (550) square feet; and
3. Two-bedroom dwelling units: Six hundred fifty (650) square feet.

J. Senior Citizen Development Parking Standards. Notwithstanding any other provision of this Development Code, the number of parking spaces required to be provided for senior citizen housing developments may be as low as 0.25 spaces per rental dwelling unit and as high as 1.0 space per for-sale dwelling unit. The actual ratio shall be determined at the time of project approval for the use and shall be based upon a parking demand study to be prepared by a qualified traffic consultant or engineer. Ten percent of the parking spaces provided shall be designated as parking for the physically impaired (“handicapped parking spaces”). In determining the number of parking spaces required, the following factors, as well as any other relevant factors, shall be considered:

1. The number of employees required by the use, whether such employees will reside on the premises, and hours during which any nonresident employees will be employed;
2. The availability of public transportation;
3. Whether residents of the use will be eligible for government rent subsidies;
4. The degree to which on-site provision of services and facilities will affect the need of residents to leave the site; and
5. The proximity of facilities and services to the site. Where appropriate, employee parking on the site shall be separately identified and shall be available only to employees.

6. Other Development Standards. Except as provided by this Section, additional development standards for senior citizen housing developments shall be those applicable to residential uses in such underlying zoning districts.

5.03.365: Single-Family Dwellings

Within the MDR-25 and HDR-45 zoning districts, single-family dwellings shall only be allowed:

A. On legally established lots having a gross area that is less than the minimum required by the base zoning district pursuant to Table 6.01-3 (Multiple-Family Residential Development Standards); and

B. On legally established lots having a gross area that results in a density calculation of less than the ~~minimum~~ allowed density **range** for the base zoning district pursuant to Table 6.01-3 (Multiple-Family Residential Development Standards) of this Development Code.

5.03.370: Single Room Occupancy (SRO) Facilities

The following standards shall govern the establishment and operation of SRO facilities:

- A. A minimum of one full common kitchen shall be provided on each floor (story) if full kitchens are not provided within each unit. For the purposes of this provision, a full kitchen shall include a range or stove and oven, sink, and refrigerator.
- B. If complete bathrooms are not provided in each unit, shared showers shall be provided at a ratio of one shower for each 8 residents, or fraction thereof, on the same floor. Lockers shall be provided for use of the residents.
- C. An SRO facility shall not be located within 500 FT, as measured in a straight line from any point along the outer boundaries of the property containing the use, of any public or private school for children under the age of 18, church, child daycare center, family child daycare facility, or any existing SRO facility.
- D. A comprehensive management plan shall be submitted with applications for conditional use permits. The plan shall include the company or agency responsible for resident selection, day-to-day maintenance of the facility, proposed security arrangements and background information and references for the proposed management company or agency.

5.03.375: Soap, Cleaning Compound, and Toilet Preparation Manufacturing

Within the IP zoning district, the development of new soap, cleaning compound, and toilet preparation manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.380: Sound (Audio) Recording Facilities

Within the OL, OH and IH zoning districts, sound (audio) recording facilities shall only be allowed in conjunction with a permitted or conditionally permitted land use. Standalone sound recording facilities within these zoning districts shall be prohibited.

5.03.385: Spring and Wire Product Manufacturing

Within the IP zoning district, the development of new spring and wire product manufacturing shall be limited to small-scale (GFA of less than 45,000 SF for single-tenant buildings and 60,000 SF for multiple-tenant buildings) facilities.

5.03.390: Tattooing, Body Piercing, Branding, and the Application of Permanent Cosmetics

The below-listed standards shall govern the establishment and operation of body art services in the City. For the purposes of this section, “body art services” shall mean tattooing, body piercing, branding, or the application of permanent cosmetics, excepting the piercing of an ear with a disposable, single-use, presterilized stud or solid needle that is applied using a mechanical device to force the needle or stud through the ear.

- A. Every person and every business engaged in body art and/or permanent cosmetics services shall comply with all applicable provisions of the Safe Body Art Act (HSC Section 119300 et seq.).
- B. Every person and every business engaged in body art and/or permanent cosmetics services shall obtain a health permit from the San Bernardino County Division of Environmental Health Services prior to commencement of the business activity.
- C. A person proposing to construct, remodel, or revise a body art and/or permanent cosmetics facility shall first submit plans to the Ontario Planning Department and the San Bernardino County Division of Environmental Health Services for review and approval, prior to construction.

5.03.395: Temporary and Interim Land Uses, Buildings, and Structures

The following temporary and interim land uses shall be allowed upon the issuance of an Administrative Use Permit by the City pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code:

- A. **Interim Farming Activities on Vacant or Underdeveloped Lands.** Farming activities may be established and operated as an interim use on vacant or underdeveloped lands pursuant to the requirements of Subsection 5.03.405.F (Urban Farms) of this Division.
- B. **Model Homes.** The following standards shall govern the design and establishment of model homes:
 - 1. Access must meet the requirements of the Americans with Disabilities Act.
 - 2. Any "trap" fencing shall be located on private property.
 - 3. Any garage used as a sales office shall be converted back to a garage prior to dwelling occupancy.
 - 4. A model complex consisting of 3 or more model homes shall develop and improve a separate lot to accommodate off-street parking, which shall be provided pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.
 - 5. Subdivisions of 8 or more dwellings having at least one model home that is landscaped, shall demonstrate by installed landscape and irrigation, the principles of water-efficient landscaping and irrigation.
 - 6. The developer of model homes constructed prior to the recordation of a final map for the subdivision containing the model homes, shall enter into a model home agreement with the City, in a form satisfactory to the City Attorney, to ensure that the model homes will not be sold prior to recordation of the final map, and that the model homes will be demolished and removed should the final map not record within a period acceptable to the City.
 - 7. The project proponent shall remove the model homes and their appurtenances from the affected property within 30 days following the expiration of the Administrative Use Permit.

8. In approving a model home facility, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and welfare.

9. To ensure removal of model homes and their appurtenances within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of \$10,000. The performance guarantee may be utilized by the City to pay any fees and costs incurred by the City, which is associated with the enforcement of Paragraphs A.1 through 8, above, and any conditions of Administrative Use Permit approval imposed by the Reviewing Authority.

C. Street Fairs. Street fairs may be allowed within any commercial or mixed-use zoning district.

D. Temporary Alcoholic Beverage Sales. Temporary alcoholic beverage sales for consumption on the premises may be allowed within nonresidential zoning districts in conjunction with a temporary activity, display, or event for which an Administrative Use Permit is granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code.

E. Temporary Buildings and Structures. Temporary buildings and structures, including, but not limited to, trailers and prefabricated (“modular”) buildings, and appurtenances thereto, may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. The Planning Director may approve temporary buildings and structures for an initial 2-year period, which shall be granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. The time in which the approval expires may be extended by the Reviewing Authority for a maximum of 2 one-year periods.

2. Temporary buildings and structures requested for periods in excess of the maximum 4 years allowed pursuant to Paragraph E.1, above, may be allowed for periods not to exceed a total of 10 years, subject to Conditional Use Permit approval, granted pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. In approving temporary buildings and structures, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and/or welfare.

4. The project proponent shall remove the temporary building(s) or structure(s), and any appurtenances thereto, from the affected property within 30 days following the expiration of project approval.

5. To ensure removal of a temporary building or structure, and all appurtenances thereto, within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of \$10,000. The performance guarantee may be utilized by the City to pay any fees and costs incurred by the City, which is associated with the enforcement Paragraphs F.1 and F.3, above, and any conditions of Administrative Use Permit or Conditional Use Permit approval, as applicable, imposed by the Reviewing Authority.

F. Temporary Facilities. Temporary facilities, such as parking lots for interim use, may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. The Planning Director may approve temporary facilities for an initial 2-year period, which shall be granted pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. The time in which the approval expires may be extended by the Planning Director a maximum of 2 one-year periods.

2. Temporary facilities requested for periods in excess of the maximum 4 years allowed pursuant to Paragraph E.1, above, may be allowed for periods not to exceed a total of 10 years, subject to Conditional Use Permit approval, granted pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

3. In approving a temporary facility, the Reviewing Authority may require the installation of certain minimum improvements, such as paved parking, lighting and landscaping, and other improvements necessary to ensure and protect the public health, safety, and/or welfare.

4. The project proponent shall remove the temporary facility and all appurtenances thereto from the affected property within 30 days following the expiration of the Administrative Use Permit.

5. To ensure removal of a temporary facility and all appurtenances thereto within the required period, the Reviewing Authority may require the project proponent provide a performance guarantee pursuant to Division 2.06 (Performance Guarantees) of this Development Code, in the amount of \$10,000. The performance guarantee may be utilized by the City to pay fees and costs incurred by the City, associated with the enforcement of Paragraphs E.1 and E.3, above, and any conditions of Administrative Use Permit or Conditional Use Permit approval, as applicable, imposed by the Reviewing Authority.

G. Temporary Outdoor Activities, Displays, Events, and Sales. Temporary outdoor sales, displays, and activities may be allowed within any commercial, mixed-use, industrial, or specialized use zoning district, and within residential zoning districts in conjunction with a legally established religious assembly land use, subject to the approval of an Administrative Use Permit pursuant to Section 4.03.015 (Administrative Use Permit) of this Development Code, and are further classified as follows:

1. Retail Sales Events. Retail sales events include special outdoor sales, sidewalk sales and parking lot sales, and are subject to the following:

a. A retail sales event shall only be allowed in conjunction with a legally established business that has been operated for a period of at least 180 days prior to the retail sales event.

b. Retail sales events shall be limited to the holiday sale periods of President's Day, Memorial Day, Independence Day and Labor Day, and 4 additional periods per calendar year, for each business location. The additional periods may be used consecutively.

c. Retail sales events shall be limited to maximum 7 days duration.

d. The outdoor display of merchandise shall be restricted to an area directly adjacent to the business' exterior storefront; however, in the case of shopping centers, when it is not practical for the outdoor display area to be located directly adjacent to the business front, the sale area shall be located in an area as close as practically possible, to the business' exterior storefront.

e. The display of merchandise shall not impede pedestrian or vehicular circulation.

f. All merchandise, materials, signs and debris shall be removed from the outdoor area by 9:00AM following the last day of the retail sales event.

2. Holiday Retail Sales. Holiday retail sales include Christmas tree and pumpkin sales, and shall be limited to 30 days duration, 2 times per calendar year, for each business location.

3. Shows and Exhibits. Religious, historic, patriotic, or other similar outdoor displays may be permitted within a yard, parking lot or landscaped area, by or for the benefit of nonprofit organizations, subject to the following:

a. Shows and exhibits shall be limited to 30 days duration within any 90-day period.

b. The show or exhibit shall not impede pedestrian or vehicular traffic.

c. Shows and exhibits shall not be conducted within 1,000 FT of any residential land use, as measured in a straight line from any point along the outer boundaries of the property containing the show or exhibit. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

d. All equipment, materials, signs, and debris shall be removed from the outdoor area by 9:00AM following the last day of the display.

4. Amusement and/or Sporting Events. Bazaars, circuses, carnivals, rodeos, pony rides and other similar temporary amusement and/or sporting events may be permitted, subject to the following:

a. Events shall be limited to 2 periods of 7 days duration per calendar year, for each event location. The 2 event periods may be used consecutively.

b. Events shall not be conducted within 1,000 FT of any residential zoning district, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the event. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

c. All equipment, materials, signs, and debris shall be removed from the event location by 9:00AM following the last day of the event.

5. Tent Revivals. Tent revivals and other similar temporary events involving the large assemblage of people and/or equipment within a temporary structure or in the open air, may be permitted, subject to the following:

a. Tent revivals shall be limited to 2 periods of 7 days duration per calendar year, for each event location. The 2 event periods may be used consecutively.

b. Tent revivals shall not be conducted within 1,000 FT of any residential land use, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the tent revival. This separation requirement may be reduced by the Planning Director, provided the type and size of event proposed could in no way adversely affect residential land uses.

c. All equipment, materials, signs, and debris shall be removed from the event location by 9:00AM following the last day of the event.

6. Charitable and Fund Raising Events. Fund raising events for charitable organizations and other non-profit organizations, such as churches, schools, clubs, and other similar organizations, may be permitted to hold special outdoor fund raising events, hosted by and in conjunction with a legally established commercial or industrial land uses, subject to the following:

a. Charitable and fund raising events shall be limited to the holiday periods of President's Day, Memorial Day, Independence Day and Labor Day. Twelve additional events per calendar year shall also be permitted per location, not to exceed one event per month per location. Events shall be limited to a maximum of 4 days duration.

b. Charitable and fund raising events shall be restricted to an area directly adjacent to the host business' exterior; however, when it is impractical for the event to be located directly adjacent to the host business, such as in the case of a commercial shopping center, the event shall be located in an area as close as practically possible to the host business' exterior.

c. Charitable and fund raising events shall not impede pedestrian or vehicular circulation.

d. All equipment, materials, signs, and debris shall be removed from the event location by 9:00AM following the last day of the event.

H. Temporary Produce Stands. Temporary produce stands may be established and operated pursuant to the requirements of 5.03.410.E.2.d (Community Garden On-Site Produce Sales) and 5.03.410.F.d.2 (Urban Farm On-Site Produce Sales) of this Division.

I. Temporary Real Estate Sales, Lease and Rental Offices. Temporary real estate sales, lease, and rental offices may be allowed within any residential, commercial, mixed-use, industrial, specialized use, or overlay zoning district, subject to the following:

1. A temporary real estate sales, lease, or rental office shall be located a minimum of 200 FT from any existing dwelling outside of the subdivision or development project.

2. A temporary real estate sales, lease, or rental office may be established within a model dwelling, or within a temporary structure specifically designed for the use and approved pursuant to Subsection E (Temporary Office Structures) of this Section.

3. A certificate of occupancy for a temporary real estate sales, lease, or rental office shall not be issued until after a subdivision has been recorded with the San Bernardino County Recorder, or a building permit has been issued for a multiple-family development project.

4. Temporary real estate sales, lease, or rental offices shall be removed from the site within 30 days following the sale, lease, or rental of the last dwelling unit.

5. Comply with all provisions of Division 8.1 (Sign Regulations) pertaining to temporary real estate sales, lease, and rental signs.

J. Temporary Wireless Telecommunications Facilities. Temporary wireless telecommunications facilities may be allowed ~~for testing purposes, or~~ to fulfill short-term wireless capacity and/or coverage needs of the community, resulting from special activities or events for which a Temporary Use Permit has been approved, or to serve areas experiencing short-term population increases which the existing wireless telecommunications system cannot adequately support, such as seasonal retail sales, and other City-supported activities/events. ~~Temporary wireless telecommunications facilities shall be subject to the following:~~

~~1. Temporary Test Only Wireless Telecommunications Facilities. Should the City determine that testing for interference with public safety channels is warranted due to the operating band of the proposed telecommunications facility Carrier, an application for the temporary test only wireless telecommunications facility, and applicable processing fees, shall be submitted for review and approval by the City. Furthermore, the following shall be imposed as a condition of application approval:~~

~~a. The Planning Director may approve a temporary test only facility pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, to remain in place for a period of 30 days from date of installation. If additional time is needed to resolve systems conflicts, the applicant may apply for a single 60-day time extension. Should the temporary facility need multiple tests or consideration by the Planning Commission for an increase in height, the applicant may apply for an additional 180-day time extension, for total periods not to exceed 270 days. Time extension requests shall be reviewed by the Planning Director and shall include sufficient information to explain the need for the extension. The temporary facility shall be removed within 7 days of conclusion of testing.~~

~~b. Engineered plans and drawings to erect the temporary test only facility are to be submitted to the Building and Planning Departments for review and approval. All applicable building permits shall be required.~~

~~c. The Police and Information Technology Departments shall be notified at least one week in advance of the commencement of operation of the temporary test only facility in order to schedule testing. The purpose of the testing is to evaluate compatibility with the City's public safety radio frequencies. In the event a conflict exists, the facility shall immediately suspend operations until modifications are made to resolve the conflict.~~

~~d. An agreement with the City and the posting of a \$10,000 bond shall be required for any temporary test only facility. The agreement shall state the applicant's concurrence with the temporary nature of the permit and the acceptance of the conditions of approval. The bond shall secure the applicant's obligations to immediately remove a facility in the event that testing of the facility with the City of Ontario's public safety frequencies is inconclusive to support approval of the facility, and/or upon expiration of the use permit.~~

~~e. The approval of a temporary test only facility is not to be construed as support from the Planning and Police Departments for the permanent facility, and shall not be construed as an approval for any other purpose under the review processes set forth in this Section.~~

~~f. A meeting with WECA (West End Communications Authority), Police Department, Planning Department, and Carrier representatives shall be held for the purpose of exploring options for any frequency interference problems, and determining an optimal course of action.~~

~~g. Any temporary test only facility located within 500 FT of a residential zoning district shall be required to notify property owners and area residents of the proposal in writing, by posting the property at least 10 days prior to the approval of the proposed temporary test only facility. Property owner or resident objections shall be addressed by the Planning Director.~~

2. ~~Short-Term Temporary Wireless Telecommunications Facilities.~~ The Planning Director may approve short-term temporary wireless telecommunications facility pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code. Should the City determine that a temporary wireless telecommunications facility is needed to fulfill the short-term wireless capacity and coverage needs of the community, an application for the short-term temporary wireless telecommunications facility, and applicable processing fees, shall be submitted for review and approval by the City. Furthermore, the following shall be imposed as a condition of application approval:

a. The ~~Planning Director may approve~~ short-term temporary wireless telecommunications facility ~~pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, to~~ **may** remain in place for a period of 90 days from date of installation. The time in which the approval expires may be extended for a maximum of 2 periods of 90 days duration, each, for a total of 270 days.

b. Engineered plans and drawings (if required) to erect the temporary wireless telecommunications facility are to be submitted to the Building and Planning Departments for review and approval. All applicable building permits shall be required.

c. If a generator is to be provided to operate or provide backup power to the temporary wireless telecommunications facility, all applicable requirements of OMC Chapter 29 (Noise) of Title 5 (Public Welfare, Morals and Conduct) shall be complied with.

d. An agreement with the City and the posting of a \$10,000 bond shall be required for any short-term temporary wireless telecommunications facility. The agreement shall state the applicant's concurrence with the temporary nature of the permit and the acceptance of the conditions of approval. The bond shall secure the applicant's obligations to immediately remove approved facility upon expiration of the use permit. (Note: The bond requirement may be waived by the Development Agency Director.)

~~e. No short term temporary wireless telecommunications facility shall be located within 500 FT of a residential zoning district.~~

5.03.400: Thrift and Secondhand Stores, and Used Goods Stores

The on-site collection of salvageable personal property in conjunction with thrift and secondhand stores, and used goods stores, shall be prohibited, except as allowed by Section 5.03.320 (Personal Property Collection Bins) of this Division.

5.03.405: Temporary Shelters and Supportive Housing

The following standards shall govern the establishment and operation of Supportive Housing for the homeless families, persons with disabilities and homeless youth, and Temporary Shelters, including Emergency Shelters, Transitional Housing, and Transitional Living Centers.

K. General Requirements.

1. No portion of any Temporary Shelter or Supportive Housing facility shall be located within 300 FT of another such facility that is constructed, or that is approved for construction.

2. Temporary Shelters and Supportive Housing facilities shall observe State and Federal Fair Housing regulations and standards.

3. No more than one Federal, State, or Youth Authority parolee shall be allowed to live in a Temporary Shelter or Supportive Housing facility.

4. An application submitted for approval of a Temporary Shelter or Supportive Housing facility shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. Owners and/or operators of Temporary Shelters and Supportive Housing facilities shall update the information required by this Section anytime a person that is a Federal, State, or Youth Authority parolee is provided accommodations at the facility.

5. All Temporary Shelters and Supportive Housing facilities shall require boarders to sign a Crime Free Lease Addendum as part of their lease or rental agreement (as applicable), which provides that any criminal violations perpetrated by boarders shall be grounds for termination of the written or oral lease, sublease, or agreement under which they reside at the temporary/transitional shelter or housing.

6. Temporary Shelters and Supportive Housing facilities shall be operated in full compliance with all applicable requirements of this Development Code. Violation of any local, State, or Federal laws by individual boarders while on the premises shall be grounds for Conditional Use Permit (if applicable) and/or business license revocation, including but not limited to, violations of PC Section 3003.5.

7. No Temporary Shelter or Supportive Housing facility shall be maintained as a nuisance. The conduct of any Temporary Shelter or Supportive Housing facility within the City, in violation of any of the terms of this Article or other applicable provisions of this Development Code found and declared to be a public nuisance, and the City Attorney or the District Attorney may, in addition or in lieu of prosecuting a criminal action hereunder, commence an action or proceeding for the abatement, removal and enjoinder thereof, in the manner provided by law; and shall take other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate or remove such Temporary Shelter or Supportive Housing facility, and restrain and enjoin any person from conducting, operating or maintaining a Temporary Shelter or Supportive Housing facility contrary to the provisions of this Article or Development Code.

8. Any owner, operator, manager, employee or independent contractor of a Temporary Shelter or Supportive Housing facility violating or permitting, counseling, or assisting the violation of any of the provisions of this Article or applicable provisions of this Development Code regulating Temporary Shelters and Supportive Housing facilities shall be subject to any and all civil and criminal penalties pursuant to OMC Title 1, Chapter 2 (Penalty Provisions), and/or administrative citations pursuant to OMC Title 1, Chapter 5 (Administrative Citations). All remedies provided herein shall be cumulative and not exclusive. Any violation of these provisions shall constitute a separate violation for each and every day during which such violation is committed or continued.

9. For those Temporary Shelters and Supportive Housing facilities that require Conditional Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, violation of any of provision of this Section, or the Conditional Use Permit authorizing the Temporary Shelter or Supportive Housing facility, shall be grounds for revocation of the Conditional Use Permit pursuant to the provisions of Division 2.05 (City Initiated Modification or Revocation) of this Development Code.

10. Temporary Shelters and Supportive Housing facilities shall be prohibited within ALUCP safety zones.

11. Temporary Shelters and Supportive Housing facilities shall be in compliance with all requirements of this Development Code at all times, as well as any applicable provisions of the Ontario Municipal Code, including obtaining any other permits or licenses, such as building permits or a business license, required before establishing, expanding or maintaining the use.

L. Emergency Shelters. When allowed by Table 5.02-1 (Land Use Matrix) of this Development Code, Emergency Shelters shall be subject to the following standards:

1. The maximum length of stay for an Emergency Shelter client shall be 6 months.
2. On-site management shall be provided during the hours that the Emergency Shelter is in operation.
3. On-site security shall be provided during the hours that the Emergency Shelter is in operation.
4. No more than 20 client/tenant beds shall be allowed within any Emergency Shelter.
5. An intake waiting area equal to a minimum of 10 SF for each client/tenant bed shall be provided.
6. The exterior of the intake waiting areas shall be screened from public view by a 6-FT high decorative masonry block wall and appropriate landscaping.
7. A storage area for use by clients/tenants shall be provided at a rate of 7 SF for each client/tenant bed. A storage area is not required to be provided adjacent to the respective client/tenant bed.
8. An emergency shelter shall provide lavatory, toilet and shower facilities adequate for the number of clients/tenants served; however, a minimum of one such facility shall be provided for each 15 client/tenant beds.

5.03.410: Urban Agriculture

A. Purpose. The purpose of these urban agriculture regulations is to create a more sustainable and secure local food system by increasing opportunities to grow and sell food within all zoning districts of the City.

B. Applicability. The urban agriculture regulations established by this Section govern the establishment and operation of agricultural activities and facilities within all zoning districts of the City. The regulations established by this Section recognize 5 different urban agricultural activities, including Animal Keeping and Production; Commercial Crop Production and Farming; Community Gardens; Urban Farms; and On-Site Produce Sales Stands.

C. Animal Keeping and Production.

1. Residential Animal Keeping.

a. Allowed Activities/Facilities. Residential animal keeping shall be maintained only as an ancillary use to single-family dwellings, and shall be maintained only for noncommercial hobby or show purposes, or for the personal enrichment of City residents, as follows:

(1) Residential Zones. Residential animal keeping is permitted by right within the AR-2 and RE-2 zoning districts in conjunction with a single-family dwelling. Furthermore, the keeping of 4 or fewer household pets is permitted by right within all residential and mixed-use zoning districts, and within the AG and MHP zoning districts, in conjunction with a single-family or multiple-family dwelling.

(2) Commercial Zones. Residential animal keeping is prohibited within all commercial zoning districts.

(3) Mixed-Use Zones. Residential animal keeping is limited to the keeping of household pets within all mixed-use zoning districts.

(4) Industrial Zones. Residential animal keeping is prohibited within all industrial zoning districts.

(5) Specialized Use Zones. Residential animal keeping is permitted by right within the AG zoning district. Furthermore, the keeping of 4 or fewer household pets is permitted within the MHP zoning district.

b. Land Use Standards. The following standards govern residential animal keeping activities and facilities:

(1) General Requirements.

(a) Animals At Large—It shall be unlawful for any person within the City having the care, charge, control, or possession of any animal, fowl or bird to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person. Animals shall be secured by a fence or wall at least 5 FT in height when out of doors.

(b) Sanitation of Premises—

(i) Every person owning or occupying property within the City upon which any animal, fowl, or bird is kept shall maintain the property and any stable, barn, stall, pen, coop, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(ii) Proper management of animal waste shall be carried out pursuant to all requirements of the State Regional Water Quality Control Board or regulating agency.

(c) Proximity of Animals to Yards, Property Lines, Dwellings and Residential Accessory Structures—

(i) It shall be unlawful in residential zones of the City to keep any animal, except household pets, within 20 FT of any property line.

(ii) It shall be unlawful for any person to keep any animal, other than household pets, within 50 FT (70 FT for swine) of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes, except as allowed by Subparagraph (iii), below.

(iii) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(iv) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(d) Nonconforming Animal Keeping Activities. Animal keeping that becomes non-conforming by reason of new development on neighboring properties may be continued; provided, the nonconforming activity maintains compliance with the provisions of Division 3.01 (Nonconforming Lots, Land Uses and Structures) of the Ontario Development Code.

(e) Maximum Animal Keeping Densities. Table 5.03-7 (Maximum Animal Keeping Densities as an Accessory Use), below, establishes the maximum number of animals that may be maintained on a lot, provided the particular animal type is allowed pursuant to Table 5.01-1 (Land Use Matrix) of the Ontario Development Code. The maximum animal densities are based upon net lot area; however, any portion of a lot used to qualify one animal type shall not be used to qualify another animal type.

Table 5.03-7: Maximum Animal Keeping Densities as an Accessory Use

<i>Animal Type</i>	<i>Maximum Animal Density</i>
A. Birds	One animal for each 1,000 SF of lot area, except that within the AR-2 zoning district, maximum animal density may be increased as determined by a Conditional Use Permit

Table 5.03-7: Maximum Animal Keeping Densities as an Accessory Use

<i>Animal Type</i>	<i>Maximum Animal Density</i>
B. Cattle and Buffalo	One animal for each 6,000 SF of lot area
C. Exotic Pets	As determined by Conditional Use Permit
D. Horses	One animal for each 6,000 SF of lot area
E. Household Pets	Pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, not to exceed 8 animals
F. Llamas, Alpacas, Burros, Donkeys, and Mules	One animal for each 4,000 SF of lot area
G. Ostriches, Emus, and Rheas	One animal for each 6,000 SF of lot area
H. Poultry and Fowl	One animal for each 1,000 SF of lot area
I. Rabbits and Chinchillas	One animal for each 1,000 SF of lot area
J. Swine	One animal for each 20,000 SF of lot area, not to exceed 3 animals
K. Sheep, Goats (female only), and Similar Livestock	One animal for each 3,600 SF of lot area

(2) Keeping of Exotic Pets. The keeping of a exotic pets shall be allowed only in conjunction with, and accessory to, a single-family dwelling, subject to the following standards:

(a) The keeping of exotic animals shall require approval of a Conditional Use Permit pursuant to Section 4.02.025 (Conditional Use Permits) of the Ontario Development Code.

(b) The approval of a Conditional Use Permit for an exotic animal shall not be effective until the Reviewing Authority receives written evidence that the applicant has obtained a permit from the State Department of Fish and Game, if required.

(c) The keeping of an exotic animal shall comply with all applicable Federal and State laws and requirements.

(3) Keeping of a Potbellied Pig. The keeping of a potbellied pig as a household pet shall only be allowed in the AR-2, RE-2, RE-4, and LDR-5 zoning districts, in conjunction with, and ancillary to, a traditional single-family dwelling, subject to the following standards:

(a) For the purposes of this Section, the term “potbellied pig” shall mean a domesticated miniature Vietnamese, Chinese, or Asian potbellied pig, not exceeding 90 pounds in weight and 18 inches in height (measured at the shoulder), and characterized by a swayed back and straight tail.

(b) Potbellied pigs shall be provided with a fenced yard designed to assure confinement of the animal when kept outside. Yard areas must be maintained in a clean, safe, and odor-free condition.

(c) There shall be no more than one potbellied pig permitted on a lot.

(d) Potbellied pigs shall be licensed in the same manner as dogs, subject to the same restrictions and penalties, pursuant to the provisions of OMC Title 6 (Sanitation and Health).

(e) The breeding of potbellied pigs shall not be permitted. All potbellied pigs must be spayed or neutered.

(f) Prior to licensing of a potbellied pig, veterinary certification shall be required stating:

(i) The pig is spayed or neutered;

(ii) The pig is in good health and has received all necessary vaccinations; and

(iii) The height and weight of the potbellied pig.

(g) All male potbellied pigs 2 years of age or older shall have their tusks removed.

(h) While outside the owner's premises or property, potbellied pigs shall be restrained by a harness and leash, or other similar restraint, no more than 6 FT in length.

(4) **Male Goats.** It shall be unlawful to keep any male goat that is not neutered.

(5) **Poisonous or Otherwise Dangerous Reptiles.** It shall be unlawful to keep any poisonous or otherwise dangerous reptile, as determined by the Zoning Administrator.

(6) **Crowing Fowl.** It shall be unlawful for any person to keep any crowing rooster, peacock, guinea fowl, or any other fowl that by sound or cry shall unreasonably disturb the peace and quiet of a neighborhood.

2. Commercial Animal Production.

a. *Allowed Activities/Facilities.* Commercial animal production includes cattle ranching and farming; sheep and goat farming; aquaculture; apiculture, horse, and other equine production; fur-bearing animal production; kennels and catteries, alpaca and llama production; aviaries; ostrich, emu and rhea production; and support activities for animal production. Commercial animal production is allowed as a primary use of land, as follows:

(1) **Residential Zones.** Commercial animal production is prohibited within residential zoning districts, except that within the AR-2 zoning district, kennels and catteries having fewer than 8 animals shall be permitted as a Home Occupation pursuant to the requirements of the Section 5.03.240 of this Development Code.

(2) **Commercial Zones.** Commercial animal production is prohibited within commercial zoning districts, except that kennels and catteries, for the purpose of boarding only, shall be allowed within the CC and CR zoning districts in conjunction with veterinary and/or animal hospital services (NAICS 541940), pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(3) **Mixed-Use Zones.** Commercial animal production is prohibited within mixed-use zoning districts.

(4) **Industrial Zones.** Commercial animal production is prohibited within industrial zoning districts, except that kennels and catteries shall be allowed within the IL and IH zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(5) **Specialized Use Zones.** Commercial animal keeping is conditionally permitted (requires Conditional Use Permit approval pursuant to the requirements of Section 4.02.015 of this Development Code) within the AG zoning district on lots no less than 2 acres in area (20,000 SF for farms exclusively for small animal keeping), except apiculture (bee keeping and production), which is permitted by right within the AG, ONT and UC zoning districts.

b. *Land Use Standards.* The following standards shall govern the development and/or operation of facilities for commercial animal production and related uses:

(1) **Minimum Lot Area.** Animal keeping for animal production and related uses (excludes kennels and catteries, for the purpose of boarding only, in conjunction with veterinary and/or animal hospital services) shall be on a lot of no less than 2 acres in area, except that farms exclusively for small animal keeping, including apiaries, aviaries, rabbit, chinchilla, or other similar small raising, shall be permitted on lots of no less than 20,000 SF in area.

(2) **Animals At Large.** It shall be unlawful for any person within the City of Ontario, which has having the care, charge, control, or possession of any animal, fowl or bird to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person.

(3) **Sanitation of Premises.**

(a) Every person owning or occupying property within the City upon which any animal, fowl, or bird is kept shall maintain the property and any stable, barn, stall, pen, coop, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(b) Proper management of animal waste shall be carried out pursuant to all requirements of the State Regional Water Quality Control Board or regulating agency.

(4) **Hitching and Tethering Animals.** It shall be unlawful to hitch, tie, or otherwise fasten any horse, cow, or other animal to any tree or shrub within the City, or to tether or hitch for feeding any animal so as to allow the animal to cross any street, sidewalk, or alley within the City.

(5) **Proximity of Animals to Yards, Property Lines, Dwellings and Residential Accessory Structures, and Water Wells.**

(a) It shall be unlawful in residential zones of the City to keep any animal, other than household pets, within 20 FT of any property line.

(b) It shall be unlawful for any person to keep any animal, other than household pets, within 50 FT of any structure, other than that of the owner, which is used for

human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes, except as allowed by Subparagraph (c), below.

(c) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(d) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(e) No animals shall be kept within 100 FT of any domestic water well.

(f) Any new animal feed trough, corral/pen, dairy/feed lot, including manure stockpiles and related wastewater detention basins, shall maintain a minimum 500-FT separation from the boundary of any residential or non-residential subdivision map recorded after January 31, 2000. A reduction in the separation requirement may be considered for facilities with proven means of reducing odors, such as covering lagoons, substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

(g) A minimum 100-FT separation shall be maintained between any new residential or nonresidential development, or any structure used for public assembly, and any existing animal feed trough, corral/pen or an existing dairy/feed lot, including manure stockpiles and related wastewater detention basins. The separation requirement may be satisfied by off-site easements acceptable to the Planning Director.

(6) **Nonconforming Animal Keeping Activities.** Areas used for animal keeping that become non-conforming by reason of new development on neighboring properties, may be continued indefinitely; provided, that the nonconforming animal keeping activity maintains compliance with the provisions of Division 3.01 (Nonconforming Lots, Land Uses and Structures) of the Ontario Development Code.

(7) **Maximum Animal Keeping Densities.** Table 5.03-8 (Maximum Animal Keeping Densities for Animal Production), below, establishes the maximum number of animals that may be maintained on a lot, provided the particular animal type is allowed pursuant to Table 5.01-1 (Land Use Matrix) of the Ontario Development Code. The maximum animal densities are based upon net lot area; however, any portion of a lot used to qualify one animal type shall not be used to qualify another animal type.

Table 5.03-8: Maximum Animal Keeping Densities for Animal Production

<i>Animal Type</i>	<i>Maximum Animal Density</i>
A. Alpacas or Llamas	One for each 4,000SF of lot area
B. Cattle or Buffalo (raised for nondairy purposes)	One animal for each 6,000 SF of lot area
C. Dairy Cattle	As permitted by Reviewing Authority [1]
D. Fish	One pond for each acre of lot area, not to exceed 4 ponds per lot. Each pond shall not exceed 0.5-acre in surface area.

Table 5.03-8: Maximum Animal Keeping Densities for Animal Production

Animal Type	Maximum Animal Density
E. Goats	
1. Female	One animal for each 3,000 SF of lot area
2. Male	
a. Lots less than 10 acres in area	One
b. Lots 10 or more acres in area	One animal for each 5 acres of lot area, not to exceed 4 animals
F. Horses and Other Equine	One animal for each 6,000 SF of lot area
G. Kennels and Catteries	One animal for each 3,000 SF of lot area
H. Ostriches, Emus and Rheas	One animal for each 6,000 SF of lot area
I. Rabbits and Chinchillas	50 animals for each 10,000 SF of lot area, not to exceed 200 animals
J. Sheep and similar livestock	One animal for each 3,000 SF of lot area

Notes:

[1] New or expansions to existing dairy or other animal confinement facilities are considered on a case-by-case basis, subject to Conditional Use Permit approval. Animal density shall be determined by Reviewing Authority, which may impose special operational conditions, requirements, or standards, as deemed necessary to insure the public health and safety. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility as defined by the Regional Water Quality Control Board.

3. Aquaculture Production.

a. Aquaculture production shall be primarily for the commercial sale of freshwater and saltwater fish, crustaceans, mollusks, aquatic plants, algae, and other organisms under controlled conditions for food.

b. In the IG and IH zoning districts, aquaculture production shall be limited to building integrated aquaculture that incorporates a holistic design approach that efficiently integrates a closed-loop aquaculture system within the built industrial environment. Pond or pen-based aquaculture systems that are not wholly contained within a building shall be prohibited.

D. Commercial Crop Production and Farming. Commercial Crop Production and Farming is a use in which plants and their products are grown for sale, intended for widespread distribution to wholesalers or retail outlets. Commercial Crop Production and Farming includes oilseed and grain farming; vegetable and melon farming; fruit and tree nut farming; greenhouse, nursery and floriculture production; and other crop farming

1. Allowed Activities/Facilities. Commercial Crop Production and Farming is allowed as a primary or ancillary use of land, and as an interim land use on vacant and underdeveloped properties, as follows

a. Residential Zones. Commercial Crop Production and Farming is conditionally permitted (requires Conditional Use Permit approval pursuant to the requirements of Section 4.02.015 of this Development Code) within the AR-2 and RE-2 zoning districts and is prohibited within all other residential zoning districts, excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

b. Commercial Zones. Commercial Crop Production and Farming is prohibited within commercial zoning districts, ~~excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.~~

c. Mixed-Use Zones. Commercial Crop Production and Farming is prohibited within mixed-use zoning districts, ~~excepting community gardens and urban farms allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.~~

d. Industrial Zones. Commercial Crop Production and Farming shall be allowed within the IL, IG, and IH zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code ~~is permitted by right within the IL, IG, and IH zoning districts, and is prohibited in the BP and IP zoning districts.~~

e. Specialized Use Zones. Commercial Crop Production and Farming shall be allowed within specialized use and overlay zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code ~~is permitted by right within specialized use and overlay zoning districts, except within the CIV, MHP, PUD, and SP zoning districts, wherein the use is prohibited.~~

2. Land Use Standards. The following standards shall govern the establishment and operation of Commercial Crop Production and Farming:

a. Operational Standards. The following standards shall govern the operation of Commercial Crop Production and Farming:

(1) A Commercial Crop Production and Farming operation shall not sell plants and produce grown on-site or operate an On-Site Produce Sales Stand, excepting Community Gardens established pursuant to Subparagraph E.2.d (Community Garden On-Site Produce Sales) and Subparagraph F.2.d (Urban Farm On-Site Produce Sales) of this Section.

(2) A Commercial Crop Production and Farming operation shall be designed and maintained to ensure that irrigation and storm water will not drain to adjacent properties or the public right-of-way.

(3) A Commercial Crop Production and Farming operation shall be designed and maintained to prevent dust and other fugitive particles from leaving the site.

(4) A Commercial Crop Production and Farming operation shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(5) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City.

(6) A storage area for tools, equipment and other materials must be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height.

(7) The hours of operation shall be limited to the hours between 7:00AM and dusk.

(8) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

b. *Composting.* The on-site composting of site-generated refuse shall be prohibited.

E. Community Gardens. Community Gardens include small-scale crop production and farming by individuals on multiple plots, or food and/or ornamental crop production on larger plots, which is maintained and grown by volunteers or community groups as a form of recreation, education, and/or community charity. (Note: To ensure the sustainability of a Community Garden, up to 49 percent of the Community Garden may consist of an Urban Farm established in compliance with Subsection F (Urban Farm) of this Section).

1. Allowed Activities/Facilities. Community Gardens are allowed as an interim land use on vacant or underdeveloped land, or as a long-term ancillary land use, as follows:

a. *Residential Zones.* Community Gardens are administratively permitted within all residential zoning districts.

b. *Commercial Zones.* Community Gardens are administratively permitted within all commercial zoning districts.

c. *Mixed-Use Zones.* Community Gardens are administratively within all mixed-use zoning districts.

d. *Industrial Zones.* Community Gardens are administratively permitted within the BP, IP and IL zoning districts. Within the IG and IH zoning districts, Community Gardens shall be prohibited as a permanent use of land; however, the use may be administratively permitted as an interim land use on undeveloped or underdeveloped properties

e. *Specialized Use Zones.* Community Gardens are administratively permitted within all specialized use and overlay zoning districts.

2. Land Use Standards. The following standards shall govern the establishment and operation of Community Gardens:

a. *General Provisions.* Community Garden approval is subject to the granting of an Administrative Use Permit filed pursuant to Section 4.03.015 (Administrative Use Permits) of the Ontario Development Code, and the requirements of this Section. The Administrative Use Permit application shall include a copy of all contract templates that will be utilized between the garden owner/manager and all garden participants. The templates shall include plot maintenance requirements, fee requirements, and any other requirements that would be imposed on the participants of the Community Garden.

b. *Development Standards for Community Gardens.* Community Gardens shall comply with the following operational standards:

(1) The on-site sale of produce for profit is strictly prohibited.

(2) The site shall be designed and maintained to ensure that water will not drain to adjacent properties or the public right-of-way.

(3) The site will be designed and maintained to prevent dust and other fugitive particles from leaving the Community Garden.

(4) Community Gardens shall not use non-organic pesticides or herbicides.

(5) The site shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(6) Permanent open fencing shall be provided around the perimeter of a Community Garden, such as chainlink, and shall be consistent with the fencing standards of the zoning district in which the Community Garden is located. Furthermore, fenced Community Gardens shall have at least one access gate, and fencing shall be affixed to the ground with steel posts anchored in a concrete footing.

(7) A landscape screen may be provided along street frontages through the use of vines or espalier fruit trees to provide an attractive visual buffer from the public right-of-way.

(8) A minimum 4-FT wide walkway shall be provided from the public right-of-way to the Community Garden. The walkway shall be clearly marked and made from a decorative compacted material, such as decomposed granite, or a decorative pervious surface, such as concrete pavers.

(9) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City during the Administrative Use Permit review process.

(10) Any storage area for tools, equipment and other materials shall be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height. The use of metal shipping containers shall not be permitted.

(11) A water meter and hose bibs shall be provided for the site and shall be consistent with all applicable landscape regulations. Standard water rates will be applied to Community Gardens.

(12) The hours of operation shall be limited to the hours between 7:00AM and dusk, or as set forth in the Administrative Use Permit for the Community Garden. The property should be locked and secure during non-operating hours.

(13) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

(14) Maintenance of the Community Gardens shall not involve the use of commercial or industrial grade machinery and powered equipment without prior approval by the City's Planning Department (only mechanical equipment designed for household use should be used). The use of tractors, excavators, etc., may be limited by the Administrative Use Permit issued for the Community Garden.

(15) Approval by a homeowner or property owner association (if any) shall be provided prior to the issuance of an Administrative Use Permit for a Community Garden.

(16) Aquaculture may be permitted as an incidental activity to a Community Garden. The location and size of aquaculture activities and facilities may be limited by the Administrative Use Permit issued for the Community Garden.

c. *Composting.* The composting of site-generated refuse is an excellent method for providing sustainable fertilization of Community Gardens. Materials from off-site sources shall be limited to green waste (no manure from off-site sources shall be used for composting purposes). Facilities that choose to engage in composting shall provide a Composting Plan with their Administrative Use Permit application (required pursuant to Subparagraph E.2.a (General Provisions) of this Section), and shall comply with each of the following standards:

(1) A compost pile and composting facilities shall be located at least 20 FT from any interior property line and shall not be located within any front or street side yard setback area.

(2) A compost pile shall be located at least 50 FT from any habitable structure.

(3) A compost pile and composting facilities shall be screened and/or hidden from public view and shall not exceed 5 FT in height.

(4) Composting activities shall be conducted in a manner that does not create a nuisance (generation of noise, odors, insects, etc.) nor impact the public health, safety or welfare of the area surrounding the Community Garden, and/or Community Garden participants.

(5) The scale of the composting activity shall be consistent with the fertilizer requirements for the Community Garden the composting activity is intended to serve.

d. *Community Garden On-Site Produce Sales.*

(1) An On-Site Produce Sales Stand may be permitted by issuance of the Administrative Use Permit for the Community Garden.

(2) An On-Site Produce Sales Stand shall be operated by a non-profit organization and are intended to be small in scale and designed to benefit residents and businesses immediately surrounding the Community Garden. Furthermore, On-Site Produce Sales Stands may be used as a marketing tool to encourage new Community Garden participants, and to offset the costs of maintaining and operating a Community Garden. Community Gardens that choose to operate an On-Site Produce Sales Stand shall submit a Produce Sales Stand Operation Plan with their Administrative Use Permit application.

(3) An On-Site Produce Sales Stand established and operated in conjunction with a Community Garden shall comply with each of the following standards:

(a) The produce sales stand must be located on the same site as the Community Garden established pursuant to this Section.

(b) At least 51 percent of the produce sold at the produce sales stand shall be grown on-site or at other Community Gardens located within the City, which have

been established pursuant to this Section. The balance of the produce sold at the stand may be grown outside the City, at a facility holding a County Certified Producer Permit.

(c) All proceeds from the produce sales stand shall directly benefit the Community Garden program; however, a nominal amount of proceeds, not to exceed 10 percent of gross revenues, may be used to supplement the overhead costs of the non-profit organization that operates the sales stand.

(d) The applicant shall provide information on the non-profit organization that will operate the garden and shall include a copy of the Internal Revenue Service 501(c)(3) non-profit status form.

(e) The non-profit organization operating the produce sales stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and County.

(f) One produce sales stand shall be permitted on lots greater than 20,000 SF in area. The floor area of the stand shall not exceed 120 SF, and it shall not have a permanent foundation.

(g) The produce sales stand shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden.

(h) The produce sales stand shall not be located within a public right-of-way.

(i) The produce sales stand shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

(j) The off-street parking area for the produce sales stand shall be improved with compacted gravel or other material approved by the City, to control dust and erosion, and provide an all-weather driving surface.

(k) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director and City Engineer.

F. Urban Farms. Urban Farms are smaller-scale private farming operations in which plants and their products are grown and sold (on-site and/or off-site) for profit. Urban Farms include, but are not limited to, strawberry fields, flower and vegetable raising orchards, and vineyards. Additionally, Urban Farms may include items grown or produced as an ancillary activity to established land uses, such as, but not limited to, food service uses, including restaurants and special food services. Items not grown or produced on-site shall not be sold on-site, except in conjunction with an allowed retail store. (Note: An Urban Farm may be established and operated ancillary to a Community Garden pursuant to Subsection E (Community Gardens) of this Section.)

1. Allowed Activities/Facilities. Urban Farms are allowed as an interim land use on vacant or underdeveloped property, and as an ancillary activity to established food service uses, including but not limited to restaurants and special food services that grow spices, seasonings, or produce on-site, for use in their business operations. Plants and their products grown on-site may be sold on-site and/or off-site. Allowed activities/facilities are as follows:

a. *Residential Zones.* Urban Farms are administratively permitted within all residential zoning districts, as an interim land use on vacant lands.

b. *Commercial Zones.* Urban Farms are administratively permitted within all commercial zoning districts, as an interim land use on vacant lands, or as an ancillary activity to a legally established food service use.

c. *Mixed-Use Zones.* Urban Farms are administratively within all mixed-use zoning districts, as an interim land use on vacant lands, or as an ancillary activity to a legally established food service use.

d. *Industrial Zones.* Urban Farms are administratively permitted within all industrial zoning districts, as an interim land use on vacant or underdeveloped lands.

e. *Specialized Use Zones.* Urban Farms are administratively permitted within specialized use and overlay zoning districts, except within the MHP zoning district, wherein the land use is prohibited.

2. Land Use Standards. The following standards shall govern the establishment and operation of Urban Farms:

a. *General Provisions.* Urban Farm approval is subject to the granting of an Administrative Use Permit filed pursuant to Section 4.03.015 (Administrative Use Permits) of this Development Code, and the requirements of this Section.

b. *Operational Standards.* The following standards shall govern the establishment and operation of Urban Farms:

(1) An Urban Farm may sell plants and produce grown on-site in compliance with the "On-Site Produce Sales Stands" (see Subsection G of this Section) standards listed below.

(2) An Urban Farm shall be designed and maintained to ensure that irrigation and storm water will not drain to adjacent properties or the public right-of-way.

(3) An Urban Farm shall be designed and maintained to prevent dust and other fugitive particles from leaving the site.

(4) An Urban Farm shall be designed and maintained to prevent the uninhibited growth of weeds and the accumulation of debris.

(5) A fence may be required around the perimeter of an Urban Farm, as set forth by the Administrative Use Permit. Fencing shall comply with the standards of the zoning district in which the Urban Farm is located. Fencing located adjacent and parallel to a street shall be of an open design to allow for views into the site, shall have at least one access gate. Fences shall be affixed to the ground with steel posts anchored in a concrete footing.

(6) A landscape screen may be required along street frontages, as set forth in the approved Administrative Use Permit, through the use of vines or espalier fruit trees, to provide an attractive visual buffer from the public right-of-way.

(7) Refuse storage containers, serviced by the City, shall be provided and screened from the public right-of-way. The requirement and placement of storage containers shall be determined by the City during the Administrative Use Permit review process.

(8) A storage area for tools, equipment and other materials must be enclosed and located outside of designated front yard and street side yard setback areas. Storage buildings shall not exceed 120 SF in area and 14 FT in height.

(9) A water meter and appropriate hose bibs shall be provided for the site, and shall be consistent with all applicable landscape regulations.

(10) The hours of operation shall be limited to the hours between 7:00AM and dusk, or as set forth in the Administrative Use Permit.

(11) Lighting for the site shall be reviewed and approved by the Planning and Police Departments. Light shall be for general security and not for nighttime operations.

(12) The use of commercial grade machinery and powered equipment, such as tractors, tillers or excavators, may be limited by the Administrative Use Permit, based upon the Urban Farm location and its proximity to, and impact on, neighboring sensitive land uses.

(13) Aquaculture may be permitted as an incidental activity to an Urban Farm. The location and size of aquaculture activities and facilities may be limited by the Administrative Use Permit issued for the Urban Farm.

(14) Approval by a homeowner or property owner association, if any, shall be provided prior to the issuance of an Administrative Use Permit for an Urban Farm.

c. *Composting.* The composting of site-generated refuse is an excellent method for providing sustainable fertilization of Urban Farms. Facilities that choose to engage in composting shall provide a Composting Plan with their Administrative Use Permit application (required pursuant to Subparagraph F.2.a (General Provisions) of this Section), and shall comply with the composting standards set forth in the “Community Gardens” requirements (see Subparagraphs E.2.c(1) through (5) of this Section).

d. *Urban Farm On-Site Produce Sales Stands.*

(1) An On-Site Produce Sales Stand may be permitted by issuance of the Administrative Use Permit for the Urban Farm.

(2) An On-Site Produce Sales Stand established and operated in conjunction with an Urban Farm shall comply with all of the following standards:

(a) The produce sales stand must be located on the same site as the Urban Farm it serves.

(b) The operator of the produce sales stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and/or County.

(c) The produce sales stand shall only be used for the retail sales of plants or products that are grown on-site.

(d) One produce sales stand shall be permitted on lots greater than 20,000 SF in area. The floor area of the stand shall not exceed 120 SF, and it shall not have a permanent foundation.

(e) The produce sales stand shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden or Urban Farm.

(f) The produce sales stand shall not be located within a public right-of-way.

(g) The produce sales stand shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

(h) The off-street parking area for the produce sales stand shall be improved with compacted gravel or other material approved by the City, to control dust and erosion, and provide an all-weather driving surface.

(i) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director and City Engineer.

5.03.415: Waste Treatment and Disposal—Composting and Anaerobic Digestion Facilities

The following standards shall govern the establishment and operation of composting and anaerobic digestion facilities:

A. Any new Dairy for which a Conditional Use Permit is required, shall not be located within 100 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

B. A Manure Only Composting Facility shall not be located within 0.25-mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

C. A Green Waste or combination Green Waste and Manure Composting Facility shall not be located within 0.50 mile, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, to any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate.

D. A 100-FT setback shall be maintained between a project's perimeter property line and any material being composted or anaerobic digester on the project site.

E. A Conditional Use Permit application for a Composting or Anaerobic Digestion Facility shall be submitted with a traffic study, which analyzes the impacts of project generated truck traffic on traffic from residential development in the area and the surrounding roadway system, and recommends measures to mitigate identified impacts to a level of non-significance and appropriate routes to freeways.

F. The following shall be considered for inclusion as conditions of approval, as appropriate, for any Composting or Anaerobic Digestion Facility requiring Conditional Use Permit approval:

1. Maintain good air flow through the compost material;
2. Turn compost based on temperature, not a schedule;
3. Restrict material movement to times when the potential for winds are low and general population is least (i.e., when people are indoors or away from their homes, and not on weekends);
4. Minimize disturbance of dusty areas by equipment;
5. Minimize dust by adding moisture to material when moving or turning, and regularly water dirt roadways, dry material and unused areas;
6. Berms (defined as earthen mounds constructed along the perimeter of a composting site to minimize sight into the property and reduce debris from blowing off-site) shall be maximum 15 FT in height, and in no case higher than the allowed material rows;
7. Berms shall be set back minimum 10 FT behind a street property line and minimum 5 FT from all other property lines, or one-half the height of the berm, whichever is greater;
8. Berms shall be comprised primarily of soil, and shall have a slope not to exceed a 2:1 ratio (horizontal to vertical (h:v)). Berms can be as steep as 1.5:1, if properly evaluated, with appropriate calculations, by the City Engineer; and
9. The surface of the outside portions of the slopes (facing a public street) should have properly installed and maintained landscaping or hydro seeding with jute matting to prevent erosion or sloughing.

5.03.420: Wireless Telecommunications Facilities

The following regulations shall govern the establishment and operation of wireless telecommunications facilities:

A. Review of Wireless Telecommunications Facilities. All applications for wireless telecommunication facilities are subject to a 3-tier review process established by this Section. The Planning Director shall have the discretion to determine the design and level of review requirements for projects proposed in specific plan areas, based upon the similarity of the specific plan's land use designation to the citywide zoning districts.

1. Tier 1 Review. The following applications for wireless telecommunications facilities shall be reviewed and acted upon utilizing the Building Department's plan check review process:

a. A wireless telecommunications facility integrated into a building/structure design;

b. A roof-mounted ~~design~~ wireless telecommunications facility that is less than 10 FT in height, which is architecturally screened from view and is located within a nonresidential zoning district;

c. The establishment of small cell wireless telecommunications facilities, which conform to the following conditions:

(1) Small cell wireless telecommunications facilities should be attached to existing City light standards; however, if new or replacement light standards are necessary, concrete or steel poles shall be used, which match poles in the surrounding area and is consistent with current City standards. The use of new or existing wood poles shall not be permitted.

(2) Small cell wireless telecommunications facilities shall be limited to single-carrier facilities.

(3) All transmission equipment, excluding antennas and remote radio units, shall be placed underground, to the extent possible, in a manner consistent with City regulations. To the extent that the project proponent determines that all transmission equipment cannot be placed underground, the project proponent shall provide written supporting justification to the City, which excludes the cost of equipment undergrounding, for review and approval by the Planning Director and City Engineer.

(4) Small cell wireless telecommunications facilities shall be erected to a height no greater than the height of surrounding light standards, not to exceed a total of 35 FT, including antennas, lightning rods, or other extensions.

(5) Supporting equipment, such as cabling and conduits, shall be concealed within the pole so as not to be visible to the public. All other equipment such as antennas, enclosures, brackets, equipment boxes, etc., shall be painted to match pole.

(6) A Small Cell Wireless Telecommunications Facilities Agreement by and between the City and the project proponent shall be prepared, and reviewed and approved by the City Council, prior to encroachment permit issuance by the City for the installation of small cell telecommunications facilities.

d. The alteration or expansion of existing wireless telecommunications facilities, or collocation of additional facilities with an existing wireless telecommunications facility, in any zoning district, that does not exceed the below-listed thresholds, the calculation for which shall be cumulative over time, following the initial approval of the telecommunications facility:

(1) The height of the existing antenna array is increased by no more than 20 percent or 20 FT, whichever is greater; however, no such increase in height shall be permitted to exceed the maximum height limit prescribed in this Section;

(2) The existing facility is increased by more than 4 new equipment cabinets;

(3) The new facility will not have an additional protrusion more than 20 percent greater than the existing tower width; and

(4) Installation of the new facility will not require excavation outside existing leased or owned property and current easements. The calculation for such modifications shall be cumulative over time following the initial approval of the telecommunications facility. No such modification shall be permitted if the antenna array will exceed the maximum height prescribed by this Section (refer to Subparagraphs E.6.a and E.6.b of this Section).

2. Tier 2 Review.

a. A proposed wireless telecommunications facility meeting each of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code:

(1) The facility is located within a nonresidential zoning district;

(2) The facility is more than 500 FT from a residential zoning district, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility;

(3) The facility complies with all development standards of this Section and the applicable zoning district;

(4) The facility is of a stealth design so as not to be recognized as a telecommunications facility; and

(5) All support equipment to the proposed facility is located within a completely enclosed structure or is otherwise screened from public view

b. A new wireless telecommunications facility proposed within a nonresidential zoning district, which is to be collocated with an existing wireless telecommunications facility and complies with all development standards of this Section and the applicable zoning district, shall be reviewed and acted upon by the Development Advisory Board.

3. Tier 3 Review. A proposed wireless telecommunications facility meeting one or more of the following criteria shall require Development Plan approval pursuant to Section 4.02.025 (Development Plans) and public hearing notification pursuant to ~~Division 2.03 (Public Hearings)~~ Table 2.03-1 (Notification Matrix) and the requirements of Section 2.03.010 (Public Hearing Notification) of this Development Code:

a. Wireless telecommunications facilities not meeting the above-stated Tier 1 or Tier 2 review criteria;

b. Wireless telecommunications facilities located 500 FT or less (as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility) from a residential zoning district;

c. All nonstealth wireless telecommunications facilities;

d. Wireless telecommunications facilities proposed in the AG Overlay District, excepting those facilities meeting the Tier 1 review criteria, above. In addition to requiring Development Plan approval, wireless telecommunications facilities proposed in the AG Overlay District shall also require Conditional Use Permit approval pursuant to Table 5.02-1 (Land Use Matrix) and Paragraph C.1.f (Conditionally Permitted Uses) of Section 6.01.035 (Overlay Zoning Districts) of this Development Code;

e. Wireless telecommunications facilities creating more than a minimal visual impact on surroundings, as determined by the Planning Director. In determining whether more than a minimal visual impact exists, the Planning Director shall consider the facility's location and size, the view of the facility from the public street and neighboring properties, and the contrast between the facility and other external structural equipment. The applicant may be required to perform tests that would replicate the height of a proposed facility in order to adequately assess potential visual impacts;

f. Wireless telecommunications facilities located within line-of-sight of any scenic corridor identified by the Policy Plan component of The Ontario Plan; and

g. Wireless telecommunications facilities that include a request for an increase in height, which exceeds the maximum height provisions established by Paragraph E.5 of this Section. The Reviewing Authority may consider an increase in height if the strict application of Paragraph E.5 of this Section would result in prevent a provider of wireless telecommunications services ~~not being able to provide~~ from attaining adequate coverage to a service area due to practical difficulties beyond the control of the service provider. The service provider shall clearly demonstrate the nature of the problem, and that no other reasonable alternative is available to provide adequate coverage to the service area.

B. Additional Submittal Requirements.

1. In addition to the general submittal requirements for plan checks, wireless telecommunication facilities requiring Development Plan and/or Conditional Use Permit approval shall provide the plans and information required by the *Minimum Filing Requirements Checklist* and the *Plan Preparation Guidelines and Minimum Plan Contents Checklist* of the General Application Packet.

2. The City may contract with an independent radio frequency engineering consultant, or other qualified professional with knowledge and expertise regarding wireless telecommunication systems, to verify applicant's technical assertions. Such verification may include, but is not limited to, issues related to transmission coverage requirements, required height of facilities, technical limitations related to collocating facilities, evaluation of new technologies that are available and the potential for interference with other facilities, such as public safety radio communications systems. All costs associated with verification shall be borne by the applicant.

C. Performance Standards for Wireless Telecommunications Facilities. The operator of a wireless telecommunications facility and/or the owner of the property upon which the facility is located is responsible for compliance with the following:

1. No existing or future wireless telecommunications facility shall interfere with any public safety radio communications system including, but not limited to, the 800 MHz radio system operated by the West End Communication Authority (WECA), which provides public safety

communications during emergencies and natural disasters. Pursuant to GC Section 38771, a violation of this standard constitutes a public nuisance.

2. If any wireless telecommunications facility is found to interfere with a public safety radio communications system, or any system facilitating the transmission or relay of voice or data information for public safety, the carrier and/or property owner shall immediately cease operation of the radio channel(s) causing system interference. Operation of an offending wireless telecommunications facility shall only be allowed to resume upon removal, or other resolution, of the interference, to the satisfaction of the City.

Any request for an increase in antenna height that would exceed the maximum height provisions established by Paragraph E.6 of this Section in order to resolve interference conflicts with a public safety radio communications system, shall only be considered by the City after the facility operator and/or property owner have sufficiently demonstrated that all feasible methods of eliminating the conflict have been considered.

3. A wireless telecommunications facility, including poles, antennas, materials used to camouflage or stealth the facility, and equipment buildings and enclosures, shall be maintained in a manner so as to ensure that the facility will maintain its original appearance. In the event that over time, with exposure to wind, rain, sunlight, etc., any part of the facility begins to flake, pit, fade, discolor, disintegrate, or otherwise not maintain its original appearance as initially constructed, as determined by the Planning Director, it shall be repaired/replaced at the sole expense of the carrier.

4. The inspection and approval of a wireless telecommunications facility must be received from the Planning Department prior to Building Department final inspection and the establishment/release of permanent electrical power to the facility.

5. Wireless telecommunications facilities, including landscaping and surface areas, shall be continuously maintained free of weeds, debris, litter, and temporary signage. All graffiti shall be removed from the premises within 48 hours of discovery.

D. Location Guidelines and Criteria. All applications for wireless telecommunications facilities are subject to the following location guidelines and criteria:

1. The preferred order of location for wireless telecommunications facilities is: industrial zoning districts, followed **in descending order** by commercial, **mixed-use**, and ~~then~~ residential zoning districts. If proposed within an established specific plan area, the preferred order of location is: industrial land use districts, followed **in descending order** by business park, commercial, and residential land use districts.

2. Wireless communications facilities located within residential zoning districts shall be allowed only in conjunction with a nonresidential land use, such as, but not limited to, a church, fire station, park, or school.

3. Wireless telecommunications facilities may be located in close proximity to each other; provided, they utilize a stealth design, meet the height requirements of this Section, and are compatible with surrounding development. Wireless telecommunication facilities that are nonstealth in design shall be located a minimum of 1,000 FT from any other nonstealth wireless telecommunication facility, as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility.

4. Wireless telecommunication facilities shall not be located within any front or street side setback area.

5. Wireless telecommunications facilities shall not be located so as to create a nonconforming condition, such as reductions in parking, landscaping, loading zones or other applicable development standards.

6. Wireless telecommunications facilities shall be located where existing vegetation, structures, and/or topography provide the greatest amount of screening. Where insufficient screening exists, additional screening shall be provided through the installation of dense landscaping, installation of enhanced architectural treatments, or relocation of the facility so that the massing of existing buildings or vegetation will provide adequate screening. Support structures shall be constructed of galvanized steel and painted an unobtrusive color to neutralize and blend with surroundings or be of a stealth design.

E. Development Standards. It is a goal of the City that wireless telecommunications facilities be developed in harmony with the surrounding environment so as to be as unobtrusive as possible. This is especially true when located in visually prominent locations (e.g., along major thoroughfares, at entry points into the City, near high activity areas, etc.). The following guidelines are intended to ensure that the design of wireless telecommunications facilities is compatible with the community:

1. Wireless telecommunications facilities should:
 - a. Be collocated with another facility, where possible;
 - b. Be stealth in design, or building/structure or roof mounted as an integral architectural element on an existing structure; and
 - c. Utilize state-of-the-art wireless technology.
2. Wireless telecommunications facilities shall meet all applicable zoning and setback regulations of the zoning district in which they are located.
3. Wireless telecommunications facilities shall be installed and maintained in full compliance with all Federal, State and local codes and standards.
4. All proposed nonstealth facilities shall be designed to accommodate co-location of 2 or more service providers. To the extent possible, stealth facilities shall also be designed to accommodate co-location of facilities.
5. The height of wireless telecommunications facility support structures shall be the minimum necessary to provide adequate user coverage; however, an antenna or its support structure shall not exceed the maximum allowed height for wireless telecommunications facilities set forth below, except as provided for in Subparagraph A.3.f of this Section. The height of stealth design “tree” monopoles shall be measured to the top of the antenna arrays, with the branches/fronds extending above antenna arrays, to create a natural appearance.
6. The maximum height for wireless telecommunications facilities shall be as follows:
 - a. Freestanding single-carrier facilities shall not exceed 55 FT in height;

b. Freestanding collocated facilities (two or more carriers) shall not exceed 75 FT within the IL (Light Industrial), IG (General Industrial), and IH (Heavy Industrial) zoning districts, and 65 FT in height within all other zoning districts; and

c. Roof-mounted or building-mounted facilities shall not exceed 10 FT above the height of the building.

7. Prior to the issuance of a building permit for a wireless telecommunications facility, the carrier shall submit a Federal Aviation Administration determination for the proposed facility. Safety lighting or colors, if prescribed by the City or other approving agency, such as the Federal Aviation Administration, may be required for support structures.

8. Wireless communications facilities located within residential zoning districts shall be of stealth design.

9. All accessory equipment associated with the wireless telecommunications facility shall be screened from public view by a decorative fence, wall, landscaping, berming or a combination thereof, or shall be located within a building, enclosure or underground vault, which is designed, colored and textured to match the architecture of adjacent buildings or blend in with surrounding development.

10. All utilities associated with wireless telecommunications facilities shall be undergrounded. Cable connections from equipment structures to any antennae shall not be visible by the public.

11. The design of stealth wireless telecommunications facilities shall be compatible with the surrounding neighborhood. Stealth designs include building mounted designs and freestanding designs. Examples of building mounted designs include architecturally screened roof mounted facilities, facilities attached to a building/structure, bell towers, clock towers, or steeples, installation behind false windows, or other types of architectural features that are designed to camouflage the facility and are integrated into the building design. Examples of stealth freestanding wireless telecommunications facilities include facilities that are camouflaged as freestanding signage, flagpoles, light poles, or "tree" monopoles (such as "monopalms" and "monopines") that are blended with groupings of real trees. The use of "monopalms" should not be the default design if no other live palms are within the immediate surroundings. Wireless telecommunications facilities may be designed as, or within, a piece of public art or a historical monument for public benefit.

12. The use of whip and/or microwave dish antennas shall be permitted only if integrated into the design of a structure and/or if fully screened from public view.

13. Chainlink fencing is not permitted for containment of wireless telecommunications facilities, unless the fencing is located in the interior side of rear portion of property and is out of public view. ~~is not visible from a public area and is installed with tennis court screening material on all exterior sides of the fence.~~

14. The use of lattice-type telecommunications towers shall not be permitted within the City.

15. Planning Department approval must be received prior to any modification or addition to any existing wireless telecommunications facility.

16. Stealth wireless telecommunications facilities utilizing a flagpole monopole design shall comply with the following:

a. The flag to be placed on the flagpole monopole shall be proportionate in size to the height and diameter of the pole and shall be maintained at all times and replaced when needed due to weathering, as determined necessary by the Planning Director.

b. Only the National, State, County or City flags shall be flown on the flagpole. A flag shall be flown on the flagpole at all times, which shall be properly lighted.

c. Covers concealing antenna arrays shall be painted to match the flagpole.

17. Stealth wireless telecommunications facilities utilizing a monopine design shall comply with the following:

a. The branch count shall be a minimum of 3 branches per lineal FT of trunk height. Branches shall be randomly dispersed and of differing lengths to provide a natural appearance.

b. Simulated bark shall extend the entire length of the pole (trunk), or the branch count shall be increased so that the pole is not visible.

c. Branches and foliage shall extend beyond an antenna array a minimum of 2 FT horizontally and 7 FT vertically, in order to adequately camouflage the array, antennas and bracketry. In addition, antennas and supporting bracketry shall be wrapped in artificial pine foliage.

d. The size and spread of antenna arrays shall be the minimum necessary to ensure that they are adequately camouflaged.

e. A minimum of 2 live pine trees shall be planted for each proposed monopine, which shall have the same growth habit as the pine tree being simulated by the monopine and shall be in scale with the height of the monopine. The pine trees may be planted adjacent to the proposed monopine, or elsewhere on the site as deemed appropriate by the Planning Director. **The planting of additional trees and tree species may be required for larger project sites.**

18. Stealth wireless telecommunications facilities utilizing a monopalm design shall comply with the following:

a. All antennas shall be fully concealed within a “pineapple ball” (also referred to as “growth ball” or “terminal bud ball”) located at the end of the trunk. Furthermore, all wires and connectors shall be fully concealed within the trunk, and all unused ports (for co-location) shall have covers installed.

b. Simulated bark shall extend the entire height of the pole (trunk).

c. A minimum of 2 live palm trees shall be planted for each proposed monopalm, which shall have the same growth habit as the type of palm tree being simulated by the monopalm and shall be in scale with the height of the monopalm. The palm trees may be planted adjacent to the proposed monopalm, or elsewhere on the site as deemed appropriate

by the Planning Director. The planting of additional trees and tree species may be required for larger project sites.

19. A sign measuring 2 FT high by 2 FT wide shall be posted at the exterior entrance of wireless telecommunications facilities, and clearly visible to the public, identifying the carrier(s) and contact telephone number(s) for reporting emergency and maintenance issues.

5.03.425: Work/Live Units

A. Purpose. The purpose of this Section is to provide for, and make feasible, the construction of new buildings, and the reuse of existing buildings, for joint work/live units occupied by artists, artisans, professionals, and similarly situated individuals, as contemplated by HSC Section 17958.11.

B. Applicability. Work/live units shall be allowed pursuant to the provisions of this Section, within the zoning districts designated in Table 5.02-1 (Land Use Matrix) as permitting “work/live units.”

C. Definitions. As used in this Section, the following words, terms, and phrases are defined as follows:

1. **Adaptability.** The capability of altering or adding to certain building spaces, and/or elements such as kitchen counters, sinks, and grab bars, so as to accommodate the needs of persons with or without disabilities or to accommodate the needs of persons with different types or degrees of disabilities.

2. **Artist or Artisan.** One whose works are subject to aesthetic criteria. An individual who practices one of the fine arts, who works in one of the performing arts including music, or whose trade or profession requires a knowledge of design, drawing, painting, sculpting, writing or similar trades such as the creative and/or applied arts. This definition specifically does not include tattoo applicators, and designers/fabricators of drug and tobacco paraphernalia/accessories.

3. **Commercial Building Use.** An occupation, employment, or enterprise that is carried on for profit by the owner, lessee, or licensee.

4. **Industrial Building Use.** A use engaged in the basic processing and manufacturing of materials or products predominantly from extracted or raw materials.

5. **Listed or Listing.** Terms referred to equipment and materials that are shown in a list published by an approved testing agency qualified and equipped for experimental testing and maintaining an adequate periodic inspection of current productions, and which listing states that the material or equipment complies with accepted national standards that are approved, or standards that have been evaluated for conformity with approved standards.

6. **Prevailing Code.** The adopted federal, state, and local laws and regulations to be applied at the time of permit application.

7. **Professional.** One who engages in a pursuit or is active professionally in fields that include architecture, education, law, computer programming, media, and similar fields.

8. Work/Live Unit. An area comprised of one or more rooms or floors in new construction, or in a building originally designed for industrial or commercial occupancy that has been remodeled, which includes each of the following:

- a. Cooking space and sanitary facilities;
- b. Sleeping space; and
- c. Assigned working space in, adjacent to, or near the unit.

D. Administration.

1. Requirements for Application.

a. An application for a work/live unit permit shall be made pursuant to the prevailing Building and Fire Codes. The application shall be accompanied by architectural drawings (drawn pursuant to standards established by the Building Official) depicting the existing uses within the building or new construction, and where the proposed work/live units will be located.

b. The Building Official shall be responsible for distributing a copy of the submitted application and architectural drawing to all affected departments for review and approval.

c. A Certificate of Appropriateness shall be required for properties that meet the State or local criteria for historic resources.

2. Work/Live Units Permit Required. No building shall be used for work/live units unless a work/live permit has first been obtained from the Building Department.

3. Building Permit Required. No building or structure regulated by this Section shall be constructed, enlarged, altered, repaired, moved, improved, removed, converted, or demolished unless a separate permit for each building, or portion thereof, has first been obtained from the Building Official.

4. Business License Requirement. No work/live unit shall be occupied without obtaining an appropriate business license pursuant to OMC Title 3 (Finance), Chapter 1 (Business License Regulations), commencing with Section 3-1.101.

5. Certificate of Occupancy.

a. *Use and Occupancy*. No work/live unit shall be used or occupied until the Building Official and the Fire Marshall have completed and approved their final inspection of the unit, and a certification of occupancy has been requested for the work/live unit. In a complex with multiple work/live units, an individual unit or units can receive final inspection(s), request a certificate of occupancy, and be occupied, prior to all units being completed and receiving final inspection.

b. *Occupancy Violations*. Whenever any portion of a building designated as work/live is being used contrary to the provisions of this code, the Building Official may order such use discontinued within the unit or specified portion of the building. Provided the violation is not life threatening to the occupants within the building, such person shall discontinue the use within

7 days after the receipt of such notice, as prescribed by the Building Official, to make the structure, or portion thereof, comply with the requirements of this code

E. Development Criteria. The following criteria shall be imposed upon the development of work/live units:

1. Work/live units may be located in upper stories, basements (below grade), or within the first floor of all commercial and industrial buildings.

2. Work/live developments that have frontage along Holt Boulevard or Euclid Avenue, where the City has designated a historic retail corridor, the first 20 FT of floor area depth at the street level frontage shall be devoted to pedestrian-oriented gallery, showroom, retail, or similar commercial activity, except that if the 20 FT of floor area depth exceeds 30 percent of the primary ground floor area, less than 20 FT of depth is allowed as determined appropriate by the Reviewing Authority.

3. Each work/live unit shall be provided a primary entry from common areas, such as hallways, corridors, and/or exterior portions of the building, including courtyards, breezeways, parking areas, common open spaces, and public spaces.

4. Where any unit containing a work/live occupancy is adjacent to any other unit containing a separate work/live occupancy, such units shall be separated by one-hour fire resistant floors and walls, except that if 2 or more work-live units are combined into a single suite, then the partition walls and floors do not need to be fire rated.

5. Doors opening into corridors shall be protected by 20-minute fire assemblies or solid wood doors, not less than 1.75 inches thick. Where an existing frame will not accommodate a 1.75-inch thick door, a 1.375-inch thick solid, bonded wood core door, or equivalent insulated steel door, shall be permitted. The doors shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

6. The minimum area of a work/live unit shall be 700 SF. No more than 50 percent of the primary floor or level (i.e., excluding mezzanines, upper levels, and raised sleeping areas) of any individual work/live unit shall be used or arranged for residential purposes, such as a sleeping area and kitchen, except that in new construction, work/live units on upper floors, or on ground floors without public street frontage, do not have a minimum area set aside for work purposes.

7. The residential occupancy in any work/live unit shall not exceed 4 persons.

8. For the purposes of determining the minimum number of persons for which the building exiting system must be designed, the occupant load factors prescribed by the California Building Code shall be used.

9. Each work/live unit shall have one openable window accessible for exiting, with an opening of not less than 20 inches wide by 30 inches high, or a second exit door. Any security bars placed over required window openings shall be operable and have an opening not less than 20 inches wide by 30 inches high. Work/live units are not required to meet light and ventilation standards for habitable spaces if no life-safety hazard is created.

10. The life-safety requirements contained in the Building Code shall apply to all work/live units. For the purpose of providing a reasonable degree of life-safety for individuals occupying work/live units, the code provisions regarding dwelling units shall apply.

11. All work/live units shall be provided with single station smoke detectors, which shall receive their primary power from the building's wiring system and provided with a battery backup. Smoke detectors shall be installed pursuant to approved manufacturer's instructions, and shall be mounted on the ceiling at a point centrally located in the residential portion of the unit and in each sleeping room separated by floor to ceiling walls. In the working area of the work/live unit, one hardwired smoke detector shall be centrally located on the ceiling. Where the working area is subdivided into separate rooms by floor to ceiling walls, one smoke detector shall be installed on the ceiling of each workroom.

12. Any new commercial or industrial building developed with work/live units shall retain its industrial or commercial classification. Any building converted or partly converted to work/live units shall not be considered to have changed occupancy classification (i.e., there is no intensification of use).

13. All work/live units, including any alteration to a work/live unit, shall be required to meet the minimum life-safety standards set forth in this Section, and the following requirements:

a. Each work/live unit shall have a kitchen area consisting of a sink and garbage disposal, with ground fault interrupted circuit outlets provided.

b. Each work/live unit shall have sanitation facilities consisting of a toilet, lavatory, and shower and/or bathtub.

c. Each work/live unit shall have an approved UL listed heating system in the residential portion of the unit.

d. Habitable space shall have a dimension of not less than 7 FT.

e. Restrooms and bathrooms located on the primary floor area of a work/live unit must be designed and equipped to be adaptable to ADA compliance, and shall include the following:

(1) 36-inch doors.

(2) Inside 60-inch diameter clear wheelchair turning radius.

(3) Water closet meeting ADA fixture specifications.

(4) Water closet with ADA clearances from adjacent walls.

(5) Walls shall include necessary blocking for the installation of ADA grab bars.

(6) Sinks shall meet ADA height and clearance specifications.

(7) All switches and outlets shall meet ADA specifications.

f. Restrooms and bathrooms located on the second level of a work/live unit (e.g., mezzanines or upper levels) can follow residential standards for bathrooms if an ADA compliant restroom is available to visitors within the building and on an accessible path of travel from the unit. Table 5.03-9 (Minimum Number of Work/Live Units to be Equipped with a Shower

Adaptable for ADA Compliance), below, prescribes the number of all work/live units within the building that must be equipped with a shower that can be adapted for ADA compliance.

Table 5.03-9: Minimum Number of Work/Live Units to be Equipped with a Shower Adaptable for ADA Compliance

<i>Number of Work/Live Units</i>	<i>Number of Units With Adaptable Showers</i>
Fewer Than 5 Units:	None
5 to 12 Units:	One Unit
13 to 20 Units:	2 Units
More than 20 Units:	2 Units, Plus One Unit for Each 7 Work/Live Units in Excess of 20 Units

14. Energy insulation need not be installed, nor energy audits and mitigations provided, resulting from work/live units being developed within an existing building. In addition, sound mitigations need not be provided or installed resulting from work/live units being developed within an existing building, unless otherwise required by a Conditional Use Permit. However, all new buildings shall comply with current Building Code requirements for new construction.

15. Stairways serving a mezzanine or second level of a work/live unit shall comply with the City’s Building Code; stairs are to have an 8-inch maximum rise a 9-inch minimum run and a 30-inch minimum width. In addition, mezzanines of less than 400 SF may be accessed by spiral stairways or other similar reduced tread, open riser alternative stairways. A mezzanine can cover up to 50 percent of the primary floor area of a work/live unit without being considered a story or triggering additional exiting requirements.

16. An elevator need not be provided resulting from work/live units being developed within an existing building; however, all new buildings shall comply with current Building Code requirements for new construction.

17. Modifications that create a life-safety hazardous condition shall not be authorized by the Building Official. The Building Official shall have the power to render interpretations of this Section and to adopt and enforce rules and supplemental regulations, which are in conformance with the intent and purpose of this Section, in order to clarify the application of its provisions.

18. Existing buildings that are renovated to include work/live units shall be presumed to have adequate parking for both the renovated and unaltered portions of the building. Stalls for work/live units are not required to be covered or secured.

19. New construction of work/live units shall provide off-street parking facilities pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code. The intent is to provide lower, flexible parking standards wherever possible and appropriate. Consideration shall be given to shared parking systems, on and off street parking resources, compatibility with historic patterns of development, and the availability of mass transit resources.

F. Conditions of Approval. The following conditions of approval shall be imposed upon any work/live units established pursuant to this Section:

1. Business hours shall be clearly posted within the main lobby area of the building containing work/live units.

2. Sales of artists’ materials shall be restricted to products of the occupant and similar or related items. Sales of drug and tobacco related paraphernalia/accessories are prohibited.

3. Work/live units shall be occupied and used only by an artist, artisan, professional, or a similarly situated individual and their family, consisting of not more than 4 unrelated persons.

Division 6.01—District Standards and Guidelines

Sections:

- [6.01.000](#): Purpose
- [6.01.005](#): Applicability
- [6.01.010](#): Residential Zoning Districts
- [6.01.015](#): Commercial Zoning Districts
- [6.01.020](#): Mixed Use Zoning Districts
- [6.01.025](#): Industrial Zoning Districts
- [6.01.030](#): Specialized Use Zoning Districts
- [6.01.035](#): Overlay Zoning Districts

6.01.000: Purpose

This Division addresses development standards and guidelines, to ensure that proposed development produces an environment of stable and desirable character, is compatible with existing and future development in the vicinity, and protects the use and enjoyment of neighboring properties consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

6.01.005: Applicability

A. New Development Projects and Land Uses. The requirements of this Chapter shall apply to all proposed development projects and subdivisions, and new land uses, except as specified in Division 3.01 (Nonconforming Lots, Uses, Structures, and Signs), and shall be considered in combination with the provisions of Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities). If any provision of this Division conflicts with the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities), the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities, and Facilities) shall control.

B. Conformity with District Regulations.

1. No site or structure shall be used for any purpose or in any manner other than in conformity with the regulations of the zoning district in which the site or structure is located.

2. No structure is to be erected and no existing structure is to be moved, altered or enlarged, except in conformity with the regulations of the zoning district in which the structure or use is located.

3. No required yard or open space area related to any structure or use shall be used, encroached upon, or reduced in any manner, except in conformity with the regulations of the zoning district in which the yard or open space is located.

4. No lot or parcel shall be reduced in area to less than the minimum area prescribed for the district in which the site is located, unless a Variance is granted pursuant to Section 4.02.020 (Departures from Development Standards) of this Development Code.

5. Any lot that is shown on a recorded map prior to November 5, 1947, and that had a legal area, width, and frontage at the time the subdivision map was recorded or the lot was legally created, may be used for an allowed land use, and shall be subject to all other regulations applicable to the zoning district in which the site is located.

6.01.010: Residential Zoning Districts

A. Purpose. The purpose of the provisions of this Section is to ensure that development within residential zoning districts of the City will contribute toward an urban environment of stable, desirable character; which is harmonious with existing and future development; and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. These regulations are further established to:

1. Assist in implementing the goals and objectives of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan;

2. Reserve appropriate areas for residential living in a variety of dwelling types and tenures, at reasonable ranges of population densities, that will accommodate the City's future population growth;

3. Encourage the continued vitality of existing neighborhoods, and, where appropriate, encourage the revitalization of neighborhoods by the use of appropriate standards and incentives;

4. Provide a physical environment that contributes to, and enhances, the quality of life;

5. Promote stable neighborhoods that are well designed, safe, and pleasant places to live, and that contributes to the establishment of Ontario as a "complete community;"

6. Ensure adequate light, air, privacy, and open space for dwellings;

7. Establish architectural and design guidelines to encourage a high quality appearance of new and remodeled structures;

8. Establish standards ensuring that new infill residential construction is consistent with the character and fabric of existing neighborhoods, including densities, design and exterior appearance;

9. Protect residential properties from the hazards of traffic congestion, noise, fire, explosion, noxious fumes, and other hazards;

10. Facilitate the provision of public utilities and services commensurate with their need; and

11. Allow for innovative and flexible methods of implementing the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's residential zoning districts. The provisions of this Section shall apply to all residential

land subdivision and any new residential construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Development Standards. The design and development of residentially zoned properties shall comply with the following:

1. Traditional Single-Family Residential Development Standards.

a. Traditional single-family residential development projects shall comply with the requirements of Table 6.01-1 (Traditional Single-Family Residential Development Standards), which specifies development standards within the AR-2, RE-2, RE-4, LDR-5, ~~and MDR-11~~, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Traditional single-family residential development projects consist of ~~a~~ the construction of one or more single-family (detached) dwellings ~~unit~~ within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, ~~constructed on a single lots of record~~, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-1 (Traditional Single-Family Residential Development Standards) of this Division. Examples of traditional single-family residential development are contained in Figure 6.01-1A (Example Development—Traditional Single-Family Residential) and Figure 6.01-1B (Example Development—Traditional Single-Family Residential with Public Alley Access) of this Division.

~~2. Small Lot and Cluster Single Family Residential Development Standards.~~

~~**a.** Single family residential small lot and cluster developments shall comply with the requirements of Table 6.01-2 (Small Lot and Cluster Single Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, and MDR-18 zoning districts.~~

~~**b.** A small lot or cluster single family residential development consists of 2 or more dwellings oriented closely together to form relatively compact groups (clusters), regardless of lot size or configuration, which meets the standards prescribed by Table 6.01-2 (Small Lot and Cluster Single Family Residential Development Standards) of this Division. The space between groups of dwellings may be allocated to amenities for common use by residents of the development project. This pattern of development may result in a higher density of land use than that of a traditional single family layout, and/or an opportunity for pedestrian circulation, and/or cooperative or common open spaces and recreation facilities.~~

2. Small Lot Traditional Single-Family Residential Development Standards.

a. Small lot traditional single-family residential development projects shall comply with the requirements of Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Small lot traditional single-family residential development projects consist of the construction of single-family (detached) dwellings in zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2A (Small Lot Traditional Single-Family Residential Development Standards) of this Division. Examples of traditional single-family residential development are

contained in Figure 6.01-2A (Example Development—Small Lot Traditional Single-Family Residential) of this Division.

3. Small Lot Alley-Loaded Single-Family Residential Development Standards.

a. Small lot alley-loaded single-family residential development projects shall comply with the requirements of Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Small lot alley-loaded single-family residential development projects consist of the construction of one or more single-family (detached) dwellings, which take garage access from a private lane/alleyway or public alley, and are located within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2B (Small Lot Alley-Loaded Single-Family Residential Development Standards) of this Division. An example of small lot alley-loaded single-family residential development is contained in Figure 6.01-2B (Example Development—Small Lot Alley-Loaded Single-Family Residential) of this Division.

4. Cluster Single-Family Residential Development Standards.

a. Cluster single-family residential development projects shall comply with the requirements of Table 6.01-2C (Cluster Single-Family Residential Development Standards), which specifies development standards within the LDR-5, MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Cluster single-family residential development projects consist of the construction of 3 or more single-family (detached) dwellings, which take garage access from a private lane/alleyway or public alley, and are located within zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the minimum lot size (area and dimensions) of the affected zoning district, as prescribed in Table 6.01-2C (Cluster Single-Family Residential Development Standards) of this Division. An example of cluster single-family residential development is contained in Figure 6.01-2C (Example Development—Cluster Single-Family Residential) of this Division.

5. Multiple-Family Residential Development Standards.

a. Multiple-family (attached) residential development projects shall comply with the requirements of Table 6.01-3 (Multiple-Family Residential Development Standards), which specifies development standards within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. Multiple-family (attached) residential development projects consist of the construction of multiple-family (attached) dwellings in zoning districts that allow for such development pursuant to Table 5.01-1 (Land Use Matrix) of this Development Code, and which meet or exceed the development standards prescribed in Table 6.01-3 (Multiple-Family Residential Development Standards) of this Division. Examples of multiple-family residential development are contained in Figure 6.01-3A (Example Multiple-Family Development—MDR-11 (5.1 to 11.0 DU/Acre) Zoning District), Figure 6.01-3B (Example Multiple-Family Development—MDR-18 (11.1 to 18.0 DU/Acre) Zoning District), Figure 6.01-3C (Example Multiple-Family Development—MDR-25 (18.1 to 25.0 DU/Acre) Zoning District), and Figure 6.01-3D (Example Multiple-Family Development—HDR-45 (25.1 to 45.0 DU/Acre) Zoning District) of this Division.

6. Nonresidential Land Uses within Residential Zoning Districts. Nonresidential land uses allowed within residential zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code shall comply with the setback requirements applicable to multiple-family developments, except as follows:

a. The minimum building setback from any exterior (front and street side) property line that abuts a street or public alley shall meet the requirements of the zoning district upon which the building is located.

b. The minimum building setback from any interior residential property line (a property line that abuts another residentially zoned property) shall be 25-FT.

c. The minimum off-street parking space, drive aisle, or driveway setback, from any exterior property line or from any interior residential property line, shall be 10-FT. Off-street parking facilities shall not be located adjacent to a Euclid Avenue property line.

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS						
1. Density Range (minimum to maximum, in dwelling units per acre)	0 to 2.0	0 to 2.0	2.1 to 4.0	2.1 to 5.0	MDR-11: 5.1 to 11.0 MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 4 & 5
2. Minimum Lot Size						
a. Minimum (in SF)	18,000	10,000		7,200	5,000	Note 1
b. Average (in SF)		18,000		8,000	6,000	
3. Maximum Lot Coverage	30%	40%		50%	60%	
4. Minimum Lot Dimensions						
a. Lot Width						
(1) Interior Lots	100 FT	70 FT		60 FT	50 FT	Note 1
(2) Corner Lots	120 FT	80 FT		65 FT	50 FT	Note 1
(3) Cul-de-Sac Lots						
(a) At Front Property Line	40 FT					Note 1
(b) At Front Building Setback	70 FT			60 FT	40 FT	Note 1
b. Lot Depth	135 FT	100 FT		75 FT	100 FT	Note 1
5. Equestrian Trails Required	Yes		No			If yes, see Section 6.01.010. G.9

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
6. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).					
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
8. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					
13. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Minimum Setback from Street and Alley Property Lines						Note 9
a. From Freeways	20 FT					
b. From Arterial Streets	30 FT – Front For street side and rear setbacks, refer to the Collector and Local Streets standards, below.					Note 7
c. From Collector and Local Streets	30 FT	20 FT – Front 10 FT – Front Garage Other (side-on condition) 10 FT – Street Side 10 FT – Street Rear 1st Floor 20 FT – Street Rear 2nd/3rd Floor				Note 7
d. From Rear Alleys	10 FT – 1st Floor 20 FT – 2nd/3rd Floor 5 FT –Garage Entry (1st Floor Only) 10 FT –Garage Other (1st Floor Only) For side alley conditions, refer to the Interior Property Lines standards, below.					Note 8

Table 6.01-1: Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts					Additional Regulations
	AR-2	RE-2	RE-4	LDR-5	MDR-11, MDR-18, MDR-25 & HDR-45	
2. Minimum Setbacks from Interior Property Lines						
a. From Side Property Lines	10 FT		5 FT			Note 3
b. From Rear Property Lines	25 FT		10 FT – 1st Floor Living Area 20 FT – 2nd/3rd Floor Living Area 10 FT – Patio Covers			
3. Minimum Separation Between Buildings	6 FT (from buildings on the same lot)					
4. Maximum Height	35 FT					
5. Minimum Setback from Major Pipelines	50 FT (to any habitable structures)					Note 6

Notes:

1. An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).
2. A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives) of this Section.
3. When vehicle parking is provided at the rear of a lot (whether within a garage or carport, or uncovered) that does not have alley access, a minimum 10-FT interior side building setback, which is clear of meters and mechanical equipment, shall be provided to ensure clear vehicular access to the rear of the lot.
4. Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.
5. A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that if, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.
6. Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and
 - b. Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.
7. On a lot having a street adjacent rear property line (arterial, collector and local streets, only), for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.
8. A traditional single-family lot shall maintain a useable rear yard area having minimum horizontal dimension of 20 FT in any direction and a clear vertical dimension of 8 FT.
9. The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").



Figure 6.01-1A: Example Development—Traditional Single-Family Residential



Figure 6.01-1B: Example Development—Traditional Single-Family Residential with Public Alley Access

Table 6.01-2A: Small Lot Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Lot Size	4,000 SF – Interior Lot 4,500 SF – Corner Lot		2,800 SF – Interior Lot 3,200 SF – Corner Lot	
4. Maximum Lot Coverage	55%	55 60%	55 70%	
5. Minimum Lot Dimensions				
a. Lot Width	40 FT – Interior Lots 45 FT – Corner Lots		35 FT – Interior Lots 40 FT – Corner Lots	
b. Lot Depth	75 100 FT		70 90 FT	
6. Minimum Parking Space (Uncovered), Drive Aisle, and Driveway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Arterial Streets 20 FT – All Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
7. Equestrian Trails Required	No			
8. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
9. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
10. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
11. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
12. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
13. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City’s Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
14. Signs	Refer to Division 8.1 (Sign Regulations).			
15. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			

Table 6.01-2A: Small Lot Traditional Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
16. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			
17. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Street Property Lines				Note 7
a. From Freeways	20 FT			
b. From Arterial Streets	30 FT – Front For street side, rear, and alley setbacks, refer to the Collector and Local Streets standards, below.			
c. From Collector and Local Streets				
(1) From Street Front	14 FT – Living Area 18 FT – Garage Entry 10 FT – Other Garage (side-on condition)			
(2) From Street Side	10 FT			Note 6
(3) From Street Rear	10 FT – 1st Floor 15 FT – 2nd/3rd Floors 18 FT – Garage Entry 5 FT – Garage Other (1st Floor Only) 5 FT – Patio Covers			Note 6
d. From Alley Rear	5 FT – Garage (1st Floor Only) 10 FT – Rear 2nd/3rd Floors For side alley conditions, refer to the Interior Property Lines standards, below.			
2. Minimum Setback from Interior Property Lines				
a. From Side Property Lines	5/4 FT			Note 8
b. From Rear Property Lines	10 FT - Living Area 5 FT – Garage (1st Floor Only) 5 FT – Patio Cover to Side or Rear			
3. Minimum Separation Between Buildings	6 FT (from buildings on the same lot)			
4. Maximum Building Height	35 FT			
5. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 5

Notes:

1. An existing lot of record that is substandard as to minimum “project” area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.
 2. A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).
 3. Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.
 4. A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that if, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.
 5. Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and
 - b. Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.
 6. On a lot having a street adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.
 7. The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., “parkway”).
 8. The interior side property line setback may be reduced to 4 FT if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, thereby allowing a minimum 8-FT wide side to side building separation.
-

Small Lot Traditional Single-Family Residential; 4,000/4,500 SF Lots

Small Lot Traditional Single-Family Residential; 2,800/3,200 SF Lots



Figure 6.01-2A: Example Development—Small Lot Traditional Single-Family Residential

Table 6.01-2B: Small Lot Alley-Loaded Single-Family Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0; MDR-25: 18.1 to 25.0; HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions	200 FT – Width 200 FT - Depth			Note 1
4. Minimum Lot Size	N/A	N/A	N/A	
a. Lot width	40 FT – Interior Lots 45 FT – Corner Lots		35 FT – Interior Lots 40 FT – Corner Lots	
b. Lot Depth	75 FT		70 FT	
5. Maximum Lot Coverage	N/A 55%	N/A 60%	N/A 70%	
6. Minimum Lot Dimensions	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or Lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT – Arterial Streets 20 FT – Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
8. Equestrian Trails Required	No			
9. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
10. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
11. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
13. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
14. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City’s Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
15. Signs	Refer to Division 8.1 (Sign Regulations).			
16. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			

Table 6.01-2B: Small Lot Alley-Loaded Single-Family Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
17. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			
18. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback from Street Property Lines				Note 8
a. From Freeways	20 FT			
b. From Arterial Streets	30 FT			Note 5
c. From Collector and Local Streets	20 10 FT - Front 10 FT – Street Sides 15 FT – Street Rear			Note 5
2. Minimum Setback from Project Boundary Property Lines	10 FT – Project Boundaries 5/4 FT – Side 10 FT – Rear 5 FT – Patio Cover			Note 6
3. Minimum Setback from Private Drives	22 10 FT – Living Area 6 FT – Porch (Single-Story) 28 18 FT – Garage Entry 20 10 FT – Other Garage (side/rear)			Note 8
4. Minimum Setback from Private Lanes/Alleyways	10 FT – Living Area 5 FT – Garage			
5. Minimum Setback from Parking Spaces	10 FT			
6. Minimum Separations Between Buildings				
a. Dwelling Front to Front	25 FT			
b. Dwelling Front to Side	25 20 FT			
c. Dwelling Side to Side	10/8 FT			Note 6
d. Dwelling Rear to Rear	20 FT			
e. Garage to Garage	30 FT – Entry to Entry 30 FT – Entry to Side 10/8 FT – Side to Side 10/8 FT – Side to Rear			Note 6
7. Maximum Building Height	35 FT			
8. Minimum Setback from Major Pipelines	50 FT (to habitable structures)			Note 7

Notes:

1. *An existing lot of record that is substandard as to minimum "project" area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
 2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
 3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
 4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that if, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
 5. *On lot having a street-adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
 6. *The interior side property line setback may be reduced to 4 FT if the setback area is combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, thereby allowing a minimum 8-FT wide side to side building separation.*
 7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
 - a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
 - b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
 8. *The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., "parkway").*
-



Note: Private lanes/alleyways shall be provided with enhanced paving, such as interlocking pavers, integral color stamped and/or scored concrete, or other similar materials acceptable to the Planning Director.

Potential exclusive use side yard easement areas (typ.)

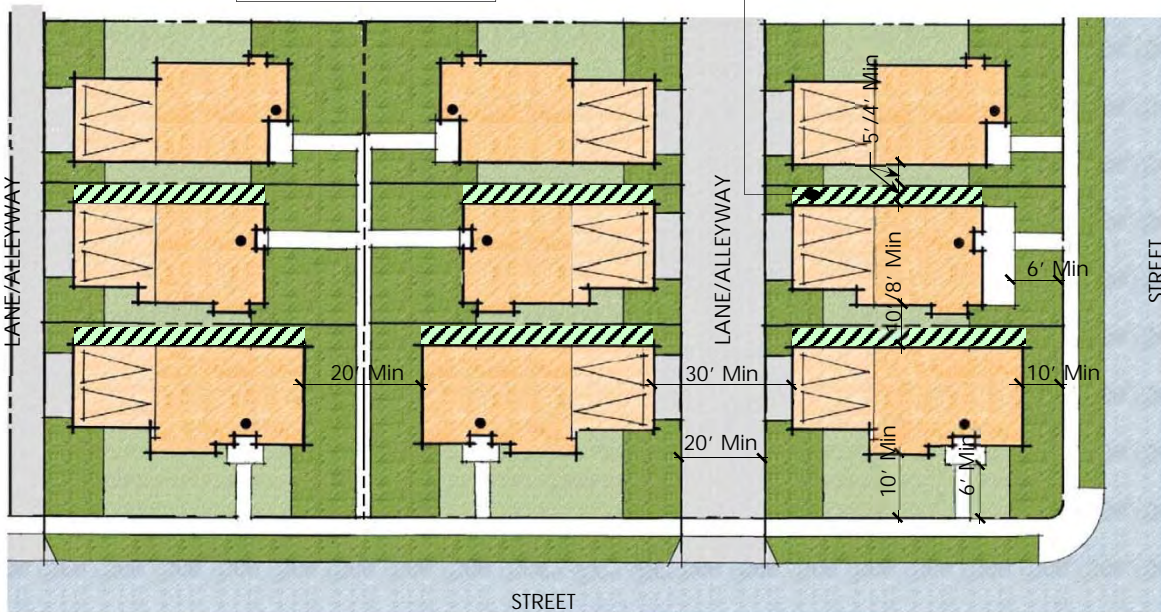


Figure 6.01-2B: Example Development—Small Lot Alley-Loaded Single-Family Residential Example

Table 6.01-2C: Cluster Single-Family Residential Development Standards

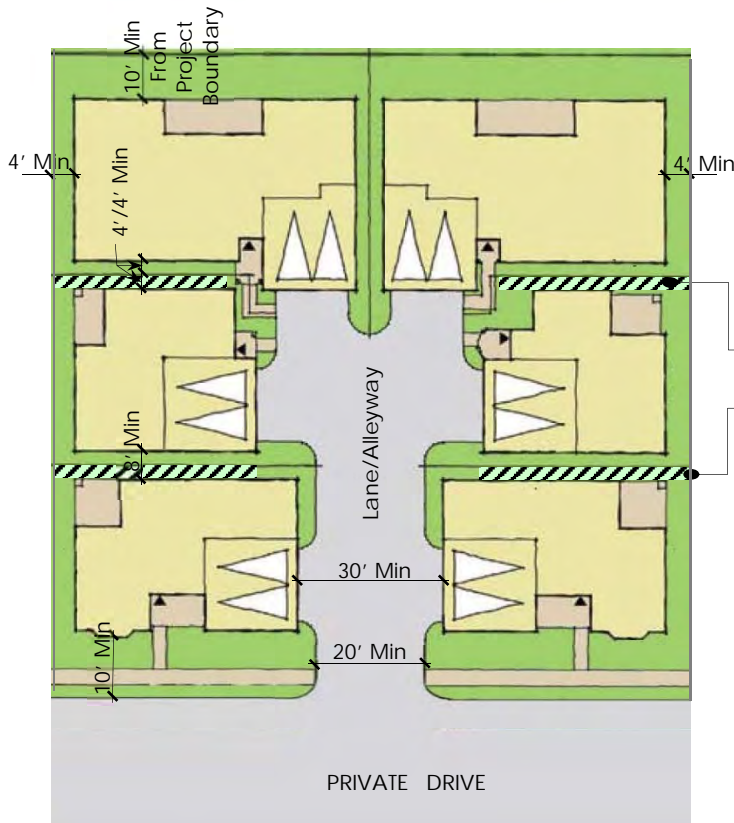
Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum, in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	MDR-18: 11.1 to 18.0 MDR-25: 18.1 to 25.0 HDR-45: 25.1 to 45.0	Notes 2, 3 & 4
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions	200 FT - Width 200 FT - Depth			Note 1
4. Minimum Lot Size	N/A			
5. Maximum Lot Coverage	N/A			
6. Minimum Lot Dimensions	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or Lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines	20 FT - Freeways 30 FT - Aerial Streets 20 FT - Other Streets			
b. From Project Boundary Interior Property Lines	5 FT			
8. Equestrian Trails Required	No			
9. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).			
10. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).			
11. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).			
13. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).			
14. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.			
15. Signs	Refer to Division 8.1 (Sign Regulations).			
16. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).			
17. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).			

Table 6.01-2C: Cluster Single-Family Residential Development Standards

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18, MDR-25 & HDR-45	
18. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.			
B. BUILDING DEVELOPMENT STANDARDS				
1. Minimum Setback From Public Street Property Lines				Note 8
a. Freeways	20 FT			
b. Arterial Streets	30 FT			Note 5
c. Collector and Local Streets	20 FT - Front 10 FT – Street Sides 15 FT – Street Rear			Note 5
2. Minimum Setback From Interior Project-Boundary Property Lines	10 FT – Project Boundaries 4 FT – Side 4 FT – Rear 5 FT – Patio Cover			Note 6
3. Minimum Setback From Private Drives	24 FT – Living Area 5 FT – Porch (Single-Story) 27 ≤ 5 FT or ≥ 18 FT – Garage Entry 24 FT – Garage Other			Note 8
4. Minimum Setback From Lanes/Alleyways (measured from back-of-curb)	10 FT – Living Area 5 FT – Porch (Single-Story) 5 FT – Garage			
5. Minimum Setback From Parking Spaces	10 FT – Living Area 8 FT – Porch (Single-Story) 5 FT - Garage			
6. Minimum Separation Between Buildings				
a. Dwelling Front to Front	30 FT			
b. Dwelling Front to Side	25 FT			Note 6
c. Dwelling Side to Side	10 FT			Note 6
d. Dwelling Side to Rear	15 FT			
e. Dwelling Rear to Rear	20 FT			
f. Garage to Garage	30 FT – Entry to Entry 30 FT – Entry to Side 10 FT – Side to Side 10 FT – Side to Rear			Note 6
7. Maximum Building Height	35 FT			
8. Minimum Setback From Major Pipelines	50 FT (to habitable structures)			Note 7

Notes:

1. *An existing lot of record that is substandard as to minimum “project” area and/or dimension(s) shall be permitted the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum allowed within the density range.*
 2. *A density bonus and other incentives pursuant to GC 65915 through 65918 may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).*
 3. *Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.*
 4. *A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that if, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.*
 5. *On a lot having a street-adjacent side or rear property line, for the purpose of wall placement, each wall shall be setback a minimum of 5 FT behind the street property line to allow for landscaping beyond any required parkway landscaping.*
 6. *The interior side property line setback may be combined with the side setback area of the adjacent property to create a single minimum 8-FT wide outdoor use area clear of walls, which is defined in the project CC&Rs.*
 7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
 - a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
 - b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*
 8. *The minimum setback from private streets and drives shall be measured from a line running parallel to the street/drive, which is located 12 FT behind face-of-curb (a.k.a., “parkway”).*
-



Note: Private lanes/alleyways shall be provided with enhanced paving, such as interlocking pavers, integral color stamped and/or scored concrete, or other similar materials acceptable to the Planning Director.

Potential exclusive use side yard easement areas (typ.)

Figure 6.01-2C: Example Development—Cluster Single-Family Residential

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR-45	
A SITE DEVELOPMENT STANDARDS					
1. Density Range (minimum to maximum, in dwelling units per acre)	5.1 to 11.0	11.1 to 18.0	18.1 to 25.0	25.1 to 45.0	Notes 1, 2, 6 & 7
2. Minimum Project Area	0.23 Acre (10,000 SF)			2.5 1.0 AC	Note 1
3. Minimum Project Dimensions					
a. Width	100 FT			330 180 FT	Note 1
b. Depth	100 FT			330 200 FT	Note 1
4. Maximum Project Coverage	60%			100%	
5. Minimum Lot Size	N/A				
6. Maximum Lot Coverage	N/A				
7. Minimum Lot Dimensions					
Lot Width	Refer to Subsection 6.08.045.C (Common Interest Subdivisions are Exempt from Minimum Lot Area and Building Setback Requirements)				
Lot Depth					
8. Minimum Parking Space (Uncovered), Drive Aisle and Driveway Setbacks					
a. From Project Boundary Street Property Line	20 FT – Freeways 20 FT – Arterial Streets 10 FT – Collector and Local Streets			10 FT – Freeways 20 10 FT – Arterial Streets 10 FT – Collector and Local Streets	
b. From Project Boundary Interior Property Line	5 FT				
9. Equestrian Trails Required	No				
10. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).				
11. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).				
12. Open Space and Recreation Amenities	Refer to Subsection 6.01.010.E (Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects).				
13. Landscaping	Refer to Division 6.05 (Landscaping) landscape standards. Also refer to Paragraph 6.01.010.G.6.c (Single-Family Cluster and Multiple-Family Development) for additional standards addressing multiple-family development within commercial zoning districts				
14. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).				

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
15. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City’s Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.				
16. Signs	Refer to Division 8.1 (Sign Regulations).				
17. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).				
18. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).				
19. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.				
B BUILDING DEVELOPMENT STANDARDS					
1. Minimum Setback from Public Street Property Lines	20 FT – Freeways 30 FT – Arterial Streets 20 FT – Collector and Local Streets			10 FT	Notes 3 & 9
2. Minimum Setback from Interior Project Boundary Property Lines	10 FT 5 FT				Note 4
3. Minimum Setback from Public Alley Property Lines	10 FT 5 FT				
4. Minimum Setback from Private Drives/Alleyways (from edge of drive aisle)					
a. Living Area	15 FT				
b. Garages and Other Nonhabitable Structures	5 FT				
5. Minimum Setback from Dwellings to Parking Spaces					
a. Living Area	10 FT				
b. Garages and Other Nonhabitable Structures	5 FT				
6. Minimum Setback from Parking Space or Drive Aisle to Wall or Fence	5 FT				
7. Minimum Separation Between Detached Buildings					
a. Dwelling Front to Front	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
b. Dwelling Front to Rear	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
c. Dwelling Front to Side	≤ 2-Stories: 25 FT; ≥ 3 Stories: 30 FT				
d. Dwelling Side to Side	≤ 2-Stories: 10 FT; ≥ 3 Stories: 15 FT				

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
e. Dwelling Side to Rear	15 FT				
f. Dwelling Rear to Rear	20 FT				
g. Garage to Garage (or other nonhabitable structures)	30 FT – Entry to Entry 30 FT – Entry to Side 10 FT – Side to Side 10 FT – Side to Rear				
8. Minimum Storage Space	240 CF				Note 5
9. Maximum Building Height	35 FT	45 FT	60 FT	75 FT	
10. Minimum Setback from Major Pipelines	50 FT (to habitable structures)				Note 8

Notes:

1. An existing lot of record that is substandard as to minimum “project” area and/or dimension(s), shall be permitted all of the development rights of the zone in which it is located, except that the maximum density shall be limited to the minimum number of dwelling units allowed within the specified density range for the applicable zoning district.
2. A density bonus and other incentives pursuant to GC Sections 65915 through 65918, may be granted by the Approving Authority. Refer to Subsection 6.01.010.H (Density Bonus and Other Incentives).
3. A health risk assessment shall be required for multiple-family development projects located within close proximity to a freeway, as determined by the Zoning Administrator.
4. A dwelling having the primary entry facing onto an interior property line shall maintain a minimum ~~45~~ 10-FT setback from the corresponding interior property line.
5. Adequate lockable private storage space shall be provided within a garage or storage building, or a space directly accessible from the dwelling. Exterior closets accessed from patios or balconies may be used if screened from public view.
6. Lots with a maximum density calculation of less than 1.00 may be developed with one dwelling unit.
7. A residentially zoned lot shall be developed at no less than the minimum number of dwelling units allowed within the specified density range for the applicable zoning district, except that if, as a result of the configuration/design of a lot, the minimum residential density cannot be achieved, the lot may be developed with a maximum of one dwelling unit.
8. Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and
 - b. Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.
9. The minimum setback from private streets shall be measured from a line running parallel to the street, which is located 12 FT behind face-of-curb (a.k.a., “parkway”).

Triplex Townhomes — 5.1 to 11 DU/Acre

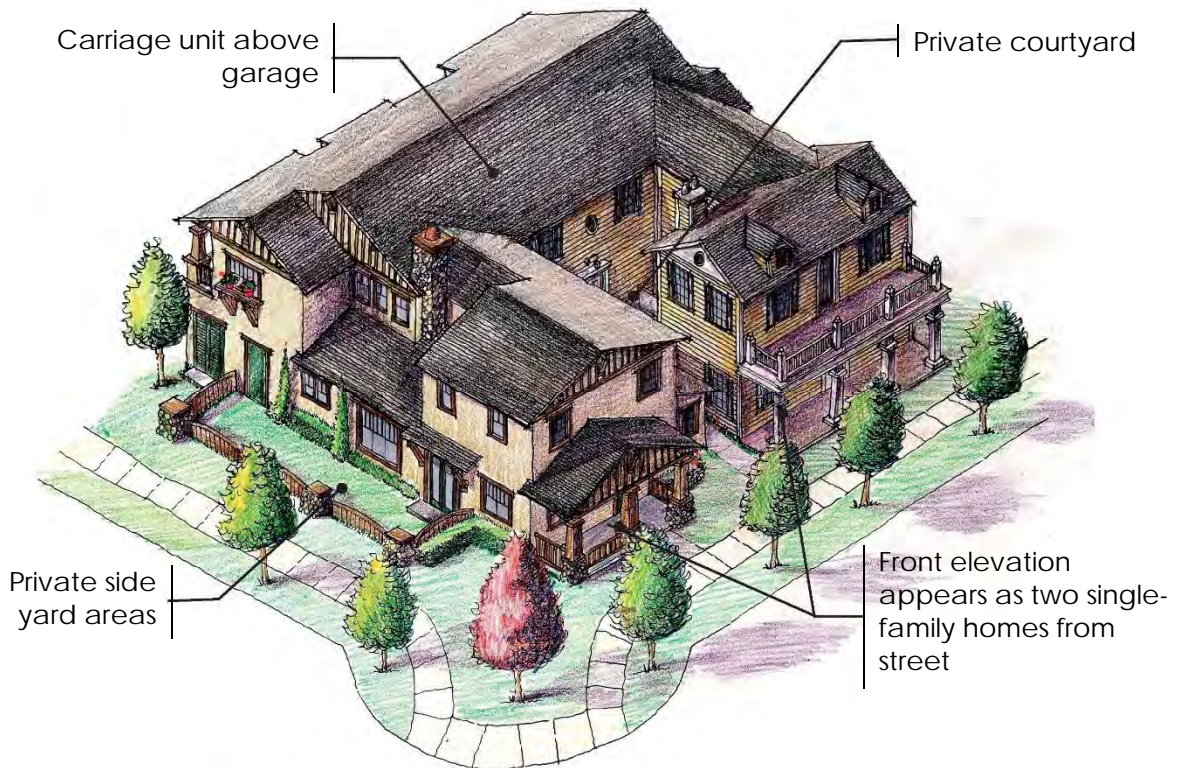
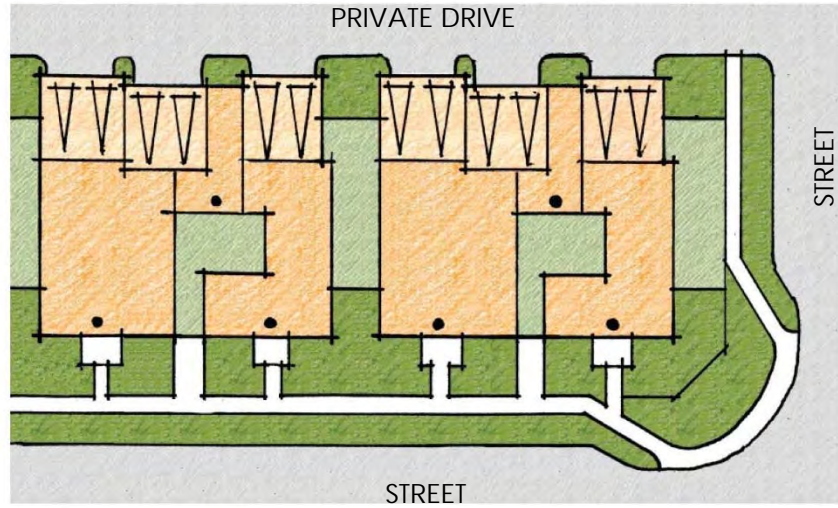
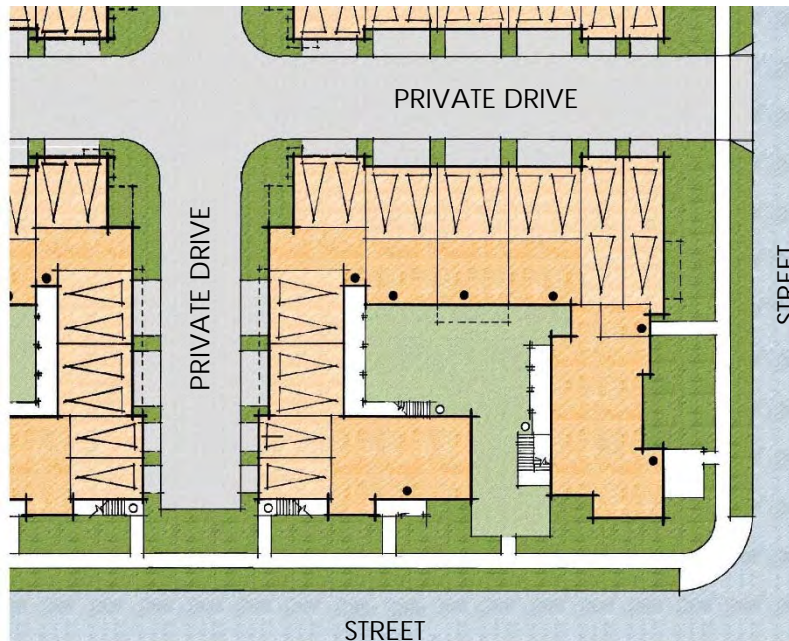


Figure 6.01-3A: Example Multiple-Family Development — MDR-11 (5.1 to 11.0 DU/Acre) Zoning District

Courtyard Townhomes — 11.1 to 18 DU/Acre



One, two and three-story elements create human scale

Building articulation continues along private drive

Front doors face street and interior courtyard

Common courtyard

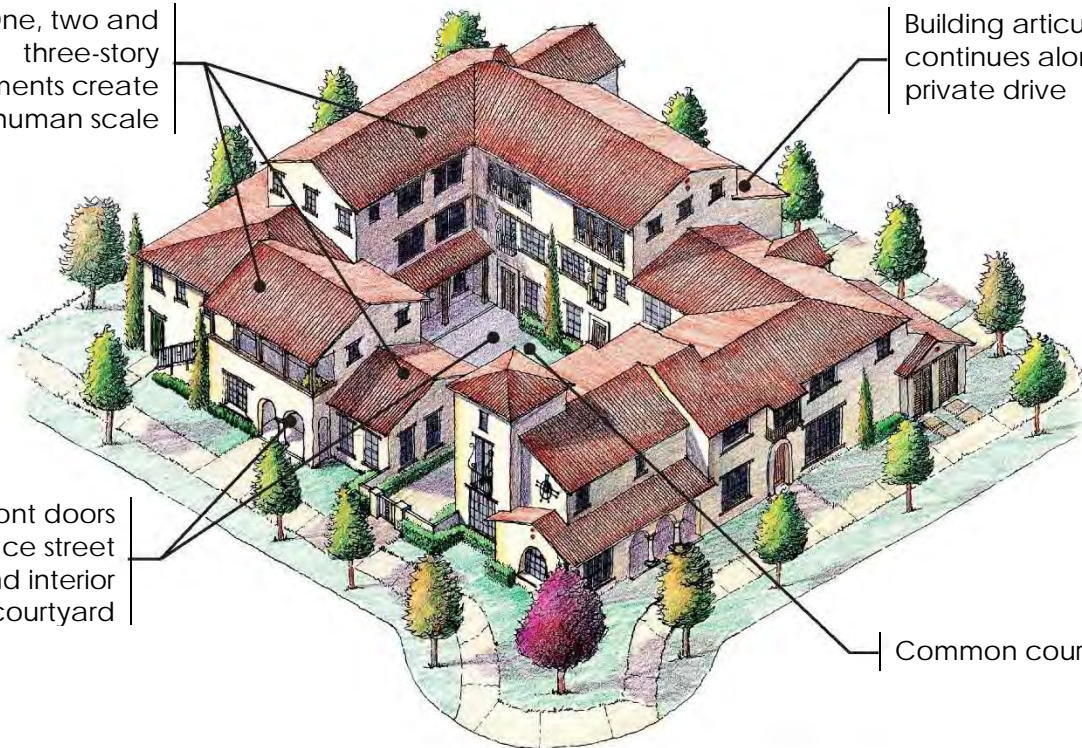


Figure 6.01-3B: Example Multiple-Family Development — MDR-18 (11.1 to 18.0 DU/Acre) Zoning District

Motorcourt Townhomes — 18.1 to 25 DU/Acre

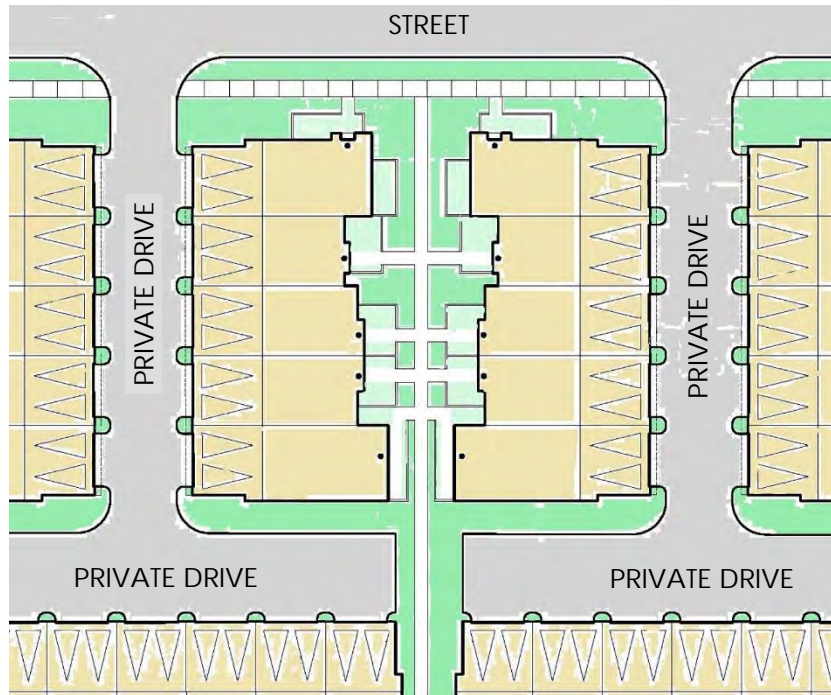


Figure 6.01-3C: Example Multiple-Family Development — MDR-25 (18.1 to 25.0 DU/Acre) Zoning District

Stacked Flats Condominiums Over Podium Parking — 25.1 to 45 DU/Acre

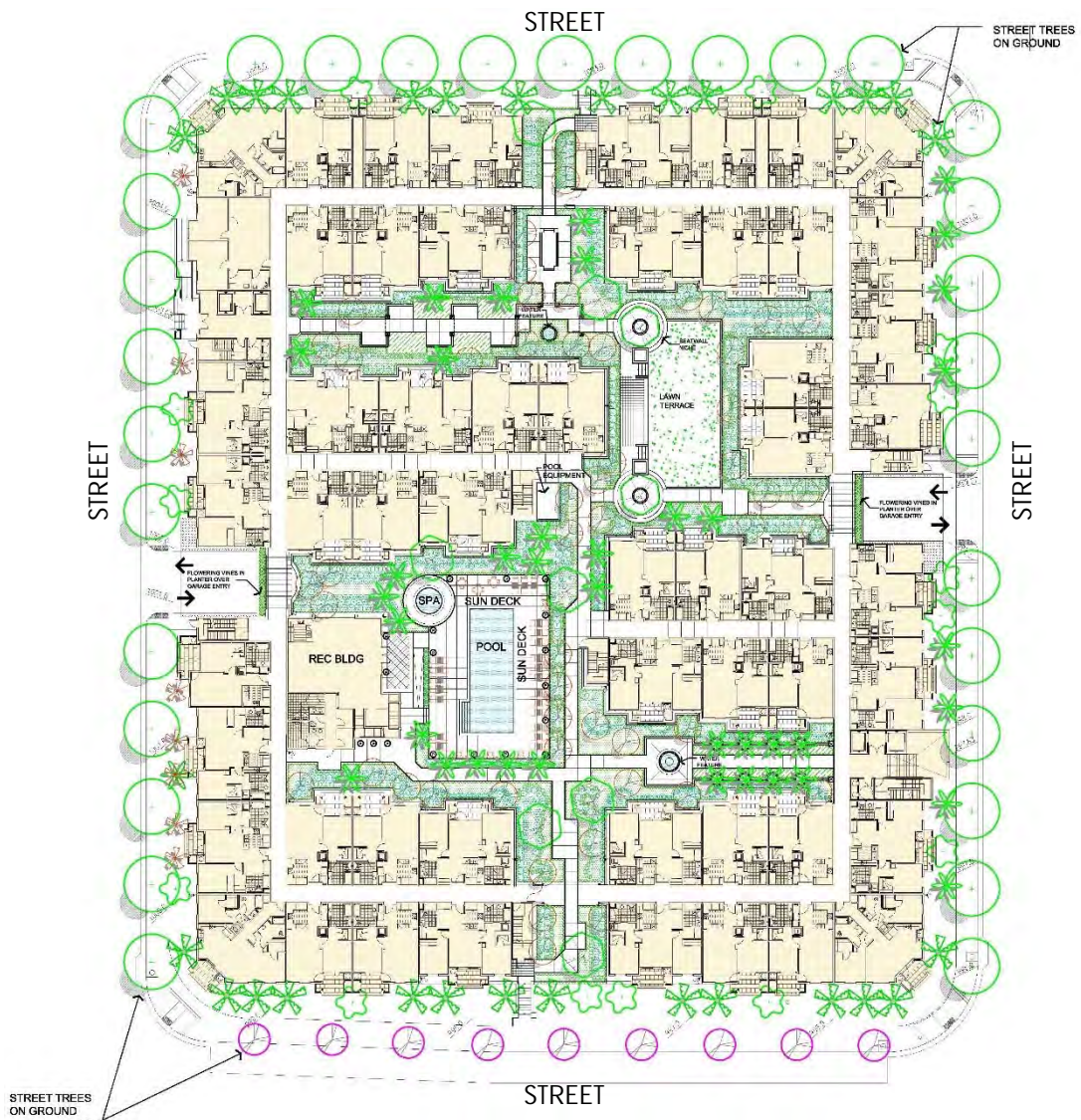


Figure 6.01-3D: Example Multiple-Family Development — HDR-45 (25.1 to 45.0 DU/Acre) Zoning District

D. Exceptions to Development Standards. The following exceptions from the maximum height and minimum setback requirements stipulated in Table 6.01.010-1 (Traditional Single-Family Residential Development Standards), Table 6.01.010-2 (Single-Family Residential Small Lot and Cluster Development Standards), and Table 6.01.010-3 (Multiple-Family Residential Development Standards) shall be permitted:

1. Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures.* Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas.* HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities.* Wireless telecommunication facilities shall comply with Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Attached Porte Cocheres.* Porte cocheres attached to the main dwelling may extend into a required front setback a maximum of 30 percent of the required setback depth and may extend into a side setback a maximum of 50 percent of the required setback width, provided the porte cochere is no greater than 20 FT in width. In no case, however, shall the side setback width be reduced to less than ~~2.5~~ 3 FT.

b. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features.* Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required front, street side, or rear setback area, a maximum of 50 percent of the required setback, not to exceed 2.5 FT.

c. *Fireplaces and Chimneys.* Fireplaces and chimneys may extend a maximum of 2 FT into a required front, rear, side, or street side setback area; however, in no case shall the side setback be reduced to less than 3 FT.

d. *Porches, Patios, and Decks.* A porch, patio, or deck, may extend up to 30 percent into a required street setback area, provided the porch, patio, or deck, is no greater than 20 FT in width.

e. *Decorative Archways, Pergolas, and Porticos.* Decorative archways, pergolas, and porticos may be located within a front or street side setback area, provided the structure does not exceed 5 FT in width, 4 FT in depth, and 8 FT in height, and a minimum clear interior vertical dimension of 7 FT is maintained.

f. *Patio Covers.* Support structure for patio covers (i.e., columns, beams and lintels) attached to single-family dwellings may extend into a required rear setback, to within 10 FT of the rear property line, to within 5 FT of an interior property line and to within 5 FT of a street side property line.

g. *Signs.* Signs allowed pursuant to Division 8.1 (Sign Regulations) of this Development Code may encroach into a required front or street side setback area, or rear setback area of a through-lot.

h. *Single-Story Additions to Single-Family Dwellings.* Single-story additions to single-family dwellings may extend into a required rear setback to within 10 FT of the rear property line, provided the building addition does not occupy more than 25 percent of the required rear setback area.

i. *Stairwells and Balconies.* Open, unenclosed stairways and balconies, which are not covered by a roof or canopy, may extend a maximum of 4 FT into a required setback area; however, in no case shall the side setback be reduced to less than 2.5 FT.

j. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls and Obstructions) of this Chapter.

k. *Utility and Storage Closets.* Utility and storage closets may extend a maximum of 2 FT into a required rear or side setback area. In no case, however, shall the setback be reduced to less than 3 FT.

E. Open Space Requirements for Small Lot Traditional and Alley-Loaded Development Projects, Cluster Single-Family Development Projects, and Multiple-Family and Mixed-Use Development Projects.

1. It is the intent of this section to ensure sufficient open space areas for the active enjoyment of recreational activities by residents and guests of small lot single-family and cluster development projects, and multiple-family and the residential portion of mixed-use development projects. In this regard, active open space elements shall be of sufficient size and location, and easily accessible to each dwelling unit.

2. Active open space areas that feature recreational amenities, such as pools, spas, court activities, etc., shall be placed and managed so as not to infringe upon the peacefulness of any neighboring traditional single-family development. The following open space areas shall contribute to the open space requirements for single-family small lot and cluster development projects, and multiple-family and the residential portion of mixed-use development projects:

a. *Minimum Open Space Requirements.*

(1) Small Lot Traditional and Alley-Loaded Development Projects, and Cluster Single-Family Development Projects—Small lot traditional, small lot alley-loaded, and cluster single-family development projects, which consist of more than 3 dwellings, shall devote a minimum of 20 percent of the project site ~~area shall be devoted~~ to open space (private and common area), and shall include common recreation amenities and facilities ~~provided~~ pursuant to Paragraph E.2.c (Common Active Open Space Area) et seq., of this Section.

(2) Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects—

(a) Table 6.01-4 (Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects), below, establishes the minimum open space requirements for multiple-family development projects and the multiple-family residential portion of mixed-use development projects consisting of more than 3 dwellings. The required open space area shall be calculated on a per unit basis and includes [i] private open space for the exclusive use of a dwelling's occupants and guests, and [ii] common open space areas for the enjoyment of all residents within a development project. Common open space consists of active areas, with recreation facilities, and passive areas incorporating features that enhance the appearance and desirability of a development project, such as turf areas, exotic plantings, pathways, waterscape, hardscape, rockscapes, benches, gazebos, raised planters, and other unique features.

Table 6.01-4: Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects

Open Space Type	Zoning Districts		
	MDR-11 & MDR-18	MDR-25	HDR-45
Private Open Space	200 SF (40%)	150 SF (37.5%)	60 SF (20%)
Common Open Space	300 SF (60%)	250 SF (62.5%)	250 SF (80%)
Total Open Space	500 SF (100%)	400 SF (100%)	310 SF (100%)

(b) The ratios of “private” open space area to “common” open space area specified Table 6.01-4 (Minimum Open Space Requirements for Multiple-Family and Mixed-Use Development Projects), above, are recommended and may be adjusted by the developer, based upon the housing market the proposed development is intended to serve, and subject to approval by the Approving Authority for the project. At a minimum, the “required total” open space for each zoning district shall be provided by all single-family residential small lot and cluster development projects, and multiple-family development projects.

(c) Off-street parking spaces, drive aisles, driveways, loading areas, or service areas, shall not be included in minimum open space calculations.

b. Private Open Space Areas.

(1) For small lot and cluster single-family development projects, a contiguous useable private open space area shall be provided for each dwelling at ground level, with a minimum clear horizontal dimension of 15 FT in depth by 15 FT in width (225 SF), and a minimum clear vertical dimension of 8 FT.

(2) For multiple-family dwellings, contiguous useable private open space located at the dwelling’s main living level shall be provided, having a minimum contiguous clear area of 60 SF, a minimum clear horizontal dimension of 7 FT, and a minimum clear vertical dimension of 8 FT. Other open space areas located on balconies or roof decks shall have a minimum contiguous clear area of 50 SF, a minimum clear horizontal dimension of 6 FT, and a minimum clear vertical dimension of 8 FT.

(3) Private ground level open spaces located on the street side of a structure shall be screened from street public view by a decorative wall or fence, and densely planted landscaping.

(4) Private open spaces shall be permanently maintained in an orderly manner, and kept clear of weeds and refuse, debris, rubble, or any other waste.

c. *Common Active Open Space Area.*

(1) Common active open space areas containing recreation facilities shall be provided pursuant to Table 6.01-5 (Minimum Requirements for Common Recreation Amenities). For the purpose of this provision, required recreation facilities shall be categorized as follows:

(a) **Major Recreation Facilities**—A major recreation facility is intended to be a significant recreation node or focal point for residents, and include recreation buildings, swimming or wading pools, splash pads and water play fountains, tennis courts, childcare facilities, and other major amenities requiring significant investment and of appropriate size to serve the project residents, as determined by the City. (Note: For projects consisting of 25 or fewer dwellings, two minor recreation facilities may be provided in place of one major recreation facility.)

(b) **Minor Recreation Facilities**—A minor recreation facility is intended to augment the variety and availability of recreation facilities, and include children’s tot lots for ages 2 to 5 and/or play areas/equipment for ages 5 to 12, spas or saunas, picnic and barbecue areas, cabanas and shade structures, basketball courts, volleyball courts, community gardens, and other similar amenities requiring significant investment and appropriate to serve project residents, as determined by the City.

Table 6.01-5: Minimum Requirements for Common Recreation Amenities

Type	No. of Dwelling Units							
	0-10	10-25	26-100	101-150	151-200	201-250	251-300	> 300
Major Facilities:	0	1	1	1	2	2	3	One per 100 DUs
Minor Facilities:	1	0	1	2	2	3	3	One per 50 DUs

(2) Common active open space areas shall not be located within required setback areas from public or private streets.

(3) Common active open space areas shall be located a minimum of 10 FT from any habitable structures, and shall have a minimum contiguous area of 300 SF, with no horizontal dimension less than 15 FT, and no clear vertical dimension less than 8 FT.

(4) All common active open space areas shall be planted with permanent landscaping or be devoted to recreational facilities, such as swimming pools, tennis courts, tot lots, patios, or similar open space and recreational facilities.

(5) Common active open space areas are to be permanently maintained in an orderly manner.

d. *Common Passive Open Space Area.*

(1) Common passive open space areas shall not be located within required setback areas from public or private streets.

(2) Passive common open space areas shall be located a minimum of 5 FT from the habitable portion of any dwelling on the project site.

(3) Passive common open space areas shall have a minimum dimension of 5 FT; however, not more than 50 percent of the passive areas having a dimension less than 10 FT may be counted toward the minimum open space requirements of this Section.

F. **General Provisions.** The following general provisions are applicable within all residential zoning districts:

1. Single-Family Dwellings.

a. *Minimum Dwelling Width.* All traditional single-family residential dwellings units, including mobile homes constructed outside of mobile home parks, shall have a minimum overall width of 24 FT, excepting accessory detached residential structures and second dwellings.

b. *Variety of Floor Plans and Elevations.* For the development of 5 or more single-family dwellings, a variety of floor plans and building elevations shall be provided pursuant to Table 6.01-6 (Minimum Requirements for Floor Plan and Exterior Elevation Variation), below.

Table 6.01-6: Minimum Requirements for Floor Plan and Exterior Elevation Variation for Single-Family Dwellings

<i>No. of Dwellings Proposed</i>	<i>Minimum No. of Differing Floor Plans Required</i>	<i>Minimum No. of Elevations for Each Floor Plan Required</i>
5 to 10	2	2
11 to 25	2	3
26 to 50	3	3
51 to 75	3	4
76 to 100	4	4
> 100	Requirement for 76 to 100 dwellings, plus one additional floor plan with 4 elevations for each additional 25 units exceeding 100	

2. Roofing Materials on Sloped Roofs. Roofing materials used on sloped roofs, whether new construction or replacement roofing, shall be of clay or concrete tile, architectural grade dimensional composition shingle, or decorative metal shingle. Built-up/rock, roll-roofing, or other material shall not be permitted.

3. Temporary Structures. No temporary structure shall be located within a front or street side yard area. A temporary structure may be located within the rear or interior side yard area, provided it is screened from view by a solid 6-FT high fence or wall with appropriate view-obstructing access gate.

4. Refuse Storage Areas.

a. Within all residential zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view from public streets and adjacent properties.

b. Any new dwelling unit or residential development project, for which a building permit has been issued, shall provide adequate, accessible, and convenient areas and facilities for the collection and storage of refuse and recyclable materials.

c. All animal keeping uses within residential zoning districts that generate a substantial amount of waste or refuse, as determined by the Ontario Municipal Utilities Company, shall provide refuse enclosures conforming to City standards.

d. New dwellings that have individual trash pick-up shall include an area for the storage of recyclable materials within a garage, or side or rear yard area. Furthermore, developers shall provide areas or systems containing recyclable materials receptacles, such as under-cabinet rollout drawers within kitchens, to make recycling more convenient and accessible to residents.

e. Single-family small lot and cluster developments, and multiple-family development projects that have not been approved by the City for individual dwelling unit pick-up of refuse and recyclable materials, shall provide trash enclosures for the storage of refuse and recyclable materials containers, as follows:

(1) The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards.

(2) Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company.

(3) Trash enclosures shall meet the minimum design standards depicted in the standard drawings adopted by the City, which shall include: [i] a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, [ii] separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion, and [iii] a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.

(4) Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

(5) Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

(6) Trash enclosures shall be located a minimum of 10 FT from the interior project boundary/property line.

(7) Care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, in no case should a trash enclosure be located within 10 FT of the livable portion of a structure.

(8) Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates.

(9) Prior to the issuance of an occupancy permit, a developer or home owners association may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants or home owners.

5. Stored Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles.

a. Automobiles, boats, recreational vehicles, trucks, trailers and other similar vehicles stored within a front or street side yard area, is prohibited. For the purposes of this Section, the term “stored” means continuously parked in the same location for more than 72 hours.

b. Automobiles, boats, recreational vehicles, trucks, trailers, and other similarly used vehicles that are not stored within an enclosed structure, shall comply with the following:

(1) Vehicles shall be stored on a paved surface and screened from public view by buildings, decorative screen walls or fences, or a combination thereof.

(2) Vehicles shall only be stored on property owned by the owner of the vehicle or on property where the registered owner resides.

(3) Vehicles shall bear current vehicle registration (as required by state law).

(4) Vehicles shall not be stored in a wrecked, dismantled, or inoperative condition.

(5) Vehicles stored within side and rear yard areas shall be limited to 5 percent of the total lot area.

c. Recreational vehicles shall not be occupied or otherwise used as a living unit.

6. Landscaping.

a. *Traditional and Small Lot Single-Family Development.* The front and street side yards of lots developed with single-family dwellings shall be fully landscaped and provided with an automatic irrigation system irrigated prior to Certificate of Occupancy issuance.

b. *Maximum Allowed Area Devoted to Hardscape.* A maximum of 45 percent of the front yard of traditional single-family lots, including the street side yard area of corner lots, that is open to public view may be comprised of hardscape materials, including, but not limited to, paved porches, patios, courtyards, walkways, and driveways, and areas of gravel and/or decomposed granite.

c. *Single-Family Cluster and Multiple-Family Development.* All areas of a development project not covered by structures, drive aisles, off-street parking facilities, or hardscape, shall be fully landscaped and provided with a permanent automatic irrigation system prior to Certificate of Occupancy issuance, excepting private open space areas that are enclosed by a minimum 6-FT high decorative wall or fence.

7. Drive Approaches, Driveways, and Drive Aisles. Residential drive approaches, driveways, and drive aisles shall comply with the following:

a. *Drive Aisles and Driveways.*

(1) Drive aisles and driveways shall be allowed solely for the purpose of providing access to off-street parking facilities, and emergency vehicle access to a property.

(2) For lots developed with single-family dwellings:

(a) A driveway shall lead to a garage or carport, and shall not exceed the overall width of the garage or carport, except that vehicular access (maximum 10 FT in width) may be provided to the side or rear yard area of lot used for vehicle storage pursuant to Paragraph 6.01.010.G.5 (Storage of Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles) of this Section; and

(b) Temporary off-street parking within a front or street side yard area shall only be allowed on a driveway leading to a garage or carport, or on an approved circular driveway constructed pursuant to Subparagraph 6.01.010.G.7.b (Circular Driveways) of this Section.

(c) Corner lots may have a rear yard access drive from a side street, subject to Planning Director and City Engineer approval. The rear yard access drive shall not exceed 10 FT in width and must lead to a parking area that is screened by a view-obstructing wall or fence, with appropriate view-obstructing gate.

b. *Circular Driveways.* Circular driveways shall be permitted on lots developed with a single-family dwelling, which meet all of the following:

(1) The lot is located within the AR-2, RE-2, RE-4, or LDR-5 zoning district, or AG overlay zoning district, and is at least 10,000 SF in area;

(2) The property takes vehicular access from an arterial street, as identified on Exhibit M1 (Mobility Plan Map) of the Policy Plan component of The Ontario Plan, and does not front onto, or take vehicular access from, Euclid Avenue;

(3) The dwelling is setback at least 30 FT behind the front property line;

and

(4) The proposed circular driveway does not exceed 10 FT in width.

c. *Maximum Drive Approach Width.*

(1) **Driveway Access for Traditional Single-Family Developments—**A drive approach on a public street shall not exceed the maximum widths prescribed by Table 6.01-

7 (Maximum Single-Family Residential Drive Approach Widths), below, based upon the lot width range.

Table: 6.01-7: Maximum Single-Family Residential Drive Approach Widths

<i>Lot Width Range</i>	<i>Maximum Drive Approach Width</i>
Less than 51 FT	12 FT
51 to 80 FT	16 FT
Greater than 80 FT	20 FT

(2) Drive Aisle Access for Single-Family Cluster and Multiple-Family Developments—A drive approach providing street access to an intersecting drive aisle shall not exceed the width of the corresponding drive aisle, not to exceed 26 FT in width, unless otherwise required by the City Engineer.

d. Drive Approaches, Driveways, and Drive Aisles Serving Developments with Multiple Dwellings.

(1) Drive approaches serving a development project of 5 or more dwellings shall be delineated with enhanced paving treatment, such as interlocking pavers, textured and color pigmented concrete, or stamped concrete. Such treatment shall extend from the back of the drive approach to the first intersecting drive aisle or parking space.

(2) Single-family and multiple-family development projects that include dwellings configured into one or more motorcourts, shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete, throughout all motorcourt drives.

(3) Pedestrian pathways that cross driveways and drive aisles shall be delineated by enhanced paving treatments, such as interlocking pavers, and textured and/or color pigmented concrete.

8. Conversion of Garages. No garage shall be converted to another use unless a replacement garage is constructed on-site, which meets the minimum requirements of Division 6.03 (Off-Street Parking and Loading) of this Chapter.

9. Equestrian Trails and Related Facilities. The following standards shall govern the establishment of equestrian trails and easements within the City:

a. If required by Table 6.01-1 (Traditional Single-Family Residential Development Standards) of this Section, an unobstructed 8-FT wide easement for equestrian trail purposes shall be dedicated immediately adjacent to the front property line. Furthermore, if determined necessary by the Planning Director, additional 8-FT wide equestrian trail easements may be required at the end of blocks, and along interior side, street side, or rear property lines, to create connections to adjacent public streets or equestrian trail easements. Moreover, if determined by the Planning Director that providing equestrian easements on both sides of a street is not necessary or practical, the requirement to provide equestrian trail easements may be waived.

b. Trails shall not be surfaced with hard materials such as concrete or asphalt. Preferred surface materials include wood chips, decomposed granite, and shale;

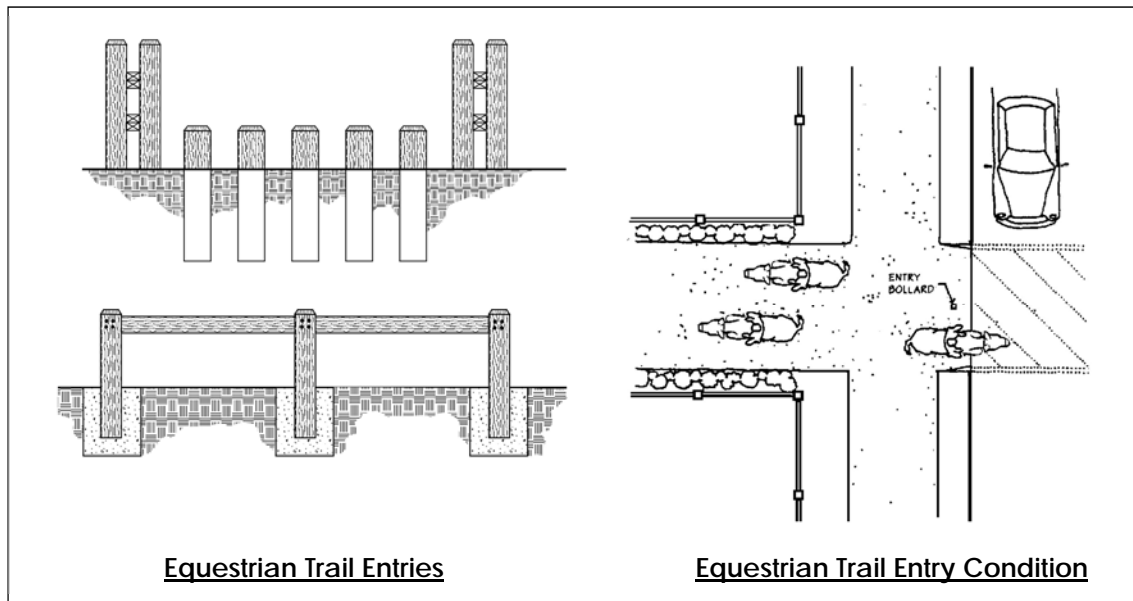


Figure 6.01-2: Equestrian Trail Step-Through Entry Design

c. Fencing built at the edge of an easement shall not be over 48 inches in height; an additional inch of height shall be allowed for every 2 inches that the fence is setback from the easement. Within 4 FT of the easement, fences shall not be opaque for more than 50% of their surface area. Wooden rail and wood plank fencing are preferred, while chainlink and wrought iron fencing should be avoided. Entries to individual properties should be accentuated with hitching posts and gates;

d. Entrances to an equestrian trail from the street shall allow the free movement of pedestrians and equestrians. Vehicular access to the trail may be limited by removable bollards or a gate, and should be designed to permit emergency vehicle access and occasional vehicular access by residents, as shown in Figure 6.01-2 (Equestrian Trail Step-Through Entry Design) and Figure 6.01-3 (Equestrian Trail Steel Barrier Gate Entry Design). Street crossing by pedestrians and equestrians should be facilitated at the street-trail entry by restricting on-street

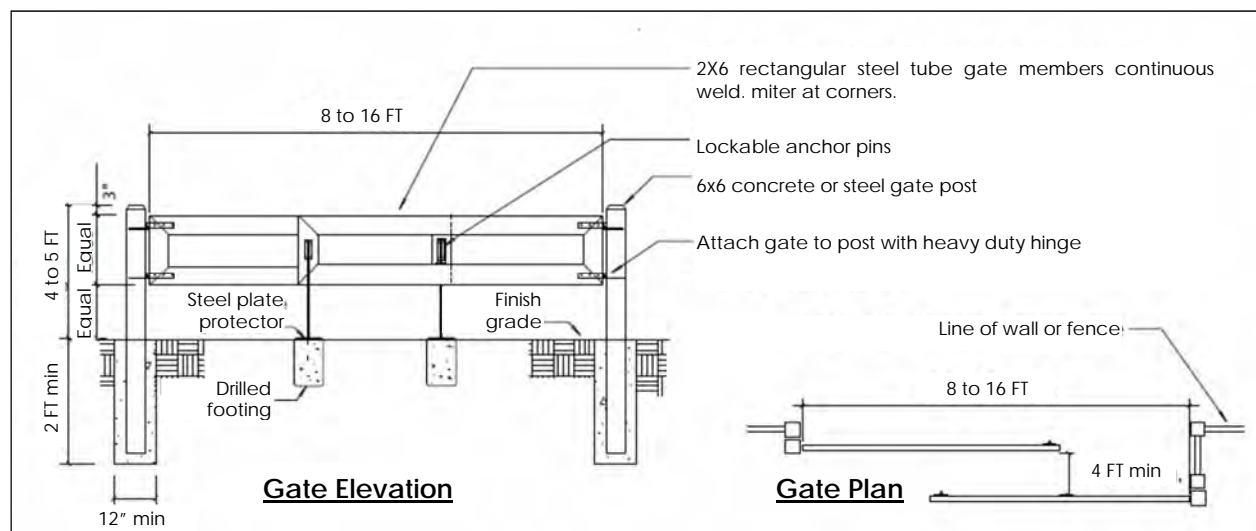


Figure 6.01-3: Equestrian Trail Steel Barrier Gate Entry Design

parking, narrowing paved widths (to minimize crossing distances), and marking the crossing with striping and signs.

10. Infill Traditional Single-Family Housing Projects Dwellings. Infill traditional single-family ~~housing projects~~ dwellings within existing residential neighborhoods are to be complementary with the character of the surrounding neighborhood in which they are proposed in terms of building height, setbacks, general architectural style, and use of exterior finish materials, and shall comply with the following standards:

a. New ~~housing projects~~ dwellings constructed within existing residential neighborhoods shall be integrated with existing surrounding homes to protect, enhance, and preserve the physical integrity of the existing neighborhood.

b. The area, dimensions, lot coverage, height, bulk, and scale of a proposed ~~infill housing project~~ dwellings shall be compatible with existing residential development in the surrounding neighborhood.

c. Infill ~~housing projects~~ traditional single-family dwellings shall be plotted on a lot in a manner consistent with the pattern of development in the surrounding residential neighborhood. The front door should be oriented toward the frontage street and any secondary entrances and side yard facing windows should be situated in such a way that the privacy of adjacent homes is not substantially impacted. Placing side yard facing windows across from side yard facing windows of adjacent houses is discouraged.

d. Garages shall be oriented consistent with garage orientations within the surrounding neighborhood. Garages shall be oriented with access off an alley on lots with alley access.

e. New street curb cuts should not be permitted on lots with alley access. If permitted, new curb cut locations should not compromise street trees, visibility, or neighborhood consistency.

f. Separation of pedestrian and vehicular circulation within the lot is encouraged. Exterior doors should not exit onto a driveway unless a porch or landing is provided.

11. Mobile Homes and Manufactured Housing on Residential Lots Not Constructed Within a Mobile Home Park. The following standards shall govern the development of mobile homes and manufactured housing on residential lots not constructed within a mobile home park:

a. Each housing unit shall meet and be certified under the standards set forth in the National Manufactured Housing Construction and Safety Act (42USC5401 et. seq.), as amended, at the time of any application for the placement of a mobile home or a manufactured housing unit;

b. The mobile home or manufactured housing unit must be placed on a permanent foundation system;

c. The mobile home is to be covered with exterior finish materials similar in appearance to new, conventionally constructed dwellings within area surrounding the project site;

d. The exterior finish material must extend to the ground. If a solid concrete or masonry perimeter foundation is used, the exterior finish material need not extend below the top of the foundation. Alternative skirting materials commonly found on conventionally built residential structures shall be considered compatible;

e. The roofing material shall be of a type commonly found on conventionally built residential structures located within the area surrounding the project site;

f. Electricity, water and natural gas service, and sewer connections are to be made in a permanent manner, as typically required for permanent buildings. Gas shut-off valves, meters, and regulators shall not be located beneath a mobile home or manufactured housing structure; and

g. An attached or detached garage, which is similar to conventionally built residential structures within the area surrounding the project site, shall be provided for each mobile home or manufactured housing unit. The roof material and exterior wall finishes of the garage or carport shall exactly match the mobile home or manufactured housing unit.

12. Gutters, Vents, and Downspouts. Gutters, vents, and downspouts shall be concealed from public view to the extent possible. Exposed gutters and downspouts, where necessary, shall be colored to match the fascia or wall material to which they are attached. Roof vents shall be colored to match the roof material or the dominant trim color of the structure, as appropriate.

13. Swimming Pools, Hot Tubs, Spas, and Ponds. Swimming pools, hot tubs, spas, and decorative bodies of water shall be permitted ancillary to those land uses allowed within residential zoning districts pursuant Table 5.02-1 (Land Use Matrix), subject to the following regulations governing their placement, construction, and security:

a. A swimming pool, hot tub, ~~or~~ spa, ~~or pond~~ that is 1.5 FT or more in depth, shall be secured by a ~~minimum 5-FT high nonclimbable~~ decorative fence or wall, ~~measured on the exterior side, to prevent unauthorized access~~ pursuant to the requirements of Section 6.02.020.A.3 (Ponds and Swimming Pools) of this Development Code.

b. All gates or doors within the fence or wall shall be kept securely closed at all times when not in use. ~~The gate or door is to be equipped with a self-closing and self-latching device, which enables the gate or door to be securely closed.~~

c. A clear path a minimum of 3 FT wide must be provided around the entire perimeter of a pool, spa, ~~or~~ hot tub, ~~or pond~~ to permit emergency access. For properties containing 2 or fewer dwellings, a clear path shall be provided around at least 50 percent of said perimeter;

d. Swimming pools, hot tubs, and spas shall not be constructed within a front yard area and must be setback a minimum of ~~5~~ 3 FT from any side or rear property line.

e. Diving boards, slides, waterfalls, fountains, decorative rockscapes, and other similar appurtenances shall be setback a minimum of 5 FT from side and rear property lines, except that said appurtenances that exceed 6 FT in height, measured from adjacent grade to the highest point of the structure, shall comply with the minimum building setback requirements of the applicable zoning district.

f. Swimming pools, hot tubs, spas, and decorative bodies of water shall comply with all applicable provisions of the City’s building code.

14. **Lighting.** Exterior light fixtures shall be designed and/or located to eliminate adverse impacts of light spillover on to adjacent properties and promote safe vehicular and pedestrian access.

a. Exterior light fixtures shall prevent glare and light spillover on to adjacent properties, buildings, and public and private streets and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code, and OMC Section 4-11.09(j).

c. Exterior light fixtures should use color-correct luminaires such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls, shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 12 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, where possible.

15. **Building Color.** Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

G. Small Lot Infill Subdivisions:

1. **Purpose.** The purpose of this Subsection is to regulate the development and subdivision of existing lots within certain residential and mixed use zoning districts, with infill small lots as an alternative form of fee simple homeownership.

2. **Applicability.** Small Lot Infill Subdivisions are permitted within residential and mixed use zoning districts specified in Table 5.02-1 (Land Use Matrix) of this Development Code.

3. Development Standards.

(a) Site Development Standards. A Small Lot Infill Single-Family Subdivision shall comply with the following site development standards:

(1) Maximum Number of Dwelling Units. A Small Lot Infill Single-Family Subdivision shall contain no more than 45 dwelling units.

(2) Density Range. A Small Lot Infill Single-Family Subdivisions shall comply with the density requirements of the underlying zoning district in which it is located.

(3) Lot Area and Dimension. Each individual lot established by a Small Lot Infill Single-Family Subdivision shall have a minimum area of 480 SF and a minimum lot width of 16 FT.

(4) Lot Coverage and Open Space.

(a) There shall be a maximum lot coverage of 80 percent for each individual lot established by a Small Lot Infill Subdivision.

(b) As an alternative to Subdivision (a), above, a Small Lot Infill Subdivision may provide common open space amenities within a common open space easement, which is equal to at least 20 percent of the total subdivision area, and having no horizontal dimension less than 5 FT. Furthermore, each dwelling shall be provided a minimum of 50 SF of private open space (patios and/or balconies) having no horizontal dimension less than 5 FT.

(5) Lot Access. Access to a lot containing a dwelling unit and its required parking must be by way of a public or private street, alley, or access easement.

(6) Off-Street Parking. Refer to Division 6.03 (Off-Street Parking and Loading) for off-street parking requirements. For Small Lot Infill Subdivisions, there shall be no limitations on the use of tandem parking spaces, except that tandem parking shall be no more than 2 parking spaces in depth.

(7) Fences, Walls, and Obstructions. Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).

(8) Landscaping. Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.G.6 (Landscaping).

(9) Historic Preservation. Certain portions of residential and mixed use zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.

(10) Security Standards. Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).

(11) Noise. Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Tile 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

(12) Airport Safety Zones. Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

(b) Building Development Standards.

(1) Minimum Setbacks.

(a) No front, side, or rear yard setback is required between interior lots within an approved Small Lot Infill Single-Family Subdivision; however, a minimum 5-FT setback shall be provided where a lot butts a lot that is not created pursuant to this Section.

(b) The front yard setback required by the underlying zoning district shall apply to the front lot line of a Small Lot Infill Subdivision that abuts a public street.

(c) Any Small Lot Infill Subdivision **sharing** a property line with a LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Ac) or higher density residentially zoned property, shall provide front, side, and rear yard setbacks along the subdivision perimeter that are consistent with the requirements of the underlying residential zoning district.

(d) Any Small Lot Infill Single-Family Subdivision **not sharing** a property line with a LDR-5 (Low Density Residential - 2.1 to 5.0 DUs/Ac) or higher density residentially zoned property must provide a minimum 5-FT setback along the side lot line of the subdivision perimeter and a minimum 10-FT setback along the rear lot line of the subdivision perimeter.

(2) Building Separations. There shall be a minimum 6-FT separation between buildings, except that a minimum 10-FT separation shall be provided between the front face (contains the primary entry) of a Small Lot Home and the adjacent building wall of a neighboring Small Lot Home. Chimneys may extend up to 2 FT into the minimum building separation area.

(3) Maximum Height. Within a Small Lot Infill Subdivision, the maximum allowed building height is 40 FT.

(4) Driveway Length. Straight-in driveways to garages shall have a minimum length of 18 FT, measured from the right-of way of a public or private street, or from the edge of a private drive. No driveways shall be more than 5 FT in length if parking is not provided in front of a garage.

4. Building Design.

(a) Dwelling Orientation.

(1) Small Lot Dwelling Units that abut a public or private street shall orient the primary entryway (front door) toward the street. Where there is a physical site constraint, provide a clearly identifiable pedestrian entry to the site from the street.

(2) Small Lot Dwelling Units located in the interior of the subdivision shall orient the primary entryway toward, and be visible from, a pedestrian pathway that is connected to a public or private street.

(3) Small Lot Dwelling Units that abut an alley shall orient the primary entryway toward the alley or shall be connected to a pedestrian pathway that leads directly to a public or private street.

(b) *Primary Dwelling Unit Entries.*

(1) All Small Lot Dwelling Units shall have a primary entry. All primary entries shall be provided with the address or unit identification, ornamental low-level lighting to illuminate the entry area, and a porch or landing.

(2) All primary entries shall incorporate all of the following elements:

(a) The entry shall be recessed at least 3 FT behind the building façade to create a covered porch or landing area.

(b) The entry shall be designed with an overhead projection of at least 12 inches (awning, canopy, roof, or other design features) in depth, which distinguish the entry area from the rest of the building façade.

(c) The entry shall be clearly marked with a side lite window panel, adjacent window, or a door with a window.

(d) The entry porch or landing area shall be raised at least one stair step (6-inch riser) above the pedestrian pathway, except as otherwise required by the Building Code, Americans with Disabilities Act, or Universal Design Standards.

(e) The entry porch or landing area shall be enhanced with decorative paving, texture, pattern, or color that is differentiated from the pedestrian pathway.

(c) *Façade Articulation.* Façades facing a public or private street, the project perimeter, and all portions of exterior building elevations located greater than 7 FT from an adjacent Small Lot Dwelling Unit, shall be treated with an equal level of detail and articulation, and shall incorporate all of the following façade articulation techniques:

(1) Change in exterior building materials to include at least two high-quality building façade materials that accentuate or correspond to variations in building massing. Building materials may include, but are not limited to wood, glass, brick, metal spandrel, cement board siding, tile, or other material acceptable to the Approving Authority.

(2) Porticos, awnings, terraces, balconies, eyebrows, or trellises of at least 12 inches in depth that provide variations in the building plane.

(3) Window treatments that are recessed behind the building façade a minimum of 4 inches. Windows or doors that are flush with the plane of the building (rather than recessed at least 4 inches) will not qualify as facade articulation.

(4) A break in the façade plane of at least 8 inches in depth, which is applied to at least 10 vertical FT of the facade.

(5) Other additional architectural enhancements that create a human scale to the building. Examples include handrails, fixed planters, and ornamental details such as lighting, molding, tiles, or other similar design elements acceptable to the Approving Authority.

(d) *Varied Roofline.* Any Small Lot Dwelling Unit façade exceeding two stories in height, which faces a public or private street, shall be provided with an articulated roofline incorporating at least two of the following design elements:

(1) A roof with a slope equal to or greater than 3 inches of rise for every 12 inches of run, including but not limited to a sloped or curved roofline at the top of the dwelling.

(2) An open deck having a minimum clear area of 6 FT in depth and 8 FT in width.

(3) A flat roof with a minimum of 2 FT vertical height difference for a minimum of 10 horizontal FT along the roofline of each building façade.

(4) A vertical break in the façade plane of at least 1.5 FT in depth, which extends up and through the roofline.

(5) Any form of roofline variation incorporating a change or break in roof plane, such as horizontal recesses, incorporation of dormers, or other similar design elements acceptable to the Approving Authority.

(e) *Roof Decks.* All roof decks shall be stepped back a minimum of 5 FT from the roof edge to prevent direct views of abutting residential neighbors, except that roof decks facing a street are not required to be stepped back.

(f) *Building Massing Variation.*

(1) Small Lot Dwelling Units shall be grouped into clusters to avoid long spans of building wall, not to exceed six dwelling units in a single continuous row or 180 linear FT, whichever is less. Clusters of Small Lot Dwelling Units shall be separated with a building gap of at least 6 FT, which shall be treated with a combination of landscaping, open space, common walkways, or driveways.

(2) Small Lot Dwelling Units in a single row shall provide a horizontal change in plane in the building façade of at least 1.5 feet for every 3 dwelling units, or every 90 linear FT, whichever is less. The Approving Authority may approve alternate exterior building designs that achieve the City's desired variation in building massing

(3) The exterior design of adjoining Small Lot Dwelling Units shall be unique, so as to provide architectural variety within a subdivision. A Small Lot Infill Subdivision containing more than 5 dwelling units in a single row shall provide at least two variations in building design, such as changes in dwelling orientation, primary entryways, fenestration patterns, façade articulation, and rooflines. A Small Lot development of 10 or more dwelling units shall provide at least 3 variations in exterior building design.

5. Pedestrian Connectivity and Access.

(a) *Pedestrian Pathways.*

(1) Pedestrian pathways, minimum 3 FT in width, shall be provided from the public street to all primary entryways and common areas.

(2) A pedestrian pathway located within or parallel to a common driveway shall be constructed and/or treated with a change of material, finish, pattern, or paving that distinguishes the pathway from vehicular traffic.

(3) Small Lot Infill Subdivisions shall provide pedestrian and bicycle access to surrounding neighborhood streets.

(b) *Walls and Fences.*

(1) Walls and fences abutting a public or private street or alley, or common open space area, shall be decorative. Walls shall be finished with a decorative masonry material, such as brick, natural or cultured stone, or stucco, or be constructed of decorative concrete block, such as split-face, slump, burnished, or shot block. Fences shall be constructed of ornamental tube steel or iron.

(2) Garden walls and fences, maximum 3 FT in height, that abut a public or private street shall provide a point of entry into each individual lot that abuts the street.

(c) *Landscaping, Common Open Space Areas, and Amenities.*

(1) All areas of a Small Lot Infill Subdivision not used for buildings, parking areas, driveways, pedestrian pathways, utilities, or common open space areas shall be automatically irrigated, and fully landscaped and maintained.

(2) Required common open space areas shall have a minimum area of 300 SF, with no horizontal dimension less than 15 FT, measured perpendicular from any point on each of the boundaries of the open space area. Driveways, parking spaces, or pedestrian pathways cannot be counted toward the open space requirement.

(3) Required common open space areas shall be open to the sky and have no structures that project into the common open space area, excepting structures provided as a common open space enhancement pursuant to Subparagraph F.3(c)(5), below.

(4) Common open space areas shall be located at grade level, contiguous or connected, and readily accessible to all residents of the Small Lot Infill Subdivision.

(5) Common open space areas shall be multi-functional and designed to accommodate a range of passive, active, or social uses, and may include enhancements such as activity lawns, swimming pools, spas, picnic tables, benches, children's play areas, ball courts, barbecue areas, sitting areas, decorative bike racks, and/or dog washing stations. Enhanced common side and rear yards that meet the minimum area and dimension specified in Subparagraph F.3(c)(2), above, may be counted toward common open space requirements.

(6) All yards of a subdivision abutting the right-of-way shall be improved with landscaping (combination of groundcover, shrubs, and trees) and amenities. Amenities may include decorative fencing, uncovered patios, enhanced pedestrian pathways, garden walls, seating areas, and/or decorative bike racks.

6. Small Lot Infill Subdivisions with Existing Dwellings. Small Lot Infill Subdivisions incorporating existing dwelling units, such as, but not limited to, multiple detached single-family structures or historic detached bungalow courts on a single lot, may be subdivided. The conversion of an existing structure to a Small Lot Infill Subdivision shall be required to comply with the following design standards:

(a) Common Access Driveway. Existing common access driveways, pedestrian pathways, and central common open space areas must be maintained and not reduced in size.

(b) Pedestrian Pathway. Pedestrian pathways, minimum 3 FT in width, shall be provided from the public street to all primary entryways and common areas, such as centralized trash enclosures, guest parking, and open space easements, etc. If narrower pathways exist, they may be maintained in the same footprint and area and shall not be further reduced in width.

(c) Existing Structures. New dwelling unit construction or building additions affecting designated or identified historic structures must be in conformance with the Secretary of the Interior's Standards for Rehabilitation.

(d) New Dwelling. All new dwelling units shall meet all applicable design standards in Paragraphs F.1 (Development Standards) and F.2 (Building Design) of this Subsection.

(e) Landscaping. All areas of the Small Lot Infill Subdivision not used for buildings, parking areas, driveways, pedestrian pathways, utilities, or amenity areas shall be fully landscaped and maintained, and automatically irrigated.

H. Density Bonus and Other Incentives.

1. Purpose. The purpose of these provisions is to establish a process whereby the City may provide a density bonus and other incentives to a developer agreeing or proposing to produce affordable housing within the City. The density bonus and incentives allowed by these regulations are used by the City as a means of meeting its commitment to encouraging the provision of affordable housing to all economic groups living within the City.

2. Applicability. A developer may request a density bonus and other incentives as prescribed in GC Section 65915, et seq. These density bonus provisions shall apply to single-family and multiple-family residential development projects, and mixed-use development projects, which contain a minimum of 5 dwelling units, excluding dwellings units granted as a density bonus.

3. Procedure. A request for a density bonus and other incentives shall be filed, processed, and acted upon following the procedures for Development Agreements contained in Section 4.01.015 (Development Agreements) of this Development Code, and shall require the approval and adoption of a Development Agreement and a Density Bonus Agreement for its implementation. The Density Bonus Agreement shall be filed, processed, and acted upon following the procedures for Development Agreements.

4. Findings and Decision. In considering a proposed density bonus and other incentives, the Approving Authority shall consider and clearly establish that the density bonus and other incentives are consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plans, giving reasons as to how the proposed density bonus and other incentives are consistent. Furthermore, the Approving Authority shall grant the requested concession or incentive, unless one or more of the following findings is established, based upon substantial evidence:

a. The concession or incentive is not required in order to provide for affordable housing costs, as defined in HSC Section 50052.5, or for rents for the targeted units to be set as specified in GC Section 659159(c).

b. The concession or incentive would have a specific adverse impact, as defined in GC Section 65589.5(d)(2), upon public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.

c. The concession or incentive would be contrary to state or federal law.

I. Residential Design Guidelines.

1. The City Council shall establish by resolution, residential design guidelines applicable to all residential zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. The guidelines shall compliment the mandatory residential development regulations contained in this Section, by providing examples of potential design solutions, and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.015: Commercial Zoning Districts

J. **Purpose.** The purpose of the provisions of this Section is to ensure that development within commercial zoning districts of the City will contribute toward an urban environment of stable, desirable character; which is compatible with existing and future development; and is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. These regulations are further established to:

1. Promote the construction of well-designed professional office buildings.

2. Reserve certain areas of the City, consistent with the Policy Plan (General Plan) component of The Ontario Plan, allowing the establishment of a full range of retail stores, business and professional offices, personal and business service establishments, transportation related service establishments, and certain wholesale establishments, which are scaled to meet the needs of City neighborhood dwellers, residents of the City as a whole, residents of the nearby region and visitors.

3. Establish appropriate standards for the siting of neighborhood convenience retail stores, helping foster neighborhood cohesion, and reducing the need for vehicular traffic.

4. Encourage the construction of attractive and functional community shopping centers at strategic locations throughout the City, consistent with the Policy Plan (General Plan) component of The Ontario Plan.

5. Ensure adequate space on commercial lots to meet the needs of commercial development, including on-site parking, loading, and landscaping.

6. Provide a strong economic and financial base, and to increase employment opportunities for City residents and those of the surrounding area.

7. Ensure a high quality of exterior appearance for commercial uses and structures is maintained in harmony with the visual character of the area in which they are located, and at the same time, minimize the impact of uses and structures on surrounding residential neighborhoods.

8. Provide specific design guidelines that will result in well-designed and high quality commercial development projects.

K. Applicability. The standards and guidelines established by this Section shall apply to each of the City's commercial zoning districts. Furthermore, the provisions of this Section shall apply to all commercial land subdivisions and any new commercial construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

L. Commercial Zoning District Development Standards. Development within commercial zoning districts shall comply with the requirements of Table 6.01-8 (Commercial Zoning District Development Standards), below, which specifies standards for the development of structures within the CS, CN, CC, CR, CCS, OL, and OH zoning districts.

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
A SITE DEVELOPMENT STANDARDS								
1. Minimum Lot Size	10,000 SF			20,000 SF	7,200 SF		Note 1	
2. Maximum Floor Area Ratio (FAR)	0.4			1.0	0.75		Note 5	
3. Minimum Lot Dimensions								
a. Lot Width	100 FT				60 FT		Note 1	
b. Lot Depth	100 FT						Note 1	
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping) landscape standards. Also refer to Paragraph 6.01.010.G.6.c (Single-Family Cluster and Multiple-Family Development) for additional standards addressing multiple-family development within commercial zoning districts.							
a. Interior Lots	15%		10%		15%		Notes 2 and 3	
b. Corner Lots	18%		13%		18%		Notes 2 and 3	
c. Off-Street Parking Areas	7%						Section 6.05.030.D (Landscaping of Off-Street Parking Facilities)	
5. Minimum Parking Space and Drive Aisle Separations								
a. Parking Space or Drive Aisle to Street Property Line								
(1) Freeway	20 FT							
(2) Arterial Street	20 FT			25 FT	20 FT			

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
(3) Collector and Local Street	20 FT				15 FT	10 FT		
b. Parking Space or Drive Aisle to Interior Property Line	10 FT	5 FT						
<u>Exception:</u> Property line common to a residential zoning district	10 FT (area shall be densely landscaped)							
c. Parking Space or Drive Aisle to Buildings, Walls, and Fences	5 FT					Note 4		
6. Walls, Fences and Obstructions	Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).							
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).							
8. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).							
9. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic and are listed on the City’s Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.							
10. Signs	Refer to Division 8.1 (Sign Regulations).							
11. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).							
12. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).							
13. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.							
B BUILDING DEVELOPMENT STANDARDS								
1. Minimum Street Setback								
a. From Freeway Property Line	20 FT							
b. From Arterial Street Property Line	20 FT			25 FT	20 FT			
c. From Collector and Local Street Property Line	20 FT			15 FT	10 FT			
2. Minimum Interior Property Line Setback	10 FT	5 FT	0 FT		5 FT	0 FT		
<u>Exception:</u> Setback at a property line common to a residential zoning district	15 FT		20 FT		15 FT			

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts							Additional Regulations
	CS	CN	CC	CR	CCS	OL	OH	
3. Maximum Height	Pursuant to the requirements of ALUCP Appendix J							Note 5
Exception: Project contains properties having one or more property lines common with, or across the street from, a residential zoning district	Same as the adjacent residential zoning district							
4. Minimum Setback From Major Pipelines (to habitable structures)	50 FT							Note 6

Notes:

1. There is no minimum lot area or dimension for common interest subdivisions established pursuant to Section 6.08.010 (Common Interest Subdivisions) of this Development Code.
2. Landscaped areas with a minimum dimension of 5 FT or more shall contribute toward the “minimum landscape coverage” calculation.
3. The “minimum landscape coverage” calculation for interior and corner lots shall exclude all landscaped areas located within public rights-of-way.
4. The minimum separation area between a building, wall or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 3-FT wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.
5. The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones and refer to Appendix J (High Terrain Zone and Existing Airspace Obstructions Study) of the ALUCP for maximum building/structure heights.
6. Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and
 - b. Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.

M. Exceptions to Development Standards.

1. Building Height.

a. Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures. Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. Amateur (HAM) Radio Antennas. HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that

exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities.* Wireless telecommunication facilities shall comply with Section 5.03.420 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Balconies.* Balconies may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

b. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features.* Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

c. *Signs.* Signs and advertising structures may encroach into a required front setback area, street side setback area, or rear setback area of a through-lot, pursuant to Division 8.1 (Sign Regulations) of this Development Code.

d. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls and Obstructions) of this Chapter.

N. General Provisions.

1. Building Setback Areas Adjoining Streets. Except as otherwise specifically provided by this Development Code, required setback areas adjoining streets shall only be used for the placement of landscaping and irrigation installed pursuant to Division 6.05 (Landscaping); public art works installed pursuant to Division 6.07 (Public Art); vehicular and pedestrian accesses, off-street parking and vehicular circulation, and site lighting pursuant to Division 6.03 (Off-Street Parking and Loading), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

2. Location of Off-Street Parking Lots on Properties that Front or Have Direct Access to Euclid Avenue. Proposed off-street parking lots on properties with Euclid Avenue frontage, or having direct access to Euclid Avenue, shall be located at the side or rear of the buildings they serve, excepting shared off-street parking lots serving shopping centers. This provision shall not preclude the City approval of access driveways to parking lots on properties with Euclid Avenue frontage, or having direct access to Euclid Avenue.

3. Parking Space and Drive Aisle Setback Areas. Parking space and drive aisle setback areas required pursuant to Table 6.01-7 (Commercial Zoning District Development Standards) of this Division shall only be used for landscaping and irrigation installed pursuant to Division 6.05 (Landscaping), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), public art works installed pursuant to Division 6.07 (Public Art), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

4. Compatibility with Existing Surrounding Development. New buildings shall respect and enhance the qualities and features of the existing neighborhood or area in which they are built. In-fill development projects within existing developed areas that have an established character shall be compatible with, or complement, the established architectural character of the area in terms of [i] consistency of rooflines, materials, and colors; [ii] similar window and door patterns; and [iii] similar decorative elements.

5. Compatibility within a Complex or Center. Development projects consisting of multiple buildings within a complex or center shall be designed as a distinct place or district, establishing a cohesive identity for the development, which differentiates it from other commercial development projects within the area.

6. 360-Degree Architecture. Buildings shall not have the appearance of a false facade attached to the front of a uniform building shell. A building shall be designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

7. Corporate Architecture. A building within a complex or center, or an in-fill building within a developed area that has an established character, shall not be dominated by corporate or trademark architectural details, or building forms intended to serve as signing and marketing elements.

a. Individual corporate image, trademark, or design elements and colors intended to market the occupant of a building shall be incorporated only as secondary design elements, and not as dominant features of the building. These secondary design elements shall be compatible with the surrounding development and shall not define the character or style of the building or development.

b. The City hereby reserves the right to require significant departures from “corporate architecture,” which is proposed for the purpose of marketing or branding the occupant of a structure, when such architectural features are determined by the Approving Authority, to dominate the established architectural theme or character of a complex or center, or that of a developed area that has an established architectural character.

8. Building Materials. Building exteriors shall be finished with attractive and durable materials, which are of high quality and require minimal maintenance.

a. *Acceptable Exterior Building Finishes.* Exterior building finishes shall be classified according to their visual weight and are listed in Table 6.01-9 (Acceptable Exterior Building Finishes), below. The list of finishes is not all-inclusive but is intended to describe the types of finishes applicable to each weighted category.

Table 6.01-9: Acceptable Exterior Building Finishes

<i>Heavy Materials</i>	<i>Intermediate Materials</i>	<i>Light Materials</i>
Natural Stone	Stucco	Natural Wood
Integrally-Colored Decorative Masonry Block	Exterior Insulation and Finishing System (EIFS)	Cement Board
Brick	Smooth Textured Tilt-Up or Precast Concrete Panels	Synthetic Wood
Cast and Synthetic Stone		Architectural Metal

Table 6.01-9: Acceptable Exterior Building Finishes

<i>Heavy Materials</i>	<i>Intermediate Materials</i>	<i>Light Materials</i>
Richly Textured Tilt-Up or Precast Concrete Panels		Glass Curtain Wall

b. *Hierarchy of Materials.*

(1) Heavy Materials—Heavy materials shall be principally located: (a) at the base of the structure, as a foundation material that visually carries the weight of the structure; and/or (b) on significant architectural elements of a structure, to define those elements or suggest that the building has been built and added to, over time. Generally, heavy materials comprise the foundation (most visually significant) materials used on the exterior wall surface area.

(2) Intermediate Materials—Intermediate materials shall be situated so as to be visually supported by heavy materials. Generally, intermediate materials comprise the body (primary building material) of a building.

(3) Light Materials—Light materials shall be positioned above intermediate materials, at the top of the structure, and visually supported by the intermediate and heavy materials below.

c. *Manufactured Materials.* The use of manufactured materials, such as synthetic, cast, and cultured materials is allowed, provided the materials are identical in appearance and of equal or greater durability to the natural materials they are intended to emulate.

9. Use of Structural Masonry and Masonry Veneers. Concrete block, brick, stone, and other types of structural masonry or masonry veneer shall be detailed as masonry bearing walls, especially at openings. Proper masonry detailing allows the building to be more pleasing to the eye, as the openings appear to be structurally supported.

a. *Exterior Corners.* Stone and brick used on exterior walls shall not terminate at exterior corners, except where such termination would be consistent with the architectural style being represented.

b. *Masonry Openings.* Openings in a block, brick, or stone façade, including all windows and doors, shall have a lintel, arch, or soldier course at the top of the opening, which appears to structurally support the area of masonry above the opening.

c. *Horizontal Change in Material.* A horizontal change in material from masonry to another material shall include a decorative cap or sill that projects from the face of the building.

10. Parapets and Cornices.

a. A parapet wall and decorative cornice shall be used to visually terminate an exterior wall on a building with a flat roof and shall be used as the primary method for screening roof-mounted mechanical equipment.

b. The parapet and cornice design shall be in proportion to the size and scale of the building and shall reflect the architectural style and detailing of the building.

11. Gutters and Downspouts.

- a.** Gutters and downspouts shall be concealed from public view, unless designed as a continuous architectural feature.
- b.** Exposed gutters and downspouts used as architectural features should be colored to match the fascia or wall material to which they are attached.
- c.** Care shall be taken to avoid locating downspouts near building public entrances and openings.

12. Glazing. The ground floor glazing of a building shall be transparent. Ground floor transparency guarantees a visual connection to the casual observer located at the building exterior, which is an essential feature of commercial structures. By exposing the ground floor to the exterior, there is an invitation to participate with the activity inside. **Furthermore, the use of transparent glazing provides the City's public safety personnel the ability to view inside a building without having to first enter the structure.**

a. The minimum glazing required on all primary building façades shall be equal to at least 60 percent of the view plane area, with at least 50 percent of the view plane area being transparent.

b. For the purposes of these regulations governing glazing on a building, the following words, terms, and phrases are defined as follows:

(1) *Primary Facade.* Primary facade shall mean any exterior building elevation that faces a street, access way, pedestrian walkway, or drive aisle internal to a complex or center. For the purposes of this requirement, alleys and service drives shall not be considered a street, access way, or internal drive aisle.

(2) *View Plane Area.* View plane area shall mean the wall area on the primary façade of a building, which is located between 2 FT and 10 FT above the adjacent exterior grade.

(3) *Transparent.* Transparent shall mean glazing that is see-through from both the exterior and the interior of the building. This does not, however, preclude the use of tinted glazing.

c. This standard shall not apply if the Approving Authority determines that the required transparency is inconsistent with the operational or design needs of the building.

13. Lighting. Commercial development shall incorporate lighting fixtures that are decorative and are designed to eliminate adverse impacts of light spillover and promote safe vehicular and pedestrian access.

a. Light fixtures shall be full cut-off fixtures to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code and OMC Section 4-11.09(j).

c. Lighting fixtures shall be color-correct types, such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 12 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, where possible.

14. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

15. Roof Access Ladders. Ladders for roof access shall be mounted on the inside of the building, or if located on the building exterior, shall be completely concealed from public view.

16. Equipment Screening.

a. All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

b. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened by landscaping and/or decorative low garden walls.

17. Refuse Storage Areas (Trash Enclosures).

a. Within commercial zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view of public or private streets, and adjacent properties.

b. Refuse and recyclable materials container storage shall be within City-approved enclosures designed to contain separate containers for the collection of refuse and

recyclable materials. The number of trash enclosures required, their precise locations and dimensions, and their design shall be pursuant to the City’s Refuse and Recycling Planning Manual. The requirement for refuse container storage areas may be reduced or waived by the Approving Authority if a trash compactor is used, which is screened from public view.

c. Trash enclosures shall consist of a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, and separate pedestrian access, which is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion. The enclosure design shall be consistent with the architectural design of adjacent buildings and shall include a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable.

d. To the extent practicable, trash enclosures shall be located away from property lines common with sensitive uses, such as, but not limited to, dwellings, schools, playgrounds, childcare centers, health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

e. Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City’s current methods of collection within the area in which the project is located.

f. Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling, shall be posted adjacent to all points of access to each trash enclosure.

g. Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates, except when located out of public view.

h. Prior to the issuance of an occupancy permit, a developer or property owner(s) may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants.

18. Trip Reduction. All new development projects shall fully implement trip reduction measures in compliance with Division 6.04 (Congestion Management and Trip Reduction) of this Chapter.

19. Outdoor Loading and Storage Areas.

a. Loading facilities shall be designed and constructed pursuant to Division 6.03 (Off-Street Parking and Loading) of this Development Code.

b. Areas designated for open space, landscaping, off-street parking, loading, and vehicular circulation and maneuvering shall not be used for the outdoor storage of materials or equipment.

c. The outdoor storage of materials and equipment shall be permitted only within the CC and CR zoning districts in conjunction with, and ancillary to, the primary allowed land use. Outdoor loading and storage areas, and loading doors, shall be fully enclosed by a masonry screen wall with view-obstructing gates pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Development Code. Walls and

gates visible to the public shall be decorative. Chain link fencing with a screening material shall not be used to screen loading and storage activities and areas.

20. Outdoor Activities. All business activities shall be conducted entirely within a completely enclosed structure, except for the following:

a. Sale or display of new or used automobiles, boats, trucks, recreational vehicles and similar large equipment;

b. Outdoor cafes and eating areas;

c. Sale or display of building material, lumber, nursery stock and similar bulk stock, subject to the location and screening requirements of this Section;

d. Temporary activities, such as Christmas tree sales, sidewalk sales and other temporary or seasonal activities, subject to the issuance of an Administrative Use Permit for temporary uses, activities, and facilities pursuant Section 4.03.015 (Administrative Use Permits) of this Development Code;

e. Off-street parking facilities, and outdoor loading and storage areas, which are properly screened pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Chapter; and

f. As allowed pursuant to the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities as Facilities) of this Development Code.

21. Noise. Within all commercial zoning districts, structures and equipment shall be designed, located, constructed, and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in OMC Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

22. Airport Safety Zones. Within commercial zoning districts, properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

23. Security Standards. Within commercial zoning districts, any lot, and any building or structures thereon, shall comply with all applicable requirements of OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

O. Commercial Design Guidelines.

1. The City Council shall establish by resolution, commercial design guidelines applicable to all commercial zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for commercial development. The guidelines shall compliment the mandatory commercial development regulations contained in this Section, by providing examples of potential design solutions and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.020: Mixed-Use Zoning Districts

A. Purpose.

1. The purpose of this Section is to establish regulations intended to encourage innovative mixed-use development as an alternative to the typical suburban, use-segregated developments found throughout the Inland Empire, which is consistent with the goals and policies of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Generally, mixed-use districts are intended for the creation of development projects that:

- a. Create a dynamic, walkable, mixed-use environment;
- b. Provide for a development pattern that encourages the use of public transportation;
- c. Provide for a mix of housing types that are within close proximity to retail and service uses;
- d. Establish high standards for the design and development of buildings, infrastructure, and landscaping;
- e. Ensure a high degree of pedestrian and vehicular connectivity, and enhance the vitality of commercial corridors within the City;
- f. Facilitate the development of housing, retail, and office uses within close proximity to one another, allowing residents to walk to retail and service uses, and transit services; and
- g. In selected areas, locate buildings close to the street, so that streets and squares feel enclosed, establishing outdoor rooms.

2. The intent of each established mixed-use district is as follows:

a. *Downtown Mixed-Use Area.* The Downtown Mixed-Use District (MU-1 zoning district) is intended to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 DU/AC. The Downtown Mixed-Use District is intended to encourage the development and revitalization of the City's historic downtown district in such manner as to achieve the District's full potential as a unique shopping and residential area, as well as the City's focus for governmental, cultural, and educational activities.

b. *East Holt Mixed-Use Area.* The East Holt Mixed-Use District (MU-2 zoning district) is intended to accommodate the intensification of the East Holt Boulevard Corridor with low-rise (up to 5 stories) buildings housing a mixture of retail and office uses at a development intensity of up to 2.0 FAR and 1.0 FAR, respectively, and residential uses at a density of 14 to 40 DU/AC. The intent of this zoning district is to create identity and place along the Holt Boulevard Corridor and provide a connection between the Downtown Mixed Use Area and the Ontario Airport Metro Center.

c. *Euclid/Francis Mixed-Use Area.* The Euclid/Francis Mixed-Use District (MU-11 zoning district) is intended to accommodate a low-rise (up to 3 stories) mixture of retail uses at an

intensity of up to 1.0 FAR, and residential uses at a density of 14 to 25 DU/AC, that will create identity and place along the Euclid Avenue corridor.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's mixed-use zoning districts. Furthermore, the provisions of this Section shall apply to all land subdivisions for mixed-use purposes, and any new mixed-use construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Mixed Use Zoning District Development Standards. Development within the MU-1, MU-2, and MU-11 mixed-use zoning districts shall comply with the following standards:

1. MU-1 (Downtown Mixed Use Area) Zoning District.

a. *Planned Unit Development Required.* Within the MU-1 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Area Plan and Form-Based Development Standards In Lieu of Planned Unit Development Adoption.* In lieu of Planned Unit Development adoption, the City may elect to prepare and adopt an Area Plan to provide additional policy-level guidance for development within MU-1 zoning district, in conjunction with the inclusion of appropriate form-based development standards within this Section, to be established on a minimum per block basis.

c. *Allowed Development Density/Intensity.* Within the MU-1 zoning district, residential development shall range from a minimum allowed density of 25 dwelling units per acre, to a maximum allowed density of 75.0 dwelling units per acre. Commercial-retail and/or office development shall not exceed 2.0 FAR.

d. *Zoning District Buildout Limits.* Within the MU-1 zoning district, buildout shall not exceed the maximum number of dwelling units and nonresidential building area allotted for the Downtown Mixed-Use District, as prescribed by Exhibit LU-3 (Future Buildout) of The Ontario Plan.

e. *Downtown Ontario Design Guidelines.* In August 1998, the City Council adopted the Downtown Ontario Design Guidelines, included as Reference "C" of this Development Code, which establishes a set of architectural, graphic, and lighting design principles, to provide guidance to business owners, homeowners, City staff, and design professionals, for the development and/or rehabilitation of properties within the City's historic original downtown area (project area). The project area is bordered by "I" Street on the north, Vine Street on the west, Sultana Avenue on the east, and railroad tracks on the south, and is defined in Figure 1.4 (Land Use Districts) of the Downtown Ontario Design Guidelines. The design guidelines also apply to those properties located across the street from, and directly abut, the project area.

2. MU-2 (East Holt Mixed-Use Area) Zoning District.

a. *Planned Unit Development Required.* Within the MU-2 zoning district, development shall occur only after a Planned Unit Development has first been adopted for the affected property pursuant to Section 4.01.030 (Planned Unit Developments and Amendments) of this Development Code.

b. *Allowed Development Density/Intensity.* Within the MU-2 zoning district, residential development shall range from a minimum allowed density of 14.1 dwelling units per acre, to a maximum allowed density of 40.0 dwelling units per acre. Commercial-retail development shall not exceed 1.0 FAR and commercial-office development shall not exceed 2.0 FAR.

c. *Zoning District Buildout Limits.* Within the MU-2 zoning district, buildout shall not exceed the maximum number of dwelling units and nonresidential building area allotted for the East Holt Mixed-Use Area, as prescribed by Exhibit LU-3 (Future Buildout) of The Ontario Plan.

3. MU-11 (Euclid/Francis Mixed-Use Area) Zoning District.

a. *Residential Development.* Within the MU-11 zoning district, residential development shall be allowed pursuant to the standards of the HDR-25 zoning district and shall range from a minimum allowed density of 14.0 dwelling units per acre, to a maximum allowed density of 25.0 dwelling units per acre.

b. *Nonresidential Development.* Within the MU-11 zoning district, nonresidential development shall be allowed pursuant to the requirements of the CN zoning district, and shall not exceed 1.0 FAR.

c. *Zoning District Buildout Limits.* Within the MU-11 zoning district, buildout shall not exceed the maximum number of dwelling units and nonresidential building area allotted for the Euclid/Francis Mixed-Use Area, as prescribed by Exhibit LU-3 (Future Buildout) of the Policy Plan (General Plan) component of The Ontario Plan.

6.01.025: Industrial Zoning Districts

A. Purpose. The purpose of this Section is to ensure that development within the industrial zoning districts of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan. These regulations are further established to:

1. Reserve appropriate areas in the community for a full range of industrial uses, which are grouped to achieve maximum compatibility with respect to the characteristics of the various types of industrial activities and processes;

2. Encourage the development of all types of industrial establishments in a manner that is consistent with sound standards of public health and safety;

3. Allow certain types of light industrial uses that are relatively free of nuisance or hazardous features, which may be located in areas nearest to residential, office, and commercial areas, while providing space for industrial uses with more severe impacts in more remote locations;

4. Protect areas appropriate for industrial development from intrusion by residences and other incompatible uses, while providing opportunities for various types of industrial establishments and similar uses to concentrate in mutually beneficial relationships to each other;

5. Ensure the provision of adequate space to meet the needs of industrial development, including landscaped setbacks, off-street parking and truck loading areas;

6. Strengthen the City's economic base and jobs-housing balance by increasing employment opportunities close to home for residents of the City and surrounding communities;

7. Ensure that the appearance of industrial buildings and uses is compatible with the visual character of the area in which they are located; and

8. Provide a sufficient number of appropriately located sites for adult businesses within the IH (Heavy Industrial) zoning district.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's industrial zoning districts. Furthermore, the provisions of this Section shall apply to all industrial land subdivisions and any new industrial construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City.

C. Development Standards. Development within industrial zoning districts shall comply with the requirements of Table 6.01-10 (Industrial Zoning District Development Standards), below, which specifies standards for the development of structures within the BP, IP, IL, IG, and IH zoning districts.

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
A. SITE DEVELOPMENT STANDARDS						
1. Minimum Lot Area	1.0 AC		10,000 SF			Note 1
2. Maximum Floor Area Ratio (FAR)	0.60		0.55			Note 7
3. Minimum Lot Dimensions	100 FT – Lot Width 100 FT – Lot Depth					Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping)					
a. Interior Lots	15%	10%				Notes 2 and 3
b. Corner Lots	20%	15%				Notes 2 and 3
c. Off-Street Parking Areas	7%					See Section 6.05.030.D (Landscaping of Off-Street Parking Facilities)
5. Minimum Parking Space and Drive Aisle Separations						
a. Parking Space or Drive Aisle to Street Property Line	20 FT		10 FT			
b. Parking Space or Drive Aisle to Interior Property Line	5 FT					Notes 4 and 5
Exception: From property line common with residential district	10 FT (area shall be densely landscaped)			n/a		

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
<p>c. Parking Space to Buildings, Walls, and Fences</p> <p>10 FT - Areas adjacent to public entries and office areas 5 FT - Areas adjacent to other building areas</p>						Note 5
<p><u>Exception:</u> Within screened loading and storage yard areas</p>			0 FT			
<p>d. Drive Aisles to Buildings, Walls, and Fences</p> <p>10 FT</p>						Note 5
<p><u>Exception:</u> Within screened loading and storage yard areas</p>			0 FT			
6. Minimum Screened Loading and Storage Yard Separations						
<p>a. Enclosed Loading and Storage Yard to Street Property Line</p> <p>20 FT - Freeways 20 FT - Arterial Streets 10 FT - Collector/Local Streets</p>						
<p>b. Screened Loading and Storage Yard to Interior Property Line</p> <p>0 FT</p>						
<p><u>Exception:</u> From interior property line common with residential district</p>			10 FT (area shall be densely landscaped)		n/a	
<p>c. Screened Loading and Storage Yard to Buildings, Walls, and Fences</p> <p>0 FT</p>						
7. Walls, Fences and Obstructions	Refer to Section 6.02.025 (Design Standards for Nonresidential Zoning Districts).					
8. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic, and are listed on the City’s Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					
13. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
B. BUILDING DEVELOPMENT STANDARDS						
1. Maximum Area Per Building	45,000 SF - Single-Tenant 60,000 SF - Multi-Tenant		See Note 9	n/a		
2. Minimum Street Setback						
a. From Freeway Property Line	20 FT					
b. From Arterial Street Property Line	10 FT - Holt Boulevard 20 FT - All Other Arterial Streets					
c. From Collector and Local Street Property Line	10 FT					
3. Minimum Interior Property Line Setback	0 FT					Note 6
<u>Exception:</u> Property line common with residential districts	30 FT					
4. Maximum Height	45 FT		55 FT			Note 7
5. Minimum Setback From Major Pipelines (to habitable structures)	50 FT					Note 8

Notes:

1. There is no minimum lot area or dimension for common interest subdivisions established pursuant to Section 6.08.010 (Common Interest Subdivisions) of this Development Code.
2. Landscaped areas with a minimum dimension of less than 5 FT shall not contribute toward the “minimum landscape coverage” calculation.
3. The “minimum landscape coverage” calculation for interior and corner lots shall exclude all landscaped areas located within public rights-of-way.
4. Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties.
5. The minimum separation area between a building, wall, or fence, and a parking space or drive aisle, shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 3-FT wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang.
6. There shall not be a minimum required building setback from property lines that are interior to a business park, or industrial park or complex.
7. The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.
8. Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and
 - b. Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.

9. *Within the IL zoning district, lots abutting, or directly across the street from, a residentially zoned property, shall comply with the "Maximum Area Per Building" and "Maximum Height" applicable to the BP and IP zoning districts.*

D. Exceptions to Development Standards. The following exceptions from the industrial zoning district development standards stipulated in Table 6.01-8 (Industrial Zoning District Development Standards) shall be permitted:

1. Building Height.

a. *Aerials and Antennas, Chimneys, Cupolas, Elevator Penthouses, Flagpoles, Monuments, Parapet Walls, Spires, Towers, Water Tanks, and Other Similar Structures.* Aerials and antennas, chimneys, cupolas, elevator penthouses, flagpoles, monuments, parapet walls, spires, towers, water tanks, and other similar structures may be erected to a height of up to 25 percent above the prescribed height limit of the base zoning district.

b. *Amateur (HAM) Radio Antennas.* HAM radio antennas may exceed the maximum prescribed height limit of a zoning district by a maximum of 10 FT. The Zoning Administrator, however, may allow HAM radio antennas to exceed this height limitation if it is necessary to accommodate amateur radio service communications. A HAM radio antenna that exceeds the maximum prescribed height limit of the zoning district in which it is located shall not exceed the minimum height and dimensions necessary to accommodate amateur radio service communications.

c. *Wireless Telecommunication Facilities.* Wireless telecommunication facilities shall comply with Section 5.03.42 (Wireless Telecommunications Facilities) of this Development Code.

2. Encroachments into Required Setback Areas.

a. *Cornices, Eaves, Canopies, Decorative Wall Elements, and Similar Architectural Features.* Cornices, eaves, canopies, decorative wall elements, and similar architectural features may extend into a required street or interior property line setback area a maximum of 50 percent of the required setback, not to exceed 4 FT.

b. *Signs.* Signs and advertising structures may encroach into a required front street setback area pursuant to Division 8.1 (Sign Regulations) of this Development Code.

c. *Walls, Fences, and Obstructions.* Walls, fences, and obstructions may be permitted within required setback areas pursuant to the provisions of Division 6.02 (Fences, Walls, and Obstructions) of this Chapter.

E. General Provisions. The following general regulations shall be applicable to all land uses, activities, and facilities within each industrial zoning district:

1. Building Setback Areas Adjoining Streets. Except as otherwise specifically provided by this Development Code, required setback areas adjoining streets shall only be used for the placement of landscaping and irrigation installed pursuant to Division 6.05 (Landscaping); public art works installed pursuant to Division 6.07 (Public Art); vehicular and pedestrian accesses, off-street parking and vehicular circulation, and site lighting pursuant to Division 6.03 (Off-Street Parking and Loading), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and

Obstructions), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

2. Parking Space and Drive Aisle Setback Areas. Parking space and drive aisle setback areas required pursuant to Table 6.01-9 (Industrial Zoning District Development Standards) shall only be used for landscaping and irrigation installed pursuant to Division 6.05 (Landscaping), walls and fences installed pursuant to Division 6.02 (Walls, Fences, and Obstructions), public art works installed pursuant to Division 6.07 (Public Art), and signs installed pursuant to Division 8.1 (Sign Regulations) of this Development Code.

3. Refuse Storage Areas (Trash Enclosures).

a. Within industrial zoning districts, refuse and recyclable materials shall be stored in an appropriate container, out of view of public or private streets, and adjacent properties.

b. Refuse and recyclable materials container storage shall be within City-approved enclosures designed to contain separate containers for the collection of refuse and recyclable materials. The number of trash enclosures required, their precise locations and dimensions, and their design shall be pursuant to the City's Refuse and Recycling Planning Manual. The requirement for refuse container storage areas may be reduced or waived by the Approving Authority if a trash compactor is used, which is screened from public view.

c. Trash enclosures shall consist of a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, and separate pedestrian access, which is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion. The enclosure design shall be consistent with the architectural design of adjacent buildings and shall include a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable.

d. To the extent practicable, trash enclosures shall be located away from property lines common with sensitive uses, such as, but not limited to, dwellings, schools, playgrounds, childcare centers, health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

e. Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

f. Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.

g. Trash enclosures shall be bordered by a minimum 5-FT wide planter and screened with landscaping on all exposed sides, excluding the side with bin access gates, except when located out of public view.

h. Prior to the issuance of an occupancy permit, a developer or property owner(s) may be required to develop a written recycling plan, which specifies the identification of targeted materials to be recycled, and methods of recycling program promotion to tenants.

4. Lighting. Commercial development shall incorporate lighting fixtures that are decorative and are designed to eliminate adverse impacts of light spillover and promote safe vehicular and pedestrian access.

a. Light fixtures shall be full cut-off fixtures to prevent glare and light spill off the project site onto adjacent properties, buildings, and roadways.

b. Parking lot lighting shall comply with Section 6.03.050 (Parking Lot Lighting) of this Development Code and OMC Section 4-11.09(j).

c. Lighting fixtures shall be color-correct types, such as halogen, metal halide, or LED, to ensure true-color at night, visual comfort for pedestrians, and energy efficiency.

d. Pedestrian-level pole-mounted lighting, bollard lighting, ground-mounted lighting, or other low, glare-controlled fixtures mounted on buildings or walls shall be used to light pedestrian walkways. Pole-mounted, building-mounted, or tree-mounted lighting fixtures shall be no more than 14 FT in height. Bollard-type lighting shall be no more than 4 FT in height.

e. Steps, ramps, and seatwalls shall be illuminated with built-in light fixtures, where possible.

5. Equipment Screening.

a. All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

b. All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

6. Outdoor Loading and Storage Areas.

a. Loading facilities shall be designed and constructed pursuant to Division 6.03 (Off-Street Parking and Loading) of this Chapter.

b. Areas designated for open space, landscaping, off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

c. The outdoor storage of materials and equipment shall be permitted only within the IL, IG, IH, and ONT zoning districts in conjunction with, and ancillary to, the primary allowed land use, except as otherwise allowed pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

d. Outdoor loading and storage areas, and loading doors, shall be screened from public view by a decorative masonry wall with view-obstructing gates, pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Development Code. Furthermore, loading and storage areas, and loading doors, shall not

face a freeway, Euclid Avenue, or Mission Boulevard, unless fully screened from view of the freeway or street.

e. The outdoor storage of materials or equipment shall not be allowed within the BP and IP zoning districts.

7. Outdoor Manufacturing and Processing.

a. Manufacturing and processing activities shall be conducted within a wholly enclosed building, except that outdoor manufacturing and processing activities may be allowed within the IG, IH, and ONT zoning districts in conjunction with, and ancillary to, the primary allowed land use, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code.

b. Outdoor manufacturing and processing activities allowed pursuant to Subparagraph C.7.a, above, shall be screened from public view by buildings and/or decorative masonry walls with view-obstructing gates.

8. Outdoor Sales and Display. Within industrial zoning districts, all sales and display activities shall be conducted within a wholly enclosed building, except as follows:

a. Sale or display of new or used automobiles, boats, trucks, recreational vehicles and similar large equipment;

b. Outdoor cafes and eating areas;

c. Sale or display of building material, lumber, nursery stock and similar bulk stock, subject to the location and screening requirements of this Section;

d. Temporary activities, such as Christmas tree sales, sidewalk sales and other temporary or seasonal activities, subject to the issuance of an Administrative Use Permit for temporary uses, activities, and facilities pursuant Section 4.03.015 (Administrative Use Permits) of this Development Code;

e. Off-street parking facilities, and outdoor loading and storage areas, which are properly screened pursuant to Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) of this Chapter; and

f. As allowed pursuant to the standards contained in Division 5.03 (Standards for Specific Land Uses, Activities as Facilities) of this Development Code.

9. Building Color. Building exteriors shall incorporate colors that are of compatible hues and intensities. Color schemes shall tie building elements together, relate separate buildings within the same development, and enhance the architectural form of a building.

a. Exterior building colors shall be low-reflecting and subtle. Furthermore, overly intense, overly bright, or fluorescent or Day-Glo colors, shall not be used on a building exterior, as determined by the Planning Director.

b. The exterior building color of a new development project shall be reviewed and approved in conjunction with the approval of the structure by the Approving Authority. Development projects consisting of multiple buildings shall incorporate colors that are

coordinated between structures, utilizing compatible hues and intensities. The final review and approval of paint colors, utilizing a color test, may be required by the City, prior to painting a building.

c. All building mechanical equipment and appurtenances, including, but not limited to, meters, flues, vents, gutters, and utilities, shall match or complement the permanent color of the surface from which they are attached or project.

10. Roof Access Ladders. Ladders for roof access shall be mounted on the inside of the building, or if located on the building exterior, shall be completely concealed from public view.

11. Gutters and Downspouts. Gutters and downspouts shall be concealed from public view, unless designed as a continuous architectural feature. Exposed gutters and downspouts used as architectural features should be colored to match the fascia or wall material to which they are attached.

12. Trip Reduction. All new development projects shall fully implement trip reduction measures in compliance with Division 6.04 (Congestion Management and Trip Reduction) of this Chapter.

13. Noise. Within all industrial zoning districts, structures and equipment shall be designed, located, constructed, and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in OMC Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

14. Airport Safety Zones. Industrially zoned properties located within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.

15. Security Standards. Within industrial zoning districts, any lot, and any building or structures thereon, shall comply with all applicable requirements of OMC Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

F. Industrial Design Guidelines.

1. The City Council shall establish by resolution, industrial design guidelines applicable to all industrial zoning districts, which are intended as a reference to assist the designer in understanding the City's goals and objectives for industrial development. The guidelines shall compliment the mandatory industrial development regulations contained in this Section, by providing examples of potential design solutions and by providing design interpretations of the various mandatory regulations contained herein.

2. The design guidelines authorized herein shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

6.01.030: Specialized Use Zoning Districts

A. Purpose. The purpose of this Section is to ensure that development within each Special Purpose zoning district of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's special purpose zoning districts. Furthermore, the provisions of this Section shall apply to all subdivisions of land and any new construction, addition, remodel, or reallocation requiring a building permit or other similar entitlement by the City, within a Special Purpose zoning district.

C. Specialized Use Zoning District Standards. The design and development of properties located within specialized use zoning districts shall comply with the following:

1. CIV (Civic) Zoning District. The CIV zoning district is established to accommodate permanent public facilities such as City Hall, public libraries, public schools, police and fire stations, and other similar facilities utilized by the public. Properties within the CIV zoning district shall be developed pursuant to the standards and guidelines applicable to the OH zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

2. MHP (Mobile Home Park) Zoning District. The MHP zoning district is established to accommodate communities consisting of mobile homes and manufactured housing. All development within the MHP zoning district shall be designed and constructed pursuant to the requirements of Section 5.03.295 (Mobilehome Parks) of this Development Code.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is established to accommodate on-going development of Ontario International Airport and surrounding properties directly impacted by airport operations. All development within the ONT zoning district shall be designed and constructed pursuant to the applicable requirements of Section 5.03.020 (Air Transportation) of this Development Code.

4. OS-C (Open Space-Cemetery) Zoning District. The OS-C zoning district is established to accommodate cemetery sites. Properties within the OS-C zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

5. OS-R (Open Space-Recreation) Zoning District. The OS-R zoning district is established to accommodate open space uses, such as public parks and recreation centers. Properties within the OS-R zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

6. PUD (Planned Unit Development) Zoning District. The PUD zoning district is established to accommodate the development and use of properties that require Planned Unit Development approval pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All development within the PUD zoning district shall only be allowed pursuant the applicable Planned Unit Development document.

7. RC (Rail Corridor) Zoning District. The RC zoning district is established to accommodate permanent rail or fixed transit corridors through the City, as well as stations and similar ancillary facilities. Properties within the RC zoning district shall be developed pursuant to the standards and guidelines applicable to the IH zoning district (see Section 6.01.025 (Industrial Zoning District) of this Division).

8. SP (Specific Plan) Zoning District. The SP zoning district is established to accommodate the adoption of Specific Plans pursuant to Exhibit LU-05 (Additional Plans Map) of the Policy Plan component of The Ontario Plan. All development within the SP zoning district shall

be designed and constructed pursuant to the standards and guidelines of the applicable Specific Plan document. (Note: If no specific plan has been adopted for a property within the SP zoning district, a new specific plan shall be adopted for the property, or the property shall be annexed to an existing neighboring specific plan, prior to the issuance of any grading or building permits.)

9. UC (Utility Corridor) Zoning District. The UC zoning district is established to accommodate flood control channels, retention and detention basins, electrical transmission corridors, and landfills, and may include ancillary recreational facilities in conjunction with the primary use of the site. Properties within the UC zoning district shall be developed pursuant to the standards and guidelines applicable to the OL zoning district (see Section 6.01.015 (Commercial Zoning District) of this Division).

6.01.035: Overlay Zoning Districts

A. Purpose. The purpose of this Section is to ensure that development within each Overlay zoning district of the City will contribute toward an urban environment of stable, desirable character, which is harmonious with existing and future development, and is consistent with the goals and policies of the Policy Plan (General Plan) component of The Ontario Plan.

B. Applicability. The standards and guidelines established by this Section shall apply to each of the City's overlay districts. Furthermore, the provisions of this Section shall apply to all subdivisions of land and any new construction, addition, or remodel requiring a building permit or other similar entitlement by the City, within an overlay district.

C. Overlay Zoning District Standards. The design and development of properties located within overlay zoning districts shall comply with the following:

1. AG (Agricultural) Overlay District.

a. Purpose. The purpose of the AG Overlay District is to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of The Ontario Plan. The transition of the AG Overlay District will be gradual, requiring the establishment of regulations intended to guide agricultural-related development activities for the interim period. It is the intent of the AG Overlay District to allow for the continuation of agricultural uses and related support uses as defined herein. The AG Overlay District is further intended to protect vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agriculture and related uses, and/or their products.

b. Applicability.

(1) The herein established rights and responsibilities applicable to the AG Overlay District shall apply to all property located within the boundary of the Overlay District, as shown on the official Zoning Map of the City. The AG Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit, or other similar entitlement, is required by the City.

(2) Any new building construction, excepting buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto on lots 10 acres or more in area, shall first require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development

Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(3) All rights pertaining to the AG Overlay District established herein, shall run with the land and shall be transferable to any future owner(s) of property within the AG Overlay district, and their assigns.

c. *Definitions.* For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

Agricultural Support Services. These uses are supportive of the farm community and are fully compatible with agricultural uses. Agricultural support services are uses which directly support, or which are accessory or incidental to, established agricultural uses within the AG Overlay District. These include, but are not limited to the following:

- 1) Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas;
- 2) Animal husbandry services veterinary services for large and small animals, and horseshoeing;
- 3) Farm machinery equipment and supplies, sale and repair;
- 4) Farm produce sales and supply (feed, hay, grain and grain products, fertilizer);
- 5) Farm products packaging and processing;
- 6) Feed storage, farm products warehousing and storage (except stockyards); and
- 7) Waste management facilities and fertilizer operations in accordance with applicable local, State and Federal regulations.

Animal Confinement Facility. Where used, the term “animal confinement facility” includes animal barns, corrals, or pens.

Commercial Kennels and Catteries. The keeping of more than 5 dogs or 5 cats over the age of 4 months for breeding, boarding, training or sale on a lot minimum 2.5 acres in area.

Cow and Goat Dairies. Any premises where milk is produced for wholesale distribution and where 10 or more cows or goats are in lactation.

Crop Production. A primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plant materials for wholesale or retail sales and ultimate consumption by others.

Expanded Use. An expanded use consists of a building expansion or new construction in excess of 5,000 square feet.

Trade of Livestock. Sale of livestock to general public (e.g. animal auctions).

d. Uses Generally. No building, structure, or land shall be used, and no building or structure shall be hereafter erected, structurally altered, or enlarged, except for the purposes set out in this Paragraph C.1 (AG (Agricultural) Overlay District) of this Section.

e. Permitted Land Uses. In addition to those land uses allowed in the AG Overlay District as prescribed by Table 5.01-1 (Land Use Matrix) of this Development Code, the following land uses are permitted by right of being within the correct zoning district:

- (1) Row, field, tree, and crop production;
- (2) Plant nurseries (retail and wholesale);
- (3) Single dwelling unit on a lot not less than 10 acres in area; a specific plan is required for any subdivision or master planned development; and
- (4) Animal keeping activities, excepting household pets, shall comply with the following:

(a) Animal keeping must be on a legally recognized lot no less than 2 acres in area. Lot area used to qualify one animal type shall not be reused to qualify another animal type;

(b) Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or regulating agency;

(c) Small animal keeping. Aviary or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on lots that are at least one-half acre in area. Fish raising shall be limited to one pond per acre, with a maximum of 4 ponds per parcel. Each pond shall not exceed one-half acre in area; and

(d) Refer to Table 6.01-11 (Animal Types and Densities), below, for animal density requirements and Section 5.03.410 (Urban Agriculture) of this Development Code, for animal separation/setback requirements.

Table 6.01-11: Animal Types and Maximum Densities

<i>Animal Type</i>	<i>Maximum Animal Density</i>	<i>Additional Regulations</i>
A. Dairy Cow	As permitted by Approving Authority	Note 1
B. Non-dairy Cattle/ Buffalo	1/6,000 SF of lot area	
C. Horses	1/6,000 SF of lot area	
D. Swine (5 maximum)	1/12,000 SF of lot area	
E. Sheep, female goats and similar livestock	1/3,000 SF of lot area	
F. Male adult goats		
1. Parcel < 10 acres	One maximum	
2. 10 acres and above	1/5 acres of lot area (not to exceed 4 maximum)	
G. Rabbits and chinchillas (200 maximum)	50/10,000 SF of lot area	

Table 6.01-11: Animal Types and Maximum Densities

<i>Animal Type</i>	<i>Maximum Animal Density</i>	<i>Additional Regulations</i>
H. Ostriches	1/6,000 SF of lot area	
I. Emus and rheas	1/6,000 SF of lot area	
J. Poultry		
1. Female		
a. Parcel < 10 acres	25 maximum	
b. 10 acres and above	25/ 10 acres of lot area (50 maximum)	
2. Male (9 maximum)		
a. Parcel < 10 acres	2 species/parcel	
b. 10 acres and above	2 species/5 acres	

Notes:

1. *New or expansions to existing dairy or other animal confinement facilities shall be considered on a case-by-case basis, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code. Animal density shall be as determined by the appropriate approving authority (i.e. Regional Water Quality Control Board) which may impose special operational conditions, requirements or standards deemed necessary to insure the public health, safety and general welfare. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility, as defined by the Regional Water Quality Control Board.*

f. *Conditionally Permitted Land Uses.* In addition to those land uses allowed in the AG Overlay District as prescribed by Table 5.01-1 (Land Use Matrix) of this Development Code, the following land uses shall be allowed subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code:

- (1) Agricultural Support Services;
- (2) Animal raising of densities greater than or the raising of animal types different than those specified by this Paragraph C.1 (AG (Agricultural) Overlay District), subject to review by the appropriate Approving Authority (such as Regional Water Quality Control Board); and fish raising using ponds or lakes that are of greater surface area or number than those specified by this Paragraph C.1 (AG (Agricultural) Overlay District).
- (3) Animal hospitals and veterinary clinics;
- (4) Antennas and wireless telecommunications facilities;
- (5) Apiaries;
- (6) Calf growing ranches (lots shall be 5 or more acres in area);
- (7) Places of worship within an existing building, and expansions to existing facilities (establishment of new places of worship in new structures shall only be permitted as part of a specific plan);
- (8) Dairies, including expansions to existing dairies;

- is prohibited);
- (9) Educational facilities and institutions;
 - (10) Fertilizer operations;
 - (11) Kennels (requires a 2.5-acre minimum lot size);
 - (12) Mushroom farms (the use of manure as a planting/growing medium
 - (13) Rodeos;
 - (14) Trade of livestock; and
 - (15) Waste management facilities.

g. *Time Limit for Conditionally Permitted Land Uses.* Conditionally permitted uses may be subject to a 5-year time limit through an agreement with the applicant, in order to assess potential impacts from the conditional use upon surrounding land uses. Under such time limit, a time extension application may be filed at least 6 months prior to the end of the 5-year period. Approval of a time extension request shall be based on the continued compatibility of the project with surrounding land uses.

h. *Temporary Uses.* The following temporary uses are permitted, subject to the requirements of Section 5.03.395 (Temporary and Interim Land Uses, Buildings and Structures) of this Development Code:

- (1) Christmas tree and Halloween pumpkin sales, or other similar seasonal sales authorized by the City, not to exceed a period of 30 days, each;
- (2) Temporary produce stands in conjunction with an Urban Farm established pursuant to Section 5.03.410.F (Urban Farms) of this Development Code; and
- (3) Temporary Wireless Telecommunications Facilities.

i. *Accessory Uses.* The following accessory uses, and structures are permitted when customarily associated with, and subordinate to, a permitted use on the same lot:

- (1) Barns, stables, storage tanks, and other farm buildings;
- (2) Accessory dwelling unit or guesthouse, not to exceed one per lot, pursuant to the requirements of Section 5.03.030 (Accessory Residential Structures) of this Development Code. Any guesthouse or accessory dwelling unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);
- (3) Accessory building(s) not usable as a guesthouse or accessory dwelling unit. There shall be no maximum size for accessory structures in the AG Overlay District. Accessory Structures in the AG Overlay District in excess of 650 SF shall not require the approval of a Conditional Use Permit;

(4) Office unit in conjunction with row, field, tree, plant nursery, or crop production operation, not to exceed 1,500 SF in area (maximum one building per lot). An office unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);

(5) Caretaker's unit, not to exceed 650 SF in area (maximum one building per lot). Any caretaker's unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);

(6) Garages and carports;

(7) Fences and walls;

(8) Patio covers;

(9) Swimming pools;

(10) Stands for the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions:

(a) Stand shall be permitted only on lots containing a minimum of 10,000 SF;

(b) The floor area of the stand shall not exceed 100 SF;

(c) The stand shall not have a permanent foundation;

(d) The owner(s) shall remove such stand at their expense when the use has terminated;

(e) Stands shall be located a minimum of twenty (20) feet from the right-of-way line of any street or highway;

(f) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director; and

j. *Prohibited Uses.* Notwithstanding Subparagraphs d through f of Paragraph C.1 (AG (Agricultural) Overlay District) of this Section, the following uses shall be specifically prohibited:

(1) Animal slaughter operations;

(2) Commercial poultry ranches;

(3) Commercial hog ranches; and

k. *Uses Not Specifically Listed.* The Zoning Administrator may make a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, for those uses not specifically listed herein as permitted or conditionally permitted uses, based on the similarity of the subject use to one of the categories listed in Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay District), and the herein stated purpose of the AG Overlay District.

l. *Nonconforming Uses and Structures.* Nonconforming uses and structures within the AG Overlay District shall be governed by Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code, except as follows:

(1) Abandonment. Whenever a nonconforming use or structure has been abandoned, the nonconforming use or structure shall not be reestablished, and the use of the structure and the site thereafter shall be in conformity with the regulations of the AG Overlay District. For the purposes of this Paragraph C.1 (AG (Agricultural) Overlay District), discontinuance of the nonconforming use for a continuous period of 180 days shall be conclusive evidence of abandonment of such nonconforming use regardless of the landowner's intent.

(2) Special Hardship Circumstances. The Zoning Administrator may extend the 180-day period for up to an additional 180 days. To receive such consideration, the property owner shall request an extension, in writing, prior to the expiration of the initial 180-day period, including a full explanation of the reason why the extension should be granted.

m. *Animal Keeping/Separation Standards.* The following site development standards shall apply to the keeping of animals, except household pets:

(1) Animals shall be restrained a distance of at least 40 FT, measured in a straight line, from any habitable structure or structure used for public assembly located on adjoining property. For dairies, refer to Subparagraph n of this Paragraph C.1 (AG (Agricultural) Overlay District), for separation requirements;

(2) Animals shall be restrained a distance of at least 5 FT from interior side and rear property lines, and 15 feet from street side property lines;

(3) Animals shall be secured by a fence or wall at least 5 FT in height, made of chain link, wood with horizontal members no less than 6 inches apart, solid masonry or other appropriate solid confining material. Property line walls and fences may be used to secure animals, provided the appropriate restraint distances are maintained;

(4) Animals shall be kept a minimum of 100 FT from any domestic water well;

(5) For new dairies/feed lots, a separation of 500 FT shall be required between an animal feed trough, corral/pen from new development and/or from property with a residential or nonresidential tract map recorded after January 1, 2000, as measured from the building setback line; and

(6) A reduction in animal separation requirements may also be considered for facilities with proven means of reducing odors, such as covering lagoons, substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

n. *Separation Requirements for New Development.* The following separation requirements from existing dairies/feed lots shall apply to new residential, commercial, and/or industrial development or structures used for public assembly purposes from existing dairies/feed lots:

(1) A minimum 100-FT separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-FT separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map; and

(2) Separation requirements between dairies within a proposed specific plan area and new development will be addressed through the specific plan review procedure which may include buffers, expanded parkways, open space, and other approved measures to mitigate potential impacts.

o. *Permanent Structures.* A Development Plan is required pursuant to Section 4.02.025 (Development Plans) of this Development Code, for all new, altered, or expanded structures/uses, including all new structures in excess of 5,000 SF in area.

p. *Development Standards and Guidelines.*

(1) The development of buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto, on lots 10 acres or more in area, shall be designed and constructed pursuant to the standards contained in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards), below.

Table 6.01-12: AG (Agricultural) Overlay District Development Standards

<i>Requirements</i>	<i>Standards</i>	<i>Additional Regulations</i>
A. SITE DEVELOPMENT STANDARDS		
1. Minimum Lot Size	10 acres	Note 1
2. Maximum Lot Coverage		
3. Allowed Density Range	One dwelling per 10 acres	
4. Minimum Lot Dimensions		
a. Ratio (lot width to lot depth)	1:4	
b. Lot Width	300 FT	Note 1
c. Lot Depth	300 FT	Note 1
5. Equestrian Trails Required	No	
6. Walls, Fences, and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts) of this Development Code	
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading) of this Development Code.	
8. Landscaping	Refer to Division 6.05 (Landscaping) of this Development Code.	
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance) of this Development Code.	

Table 6.01-12: AG (Agricultural) Overlay District Development Standards

Requirements	Standards	Additional Regulations
10. Historic Preservation	Certain portions of residential zoning districts are identified as historic or potentially historic and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.	
11. Signs	Refer to Subparagraph q (Sign Standards) of this Paragraph C.1 (AG (Agricultural) Overlay District) and Division 8.1 (Sign Regulations) of this Development Code.	
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
13. Noise	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.	
B. BUILDING DEVELOPMENT STANDARDS		
1. Minimum Building Setbacks		
a. From Front Property Line	25 FT	
b. From Street Side Property Line	25 FT	
c. From Interior Side Property Line	15 FT	
d. From Rear Property Line	15 FT	
2. Minimum Building Separations	6 FT	
3. Maximum Building Height	35 FT	Note 2

Notes:

1. An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).
2. The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by Airport Safety Zones.

(2) Development within the AG Overlay District shall be consistent with the Residential Design Guidelines established by resolution of the City Council, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. Such guidelines shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

q. *Sign Standards.* Notwithstanding the sign regulations contained in Division 8.1 (Sign Regulations) of this Development Code, signs installed within the AG Overlay District shall comply with the following:

(1) **Freestanding Signs.** One unlighted single or double faced sign shall be permitted, not to exceed 6 FT in height and 12 SF in area, for each 60 FT of street frontage, and shall be placed behind the street property line.

(2) **Wall Mounted Signs.** One wall-mounted sign shall be permitted on each building elevation facing a street, not to exceed one SF of sign area for each lineal foot of building elevation length, not to exceed 50 SF.

2. EA (Euclid Avenue) Overlay District.

a. *Purpose.* The purposes of the EA Overlay District is to recognize and protect Euclid Avenue as a major scenic and historic resource of the City, and major contributor to Ontario's historic downtown. Furthermore, the EA Overlay District is intended to help identify and safeguard Euclid Avenue's position on the National Register of Historic Places.

b. *Applicability.* The herein established rights and responsibilities applicable to the EA Overlay District shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The EA Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

c. *Development Standards and Guidelines.* Land development within the EA Overlay District shall be designed and constructed pursuant to the standards and guidelines applicable to the underlying base zoning district and the requirements of the Downtown Ontario Design Guidelines (see Reference C—Downtown Ontario Design Guidelines), as applicable.

d. *Certificate of Appropriateness Required.* A development project within the EA Overlay District, which requires Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code, shall require the approval of a Certificate of Appropriateness pursuant to Section 4.02.050 (Historic Preservation—Certificates of Appropriateness and Demolition of Historic Resources).

~~e. *Medical Offices and Clinics.* Medical offices and clinics within the EA Overlay District, and which are located in the MU-1 zoning district and have street frontage on Euclid Avenue, shall be allowed only on the second floor of a building or above (occupancy of the ground/first floor shall not be allowed). Medical offices and clinics within the EA Overlay District, which are not located in the MU-1 zoning district, or do not have street frontage on Euclid Avenue, may occupy the ground/first floor of a building.~~

3. ES (Emergency Shelter) Overlay District.

a. *Purpose.* The purpose of the ES Overlay District (established pursuant to Section 5.01.010.F.3 (ES (Emergency Shelter) Overlay District) is to accommodate the establishment of emergency shelters, supportive housing, and transitional housing land uses within the City.

b. *Applicability.*

(1) The herein established rights and responsibilities applicable to the ES Overlay District shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The ES Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) The ES Overlay District shall be located within areas of the City that are predetermined by the Housing Element, pursuant to GC Section 65583 and contained within the Policy Plan component of The Ontario Plan. Alternate locations may be established by resolution of the City Council, upon recommendation of the Planning Commission.

c. *Development Standards and Guidelines.* Within the ES Overlay District, land and improvements thereon shall be designed and developed pursuant to the standards and guidelines of the underlying base zoning district.

4. MTC (Multimodal Transit Center) Overlay District.

a. *Purpose.*

(1) The multimodal transit facility anticipated by the Policy Plan component of The Ontario Plan is generally located south of Interstate 10, north of the railroad tracks, east of Guasti Road and west of Archibald Avenue. The multimodal center will serve as a transit hub for local buses, BRT, the Gold Line, high-speed rail, the proposed Ontario Airport Metro Center circulator, and other future transit modes. Many of these transit modes require extensive capital outlay and years of planning, environmental review, design, and, ultimately, construction. Much of the financing of these facilities is beyond the control of the City, being handled by other local, regional, State and federal agencies. The development of a multimodal facility and related services is a long term endeavor, anticipated to take years, if not decades, to bring to fruition.

(2) The MTC Overlay District (established pursuant to Section 5.01.010.F.4 (MTC (Multimodal Transit Center) Overlay District) of this Development Code) is currently developed with a ±425,000 SF warehouse/distribution building with ancillary offices, and a ±6,000 SF building used as a contractor's office and yard. These buildings are not suited for residential, retail, or office uses as envisioned by the Policy Plan, and use of these facilities in the near term would be somewhat limited, until the property is redeveloped as a multimodal transit center. Consequently, the City wishes to authorize the use of the existing buildings for the purpose for which they were previously used.

(3) The purpose of the MTC Overlay District is to allow for the establishment of warehouse and distribution land uses, on an interim basis, within existing buildings located within the overly district boundary.

b. *Applicability.*

(1) The herein established rights and responsibilities applicable to the MTC Overlay District shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The MTC Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) Allowed land uses within the MTC Overlay District shall be limited to warehouse/distribution facilities, ancillary offices, and those temporary land uses allowed within the IG zoning district pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

(3) Any expansion of existing buildings or proposals for new building construction shall require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(4) The MTC Overlay District shall remain in effect until June 30, 2027, unless otherwise extended pursuant to Section 4.01.020 (Development Code Amendments) of this Development Code, or the existing buildings are removed.

(5) All rights pertaining to the MTC Overlay District established herein, shall run with the land and shall be transferable to any future owner(s) of property within the MTC Overlay district, and their assigns.

5. ICC (Interim Community Commercial) Overlay District.

a. *Purpose.* The purpose of the ICC Overlay District (established pursuant to Section 5.01.010.F.5 (ICC (Interim Community Commercial) Overlay District) of this Development Code) is to allow for the establishment of Community Commercial land uses, on an interim basis, within existing buildings located within the overlay district boundary.

b. *Applicability.*

(1) The herein established rights and responsibilities applicable to the ICC Overlay District shall apply to all property located within the boundary of said Overlay District, as shown on the official Zoning Map of the City. The ICC Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) The ICC Overlay District may be established pursuant to the requirements of Section 4.01.040 (Zone Changes) of this Development Code, on property containing existing buildings constructed for occupancy by commercial land uses, ~~which are located within the High Density (25.1 to 45 DU/Acre) land use designation of The Ontario Plan, as shown on The Ontario Plan Land Use Plan (Exhibit LU-01).~~

(3) The ICC Overlay District shall allow those commercial uses allowed in the CN and CC zoning districts pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, while at the same time preserving the City's vision for the development and use of high density residential projects property consistent with the underlying Policy Plan (general plan) land use designation.

~~(4) All rights pertaining to the ICC Overlay District established herein, shall run with the land and shall be transferable to any future owner(s) of property, within the ICC Overlay district, and their assigns.~~

c. *Expansion of Existing Commercial Structures and Uses.*

(1) Within the ICC Overlay District, building expansion, shall only be allowed for the purpose of expanding an existing, legally established commercial land use, which is allowed pursuant to Subparagraph B.5.b(3) of this Section.

(2) The expansion of an existing commercial building shall be allowed pursuant to the requirements of Subsection 3.01.020.J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of this Development Code and shall be developed consistent with the standards of the CC zoning district.

(3) *New Residential Development.* New residential development, which is proposed consistent with the Official Land Use Plan (Exhibit LU-01) of the Policy Plan component of The Ontario Plan, shall first require a zone change to the HDR-45 zoning district pursuant to Section 4.01.040 (Zone Changes) of this Development Code, and full compliance with the land use requirements, and development standards and guidelines of the HDR-45 zoning district.

(4) *Protection of ICC Overlay District Land Use and Development Rights.* All land use and development rights granted by the ICC Overlay District shall be transferable to any future owner(s) of property within the ICC Overlay District, and their assigns.

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Division 6.05—Landscaping

Sections:

- [6.05.000](#): Purpose
- [6.05.005](#): Applicability
- [6.05.010](#): Landscape Design Principles
- [6.05.015](#): Landscape Plans
- [6.05.020](#): Tree Preservation Policy and Protection Measures
- [6.05.025](#): Violation—Penalty
- [6.05.030](#): Required Landscaped Areas
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6.05.000: Purpose

The purpose of this Division is to establish standards regulating landscaping and irrigation systems, which:

- A.** Improve the connection between the built and natural environments, increase the function of outdoor spaces and buffer land use compatibility conflicts;
- B.** Enhance the aesthetic appearance of development in all areas of the City by providing standards relating to the quality, quantity, and functional aspects of landscaping;
- C.** Reduce heat and glare generated by development;
- D.** Promote public health, safety, and welfare, by minimizing the impacts of all forms of physical and visual pollution, preserving the integrity of neighborhoods, and enhancing pedestrian and vehicular traffic safety;
- E.** Reduce energy use and associated costs from heating and air conditioning buildings and the transportation and pumping of water.
- F.** Preserve existing protected trees and topsoil where possible, incorporate native plant communities, and ecosystems into landscape design, and control soil erosion;
- G.** Promote the conservation of water by establishing provisions for water management practices, and techniques for the installation and maintenance of appropriate landscape materials and efficient irrigation systems as required by the Water Conservation in Landscaping Act of 2006 (AB 1881) and Executive Order No. B-29-15 (updated 2015), Model Water Efficient Ordinance (MWEO), commencing with GC Section 65591.

6.05.005: Applicability

- A. Landscaping Required.** All projects shall provide and maintain landscaping and irrigation systems in compliance with the provisions of this Division.

B. Landscape and Irrigation Plans Subject to City Review.

1. Submittal of Landscape and Irrigation Plans Required. Landscape and irrigation plans shall be submitted to the City for review for compliance with the requirements of this Division.

2. Plan Approval Required. Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by this Division have been approved by the Approving Authority. The Approving Authority is established by Table 2.02-1 (Review Matrix) of this Development Code and shall be empowered to approve or deny Landscape and Irrigation Documentation Plans.

3. Changes to Approved Landscape and Irrigation Plans. Changes to approved Landscape and Irrigation Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Approving Authority, prior to the commencement of the changes.

6.05.010: Landscape Design Principles

Landscaping is an important part of the aesthetic quality of the City and is important to create a sense of the City as a pleasant and safe place to live and work. The standards prescribed by this Division are intended to pursue sustainable, high quality landscaping, which is associated with the varying land use characteristics of the community. It is further intended that implementation of these guidelines will serve to enhance the street environment for motorists, as well as to contribute to convenient pedestrian connections throughout the City.

1. Use landscaping to define and create usable spaces throughout each development. Landscaping should be used to guide the user through the site and incorporate appropriate design elements for spaces such as entrances, walkways, gathering spaces, seating areas, utility areas, view corridors, open spaces, play spaces, and foregrounds and backdrops. Landscape design can be accomplished by utilizing form, function, scale, unity, contrast, varying the density of landscape material, use of color, layering, vertical and horizontal contrasts, and varying the texture of planting. Individual building projects can be enhanced through larger and more intensely developed landscaping.

2. Use landscaping to reduce the massing of buildings and eliminate large blank walls. Landscaping should be used to reduce the massing or bulk of buildings, particularly large industrial and warehouse/distribution buildings. Reductions in massing can be accomplished by using landscape treatments to provide vertical and horizontal contrast and to add visual interest. Major buildings should have foundation plantings adjacent to buildings such as hedgerows or shrub masses to break the horizontal ground plane from the vertical plane of the building.

3. Use landscaping to soften the effect of paved areas. Landscaping should be provided in all parking areas to reduce the visual impact of parking areas and reduce associated heat build-up. Parking lot landscaping should be integrated with, and an extension of, other on-site landscape features.

4. Landscapes should be designed to achieve harmony and unity between indoor and outdoor spaces. Designs should create both pleasing and economical layouts, incorporating durable and natural materials while ensuring safety and providing guidance for pedestrians and vehicles to their destinations. High quality landscapes should be attractive with open accessibility

to nature while incorporating measures to promote sustainability: environmentally, economically, and socially.

5. Environmentally sustainable landscapes efficiently manage stormwater by capturing, and infiltrating runoff into dry wells, french drains, vegetated swales, or basins in planter areas or into porous hardscapes. Hardscape areas should be planted with canopy trees to clean air and mitigate the urban heat island effect and use California native and Mediterranean type plants to conserve water.

6. Economically sustainable landscapes are energy efficient by using large trees to buffer summer sun and winter wind on buildings or outdoor seating areas. They use resources carefully by incorporating low water using plants and efficient irrigation systems. Turfgrass areas are limited to parks and open spaces for active play which help reduce maintenance, pollution and water resource costs.

7. Socially sustainable landscapes create unique environments that enhance places to work, shop or dine and lend significant value to development. High quality landscapes have a profound impact on people's attitude and work performance as well as their enjoyment of a place. Open spaces, plazas, employee lunch areas and trails offer places to unwind, and meet people. Accessible paths and trails improve health through walking and biking.

6.05.015: Landscape Plans

A. Preliminary Landscape Plans.

1. Plan Required. A preliminary landscape plan shall be submitted with a Development Plan application or any other discretionary permit or action that proposes new or revised landscaped area. Where no discretionary permit or action is required, Landscape and Construction Irrigation Documentation Plans prepared pursuant to Subsection B (Landscape and Irrigation Construction Documentation Plans) of this Section, may be required by the City prior to the issuance of a Building Permit, as a requirement of any landscaped area proposed in fulfillment of the requirements of this Development Code.

2. Preliminary Landscape Plan.

a. The preliminary landscape plan shall meet the purposes of this Division by exhibiting a design layout that demonstrates the desired landscaping program in terms of function, location, size, scale, theme, and similar attributes.

b. The preliminary landscape plan shall provide the Approving Authority with a clear understanding of the landscaping program prior to preparation of the detailed Landscape and Irrigation Documentation Plans.

c. The preliminary landscape plan shall meet the purposes of OMC Title 10 (Parks and Recreation), Chapter 2 (Parkway Trees), commencing with Section 10-2.01.

d. The preliminary landscape plan shall include the Maximum Applied Water Allowance (MAWA) calculation, based upon the area devoted to landscaping as shown on the preliminary landscape plan. See worksheets contained in the Landscape Design and Construction Guidelines (Development Code Reference G) for the MAWA calculation formula.

3. Plan Preparation by a Qualified Design Professional is Required. Preliminary landscape plans shall be prepared by a California-registered landscape architect, or the architect that designed the on-site structures and improvements, or other qualified design professional.

4. Waiver of Requirements. The Approving Authority may waive the requirement for a preliminary landscape plan for building additions and remodels if no alterations, or minor alterations, are proposed to existing landscape areas or site topography.

B. Landscape and Irrigation Construction Documentation Plans.

1. Landscape and Irrigation Construction Documentation Plans Required.

a. Prior to the installation of landscaping and irrigation systems required by this Division, Landscape and Irrigation Construction Documentation Plans shall be submitted to the City for review and approval by the Approving Authority.

b. The required plans shall be prepared by, and bear the seal of, a landscape architect registered with the State of California.

c. Landscape and Irrigation Construction Documentation Plans shall be provided for each of the following project types:

(1) New and rehabilitated public or private development projects with landscaping;

(2) Developer-installed landscaping for all single-family and multiple-family development projects; and

(3) New and rehabilitated homeowner-installed or homeowner-hired projects with landscaping totaling 5,000 SF or more in area, on any lot containing a single-family or multiple-family dwelling.

2. Water Conservation Concept Statement. A Water Conservation Concept Statement shall be provided on the cover sheet of the Landscape and Irrigation Construction Documentation Plan set required by Paragraph B.1 (Landscape and Irrigation Documentation Plans Required) of this Section, which serves as a checklist to verify that all required elements of the Landscape and Irrigation Construction Documentation Plans have been provided. A Water Conservation Concept Statement shall have the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G).

3. Water Budget Worksheet. A Water Budget Worksheet for new landscape areas shall be provided with each Landscape and Irrigation Construction Documentation Plan set submitted for areas to be newly landscaped, as required by Paragraph B.1 (Landscape and Irrigation Documentation Plans Required) of this Section. Said worksheet shall have the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G), and shall include: [i] calculation of the Maximum Applied Water Allowance (MAWA), [ii] calculation of the Estimated Total Water Use (ETWU), and [iii] calculation of the Water Budget Comparison.

4. Requirements for Existing Landscape Areas.

a. All existing landscape areas that are one or more acres in size, and were installed prior to ~~January 1, 2010~~ **December 1, 2015**, shall provide a project's MAWA for existing landscaping. A Water Budget Worksheet for Existing Landscape Areas shall be provided with the Landscape and Irrigation Construction Documentation Plans, which shall be consistent with the form and content shown in the Landscape Design and Construction Guidelines (Development Code Reference G).

b. Existing landscape areas and landscape areas that do not have a dedicated water meter shall employ techniques, equipment and procedures to reduce water use and meet the MAWA for existing landscapes.

c. Landscape areas that do not meet the MAWA shall utilize: [i] an irrigation survey; [ii] an audit performed by a Certified Landscape Irrigation Auditor or a Landscape Industry Technician certified in irrigation, to provide recommendations, such as replacement or repairing of irrigation equipment as recommended in order to prevent water waste and meet the water budget; or [iii] other methods acceptable to the City.

5. Planting Plan. The Planting Plan shall be included in the Landscape and Irrigation Construction Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G).

6. Irrigation Plan. The Irrigation Plan shall be included in the Landscape and Irrigation Construction Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G).

7. Precise Grading Plan. A Precise Grading Plan shall be included in the Landscape and Irrigation Documentation Plans and shall contain all required information prescribed by this Division and the Landscape Design and Construction Guidelines (Development Code Reference G). To promote the efficient use of water, the grading of a project site shall be designed to minimize soil erosion, runoff, and water waste, and shall avoid soil compaction in landscape areas. Furthermore, said plans shall show grading techniques and stormwater devices that increase rainwater capture for infiltration and/or on-site storage coordinated with the landscape design.

8. Soil Management Report. Agronomical soil testing shall be performed, and test results and recommendations shall be included on the Landscape Documentation Plans. Testing shall be performed, and recommendations shall be implemented, prior to landscape installation.

9. Irrigation Schedules. Irrigation Schedules shall be included in the Landscape and Irrigation Construction Documentation Plans.

10. Maintenance Schedules. Landscaping and irrigation systems shall be maintained to ensure water use efficiency, plant health, and a well maintained, attractive appearance. A regular maintenance schedule shall be included in the Landscape and Irrigation Construction Documentation Plans.

11. Certificate of Completion. Upon completion of landscaping and irrigation system installation, the licensed landscape architect of record, or their designee, shall conduct a final field inspection and shall prepare a Certificate of Completion, which shall be filed with the City.

The Certificate of Completion shall specifically indicate that the landscaping and the irrigation system were installed as shown on the approved Planting and Irrigation Plans, and that the soil testing and amendments have been installed as specified by the soil management plan. If the irrigation system was not installed pursuant to plans, or if water use exceeds the water budget, a certified landscape irrigation auditor shall conduct an irrigation audit, and the recommendations to ensure water efficiency shall be provided, prior to permit approval.

12. Required Plans, Maps, Reports, Schedules, and Other Necessary Information. All plans, maps, reports, schedules, and other information required to be contained in the Landscape and Irrigation Construction Documentation Plan set by this Section, shall include all information stipulated by the Landscape Design and Construction Guidelines (Development Code Reference G), which prescribes the minimum information to be submitted, together with any required plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to review and act upon the required plans and information.

13. Public Education. All model homes that are landscaped shall incorporate signs and written information to demonstrate the principals of water efficient landscapes described in this Division. Signs shall feature elements such as hydrozones, irrigation equipment, and plants that contribute to the overall water efficient theme. Written information shall be provided about plants types, irrigation systems and managing and maintaining water efficient landscapes.

6.05.020: Tree Preservation Policy and Protection Measures

A. Purpose. The purpose of this Section is to establish policies and measures that will further the preservation, protection, and maintenance of established and healthy heritage trees within the City, to improve the community forest that provides environmental, aesthetic and economic benefits, and enhances the quality of life. It is pertinent to the public welfare that such trees be protected from indiscriminate cutting or removal.

B. Applicability. The City Council hereby establishes that it is the policy of the City to preserve, protect, and maintain established and healthy trees within the City, to the extent practicable. Consideration shall be afforded Heritage Trees, as set forth in this Section.

C. Definitions. As used in this Section, **the following** words, terms, and phrases are defined as follows:

1. Heritage Tree. The term "Heritage Tree" means a tree designated for preservation pursuant to Section 4.02.060 (Historic Preservation—Historic Landmark and District Designations, and Architectural Conservation Areas) of this Development Code, as a tree of historic or cultural significance, or a tree of importance to the community due to any one of the following factors:

a. It is one of the largest or oldest trees of the species located in the City, with a trunk diameter of 18 inches or greater, measured at 54 inches above natural grade; or

b. It has historical significance due to an association with an historic building, site, street, person, or event; or

c. It is a defining landmark or significant outstanding feature of a neighborhood or district, or typical of early Ontario landscapes, including **[i]** Cinnamomum camphora (Camphor Tree), **[ii]** Cedrus deodara (Deodar Cedar), **[iii]** Platanus acerifolia, **[iv]** Quercus suber (Cork Oak), **[v]** Quercus ilex (Holly Oak), or **[vi]** Schinus molle (California Pepper); or

d. It is a Native Tree. The term "Native Tree" means any one of the following California native tree species, which has a trunk diameter of more than 8 inches, measured at 54 inches above natural grade, including [i] *Platanus racemosa* (California Sycamore), [ii] *Pinus torreyana* (Torrey Pine), [iii] *Quercus agrifolia* (Coast Live Oak), [iv] *Quercus engelmannii* (Engelmann Oak), [v] *Quercus lobata* (Valley Oak), or [vi] *Umbellularia californica* (California Bay).

2. Tree Protection Area. The term "Tree Protection Area" (TPA) means the area of tree roots and canopy to be designated by fencing to prohibit access during construction activities. The tree protection area is typically equal to one foot of radius for each inch of trunk diameter measured at 54 inches above natural grade, but not less than an 8-FT radius. This term may also be referred to as "Protected Root Area" (PRA).

D. Tree Inventory and Preservation Plan.

1. Property proposed for development on which a Heritage Tree exists, shall require the submittal of a Tree Inventory and Preservation Plan prepared by a licensed landscape architect, horticulturalist, certified arborist, or other related professional. Said plan shall be submitted concurrent with a Development Plan or building permit request for alterations of a site and shall be reviewed and approved by the Approving Authority for the corresponding application request.

2. The Tree Inventory and Preservation Plan shall show all existing on-site trees, and those existing trees on abutting lots and public rights-of-way with a canopy or root zone that extends onto the site or within 8 FT of a construction, staging or storage area, or graded site. Furthermore, the Tree Inventory and Preservation Plan shall identify TPAs and trees requested to be removed and shall show replacement trees as required by this Division.

3. The Tree Inventory and Preservation Plan shall include a tree evaluation or arborist report of affected trees, prepared by a City-approved certified arborist or qualified horticulturalist, to determine health, structure, condition, and expected life span of all affected trees.

E. Tree Protection During Construction.

1. All trades performing work on property in which trees have been specifically identified for protection pursuant to this Section, shall be informed of the protected trees.

2. During site construction, no person in control of work shall leave any Heritage Tree(s) without sufficient protections in place to prevent injury to the tree(s). Furthermore, it shall be unlawful and a violation of this Section to leave any Heritage Tree protected pursuant to this Section without sufficient protections in place.

3. Any special Tree Protection During Construction requirements shall be included in the Tree Inventory and Preservation Plan, and on any Demolition, Grading, or Construction Plan(s) where existing trees may be impacted, along with the following Tree Protection During Construction standard notes:

a. Existing trees to be protected shall be identified with protective fencing to form a TPA. The TPA shall encircle the tree at the outer most edge of the root zone and canopy. The TPA is defined by its "Critical Root Radius," which is calculated by measuring the tree's diameter at 54 inches above natural grade (dbh) and allowing 1.5 FT of radius for each inch of tree diameter. In example, if a tree's dbh is 10 inches, its Critical Root Radius is 15 FT.

b. Protective fencing shall be installed prior to any earthwork and shall remain in place until all work is complete. Fencing shall be 3 FT to 4 FT in height and shall be installed at the outer most edge of the Critical Root Radius or TPA. The temporary fencing shall be of chain link or other approved durable material. Post "Tree Protection Zone – Keep Out" signs on TPA fencing.

c. No construction or staging equipment is allowed within a TPA, including heavy equipment that will compact and damage the roots.

d. No disposal of construction materials or by products including paint, plaster, or chemical solutions, is allowed within a TPA.

e. Natural or preconstruction grade shall be maintained within a TPA. At no time shall soil be in contact with a tree trunk above the root flare.

f. TPAs shall be irrigated sufficiently with clean potable water to keep the tree in good health and vigor before, during, and after construction. Deep watering may be necessary on a weekly basis. Verify that the depth of irrigation provided to roots is adequate.

g. Apply a 4-inch to 6-inch thick layer of mulch within the TPA, one foot away from the trunk, before construction begins.

h. Any work required to be conducted in the ground, within the TPA, shall be accomplished with hand tools or an air spade.

i. Pruning for clearance, if needed, shall be done to prevent damaging branches with large equipment. All pruning shall be in accordance with industry standards (International Society of Arboriculture ANSI A300) under the direction of a Certified Arborist.

j. Avoid cutting roots with a diameter larger than 2 inches. Cuts should be clean and made at right angles to the roots. When practical, cut roots back to a branching lateral root. Trenches for piping shall be bored under, at a minimum depth of 36 inches. Consult a Certified Arborist to be present if more than 33 percent of the root zone is impacted, or roots greater than 2 inches diameter within 5 FT of the trunk will be cut, to ensure tree stability and that health will not be affected.

k. Protect soil and roots from compaction in landscape areas used for driveways, storage, or parking, with a layer of geotextile fabric and 6 inches of crushed gravel.

4. All trades performing work on property in which trees have been specifically identified for protection pursuant to this Section, shall be informed of the Tree Protection and Inventory Plan and the Tree Protection During Construction requirements.

F. Waiver of Development Standards to Further Heritage Tree Preservation and Protection.

When considering an application for any permit or approval that may adversely affect Heritage Trees, the City may allow certain departures from established development standards to assist in their preservation, through the granting of an Administrative Exception pursuant to Section 4.02.020 (Departures from Development Standards) of this Development Code. Allowable exceptions specifically for the furtherance of tree preservation shall be limited to a maximum 15 percent reduction from minimum setback and separation requirements, and maximum 10

percent from off-street parking requirements. The Approving Authority may grant Administrative Exceptions from said setback, separation, and/or parking standards after first finding that:

1. The applicant has investigated alternative site designs and building configurations in strict compliance with the applicable development standards;
2. The tree(s) to be preserved is/are in good health and condition (taking into account species and longevity) as determined by a certified arborist;
3. The project includes a well-integrated and thoughtful design solution that enhances the property and its surroundings;
4. The project would not be injurious to adjacent properties or uses, or detrimental to the environment, quality of life, or the health, safety, and welfare of the public; and
5. The project is consistent with the purposes of the applicable zoning district, planned unit development, or specific plan, the applicable development standards and guidelines, and the Vision, Policy Plan, and City Council Priorities components of The Ontario Plan.

G. Heritage Tree Removal. It is the City's policy to protect and preserve healthy trees that provide benefits to the community, whenever possible. However, if it is determined through an arborist report, tree evaluation, or other city approved means, that a Heritage tree is dead, hazardous, diseased, or damaged beyond repair, or may pose an emergency or safety concern, the Approving Authority may order removal of the tree.

H. Heritage Tree Pruning. Pruning of any Heritage Tree protected pursuant to this Section shall be performed under the direction of a certified arborist, horticulturalist, or similar qualified licensed professional, following the most recent standards of the International Society of Arboriculture and ANSI A300 standards for tree care operations.

I. Heritage Tree Damage or Tree Removal without City Approval.

1. The damage or removal of a Heritage Tree protected pursuant to this Section, or encroachment into a protected root area or TPA, shall require an evaluation by a City-approved certified arborist as to the resulting condition, prescribed treatment to repair the damage, replacement trees if removed (as prescribed by this Division), and monetary value of the tree if removed or damaged beyond repair. Penalties pursuant to Section 6.05.025 (Violation—Penalty) of this Division shall apply.

2. For the purposes of this Subsection, the term "tree removal" shall include any act that causes the actual removal of a Heritage Tree, or the effective removal of a Heritage Tree by means of willful damage; damage resulting from excessive or improper pruning, excavation, or construction; poisoning; or any other direct or indirect action resulting in tree death within the 3-year period following said actions.

J. Heritage Tree Replacement. Healthy Heritage Trees that are approved for removal shall be replaced with new trees and shall be shown on required Landscape and Irrigation Construction Documentation Plans. Replacement trees shall have a total trunk diameter (caliper) equal to the tree(s) removed, or as deemed appropriate by the Approving Authority based on the lot size and available planting space. Replacement trees shall be in addition to the quantity of trees required by this Division for landscaping. The Approving Authority shall review the landscape plan and

approve appropriate species for tree replacement (see Section 6.05.035 (Landscape Development Standards) for required trees).

K. Monetary Value. The monetary value of Heritage Trees protected pursuant to this Division, which are removed, shall be based upon the "Guide for Plant Appraisal," which is available from the International Society of Arboriculture. Appraisals shall be performed by a City-approved professional plant appraiser or certified arborist skilled in tree appraisals.

L. Prohibited Acts. It shall be expressly prohibited to damage or to remove any Heritage Tree without prior specific authorization by the Zoning Administrator, except that tree removal specifically approved as a part of a Development Plan or Building Permit approval; Certificate of Appropriateness; pruning or removal to obtain adequate line-of-sight distances as specifically authorized by the City Engineer; pruning or removal as required for public safety as specifically authorized by City representatives; and/or actions taken by a public or private utility company for the protection of their existing electrical power or communication lines, or other property of a public utility.

6.05.025: Violation-Penalty

A. Violation. Any violation of this chapter shall be a misdemeanor or infraction at the discretion of the City Attorney or District Attorney.

B. Civil Penalties. Irrespective of, and cumulative to, any criminal conviction for a violation of this Division, the City may, pursuant to GC Section 36901, impose a civil penalty in an amount not exceeding \$1,000, or by imprisonment not to exceed 6 months, or both such fine and imprisonment on any person either through an administrative hearing or a civil action brought either by the City Attorney or a designated employee of the City. Each tree removed in violation of this Division shall constitute a separate offense.

C. Restitution for Damage or Removal of Protected Trees within the City. Irrespective of whether the City pursues criminal and/or civil action under this Division, nothing in this Division shall prevent the City from seeking restitution for damage or removal of trees within the City, which are protected by this Division, as an alternative to criminal action and/or civil action to recover a civil penalty in accordance with Subsection B of this Section.

D. Assessment of Civil Penalties. Civil penalties may be assessed against a responsible party as confirmed by resolution of the City Council, and shall constitute a special assessment against the property to which it relates and after its recording, as thus made and confirmed, the same shall constitute a lien on the property in the amount of such assessment. The notices of such special assessment shall be provided to the responsible party by certified mail, as determined from the County Assessor's or County Recorder's records. The assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected and shall be subject to the same penalties and the same procedure as provided for ordinary City taxes. All laws applicable to the levy, collection and enforcement of City taxes shall be applicable to the special assessment.

E. Appeals.

1. Within 10 days after mailing of a Notice of Violation, which states the civil penalties to be assessed, the owner or person having charge of affected premises may file an appeal of

the assessed civil penalties and the violations upon which the civil penalties are based, with the Planning Department, on a City application form.

2. Within 45 days following receipt of an appeal request, the City Manager shall hold a hearing, which shall be open to the public. The City Manager shall hear and consider objections and/or protests from any owner or person having charge of affected premises, or other interested persons relative to the accrual of civil penalties, and shall hear and receive all relevant evidence and testimony relative to the violations upon which the civil penalties are based, and shall consider all of the related facts.

3. Upon conclusion of the appeal hearing, the City Manager shall determine the amount of civil penalties to be assessed. The decision of the City Manager shall be final and conclusive.

F. Penalties collected resulting from enforcement of this section shall be placed in the general fund and used solely for the purposes of the City to ensure and maintain the character and well-being of the City.

6.05.030: Required Landscape Areas.

A. Residential Projects. Residential development projects shall be landscaped and irrigated as follows:

1. Conventional and Small Lot Single-Family Projects.

a. The front yard and any street side yard of a conventional or small lot single-family project site, and all parkway areas that abut the site, shall be fully landscaped and provided with an underground automatic irrigation system, and shall be maintained in compliance with the requirements of this Division.

b. A landscape and irrigation documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

2. Cluster Single-Family and Multiple-Family Projects.

a. The entirety of a cluster single-family or multiple-family project site, including street parkway and median areas that abut the project site, which is not otherwise devoted to building area and paving, shall be fully landscaped and provided with an underground automatic irrigation system, and shall be maintained in compliance with the requirements of this Division.

b. A landscape and irrigation documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

B. Nonresidential Projects. Nonresidential development projects shall be landscaped and irrigated as follows:

1. The entirety of a nonresidential project site (excluding areas devoted to building area, paving, and/or outdoor loading and storage areas that are screened from public view), including street parkway and median areas that abut the project site, shall be fully landscaped, provided with an underground automatic irrigation system, and maintained in compliance with the requirements of this Division.

2. A landscape and irrigation construction documentation plan shall be submitted for review and approval by the Approving Authority prior to building permit issuance, pursuant to Subsection 6.05.015.B (Landscape and Irrigation Construction Documentation Plans) of this Division.

C. All Unused Areas of a Site shall be Landscaped and Irrigated.

1. All areas of a project site not intended for a specific use, including pad sites held for future development, shall be landscaped and provided with an automatic irrigation system, unless it is determined by the Approving Authority that landscaping is not necessary to fulfill the purposes of this Division. This requirement shall not apply to the side or rear yard area of a single-family residence, or that portion of a lot devoted to a legally established agricultural use.

2. The Approving Authority shall determine the level or intensity of landscaping to be provided for vacant pad sites, based upon an approved phasing plan.

D. Landscaping of Off-Street Parking Facilities. Outdoor off-street parking lots within residential developments, or within nonresidential developments that are visible from a public or private street, or are accessible by the public, shall be landscaped in the following manner:

1. At least 7 percent of the total area of a parking lot shall be landscaped, excluding perimeter landscaping or setback areas that may be required by the base zoning district.

2. Landscaping consistent with the landscape setback provisions of the base zoning district in which a parking lot is located, shall be provided adjacent to adjoining streets.

3. Landscaping shall be evenly distributed throughout the parking lot and shall not be concentrated in any one area.

4. No landscaped area is to have a dimension smaller than 5 FT clear in any direction, except as provided elsewhere by this Development Code.

5. Where parking lots occur along streets, a landscaped buffer element, minimum 10 FT in width, shall be constructed, which consists of a minimum 3-FT high hedge-like material to screen views of parked cars from the street. To shade pedestrians and create an attractive streetscape, shade trees shall be planted within this landscaped buffer at an average spacing of 25 to 30 FT on center. Landscaping may be combined with low walls or dense plant material to mitigate the visual effects of parking lots and loading areas.

6. There shall be provided within each row of parking spaces, planter islands at least 5 FT in width (exclusive of curbs), which extend the full length of the abutting parking space(s), located so as to prevent no more than 10 vehicles from being parked side-by-side in an abutting configuration.

7. Planter islands for a single row of parking spaces shall be landscaped with at least one tree, appropriate shrubs, and groundcover. Planter islands for a double row of parking spaces shall contain not less than 2 trees, and appropriate shrubs and groundcover.

8. Throughout parking lots tree wells, tree diamonds or center planter strips shall be provided to facilitate the planting of shade trees at the minimum rate of one tree for each 4 parking spaces. Tree wells shall be a minimum of 5 FT in width and 5 FT in length (exclusive of curbs).

9. Shade trees shall have a minimum canopy of 30 FT in diameter at maturity, to provide an aesthetically pleasing area and relief from summer heat.

10. All rows of parking spaces shall be provided with landscape islands at each row terminus, at least 5 FT in width (exclusive of curbs) and extending the full length of the adjacent parking spaces, to protect parked vehicles, ensure visibility, confine moving traffic to drive aisles and driveways, and provide adequate space for landscaping.

11. Landscaped areas shall be delineated with a 6-inch wide concrete curb, except where a landscape area is parallel and adjacent to a parking stall, the curb shall be a minimum of 12-inches wide, to provide a step area for persons entering or exiting motor vehicles.

6.05.035: Landscape Development Standards

Landscaping required by this Division shall be designed, installed, and maintained in compliance with the following:

A. Landscape Design Standards. Landscaped areas shall comply with each of the following:

1. Landscaped areas shall have a minimum dimension of 5 FT (exclusive of curbs), excepting vine pockets, which shall have a minimum dimension of 1.5 FT, or as otherwise prescribed by this Development Code.

2. All landscaped areas shall be bordered by a concrete or masonry curb, or other means acceptable to the City, to prevent vehicles from entering landscape areas, and to define maintenance responsibilities or property ownership. Curbs along pavement may have openings to allow water infiltration into landscape areas.

3. Landscaped areas shall be comprised of living plant materials, planted at a spacing no greater than the mature plant diameter. Non-living ornamental features (e.g., boulders, dry stream beds, gravel, etc.) may comprise a maximum of 5 percent of a landscaped area, and shall be of a permeable material.

4. All areas of a parkway that are not devoted to sidewalks shall be landscaped, irrigated, and permanently maintained pursuant to City standards.

5. All utilities shall be shown on plans to facilitate the landscape design and tree placement. Utilities such as backflow devices and transformers shall be located a minimum of 4 5 FT away from paving or other utilities to allow for landscape screening to cover at least 75 percent of the height of the equipment.

6. Accent landscape is required on all commercial or industrial corners including vehicular entries and major corner intersections. Accent trees shall be minimum 36-inch box size and palms shall be minimum 17-FT brown trunk height.

7. Foundation planting adjacent to buildings (hedgerows or shrub masses in a hierarchy pattern) is required at major building perimeters and residential front yards to break horizontal ground plane from the vertical plane of building.

8. Shade trees with irrigation shall be located in all appropriate areas where space permits to reduce the impacts of heat gain by shading large areas of paving, building walls, roof and windows also enhancing stormwater management and improving water quality.

9. Shade trees shall have a minimum canopy of 30 FT in diameter at maturity to provide an aesthetically pleasing area and relief from summer heat.

10. Trash enclosures shall be designed with adjacent planters for trees shrubs and vines for screening.

11. Accent landscape at monument signs shall be a hierarchy of ornamental shrubs or perennials.

B. Planting Requirements.

1. A variety of plant material appropriate for the project may be selected for planting, provided the ETWU for the landscape area does not exceed the MAWA (see Paragraph B.3.c (Calculation of the Budget Comparison) of this Division). The landscape plan shall be designed for the intended function of the project and for the efficient use of water, and shall include the following:

- a. Protection and promotion of appropriate native species;
- b. Selection of water conserving plant species; and
- c. Selection of trees for shading buildings and paved surfaces and for stormwater management.

2. Plants shall be selected and appropriately planted based upon their adaptability to the climatic, geologic, and topographical conditions of the project site.

a. The Sunset Western Climate Zone System should be utilized, which takes into account temperature, humidity, elevation, terrain, latitude, and varying degrees of continental and marine influence on local climate;

b. Recognize the growth habit of plant types, such as mature plant size and invasiveness of surface roots, to minimize damage to property and infrastructure (e.g., buildings, sidewalks, power lines);

c. Disease and pest resistant plants should be used, to promote health and longevity; and

d. Consider the solar orientation for tree placement to maximize summer shade and winter solar gain.

e. Plants with similar water needs and climatic requirements shall be grouped together and irrigated separately.

f. Graded but undeveloped areas within the project site shall be seeded with wildflower or ornamental grass mix and automatically irrigated to prevent soil erosion from rain and strong winds.

g. Avoid use of invasive species that have a negative effect upon public health or disrupt or destroy native ecosystems as identified by the California Invasive Species List.

h. Additional planting requirements of a Specific Plan may be required based upon the project location.

3. Limit the use or quantity used of turf except where used for play or recreation.

C. Irrigation Requirements

1. The irrigation system and its related components shall be designed to be efficient and effective for the landscape proposed with no run-off or overspray.

2. Irrigation plans shall include a water budget with Maximum Applied Water Allowance (MAWA) and Estimated Total Water Use (ETWU) calculations shown pursuant to Paragraph 6.05.015.B.3 (Water Budget Worksheet) of this Division. The ETWU shall not exceed the MAWA.

3. Automatic irrigation controllers utilizing either evapotranspiration or moisture sensor data are required. A verification letter from the manufacturer certifying proper installation and sensor connection shall be provided prior to acceptance of the project.

4. Irrigation systems shall be designed with like plant material grouped together and proper solar orientation. Turf shall be on separate valves from shrub areas. Landscape areas in the shade (north or east sides of buildings) shall be controlled separately from areas in the sun (south or west).

5. Provide on plans all equipment required, sizes, notes and details, include water meter (note potable or recycled), static pressure, and maximum GPM. Contact the City's Utilities Department for City main pressure. Pressure regulating or boosting devices shall be installed to meet the pressure requirements of the system.

6. Backflow devices are required. Non-residential backflow devices shall be painted green and protected in a locking enclosure.

7. Spacing design for irrigation heads shall achieve 100 percent coverage, (head to head). Allow for wind velocities. Spacing shall achieve the highest possible distribution uniformity using the manufacturer's recommendations.

8. Narrow or irregularly shaped areas including turf, less than 8 FT in any direction shall be irrigated with subsurface irrigation or a low volume irrigation system. Low precipitation heads, rotators or drip systems shall be used in general to reduce water use and overspray.

9. Add check valves or anti-drain valves to prevent low head drainage.

10. Locate spray heads 2 FT from non-pervious paving to prevent overspray. Exception allowed if adjacent surface is permeable or if using alternative technology irrigation. Low precipitation rate heads less than 0.75 inches per hour may be located one FT from paving.

11. Trees in turf, 36-inch box and larger size trees in any area, and all palm trees, shall have pop-up stream bubbler heads. Trees in tree wells or permeable paving may use bubblers in a maximum 1.5 FT deep perforated root watering tube. Tree irrigation shall be on a separate valve, minimum 2 heads per tree.

12. Size all irrigation main lines and laterals on the plan, minimum 3/4 inch.

13. Under landscape, mainlines shall be buried with 1.5 FT minimum cover, laterals one FT minimum cover.

14. Under paving mainlines shall be buried with 2 FT minimum cover; lateral lines 1.5 FT minimum cover.

15. Pipe under roadways shall be installed 3 FT deep, sleeved and identified with marking tape installed one FT from the surface, identifying the type of line with APWA standard "Caution Waterline Buried Below" in blue, or "Caution Recycled Waterline Buried Below" in purple. Sleeves shall be Schedule 40 PVC, minimum 2 times the diameter of the pipe being sleeved.

16. Automatic Controllers shall contain a neatly drawn laminated irrigation layout chart, color coded to identify stations and valves as-built. Central controller shall include a manufacturer support page. Locate pedestals within planter areas with a 1.5 FT pad of DG or mulch at front for access.

17. An irrigation schedule shall be on the plan and layout chart noting irrigation cycles and run times per station or plant type (turf, shrub, trees, sun areas, shade areas, etc.) monthly or seasonally. Add multiple start times to prevent run off. Watering shall occur between 6:00PM and 6:00AM, excepting drip irrigation.

D. Soil Testing. Agronomical soil testing shall be performed to encourage healthy plant growth and reduce run off. One test shall be performed for each street frontage, or as otherwise required by the Approving Authority. Soil analysis shall include soil texture, infiltration rate, pH, total soluble salts, sodium, percent organic matter, and recommendations for amendments based upon the proposed plant material and tree types. Soil test results and recommendations for amendments shall be listed on the Landscape Planting Plan required pursuant to Paragraph 6.05.015.B.5 (Landscape Planting Plan) of this Division, noting the name, address, telephone number of the City-approved soils testing laboratory, and the test date.

E. Trees. Within required landscape areas, as prescribed by Section 6.05.030 Required Landscape Areas) of this Division, trees shall be provided as follows:

1. For cluster single-family or multiple-family residential development projects, and nonresidential development projects, a mix of tree sizes shall be provided on-site, for each development project, as prescribed in Table 6.05-1 (Minimum Tree Size Mix), below. Palm trees shall not be counted toward the minimum mix of required trees.

Table 6.05-1: Minimum Tree Size Mix

<i>Requires Tree Sizes</i>	<i>Minimum Mix of Required Trees</i>
48-inch box	5%
36-inch box	10%
24-inch box	30%
15-gallon	55%

2. For cluster single-family or multiple-family residential development projects, and nonresidential development projects, a mix of tree species shall be provided for each development project, as prescribed by Table 6.05-2 (Minimum Tree Species Mix), below. A minimum of 20 percent of the total number of trees provided shall be a California native species appropriate for the project site. Palm trees shall not be counted toward the minimum number of tree species required.

Table 6.05-2: Minimum Tree Species Mix

<i>Number of Trees Provided</i>	<i>Minimum Number of Tree Species Required</i>
20 or fewer	3
21 to 30	4
31 to 40	5
More than 40	6

3. All trees required by this Division shall conform to the minimum measurements prescribed by Table 6.05-3 (Minimum Tree Size Specifications), below.

Table 6.05-3: Minimum Tree Size Specifications

<i>Tree Size</i>	<i>Minimum Trunk Caliper</i>	<i>Minimum Height Range</i>	<i>Minimum Spread Range</i>
48-inch box	3.5 inches	14 to 16 FT	7 to 8 FT
36-inch box	2.5 inches	12 to 14 FT	6 to 7 FT
24-inch box	1.5 inches	9 to 11 FT	4 to 5 FT
15-gallon	1.0 inch	7 to 8 FT	2 to 3 FT
Palm trees		17-FT brown trunk height	

4. Existing trees shall be protected in place, whenever possible, pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this Division. Existing large canopy trees may be counted toward the 48-inch box tree requirement prescribed by Paragraph E.1. of this Section, provided the tree(s) to be preserved is/are in good health and condition (taking into account species and longevity), as determined by a certified arborist’s report.

5. Tree planting shall maintain the following minimum setbacks and/or separations from permanent improvements as prescribed by Table 6.05-4 (Minimum Tree Setbacks/Separations), below.

Table 6.05-4: Minimum Tree Setbacks/Separations

<i>Improvement</i>	<i>Minimum Setback/Separation</i>
Beginning of Curb Returns at Street Intersections	25 FT

Table 6.05-4: Minimum Tree Setbacks/Separations

<i>Improvement</i>	<i>Minimum Setback/Separation</i>
Light Standards, Power Poles, and Fire Hydrants	10 FT
Water and Sewer Lines	7 FT
Sidewalks (except within parkways), Driveways, and Buildings	5 FT

6. Trees shall not be placed where they interfere with site drainage or require frequent pruning in order to avoid interference with overhead utilities.

7. Shade trees shall have a mature canopy diameter of 30 FT, single dominant leader or a balanced arrangement of branches, and a healthy root system not girdled by the growing container.

8. Street trees shall be minimum 24-inch box or larger and shall be planted at an average spacing of 25 FT to 30 FT on center, except where necessary to meet the minimum tree setback/separations required by Table 6.05-4 (Minimum Tree Setbacks/Separations) of this Section.

9. Trees shall be planted with a visible trunk flare and rootball that is 2 inches higher than the adjacent grade. No soil shall be placed on top of the rootball, and mulch shall be maintained 6 inches clear of the trunk. Trees with kinked or girdling roots shall be rejected before installation or replaced if planted.

10. Root barriers shall not be required for use in parkways or City maintained areas; however, if used, they shall be a maximum of one FT in depth and shall not encircle the tree rootball. Furthermore, if the tree trunk is within 5 FT of paved areas, root barriers, if used, shall run adjacent and parallel to the pavement.

11. Palm trees may be used as accents, with a minimum brown trunk height of 17 FT, and shall not count toward the minimum tree species mix required pursuant to Table 6.05-2 (Minimum Tree Species Mix) of this Division.

12. Trees shall be staked or guyed to prevent wind damage and allow healthy growth. Ties shall be flexible, allowing some trunk movement while providing protection from damage.

13. Parking lot lighting and site utilities shall be designed to avoid conflict with required shade tree locations.

14. Solar collectors shall be designed and located to avoid conflict with tree canopy and future shading from the mature size of trees, as defined by the PRC Section 25980 through Section 25986 (The Solar Shade Act).

F. Tree Staking and Tying. Trees shall be staked and tied as follows:

1. Fifteen gallon and 24-inch box trees shall be double-staked perpendicular to the prevailing wind, or parallel to the street, as appropriate. Stakes shall be located to prevent branch damage and shall extend a minimum of 7 to 8 FT above grade and 3 to 4 FT below grade. Stakes shall be tied into the tree canopy for wind protection. Galvanized stakes are recommended for wind prone areas.

2. Box trees that are 36-inches or larger, shall be ~~triple-staked or triple-guyed. A rootball~~ **guyed or anchored** ~~staking or guying system may also be used.~~

3. Flexible tree ties shall be used. Wire and hose, or metal rod-type braces shall not be used. Nursery stakes shall be removed at time of installation or loosened if they are to remain during the maintenance period and shall be removed by the end of maintenance period.

G. Shrubs. Within required landscape areas, as prescribed by Section 6.05.030 Required Landscape Areas) of this Division, shrubs shall be a minimum 5-gallon container size and shall be spaced at a rate equal to three-fourths of the shrub's mature size. One-gallon containers may be used for perennials and groundcovers.

H. Groundcovers. Within required landscape areas, as prescribed by Section 6.05.030 Required Landscape Areas) of this Division, ~~groundcovers from flats shall be spaced at 10 to 12 inches on center.~~ one-gallon containers shall be used for groundcover areas. Perennials or annual color shall be spaced at a maximum of 8 inches on center.

1. **Turf.** Turf grass is typically a high water use plant and is best reserved for recreation and active play areas. Low water groundcovers or native or warm season turf grasses may be used in traditional turf areas, such as parkways or front yards. Concrete mow strips shall be used to separate turf from landscape areas, excepting single-family residential development projects, which may utilize wood or fabricated benderboard materials.

2. **Mulch.** Mulch shall be applied and maintained in all non-turf areas and shall be at least ~~2~~ **3** inches in depth in shrub areas and at least one-inch in depth in groundcover areas. Mulch shall be of an organic material, such as shredded or chipped bark, as it will supply nutrients to the soil and plants over time. Native plants shall have mulch applied that is appropriate for the type of landscape. Synthetic mulch materials shall not be used.

I. Screening and Buffering.

1. Landscaping may be used to aid in the screening and buffering of mechanical equipment, trash collection areas, and loading docks and outside storage areas from public view, and the screening and buffering of differing land uses. Walls and/or fences used for screening and buffering purposes should incorporate landscaping over at least 60 percent of its surface area, which will serve to both buffer uses and "soften" the appearance of masonry walls.

2. Utility boxes and vaults shall be located away from entry driveways, corner accent landscapes and other highly visible areas, and shall be screened with a variety of landscape materials.

J. Defining of On-Site Circulation. Landscaping shall be used to define circulation patterns for safety and ease of use.

1. Landscaping shall be used to direct on-site vehicular and pedestrian circulation routes by providing clear direction, barrier planting (such as hedges), and accent planting, to define site entrances and pedestrian pathways.

2. Landscaping shall be designed to facilitate pedestrian circulation and access to buildings and shall be designed to buffer pedestrians from vehicular traffic, as well as to emphasize walkways.

3. Landscaping shall be designed to further pedestrian safety. Where provided, walkways shall have adequate width and be separated from parking lots, loading areas, and buildings (excepting building entries), with a landscape buffer. Furthermore, trees shall be planted along walkways to create shade and comfortable environments.

K. Grading Design and Stormwater Management.

1. Grading shall be designed to minimize soil erosion, water run-off or water waste, and increase on-site retention and infiltration. Grading shall ensure all irrigation and normal rainfall remains on-site and does not drain onto impermeable surfaces. Landscape areas shall be graded to be 1.5 inches below the grade of the adjacent finished surface.

2. Landscape plans shall include stormwater collection methods or devices that direct water into depressed landscape areas, such as vegetated swales, detention basins or infiltration areas. These areas shall incorporate proper plant materials and irrigation for success in saturated soils, drought conditions and to withstand possible erosion from the hydraulic impacts of stormwater collection. Manufactured drywells, pervious pavement, or storage chambers may also be used for stormwater infiltration.

3. Stormwater collection in landscape areas shall be designed with a natural appearance, utilizing curvilinear forms, native plants, varying sizes of boulders or river rock, and maximum 3:1 slope.

4. On-site landscape areas for stormwater management may utilize vegetated swales but shall not exceed 40 percent of the landscaped area width.

5. Landscaped slopes 3:1 or greater shall incorporate rolled erosion control products and landscape appropriate for slopes. Slopes shall be irrigated by a system with a low precipitation rate of 0.75 inches per hour or less. Turf is not allowed on slopes greater than 4:1, or where the toe of the slope is adjacent to an impermeable hardscape.

6. Compaction during site grading shall not occur within landscape areas. Compacted soils shall be repaired by deep tilling, or as directed by the soil analysis prescribed by Subsection D (Soil Testing) of this Section.

7. Vegetated swales, basins and sloped grades for stormwater management shall incorporate a level area adjacent to paved edges, at least 3 FT to 5 FT in width, to allow utilities, such as backflow devices, to be located on level ground, and to serve as a buffer from sloped edges for pedestrian safety purposes.

L. Decorative Water Features. Decorative water features shall be properly maintained to operate and function to meet the intent of the design. Furthermore, decorative water features shall incorporate recirculating water systems, and shall use recycled water, where available, excluding swimming pools and spas.

6.05.040: Landscape Maintenance

A. Landscape Maintenance Required. Where a Landscape and Irrigation Documentation Plan is required pursuant to Subsection 6.05.015.B (Landscape and Irrigation Documentation Plans) of this Division, all installed landscaping shall be permanently maintained as prescribed by this Section.

1. Once installed, no landscaping shall be removed unless replaced with landscaping of a similar design, character, and coverage, at maturity.

2. Trees shall be monitored, staking inspected, and branches pruned, if necessary, pursuant to Section 6.05.020 (Tree Preservation Policy and Protection Measures) of this Division, to direct new growth, and to avoid conflict with vehicles, pedestrians, lighting, or buildings. Stakes and ties shall be removed upon establishment, typically 2 years after planting.

3. Once installed, no landscaping shall be allowed to die-off. The replacement of dead or dying landscape materials shall occur in a timely manner, or immediately upon notification by the City, as prescribed by Division 6.10 (Property Appearance and Maintenance) of this Development Code.

4. Irrigation systems shall be maintained to prevent water waste. Broken or inefficient irrigation shall be repaired, replaced, or modified to prevent runoff from leaving the target landscape due to low head drainage, overspray, or other similar condition where water flows onto adjacent property, non-irrigated areas, walkways, roadways, parking lots or structures, unless the nonpermeable surfaces are designed and constructed to drain entirely to landscaping.

B. Landscape Maintenance Defined. On-going landscape maintenance shall consist of the following:

1. Regular watering;
2. Monitoring and treating for pests, disease, or injury;
3. Regular mowing, pruning, and the removal and replacement of dead or dying plants;
4. Regular fertilizing;
5. Clearing of debris and providing weed control;
6. Repair and/or timely replacement of irrigation systems, and components thereof;
7. Repair and/or timely replacement of integrated architectural features; and
8. Any other similar act(s) that promotes growth, health, beauty, and the life of plants, shrubs, trees, and/or groundcover/turf.

6.05.045: Landscape Design and Construction Guidelines

A. The City Council shall establish by resolution, Landscape Design and Construction Guidelines (Development Code Reference G), which are intended as a reference to assist design professionals, landscape contractors and homeowners in their understanding of the City's goals and objectives for the preparation of landscape construction documentation plans, and the installation of landscape materials and elements.

B. The Landscape Design and Construction Guidelines (Development Code Reference G) shall compliment the mandatory landscaping regulations contained in this Division, by providing

examples of potential design solutions, and by providing interpretations of the various mandatory landscaping regulations contained in this Division.

C. The Landscape Design and Construction Guidelines (Development Code Reference G) authorized by this Section, shall be enforceable in the same manner, and to the same extent, as any other applicable requirement of this Development Code.

Division 6.06—Street Naming and Street Address Numbering

Sections:

- [6.06.000](#): Purpose
- [6.06.005](#): Applicability
- [6.06.010](#): Assignment of Street Names and Street Address Numbers
- [6.06.015](#): Street-Naming
- [6.06.020](#): Street Address Numbering

6.06.000: Purpose

The purpose of this division is to establish policies for the naming of public and private streets and alleyways, and the address numbering of lots, parcels, dwelling units, places of businesses, and public buildings located along public and/or private streets within the City.

6.06.005: Applicability

- A.** The naming of any new public or private street or alleyway within the City and any request to change the previously established name of a public or private street or alley within the City shall be accomplished pursuant to the Street Naming Policy established by this division.
- B.** A street address number shall be assigned to a lot, parcel, dwelling unit, place of business and/or public building located along a public and/or private street within the City pursuant to the Street Address Numbering Policy established by this division.

6.06.010: Assignment of Street Names and Street Address Numbers

- A. Assignment of Street Names.** The Planning Director shall be responsible for the assignment of street names, and shall, upon recommendation of the Building Official, City Engineer, Fire Chief, and Police Chief, assign street names as established by Section 6.06.015 (Street Naming) of this Division.
- B. Assignment of Street Addresses.** The Building Official shall be responsible for the assignment of street addresses and shall assign street addresses as established by Section 6.06.020 (Street Address Numbering) of this Division.

6.06.015: Street Naming

- A. Naming of Streets.** Street names should be assigned based upon one of the following criteria:
 - 1. Presidents of the United States;
 - 2. States of the United States;
 - 3. Cities of the United States;

4. California counties;
5. Names of famous local, state, and national personalities who are deceased;
6. Names of culturally significant historic places and events;
7. Famous fictitious names;
8. Names of astrological constellations;
9. Colleges;
10. Colors;
11. Precious metals;
12. Rocks;
13. Trees, shrubs and flowers;
14. Fruits and nuts;
15. Armstrong registered roses; or
16. Others, as approved by the Planning Director.

B. Street Name Prefix. All street names shall be assigned a prefix based upon its direction and location in the City, as follows:

1. Each street that generally runs in a north-south direction, and is located north of Holt Boulevard, shall be assigned "North" as its street name prefix.
2. Each street that generally runs in a north-south direction, and is located south of Holt Boulevard, shall be assigned "South" as its street name prefix.
3. Each street that generally runs in an east-west direction, and is located east of Euclid Avenue, shall be assigned "East" as its street name prefix.
4. Each street that generally runs in an east-west direction, and is located west of Euclid Avenue, shall be assigned "West" as its street name prefix.

C. Street Name Suffix. All street names shall be assigned a suffix based upon its direction and design, as follows (excepting subregional thoroughfares, such as Holt and Mission Boulevards):

1. Each through street that generally runs in a north-south direction shall be assigned "Avenue" as its street name suffix.
2. Each through street that generally runs in an east-west direction shall be assigned "Street" as its street name suffix.

3. Each portion of a through street that changes direction, and generally runs in a north-south direction, shall be assigned "Way," "Parkway," or "Trail," as its street name suffix

4. Each portion of a through street that changes direction, and generally runs in an east-west direction, shall be assigned "Road," "Drive," or "Lane," as its street name suffix.

5. Each cul-de-sac in which the centerline generally points in a north-south direction at its termination point shall be assigned "Place" as its street name suffix.

6. Each cul-de-sac in which the centerline generally points in an east-west direction at its termination point shall be assigned "Court" as its street name suffix.

7. Each circling street shall be assigned "Circle" as its street name suffix.

8. Each looping street shall be assigned "Loop" as its street name suffix.

D. Naming of Private Streets and Drives. The name of a private street or drive shall be determined pursuant to Subsection A (Naming of Streets) of this Section. In addition, each private street (or a private drive, if deemed necessary or desirable by the Planning Director) shall be assigned a "Privado" or "Paseo" street name suffix, ~~or a "Via" street name prefix~~, to identify that the street is privately owned and maintained.

E. Naming of Alleys. Alleys shall only be named if all the following criteria are met:

1. The alley leads to a landlocked parcel with frontage only onto an alley (no street frontage).

2. The structure(s) on the property are designated as a local historic landmark.

3. The naming will not adversely affect any other landlocked parcel.

6.06.020: Street Address Numbering

A. Assignment of Street Addresses. Street addresses shall be assigned based upon the following numbering system:

1. Euclid Avenue is hereby designated as the north-south street address-numbering axis and Holt Boulevard is hereby designated as the east-west street address-numbering axis. All streets that run in a general north-south direction shall be numbered from Holt Boulevard, consecutively, to the City limits. All streets that run in a general east-west direction shall be numbered from Euclid Avenue, consecutively, to corporate limits.

2. The numbering system shall begin at 100 and extend from each axis point. Wherever possible, succeeding blocks shall be assigned addresses in intervals of 100. Block length shall be determined by the next street succeeding street intersection, or at 660 FT intervals when no street intersection exists, with one whole street number assigned for each 20 lineal FT of street frontage.

3. On north-south running streets, north of Holt Boulevard, odd address numbers shall be assigned to the west side of the street and even address numbers to the east side of the street.

South of Holt Boulevard, odd address numbers shall be assigned to the east side of the street and even address numbers to the west side of the street.

4. On east-west running streets, east of Euclid Avenue, odd address numbers shall be assigned to the north side of the street and even address numbers to the south side of the street. West of Euclid Avenue, odd address numbers shall be assigned to the south side of the street and even address numbers to the north side of the street.

5. A new street having the design of a circle or loop shall bear one given name along its entire length and shall have a street address numbering system as follows:

a. Where the entrance to the circle or loop is from an adjacent east-west running street, the address numbering shall conform to that used on the north-south streets;

b. Where the entrance to the circle or loop is from an adjacent north-south running street, the address numbering shall conform to that use on the east-west streets.

B. Posting of Street Address Numbers. The owner, occupant or person in charge of any house or building to which a number has been assigned shall be responsible for posting assigned street address numbers pursuant to the following specifications:

1. Principal buildings shall display the address number on the side where the front entrance is located. A principal building occupied by more than one business or dwelling unit shall display the assigned number at the front entrance of each tenant or dwelling unit. In addition, commercial and industrial buildings shall display the assigned numbers at rear and side entrances facing a public alley or access drive.

2. A lot or development site having more than one building shall be assigned an address number in a manner determined by the Building Official. Commercial and industrial buildings shall display a directory at the main entrance to the site.

3. Street address numbers shall be posted so as to be conspicuously visible from the street or road fronting the property. The actual location and size of the numbers shall be approved by the Building Official, subject to the following guidelines:

a. Each individual digit stroke shall be a minimum of one inch wide;

b. Street address numerals located less than 50 FT from the street curb face shall be a minimum of 4 inches in height. Address numerals located from 50 to 100 FT from the street curb face shall be a minimum of 8 inches in height. Address numerals located more than 100 FT from the street curb face shall be a minimum of 12 inches in height.

c. Street address numerals that are not visible from the street due to setback distance or would otherwise be obstructed may be posted on a freestanding structure having a maximum height of 3.5 FT and maximum area of 4 SF.

4. Street address numerals and the background to which they are affixed shall be of contrasting colors or shades and shall be of reflective material for nighttime visibility. Samples of the materials shall be submitted to and approved by the Building Official.

C. Street Address Number Required for Building Permit Issuance. No building permit shall be issued for any principal building until the owner or owner's agent has obtained the official street

address number of the premises from the Building Official. Final approval for a certificate of occupancy of any principal building erected, repaired or expanded shall be withheld until permanent and proper street address numbers have been displayed pursuant to this division.

D. Posting of Rooftop Address Numbers. Street addresses, suite/unit numbers and letters shall be displayed on rooftops as follows:

1. Street address numbers shall be displayed on rooftops of all multiple unit residential, commercial and industrial buildings. The numbers shall face the street corresponding to the address. Numerals shall be 3 FT long by one FT wide and shall be painted in reflective white paint on a flat black painted background.

2. Any other buildings may display secondary street address numbers on rooftops in coordination with the Police Department. Numerals shall be 3 FT long by 5 inches wide and shall be painted in reflective white paint on a flat black painted background.

3. Roof top street address numbers should not be visible from the street.

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Division 6.03—Off-Street Parking and Loading

Sections:

- [6.03.000:](#) Purpose
- [6.03.005:](#) Applicability
- [6.03.010:](#) General Requirements
- [6.03.015:](#) Required Number of Off-Street Parking Spaces
- [6.03.020:](#) Reduction in the Required Number of Parking Spaces
- [6.03.025:](#) Tandem Parking
- [6.03.030:](#) Parking for the Physically Disabled
- [6.03.035:](#) Bicycle Parking
- [6.03.040:](#) Parking for Fuel Efficient Vehicles
- [6.03.045:](#) Off-Street Parking Design Standards
- [6.03.050:](#) Parking Lot Lighting
- [6.03.055:](#) Off-Street Loading Standards

6.03.000: Purpose

The off-street parking and loading regulations prescribed by this Article have been established to achieve the following purposes:

- A.** Provide accessible, attractive, secure, properly lighted, and well maintained parking facilities;
- B.** Reduce traffic congestion and hazards caused by the loading and unloading of trucks on public streets and the shortage of parking spaces;
- C.** To alleviate or to prevent traffic congestion caused by shortage of parking spaces and the loading and unloading of trucks on public streets;
- D.** Ensure that off-street parking and loading facilities are provided for new land uses and the expansion of existing land uses in proportion to the needs of the land uses they serve; and
- E.** To ensure that off-street parking and loading facilities are designed in a manner that will result in maximum efficiency, protect the public safety, provide for the special needs of the physically handicapped, and where appropriate, insulate surrounding land uses from their impact.

6.05.005: Applicability

- A.** Off-street parking and loading facilities, and parking lot lighting shall be provided pursuant to the provisions of this Division when:
 - 1.** Any lot is developed, any new building is constructed, or any existing building or structure is added to or expanded, which requires Development Plan approval pursuant to Section 4.02.025 (Development Plans) of this Development Code;

2. Any new use is established, or any existing use is expanded or intensified, which requires Conditional Use Permit approval pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code;

3. The gross floor area of any existing building or structure is increased or enlarged by more than 5 percent (cumulative) of the existing floor area or permanent seating (off-street parking shall be provided for the total resulting buildings, structures and capacities of uses);

4. Permanent seating for an assembly use is increased or enlarged; (off-street parking shall be provided for the total resulting seating and capacities of uses); and

5. Any intensification of use or change in the occupancy of any building or in the manner in which any use is conducted, that would result in additional parking spaces being required.

B. No existing land use shall be deemed nonconforming solely based upon the lack of off-street parking or loading spaces required by this Division.

6.03.010: General Requirements

A. All off-street parking facilities required by this Division shall be designed and maintained to be fully usable for the duration of the use requiring the facilities.

B. Areas provided to meet applicable parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

C. Requirements for uses not specifically addressed by this Division shall be determined by the Zoning Administrator, based upon the requirements for comparable uses and the particular characteristics of the use.

D. All off-street parking and loading spaces required by this Division shall be located on the same lot as the use that they are intended to serve, except that nonresidential uses that cannot accommodate the required number of parking spaces on the same lot may provide parking spaces at a separate off-site location, not more than 500 FT from the use the parking spaces are intended to serve, as measured in a straight line from any point from the outer boundaries of the property or lease space containing the use.

E. The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy, or at the time of occupancy of any building addition or intensification of use. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

F. No vehicle shall be parked upon a public or private parking lot, or public property, for the purpose of displaying the vehicle for sale, hire, or rental, unless the property is appropriately zoned, the vendor is licensed to transact the applicable business at that location, and the vendor has obtained all appropriate land use approvals.

G. All parking stalls shall have direct access from a drive aisle, driveway or alley, and shall be designed in a side-by-side or parallel configuration, except as permitted by Section 6.03.030 (Tandem Parking) of this Division.

6.03.015: Required Number of Off-Street Parking Spaces

A. Off-Street Parking Requirements. Off-street parking spaces shall be provided pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Division, except that within the MU-1 (Downtown Mixed Use) zoning district, off-street parking shall not be required for existing buildings having a GFA less than 10,000 SF. If more than one land use is established on a lot or project site, the number of off-street parking spaces required shall be equal to the sum of the requirements prescribed for each individual land use.

B. Minimum Standards. The parking requirements of Table 6.03-1 (Off-Street Parking and Loading Requirements) are expressed as minimum standards, which should be met and not exceeded. Nevertheless, if additional parking is essential to a project, the minimum parking standard may be exceeded as follows:

1. Residential Uses—Additional Parking Allowed Without Limit. For residential uses, there is no maximum limit as to the number of parking spaces that may be provided. As such, any additional parking may be provided as a matter of right.

2. Nonresidential Uses—Limited Additional Parking Allowed. Additional parking spaces provided in excess of the number required pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section may be provided for nonresidential uses or the nonresidential portions of mixed-use projects, as follows:

a. Parking spaces may be provided up to a maximum of 10 percent above the required number as a matter of right, without any discretionary review by the City.

b. Parking spaces provided in excess of 10 percent above the required number shall be allowed only upon approval by the Planning Commission, based upon proven need.

C. Gross Floor Area (GFA). References to spaces per square foot are to be computed based upon GFA, unless otherwise specified, and includes allocations of shared restrooms, and circulation and storage areas, and other similar common facilities.

D. Rounding of Off-Street Parking Calculations. If a fractional number results from calculations performed in compliance with this Section, one parking space shall be required for a fractional unit of 0.50 or greater, and no space shall be required for a fractional unit of less than 0.50.

E. Uses Not Listed.

1. Land uses not specifically listed in Table 6.03-1 (Off-Street Parking Requirements) of this Division, shall provide parking as required by the Zoning Administrator or Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code, as applicable.

2. The Approving Authority shall rely upon the requirements of Table 6.03-1 (Off-Street Parking Requirements), and the standards recommended by the Institute of Transportation Engineers, as a guide in determining the necessary number of off-street parking spaces to be provided.

F. Parking Management Plan.

1. Parking Management Plan Required for Multiple-Family Residential Projects. A Parking Management Plan shall be submitted in conjunction with any Development Plan application for the construction of a multiple-family residential development project, or the residential portion of any mixed-use development project, which consists of 3 or more dwelling units. The Plan shall identify the number and location of resident parking spaces (existing and proposed) provided pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section and establish to which dwelling each required resident parking space is to be assigned.

2. Parking Management Plan Shall Be Included in CC&Rs. The Parking Management Plan required pursuant to Paragraph F.1, above, shall be included in any CC&Rs required by the City as a condition of project approval.

3. Required Resident Parking Spaces Cannot Be Separately Rented/Leased. It shall be unlawful to rent or lease a required residential parking space, or any parking space required for the residential portion of any mixed-use development project, separately from the dwelling for which a parking space has been provided pursuant to Table 6.03-1 (Off-Street Parking and Loading Requirements) of this Section, and/or assigned by a Parking Management Plan prepared pursuant to Paragraph F.1 (Parking Management Plan Required for Multiple-Family Residential Projects) of this Section.

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
A. Residential	
1. Caretaker Quarters	One space within a garage
2. Live/Work Developments	3 spaces per 1,000 SF (0.003/SF) of GFA
3. Mobile Home Parks	
a. Resident Parking Spaces	2 spaces per dwelling
b. Guest/Visitor Parking Spaces	[1] <u>Portion of dwellings < 50</u> : One space per 4 dwellings; [2] <u>50 to 100 dwellings</u> : One space per 5 dwellings; [3] <u>Portion of dwellings > 100</u> : One space per 6 dwellings; and [4] A minimum of 3 guest spaces shall be provided regardless of the number of dwellings proposed.
4. Model Homes	2 spaces per model home
5. Multiple-Family Residential	
a. Resident Parking Spaces	[1] <u>Studio</u> : 1.5 spaces per dwelling, including one space in a garage or carport; [2] <u>One-Bedroom</u> : 1.75 spaces per dwelling, including one space in a garage or carport; [3] <u>Two-Bedrooms</u> : 2.0 spaces per dwelling, including one space in a garage or carport; and [4] <u>Three or more Bedrooms</u> : 2.5 spaces per dwelling, including one space in a garage or carport

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
<p>b. Guest/Visitor Parking Spaces</p>	<p>[1] Portion of dwellings < 50: One space per 4 dwellings 0.25 spaces per dwelling;</p> <p>[2] 50 to 100 dwellings: One space per 5 dwellings 0.20 spaces per dwelling;</p> <p>[3] Portion of dwellings > 100: One space per 6 dwellings 0.17 spaces per dwelling; and</p> <p>[4] A minimum of 3 guest spaces shall be provided regardless of the number of dwellings proposed for developments consisting of more than 8 dwellings.</p>
<p>6. Senior Citizen Housing (as defined pursuant to CC Section 51.3 an CC Section 51.12)</p>	
<p>a. Income Qualified Development</p>	<p>0.7 resident space per dwelling, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.4.b of this Table)</p>
<p>b. Market Rate Development</p>	<p>One resident space per dwelling, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.4.b of this Table)</p>
<p>7. Single-Family Dwellings</p>	
<p>a. Traditional Development</p>	<p>2 spaces per dwelling within a garage</p>
<p>b. Small Lot and Common Interest Developments</p>	<p>2 resident spaces per dwelling within a garage, plus, 0.2 guest/visitor spaces per dwelling. Guest parking spaces may be provided on-street, immediately adjacent to the development boundary, if available.</p> <p>A minimum of 2 guest spaces shall be provided regardless of the number of dwellings proposed.</p>
<p>c. Accessory Dwelling Unit (ADU)</p>	<p>One space per bedroom, except as may be otherwise provided by Subsection A (Accessory Dwelling Units) of Section 5.03.010 of this Development Code that no off-street parking shall be required if any of the following circumstances exist:</p> <p>[1] The ADU is located within one-half mile of City and/or local transit authority-approved public transit (such as an Omnitrans or Metrolink stop);</p> <p>[2] The ADU is located within an historic district or architectural conservation area established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local Historic District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Development Code;</p> <p>[3] The ADU is built within the existing primary single-family dwelling or an existing accessory structure (an Integrated ADU);</p> <p>[4] An on-street parking permit is required, but is not offered to the occupant of the ADU; or</p> <p>[5] A City-approved car share vehicle is stationed within one block of the ADU.</p>
<p>8. Single Room Occupancy Facilities</p>	<p>One resident space per room; plus, 2 spaces for the resident manager, plus, guest/visitor parking spaces pursuant to the Multiple-Family Residential standards (Subparagraph A.4.b of this Table)</p>

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
B. Commercial Agriculture	
1. Commercial Crop Production and Farming	Determined by the Zoning Administrator
2. Commercial Animal Production	Determined by the Zoning Administrator
3. Support Activities for Agriculture	Determined by the Zoning Administrator
C. Utilities	One space per employee during the largest shift
D. Construction	Required parking for “general warehousing;” plus 0.1 space per 1,000 SF (0.0001/SF) of outside storage yards
E. Manufacturing	See parking standards for “Industrial and Business Park Developments”
F. Retail Trade	
1. General and Convenience Retail	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Grocery Stores	4 spaces per 1,000 SF (0.004/SF)
3. Motor Vehicle Dealers	Interior show rooms: 2.5 spaces per 1,000 SF (0.0025/SF) of GFA; plus, outdoor display areas: one space per 1,000 SF of GFA; plus, required parking for “motor vehicle repair;” plus, required parking for “offices”
4. Motor Vehicle Parts and Accessories	4 spaces per 1,000 SF (0.004/SF) of GFA
5. Tire Stores	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
6. Furniture and Home Furnishings Stores	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
7. Electronics and Appliance Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
8. Building Materials, Garden Equipment, and Supplies	2.5 spaces per 1,000 SF (0.0025/SF) of GFA; plus, one space per 1,000 SF of outdoor display and storage areas
9. Food and Beverage Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
10. Health and Personal Care Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
11. Gasoline and Fueling Stations	
a. Self-Serve and Full Service Fueling Stations	3 spaces minimum; plus, parking requirements for combination uses (e.g., convenience store, food services, motor vehicle repair, etc.). Fueling stations operating in conjunction with other uses may be granted shared parking credit at the rate of one space for each fuel dispenser.
b. Automated Fueling Facilities	Determined by the Zoning Administrator
c. Truck Stops	Determined by the Zoning Administrator
12. Clothing and Clothing Accessory Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
13. Sporting Goods, Hobby, Book, and Music Stores	4 spaces per 1,000 SF (0.004/SF) of GFA
14. General Merchandise Stores	
a. General and Convenience Retail	4 spaces per 1,000 SF (0.004/SF) of GFA
b. Discount and Specialty Superstores	5 space per 1,000 SF (0.005/SF) of GFA
G. Transportation and Warehousing	
1. Airports	Determined by the Zoning Administrator
2. Railroad Passenger Terminals	Determined by the Zoning Administrator

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
3. Truck Transportation—General and Specialized Freight Trucking	One space per employee during the largest shift
4. Warehousing and Storage	
a. Warehousing and General Storage	See U.1.a (Warehousing/Distribution) of this Table
b. Motor Vehicle Storage	0.1 space per 1,000 SF (0.0001/SF) of GFA devoted to storage; plus, required parking for “general business offices”
c. Self-Storage	0.1 spaces per 1,000 SF (0.0001/SF) of GFA; plus, required parking for “caretaker quarters” (if provided)
H. Information	
1. Publishing Industries	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Motion Picture and Video Industries (except movie theaters)	Determined by the Zoning Administrator
3. Movie Theaters	0.33 spaces per fixed seat
4. Sound Recording Facilities	4 spaces per 1,000 SF (0.004/SF) of GFA
5. Broadcasting	4 spaces per 1,000 SF (0.004/SF) of GFA
6. Wireless Telecommunications Antennas	One space per facility
7. Data Processing, Hosting, and Related Services	6 spaces per 1,000 SF (0.006/SF) of GFA
8. Libraries and Archives	Determined by the Zoning Administrator
I. Finance and Insurance	
1. Banks, Savings Institutions, and Credit Unions	4.6 per 1,000 SF (0.0046/SF) of GFA
2. Pawn Shops and Pawnbrokers	4 spaces per 1,000 SF (0.004/SF) of GFA
3. Insurance Carriers	4 spaces per 1,000 SF (0.004/SF) of GFA
J. Real Estate, Rental, and Leasing	
1. Real Estate Lessors, Agents and Brokers, Property Managers and Appraisers, and Escrow and Listing Services	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Rental and Leasing Services	4 spaces per 1,000 SF (0.004/SF) of GFA
K. Professional, Scientific, and Technical Services	
1. Professional, Scientific, and Technical Services	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Scientific, Research, and Development Services	4 spaces per 1,000 SF (0.004/SF) of GFA
3. Veterinary and Animal Hospital Services	5.7 spaces per 1,000 SF (0.0057/SF) of GFA
L. Management of Companies and Enterprises	4 spaces per 1,000 SF (0.004/SF) of GFA
M. Administrative and Support, and Waste Management and Remediation Services	
1. General Business Offices	4 spaces per 1,000 SF (0.004/SF) of GFA
2. Telephone Call Centers	6 spaces per 1,000 SF (0.006/SF) of GFA
3. Waste Management and Remediation Service	Determined by the Zoning Administrator
N. Education Services	
1. Elementary and Middle Schools	0.28 spaces per student, based upon maximum enrollment

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
2. High schools	0.26 spaces per student, based upon maximum enrollment
3. Colleges and Universities	0.5 spaces per student, based upon maximum enrollment; plus, one space per employee or staff during the largest shift
4. Business, Technical and Trade Schools	6 spaces per 1,000 SF (0.006/SF) of GFA
5. Instructional Dance Studios	5 spaces per 1,000 SF (0.005/SF) of GFA
O. Health Care and Social Assistance	
1. Medical Offices	5.7 spaces per 1,000 SF (0.0057/SF) of GFA
2. Hospitals and Medical Centers	1.8 spaces per bed; plus, one space per employee or staff during the largest shift; plus required parking for associated "medical offices"
3. Child and Youth Services	Determined by the Zoning Administrator
4. Services for the Elderly and Persons with Disabilities	Determined by the Zoning Administrator
5. Other Residential Care Facilities (more than 6 persons)	0.5 spaces per bed; plus, one space per employee or staff
6. Child Day Care Services, excluding Small Family Residential Facilities	0.2 spaces per child, based upon maximum licensed enrollment capacity; plus, one space per employee during the largest shift
P. Arts, Entertainment, and Recreation	
1. Performing Arts and Spectator Sports	0.33 spaces per fixed seat
2. Convention Centers, Auditoriums and Other Public Assembly Facilities	0.25 spaces for each fixed seat or 25 spaces per 1,000 SF (0.025/SF) of GFA
3. Amusement and Theme Parks	Determined by the Zoning Administrator
4. Game Arcades	10 spaces per 1,000 SF (0.01/SF) of GFA
5. Golf Courses and Country Clubs	8 spaces per hole; plus, required parking for associated uses
6. Golf Driving Range	One space per tee
7. Miniature Golf Course	3 spaces per hole
8. Fitness and Recreational Sports Centers	
a. Health Clubs and Gyms	5 spaces per 1,000 SF (0.005/SF) of GFA
b. Swim Clubs	3.3 spaces per 1,000 SF of pool surface area (0.0033/SF)
c. Tennis Clubs	3 spaces per tennis court
9. Bowling Centers	4 spaces per lane
10. Batting Cages	Determined by the Zoning Administrator
11. Billiard Parlors and Pool Halls	2 spaces per table
12. Dance Clubs and Halls, Ball Rooms, and Discotheques	25 spaces per 1,000 SF (0.025/SF) of GFA
13. Skating Rinks	3.3 spaces per 1,000 SF (0.0033/SF) of GFA
14. Stables (Commercial)	0.2 spaces per horse maintained on-site

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
Q. Accommodation and Food Services	
1. Lodging Facilities (bed and breakfast inns, boarding and rooming houses, hotels and motels, and residence inns)	One space per sleeping room; however, provide no fewer than one space per 2 beds; plus, required parking for associated uses
2. Full Service Restaurants	10 spaces per 1,000 SF (0.01/SF) of GFA (includes outdoor seating area up to 25 percent of GFA).
3. Fast Food Restaurants	13.3 spaces per 1,000 SF (0.0133/SF) of GFA (includes outdoor seating area up to 25 percent of GFA). Restaurants with drive-thru may be credited one space for each 24 lineal FT of drive-thru lane behind the pickup window
4. Banquet Facilities	25 spaces per 1,000 SF (0.025/SF) of GFA
5. Caterers	2 spaces per 1,000 SF (0.002/SF) of GFA
6. Drinking Places (bars, cocktail lounges, and nightclubs)	10 spaces per 1,000 SF (0.01/SF) of GFA
R. Other Services	
1. Motor Vehicle Repair and Maintenance	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
2. Car Washes, Full-Service and Self-Service	One space per employee, minimum 10 spaces; plus, required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses)
3. Upholstery and Furniture Repair	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
4. Footwear and Leather Goods Repair	2.5 spaces per 1,000 SF (0.0025/SF) of GFA
5. Personal Care Services	4 spaces per 1,000 SF (0.004/SF) of GFA
6. Death Care Service	
a. Cemeteries	Determined by the Zoning Administrator
b. Funeral Homes and Services	25 spaces per 1,000 SF (0.025/SF) of GFA of assembly area; plus, required parking for "general offices"
7. Religious Assembly and Wedding Chapels	0.33 spaces per fixed seat or 25 spaces per 1,000 SF (0.025/SF) of GFA
S. Public Administration	Determined by the Zoning Administrator
T. Temporary and Interim Land Uses	Determined by the Zoning Administrator
U. Industrial and Business Park Developments	
1. Industrial	
a. Warehousing and Distribution	<p>[1] <u>Portion of GFA 20,000 SF or Less</u>: One space per 1,000 SF (0.001/SF);</p> <p>[2] <u>Portion of GFA Greater Than 20,000 SF</u>: 0.5 space per 1,000 SF (0.0005/SF);</p> <p>[3] <u>Tractor-Trailer Parking</u>: One tractor-trailer parking space per 4 dock-high loading doors;</p> <p>[4] Parking for "general business offices" and other associated uses shall be provided when those uses exceed 10 percent of the building GFA; and</p> <p>[5] The Approving Authority may require a restrictive covenant running with the land, filed with the office of the County Recorder, which restricts the use of a property/building to warehousing and distribution, unless an alternate parking plan is provided, which demonstrates</p>

Table 6.03-1: Off-Street Parking Requirements

<i>Land Uses, Activities, and Facilities</i>	<i>No. of Parking Spaces Required</i>
	that on-site parking can be provided in compliance with the “General Industrial” parking requirements (see U.1.c of this Table), to support more intense industrial land uses.
b. Manufacturing	<p>[1] <u>General Requirement</u>: Provide 1.85 spaces per 1,000 SF (0.00185/SF) of GFA;</p> <p>[2] <u>Tractor-Trailer Parking</u>: One tractor-trailer parking space per 4 dock-high loading doors; and</p> <p>[3] Parking for “general business offices” and other associated uses shall be provided when those uses exceed 10 percent of the building GFA.</p>
c. General Industrial (speculative buildings)	<p>[1] <u>Portion of GFA < 50,000 SF</u>: 1.85 spaces per 1,000 SF (0.00185/SF);</p> <p>[2] <u>Portion of GFA 50,000 SF to 100,000 SF</u>: One space per 1,000 SF (0.001/SF);</p> <p>[3] <u>Portion of GFA > 100,000 SF</u>: 0.5 space per 1,000 SF (0.0005/SF); and</p> <p>[4] <u>Tractor-Trailer Parking</u>: One tractor-trailer parking space per 4 dock-high loading doors;</p> <p>[5] Parking for “general business offices” and other associated uses shall be provided when those uses exceed 10 percent of the building GFA.</p>
2. Multi-Tenant Business Park	3 spaces per 1,000 SF (0.003/SF); plus, required parking for “general business offices” when exceeding 10 percent of GFA; plus, one trailer parking space per 4 dock-high loading doors

6.03.020: Reduction in the Required Number of Parking Spaces

A reduction in the number of parking spaces required by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division may be granted as follows:

A. Shared Parking. Any project site where the hours of operation allow the shared use of off-street parking spaces to occur without conflict, the number of parking spaces required may be reduced pursuant to the following conditions:

1. Approval Required. Shared parking may be allowed upon the approval of a Shared Parking Agreement by the applicable Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. Reasonable Walking Distance Required to Shared Parking Facilities. Shared off-street parking facilities shall be provided within a reasonable walking distance from the uses they serve, and shall be located no further than 500 FT from the uses served, measured from the nearest point of the parking facility to the entrance of each use served via the shortest pedestrian route.

3. Shared Parking Agreement.

a. A Shared Parking Agreement by and between the City, the applicant, and all other affected property owners, shall be executed and recorded with the County Recorder, which shall ensure the availability of the number of parking spaces designated for joint use, during

the hours specified in the Agreement, for the duration of the uses subject to the shared parking arrangement.

b. The Agreement shall be subject to City Attorney review and approval, as to form and content.

4. Parking Analysis. The Approving Authority may require the applicant to submit a parking demand analysis, prepared by a person/firm experienced in preparing such analyses, to assist the Zoning Administrator in determining the appropriate shared parking reduction. A parking demand analysis shall be prepared pursuant to the Urban Land Institute's *Shared Parking* publication. The methodology of the *Shared Parking* publication may be used as a guide in reviewing a shared parking proposal.

5. Shared Loading Spaces. Loading spaces required by this Division may be shared pursuant to this Section.

B. Low Demand. Any project site where it can be demonstrated that the land use thereon will not utilize the required number of parking spaces due to the nature of the specific land use, or the manner in which the specific land use is conducted, the number of parking spaces required by Table 6.03-1 (Off-Street Parking Requirements) of this Division may be reduced pursuant to the following:

1. Approval Required. A parking reduction based upon low parking demand may be allowed upon the approval of a Low Demand Parking Reduction Agreement by the applicable Approving Authority pursuant to Table 2.02-1 (Review Matrix) of this Development Code.

2. Alternate Parking Plan. In approving a parking reduction, the Approving Authority may require the preparation of an Alternate Off-Street Parking Plan, which demonstrates that additional parking spaces can be provided on-site, as necessary, to accommodate future land use changes or intensifications in land use. Furthermore Alternately, a restrictive covenant that runs with the land may be required by the Approving Authority, which restricts the use of the subject property for the duration of the parking reduction.

3. Low Demand Parking Reduction Agreement. A Low Demand Parking Reduction Agreement by and between the City, the applicant, and all other affected property owners, shall be executed and recorded with the County Recorder, which, at a minimum, shall: [i] provide confirmation that the parking supply proposed will be adequate during periods of maximum demand, [ii] confirm that the parking demand is provided within a reasonable walking distance to the use it serves, and [iii] identify parking management strategies that are necessary to ensure the availability of the necessary number of parking spaces for the duration of the current use and future users of the project site. The Low Demand Parking Reduction Agreement shall be subject to City Attorney review and approval as to form and content.

4. Parking Analysis. The Approving Authority may require the applicant to submit a parking analysis, prepared by a person/firm experienced in preparing such analyses, to assist the Approving Authority in determining the appropriate reduction.

5. Loading Space Reduction. The number of loading spaces required by this Division may be reduced pursuant to this Section.

6.03.025: Tandem Parking

Tandem parking spaces may be allowed as follows:

A. Family Child Day Care. Family child day care homes may provide tandem parking spaces to satisfy the minimum parking requirement for the use.

B. Mobile Home Parks. Mobile home parks may provide tandem parking spaces to satisfy the minimum resident parking requirement for the use. The use of tandem parking spaces shall not be permitted for guest parking spaces.

C. Multiple-Family Projects.

1. Multiple-family development projects may provide tandem parking spaces to satisfy unenclosed (not within a garage or carport) on-site resident parking requirements (i.e., a driveway space located behind a garage or carport space). Multiple-family projects may also provide tandem parking spaces within a parking structure, which meet both enclosed (within garage or carport) and unenclosed resident parking requirements. Guest/visitor parking spaces shall not be designed in a tandem configuration.

2. A tandem parking space shall consist of no more than 2 automobile parking spaces. Both automobile spaces shall be assigned for use by the same dwelling unit.

3. Tandem parking spaces may be counted toward a maximum of 12 percent of the resident parking space requirement established by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division.

D. Residential Component of Mixed-Use Projects. Tandem parking spaces may be provided to satisfy resident parking requirements for the residential component of mixed-use projects and shall comply with the requirements for multiple-family projects, stated Subsection C (Multiple-Family Projects) of this Section.

~~**E. Second Dwellings.** Parking spaces for second dwellings should be provided in a side-by-side configuration; however, the Zoning Administrator may approve a tandem configuration if no other feasible method is achievable.~~

F. Single-Family Dwellings. Tandem parking spaces may be provided in conjunction with single-family dwellings, when such parking spaces are provided in excess of the minimum parking requirement for the use (i.e., driveway spaces and tandem garage spaces), as required by Table 6.03-1 (Off-Street Parking Requirements) of this Division.

G. Valet Parking. The Zoning Administrator may authorize valet parking as a means of satisfying the applicable off-street parking requirements of this Division, provided that:

1. Valet parking may be counted toward a maximum of 15 percent of the minimum parking space requirements established by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division.

2. Valet parking facilities shall be provided within a reasonable walking distance from the uses they serve, and shall be located no further than 500 FT from the uses served, measured from the nearest point of the parking facility to the entrance of each use served via the shortest pedestrian route.

3. An automobile shall be retrievable from its parking space with the movement of a maximum of 2 additional vehicles;
4. An equivalent number of valet parking spaces shall be available to replace the parking spaces required by Section 6.03.020 (Number of Off-Street Parking Spaces Required) of this Division; and
5. Valet parking spaces shall not require individual striping.

6.03.030: Parking for the Physically Disabled

- A. Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).
- B. Parking spaces for the physically disabled required by this Section shall count toward fulfilling the minimum off-street parking requirements.
- C. For existing parking facilities, the Zoning Administrator may approve a reduction in the number of parking spaces in an existing parking lot below the minimum required by this Section, in order to accommodate required parking spaces for the physically disabled.

6.03.035: Bicycle Parking

Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

6.03.040: Parking for Fuel Efficient Vehicles

Parking spaces specifically designated and conveniently located for fuel-efficient vehicles shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

6.03.045: Off-Street Parking Design Standards

A. Minimum dimensions and design.

1. Minimum Dimensions. The minimum dimensions for off-street parking and loading spaces and access drives shall be as prescribed in Table 6.03-2 (Standards for Parking Spaces, Drive Aisles, and Driveways), below.

Table 6.03-2: Standards for Parking Spaces, Drive Aisles, and Driveways

<i>Requirement</i>	<i>Standard</i>
A. Garage or Carport Space Dimensions (enclosed space)	10 FT wide by 20 FT long
B. Parking Space Dimensions (unenclosed space)	
1. Standard Parking	9 FT wide by 18 FT long [1][2]
2. Parallel Parking	8 FT wide by 24 FT long [1]
3. Tandem Parking	9 FT wide by 34 FT long (consists of 2 parking spaces) [1]
4. Trailer Parking	12 FT wide by 45 FT long
C. Loading Space Dimensions	12 FT wide by 18 FT long, unless otherwise specified by this Division
D. Minimum Drive Aisle and Driveway Widths	
1. Driveways for Single-Family Dwellings	10 FT wide
2. One-Way Drive Aisles and Driveways for Multiple-Family and Nonresidential Projects	12 FT wide
3. Two-Way Drive Aisles for Multiple-Family and Nonresidential Projects	24 FT wide, except that fire lanes required pursuant to the Ontario Fire Code shall be designed pursuant to Ontario Fire Department standards. Furthermore, two-way drive aisles may be reduced to 20 FT in width along segments that are not directly accessed by parking spaces.
4. Two-Way Driveways for Residential Projects	20 FT wide
E. Maximum Gradients Permitted at Driveway Entrances	
1. 4 or Fewer Dwelling Units	Maximum grade of +8 percent or 6 percent, as measured along the centerline of the driveway or parking aisle. This standard is applicable for a minimum distance of at least 20 FT from the ultimate right of way line of the adjoining street or alley.
2. 5 or More Dwelling Units	Maximum grade of +8 percent or 2 percent, as measured along the centerline of the driveway or parking aisle. This standard is applicable for a minimum distance of at least 20 FT from the ultimate right of way line of the adjoining street or alley.
F. Maximum Gradient at Parking Spaces	As allowed by the Building Code.

Notes:

[1] An additional foot of width shall be provided for each side of a parking space that is contiguous with a fence, structure, wall, or other obstruction.

[2] The standard parking space length may be reduced to 16 feet, if 2 feet of width is added to adjacent sidewalk and/or landscape areas, to accommodate motor vehicle overhang.

2. End of a Drive Aisle. A drive aisle providing access to a parking space that is perpendicular to the drive aisle shall extend 5 FT beyond the side of the last parking space in the drive aisle to provide adequate area for the backing-up of parked vehicles.

3. Minimum Vertical Clearances Required.

a. All Off-Street Parking Spaces. A minimum 7-FT vertical clearance shall be maintained for all off-street parking spaces, including entrances, except that the vertical

clearance for the front 4 FT of a parking space serving a single-family dwelling or multiple-family residents may be reduced to not less than 4.5 FT in height.

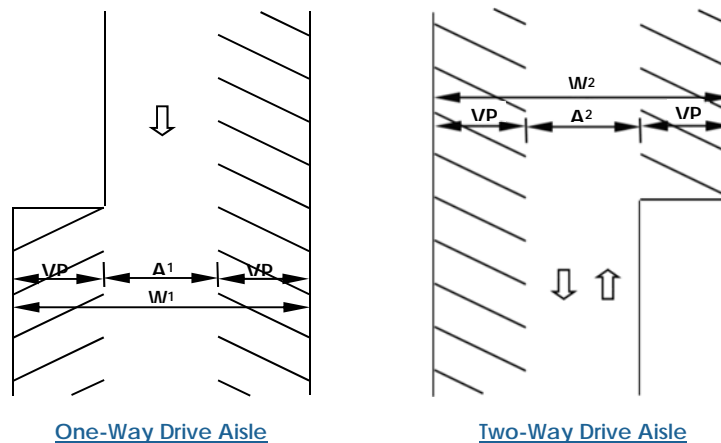
b. *Off-Street Parking Spaces for the Physically Disabled.* A minimum 98-inch vertical clearance shall be maintained for all off-street parking spaces for the physically disabled, including entrances and accesses to the spaces,

c. *All Off-Street Loading Spaces.* A minimum 14-FT vertical clearance shall be maintained for all off-street loading spaces, including entrances and accesses to the spaces,

4. Parking Bays and Drive Aisles. The minimum dimension and design of parking bays and maneuvering drive aisles shall be as prescribed in Table 6.03-3 (Dimensions for Parking Facilities), below.

Table 6.03-3: Dimensions for Parking Facilities

Parking Angle	Vehicle Projection (VP)	Aisle Width		Base Module	
		One-Way (A ¹)	Two-Way (A ²)	One-Way (W ¹)	Two-Way (W ²)
45°	17'-7"	11'-10"	24'-0"	47'-0"	59'-2"
50°	18'-2"	12'-2"	24'-0"	48'-6"	60'-4"
55°	18'-8"	12'-8"	24'-0"	50'-0"	61'-4"
60°	19'-0"	13'-6"	24'-0"	51'-6"	62'-0"
65°	19'-2"	14'-8"	24'-0"	53'-0"	62'-4"
70°	19'-3"	15'-6"	24'-0"	54'-0"	62'-6"
75°	19'-1"	16'-10"	24'-0"	55'-0"	62'-2"
90°	18'-0"	24'-0"	24'-0"	59'-0"	60'-0"



B. Parking Lot Access and Location of Parking Spaces.

1. The design and location of all vehicle accesses from a public street or alley to an off-street parking facility shall be approved by the City Engineer.

2. Each parking space must be accessible from a street or alley, provided no parking space shall be designed to require that vehicles back into a street, excepting parking that serves a single-family dwelling.

3. No parking space shall be located so that a vehicle will be required to maneuver for position to enter or exit the space within 30 FT of a vehicular entrance from a public street.

4. Commercial or office developments with parking for at least 150 or more vehicles shall be designed with primary drive aisles unencumbered by parking spaces, intersecting parking aisles, or other access drives, for a distance of at least 100 FT behind the street property line or 112 FT behind the street curb face, whichever is greater.

5. Carpool and high occupancy vehicle spaces should be located in the most advantageous and reasonable location, as close as possible to the primary employee entrance(s) of the user(s) which they are intended to serve.

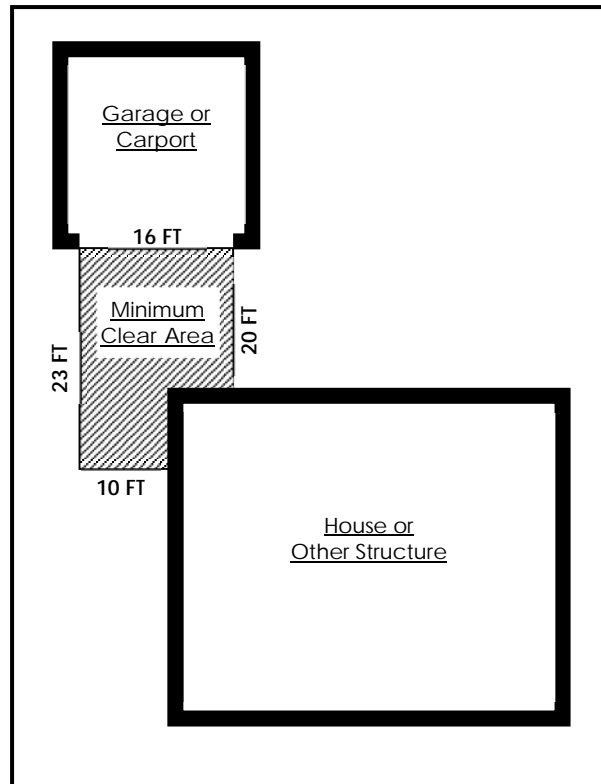


Figure 6.03-1: Garage/Carport Entrance Clear Area

6. Parking spaces for dwellings shall be located within 150 FT from the dwelling (front or rear door) for which the space is provided, excluding structures containing 3 or more stories.

7. Bicycle and automobile parking areas shall be separated from one another by a physical barrier or sufficient distance to protect bicycles and their riders from damage by maneuvering automobiles.

8. A garage facing a public street shall provide a clear space of at least 20 FT between the garage entrance and the street property line.

9. The minimum clear area for vehicle access in front of a garage or carport entrance shall be as shown in Figure 6.03-1 (Garage/Carport Entrance Clear Area).

10. Except as otherwise provided in this Development Code, off-street parking spaces are not to be located within a required front or street side setback area, or the required rear setback area of a through lot.

11. All drive aisles entering a site shall be provided with an enhanced pavement treatment, excepting lots containing single-family dwellings. The enhanced paving shall extend from the back of the drive approach apron to the first intersecting drive aisle, driveway, or parking space.

C. Striping and Identification.

1. All automobile parking spaces within commercial zoning districts shall be clearly outlined with double lines on the parking area surface. Within all other zoning districts, automobile parking shall be clearly outlined with single lines on the parking area surface (double lines may be used).
2. All parking area striping shall be permanently maintained in a clear and visible manor.
3. All parking spaces for the physically disabled shall be striped and marked in accordance with applicable State laws and standards.
4. All parking spaces reserved for low emissions vehicles shall be clearly marked with the words "Low Emissions Vehicles Only" either on the wheel stop or curb, or on the pavement at the opening of the space.
5. All spaces reserved for carpools and high occupancy vehicles shall be clearly marked with the words "Carpool/HOV Only" on either the wheel stop or curb at the back of each space, or on the pavement at the opening of the space.
6. Within multiple family residential developments, required guest parking spaces shall be clearly marked with the word "Guest" on either a wheel stop or curb at the head of each space, or on the parking surface at the opening of each space.

D. Parking, Drive Aisle, and Driveway Surface Paving. All permanent parking spaces, drive aisles, and driveways shall be paved with asphalt, concrete, or other all-weather surface approved by the Planning Director, Fire Marshall, and City Engineer.

E. Wheel Stops and Curbs.

1. Drive aisles and parking surfaces contiguous with planter areas shall have a 6-inch concrete curb separation constructed per City standards, except where a landscape area is parallel and adjacent to a parking stall the curb separation be increased to a minimum of 12 inches in width to provide a step-out area from motor vehicles.
2. All parking spaces located adjacent to buildings or walls shall have concrete wheel stops located from a minimum of 2.0 FT, to a maximum of 2.5 FT, from the building or wall.

F. Maintenance. All parking facilities shall be permanently maintained, free of weeds, liter, and debris.

6.03.050: Parking Lot Lighting

A. Parking Lot Lighting Required. All off-street parking facilities shall be provided with nighttime security lighting pursuant to OMC Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

- B. Lighting Level Measurement.** Lighting levels shall be measured with a direct-reading portable light meter. The equipment used must allow accurate measurements, with all measurements made after dark with the lights on and then again with the lights off. The difference between the two readings shall then be compared to the applicable standard for maximum permitted illumination.
- C. Light Fixtures Shall Be Decorative.** All parking lot lighting fixtures shall be decorative.
- D. Lighting Along Pedestrian Corridors.** Along pedestrian movement corridors, the use of decorative low-mounted bollard light standards, which reinforce pedestrian scale, shall be used.
- E. Illumination on Adjacent Property.** Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.
- F. Maximum Luminaire Heights.** The maximum permitted height of luminaires within a parking lot shall be as follows:
1. **No Cutoff Luminaire.** When a light source or luminaire has no cutoff (the point at which all light rays are completely shielded), the maximum permitted height of the luminaire shall be 14 FT.
 2. **Ninety Degree or More Cutoff Luminaire.** When a luminaire has a total cutoff of light at an angle of 90 degrees or greater, the maximum permitted height of the luminaire shall be 24 FT.
 3. **Less than 90-Degree Cutoff Luminaire.** When a luminaire has a total cutoff of light at an angle of less than 90 degrees, the maximum permitted height of the luminaire shall be 30 FT.

6.03.055: Off-Street Loading Standards

- A. Number of Loading Spaces Required.** Full-service and limited-service eating places, drinking places, convenience stores, hotels and motels, and all other traveler accommodations, and any other use deemed by the Zoning Administrator to be in need of off-street loading facilities, shall be provided a minimum of one off-street loading space.
- B. Minimum Dimensions and Design.**
1. **At-Grade Loading Facilities.** At-grade loading doors shall be provided with an off-street loading space located immediately in front of the door measuring a minimum of 12 FT in width and 18 FT in length, and having a minimum vertical clearance of 14 FT, measured from the finish grade of the space. The loading space may be provided either perpendicular or parallel to the loading door.
 2. **Dock-High Loading Facilities.**
 - a. Dock-high loading doors shall be provided with an off-street loading space located immediately in front of the door measuring a minimum of 12 FT in width and 45 FT in length, and having a minimum vertical clearance of 14 FT, measured from the finish surface of the loading dock.

b. A truck maneuvering area equal to the width of the loading door and a minimum of 120 FT in depth shall be provided in front of dock-high loading doors, and, at a minimum, the maneuvering area shall be designed to accommodate the minimum practical turning radius of a 55-FT semi-trailer and tractor combination. Deviations from this minimum maneuvering standard may be permitted if it can be shown that the spatial needs are less than the minimum required due to the truck size and type that will be utilized in the operation of a specific use; however, in permitting such deviation(s), a covenant of restriction to run with the land may be required, which specifies limitations relating to truck size and/or type. Larger maneuvering areas shall be required if the use of a larger semi-trailer and tractor combination is proposed.

c. Truck maneuvering areas shall not encroach into required off-street parking areas and landscaped areas.

C. Loading Facilities Prohibited Within Setback Areas. Except as otherwise provided by this Chapter, off-street loading spaces and areas, and associated vehicle maneuvering areas shall not be located within required front or street side setback areas, the rear setback area of a through lot, or any other required setback area located within 25 FT of a residentially zoned property.

D. Screening of Loading Facilities. Loading facilities should be located at the rear or interior side of buildings and shall be screened from public view or view from residential, retail and office uses, and the offices of industrial uses on adjacent properties. When it is not possible or desirable to locate loading facilities at the rear or interior side of buildings, loading facilities may be located on the street side or front of buildings, provided they are screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

E. Loading Space Ingress and Egress. All loading spaces shall have adequate ingress and egress as approved by the City Engineer and shall be designed and maintained so that vehicle maneuvering and loading/unloading activities do not interfere with the orderly movement of traffic and pedestrians on any public street or alley.

F. Screening of At-Grade Loading Doors and associated Loading Spaces. All at-grade loading doors shall be decorative, unless located within an enclosed yard area and screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

G. Screening of Dock-High Loading Doors and Associated Loading Spaces and Truck Maneuvering, Parking, and Staging Areas. All dock-high loading doors and associated loading spaces and truck maneuvering, parking, and staging areas, shall be located within an enclosed yard area and screened from public view by a decorative masonry wall with view-obstructing access gates pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code.

H. No Backing onto or from a Public Street. All loading spaces shall be designed and maintained so that vehicles do not back in from, or onto, a public street.

I. Match Loading Bay and Roll-Up Door Color to Adjacent Building Finish. The loading bays and roll-up doors shall be painted to blend with the adjacent exterior building finishes.

J. Concealment and Screening of Loading Areas. Areas for loading and unloading shall be designed to avoid potential adverse noise, visual, and illumination impacts on neighboring

residences. These areas shall be concealed from view by the public and adjoining land uses. Concealment and screening may be accomplished by use of any of the following methods, subject to Zoning Administrator approval:

1. Orient loading spaces, areas, and doors such that they are concealed from public view by buildings; and

2. Screen loading spaces, areas, and doors pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code, with walls and view-obstructing gates, which are architecturally coordinated with adjacent buildings. In addition, incorporate intense on-site landscaping to block public views of loading areas.

K. Loading Facilities in Close Proximity to Dwellings. Special orientation or design treatment of loading bays and doors located in close proximity to dwellings shall be required in order to reduce associated light and noise impacts to less-than-significant levels.

L. Striping and Identification. Loading spaces shall be striped, indicating the loading spaces and identifying the spaces for "Loading Only." The striping shall be permanently maintained by the property owner/tenant in a clear and visible manner at all times.

~~6.03.060: Prohibition of Parking on Undeveloped or Unpaved Lots~~

~~It shall be unlawful to park or store any vehicle or equipment on any undeveloped or unpaved lot in the City.~~

~~6.03.065: Prohibition of Parking on Landscaped or Unpaved Areas of a Lot~~

~~A. Maintenance of Property Nuisance.~~

~~1. It is unlawful for any person to park any vehicle, including but not limited to automobiles, trucks, motor homes, campers, or store any trailer, camper shell, boat or other similar equipment upon any lawn or landscaped area, or other unpaved surface located within any front or street side yard area of a lot lying within any residential zoning or land use district of the City, or other zoned property used for residential purposes.~~

~~2. It is unlawful for any property owner to permit the parking of any vehicle, including, but not limited to, automobiles, trucks, motor homes, or campers, or permit the storage of any trailer, camper shell, boat, or other similar equipment upon any lawn or landscaped area, or other unpaved surface located within any front or street side yard area of a lot lying within any residential zoning or land use district of the City, or other zoned property used for residential purposes.~~

~~3. It is unlawful for any person to use, or permit the use of, any lawn or landscaped area, or other unpaved area of a lot for the purpose of vehicular access to an area used for the parking or storage of any automobile, truck, motor home, camper, trailer, camper shell, boat, or other similar vehicle or equipment, when the access falls within any front or street side yard area of a lot lying within any residential zoning or land use district of the City, or other zoning or land use district used as a residence. An exception to this Subsection may be granted by the Planning Director, in those cases where the access is so infrequent as to cause no discernible effect on the landscaping within any front or street side yard area.~~

~~4. This Section shall not be so construed as to permit the paving or hard surfacing of front or street side yard areas without first complying with all applicable City codes and regulations. All additional paving or hard surfacing must have City approval with regard to location.~~

~~5. This Section shall not be so construed as to prohibit the parking of vehicles on lawns or other unpaved surfaces for the purposes of washing, making emergency repairs, or on site construction when the parking does not exceed a total of 3 hours duration within any consecutive 24-hour period.~~

~~B. **Right of Entry.** A peace officer or code enforcement personnel authorized to enforce parking laws and regulations shall have the right to enter onto private property to enforce the provisions of this chapter and to issue a parking citation in accordance with CVC Section 40202.~~

~~C. **Violations.** Any person or entity violating any provision, or failing to comply with any regulation, of this Section, shall be subject to fines and civil penalties set forth and amended by resolution of the City Council.~~

6.03.070: Commercial Vehicle Parking Restrictions

~~A. **Commercial Vehicle Parking in Residential Zoning Districts.** It is unlawful for the driver, owner, or operator of any commercial vehicle that exceeds a gross vehicle weight rating (GVWR) of more than 10,000 pounds (11,500 pounds for pickup trucks), or any motor truck, truck tractor or trailer, or any other commercial equipment regardless of weight, to park or cause to be parked, or store or cause to be stored, any such vehicle or equipment upon any lot located within any residential zoning or land use district of the City.~~

~~B. **Commercial Vehicle Parking Outside of Designated Loading Areas in Commercial Zoning Districts.** It is unlawful for the driver, owner, or operator of any commercial vehicle to park or cause to be parked, or store or cause to be stored, upon any publicly or privately owned automobile parking lot located within any commercial zoning or land use district of the City, any motor truck having a gross vehicle weight rating (GVWR) of more than 10,000 pounds, truck tractor or trailer of a GVWR of more than 10,000 pounds, or any combination thereof, or any motor truck, truck tractor or trailer, or any combination thereof, of a size larger than eight feet in height and/or twenty-four feet in length, excepting as follows:~~

~~1. The parking of said vehicles within designated loading spaces and areas approved by the City, which are screened from public view pursuant to Division 6.02 (Walls, Fences, and Obstructions) of this Development Code; and~~

~~2. The loading and unloading of goods or to provide immediate services for a period not to exceed 3 hours duration within any consecutive 24-hour period.~~

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Division 6.08—Development Projects and Subdivisions

Sections:

- [6.08.000:](#) Purpose
- [6.08.005:](#) Applicability
- [6.08.010:](#) Maps
- [6.08.015:](#) Subdivision and Development Project Design
- [6.08.020:](#) Monuments
- [6.08.025:](#) Reports
- [6.08.030:](#) Park Dedication and In-Lieu Fee Regulations
- [6.08.035:](#) Dedications and Improvements
- [6.08.040:](#) Improvement Plans and Security
- [6.08.045:](#) Common Interest Subdivisions
- [6.08.050:](#) Conversion to a Residential Common Interest Project
- [6.08.055:](#) Conversion to a Nonresidential Common Interest Project

6.08.000: Purpose

The purpose of this Division is to set forth rules and regulations for the subdivision and/or development of real property pursuant to the provisions of the Subdivision Map Act of the State of California (commencing with GC Section 66410) and the Ontario Municipal Code. Furthermore, it is the purpose of this Division to regulate and control all divisions of land that may be lawfully regulated by the City pursuant to the Subdivision Map Act. The provisions of this Division shall be interpreted to carry out this intent and purpose. In the event of a conflict between any mandatory provision of the Subdivision Map Act and a provision of this Division, the Subdivision Map Act shall control.

6.08.005: Applicability

A. Pursuant to the provisions of the Subdivision Map Act, and in addition to any other applicable regulations provided by State law, the regulations contained in this Division shall apply to all subdivisions or parts of subdivisions of land proposed within the corporate limits of the City, and to the preparation of subdivision maps and any other maps provided for by the Subdivision Map Act. Prior to the subdivision and/or development of any land in the City, the subdivider and developer thereof shall conform to, and comply with, the requirements, rules, and regulations of this Division.

B. No land shall be subdivided and developed for any purpose that is not in conformity with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and any applicable specific plan or planned unit development of the City. The type and intensity of land use shown in the Policy Plan, or applicable specific plan or planned unit development, shall determine the type of streets, roads, highways, utilities, and public services that shall be provided by the subdivider and/or the developer.

6.08.010: Maps

The requirement or necessity for a tentative, final, or parcel map shall be governed by the provisions of this Section.

A. Tentative Tract Maps and Final Maps. A tentative tract map and final map shall be required for all subdivisions creating 5 or more lots, 5 or more condominium units, a community apartment project containing 5 or more lots, or for the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units, except as provided by Section GC 66418.2 and Section GC 66426.

B. Parcel Maps. A parcel map shall be required for all subdivisions creating 4 or fewer lots, or 4 or fewer condominium units, a community apartment project containing 4 or fewer lots, or for the conversion of a dwelling to a stock cooperative containing 4 or fewer dwelling units, or for those subdivisions described in Section GC 66426.

C. Exceptions to the Preparation of a Tentative Tract Map, Final Map or Parcel Map. Exceptions to the preparation of a tentative tract map or final map, or a parcel map shall be pursuant to GC Section 66426 and 66428.

D. Exclusions from the Requirement for a Tentative Tract Map, Final Map or Parcel Map. The requirement for the filing of a subdivision map pursuant to this Section shall not be applicable in those instances identified in GC Section 66412, 66412.1, 66412.2, 66412.3, 66412.5, and any other mandatory exclusions to the applicability of the Subdivision Map Act, as provided by the Act.

E. Waiver of Parcel Maps. The City Engineer is authorized to waive a parcel map pursuant to the provisions of Section 4.03.045 (Subdivisions—Parcel Map Waiver) of this Development Code.

6.08.015: Subdivision and Development Project Design

A. Design and Improvement Requirements. Pursuant to GC Section 66473.5, a subdivision for which a tentative map or parcel map is required pursuant to Section 6.08.010 (Maps) of this Division, shall be consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, any applicable specific plan or planned unit development, and this Development Code. Unless otherwise specified, design requirements and improvement requirements may be modified or waived only by the City Council.

B. Lot Requirements. All residential, commercial, mixed use, and industrial lots shall have direct access to a public street, except where private street, common driveway or other access easement rights are specifically approved by the City. The access easement shall be reserved on a subdivision map or by separate instrument in perpetuity, for the benefit of the effected property(ies).

C. Street Rights-Of-Way and Design Requirements. The street layout of a proposed subdivision or development project shall be consistent with all street right-of-way designations contained in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, or an applicable specific plan, at the time of tentative map approval. For alignments not specifically shown in the Mobility element, the City Engineer shall approve alignments that are consistent with the Policy Plan component of The Ontario Plan, or any applicable specific plan, master plan, and City standard. All streets (public and private) shall be designed to meet public street requirements,

unless otherwise approved by the Executive Director Development or both the City Engineer and Planning Director.

D. Utility Easements. Whenever overhead utilities are allowed in a proposed subdivision or development project by this Development Code, utility easements of sufficient width shall be located along the rear or side lot lines. Whenever possible, such easements shall extend an equal distance into each of the 2 abutting lots. This requirement may be modified by the Approving Authority, if warranted by unusual circumstances in a particular proposed subdivision. Underground utility easements, whenever necessary and to the extent practicable, shall be adjoining and parallel to lot lines.

E. Drainage Easements. The design of a proposed subdivision or development project shall provide for the proper drainage of the proposed subdivision or development project, and all lots and improvements therein, based upon the runoff that can be anticipated from ultimate development of the watershed area where in the subdivision is located. Stormwater detention measures shall be provided when required by the City Engineer, to reduce any adverse effects of increased runoff from development on downstream properties.

F. Lighting and Maintenance Districts and Community Facilities Districts. The City may cause the annexation of an area within a subdivision or development project to be annexed into a Lighting and Maintenance District (LMD), Community Facilities District (CFD), or similar appropriate district, prior to the recordation of a final map or parcel map, or vesting map.

G. Energy Conservation. Pursuant to GC Section 66473.1, the design of a subdivision for which a tentative map is required pursuant to Section 6.08.010 (Maps) of this Division, or a development project, shall provide to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.

H. Cable Television Systems. Pursuant to GC Section 66473.3, the Approving Authority may require the design of a subdivision for which a tentative map or parcel map is required pursuant to Section 6.08.010 (Maps) of this Division, to provide for appropriate cable television systems and for communication systems, including, but not limited to, telephone and Internet services, to each lot in the subdivision. This provision shall not apply to the conversion of existing dwelling units to a common interest project.

6.08.020: Monuments

A. Pursuant to GC Section 66495, at the time of survey of the final map or parcel map, the engineer or surveyor shall set sufficient durable monuments so that another engineer or surveyor may readily retrace the survey. The exterior boundary of the land being subdivided shall be adequately monumented or referenced prior to recordation of the final map or parcel map.

B. The subdivider shall submit to the City Engineer, in a form satisfactory to the City Engineer, a tie sheet showing proper ties to the location of the centerline monuments. A minimum of 3 ties shall be shown for each centerline monument. All monuments set, and tie monuments set, shall be permanently marked or tagged with the registration or license number of the responsible engineer or surveyor.

C. Interior monuments need not be set at the time the map is recorded, provided the engineer or surveyor certifies on the map that the monuments will be set prior to City Engineer acceptance of the improvements or within 2 years following the recordation of the final map,

whichever is later, and the subdivider furnishes to the City, security guaranteeing the full payment of the cost of setting the monuments.

D. Pursuant to GC Section 66497, the engineer or surveyor shall notify the subdivider and the City Engineer when monuments have been set. If the subdivider does not present evidence to the City that the engineer or surveyor has been paid for the setting of the final monuments, and the engineer or surveyor notifies the City that payment has not been received from the subdivider for the setting of the final monuments, within 3 months following the date of notification, the City shall pay the amount due to the engineer or surveyor from the monument deposit.

E. In the event of the death, disability or retirement from practice of the engineer or surveyor charged with the responsibility for setting monuments, or in the event of his refusal to set such monuments, the City Council may direct the City Engineer, or such engineer or surveyor as it may select, to set such monuments. If the original engineer or surveyor is replaced by another, the former may release his obligation to set the final monuments to the surveyor or engineer who replaced him, by letter to the City Engineer. When the monuments are so set, the substitute engineer or surveyor shall amend any map filed pursuant to this Section and the provisions of GC Section 66498, and GC Section 66499 through 66472, inclusive.

6.08.025: Reports

A. Soils Report.

1. Prior to the approval of a final tract or parcel map, ~~or~~-vesting map, or development plan, the City may require that the subdivider and/or developer submit a preliminary soils report. If required, the report shall be prepared by a civil engineer who is registered by the State of California and shall be based upon adequate test borings or excavations in the subdivision.

2. A soils report shall be prepared by a qualified civil or geotechnical engineer, who is registered by the State of California. An investigation of each parcel in the subdivision shall be prepared if the preliminary soils report (if required) indicates the presence of any of the following problems:

a. Critically expansive soils or other soil problems that, if not corrected, would lead to structural defects;

b. Rocks or liquids containing deleterious chemicals that, if not corrected, could cause construction materials, such as concrete, steel, and ductile or cast iron, to corrode or deteriorate; or

c. The presence of methane gas and/or other toxic gases or substances, which, if not corrected, could cause life endangerment.

3. The soil investigation shall recommend corrective action that is likely to prevent structural damage to each building proposed to be constructed in the area where the soil problem exists.

4. The City shall approve a soils report (if required) upon determination that the recommended corrective action is likely to prevent structural damage to each building to be constructed in the area where a soil problem exists. The subdivider may appeal the determination to the City Council pursuant to the procedures set forth in Division 2.04 (Appeals) of this

Development Code. Subsequent building permits shall be conditioned upon the incorporation of the recommended corrective action in the construction of each building.

B. Geological Hazard Reports.

1. Prior to the approval of a final tract map or parcel map, ~~or~~ vesting map **or development plan**, the City may require subdivider **or developer** submit a geological hazard report if the subdivision includes land within a geologic hazard area identified in the Policy Plan (General Plan) component of The Ontario Plan or by the California Department of Conservation, or if the Building Official determines that other geological conditions warrant the preparation of a report. The report shall be prepared by a civil engineer who is registered by the State of California and shall be based upon appropriate field observations.

2. If the geological hazard report indicates the presence of a potential geological hazard to life, health, or property, a qualified civil or geotechnical engineer, who is registered by the State of California, shall prepare a geological mitigation plan that identifies corrective action for the potential hazard, which shall be filed with the City.

3. The City shall approve the mitigation plan if it is determined that the recommended corrective action is likely to mitigate the potential hazard. The subdivider may appeal the determination to the City Council, pursuant to the procedures set forth in Division 2.04 (Appeals) of this Development Code. Subsequent building permits shall be conditioned upon the incorporation of the recommended corrective action in the construction of each building.

6.08.030: Park Dedication and In-Lieu Fee Regulations

A. Purpose. These park dedication and in-lieu fee regulations are enacted pursuant to the authority granted by GC Section 66477 and shall be interpreted consistent with the provisions thereof. The park and recreational facilities for which payment of impact fees and/or dedication of land are required by the terms of this Section shall be provided in accordance with the standards, specifications, and requirements of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, any applicable specific plan, and any other applicable resolution, policy, or standard of the City.

B. Applicability.

1. Effect on Other Laws. With respect to the requirement for the payment of impact fees or the dedication of land for park and recreational purposes by the subdivider **or developer** of a residential project, or the residential portion of a mixed-use project, pursuant to this Development Code, this Section shall supersede all other ordinances or regulations of the City inconsistent herewith. The enactment of this Section shall not supersede any other provisions or authority adopted by ordinance of the City Council, unless expressly stated in this Section.

2. Exemptions. The provisions of this Section shall not apply to subdivisions containing less than 5 parcels and not used for residential purposes; provided, however, that a condition may be placed on the approval of such parcel map that if a building permit is requested for construction of a residential structure or structures on one or more of the parcels within 4 years, an impact fee may be required to be paid by the owner of each parcel as a condition to the issuance of such permit. In addition, the provisions of this Section shall not apply to nonresidential subdivisions; or to condominium or stock cooperative projects that consist of the subdivision of

airspace in an existing apartment building that is more than 5 years old, when no new dwelling units are added.

C. Definitions. The following definitions shall govern the meaning of the words as used in this Section, unless from the context in which the word is used, a different meaning is clearly intended:

1. Fair Market Value. The value of land set forth in the City's general and specific plans, which are earmarked to be acquired by the City upon which the City intends to locate park and recreational facilities to service residents of the subdivision. Fair market value shall be based upon an appraisal by a qualified appraiser selected by the City, which appraisal shall be updated from time to time by the City. The fair market value shall be determined as of the time the final map or parcel map is filed. With regard to any park and recreation improvements, or equipment provided by the subdivider, the fair market value shall be the actual cost to acquire, construct, or install the improvement or equipment.

2. Park. A lot that is, or contiguous lots that are, owned, operated, and maintained by a public agency or private association, and which provides recreational land and facilities for the benefit and enjoyment of the residents of the subdivision and of persons residing, working, or visiting in the City. Parks may be classified as community parks, including community centers, athletic facilities, large multi-user swimming pools, picnic areas, cultural centers, or similar facilities; public neighborhood parks, including playground equipment, sports fields, and picnic areas; and private neighborhood parks, generally intended to serve only the immediate subdivision/development or specified planned community in which they are located. Parks may also include, or be limited to, open space areas suitable for active or passive uses.

3. Park and Recreational Facilities. Any public improvements deemed necessary by the City to develop, improve, or rehabilitate land and facilities for park and recreational purposes. Such improvements may include, but not be limited to, grading; landscaped areas for active and passive recreational use, open space and sports fields; irrigation and drainage systems; lawn, shrubs and trees; facilities for recreational community gardening; walkways; bicycle facilities and park lighting; playground or other recreational equipment; picnic facilities; community center or other buildings, swimming pools; volleyball, basketball, tennis, racquetball, and other courts; vehicle driveways and parking areas, and any other facilities which may hereafter be authorized by state law or approved by the City.

4. Private Open Space. Privately owned land and facilities for park and recreation purposes provided within a subdivision, and perpetually maintained and operated by the future residents or owner of the subdivision.

D. Payment of Impact Fees or Park Dedication Required. As a condition of approval of a tentative tract or parcel map, final tract or parcel map, or **development project** for a residential subdivision or the residential portion of a mixed-use project, or for a building permit within a subdivision, the subdivider shall be required to pay an impact fee, offer for dedication of park land in lieu thereof, or both, at the sole and exclusive option of the City, in the amount provided in this Section, for park and recreational purposes, unless the subdivider is exempted from this requirement by the express provisions of this Section. The payment of an impact fee and/or offering for dedication of land shall be at the time and according to the standards and formula contained in this Section.

E. Standards for Determining Dedication/Maximum Requirement.

1. General. If the park dedication is required under Subsection D (Payment of Impact Fees or Park Dedication Required), above, the park area required shall be determined pursuant to the standards provided in this Section.

2. Standard of Park Area to Population (Park Area Standard Ratio). It is found and determined that the public interest, convenience, health, safety, and welfare of the residents of the City require that 5.0 acres of property for every 1,000 persons residing within the City be devoted to local park and recreational purposes, and that such park area is necessary to provide for the needs of the current and future persons residing and working in the City. The ratio of 0.005 shall hereafter be referred to as the "Park Area Standard Ratio."

3. Computation of Maximum Area of Public Parkland to be Dedicated.

a. The maximum amount of public park land required to be dedicated by a subdivision or development project shall be equal to the Total Number Of Dwelling Unit Types multiplied by the dwelling unit occupancy factor established pursuant to Subparagraph b, below, multiplied by 0.005 (the Park Area Standard Ratio of 5.0 acres per 1,000 population). The computation is represented as follows:

$$\text{Area of Public Parkland to be Dedicated} = (\text{Total Number of Dwelling Unit Types}) \times (\text{Dwelling Unit Occupancy Factor}) \times (0.005)$$

b. The Dwelling Unit Occupancy Factor for each housing type shall be established by resolution of the City Council, based upon the latest available census data.

c. The City Council, by resolution, may require a dedication of parkland less than the maximum amount set forth above if the City Council finds, and clearly establishes that a smaller dedication will adequately serve the public interest, convenience, health, safety, and welfare of the residents of the City.

4. Qualification of Land Being Dedicated. In addition to meeting the requirements set forth in this section, any land offered for park dedication shall meet the applicable criteria specified in Section 6.08.035 (Dedications and Improvements) of this Division.

F. Standards for Determining Park Impact Fee/Maximum Fee.

1. When required by Subsection G (Determination of Dedication, Fees, or Combination) of this Section, the subdivider or developer shall pay to the City, a fee in lieu of making an offer of parkland dedication. For the purposes of impact fee calculation, 3.0 acres of property for every 1,000 persons residing within the City shall be determined to be devoted to local parkland and recreational purposes, thereby resulting in the ratio of 0.003 to be hereafter referred to as the "Park Area Fee Standard Ratio."

2. The Park Impact Fee shall be equal to the total number of dwelling units multiplied by the Dwelling Unit Occupancy Factor established pursuant to Subparagraph E.3.b (Dwelling Unit Occupancy Factor) of this Section, multiplied by the Park Area Fee Standard Ratio, multiplied by the area of parkland to be dedicated under Paragraph E.3 (Computation of Maximum Area of Parkland to be Dedicated) of this Section, multiplied by the fair market value of the land to be developed by the City for parkland and recreational facilities. The computation is represented as follows:

*Park Impact Fee = (Total Number of Dwelling Units) x (Occupancy Factor) x (0.003)
x (Fair Market Value of Land to be Developed)*

G. Determination of Dedication, Fees, or Combination.

1. Impact Fee Generally Required. Where required by the City or where no park or recreational facility located in whole or in part within the proposed subdivision is designated in the general plan of the City or other adopted resolution policy or standard of the City, the subdivider or developer shall pay an impact fee computed in accordance with Subsection F (Standards for Determining Impact Fees/Maximum Fee), above, to be used for park and recreational purposes to serve the residents of the area being subdivided and other members of the public.

2. Dedication in Lieu of Impact Fee. Where a park or recreational facility has been designated in the Policy Plan (General Plan) component of The Ontario Plan of the City, or other adopted resolution policy or standard of the City, and is to be located in whole or in part within the proposed subdivision to serve the immediate and future needs of the residents of the subdivision and other members of the public, the City may require the subdivider to dedicate land for a park and provide recreational facilities thereon in lieu of payment of an impact fee as provided in this Section, if the City determines that dedication is desirable as provided in this Section. If the fair market value of the park and recreational facilities provided is less than that required hereunder, the difference shall be paid by the subdivider as an impact fee.

3. Combination of Land and Fees. The City may accept a combination of land, recreational facilities, and fees, with the respective amounts to be determined by the sole discretion of the City, so long as the aggregate fair market value of the land and recreational facilities, plus in-lieu fees, does not exceed the limits established in this Section.

4. Determination of Land or Fee. Whether the City requires payment of an impact fee, or requires land dedication in lieu thereof, or a combination of both, shall, in the City's sole discretion, be determined by consideration of the following, and such determination shall be final and conclusive:

- a. The provisions of the City's general plan, any specific plan adopted thereto, and any other adopted resolution, policy or regulation of the City;
- b. Topography, geology, access and location of land in the subdivision available for dedication;
- c. Size and shape of the subdivision and land available for dedication;
- d. The feasibility of dedication;
- e. Access and location of other park sites to subdivision; and
- f. Need of other accessible park sites for development, improvement and rehabilitation.

5. Impact Fees for Subdivisions of 50 Parcels or Less. If the subdivision contains 50 lots or less, only the payment of impact fees may be required, except that condominium, stock cooperative or community apartment projects may be required to dedicate land if they have more than 50 dwelling units.

H. Subdivider Credits.

1. Public Parks. The subdivider shall receive a credit against the impact fee payment or park dedication requirement for the fair market value of any land dedicated and for the value of any park and recreation improvements provided by subdivider in conjunction with any public park. The value of such improvements shall be determined by City based upon Paragraph C.4 of this Section.

2. Private Park. In conjunction with any planned development, real estate development, stock cooperative, community apartment, or condominium, as defined by state law, if the subdivider provides private open space as defined in Subsection C (Definitions) of this Section, then the subdivider may receive a credit against the park dedication requirement of this Section, in an amount to be determined by the City Council or its designee, but such credit shall not exceed 33 percent of such impact fee payment or park dedication requirement. The actual amount of such credit shall be determined by the City Council or its designee, based upon the comparability of the private open space to public park area and the adequacy of such private open space to serve the needs of the subdivision for active recreational uses.

3. Application of Credits. The credits provided by Paragraphs H.1 and H.2, above, shall be applied to reduce the subdivider's obligation to dedicate and/or pay an impact fee as required under this Section, but only to the extent of such credit.

I. Disposition of Land or Fees.

1. The amount and location of land to be dedicated, or the impact fees to be paid, shall bear a reasonable relationship to the use of the park and recreational facilities by the future inhabitants of the subdivision. In accordance with GC Section 66477, it is expressly acknowledged that the land to be dedicated or impact fees to be paid may be for both neighborhood and community parks. In addition, such impact fees may be used to improve or rehabilitate existing parks.

2. Impact fees paid by a subdivider pursuant to this Section may be spent to develop, improve, and rehabilitate community and neighborhood parks even though such parks may be used by nonresidents of the subdivision, so long as the benefit of the park and recreational facilities to residents of the subdivision is reasonable in relation to the location of the parks and amount of the impact fees.

J. **Time of Payment of Impact Fees or Land Dedication.** All park impact fees shall be paid directly to the City Cashier at the time of issuance of a building permit for each lot within the subdivision. In the event of a dedication requirement, the subdivider shall make an irrevocable offer of dedication to the City at the time of recordation of the final map.

K. Schedule of Performance.

1. City's Schedule. The City shall prepare and maintain a schedule specifying how, when, and where land or impact fees, or both, which were dedicated to the City to develop park or recreational facilities will be used. Any impact fees collected pursuant to this Section shall be committed within 5 years after the payment of such fees or the issuance of building permits on 50 percent of the lots created by the subdivision, whichever occurs later. If any fees are not so committed, they shall be distributed to subdivision owners in accordance with law.

2. **Subdivider's Schedule.** In the event that a subdivider improves or develops parks for public or private ownership, they shall prepare a schedule specifying when, how, and where they will develop the park or recreational facilities to serve the residents of the subdivision. This schedule will be required as a condition of subdivision map approval.

L. **Procedure.** Unless otherwise expressly provided in this Section, any decision or action required by City in this Section shall be made after the duly noticed public hearing, at the time of approval of the tentative tract map or parcel map by the Approving Authority. Such decision or action shall be made a condition of approval of the subdivision map and shall be final and conclusive in the absence of a timely filed appeal pursuant to Division 2.04 (Appeals).

6.08.035: Dedications and Improvements

A. General Requirements.

1. The public need, safety, and general welfare require that dedications, offers of dedication, and irrevocable offers of dedication of real property for various public uses be made to the City, or other public agency or district, as conditions precedent to the approval or conditional approval of tentative tract or parcel maps, final tract and parcel maps, **development plans**, reversions to acreage, lot line adjustments, and consolidations and combinations of lots, or any other action or event requiring evidence of official City approval.

2. Dedications may be required for streets, highways, alleys, public service easements, courts, walkways, bicycle trails, equestrian trails, recreation trails, vehicular and pedestrian access rights, slopes, storm drains, watercourses, floodplains, sewers, water lines, water rights, public utilities, traffic signal facilities, transit facilities, environmental enhancement, landscaping, parks, recreation areas, and for all other public uses not specified, if found to be required to conform to, or implement the Policy Plan (General Plan) component of The Ontario Plan or any element thereof, or any applicable specific plan, **planned unit development, master plan, and/or City standard**. Dedications may also be required by the City on behalf of any other public agency or district.

B. Dedication Requirements.

1. Dedications for streets and highways shall be to the width as designated by the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan and City standards, or as designated by an approved specific plan. Deviations may be allowed for streets and highway widths not shown in the Mobility Element, or in any approved specific plan, based upon the land use, traffic volumes or other factors as determined by the City Engineer.

2. Dedications for other public easements shall be based upon the need for service, accessibility, topography, clearances available, and other circumstances and factors as determined by the City Engineer.

C. **Method of Dedication.** Dedications shall be made to the City by the following prescribed methods:

1. **Final Map, Parcel Map, or Development Project.** All streets, highways, alleys, easements, and lots offered for dedication or to be dedicated shall be clearly indicated on the map **or development plan**. They shall be clearly described in the appropriate statement on the

title sheet of the map **or development plan**. Vehicular access right dedications shall likewise be shown and described on the final map.

2. Separate Instrument. Where dedications are made a requirement of the final approval of a Lot Merger, Development Plan, Conditional Use Permit, building permit, or any other permit, and no final map or parcel map is required to be filed and recorded as a condition thereof, the required dedications shall be made by separate instrument in a form approved by the city attorney, which shall be signed, executed and acknowledged by all parties having record title interest in the property or rights being dedicated. Preparation, execution and delivery of the fully executed instrument shall be made prior to the final approval by the City of the lot consolidation, lot combination, **development plan**, or permit being requested.

3. Fee Title. Fee title shall be granted by the subdivider when in the opinion of the City Engineer, in consultation with the City Attorney, it is necessary to carry out policies and requirements of the Policy Plan (General Plan) component of The Ontario Plan, and any City ordinance, resolution or standard.

D. Acceptance or Rejection of Dedications. Acceptance ~~or rejection~~ of dedications shall be in conformance with the following:

1. At the time of final map or parcel map acceptance and approval, the Approving Authority may accept or accept subject to improvement, ~~reject, or neither accept, nor reject~~ any or all dedications or offers of dedication. The City Clerk shall certify the action by the Approving Authority on the map.

2. **Until any dedication is accepted by the City by execution of a Certificate of Acceptance recorded in the office of the County Recorder, the City shall not be responsible for, and shall not incur, any liability with respect to the offered property.**

3. If any dedication is accepted, including but not limited to road or street, path, storm drain, sanitary sewer, water (potable or recycled), public utilities, and/or other public use easement, the acceptance shall be completed by the execution and recordation of a Certificate of Acceptance, recorded in the office of the County Recorder.

~~4. If any dedication is rejected, the City may accept all or part of the dedication at any later date, without any further action by the offerors. The City Council may, by resolution at any later date and without further action by or notice to the offerors, rescind its action, and accept the dedications for public use.~~

5. ~~Until any dedication is accepted by the City by execution of a Certificate of Acceptance recorded in the office of the County Recorder, the City shall not be responsible for, and shall not incur, any liability with respect to the offered property.~~ If any dedication is accepted subject to the completion and acceptance of public improvements, the City shall not be responsible for or incur any liability with respect to such dedication, unless and until the public improvements are completed by the subdivider and accepted by the City as evidenced by a notice of completion issued by the City Engineer pursuant to Section 6.08.040.J.4 of this Division. The ownership of and responsibility for the construction and maintenance of any public improvement is held by the subdivider and shall remain so until such time as the public improvements are completed and accepted.

6. Offers of Dedication may be terminated and abandoned in the same manner as prescribed for the abandonment or vacation of streets by the Streets and Highways Code (SHC), commencing with SHC Section 8300 or SHC Section 940, as applicable.

7. Acceptance of offers of dedication on a final map shall not be effective until the final map is filed in the office of the County Recorder, or a separate resolution of acceptance, approved by the City Council, is filed in such office.

~~8. If a resubdivision or reversion to acreage of the tract is subsequently filed for approval, any offer of dedication previously rejected shall be deemed to be terminated upon the approval of the map by the Approving Authority, except as provided in GC Section 66499.16, 66499.17 and 66499.18.~~

E. Dedication of Land for Public Access. All vehicular and pedestrian access rights shall be dedicated to the City for those lots abutting any major, primary, secondary or collector street, flood control channel, park, or bike trail, except at designated locations.

F. Dedication of Land for Public Schools. Pursuant to GC Section 66478, the City may reserve an elementary school site within a proposed subdivision for later purchase by the appropriate school district. Whenever there is consideration of an area for a public school site within a subdivision, the city shall notify the school district and the State Department of Education, in writing, of the proposed site. The notification shall include the identification of any existing or proposed airport runways within the distance specified in State Education Code Section 17215.

1. Standards. As a condition of approval of a tentative or vesting tentative map, and as allowed by state law, a subdivider who develops or completes the development of one or more subdivisions within the school districts serving said subdivision, shall dedicate to the school district such lands as the Approving Authority deems necessary, for the purpose of constructing elementary schools necessary to assure the residents of the subdivision adequate public school service.

2. Consistency with Policy Plan (General Plan). School sites offered for dedication shall conform to the policies in the Policy Plan (General Plan) component of The Ontario Plan and relevant specific plans, and the requirements of the school district.

3. Timing. The requirement of dedication shall be imposed at the time of approval of the tentative or vesting tentative map. If, within 30 days following the requirement to dedicate is imposed by the City, the school districts do not offer to enter into a binding commitment with the subdivider to accept the dedication, the requirement shall be automatically terminated. The required dedication may be made any time before, concurrently with, or up to 60 days following the filing of the final map on any portion of the subdivision.

4. Repayment of Costs. Upon accepting the dedication, the school district shall repay to the subdivider, or their successors, the original cost to the subdivider of the dedicated land, plus a sum equal to the total of the following amounts:

a. The cost of any improvements to the dedicated lands since acquisition by the subdivider;

b. The taxes assessed against the dedicated land from the date of the school district's offer to enter into the binding commitment to accept the dedication; and

c. Any other costs incurred by the subdivider in maintenance of such dedicated land, including interest costs incurred on any loan covering such land.

5. Exception. These dedication requirements for public school lands shall not apply to a subdivider who has owned the land being subdivided for more than 10 years prior to the filing of the tentative map.

G. Dedication for Streets. In order to meet the City's transportation goals as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, any subdivider or developer of land shall dedicate, or make an irrevocable offer of dedication, of all land within the subdivision or the site that is needed for public streets and alley ways.

1. When Required. The dedication, or irrevocable offer of dedication, of land for streets and alley ways shall be a condition of approval of any tentative tract or parcel map, or vesting map submitted pursuant to Section 4.02.095 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code, or the approval of any Development Plan submitted pursuant to Section 4.02.025 (Development Plans) of this Development Code, for the construction, alteration, or enlargement of any building or dwelling, or the establishment of any agricultural, commercial, or industrial land use. Furthermore, an owner, lessee, or agent constructing, altering, or enlarging a building or dwelling, or establishing an agricultural, commercial, or industrial land use, shall provide appropriate street dedication, or make an irrevocable offer of dedication, as a condition of building permit issuance, except that such dedications shall not be required for the following:

- a. Any accessory building that does not exceed 1,000 SF of GFA;
- b. Any alteration, enlargement, or addition that does not exceed 50 percent of the area of an existing building, dwelling, or land use, not to exceed 2,000 SF of GFA;
- c. The installation or construction of walls, fences, or signs;
- d. Temporary land uses not exceeding 30 days duration; and
- e. Unenclosed agricultural land uses legally established pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code.

2. Rights-of-Way. Street dedications shall include the full right-of-way required for the functional classification of roadway as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, and applicable specific plans, and Section 6.08.015 (Subdivision Design) of this Division.

3. Street Design. Streets to be dedicated to the City, as well as any private streets, shall follow the design specifications in Subsection 6.08.015.C (Street Rights-of-Way) of this Division.

~~4. Termination. Rejected offers of dedication may be terminated as described in GC Section 66477.2.~~

H. Dedication for Pedestrian and Bicycle Paths. Whenever a subdivider or developer is required to dedicate roadways to the public, a dedication of land may be required to provide bikeways and pedestrian paths for the use and safety of the residents of the subdivision, or to provide bikeways and pedestrian paths as shown in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, any bicycle or pedestrian master plan adopted

by the City, or an applicable specific plan. ~~Rejected offers of dedication may be terminated as described in GC Section 66477.1.~~

I. Dedication for Local Transit Facilities. In order to provide adequate local transit facilities, whenever a subdivider or developer is required to dedicate roadways to the public, a dedication of land shall be required for local transit facilities, such as bus turnouts, benches, shelters, landing pads, and similar items, that directly benefit the subdivision, or the community as a whole, as required by the Planning Director and/or the City Engineer, and as described in the Mobility Element of the Policy Plan (General Plan) component of The Ontario Plan, or an applicable specific plan. To facilitate a logical phasing of transit facility improvements, the City may require the payment of a fee in lieu of the construction and installation of required improvements.

J. Improvement of Bridges, Signals, and Thoroughfares. Pursuant to GC Section 66484 and Section 4.02.025 (Development Plans) of this Development Code, the subdivider or developer shall pay traffic impact fees for the purpose of defraying the actual or estimated cost of constructing major thoroughfares, other citywide transportation improvements or bridges. The City Council shall establish procedures and standards for determining the appropriate fees.

1. Construction, modification, or upgrading of traffic signals and appurtenances may be required as a condition of the approval of any subdivision, land division, development plan, or use or building permit, if the additional traffic generated by the tract or development, the safety of the traveling public, the increased use of the streets, or other circumstances necessitate the construction.

2. Where the development of a subdivision or other project will be phased over a period time, and, in the opinion of the City Engineer, the full effect of increased burden on the streets will not be realized immediately, the subdivider or developer may be required to deposit a cash amount in the estimated value of the traffic signal improvements ultimately to be made, which sum shall be used at such time as the construction of the signal and appurtenances is warranted. In lieu of a cash deposit, the subdivider or developer may be permitted to post a bond or other surety to guarantee the installation of required traffic signals in a form satisfactory to the City Engineer and City Attorney. The exact amount, details and timing of the deposit and future construction shall be subject to an agreement between the city and the subdivider or developer.

K. Groundwater Recharge Facilities. Pursuant to GC Section 66484.5, the subdivider shall pay fees for the purpose of constructing recharge facilities for the replenishment of the underground water supply in that area of benefit. The City Council shall establish procedures and standards for determining the appropriate fees.

L. Reservations for Other Public Uses. In addition to the dedications for specific public uses that this Section requires, the subdivider or developer shall reserve land within the subdivision for wells, fire stations, libraries, or other public uses, consistent with the Policy Plan (General Plan) component of The Ontario Plan and applicable specific plans, provided that:

1. Develop in an Orderly and Efficient Manner. The reserved area is of a size and shape that permits the balance of the property within which the reservation is located to develop in an orderly and efficient manner;

2. Feasibility of Development. The amount of land reserved will not make development of the remaining land held by the subdivider economically infeasible; and

3. Consistency with Policy Plan (General Plan). The reserved area shall conform to the Policy Plan (General Plan) component of The Ontario Plan and applicable specific plans, and shall be in such multiples of streets and lots as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period. In such an event, the subdivider shall make those changes that are necessary to permit the reserved area to be developed for the intended purpose, consistent with good subdividing practices.

M. Drainage Facilities and Grading. Drainage facilities shall be provided and installed as necessary to help protect the lots, parcels, buildings, and structures from flooding, and to minimize flooding of the public streets therein or abutting the property.

1. Facilities shall be designed to minimize the inundation of private properties from storm runoff emanating from a 100-year frequency storm.

2. Public streets shall be protected from flooding from runoffs of a 10-year frequency storm pursuant to City standards or approved equivalent. Protection to higher levels may be required by the City Engineer, dependent upon the degree of flood risk involved, the topography, location, local drainage patterns, and the requirements of the San Bernardino County Flood Control District.

3. Hydrologic and hydraulic calculations and studies for required facilities shall be subject to review and acceptance by the City Engineer and/or Building Official. All grading done in conjunction with the development of a tract or property shall be performed in conformance with the City's building code, the City grading standards, and good engineering practices.

4. On-site and off-site storm drain facilities, and site grading, shall be designed and constructed to prevent undue erosion of the site or off-site properties, and to prevent excessive deposits of mud, silt, or debris upon any public street or easement, or within any channel, storm drain facility, swale, or watercourse. The drainage facilities shall be designed in accordance with the City's drainage master plan, applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, and any applicable specific plan.

N. Sewage Facilities Improvements. Sewer mains, manholes, and appurtenances shall be constructed to serve each subdivision, lot, parcel, building or structure, and individual laterals shall be provided to each lot therein. All such facilities shall be installed prior to the paving of the streets, alleys, or improvement of the easements within the development. Sanitary sewers shall be constructed to the sizes, lines, grades, and design pursuant to City standards, and applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, or any applicable specific plan.

O. Water Supply System Improvements. Water mains, service meters, cross connection control devices, valves, fire protection facilities, and all other appurtenances of the water system shall be provided to the applicable City master plan(s), and water lines, grades, and design shall be pursuant to City standards, and as required by applicable elements of the Policy Plan (General Plan) component of The Ontario Plan, or any applicable specific plan.

P. Underground Utilities and Service Lines. Whenever any tentative tract or parcel map, development project, or map for the reversion of lots to acreage is filed, all electrical, telephone, cable television, and similar wires, cables, services, and appurtenances that provide direct service to the property being subdivided, divided, or developed, shall be installed underground, and all existing facilities providing direct service to the building, structure, or development being added

to or rebuilt, shall be underground as a condition precedent to the approval of the tentative tract or parcel map, by the City Council or City Engineer, as applicable.

Q. Development Impact Fees.

1. Prior to the issuance of a building permit for construction on any lot within any subdivision or development project, the applicant for such permit shall pay all development impact fees established by resolution or ordinance of the City.

2. The City Council may authorize by resolution, the imposition of development impact fees that are less than the maximum fees, to encourage the development of undeveloped and underdeveloped properties within the “Old Model Colony” area of the City.

3. Where it is determined that the public interest would be served by such an agreement, the City Manager is hereby authorized to negotiate and execute agreements on behalf of the City, in order to provide credits to a project applicant against certain development impact fees, in exchange for the applicant’s construction and dedication of public improvements on those reasonable terms and conditions as may be negotiated on a case-by-case basis, subject to approval by the City Council.

4. The City Manager is further authorized to negotiate and execute agreements to defer, waive, or reduce any development impact fees imposed upon an applicant for a particular development project, based upon evidence presented by the Applicant, that:

a. The development project will provide a general benefit to the health, safety, morals, and welfare of the citizens of the City, and will not only be of special benefit to the project applicant; or

b. Other properties to be benefitted by any development impact fee will not be unfairly burdened by the delay, reduction, or waiver of said development impact fee; or

c. Deferral, waiver, or reduction in development impact fees will result in a more fair funding arrangement, and in the case of waiver or reduction, the owner will receive insufficient or no benefit from the development impact fee imposed, and would, therefore, be required, if the fee(s) were imposed in full, to pay more than their fair share for the benefit received.

5. The required findings (Subparagraphs 4.a through c, above) and any resulting agreement(s) to defer, waive, or reduce any development impact fee(s) shall be subject to approval by the City Council.

R. Condemnation Proceedings. When any dedication, improvement or design is required by the City Engineer, and the subdivider or developer does not have full control of the land required in connection with the dedication, improvement or design, and condemnation proceedings are necessary as determined by the City, the subdivider or developer shall pay all necessary and reasonable costs involved in the condemnation or acquisition including, but not limited to, appraisal and court costs.

6.08.040: Improvement Plans and Security**A. Design of Improvement Plans.**

1. Following approval of a development project, tentative tract or parcel map, or vesting tentative map, and prior to the submission of any final map or parcel map, the subdivider or developer shall prepare and submit complete sets of improvement plans and cost estimates for any improvement(s) required.

2. The acceptance of all required improvement plans by the City Engineer shall be a prerequisite to the approval of the final map or parcel map, and in the case of a development project, shall be prerequisite to the issuance of any building permit.

3. All public or private improvement plans, profiles, descriptions, studies, calculations, notes, surveys and drawings required pursuant to this Division shall be provided at no expense to the City and shall be prepared pursuant to the requirements of this Section and as required by the City Engineer.

4. Construction plans for street, alley, drainage, sewer, and water improvements, traffic signals, and streetlights, and for any other required improvements, shall be drawn on standard City mylar film, in indelible ink, and shall be filed with the City Engineer for checking and review prior to their acceptance. All maps, sketches, descriptions, estimates, plans and other drawings and items required to fulfill the requirements of this Division shall also be provided in the form, content, number, and details as specified by the City Engineer.

5. The plans and profiles of all required and proposed public and private improvements in a subdivision or development plan shall be furnished to the City Engineer and shall be ready for acceptance before a final map of the subdivision or the development plan is presented to the Approving Authority for approval.

6. No construction work shall commence on any of the improvements shown on any construction or improvement plans required herein until the plans have been reviewed, approved, and signed by the City Engineer. After acceptance and signature by the City Engineer, all original drawings shall become the property of the City.

B. Application Requirements. The improvement plans shall be prepared by or under the direction of a registered civil engineer licensed by the state of California, and shall show the complete plans, profiles and details for all streets and appurtenances, storm drainage, water systems and fire hydrants, sewers, utilities, grading and all other improvements proposed or necessary, on-site and off-site. They shall meet all the requirements deemed necessary by the City Engineer.

C. Application Review Process.

1. Upon receipt of a complete set of improvement plans, the City Engineer shall cause the plans to be reviewed and return one set to the applicant or their engineer, with the required revisions, if any, marked thereon.

2. When the plans are found to be complete and satisfactory to the City Engineer, the applicant shall submit copies in the number and term deemed necessary by the City Engineer. The copies shall be accompanied by any additional number of complete sets of copies the

applicant, their engineer, and contractors may require, to be noted as approved by the City Engineer.

D. Acceptance by City Engineer.

1. Upon finding that all required revisions have been made, all required fees have been paid, and the plans conform to all applicable City ordinances, standards, and conditions of approval imposed upon the tentative map **or development plan**, the City Engineer shall accept the improvement plans.

2. Pursuant to GC Section 66456.2, the City Engineer shall act within 60 days of receiving the preliminary improvement plans and calculations, except that at least 15 days shall be provided for processing any resubmitted improvement plan. The period of 60 days shall not include any days during which the improvement plans have been returned to the subdivider for corrections or have been subject to review by any party other than the City or a private entity contracted by the City.

3. The City Engineer's acceptance of improvement plans shall not relieve the subdivider **or developer** of responsibility for the design of the improvements and for any deficiencies in the improvements.

E. Permit Required. The subdivider **or developer** shall not commence work on any portion of improvements prior to the issuance of an encroachment permit and payment of **inspection applicable permit and inspection** fees. The City Engineering Department shall be notified in advance of commencement of any portion of the work.

F. Construction of Improvements.

1. All construction methods and materials for improvements shall conform to the approved improvement plans, the requirements of the applicable construction permit, and any other applicable City standards and requirements.

2. All construction of improvements is subject to inspection by the City Engineer. The subdivider **and/or developer** shall notify the City Engineer before beginning the construction of any improvements. The City shall always have full access to the improvement work during its construction.

G. Completion of Improvements/Subdivision Improvement Agreement.

1. If any public improvement required with the approval of a subdivision will not be completed and accepted pursuant to Section 6.08.035 (Dedications and Improvements) of this Division, prior to approval of the final map, the subdivider, at their expense, shall enter into a Subdivision Improvement Agreement as a condition precedent to approval of the final map, to complete the public improvements. Performance of the Subdivision Improvement Agreement shall be guaranteed by the security specified in Subsection I (Improvement Security) of this Section, and GC 66499 et seq.

2. A subdivision improvement agreement shall be prepared by the City Engineer in a form approved by the City Attorney, and shall provide for the following:

a. Construction of all improvements shall be as set forth in the approved plans and specifications;

b. The maximum period within which all improvements shall be completed to the satisfaction of the City Engineer;

c. Provisions for inspection of all improvements by the City Engineer and payment of fees by the subdivider for the cost of such inspection and all other incidental costs incurred by the City in enforcing the agreement;

d. If the subdivider fails to complete the work within the specified period of time, or any extended period of time that may have lawfully been granted to the subdivider, the City may, at its option, complete the required improvement work and the subdivider and their surety shall be firmly bound, under a continuing obligation, for payment of the full cost and expense incurred or expended by the City in completing such work, including interest from the date of notice of said cost and expense until paid;

e. In the event of litigation occasioned by a default of the owner or subdivider, his successors or assignees, the owner or subdivider, their successors or assignees will pay all costs involved, including reasonable attorney's fees, and that the same may be recovered as part of a lien against the real property; and

f. Additional terms or provisions, as may be necessary, pertaining to the forfeiture, collection, and disposition of improvement security upon the failure of the contracting party to comply with the terms and provisions thereof or with the terms and provisions of this Development Code.

3. A subdivision improvement agreement shall be valid for a period specified in the agreement, but not to exceed 2 years from the effective date of the agreement.

a. The term of a subdivision improvement agreement may be extended at the discretion of the City Engineer.

b. A subdivision improvement agreement shall not only bind the present subdivider, but also all heirs, successors, executors, administrators, and assignees, so that the obligation runs with the real property. All agreements shall be executed by all those parties executing the final or parcel map.

H. Inspection of Improvements.

1. The construction of improvements required pursuant to this Division shall be subject to inspection and testing by the City Engineer to ensure compliance with the standards and specifications specified and required by this Division. All work and improvements must be found to conform to the standards and specifications as a condition of the City's acceptance and release of any improvement securities held therefor.

2. No construction shall commence or continue without arrangements first having been made with the City Engineer for inspection. The City Engineer and his authorized representatives shall have the right to stop any work, refuse to inspect any work, or reject any or all work and construction if it is found that the work is unauthorized, is unsafe in any way to the workers or the public, is inferior in materials or workmanship, was performed without inspection, or does not meet or comply with city standards, specifications, or city-approved construction plans. Reasonable access to the construction and work shall be provided at all times so that full

knowledge of the progress, workmanship, and character of the materials used in the work can be gained.

3. Upon completion of the **subdivision required** improvements, the subdivider **or developer** shall apply in writing to the City Engineer for preliminary final inspection. The City Engineer shall conduct a preliminary final inspection and prepare a deficiency list, noting all additional work to be performed and deficiencies in existing work to be corrected. The City Engineer shall provide a copy of the deficiency list to the subdivider **or developer**. If there are an excessive number of deficiencies or missing improvements, the City Engineer may choose to postpone the inspection.

4. After the subdivider **or developer** has corrected all of the items on the deficiency list, the subdivider **or developer** shall apply to the City Engineer for final inspection. The City Engineer shall conduct a final inspection and verify that the items on the deficiency list have been corrected. Upon verification, and after receiving record drawings (improvement plans), the City Engineer shall accept the improvements and issue a notice of completion to the subdivider **or developer**.

5. The City Engineer's acceptance of improvements shall not relieve the subdivider **or developer** of responsibility for correcting any deficiency that subsequently is discovered.

I. Improvement Security. Performance of a subdivision improvement agreement required pursuant to Subsection G (Completion of Improvements/Subdivision Improvement Agreement) of this Section shall be guaranteed by the security specified herein and GC Section 66499 et seq. **Any public improvement required with the approval of the Development Plan submitted pursuant to Section 4.02.025 (Development Plans) of this Development Code, at the discretion of the City Engineer, shall be guaranteed by the security specified herein.**

1. Acceptable Forms of Required Improvement Security. Improvement securities shall be posted as a guarantee of the performance of any act, improvement, or obligation required as a condition of approval of any final map or parcel map, parcel map waiver, lot line adjustment, ~~or~~ lot merger **or development project**. Unless otherwise provided herein, all such improvement securities shall be provided in one of the following forms, subject to approval and acceptance by the City Engineer and City Attorney:

a. *Bonds by Authorized Corporate Sureties.* One or more bonds by one or more duly authorized corporate sureties substantially in the form prescribed by the Subdivision Map Act, and subject to approval and acceptance by the City Attorney and City Council;

b. *Negotiable Bonds or a Letter of Credit.* A deposit with the City of immediately negotiable bonds or a letter of credit; or

c. **Cash and/or Negotiable Bonds of The Kind Approved for Securing Deposits of Public Moneys.** A deposit with the City or a responsible escrow agent or trust company, at the option of the City, of cash and/or negotiable bonds of the kind approved for securing deposits of public moneys; or

d. *Lien or Other Security Interests.* Any other form of security, including a lien or other security interests in real property, which the City Engineer and the City Attorney may, in their discretion, allow; provided, they determine that it is equivalent to the foregoing forms of security in terms of security and liquidity. Any written contract or document creating security interests shall be recorded in the Office of the County Recorder. From the time of recordation, a

lien shall attach to the real property described therein, which shall have the priority of a judgment lien in the amounts specified.

2. Required Security Amounts. ~~The subdivider shall provide as security to the City:~~

a. *Performance and Guarantee.* ~~The subdivider or developer shall provide an amount determined by the City Engineer, equal up to 100 percent of the total estimated cost of the improvement to be performed, including costs and fees incurred by the City. The estimated cost of improvement shall include a 10 percent contingency and a 10 percent increase for projected inflation computed to the estimated mid-point of construction; and~~

b. *Payment.* ~~The subdivider or developer shall provide an amount determined by the City Engineer, equal up to 100 percent of the total estimated cost of the improvement to be performed, excluding grading and monumentation.~~

3. Release of Improvement Security. Improvement security may be released upon the final completion and acceptance of the act or work by the City Engineer; provided, however, such release shall not apply to the amount of security deemed necessary by the City Engineer for the guarantee and warranty period, nor to costs and reasonable expense fees, including reasonable attorney's fees incurred by the City in enforcing any improvement agreement. The subdivider ~~or developer~~ shall not be entitled to any reduction in security, except pursuant to Paragraph 4 (Partial Release of Improvement Security), below, until all improvements have been completed to the satisfaction of, and have been accepted by, the City Engineer.

4. Partial Release of Improvement Security. A partial release of performance security may be requested in writing from the Engineering Department. The portion of the performance security, in conjunction with ~~acceptance of~~ the satisfactory completion of a part of the improvements as the work progresses, may be released upon the approval of the City Engineer, subject to the following:

a. No release shall be considered until at least 50 percent of the improvements are completed ~~and accepted by the City;~~

b. No release shall be ~~considered~~ for an amount less than 10 percent of the original total improvement security given for performance and guarantee;

c. ~~An amount of up to 200 percent of the revised estimated construction cost for the remaining required improvements shall be required for the substitute security (or the remaining security) shall not be less than 150 percent of the revised estimated construction cost for the remaining required improvements;~~

d. The City Engineer is responsible for reviewing all applications and shall determine the amount of substitute security required in accordance with Subparagraph 1.4.c, above; and

e. The original performance security may be released only upon receiving the proper substitute security, which has been determined acceptable by the City Attorney and the City Engineer.

J. Completion of Improvements.

1. Public improvements required as a condition of approval shall be completed pursuant to this Division, unless they are deferred pursuant to Subsection K (Deferred Improvements) of this Section. The City Engineer shall review and approve any improvement agreement, conduct an inspection, and approve any constructed public improvement necessary to satisfy this provision, with the City Council delegating final approval to the City Engineer of any agreement or acceptance of any completed public improvement.

2. Once begun, public improvements for a final tract or parcel map, or development plan when required, shall be constructed to completion without interruption. The subdivider or developer shall exercise due diligence to ensure that this provision is met to the satisfaction of the City Engineer. Construction and inspection of public improvements shall be governed by City standards and the requirements of any applicable permit.

3. Notwithstanding any applicable agreement, the construction and maintenance of any public improvement is the responsibility of the subdivider or developer and shall remain so until such time that the City Council accepts the completed public improvements.

4. Upon acceptance of a public improvement, the City Engineer shall provide a notice of completion for that public improvement and shall release applicable securities for that public improvement. This action shall serve to transfer ownership and maintenance responsibility of the public improvement from the subdivider or developer to the City, and to provide full acceptance of the applicable dedication or easement, which acceptance had been contingent upon completion and acceptance of public improvements within said dedication or easement, subject to the terms of any applicable agreement.

K. Deferred Improvements. The Approving Authority for a tentative map or parcel map shall be responsible for approving any request for the deferred construction of on-site and off-site improvements required by a tentative map or parcel map. The City Attorney shall approve the form and content of all deferred improvement agreements prior to the City accepting the document.

6.08.045: Common Interest Subdivisions

A. Purpose. The purpose of this Section is to establish criteria for the establishment of common interest subdivisions. For the purposes of this Section, the term “common interest subdivision” means a community apartment, condominium, planned development, or stock cooperative.

B. Applicability. The herein prescribed regulations shall be implemented in conjunction with the establishment of any common interest subdivision in the City.

C. Common Interest Subdivisions are Exempt from Minimum Lot Area and Building Setback Requirements. Common interest subdivisions shall be exempt from the minimum lot area and building setback regulations applicable to individually numbered and/or lettered lots identified on a tract or parcel map, excepting one-lot subdivisions. For the purposes of a common interest subdivision, any minimum lot area requirement shall be applied to the overall area of the common interest subdivision. Furthermore, any minimum building setback requirement shall only be applied to the exterior boundary of the common interest subdivision.

D. Recordation of a Tract or Parcel Map is Required. The establishment of a common interest subdivision shall require the approval and recordation of a tract or parcel map pursuant to the provisions of the Subdivision Map Act (commencing with GC Section 66410), Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) and Section 4.03.030 (Final Maps and Parcel Maps) of this Development Code, and all applicable requirements of this Division.

E. Recordation of Covenants, Conditions, and Restrictions (CC&Rs). Covenants, conditions, and restrictions, if required, shall be recorded concurrently with the final map or parcel map, required pursuant to Subsection D (Recordation of a Tract or Parcel Map is Required), above, in the office of the San Bernardino County Recorder.

1. The purpose of the covenants, conditions, and restrictions is to guarantee compatibility and coordination of all lots or units within a common interest subdivision in terms of access, parking, landscaping, recreation facilities, open space, property and landscape maintenance, and architecture. Furthermore, the covenants, conditions, and restrictions shall establish a property owner (or homeowner) association for the purpose of maintaining common areas and facilities, enforcement of the covenants, conditions, and restrictions, regulation of operations and uses within the development, and ensuring continued architectural and landscaping compatibility within the development.

2. The covenants, conditions, and restrictions shall be subject to approval and acceptance by the Planning Director and City Engineer prior to recordation. Furthermore, the City may be required to be a non-voting member of the association and maintain the right of enforcement of the covenants, conditions, and restrictions.

3. The covenants, conditions, and restrictions shall include the establishment of a specific methodology or procedure for enforcement of its provisions by the City, if adequate maintenance of the development does not occur. Such procedures may include, but is not limited to, granting the City the right of access to correct maintenance issues and assess the property owner (or homeowner) association for all costs incurred by the City.

F. Recordation of a Condominium Plan. The establishment of a condominium shall require the approval of a Condominium Plan by the City and the recordation of said Condominium Plan in the office of the San Bernardino County Recorder, prior to the sale of the first dwelling unit.

6.08.050: Conversion to a Residential Common Interest Project

This Section shall apply to the conversion of any existing residential real property to a common interest project, including condominium, community apartments, stock cooperative project, or any other similar form of common ownership, except conversion projects for which a final or parcel map has been approved prior to the effective date of this Development Code, or where the conversion involved a limited equity housing cooperative as defined in HSC Section 33007.5. All provisions, conditions, and further definitions of condominium development, as included in the California Civil Code, shall apply to the divisions of real property as permitted herein.

A. Purpose. The purpose of this Section regulating conversions to a residential common interest project is as follows:

1. Establish criteria for the conversion of existing single-family and multiple-family rental housing to community apartments, condominiums, planned developments, or stock cooperatives;

2. Ensure that converted housing achieves high quality appearance and safety, and is consistent with the goals and policies of The Ontario Plan;

3. Endeavor to maintain a reasonable balance of ownership and rental housing within the City, and a variety of housing choices of varying tenure, type, price, and location;

4. Ensure that the purchasers of community apartments, condominiums, planned developments, or stock cooperatives converted from existing rental housing stock have been properly informed as to the physical condition of dwellings offered for purchase; and

5. Ensure compliance with all requirements of applicable development, building, fire codes, plumbing, and electrical codes, and other applicable State and local laws and regulations, in effect at the time of filing of the tentative subdivision maps for conversion.

B. Applicability. Any conversion to a residential common interest project, including a community apartment, residential condominium, residential planned development, or residential stock cooperative, shall be subject to all applicable provisions of the Subdivision Map Act (commencing with GC Section 66410), the requirements of this Section, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

C. Application Requirements. A residential common interest project conversion request shall consist of the following:

1. Subdivision Application. A subdivision application as required by Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code.

2. Physical Elements Report. A report on the physical elements of all structures and facilities shall be submitted with the tentative or vesting tentative map. The report shall include, but not is limited to, the following:

a. Architect's or Engineer's Report. A report by a licensed architect or engineer detailing the structural condition of all elements of the property, including foundations, electrical, plumbing, utilities, walls, ceiling, windows, recreational equipment, parking facilities, appliances, and fixtures. The report shall state, to the best knowledge or estimate of the applicant, the following:

(1) When the element was constructed or installed;

(2) The condition of each element;

(3) When the element was replaced;

(4) The approximate condition of each element;

(5) Any variation or non-compliance of the element from this Development Code and the Building Code in effect on the date the last building permit was issued for the subject structure;

(6) The approximate date upon which the application for conversion was filed and accepted by the city; and

(7) The report shall identify any defective or unsafe elements and set forth the proposed corrective measures to be employed.

b. Pest Control Report. A report from a licensed structural pest control operator, approved by the city, on each structure and each unit within the structure.

c. Soils and Geological Hazard Reports. Soils and geological hazard reports prepared pursuant to Section 6.08.025 (Reports) of this Division, regarding soil deposits, rock formations, faults, groundwater, landslides, and liquefaction within the vicinity of the project, and a statement regarding any known evidence of soil problems relating to the structures. Reference shall be made to any previous soils reports for the site and a copy submitted with the report.

d. Repairs and Improvements Report. A statement of repairs and improvements to be made by the subdivider necessary to refurbish and restore the project to achieve a high degree of appearance and safety.

e. Notice to Tenants. The subdivider shall supply proof of all written notices as required by the Subdivision Map Act for conversion projects, as listed in Subsection E (Notice to Tenants) of this Section.

f. Plans and Information. The subdivider shall provide plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the conversion, as identified on the applicable City application forms.

g. Proposed Declaration. The subdivider shall provide a proposed declaration, as required by CC Section 1353. The declaration must include an agreement for the creation of an association responsible for common area maintenance, a clear designation of parking and signage rights, and a method for resolving differences.

h. Development Plan Application Required. The developer shall submit a Development Plan application for approval of the conversion pursuant to Section 4.02.030 (Development Plans) of this Development Code.

D. Procedures.

1. Notification and Hearing Requirements. A final subdivision map creating a community apartment, condominium, planned development, or stock cooperative from the conversion of rental housing units, unless the subdivider shows that the following notification procedures have been fulfilled:

a. Each of the tenants or prospective tenants of the proposed community apartment, condominium, planned development, or stock cooperative project has received or will receive each of the notices included in the Subdivision Map Act (commencing with GC Section 66410), including the following:

(1) Written notification pursuant to GC Section 66452.8 and GC Section 66452.9, of intention to convert, provided at least 60 days prior to the filing of a tentative map;

(2) Written notification at least 10 days prior to the date of the public hearing at which the Approving Authority will review the Conditional Use Permit for the requested conversion in compliance with GC Section 65090 and GC Section 65091. Notice shall also be mailed to the owner of the subject property, as well as all property owners within 300 FT of the subject property, as shown on the last equalized tax assessor roll. In addition, a notice of public hearing shall be published at least once in a newspaper of general circulation at least 10 days prior to the hearing;

(3) Written notification pursuant to GC Section 66427.1(a) that each tenant shall receive a 10-day notice that a final public report will be, or has been, submitted to the Department of Real Estate, that the period for each tenant's right to purchase begins with the issuance of the report, and that the report will be available from the City, upon request;

(4) Written notification that the subdivider has received the public report from the Department of Real Estate. This notice shall be provided within 5 days after the date that the subdivider receives the public report from the Department of Real Estate;

(5) Written notification within 10 days following approval of a final map for the proposed conversion;

(6) Upon approval of a final map for the proposed conversion, written notification shall continually be delivered to all prospective tenants prior to execution of a rental agreement using the form in GC Section 66459(a). Failure to do so will not be grounds to deny the conversion, but will require the subdivider to pay each prospective tenant who was entitled to that notice, an amount as indicated in GC Section 66459(f);

(7) Written notification pursuant to GC Section 66452.11 shall be provided to all affected tenants at least 180 days prior to termination of tenancy due to the conversion or proposed conversion, but not before the City has approved a tentative map for the conversion. The notice given pursuant to this subparagraph shall not alter or abridge the rights or obligations of the parties in performance of their covenants, including, but not limited to, the provision of services, payment of rent, or the obligations imposed by CC Section 1941, 1941.1, and 1941.2; and

(8) Notice of an exclusive right to contract for the purchase of a tenant's respective unit upon the same terms and conditions that the unit will be initially offered to the general public, or terms more favorable to the tenant. The exclusive right to purchase shall commence on the date the subdivision public report is issued, as provided in BPC Section 11018.2, and shall run for a period of not fewer than 90 days, unless the tenant gives prior written notice of their intention not to exercise the right. Notice shall be given using the form included in GC Section 66452.12(b).

b. If a rental agreement was negotiated in a language other than English, all required written notices regarding the conversion of residential real property into a community apartment, condominium, planned development, or stock cooperative project shall be issued in that language.

2. Division of Airspace Not Required. A map of a community apartment, condominium, planned development, or stock cooperative project need not show the buildings or the manner in which the buildings or the airspace above the property shown on the map are to be divided. The City does not have the right to refuse approval, of a conversion project

(tentative or final map, or parcel map), based upon the manner in which the airspace is divided or any of the provisions listed in GC Section 66472.

3. Limitation on the Number of Rental Housing Units Converted Within a Current Calendar Year. The conversion of rental housing units to a community apartment, condominium, planned development, or stock cooperative, shall not result in the conversion of more than 5 percent of the potentially convertible rental units in the City during any current calendar year.

E. Notice to Tenants.

1. Tenant Notifications. The developer shall notify current and potential tenants according to Paragraph D.1 (Notification and Hearing Requirements) of this Section and the Subdivision Map Act.

2. Tenant Rights.

a. *Tenants Right to Purchase*. As provided in GC Section 66427.1(b), any present tenant or tenants of any housing unit shall be given a nontransferable right of first refusal to purchase the unit occupied at a price no greater than the price offered to the general public. The right of first refusal shall extend for at least 60 days from the date of issuance of the subdivision public report pursuant to BPC Section 11018.2, unless the tenant gives prior written notice of his intent not to exercise the right.

b. *Vacation of Units*. Each tenant that does not purchase a housing unit, and is not in default under the obligations of the rental agreement or lease under which they occupy the unit, shall have no fewer than 180 days from the date of receipt of notification from the owner of their intent to convert, or from the filing date of the final map, whichever date is later, to find substitute housing and to relocate. Tenants shall have the right to terminate leases at any time after receiving the notice.

c. *Increase in Rents*. From the date of submittal of the tentative or vesting tentative map, until the sale of the unit, no tenant's rent shall be increased more frequently than once every 12 months, at a rate no greater than the Consumer Price Index, as compiled by the Federal Bureau of Labor Statistics. This limitation shall not apply if rent increases are provided for in leases or contracts in existence prior to the filing date of the tentative map.

d. *Notice to New Tenants*. After submittal of the application to convert, any prospective tenant shall be notified in writing by the developer of the intent to convert prior to leasing or renting any unit and shall not be subject to the provisions of Subparagraph E.2.c (Increase in Rents) of this Section.

e. *Senior Citizens, the Handicapped, and the Disabled*. The developer shall be required to retain ownership of units occupied at the time of filing of the tentative map by senior citizens (persons 62 years of age or older) or the handicapped (as defined by HSC Section 50072) or the disabled (as defined by 42USC423), for a period of one year from the date of approval by the Approving Authority.

F. Standards for Conversion.

1. Building and Physical Standards.

a. The community apartment, condominium, planned development, or stock cooperative conversion project, and all individual units and common areas contained therein, shall comply with all applicable existing and current development, building (including energy conservation and sound transmission), fire, and subdivision requirements, unless legally nonconforming.

b. The community apartment, condominium, planned development, or stock cooperative conversion project shall comply with all applicable provisions of Ontario Municipal Code Chapter 11 (Security Standards for Building).

c. The consumption of gas, electricity and water within each unit shall be separately metered so that the unit owner can be separately billed for each unit. Each unit shall have its own panel, or access thereto, for all electrical circuits that serve the unit. The requirements of this subsection may be waived where the Approving Authority finds that full compliance with this provision would not be practicable and the developer submits an alternative plan approved by the Approving Authority.

d. The electrical, plumbing, mechanical, fire, and life safety systems of the structure shall be placed in a condition of good repair and maintenance.

e. The buildings and facilities shall be upgraded to meet the requirements of Ontario Municipal Code Title 5, Chapter 29 (Noise). The Approving Authority may require additional insulation or other upgrades to reduce noise to an acceptable level.

f. The developer shall dedicate land or easements for street widening, public access, or other public purposes in connection with the project, where determined necessary by the Approving Authority and in conformance with this Development Code.

g. All on-site and adjacent overhead utility service lines and poles shall be converted to an underground system consistent with the requirements of this Development Code.

h. All main buildings, structures, fences, patio enclosures, carports, irrigation systems, landscaped areas, accessory buildings, sidewalks, driveways and additional elements as required by the Approving Authority shall be refurbished and restored as necessary, to achieve a high quality appearance and safety.

i. If Development Impact Fees have not previously been paid for the affected residential units, the required fees shall be paid prior to the recordation of the final map, or as otherwise required by City ordinance.

j. The developer shall provide each purchaser with a copy of the below-listed items, prior to executing any purchase agreement or other contract to purchase a unit within the project and shall give the purchaser sufficient time to review the information. Copies of the information shall also be made available at all times at the sales office and a notice indicating that the reports and documentation are available shall be posted on the project site, at locations approved by the Planning Director. In addition, copies of the required reports and documentation shall be provided to the Homeowners Association upon its formation.

(1) Reports and documentation required by Paragraph C.2 (Physical Elements Report) of this Section, in their final form as accepted by the City; and

(2) A copy of the covenants, conditions, and restrictions, and a project maintenance plan.

k. Other conditions may be applied as deemed necessary by the Approving Authority to further the intent of this Section.

2. Securities and Penalties. All improvements and alterations required pursuant to this Section and all other applicable requirements of this Development Code, the Ontario Municipal Code, and the conditions of project approval, shall be made prior to the approval of the final map or parcel map, or upon approval of the Planning Director, City Engineer, and Building Official, and a deposit paid to the City pursuant to Division 2.06 (Performance Guarantees), to assure the completion of all required work prior to the closing of escrow on any unit within the project. The deposit shall be accompanied by an agreement by the developer, and owner of the project if different from the developer, in a form to be approved by the city attorney, guaranteeing completion of the work.

G. Findings. The Approving Authority, prior to approving a tentative tract or parcel map, or a Conditional Use Permit, for the conversion of rental housing units to a common interest project, including a community apartment, residential condominium, residential planned development, or residential stock cooperative, shall find and clearly establish the following findings:

1. Not Detrimental. All provisions of this Section have been met and the project will not be detrimental to the health, safety, or welfare of the community;

2. Consistency with The Ontario Plan. The proposed conversion is consistent with the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan;

3. Conformity with Title. The proposed conversion conforms to all applicable requirements of this Development Code; and

4. Housing Diversity. The proposed conversion of rental housing units to a community apartment, condominium, planned development, or stock cooperative, will not have an adverse effect on the diversity of housing types available in the City.

6.08.055: Conversion to a Nonresidential Common Interest Project

This Section shall apply to the conversion of any existing nonresidential real property to a common interest project, such as condominiums or any other similar form of common ownership, except conversion projects for which a final or parcel map has been approved prior to the effective date of this Development Code. All provisions, conditions, and further definitions of condominium development, as included in the California Civil Code, shall apply to the divisions of real property as permitted herein.

A. Purpose. The purpose of this Section is to provide a legal process for the conversion of existing nonresidential buildings to a common interest ownership, such as a condominium, so as to protect both the community and the purchasers of units within a common interest project. This Section provides regulations to ensure adequate and safe building design and maintenance for all industrial and commercial common interest conversions, in order to achieve this goal.

B. Applicability. Any conversion to a nonresidential common interest project shall be subject to all applicable provisions of the Subdivision Map Act (commencing with GC Section 66410), the requirements of this Section, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

C. Application Requirements. A request for the approval of a parcel map for a nonresidential common interest project conversion, must be accompanied by the following items:

1. **Subdivision Application.** A subdivision application as required by Section 4.02.100 (Subdivisions—Tentative Tract and Parcel Maps, and Vesting Maps) of this Development Code.

2. **Physical Elements Report.** A physical elements report shall be submitted for each structure and/or facility, as described in Paragraph C.2 (Physical Elements Report) of Section 6.08.045 (Conversion to a Residential Common Interest Project) of this Division.

3. **Notice to Tenants.** Proof of all written notices required by the Subdivision Map Act for conversion projects, as listed in Subsection E (Notice to Tenants) of Section 6.08.045 (Conversion to a Residential Common Interest Project) of this Division.

4. **Plans and Information.** Provide plans, maps, reports, special studies, exhibits, and any other information deemed necessary by the City to process the conversion, as identified on the applicable City application forms.

5. **Proposed Declaration.** Provide a copy of the declaration required by CC Section 1353. The declaration must include an agreement for the creation of an association responsible for common area maintenance, a clear designation of parking and signage rights, and a method for resolving differences.

6. **Development Plan Application Required.** The developer shall submit a Development Plan application for approval of the conversion pursuant to Section 4.02.030 (Development Plans) of this Development Code.

D. Procedures.

1. **Acceptance of Reports.** The final form of the reports and other documents required under Subsection C (Application Requirements) of this Section shall be as approved by the City. The reports, in their accepted form, shall remain on file with the City for review by the public. The subdivider shall provide each purchaser with a copy of the reports in their final, accepted form.

2. **Inspection.** In conjunction with the filing of a nonresidential common interest project conversion request, the subdivider shall request that an inspection of the premises be made by the Building Official and the City Engineer. The inspection shall include structures, common areas, site improvements, public improvements, and all other related facilities. A deficiency list shall be compiled during the inspection, which lists all necessary corrections required to conform to the requirements of this Section and all other applicable codes and ordinances.

3. **Corrective Work.** Upon completion of the inspection required pursuant to Paragraph D.2 (Inspection), above, a copy of the deficiency list shall be transmitted to the subdivider. All deficiencies shall be corrected to the satisfaction of the City prior to filing a final map or parcel map. When plans for corrective work are required, they shall be as approved by the appropriate city official, prior to the filing of the final map or parcel map.

4. Payment of Inspection Fees. The City shall charge the usual fees, if applicable, or an hourly fee for the inspection and processing according to an estimated actual hourly cost to the city. The owner shall post a cash deposit in an amount equal to the estimated cost of inspection. The deposit will be applied toward the inspection fee, with any refund or balance due to be resolved before the approval of the final map by the Approving Authority. Any unpaid balances shall be paid prior to recordation of the final map.

E. Standards for Conversion.

1. Building and Physical Standards.

a. Building Regulations. The project shall conform to the applicable standards of the City's Building Code that was in effect at the time the last building permit was issued for the affected structures.

b. Fire Prevention. Each unit shall be provided with a fire-warning system conforming to the City's Building Code. All fire hydrants, fire alarm systems, portable fire extinguishers and other fire protective appliances shall be retained in an operable condition at all times.

c. Sound Transmission.

(1) *Vibration Transmission.* All permanent mechanical equipment, such as motors, compressors, pumps, compactors, or any item determined by the Building Official to be a source of structural vibration or structural-borne noise shall be vibration-isolated with inertia blocks or bases, or vibration isolator springs, in a manner approved by the Building Official.

(2) *Noise Standards.* The structures shall conform to all interior and exterior sound transmission standards of CCR Title 24, the City's Building Code, and the requirements of Ontario Municipal Code Chapter 29 (Noise). The Approving Authority may require additional insulation or other upgrades to reduce noise to an acceptable level.

d. Utility Metering. Each unit shall be separately metered for gas, electricity and water, unless the covenants, conditions, and restrictions provide for the property owner association to take responsibility for these utilities.

e. Landscape Maintenance. All landscaping shall be restored, or new landscaping shall be installed, to achieve a high degree of appearance and quality pursuant to Division 6.05 (Landscaping) of this Development Code. Provisions shall be made within the declaration required pursuant to Paragraph C.5 (Proposed Declaration) of this Section, for continuing maintenance of all landscaped areas. Existing landscaping is subject to review and approval by the Approving Authority. If new landscaping is proposed, the design of all landscaping is subject to review and approval by the City.

f. Off-Street Parking and Loading. Off-street parking and loading shall be provided pursuant to the requirements of Division 6.03 (Off-Street Parking and Loading) this Development Code, for allowed commercial and industrial land uses, as applicable.

g. Refurbishing and Restoration of Improvements. Each main building, structure, fence, accessory building, sidewalk, driveway, landscaped area, utilities, and additional element as required by the department shall be refurbished and restored as necessary to achieve

a high degree of appearance, quality and safety. The refurbishing and restoration is subject to review and approval by the department.

h. Building Security Standards. Each unit shall comply with all applicable provisions of Ontario Municipal Code Chapter 11 (Security Standards for Building).

i. Dedication of Land and Easements. The developer shall dedicate land or easements for street widening, public access, or other public purposes in connection with the project, where determined necessary by the Approving Authority, and in conformance with this Development Code.

j. Undergrounding of Overhead Utilities. All on-site and adjacent overhead utility service lines and poles shall be converted to an underground system consistent with the requirements of this Development Code.

k. Copies of Reports and Documentation to be Provided to New Property Owners. The developer shall provide each purchaser with a copy of the below-listed items, prior to executing any purchase agreement or other contract to purchase a unit within the project and shall give the purchaser sufficient time to review the information. In addition, copies of the required reports and documentation shall be provided to the Property Owner Association upon its formation.

(1) Reports and documentation required by Paragraph C.2 (Physical Elements Report) of this Section, in their final form as accepted by the City; and

(2) A copy of the covenants, conditions, and restrictions.

l. Additional Conditions. Additional conditions may be applied as deemed necessary by the Approving Authority to further the intent of this Section.

2. Securities and Penalties. All improvements and alterations required pursuant to this Section and all other applicable requirements of this Development Code, the Ontario Municipal Code, and the conditions of project approval, shall be made prior to the approval of the final map or parcel map, or upon approval of the Planning Director, City Engineer, and Building Official, and a deposit paid to the City pursuant to Division 2.06 (Performance Guarantees), to assure the completion of all required work prior to the closing of escrow on any unit within the project. The deposit shall be accompanied by an agreement by the developer, and owner of the project if different from the developer, in a form to be approved by the city attorney, guaranteeing completion of the work.

F. Findings. The Approving Authority may not approve a request for a conversion to an industrial or commercial common interest project, unless it finds and clearly establishes that the proposed conversion conforms to the requirements of this Section, and is consistent with the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and all other applicable requirements of this Development Code and the Ontario Municipal Code.

Division 6.10—Property Appearance and Maintenance (Reserved)

Sections:

- ~~6.10.000: Purpose~~
- ~~6.10.005: Applicability~~
- ~~6.10.010: Maintenance of Property: Nuisances~~
- ~~6.10.015: Abatement~~
- ~~6.10.020: Notice of Violation~~
- ~~6.10.025: Hearing and Determination~~
- ~~6.10.030: Record of Cost of Abatement~~
- ~~6.10.035: Assessment of Costs~~
- ~~6.10.040: Violations~~

6.10.000: Purpose

~~The City Council has determined that the quality of life within the City is directly linked to the character and condition of its residential, commercial, mixed use, industrial, specialized use, and overlay districts. It is the purpose of this Division to provide maintenance standards that shall serve to enhance the value of land and development within the City, protect the appearance, integrity, and character of the community, and secure the public's health, safety, and welfare.~~

6.10.005: Applicability

~~A. Property owners shall be responsible for maintaining all structures, landscaping, accessory structures, paved areas, appurtenances, fences, and personal property situated on lots and premises in the City in a manner required to protect the health and safety of users, occupants, and the general public. This responsibility cannot be contracted, transferred, assigned, or conferred to another person or organization. The property shall be deemed substandard in maintenance if it violates any portion of this Division or any other applicable provision of this Development Code.~~

~~B. This Division is not the exclusive regulation of property maintenance for the City. It shall be supplemental and in addition to, and not supersede other regulations contained within this Development Code and the Ontario Municipal Code, and other statutes and ordinances heretofore or hereinafter enacted by the City, the State, or any other legal entity or agency having legal jurisdiction, including, but not limited to such regulations as contained in the Housing Code, the Building Code, and any plans and permits approved by the City (i.e., specific plans, planned unit developments, Conditional Use Permits, Development Plans, business licenses, etc.).~~

6.10.010: Maintenance of Property: Nuisances

~~It is a public nuisance for any person owning, leasing, occupying or having charge of any premises in this City to maintain the premises in such manner that any of the following conditions are found to exist thereon:~~

~~A. Land, topography, geology or configuration of which, whether in natural state or as a result of grading operations, excavation or fill, causes erosion, subsidence or surface water drainage~~

~~problems of such magnitude to be injurious or potentially injurious to the public health, safety and welfare or to adjacent properties.~~

~~B. Buildings that are abandoned, partially destroyed, or permitted to rein unreasonably in a state of partial construction.~~

~~C. The failure to close, by such means as will protect against entry without the use of substantial force, all doorways, windows and other openings leading into vacant structures.~~

~~D. Paint deterioration upon buildings, causing dry rot and warping or lack of weather protection.~~

~~E. Broken windows that comprise a hazardous condition, or invite trespassers or malicious mischief, or constitute a condition tending to depreciate the aesthetic and property values of surrounding properties.~~

~~F. Overgrown vegetation:~~

~~1. Likely to harbor rats, vermin and other vectors;~~

~~2. Constituting unsightly appearance;~~

~~3. Having a tendency to depreciate the aesthetic and property values of surrounding properties; or~~

~~4. Causing a fire hazard.~~

~~G. Dead, decayed, diseased or hazardous trees, and other nuisance vegetation:~~

~~1. Constituting unsightly appearance;~~

~~2. Creating fire hazards or health problems dangerous to public safety and welfare;~~
~~or~~

~~3. Having a tendency to depreciate the aesthetic and property values of surrounding properties.~~

~~H. Wrecked or otherwise disabled or abandoned vehicles, except in cases of emergency and in no event for a period longer than 5 days, and motors, equipment and automotive parts or accessories stored anywhere other than within a fully enclosed space, carport garage or approved automobile wrecking yard.~~

~~I. Vehicles, trailers, recreational vehicles and boats kept or stored in yard areas, other than on paved driveways installed in accordance with the City's zoning and development standards, where they are not screened from streets or highways.~~

~~J. The existence of rubbish, tin cans, or other waste matter of any type upon any alley, sidewalk or vacant lot within the City.~~

~~K. Accessible conditions dangerous to children, including:~~

~~1. Abandoned and broken equipment;~~

- ~~2. Refrigerators or freezers with latching doors;~~
 - ~~3. Unprotected and/or hazardous pools, ponds and excavations; or~~
 - ~~4. Neglected machinery.~~
- ~~L. Broken or discarded furniture and household equipment on the premises for unreasonable periods and visible from the street or neighboring properties, and having a tendency to depreciate the aesthetic and property values of surrounding properties.~~
- ~~M. Boxes, lumber, trash, rubbish and other debris either inside or outside buildings and visible from public streets or neighboring properties for unreasonable periods, and having a tendency to depreciate the aesthetic and property values of surrounding properties.~~
- ~~N. The accumulation of rubbish, litter or debris in vestibules, doorways or the adjoining sidewalks of commercial or industrial buildings.~~
- ~~O. Trash containers stored in front or side yards and visible from public streets except when placed in places of collection at the time permitted.~~
- ~~P. Keeping of property with a lack of adequate landscaping or ground cover sufficient to prevent blowing dust and erosion.~~
- ~~Q. Any device, decoration, design, graffiti, fence structure, clothesline or vegetation that is unsightly due to its condition or its inappropriate location.~~
- ~~R. The outside storage of building materials, machinery or other material or equipment, used in or for a business, on any lot in any residential district, except during construction on the lot.~~
- ~~S. The maintenance of signs and/or sign structures relating to uses no longer conducted or products no longer sold on vacant commercial, industrial or institutional buildings more than 45 days after such building becomes vacant.~~
- ~~T. The maintenance of any structure in a state of substantial deterioration, such as peeling paint on a facade, broken windows, roofs in disrepair, damaged porches, broken steps or other such deterioration or disrepair not otherwise constituting a violation, and which is visible from a public right of way or neighboring properties, where such condition would have a tendency to depreciate the aesthetic and property values of surrounding properties.~~
- ~~U. The substantial lack of maintenance of grounds within the City on which structures exist, where the grounds are visible by the public from a public right of way or neighboring properties, where such condition would have a tendency to depreciate the aesthetic and property values of surrounding properties.~~
- ~~V. Property maintained (in relation to others) so as to establish a prevalence of depreciated values, impaired investment, and social and economic maladjustments that the capacity to generate taxes is reduced and tax receipts from such particular area are inadequate for the cost of public services rendered therein.~~
- ~~W. The maintenance of any yard, including any parkway as defined in OMC Section 7-3.03 (Definitions), which is visible from the public right of way without live and health grass and/or~~

~~landscaping, or the failure to adequately irrigate such yard or parkway. If such yard is so maintained, the City may, pursuant to this chapter, abate such conditions and collect the costs thereof by any reasonable method, including the installation and maintenance of health grass and/or landscaping and/or an irrigation sprinkler system, as well as the continued utilization of such irrigation sprinkler system.~~

~~X. The maintenance of any vacant lot without live and healthy grass, landscaping, or screening combined with perimeter landscaping, where such lot is adjacent to an improved sidewalk and/or parkway.~~

~~Y. The existence of solid waste such as excessive animal feces or human waste of any kind.~~

~~Z. The presence of any abandoned shopping cart, to the extent not otherwise remedied by law.~~

6.10.015: Abatement

~~All or any part of premises found, as provided herein, to constitute a public nuisance shall be abated by rehabilitation, demolition, or repair, or any other reasonable means pursuant to the procedures set forth in this Division. The procedures set forth herein shall not be exclusive, and shall not in any manner limit or restrict the City from enforcing other City ordinances or abating public nuisances in any other manner provided by law.~~

6.10.020: Notice of Violation

~~A. If the Code Enforcement Director, after investigation, believes that one or more public nuisances exist on premises within the City, the Code Enforcement Director shall cause to be served upon the owner, lessee, occupant or person having charge of the affected premises, a Notice of Violation. The Notice of Violation shall list the conditions constituting a public nuisance, and shall order the owner, lessee, occupant, or person having charge of the affected premises, to abate the nuisance or nuisances listed in the Notice of Violation. The Notice of Violation shall provide a reasonable time in which the owner, lessee, occupant, or person having charge of the premises may abate the nuisance or nuisances cited in the Notice of Violation.~~

~~B. Service of the Notice of Violation shall be made upon the owner, lessee, occupant, or person having charge of the affected premises, pursuant to Section 6.10.035 (Assessment of Costs) of this Division.~~

~~C. Any property owner, lessee, occupant or person having charge of the affected premises shall have the right to have any such premises rehabilitated or to have the cited nuisance or nuisances abated in accordance with the Notice of Violation, at his or her own expense, provided the same is done prior to the expiration of the abatement period set forth in the Notice of Violation. Upon such abatement in full, proceedings under this ordinance shall terminate.~~

~~D. To the extent such nuisance is not completely abated by the owner, lessee, occupant or person having charge of the affected premises, as directed within the designated period of abatement, the Code Enforcement Director or his or her designee is authorized and directed to cause the same to be abated by City forces or private contract in any reasonable manner; and the Code Enforcement Director or his or her designee is expressly authorized to enter the affected~~

~~premises for such purpose. Upon request of the designated official, other City departments shall cooperate fully and shall render all reasonable assistance in abating any such nuisance.~~

6.10.025: Hearing and Determination

~~A. Upon request by the owner, lessee, occupant, or person having of the affected premises and if received by the Code Enforcement Director within 10 days after mailing of the Notice of Violation, the Code Enforcement Director or his or her designee shall hold a hearing, which shall be open to the public. The Code Enforcement Director or his or her designee shall hear and consider objections and/or protests from any owner, lessee, occupant, person having charge of the affected premises, or other interested persons relative to the served Notice of Violation.~~

~~B. The Code Enforcement Director or his or her designee shall hear and receive all relevant evidence and testimony relative to the alleged public nuisance and shall consider methods to abate such nuisance. This hearing may be continued from time to time.~~

~~C. Upon or after the conclusion of the hearing, the Code Enforcement Director or his or her designee shall, based upon the evidence presented at the hearing, determine whether the affected premises, or any part thereof, as maintained, constitute a public nuisance as defined herein.~~

6.10.030: Record of Cost of Abatement

~~A. The Code Enforcement Director or his or her designee shall keep an account of the cost (including incidental expenses) of abating such nuisance of each separate lot or parcel of land where the work is done, and shall prepare an itemized account showing the cost of abatement, including any salvage value relating thereto.~~

~~B. The Code Enforcement Director shall serve on the owner, lessee, occupant or person in charge of the affected premises a copy of the itemized account pursuant to Section 6.10.035 (Assessment of Costs). Such service shall notify the recipient that failure to pay the amount listed in the account within 30 days of receipt by the recipient shall, upon a determination by the City Manager or his or her designee, constitute a personal obligation of the recipient and may be collected by a lien on the affected premises or may be collected as a special assessment against the affected premises.~~

~~C. "Incidental expenses" include, but are not limited to, the actual expenses and costs of the City in abating the public nuisance, including the preparation of the Notice of Violation, specifications and contracts, inspecting the work, attorneys' fees and costs, conducting the hearing pursuant to Section 6.10.025 (Hearing and Determination), above, and other costs associated with carrying out the provisions of this chapter. The recovery of attorneys' fees and costs shall extend to any prevailing party, including the City. Attorneys' fees and costs may be recovered by a prevailing party only in those proceedings in which the City has notified the owner, lessee, occupant or person having charge of the affected premises, in the Notice of Violation, that the City intends to seek recovery of its attorneys' fees and costs. In no event shall an award of attorneys' fees and costs to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the City in the proceeding.~~

6.10.035: Assessment of Costs

~~A. To the extent the Code Enforcement Director determines that the public nuisance or nuisances cited in the Notice of Violation existed on the affected premises and the cost of abatement of such nuisance or nuisances was reasonable, the Code Enforcement Director shall make a written order setting forth these findings and ordering that, if such costs are not paid within a specified period, the owner, lessee, occupant, or other person having charge of the affected premises, shall be personally liable for such costs. Upon resolution of the City Council, such costs shall be collected by:~~

- ~~1. A lien on the affected premises pursuant to GC Section 38773.1; or~~
- ~~2. A special assessment against the affected premises pursuant to GC Section 38773.5.~~

~~B. If the City chooses to collect its abatement costs through a lien on the affected premises, the notices to the owner of the affected premises required by this Division shall be served in the same manner as summons in a civil action in accordance with CCP Part 2, Title 5, Chapter 4 Article 3 (commencing with Section 415.10). If the owner of record of the parcel of land on which the nuisance is maintained, based on the last equalized assessment roll or the supplemental roll, whichever is more current, after diligent search cannot be found, notices to the owner may be served by posting a copy thereof in a conspicuous place upon the affected premises for a period of 10 days and publication thereof in a newspaper of general circulation published in San Bernardino County pursuant to GC Section 6062. The lien shall be recorded in the Office of the San Bernardino County Recorder, and from the date of recording, shall have the force, effect, and priority of a judgment lien. The lien shall specify the amount of the lien, the name of the City as the agency on whose behalf the lien is filed, the date of the Notice of Violation and order of the City Council, the street address, legal description and assessor's parcel number of the affected premises on which the lien is imposed, and the name and address of the recorded owner of the affected premises. In the event that the lien is discharged, released, or satisfied, through either payment or foreclosure, notice of the discharge containing the information specified in the preceding sentence shall be recorded by the City. The lien and the release of the lien shall be indexed in the grantor-grantee index. The lien may be foreclosed by an action brought by the City for a monetary judgment.~~

~~C. If the City chooses to collect its abatement costs through a special assessment, the notices required by this chapter shall be provided to the owner by certified mail, as determined from the County Assessor's or County Recorder's records. Notice of the special assessment and requests for a hearing regarding the special assessment shall be in accordance with OMC Section 1-4.05 (Appeal Hearing for Special Assessments).~~

~~D. The special assessment shall be collected at the same time and in the same manner as ordinary City taxes are collected, and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary City taxes. All laws applicable to the levy, collection, and enforcement of City taxes shall be applicable to the special assessment. If any real property to which the cost of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrance for value has been created and attaches thereon, prior to the date on which the first installment of the taxes would become delinquent, then the cost of abatement shall not result in a lien against the real property but instead shall be transferred to the unsecured roll for collection. The City may conduct a sale of vacant residential developed property for which the payment of such~~

~~assessment made pursuant to this subdivision is delinquent. Notices or instruments relating to the abatement proceeding or special assessment may be recorded.~~

~~E. — All other notices required by this chapter shall be delivered by certified U.S. mail, postage prepaid to the recipient thereof.~~

6.10.040: Violations

~~A. — The owner, lessee, occupant, or other person having charge of any such buildings or premises who maintains any public nuisance as defined in Section 9.01.000 (Definitions) of this Development Code, or who neglects to comply with the Notice of Violation pursuant to Section 6.10.020 (Notice of Violation), above, is guilty of an infraction.~~

~~B. — Any occupant or lessee in possession of any such building or structure who refuses to vacate the building or structure, pursuant to an order given as herein provided, is guilty of an infraction.~~

~~C. — Any person who removes any notice or order posted as herein required for the purpose of interfering with the enforcement of these provisions shall be guilty of an infraction.~~

~~D. — No person shall obstruct, impede or interfere with any representative of the City Council, or any representative of a City department, or with any person who owns or holds any estate or interest in a building that has been ordered to be vacated, repaired, rehabilitated, or demolished and removed, or with any person to whom any such building has been lawfully sold pursuant to these provisions whenever any such representative of the City Council, representative of the City, purchaser, or person having any interest or estate in such building, is engaged in vacating, repairing, rehabilitating, or demolishing and removing any such building pursuant to these provisions, or in performing any necessary act preliminary to or incidental to such work as herein authorized or directed. It is a defense to prosecution under this Subsection that the alleged obstruction or interference consisted of constitutionally protected speech only.~~

~~E. — Any prevailing party in an action to abate a public nuisance shall be entitled to attorneys' fees and costs, to the extent such attorneys' fees and costs do not exceed the reasonable attorneys' fees and costs incurred by the City. The City may limit recovery of attorneys' fees and costs by the prevailing party to those individual actions that the City elects, at the initiation of that individual action, to seek recovery of its own attorneys' fees and costs.~~

~~F. — Upon entry of a second or subsequent civil or criminal judgment within a 2-year period, finding that an owner of property is responsible for a public nuisance, except for conditions abated pursuant to HSC Section 17980, the owner shall be liable to the City for 3 times the costs of the abatement.~~

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Division 7.01—Historic Preservation

Sections:

- [7.01.000:](#) Purpose
- [7.01.005:](#) Applicability
- [7.01.010:](#) The Ontario Register of Historic Resources
- [7.01.015:](#) Historic Rehabilitation Financing Program
- [7.01.020:](#) California Historical Building Code (CHBC)
- [7.01.025:](#) Incentives for Historic Preservation
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7.01.000: Purpose

The purpose of this Division is to specify significance criteria for the designation of historic resources, procedures for designation, and review procedures to:

- A.** Safeguard the character and history of the City, which is reflected in its unique culturally, historically, and architecturally significant structures and heritage, with emphasis on the "Model Colony," as recognized by an Act of Congress and presented at the St. Louis World's Fair in 1904;
- B.** Encourage and promote the adaptive reuse of the City's historic resources;
- C.** Enhance, perpetuate, and preserve architecturally and historically significant structures and promote revitalization of historic neighborhoods and commercial areas;
- D.** Ensure that the rights of the owners of historic resources are safeguarded;
- E.** Foster civic pride in the beauty and noble accomplishments of the past by promoting private stewardship of historic resources that represent these accomplishments;
- F.** Fulfill the City's responsibilities as a Certified Local Government under Federal preservation laws;
- G.** Promote the identification, documentation, and evaluation of the significance of individual historic resources and districts;
- H.** Implement the historic preservation goals, policies, and programs of the Policy Plan (General Plan) component of The Ontario Plan;
- I.** Promote the City as a destination for tourists and as a desirable location for business;
- J.** Promote public awareness of the value of rehabilitation, restoration, and maintenance of the existing building stock as a means to conserve reusable material and energy resources;

- K.** Recognize the City's historic resources as economic assets and provide economic financial incentives for historic preservation;
- L.** Stabilize and improve property values, and enhance the aesthetic and visual character, place making, diversity, and environmental amenities of the City's historic properties and areas;
- M.** Promote public knowledge, appreciation, and understanding of the City's past, and foster civic and neighborhood pride in the beauty and accomplishments of the past;
- N.** Promote the enjoyment and use of historic resources appropriate for the education and recreation of the people of the City;
- O.** Recognize historic resources and protect areas of historic structures from encroachment of incompatible designs;
- P.** Promote public awareness of the benefits of preservation; and
- Q.** Encourage public participation in historic preservation, thereby increasing civic pride in the City's heritage.

7.01.005: Applicability

The provisions of this Division shall apply to all historic resources within the City, including improvements, buildings, structures, signs, features, historic districts, conservation zones, trees, or other objects of cultural, architectural, or historical significance to the City, State of California, the Southern California region, or the nation, which have been determined eligible for nomination or designation, and determined to be appropriate for historic preservation by the City.

7.01.010: The Ontario Register of Historic Resources

- A. Purpose.** The purpose of this Section is to establish an official local register, which includes an inventory of buildings, structures, sites, objects, and districts worthy of preservation due to their significance in history, architecture, archeology, engineering, and/or culture within the City.
- B. Applicability.** The Historic Preservation Subcommittee is hereby empowered to review evaluations of potential historic resources, which have been identified, recorded, and documented through a Historic Resource Survey, against criteria for local landmark and district designations for the purpose of approving or denying inclusion of a potential historic resource to the Ontario Register. The Historic Preservation Subcommittee shall be responsible for maintaining the Ontario Register.
- C. Historic Resource Surveys.** The City shall conduct, from time to time, a survey to identify properties that have the potential to become eligible historic resources, as well as areas and neighborhoods that, due to the geographic or thematic concentration of potential historic resources, have the potential to be historic districts. These properties, surveyed at the reconnaissance level pursuant to standards established by the California Office of Historic Preservation, are identified but not evaluated for historic significance, and, therefore, are not considered eligible historic structures or eligible historic districts.

D. Eligible Historic Resources. Any property or grouping of properties listed on the Ontario Register prior to September 1, 2003, or after September 1, 2003, surveyed at the intensive level pursuant to standards established by the California Office of Historic Preservation, and determined to meet the designation criteria for local historic landmarks or local historic districts set forth in Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Development Code, shall be determined by the Approving Authority to be an “eligible” historic resource.

E. Historic Resources. Those Improvements, buildings, structures, signs, features, Historic Districts, conservation zones, trees, or other objects of cultural, architectural, or historical significance to the City, State, Region, or the Nation, which have been determined to be eligible for nomination or designation and determined to be appropriate for historic preservation by the Approving Authority.

7.01.015: Historic Rehabilitation Financing Program

A. Purpose. The purpose of this Section is to establish a program of long term, low interest loans to finance the preservation, restoration, and rehabilitation of historic resources pursuant to the provisions of the Marks Historic Rehabilitation Act of 1976.

B. Applicability. The City hereby establishes a Historic Rehabilitation Financing Program pursuant to the provisions of the Marks Historic Rehabilitation Act of 1976. Any building, structure, object, or site that is eligible for funding pursuant to the Historic Rehabilitation Financing Program, shall be within a rehabilitation area, as defined in Subsection C (Rehabilitation Areas), below, and shall consist of one or more of the following:

1. The building, structure, object, or site shall be a designated local historic landmark;
2. The building, structure, object, or site shall be a contributing structure to a designated local historic district; or
3. The building, structure, object, or site shall be listed, or determined eligible for listing, on the California Register of Historic Resources or the National Register of Historic Places.

C. Rehabilitation Areas.

1. Original Downtown and Euclid Avenue Area. This area consists of the City’s original downtown, and extends north to include the historic districts adjacent to Euclid Avenue, the boundary of which is as follows:

Beginning at the intersection of the centerlines of State Street and San Antonio Avenue, thence north to the northernmost city boundary, thence east to the centerline of Sultana Avenue, thence south to the centerline of G Street, thence east to the centerline of Campus Avenue, thence south to the centerline of State Street, thence west to the point of beginning.

2. Guasti. This area consists of the Historic Guasti Winery, the boundary of which is as follows:

Beginning at the intersection of the centerline of Archibald Avenue and the Southern Pacific Railroad Mainline, thence east to a point 550.19 FT east of the

centerline of Turner Avenue, thence north 492.08 FT, thence west to the centerline of Turner Avenue, thence north to the centerline of Interstate 10 (San Bernardino Freeway), thence west to the centerline of Archibald Avenue, thence south to the point of beginning.

D. Rehabilitation Requirements. Any building, structure, object, or site that is rehabilitated with funds from the Historic Rehabilitation Financing Program, shall comply with the following:

1. Rehabilitation Standards. Any rehabilitation must use the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, or Reconstructing Historic Buildings, and any local preservation and design guidelines.

2. Maintenance. Any building, structure, object, or site rehabilitated with funding from the Historic Rehabilitation Financing Program shall be maintained for a period of at least 10 years, beginning on the date of completion of the rehabilitation.

E. Advisory Board. An advisory board shall be established pursuant to, and in accord with, the provisions of State law, if and when the implementation of the provisions of this Section are deemed warranted.

7.01.020: California Historical Building Code (CHBC)

The CHBC provides alternative building regulations to address unique construction issues inherent in the maintenance, rehabilitation, preservation, restoration, adaptive reuse, or relocation of structures surveyed and identified as a historic resource. The CHBC may be used for any historic resource in the City's building permit procedure.

7.01.025: Incentives for Historic Preservation

A. Purpose. The purpose of this Section is to allow for the use of certain incentives to support the preservation, maintenance, and appropriate rehabilitation of the City's designated historic resources.

B. Applicability.

1. Qualifying Properties. Preservation incentives shall be made available to owners of the following types of properties:

- a.** Properties listed on the National Register of Historic Places;
- b.** Properties listed on the California Register of Historic Resources;
- c.** Properties designated as Local Historic Landmarks; or
- d.** Properties that are contributing structures within designated local historic districts.

2. Qualifying Projects. The below-listed project types shall be eligible for the receipt of preservation incentives. Qualifying project types shall comply with the *Secretary of the Interior's*

Standards for the Treatment of Historic Properties and shall be approved by the City's Historic Preservation Commission.

- a. Restoration or exterior rehabilitation that includes the restoration, repair, or replacement, in kind, of significant architectural features, and that complies with the Secretary's Standards;
- b. Roof replacement with similar material, or repair and replacement of roofing where the roof is a significant architectural feature;
- c. Relocation to another site;
- d. Restoration of designated interior spaces, which complies with the Secretary of the Interior's Standards for the Treatment of Historic Properties;
- e. Seismic reinforcement or structural rehabilitation;
- f. Replacement of building systems that will further the preservation of the historic resource; or
- g. Additions (eligible for development incentives only).

C. Types of Incentives. The below-listed incentives may be used for the eligible projects identified in Subsection B (Applicability) of this Section.

1. Economic and Financial Incentives. The following economic and financial incentives may be applied to a project following approval by the Historic Preservation Commission or the Historic Preservation Trust Board of Trustees, as applicable, and approval by the City Manager or the City Council, as applicable:

- a. Grants or loans approved through the Historic Preservation Trust pursuant to Section 7.01.030 (Historic Preservation Trust Fund) of this Division;
- b. Approval of a Mills Act contract pursuant to Section 4.02.070 (Historic Preservation—Mills Act Contracts) of this Development Code;
- c. Approval of funding through the Historic Rehabilitation Financing Program pursuant to Section 7.01.015 (California Historical Building Code) of this Division;
- d. Grants or loans through other City funding sources, including, but not limited to, redevelopment and housing funds;
- e. Preservation easements;
- f. Reduction or elimination of building plan check or permit fees;
- g. Reduction or elimination of development impact fees;
- h. Reduction or elimination of any other applicable City fees; or
- i. Federal rehabilitation tax credits (applied through the California Office of Historic Preservation).

2. Development Incentives. The following development incentives to be applied to the project:

a. *California Historical Building Code.* Use of the CHBC pursuant to Section 7.01.015 (California Historical Building Code) of this Division.

b. *Parking Reduction.* For existing single-family dwellings with a one-car garage, the Planning Director may waive the requirement for 2 off-street parking spaces within a garage when adding floor area, if an existing one-car garage contributes to the significance of the property and/or district, and the existing garage is in good condition, or, if deteriorated, will be returned to good condition as part of the work to add new living space to the residence.

c. *Setback Reductions and Increases in Maximum Building Height.* The Planning Director may grant reductions in required building setbacks or increases in the maximum allowed building height when the setback reduction or increase in allowed building height allows for the restoration of a character-defining feature, or allows character-defining features to be replicated in additions to historic structures. In no case, however, shall a reduction in a setback be granted when the reduction will cause an adverse effect to the property or neighboring property, or cause an adverse effect to the character of the neighborhood or district.

7.01.030: Historic Preservation Mitigation Fee

A. Purpose. The purpose of this Section is to establish the Historic Preservation Mitigation Fee whereby the impacts resulting from the demolition (either in part or whole) of historic resources may be lessened by the collection of fees that will provide a source of funds for the conservation, preservation, restoration, and rehabilitation of historic resources within the City.

B. Applicability.

1. A mitigation fee, in an amount established by ~~resolution of the City Council~~ this Section, shall be paid prior to the issuance of any permit for demolition, whether in whole or in part, of any historic resource, including accessory buildings and structures that do not contain living space, such as garages and workshops, which contribute to the historic significance of a property. The mitigation fee shall be deposited in the Historic Preservation Trust Fund established pursuant to Section 7.01.030 (Historic Preservation Trust Fund) of this Division.

2. The Historic Preservation Commission may reduce the amount of mitigation fee to be paid if it can be clearly established that the amount of fee to be paid would amount to a regulatory taking of property.

3. Additions and accessory buildings and structures determined not to be contributing to the significance of the property shall not be assessed a mitigation fee.

4. The mitigation fee ~~shall be determined based upon a 3-tier system, established pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Development Code, which ranks historical resources within the City, based upon their size, type, and significance~~ structure shall be based on the most current International Code Council (ICC) Building Valuation Data. Fees can range from 10 to 30 percent of the square foot cost to construct the building or structure that is being demolished. The square foot construction cost is determined by the construction type (building occupancy group) of the demolished building or structure. The

percentage (or fee amount) that is assessed is determined by historic significance and is applied to the cost per square foot of the building or structure that is being demolished.

a. The mitigation fee for historic resources listed on the Ontario Register shall be determined based upon a 3-tier system, established pursuant to Subsection 4.02.040.G (Historic Resource Tiering System) of this Development Code, which ranks historical resources within the City, based upon their size, type, and significance. Tier III historic resources are 10 percent, Tier II are 20 percent, and Tier I are 30 percent of the price per square foot construction cost as established in the most current ICC Building Valuation Data.

b. The mitigation fee for historic resources determined through survey evaluation, completed by individual(s) meeting the Secretary of the Interior Professional Standards, which are not listed in the Ontario Register, shall be determined by the level of historic integrity. Moderate-level integrity shall be 10 percent and high-level integrity shall be 20 percent of the price per square foot construction cost as established in the most current ICC Building Valuation Data.

7.01.035: Historic Preservation Trust Fund

A. Purpose. The purpose of the Historic Preservation Trust Fund is to provide funding, under direction of the City Council, for the conservation, preservation, restoration, and rehabilitation of historic resources within the City.

B. Applicability. The Historic Preservation Trust Fund is hereby established as means to receive, recycle, and replenish monies to assist the funding of historic preservation projects within the City. All funds deposited in the Historic Preservation Trust Fund shall be used solely for the conservation, preservation, restoration, and rehabilitation of historic resources, as provided in this Section.

C. Trust Fund Administration.

1. The City Council shall have authority for establishing policy for Historic Preservation Trust Fund expenditures.

2. The Historic Preservation Commission shall have authority to make recommendations to the City Council regarding grant and loan applications, acquisition of property, contracts and lease agreements, and any other action or activity necessary or appropriate to implement its powers or duties to fulfill the objectives of the Historic Preservation Trust Fund.

3. The City Manager, or designee of the City Manager, shall serve as financial administrator of the Historic Preservation Trust Fund and shall be responsible for management of its finances, which shall be carried-out pursuant to all applicable federal, State and local laws.

4. The Planning Director, or designee of the Planning Director, shall serve as program administrator of the Historic Preservation Trust Fund and shall be responsible for its day-to-day management and operations.

D. Historic Preservation Trust Fund Proceeds.

1. Deposits. All funds received by the City for historic preservation purposes shall be deposited in the Historic Preservation Trust Fund. The City's Fiscal Services Department may

establish separate accounts within the Trust Fund for the purpose of separating deposits according to their origin or intended purpose.

2. Grants, Gifts, and Donations. In addition to any public funds appropriated expressly for the purpose of this Subsection, the program administrator may apply for grants, gifts, donations, subventions, rents, royalties, and other financial support, or real or personal property, from private sources, pursuant to City policies. All money received from private sources shall be deposited in a separate account established pursuant to Paragraph D.1 (Deposits), above, and shall be appropriated to the program administrator for expenditures for historic preservation projects pursuant to this Section.

3. Deposit of Proceeds from Any Lease, Rental, Sale, Exchange, or Transfer of Real Property. All proceeds from any lease, rental, sale, exchange, or transfer of real property, or any interest therein or option thereon, shall be deposited in the Historic Preservation Trust Fund, together with any other reimbursements, repayments, and income received by the program administrator.

E. Historic Preservation Trust Fund Program Activities.

1. Properties.

a. *Acquisition.* Pursuant to State Property Acquisition Law (GC Section 15850 et seq.), the City may acquire, fee title, or any lesser interest, in any real property whose preservation is required to meet the policies and objectives of the City's historic preservation program. The City may accept gifts or dedications of real property and may enter into an option to purchase real property in order to meet the purposes of this provision.

b. *Agreements for Preservation and Management.* In order to carry out historic preservation projects, the financial administrator may initiate, negotiate, and participate in agreements with public agencies, nonprofit organizations, private entities, or individuals for the preservation and management of historic resources under their control, and enter into any other agreements authorized by state law, as approved by the City Council.

c. *Real Property Transactions; Authorization.* Notwithstanding any other provision of federal, State or local law, the financial administrator may lease, rent, sell, exchange, or otherwise transfer any real property acquired under this section, or interest therein or option to purchase, provided that the City Council first determines that the action is in the best interests of the City.

d. *Acquisition, Conservation, Return, and Transfer of Title.*

(1) The City Council may acquire any interest in real property pursuant to Paragraph E.1 (Properties) of this Section, with historic (including archaeological) significance, or necessary for the preservation or management of a property, in order to prevent the loss of historic integrity, prevent imminent destruction, or to otherwise secure the preservation of the historical resource.

(2) The program administrator may undertake conservation or preservation activities for historic resources acquired Pursuant to this Section.

(3) The program administrator shall encourage, to the greatest extent feasible, the acquisition of historic resources by other qualified purchasers.

(4) The City Council shall take all feasible action to return or transfer title to historic resources, to a nonprofit organization, another public agency, private entity, or individual, for all properties acquired for historic resource preservation pursuant to this Section.

2. Loans and Grants. Money in the Historic Preservation Trust Fund shall be available, upon recommendation of the Historic Preservation Commission and appropriation by the City Council, for all loans and grants to public agencies, nonprofit organizations and private entities, to carry out the purposes of this Section.

a. *Qualifying Properties.* The City Council may award a grant or loan for properties that are designated a local historic landmark or a contributing structure in a designated local historic district, or are listed on the California Register of Historic Resources or the National Register of Historic Places, excepting those projects that are “interpretative,” as described in Subparagraph E.3.c (Interpretive Projects) of this Section.

b. *Agreements.* No loan or grant shall be made except pursuant to an agreement with the City, and subject to terms and conditions approved by the City Council, upon recommendation of the Historic Preservation Commission, which shall ensure that each requested loan or grant carries out the purposes of this Section.

c. *Authorization to Contract and Issue Grants or Loans.* The financial administrator may, upon City Council approval, enter into contracts and make grants or loans with public agencies, nonprofit organizations, or private entities, to further the purposes of City’s historic preservation program, and to carry out activities for this purpose.

d. *Matching Funds.* All grants and loans should include a cash match for the historic preservation project. Guidelines for determining the amount of required matching funds, if any, shall be adopted by resolution of the City Council. Donated materials and services, staff salaries and organizational overhead costs may be eligible sources of match. The City Council may waive the matching funds requirement.

e. *Excess Funds.* After completion of a historic preservation project, a grant or loan recipient shall return to the Historic Preservation Trust Fund, the amount of the grant or loan that exceeds the eligible project’s costs

3. Qualifying Projects for Competitive Grants and Loans. Competitive Grants and loans are hereby established for the following project types:

a. *Construction Projects.* Construction projects include the preservation, restoration, exterior rehabilitation, or rehabilitation of the foundation, structural, electrical, or plumbing systems of a historic resource. Qualifying construction projects do not include new additions, routine maintenance such as simple, small-scale activities requiring only minimal skills or training associated with regular (daily, weekly, monthly, etc.) and general upkeep of a property against normal wear and tear), reconstruction, demolition, or relocation;

b. *Planning Projects.* Planning projects identify, document, and record historic resources according to applicable local, state, and federal standards, and/or contribute to the development of the City’s historic context, and/or contribute to the development of a Historic Structures Report, Building Conditions Assessment, conservation plan or preservation plan; and

c. *Interpretative Projects.* Interpretative projects consist of the creation of interpretative media to educate the public on the City’s history and/or historic resources.

4. Project Selection Criteria. The award of a grant or loan for a historic preservation project shall be based upon consideration of the following criteria:

- a. Level of historic significance of the resource, based upon the Tier Designation;
- b. Level of urgency for the project to avoid the loss of a historic resource;
- c. Value of improvement to ensure preservation of the historic resource;
- d. Overall benefit to the community through the public’s ability to observe and experience the historic resource;
- e. Ability to match funds, if required; and
- f. Level of professional qualifications for administrating project to demonstrate the ability to successfully complete the project.

5. Qualifying Projects for Emergency Non-Competitive Grants and Loans. In the event that a historic resource is in need of immediate and unanticipated work to prevent its demolition resulting from an unforeseen disaster, such as fire, flood, wind, earthquake or other calamity, the public enemy, or other cause that is beyond the control of the property owner and could not otherwise have been prevented by reasonable care and maintenance of the structure, the City Council may establish a non-competitive emergency grant and/or loan for the following emergency project types, which are not otherwise covered by property owner insurance:

- a. Securing, shoring and/or stabilizing a historic resource;
- b. Abatement of hazardous health materials and sources which lead to structural deterioration; and
- c. Preparing a historic Structure Report and/or Preservation Plan approved by Planning Director.

7.01.040: Preservation Easements

Preservation easements on the facades of buildings designated historic resources may be acquired by the City, or on the City’s behalf, by a nonprofit group designated by the City through purchase, donation, or condemnation pursuant to Section CC 815.

7.01.045: Owner’s Duty to Keep a Historic Resource in Good Repair

A. Purpose. The purpose of this Section is to ensure the upkeep and maintenance of historic resources within the City by their owner or other responsible party.

B. Applicability. It shall be the duty of the owner of a historic resource, or any such person responsible for upkeep and maintenance of a historic resource other than the property owner, to keep in good repair, all exterior and interior features of such historic resources, which if not maintained, may cause or tend to cause the exterior features of such resources to deteriorate, decay, become damaged, or fall into a state of disrepair.

C. Protection against Deterioration, Damage, and Decay. The owner of a historic resource, or any such person responsible for upkeep and maintenance of a historic resource other than the property owner, shall preserve such historic resource against deterioration, damage, and decay, and further, shall keep such historic resource free from structural defects through the prompt repair of the below-listed items:

1. Facades that may fall and injure a member of the public or property;
2. Deteriorated or inadequate foundation, defective or deteriorated flooring or floor supports, deteriorated walls, or other vertical structural supports;
3. Members of ceilings, roofs and roof supports, or other horizontal members that age, split, or buckle due to defective material or deterioration;
4. Deteriorated or insufficient waterproofing of exterior walls, roofs, foundations, or floors, including broken windows or doors;
5. Defective or insufficient weather protection for exterior wall covering, including lack of paint, or weathering due to lack of paint or other protective covering; and/or
6. Any fault or defect in the building, which renders the building not properly watertight or structurally unsafe.

D. Failure of Owner to Comply with this Section. A Certificate of Appropriateness shall not be issued for the demolition of a historic resource resulting from failure of the owner to comply with the provisions of this Section.

E. Enforcement of this Section. It shall be the duty of the Building Official to enforce this Section with guidance from the Historic Preservation Commission.

7.01.050: Ordinary Maintenance Repair

Nothing in this Division shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature within or on any property covered by this Division, which does not involve a change in design, material, or external appearance thereof (refer to Section 7.01.065 (Guidelines for the Treatment of Historic Properties)).

7.01.055: Unsafe or Dangerous Conditions

Nothing contained in this Division shall prohibit the construction, alteration, restoration, demolition, or relocation of any historic resource when such action is required to protect the public safety due to an unsafe or dangerous condition, which cannot be rectified through use of the CHBC. In such case, upon assessment and recommendation by the Building Official, the Planning Director shall

certify to the Historic Preservation Commission that such condition exists, which shall not require the issuance of a Certificate of Appropriateness.

7.01.060: Enforcement and Penalties

In addition to the requirements of Section 1.02.010 (Enforcement) of this Development Code, the following enforcement and penalty provisions shall apply:

A. Misdemeanor. Anyone violating a requirement of this Division or failing to obey an order issued by the Historic Preservation Commission or Historic Preservation Subcommittee, or comply with a condition of approval of any certificate or permit issued pursuant to this Development Code shall be guilty of a misdemeanor, unless the citing official or the prosecuting attorney determines that it would be in the interests of justice to prosecute the offense as an infraction.

B. Demolition of a Historic Resource in Violation of this Division. Any alteration or demolition (including partial demolition) of a historic resource in violation of this Division is expressly declared to be a nuisance and shall be abated by restoring or reconstructing the property to its original condition prior to the violation. Any person or entity who demolishes or substantially alters or causes substantial alteration or demolition through deferred maintenance of a structure in violation of the provisions of this Division, shall be liable for civil penalties.

C. Temporary Moratorium. Alteration or demolition (including partial demolition) of a historic resource in violation of this Division shall authorize the City to issue a temporary moratorium for the development of the subject property for a period not to exceed 24 months from the date the City becomes aware of the alteration or demolition in violation of this Development Code. The purpose of the moratorium is to provide the City an opportunity to study and determine appropriate mitigation measures for the alteration or removal of the historic structure, and to ensure measures are incorporated into any future development plans and approvals for the subject property. Mitigation measures determined by the Planning Director, Historic Preservation Subcommittee, and/or Historic Preservation Commission, shall be imposed as a condition of any subsequent permit for development of the subject property.

D. Notification of Violation(s) and Assessment of Civil Penalties.

1. The Planning Director shall issue a Notification of Violation and Assessment Civil Penalties to the applicant, property owner, or entity responsible for the property of the alleged violation(s). The Notification of Violation and Assessment Civil Penalties shall include a description of the conditions that gave rise to the violation(s), and the civil penalties to be assessed pursuant to this Section. The notification shall be served by certified mail, or may be delivered.

2. In the case of demolition (including partial demolition), the civil penalty to be assessed shall be equal to one-half the assessed value of the historic resource prior to the demolition. The assessed valuation prior to demolition shall be determined using the most recently published International Code Council (ICC) Building Valuation Data. In the case of alteration, the civil penalty shall be equal to one-half the cost of restoration of the altered portion of the historic resource. The cost of restoration shall be determined by the Building Official.

3. Upon payment of civil penalties, building and construction permits, and/or a Certificate of Occupancy, may be issued.

4. All monies collected pursuant to this Section shall be deposited into the City's Historic Preservation Trust Fund.

E. Appeal of Assessed Civil Penalties.

1. An appeal of a civil penalty may be filed with the Planning Department on a City application form, within 10 days following the date of the Notification of Violation and Assessment Civil Penalties issued pursuant to Paragraph D.1 of this Section. The appeal shall include a statement identifying the specific violation and civil penalty that is being appealed, the specific grounds for the appeal, and the relief requested from the Planning Director.

2. Within 45 days following receipt of an appeal, the Planning Director shall hold a hearing, which is open to the public, to hear and consider objections and/or protest of the alleged violation(s) and assessment of civil penalties stated in the appeal application. The Planning Director shall hear and receive all evidence and testimony relative to the violation(s) and assessment of civil penalties and shall consider all evidence. Within 15 days following conclusion of the hearing, the Planning Director shall render a decision in writing, determining the amount (if any) of civil penalties to be assessed. The decision of the Planning Director shall be final and conclusive in the absence of the filing of an appeal.

3. The Planning Director's decision may be appealed to the City Manager. The appeal shall be filed with the Planning Department on a City application form, within 10 days following issuance of the Planning Director's decision.

4. Within 30 days following receipt of the appeal of the Planning Director's decision, the City Manager shall hold a hearing, which is open to the public, to hear and consider the evidence and reasons not to uphold the Planning Director's decision. Within 15 days following conclusion of the hearing, the City Manager shall render a decision in writing, determining the amount (if any) of civil penalties to be assessed. The decision of the City Manager shall be final and conclusive.

F. Injunctive Relief. The City Attorney may maintain an action for injunctive relief to restrain a violation or cause, where possible, the complete or partial restoration, reconstruction or replacement of any structure demolished, partially demolished, altered, or partially altered in violation of this Division.

7.01.065: Guidelines for the Treatment of Historic Properties

A. In order to ensure that Ontario's historic resources are preserved for future generations, any proposed work on a historic resource shall follow the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*. The standards were developed by the federal government to be guiding principles regarding the treatment of historic properties.

B. In addition to the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings*, any proposed work on a historic resource shall follow the standards and guidelines set forth by Division 6.01 (District Standards and Guidelines) of this Development Code, and the design guidelines established by Subsection D (Historic Preservation Design Guidelines) of this Section, as applicable.

C. The design guidelines referenced in this Section shall be enforceable in the same manner and to the same extent as any other provision of this Development Code.

D. The following design guidelines are intended to assist the designer in understanding the City's goals and objectives for the applicable development type. Furthermore, the guidelines are intended to compliment the mandatory development regulations contained in this Development Code by providing examples of potential design solutions and recommendations, and by providing design interpretations of the various mandatory regulations contained herein.

1. Additions.

a. *Converting Existing Space.* Using existing areas of the structure can provide additional usable square footage. Conversions of basements and attics to habitable space are the most preferred way of adding square footage. Consider introducing dormers to facilitate conversions. Small bays, if strategically spaced and in keeping with the overall design of the house, can accommodate more habitable space while maintaining the integrity of the overall design.

b. *New Construction.* All new construction shall be consistent with the existing structure. Large additions should be placed at the rear or side of structures to minimize visual impacts. New additions should be handled in one of two ways: **[i]** seamless additions that form a new dominant building mass consistent with the historic style and uses materials and architectural designs indistinguishable from what exists; and **[ii]** accented additions that express a new building projection as an additive element, reinforcing the identity of the original building, and is made from compatible, but not necessarily identical materials.

(1) New construction along the front of a building should generally maintain the proportion and arrangement of openings, projections, and other features.

(2) Upper-story additions are discouraged unless they are consistent with the original design and character of the house style.

(3) The architectural style shall be consistent with the original structure and shall use material similar to those used on the main structure, including siding treatment, windows, doors, trim, roof pitch, etc.

(4) Details on the addition shall match the architectural details on the original structure such as latticework projecting beams, etc.

c. *Garages and other Accessory Structures.* Garages and other accessory structures shall be consistent with the historic character of the main structure.

(1) The architectural style shall be consistent with the main structure and shall use material similar to those used on the main structure, including siding treatment, windows, doors, trim, roof pitch, etc.

(2) Details on the accessory structure shall match the architectural details on the main structure such as latticework, projecting beams, etc.

(3) Garages shall be located to the rear of the property and detached from the main structure.

2. Architectural Features.

a. Common Features.

Traditional buildings and houses have many common features, regardless of the style of architecture.

- Raised front porch;
- Massed columns on porch supports;
- Vertical orientation of windows;
- Window and door trim;
- Garage door (facing street) treatment (recessed, windows, ornamentation, etc.);
- Consistency of materials and colors with style of architecture;
- Detailed porch supports and railings;
- Dormers;
- Chimney;
- Balconies;
- Window Boxes; and
- Ornamentation (grill work over windows, tile accents, pop outs, relief bands, etc).



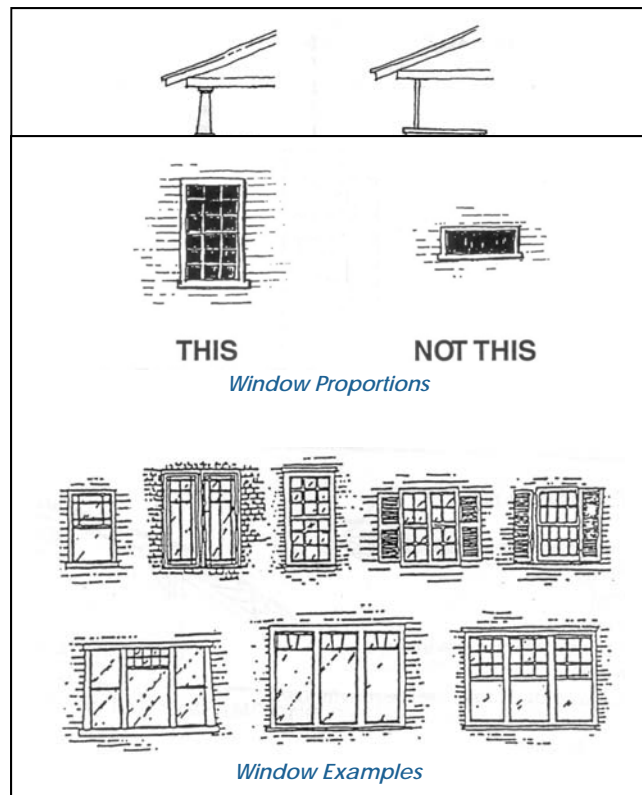
b. Doors. Traditional doors relate to the style of architecture of the building. Shown top right, are examples of door styles.

c. Windows. Traditional windows relate to the style of architecture of the building. Shown bottom right, are examples of window styles.

d. Architectural Styles.

Architectural styles should be used for new development that is compatible with the architecture of the neighborhood. Refer to Reference "B" (Architectural Styles Guide) of this Development Code for an architectural styles guide containing a list of architectural styles and some common features found with the style. This list of architectural styles has been developed with the assistance of the California Office of Historic Preservation and these styles are the only styles approved, except where noted, for use with Historic Resource Surveys. The list is based on the following books about California Architecture:

- The Guide to architecture in San Francisco and Northern California by David Gebhard, Robert Winter and Eric Sandweiss.
- Guide to the Architecture of Los Angeles and Southern California by David Gebhard and Robert Winter.



The list of architectural styles has been revised to include only those styles either present in Ontario, or those styles, which could be used for infill development. In addition, the descriptive drawings are taken from the following books:

- A Field Guide to American Houses by Virginia & Lee McAlester; an American Shelter by Lester Walker

3. Wood Siding and Architectural Details.

a. *Preservation.* All original wood siding and architectural details should be identified, retained, and preserved. All wall coverings that hide original wood siding and architectural details should be removed.

b. *Protection.* All causes of wood siding and architectural detail deterioration should be identified, evaluated and treated. Causes may include faulty flashing, leaking gutters, breaks and cracks, open joints, deteriorated caulking and sealants, insect or fungus infestation, and deteriorated coating such as paint or stain,

c. *Cleaning.* All deteriorated paint or stain should be removed by the gentlest method possible such as hand scraping, hand sanding, hot air heat guns, and chemical strippers. Paint shall not be removed by the propane butane torches, sandblasting, or water blasting. All wood surfaces that have had paint or stain removed shall be given new coatings to protect the wood.

d. *Repairs.* All deteriorated wood elements that cannot be repaired shall be removed. All removed wood elements shall be replaced with new wood details that match the size, shape and profile of the original element.

4. Concrete Walls.

a. *Preservation.* All original exterior concrete walls should be identified, retained and preserved. All original finish materials and coatings that have been applied should be identified.

b. *Protection.* All causes of concrete deterioration should be identified, evaluated and treated. Causes may include exposed steel reinforcing members or metal ties that are rusting, cracked broken concrete, flat surfaces that permit water to penetrate concrete, faulty flashing, and leaking gutters

c. *Cleaning.* All concrete walls shall be cleaned with gentle methods that will not damage the plaster finish or concrete surface such as water and detergents applied with natural bristle brushes and low water pressure. After adequate testing, other cleaning methods, such as liquid chemical cleaners, that do not damage the concrete or cause ecological damage, high pressure water, and paint removal strippers may be permitted. Sandblasting is not permitted.

d. *Repairs.* All rusted steel reinforcing and metal ties shall be removed. All broken and loose concrete shall be removed. All concrete shall be patched using appropriate repair procedures all original finish materials shall be repaired.

e. *Replace Missing Concrete Details.* All missing or broken concrete details shall be replaced with new details that match the size, shape, color, and texture of the original detail.

5. Masonry Walls.

a. *Preservation.* All original exterior masonry walls should be identified, retained, and preserved. All finish materials and coatings that have been applied should be identified.

b. *Protection.* All causes of concrete deterioration should be identified, evaluated, and treated. Causes may include deteriorated roofs, insufficient drainage, deferred pointing, application of coatings and finish materials, faulty flashing, and leaking gutters.

c. *Cleaning.* All concrete walls shall be cleaned with gentle methods such water and detergents applied with natural bristle brushes and low water pressure as not to cause damage to the masonry or mortar. After adequate testing, cleaning methods such as liquid chemical cleaners that do not damage the masonry or mortar or cause ecological damage, high pressure water, and paint removal strippers may be permitted. Cleaning methods such as sandblasting, acid wash on limestone and marble, and metal bristle brushes are not permitted. Prior to initiating the work, all cleaning procedures should be tested to ensure that the masonry will not be damaged.

d. *Pointing Repair.* Deteriorated pointing will be repaired when it is identified. Deteriorated mortar will be removed using hand tools. Power tools shall not be used to remove deteriorated pointing. The new mortar should match the strength of the original. The new mortar should match the color, texture and style of the original mortar. The new pointing shall match the width and profile of the original.

e. *Repairing the Masonry.* Masonry units shall be replaced with new masonry units that match the size, texture and color of the original material. Broken masonry units should be patch rather than replaced.

f. *Replacing Masonry.* All missing or broken masonry units that cannot be repaired shall be replace with masonry units that match the size, shape, color and texture of the original detail.

6. Architectural Metals.

a. *Preservation.* All original metal architectural features should be identified, retained and preserved. Metal architectural features which are important in defining the historic character of the building shall not be removed.

b. *Protection.* All causes of metal corrosion should be identified, evaluated and treated. Causes may include exposing bare metal to water and moisture, deterioration of protective coatings, and galvanic action between two incompatible metals.

c. *Cleaning Non Ferrous Materials and Alloys.* The type of metal material shall be identified in order to determine the type of cleaning to be used. Non-ferrous metals (lead, tin, copper, zinc) whose natural patina should be preserved shall be identified. Non-ferrous materials with a natural patina shall have cleaned using gentle methods used in order to clean the surface without damaging the patina or coating. Alloys that may require protective coatings shall be identified. A gentle cleaning method that will not abrade the protective coating shall be used.

d. *Cleaning Ferrous Metals.* The type of ferrous material (cast iron, wrought iron, steel) shall be identified. The type of coating and condition of metal shall be determined. Hand scraping shall be used to remove corrosion and deteriorated paint. Low pressure grit blasting may be used to remove corrosion and coatings when hand scraping is ineffective. Cleaned ferrous metals should be painted immediately with a corrosive resistant coating.

e. *Repair.* Metal features that are broken or dented shall be repaired. Metal features that are broken or dented shall not be replaced.

f. *Replacement.* Metal features that are too deteriorated to be repaired should be replaced. The original metal feature shall be used as a model for the new feature. Missing features shall not be replaced with details that do not convey the same visual appearance.

7. Exterior Plaster (Stucco).

a. *Preservation.* All original exterior plaster features should be identified, retained and preserved. Original exterior plaster features that are important in defining the overall historic character of the building shall not be removed.

b. *Protection.* All causes of plaster deterioration should be identified, evaluated and treated. Causes may include leaking roofs, faulty flashing, leaking gutters, broken concrete substrate, deteriorated or rusted metal lath, and deteriorated wood members.

c. *Cleaning.* All plaster shall be cleaned with gentle methods that will not damage the plaster. Use water and detergent with a soft natural bristle brush. Cleaning methods such as sandblasting or high pressure water are not permitted.

d. *Repairs.* All types of deterioration shall be identified such as spalling, broken, or cracked plaster and missing plaster details. All deteriorated substrate material shall be removed. All plaster shall be patched using industry approved repair procedures and materials. Where a large area of plaster needs to be replaced, the adjacent panel should be completely replaced in order to avoid a patched appearance.

8. Roofs.

a. *Preservation.* All original character defining features of the roof should be identified, retained and preserved. Features include shape, slope, roofing materials, and decorative details. The original defining features that have been removed or altered should be identified. The character defining features of the roof shall not be altered. Sound character defining features of the roof shall not be removed.

b. *Protection.* All causes of roof deterioration should be identified, evaluated and treated. Causes may include blocked drains and gutters, moisture condensation, faulty flashing, overhanging tree limbs, insect and fungus infestation, deteriorated roofing material, faulty application of roof fasteners, and deteriorated fasteners.

c. *Repairs.* All features shall be repaired with similar materials.

d. *Replacement.* All features that are not repairable shall be replaced. The deteriorated elements of the roof should be replaced with new material that preserves the overall

shape and slope of the roof. Materials that do not convey the visual appearance of the original roof shall not be used.

e. *Additions to Buildings.* Roofs over additions should retain the character defining features of the original roof.

f. *Additions to Original Roofs.* Mechanical or solar collection should be installed so that they are not visible from the public right of way. Unless an original decorative feature on a house, downspouts should be located in an inconspicuous place, such as the corner, side or back of a building.

9. Doors.

a. *Preservation.* All original character defining features of doors should be identified, retained and preserved. Features include frames, jambs, door, transoms, sills, trim, screen door, and fan lights and sidelights. Doors that are important in defining the overall historic character of the building shall not be removed or radically changed. The pattern of the door shall not be changed. The historic appearance of doors through the use of inappropriate design, materials, finishes or color shall not be changed. Original fittings on doors shall not be stripped.

b. *Protection.* All causes of deterioration should be identified, evaluated and treated. Causes may include weathering due to paint deterioration, rusting due to paint deterioration, and sealant and caulking deterioration.

c. *Repairs.* Original broken door detail should be repaired. When repair of material or missing parts is appropriate, the entire door shall not be replaced.

d. *Replacement.* When a door can no longer be repaired, or is missing, replace it with a new door that matches the original. Character defining doors should not be replaced with new doors that do not convey the same visual appearance of the original.

e. *Doors in Additions to the Original Buildings.* New doors in additions to the original buildings should be compatible with the overall design of the original building, but not duplicate the pattern of the original door.

10. Windows.

a. *Preservation.* All original character defining features of windows should be identified, retained and preserved. Features include frames, heads, sills, trim, jambs, muntins, shutters, awnings, sash, glazing, blinds, and screens. Windows that are important in defining the overall historic character of the building shall not be removed or radically changed. The number, location, size or glazing pattern of windows shall not be changed. The historic appearance of windows through the use of inappropriate design, materials, finishes or color shall not be changed. Window trim should not be obscured with other materials. Original fittings on windows shall not be stripped.

b. *Protection.* All causes of deterioration should be identified, evaluated, and treated. Causes may include water penetration, weathering due to paint deterioration, rusting due to paint deterioration, and sealant and caulking deterioration.

c. *Repairs.* Original broken window features should be repaired. When repair of material or missing parts is appropriate, entire windows shall not be replaced.

d. *Replacement.* When a window can no longer be repaired, or is missing, replace it with a new window that matches the original. Character defining windows should not be replaced with new windows that do not convey the same visual appearance of the original.

e. *Windows in Additions to the Original Buildings.* New windows in additions to the original buildings should be compatible with the overall design of the original building, but not duplicate the fenestration pattern and detailing of the original window.

11. Entrances and Porches.

a. *Preservation.* All original entrance or porch, including doors, entablatures, columns, balustrades, and stairs should be identified, retained and preserved. If replacement is necessary, the proportion and composition of original design should be retained, preferably by using traditional moldings and balusters. An entrance or porch shall not be removed in order to reorient the building for a new use. Columns and railings for porches, stoops and front steps should be substantial looking and not be replaced with pipes, wrought iron or "ranch-style" members. Brick stairs are rarely appropriate; wood stairs are most appropriate to Late Victorian and Classical Revival houses. New entrances shall not be cut into the primary façade. Utilitarian or service entrances shall not be altered so they appear to be the formal entrance.

b. *Protection.* All causes of deterioration should be identified, evaluated, and treated. Causes may include water penetration, weathering due to paint deterioration, rusting due to paint deterioration, and sealant and caulking deterioration.

c. *Repairs.* The historic materials used in the character defining features should be repaired. Original materials should be used for repairs or substitute materials that are compatible. Substitute materials or features that do not convey the visual appearance of the original features shall not be used.

d. *Replacement.* When an entrance or porch can no longer be repaired, or is missing, replace it with a new entrance or porch that conveys the same visual appearance.

e. *A New Entrance or Porch on Additions to the Original Building.* A new entrance or porch should be designed to be compatible to the original buildings.

12. Storefronts.

a. *Preservation.* All original storefront should be identified, retained, and preserved. Store front features include bulkhead, window frames, door transom, recessed ceiling, lighting, wall material, display window, entry door, awnings, recessed paving, and parapets. The original features of the storefront shall not be removed. The location of the storefront main entrance shall not be changed. The original configuration of the storefront shall not be altered. Inappropriate materials shall not be added over original ones.

b. *Protection.* All causes of deterioration on the storefront should be identified, evaluated, and treated. Causes may include, water penetration, weathering due to paint deterioration, rusting due to paint deterioration, and sealant and caulking deterioration. Historic materials shall not be stripped from the storefront.

c. *Repairs.* The historic materials used in the character defining features of the storefront should be repaired. Original Materials or substitute materials that are compatible should

be used for repair. Materials or features that do not convey the visual appearance of the original features should not be substituted.

d. *Replacement.* If there is insufficient information about the original appearance of the storefront, it should be rebuilt using a new design whose size, scale, style, detail, and color are compatible with the original appearance. When a storefront can no longer be repaired, or is missing, replace it with a reconstructed storefront based on the available historical, pictorial and physical documentation available. A new design that is incompatible in size, scale, material, style and color with the original appearance is not allowed.

13. Significant Interior Space Features and Finishes.

a. *Preservation of Interior Spaces.* A floor plan or significant interior spaces that are important in defining the overall historic character of the building should be identified, retained, and preserved. Elements to be considered of the interior space are size, proportions, configuration, relationship of rooms, individual room or space, and relationship of features to spaces or rooms. The floor plan or significant interior spaces that are important in defining the overall historic character of the building shall not be radically changed. Interior space should not be altered or destroyed by inserting floors, cutting through floors, lowering ceilings, or adding or removing walls. A feature should not be relocated so that a historic relationship between the feature and the space is altered.

b. *Preservation of Interior Features and Finishes.* Interior features and finishes that are important in defining the overall historic character of the building should be identified, retained and preserved and shall not be removed or radically changed. New features or finishes that obscure the character defining features of the building should not be applied.

c. *Protection.* All causes of deterioration should be identified, evaluated, and treated. Causes include surface dirt, moisture penetration from the exterior, insect and fungus infestation, excessive moist or dry air, vandalism, improper cleaning procedures, and excessive use. The original features and finishes should be protected from inappropriate changes: removal of original features, replacement of original features, repainting of original finishes, and introduction of new mechanical, plumbing and electrical systems that cause damage when they are installed.

d. *Repairs.* Deteriorated features or finishes should be repaired using the same or compatible materials. Do not make repairs with incompatible materials.

e. *Replacement.* Un-repairable features or finishes should be replaced with new features or finishes that match the original. Features or finishes should not be replaced with new features or finishes that do not convey the same visual appearance of the original.

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Division 8.01—Sign Regulations

Sections:

- [8.01.000](#): Purpose
- [8.01.005](#): Applicability
- [8.01.010](#): Exempt Signs
- [8.01.015](#): Prohibited Signs
- [8.01.020](#): Sign Standards
- [8.01.025](#): Design Guidelines

8.01.000: Purpose

A. The regulations set forth by this Division contain the primary tools for implementing the sign policies, standards, and regulations of the City pursuant to the provisions of the State Outdoor Advertising Act (BPC Section 5200 et seq.), and other applicable state and local requirements, and prescribe standards for the type, placement, size, number, height, and illumination of signs in order to achieve the following purposes:

1. Maintain the attractiveness and orderliness of the City's appearance by avoiding sign clutter;
2. Protect agricultural, residential, commercial, industrial, civic, open space and utilities, from the loss of visual prominence resulting from excessive signing on nearby sites;
3. Protect public and private investment in buildings and open spaces;
4. Protect residentially zoned areas lying adjacent to commercial and industrial areas from the negative effects of excessive signs;
5. Enable users of goods and services to identify establishments offering services to meet their needs;
6. Encourage sound signing practices as an aid to business and inform the public, but to prevent excessive and confusing sign displays;
7. Regulate the number, size, height, and location of signs according to standards consistent with the types of establishments in each zoning district;
8. Promote traffic safety through appropriate and reasonable controls on signs;
9. Promote the public health, safety, and welfare by regulating and controlling all matters relating to signs; and
10. Protect the health, safety, and welfare of City residents from hazards resulting from improper, excessive, distracting and otherwise unsafe signage.

B. It is the determination of the City Council that a sign is intended to serve primarily to identify the general nature of an establishment, or to direct attention to a product, activity, place, person, organization or enterprise. The City Council further determines that as identification devices, signs should not subject the citizenry to excessive competition for their visual attention, and as

appropriate identification devices, signs should harmonize with the building or activity they serve, the neighborhood in which they are located, and other signs within the surrounding area and in the same zoning district.

C. The installation of signs that improve the appearance of a building and neighborhood is encouraged. As such, The City Council hereby promotes the use of artistry and innovation in the design of signs is decidedly encouraged.

8.01.005: Applicability

A. No sign, including copy change or a temporary sign, shall be approved and a permit therefore issued, except in conformance with the requirements of Table 2.02-1 (Review Matrix) and Section 4.03.020 (Sign Plans) of this Development Code, and the requirements of this Division.

B. No sign shall be erected, constructed, attached, affixed, or maintained on any property, except in conformity with the provisions of this Division, and expressly exempted by the provisions of Section 8.01.010 (Exempt Signs) of this Division.

C. It shall be illegal to use, occupy, or maintain property in violation of this Division. Any violation or failure to comply with the provisions of this Division shall render a person guilty of such violation, punishable in accordance with OMC Title 1, Chapter 2 (Penalty Provisions).

8.01.010: Exempt Signs

No sign, including copy change or a temporary sign, shall be placed, installed, constructed, displayed, or altered without a Sign Plan approved by the City pursuant to Section 4.03.020 (Sign Plans) of this Development Code, excepting the following:

A. **Official Notices.** Any sign, posting, notice or other indication used exclusively to display official notices, notices of any court or public office, or posted by a public officer in the performance of a public duty, or required by a public entity in carrying out its responsibility to protect the public health, safety or welfare, or otherwise required by law.

B. **Street and Traffic Control Signs.** Street name and traffic control signs, directional signs, informational signs of a public or semi-public nature, historical markers placed by a governmental or non-profit organization, and railroad crossing, danger, or other emergency warning signs, provided that no individual sign exceeds 4 SF in area.

C. **Directional Signs.** Signs guiding and directing traffic in parking lots and facilities, provided that no individual sign exceeds 4 SF in area and 4 FT in height.

D. **Public Convenience Signs.** Signs showing the location of public restrooms, telephones, other public conveniences, and underground utilities, provided no individual sign exceeds 2 SF in area.

E. **Business Hours, Emergency Phone Numbers, Honoring Credit Cards, and Association Membership Signs.** Signs indicating business hours, emergency phone numbers, honoring credit cards, association memberships and similar types of sign, provided no individual sign exceeds one SF in area and the total area of all such signs does not exceed 4 SF.

- F. Interior Signs.** Signs located entirely within a building, structure or complex of buildings, which are not visible from a public street or from other adjacent properties.
- G. Menu Boards for Drive-In, Drive-Through, and Walk-Up Restaurants.** Menu boards not exceeding 36 SF in area and 6 FT in height for drive-in, drive-through, and walk-up restaurants, not to exceed 2 menu boards per restaurant.
- H. Building Plaques.** The names of buildings and dates of erection and dedicatory, memorial or historical plaques not exceeding 4 SF in area, which are constructed of bronze or other nonflammable material.
- I. Political Signs.** Political campaign signs installed pursuant to Subsection 8.01.025.J (Political Signs) of this Division.
- J. Posters and Bulletin Boards.** Temporary posters on private property, not exceeding 4 SF in area, which are located in windows or on bulletin boards, advertising benefit activities and events sponsored by local nonprofit organizations.
- K. Holiday Lights and Displays.** Holiday lights and displays that do not advertise any business establishment, product, or other commercial activity, limited to 30 days within any 60-day period.
- L. Real Estate and Construction Signs.** Temporary real estate and construction signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.
- M. Home Occupation Signs.** Signs attached to the exterior wall of a dwelling, at or near the building entrance, which identify a legally established home occupation conducted therein, not to exceed one sign per dwelling, maximum 18 inches square in size, and mounted at eye level, no higher than 6 FT above finished floor of the dwelling, measured at the top edge of the sign.

8.01.015: Prohibited Signs

The following signs and circumstances are expressly prohibited within the City, except as otherwise provided by this Division:

- A.** Any sign not specifically allowed by this Division; however, nothing in this Division shall be construed to prohibit any sign, notice, or advertisement required by Federal, State, or local laws.
- B.** Billboards, including vehicle-mounted billboards (roving or stationary), excepting [i] billboards established pursuant to a Billboard Relocation Agreement, implemented pursuant to Section 4.02.010 (Billboard Relocation Agreements); and [ii] billboards located within the ONT zoning district, established pursuant to the requirements of Table 8.01-1 (Sign Regulations Matrix) of this Development Code.
- C.** Rotating, revolving, or otherwise moving signs designed to attract attention by visual means through the movement or semblance of movement of the whole or any part of the sign, including rotation, special lighting or wind actuated devices, and signs that flash, blink or reflect light by means of a glossy, polished, or mirrored surface, excepting barber poles, time and temperature signs, and electronic message displays allowed pursuant to Paragraph C.3 (Electronic Message Displays) of this Section.

- D.** Searchlights, open flames, or loudspeakers used to call attention to a product, service or property.
- E.** Signs that float in the air, such as signs affixed to, or printed on, hot air balloons, helium balloons, or kites, inflated signs, and any other type of aerial sign, except as temporary signs or displays allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.
- F.** Banner signs, except as temporary promotional or special event signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.
- G.** Signs that emit or amplify any sounds or noise.
- H.** Signs illuminated by lighting that changes in color or intensity of color, excepting electronic message displays allowed pursuant to Paragraph C.3 (Electronic Message Displays) of this Section.
- I.** Signs that generate particulate matter, including but not limited to, bubbles, smoke, fog, confetti or ashes.
- J.** Swooper signs, except as temporary promotional or special event signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.
- K.** Signs placed on, affixed to, or erected on or over public rights-of-way, excepting street banners allowed pursuant to Subsection 8.01.025.G (Street Banner Program and Street Banners) of this Division.
- L.** Signs that identify or advertise a product or service not available on the premises, excepting offsite real estate signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.
- M.** Signs erected on roofs, or that project above the eave, parapet line or roofline, or above a canopy of a building.
- N.** Internally illuminated signs with a directly exposed source of light.
- O.** Lit borders consisting of neon or LED fixtures, which are affixed around the interior or exterior perimeter of windows, excepting holiday and/or seasonal lights and displays allowed pursuant to Subsection 8.01.010.K of this Division.
- P.** Externally illuminated signs where the source of light is directly visible to pedestrians or vehicular traffic.
- Q.** Signs that emit or reflect light by means of direct fluorescence, phosphorescence, or "day-glow" colors.
- R.** Signs that obstruct the visual lines of sight at corners or intersections for drivers of motor vehicles.
- S.** Signs that may obstruct the free use of any exit, entrance, window, vent, emergency access, fire lane, fire hydrant, or standpipe.
- T.** Signs that may interfere with, obstruct, confuse or mislead pedestrian or vehicular traffic.

- U.** Any sign illumination that, in the opinion of the Zoning Administrator, exhibits undue glare.
- V.** Signs affixed to trucks, automobiles, trailers or any other vehicle that advertise, identify, or provide direction to a use or activity not related to its lawful making of deliveries or sales of merchandise, or rendering of services from such vehicles.
- W.** Parking of legitimate delivery, sales, or service vehicles in an off-site location, or on-site, within a parking lot adjacent to a public street for the purpose of advertising.
- X.** Any sandwich board, "A" frame sign, or other portable sign, except as temporary signs or displays allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division;
- Y.** Signs affixed to, or painted on, a rock, tree, or any other natural feature.
- Z.** Changeable copy signs, excepting electronic message displays allowed pursuant to Paragraph 8.01.025.C.3 (Electronic Message Displays) of this Division, and those changeable copy signs specifically allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division;
- AA.** Any sign having a dimension in excess of 1.5 FT in height and 1.5 FT in width, which identifies a home occupation.
- BB.** Any sign consisting of several sheets of paper connected together by perforations, tape, staples or any other means.
- CC.** Signage painted on the exterior walls or fascia of a building or structure.
- DD.** Supergraphics.
- EE.** Human signs, including human billboards, human directionals, and sign walkers, wavers and twirlers (holding or wearing a sign, or the act of spinning or dancing while holding or wearing a sign, or wearing a costume, in order to attract attention).

8.01.020: Sign Standards

A. General Regulations.

- 1.** No sign shall be placed on private property, including vacant property, without written authorization from the owner or the occupant, and approval of plans by the City, pursuant to the provisions of Section 4.03.020 (Sign Plans) of this Development Code.
- 2.** No sign shall be placed on public property or within the public right-of-way without written City approval. Signs placed on public property or in the public right-of-way without specific approval, shall be deemed illegal and shall be abated pursuant to the provisions of Section 3.02.015 (Illegal Signs) of this Development Code.
- 3.** Creative and imaginative signage is strongly encouraged and is the standard by which Sign Plan applications will be judged, together with the specific architectural style of adjacent buildings.

4. There are many acceptable sign treatments that may be used; however, a mixed media, three-dimensional approach, which incorporates a combination of fabrication and lighting techniques, is preferred.

5. Consider [i] the overall concept of the project a proposed sign will serve, [ii] the scale of the proposed sign, and [iii] the critical viewing angles and sight lines when designing appropriate graphics and signs for site and storefront installations.

6. A sign shall be located on the same site as the use, activity, or structure it identifies, except as otherwise expressly permitted by this Division.

7. No sign shall resemble a traffic safety or control device or, by intensity of illumination, location or design, impair the vision of, or create a hazard for, motorists on a public street or highway.

8. Lateral and columnar sign supports are to be designed to be architecturally integrated with the building to which it is attached, or so that required bracing, including but not limited to, angle irons, guy wires, cables or other appurtenances, shall not be exposed to public view.

9. All signs shall be constructed to conceal conduits and raceways, exposed wiring, and electrical appurtenances.

B. Sign Regulations.

1. Sign Regulation Matrix. Table 8.01-1 (Sign Regulation Matrix) of this Division, identifies the sign classification, type, number, location, area, height, length, allowed within each zoning district of the City, along with any applicable special regulations. The standards contained in the Sign Regulation Matrix are maximums, unless otherwise stated. The maximum standard established by Table 8.01-1 (Sign Regulation Matrix) may be reduced by the Approving Authority in cases when the Approving Authority can clearly establish by written decision that that implementation of the maximum standard would:

- a. Adversely affect the public health, safety or welfare; or
- b. Result in a sign design and/or placement inconsistent with the requirements of this Section; or
- c. Be contrary to the aesthetic sensibilities of the neighborhood in which the sign is proposed.

2. Downtown Ontario Design Guidelines. The Downtown Ontario Design Guidelines, included as Reference "C" of this Development Code, establishes a set of architectural, graphic, and lighting design principles for the rehabilitation of properties within the City's historic original downtown area (project area). Signs proposed within the project area shall be subject to the sign requirements contained within the Downtown Ontario Design Guidelines. The affected area is bordered by "I" Street on the north, Vine Street on the west, Sultana Avenue on the east, and railroad tracks on the south, and is defined in Figure 1.4 (Land Use Districts) of the Downtown Ontario Design Guidelines. The design guidelines also apply to those properties located across the street from, and directly abut, the project area.

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
A. ALL ZONING DISTRICTS (excepting those “specialty signs” listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Construction Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT	No restriction.	<p>[1] Signs shall be nonilluminated.</p> <p>[2] Signs shall be removed within 5 days following the sale or lease of the last unit, or final Building Department inspection.</p>
b. Off-Site Residential Subdivision Signs	Number and location subject to Planning Director approval; however, a sign shall not be located more than 600 FT from any other Off-Site Residential Subdivision Sign location.	35 SF	<p><u>Sign</u>: 7 FT (overall)</p> <p><u>Business Panel Signs</u>: 10 inches (each)</p>	Panel: 5 FT (each)	<p>[1] The design, construction materials, and color scheme of Off-Site Residential Subdivision Signs shall be pursuant to an Off-Site Residential Subdivision Sign Program approved by the Planning Director. No more than 6 sign panels shall be affixed to any one structure.</p> <p>[2] Each sign panel may only contain the name of the residential subdivision and a directional arrow.</p> <p>[3] The placement of Off-Site Residential Subdivision Signs within the public right-of-way shall be subject to approval of an encroachment permit by the City Engineer.</p> <p>[4] No flags, balloons, pennants, or other riders or decorations are permitted. The illumination of Off-Site Subdivision Signs is not permitted.</p> <p>[5] Signs shall not advertise residential subdivisions</p>

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
					<p>located outside of the city limits.</p> <p>[6] Individual directional panels shall be allowed to remain until such time that the respective subdivision is sold-out.</p> <p>[7] It shall be unlawful for any person to place or erect an Off-Site Residential Subdivision Sign, except in conformity with the herein stated provisions</p> <p>[8] The City Council may by resolution, authorize the administration of an Off-Site Residential Subdivision Sign Program by one or more organizations of its choosing.</p>
<p>c. Off-Site Business Signs</p>	<p>Number and location subject to Planning Commission approval.</p>	<p>35 SF</p>	<p>Sign: 7 FT (overall) Business Panel Signs: 10 inches (each)</p>	<p>Business Panel Signs: 5 FT (each)</p>	<p>[1] A maximum of 2 Off-Site Business Signs may be permitted for a business, or group of businesses, when the Planning Commission can make each of the following findings:</p> <ul style="list-style-type: none"> ▪ Five or more businesses are affected by the same special circumstances; and ▪ Special circumstances exist which adversely affect the businesses, such as temporary closure of a public street, which provides main access to the businesses; <p>[2] The design, construction materials, and color scheme of an Off-Site Business Sign</p>

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
					<p>shall be subject to approval by the Planning Commission.</p> <p>[3] No more than 6 business panel signs shall be affixed to any one structure.</p> <p>[4] The placement of Off-Site Business Signs within the public right-of-way shall be subject to approval of an encroachment permit by the City Engineer.</p> <p>[5] No flags, balloons, pennants, or other riders or decorations are permitted. The illumination of Off-Site Business Signs is not permitted.</p> <p>[6] It shall be unlawful for any person to place or erect an Off-Site Business Sign, except in conformity with the herein stated provisions.</p> <p>[7] An Off-Site Business Sign shall be removed within 30 days following the special circumstances that allowed the sign, ceases to exist.</p> <p>[8] No otherwise eligible business shall be allowed an Off-Site Business Sign until all illegal signs associated with such businesses are removed.</p>
d. Political Signs					Refer to Paragraph 8.01.020.K (Political Signs) of this Division for political sign regulations.
e. Street Banners	Pursuant to Subsection 8.01.020.G (Street Banners)	No restriction.	No restriction.	No restriction.	Comply with the requirements of Subsection

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
	and Street Banner Programs) of this Division.				8.01.020.G (Street Banners and Street Banner Programs)
2. Permanent Signs					
a. Address Signs	One wall sign and rooftop sign per building or divided tenant space.				Street addresses shall be posted pursuant to Subsections 6.06.020.B (Posting of Street Address Numbers) and D (Posting of Rooftop Address Numbers) of this Development Code.
b. Directional Signs	Pole, monument, or wall sign.	4 SF per sign face.	Pole or monument signs shall not exceed 6 FT in height.		Signs shall be for the purpose of serving the public safety or convenience (e.g., signs such as "parking," "entrance," "exit" and the like). The sign may include the name/logo of the business it serves.
c. Directory Signs	Monument or wall sign. The number and location shall be at the discretion of the Planning Director.	6 SF per sign face.	6 FT		Directory signs should include a plot plan showing all private drives and roads, building locations with unit numbers and addresses, and fire hydrant locations. The directory should also include a reference point on the plot plan indicating the location of the directory and a north arrow.
d. Government Flags and Emblems	No restrictions.	No restriction.	No restriction.	No restriction.	Includes flags or emblems of the United States of America, the State of California, the County of San Bernardino and the City of Ontario.
e. Wall Murals	Murals shall be original, non-commercial works of art; uniquely designed for the specific location it is proposed. Ideally, murals should depict the historic	There is no maximum allowed sign area; however, murals must complement the scale and architectural features of the building on which they are located.	No restriction.	No restriction.	[1] Murals are intended to enhance the quality of the area in which it is located, and the community as a whole. They should not serve to direct attention to a

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
	character of the community or reflect Ontario's environmental setting.				specific business, product, or service. [2] Wall murals may be approved by the Planning Commission, upon consideration of the following: <ul style="list-style-type: none"> ▪ Compatibility of the design with the immediate environment of the site; ▪ Appropriateness of the design and size to the function of the site; ▪ Compatibility of the design and location within a unified theme; and ▪ Appropriateness of the design as a public work of art. The design may portray, but not be limited to, a cultural, historical, or scenic subject.
B. RESIDENTIAL ZONING DISTRICTS (excepting those "specialty signs" listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs (signs identifying properties and dwellings for resale)	One freestanding sign per lot, which identifies a property as "For Sale," "For Lease" or "For Rent." One on-site freestanding sign per event, which identifies an "Open House." Four off-site freestanding directional signs, which identifies the location of an "Open House" event.	8 SF per sign face. 4 SF per sign face. 4 SF per sign face.	5 FT 3 FT 3 FT		[1] Only nonilluminated signs shall be allowed. [2] A sign identifying a property for sale/lease/rent shall be removed within 5 days following the close of escrow. [3] Open House" signs shall be allowed as follows: <ul style="list-style-type: none"> ▪ Signs may be placed between the hours of 8:00AM and 8:00PM, on

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
					Friday, Saturday, Sunday, and legal holidays; <ul style="list-style-type: none"> ▪ Off-site directional signs shall be located no farther than 0.5-mile from the Open House location; ▪ Signs shall not be placed on the public sidewalk; and ▪ No flags, balloons, pennants, or other sign riders or decorations shall be used.
b. Subdivision Sales Office < 5 acres	One freestanding or wall sign per subdivision.	32 SF per sign face.	12 FT		[1] Only nonilluminated signs shall be allowed. [2] Signs shall be removed within 30 days following the sale of the last unit in the complex.
c. Subdivision Sales Office ≥ 5 acres	One freestanding or wall signs per street frontage of a subdivision, not to exceed a total of 3 signs.	32 FT per sign face.	12 FT		
2. Permanent Signs					
a. Single-Family Signs					
<ul style="list-style-type: none"> ▪ Subdivision Signs 	One monument sign or wall sign per subdivision, located at the subdivision entry or at major intersecting boundary streets.	12 SF per sign face.	4 FT (freestanding)		[1] Only nonilluminated signs shall be allowed. [2] The Planning Director may implement measures to ensure sign maintenance, such as the establishment of a homeowners association and the recordation of appropriate CC&Rs with the San Bernardino County Recorder’s office, or other suitable measures.

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
▪ Home Occupation Signs	One wall sign per dwelling, located at or near the building entrance.	2.25 SF	1.5 FT	1.5 FT	Home occupation signs shall be mounted at eye level, no higher than 6 FT above finished floor of the dwelling, measured at the top edge of the sign.
b. Multiple-Family Signs					
▪ Complex Signs	One monument sign or wall sign per street frontage.	24 SF per sign face.	6 FT (freestanding)		[1] Signs shall be nonilluminated. [2] Wall signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. [3] Monument signs shall comply with Paragraph 8.01.020.C.1 of this Division.
▪ Site Directory Signs	One monument or wall site directory sign per vehicle entry.	12 SF per sign face.	6 FT (freestanding)		
c. Institutional User Signs (e.g., day care facilities, religious assembly, schools, etc.)	<u>Wall Signs:</u> One sign per street frontage, not to exceed 2 signs per building. <u>Monument Signs:</u> One sign per street frontage.	<u>Wall Signs:</u> 24 SF per building elevation. <u>Monument Signs:</u> 24 SF per sign face	<u>Wall Signs:</u> 2 FT maximum alphanumeric character height <u>Monument Signs:</u> 6 FT	<u>Wall Signs:</u> Not to exceed 80% of the elevation width upon which the sign is located.	<u>Wall Signs:</u> Signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division. <u>Monument Signs:</u> Signs shall comply with Paragraph 8.01.020.C.1 of this Division.
C. COMMERCIAL ZONING DISTRICTS (excepting those “specialty signs” listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT		[1] Signs shall be nonilluminated. [2] Signs shall be removed within 5 days following the sale or lease of the last unit has been completed.

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
b. Window Signs and Displays	Window signs	Limited to 25% of the window area, excepting within the area covered by the Downtown Ontario Design Guidelines (see Reference "C" of this Development Code for applicable standards).			<p>[1] Window signs shall be allowed for a maximum of 3 periods of 30 days per year.</p> <p>[2] Window signs shall be allowed only on windows located on the ground floor of a building frontage.</p> <p>[3] Window signs shall be painted or mounted only on the inside of doors and windows.</p> <p>[4] Signs placed on the interior of a building, which are located within 3 FT of a storefront window and are visible from the building exterior, shall be deemed a window sign.</p>
c. On-Site Promotional and Special Event Signs and Banners					
▪ ≤ 8,000 SF of tenant GFA	One wall-mounted banner per tenant.	50 SF per sign face.	3 FT	Not to exceed 50% of the elevation width upon which the sign is located.	[1] <u>Business Grand Opening</u> . A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration.
▪ > 8,000 SF of tenant GFA	One wall-mounted banner per tenant.	75 SF per sign face.	5 FT	Not to exceed 50% of the elevation width upon which the sign is located.	[2] <u>Retail Sales Event</u> . A Retail Sales Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 7 days duration during the specified "holiday sale periods," and during the specified "additional periods" for which a Temporary Use Permit has been issued, not to exceed a total of 56 days

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
					<p>per calendar year. Each “additional period” may be used consecutively with “holiday sale periods,” not to exceed a total of 6 consecutive periods (42 consecutive days).</p> <p><u>[3] Holiday Retail Sales.</u> Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration.</p> <p><u>[4] Shows and Exhibits.</u> Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration.</p> <p><u>[5] Amusement and/or Sporting Events.</u> Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.</p> <p><u>[6] Tent Revivals.</u> Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar</p>

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
					year, which may be used in a single period, or in 2 periods of 15 days duration. <u>[7] Charitable and Fund Raising Events.</u> Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this Development Code may be allowed temporary signage during the specified “holiday periods,” and the specified “additional events” for which a Temporary Use Permit has been issued.
2. Permanent Signs					
a. Wall Signs					
<ul style="list-style-type: none"> ▪ <u>Retail:</u> Businesses Occupying > 100,000 SF 	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	200 SF per building elevation.	<u>Primary Signs:</u> 6 FT for alphanumeric characters and graphic logos/icons. <u>Descriptor Signs:</u> 2 FT for alphanumeric characters and graphic logos/icons.		Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
<ul style="list-style-type: none"> ▪ <u>Retail:</u> Businesses Occupying 50,000 SF to 99,999 SF 	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	175 SF per building elevation.	<u>Primary Signs:</u> 5 FT for alphanumeric characters and graphic logos/icons. <u>Descriptor Signs:</u> 2 FT for alphanumeric characters and graphic logos/icons.		
<ul style="list-style-type: none"> ▪ <u>Retail:</u> Businesses Occupying 20,000 SF to 49,999 SF 	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	150 SF per building elevation.	<u>Primary Signs:</u> 4 FT for alphanumeric characters and graphic logos/icons. <u>Descriptor Signs:</u> 1.5 FT for alphanumeric characters and graphic logos/icons.		

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
<ul style="list-style-type: none"> ▪ <u>Retail</u>: Businesses Occupying 8,000 SF to 19,999 SF 	One primary wall sign per building elevation, not to exceed 3 signs, plus 2 descriptor signs.	100 SF per building elevation.	<p><u>Primary Signs</u>: 3 FT for alphanumeric characters and graphic logos/icons.</p> <p><u>Descriptor Signs</u>: 12 inches for alphanumeric characters and graphic logos/icons.</p>		
<ul style="list-style-type: none"> ▪ <u>Retail</u>: Businesses Occupying < 8,000 SF 	One wall sign per building elevation, not to exceed 3 signs.	50 SF per building elevation.	<p><u>Alphanumeric Characters</u>: 2 FT.</p> <p><u>Logos/Icons</u>: 4 FT.</p> <p><u>Signs With Multiple Lines of Copy</u>: 2.5 FT for height of all lines.</p>		
<ul style="list-style-type: none"> ▪ <u>Office</u>: Multiple-Story Building Identification 	One wall sign per building elevation, not to exceed 2 signs.	100 SF per building elevation.	3 FT for alphanumeric characters and graphic logos/icons.		<p>[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.</p> <p>[2] Signage shall be limited to identification of the building, and not individual tenants.</p>
<ul style="list-style-type: none"> ▪ <u>Office</u>: Multiple Story Building—Tenant Identification 	One wall sign per building elevation, not to exceed 2 signs.	50 SF per building elevation.	2 FT for alphanumeric characters and graphic logos/icons.		<p>[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.</p> <p>[2] A maximum of 2 tenant identification signs shall be permitted regardless of the number of tenants contained within the building.</p>
<ul style="list-style-type: none"> ▪ <u>Office</u>: Single Story Building—Tenant Identification 	One wall sign per building elevation, not to exceed 2 signs. Alternately, for multiple tenant buildings, one nameplate may be provided for each tenant (2 nameplates may be provided for end/corner-unit tenants).	<p><u>Wall Signs</u>: 50 SF.</p> <p><u>Nameplates</u>: 15 SF.</p>	<p><u>Wall Signs</u>: 2 FT for alphanumeric characters and graphic logos/icons.</p> <p><u>Nameplates</u>: 1.5 FT for nameplates and 12-inches for alphanumeric characters and graphic logos/icons.</p> <p><u>Signs With Multiple Lines of Copy</u>: 2.5 FT for height of all lines.</p>		<p>[1] Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.</p> <p>[2] Nameplates shall not be illuminated.</p>

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
b. Monument Signs					
▪ Commercial Center Identification Signs	One monument sign for each 500 FT (lineal) of street frontage, with a minimum 300 FT spacing between signs.	50 SF per sign face.	7 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets)		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
▪ Building Identification Signs (not a part of a center or complex)	One monument sign per street frontage.	36 SF per sign face.	6 FT		
c. Directional Signs (On-Site)	Freestanding directional signs (on-site only) shall be permitted as determined appropriate by the Planning Director.	5 SF per sign face	5 FT		The design of directional signs shall be consistent with the architectural design of the buildings they serve.
d. Freeway Signs	[1] One sign per parcel having a minimum of 600 FT of freeway frontage and is developed as a single entity. [2] Two signs per parcel having a minimum of 1,800 FT of freeway frontage, a minimum of 10 acres in area, and is developed as a single entity. [3] Three signs per parcel having a minimum of 3,000 FT of freeway frontage, a minimum of 10 acres in area, and is developed as a single entity.	150 SF per sign face.	35 FT maximum; however, the height may be increased to 45 FT if the site is at least 10 FT lower than the freeway finish surface.	No sign face shall exceed 25 FT in any direction.	[1] Comply with Paragraph 8.01.020.C.2 (Freeway Signs) of this Division. [2] No advertising display shall contain flashing, intermittent, or moving lights, other than that part necessary to give public service information, including, but not limited to, the time, date, temperature, weather, or similar information, or an Electronic Message Display that complies with Paragraph 8.01.020.C.3 (Electronic Message Displays) of this Division.
D. MIXED-USE ZONING DISTRICTS (excepting those “specialty signs” uses listed in Subsection F (Standards for Specialty Signs) of this Table)					
All Signs	Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table; and rely upon the sign standards for commercial land uses established by Subsection C (Commercial Zoning Districts) of this Table				

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
E. INDUSTRIAL ZONING DISTRICTS (excepting those “specialty signs” uses listed in Subsection G (Standards for Specialty Signs) of this Table)					
1. Temporary Signs					
a. Real Estate Signs	One freestanding sign or wall sign per parcel.	32 SF per sign face.	8 FT.		<p>[1] Signs shall be nonilluminated.</p> <p>[2] Signs shall be removed within 5 days following the sale or lease of the last unit has been completed.</p>
b. Window Signs and Displays	Window signs	Limited to 25% of the window area.			<p>[1] Window signs shall be allowed for a maximum of 3 periods of 30 days per year.</p> <p>[2] Window signs shall be allowed only on windows located on the ground floor of a building frontage.</p> <p>[3] Window signs shall be painted or mounted only on the inside of doors and windows.</p> <p>[4] Signs placed on the interior of a building, which are located within 3 FT of a storefront window and are visible from the building exterior, shall be deemed a window sign.</p>
c. On-Site Promotional and Special Event Signs and Banners	One wall-mounted banner per tenant.	One-half the area allowed for permanent tenant identification signage, not to exceed 50 SF.		Not to exceed 50% of the elevation width upon which the sign is located.	<p>[1] <u>Business Grand Opening.</u> A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration.</p> <p>[2] <u>Retail Sales Event.</u> A Retail Sales Event pursuant to Paragraph 5.03.395.G.1 of this Development Code may be allowed temporary signage for maximum 7 days</p>

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
					<p>duration during the specified “holiday sale periods,” and during the specified “additional periods” for which a Temporary Use Permit has been issued, not to exceed a total of 56 days per calendar year. Each “additional period” may be used consecutively with “holiday sale periods,” not to exceed a total of 6 consecutive periods (42 consecutive days).</p> <p><u>[3] Holiday Retail Sales.</u> Holiday Retail Sales established pursuant to Paragraph 5.03.395.G.2 of this Development Code may be allowed temporary signage for maximum 30 days duration.</p> <p><u>[4] Shows and Exhibits.</u> Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be allowed temporary signage for maximum 30 days duration.</p> <p><u>[5] Amusement and/or Sporting Events.</u> Amusement and/or Sporting Events established pursuant to Paragraph 5.03.395.G.4 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.</p>

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
					<p>[6] <u>Tent Revivals</u>. Tent Revivals established pursuant to Paragraph 5.03.395.G.5 of this Development Code may be allowed temporary signage for maximum 30 days duration per calendar year, which may be used in a single period, or in 2 periods of 15 days duration.</p> <p>[7] <u>Charitable and Fund Raising Events</u>. Charitable and Fund Raising Events established pursuant to Paragraph 5.03.395.G.6 of this Development Code may be allowed temporary signage during the specified “holiday periods,” and the specified “additional events” for which a Temporary Use Permit has been issued.</p>
2. Permanent Signs					
a. Wall Signs					
<ul style="list-style-type: none"> Businesses Occupying > 250,000 SF 	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	250 SF per wall sign	<p><u>Wall Signs</u>: 6 FT for alphanumeric characters and graphic logos/icons.</p> <p>Signs With Multiple Lines of Copy: 7.5 FT for height of all lines</p>	Not to exceed 75% of the elevation width upon which the sign is located.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
<ul style="list-style-type: none"> Businesses Occupying 249,999 SF to 100,000 SF 	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	200 SF per wall sign	<p><u>Wall Signs</u>: 5 FT for alphanumeric characters and graphic logos/icons.</p> <p>Signs With Multiple Lines of Copy: 6.25 FT for height of all lines</p>	Not to exceed 75% of the elevation width upon which the sign is located.	

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
<ul style="list-style-type: none"> Businesses Occupying 99,999 SF to 50,000 SF 	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	150 SF per wall sign	<p>Wall Signs: 4 FT for alphanumeric characters and graphic logos/icons.</p> <p>Signs With Multiple Lines of Copy: 5 FT for height of all lines</p>	Not to exceed 75% of the elevation width upon which the sign is located.	
<ul style="list-style-type: none"> Businesses Occupying 49,999 SF to 20,000 SF 	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	100 SF per wall sign	<p>Wall Signs: 3 FT for alphanumeric characters and graphic logos/icons.</p> <p>Signs With Multiple Lines of Copy: 3.75 FT for height of all lines</p>	Not to exceed 75% of the elevation width upon which the sign is located.	
<ul style="list-style-type: none"> Businesses Occupying < 20,000 SF 	One wall sign per street frontage, and/or at a public entrance facing a parking lot, not to exceed 2 signs per tenant.	50 SF per wall sign	<p>Wall Signs: 2 FT for alphanumeric characters and graphic logos/icons.</p> <p>Signs With Multiple Lines of Copy: 2.5 FT for height of all lines</p>	Not to exceed 75% of the elevation width upon which the sign is located.	
[b] Monument Signs					
<ul style="list-style-type: none"> Industrial Park, Center or Complex Identification Sign 	One sign per street frontage, not to exceed 2 signs.	36 SF per sign face.	6 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets)		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
<ul style="list-style-type: none"> Single or Multiple-Tenant Building Identification Signs—Not a Part of a Park, Center or Complex 	One sign per street frontage, not to exceed 2 signs.	36 SF per sign face.	6 FT (3.5 FT for a sign installed within the corner cut-off area of intersecting streets)		
F. SPECIAL USE ZONING DISTRICTS (excepting those “Specialty Signs” listed in Subsection F (Standards for Specialty Signs) of this Table)					
1. Agriculture	<p><u>Residential Uses:</u> Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table.</p> <p><u>Retail Commercial and Office Uses:</u> Rely upon the sign standards for retail commercial and office land uses established by Subsection C (Commercial Zoning Districts) of this Table</p> <p><u>Industrial Uses:</u> Rely upon the sign standards for single-family residential land uses established by Subsection B (Residential Zoning Districts) of this Table</p>				
2. Civic	Rely upon the sign standards for office land uses established by Subsection C (Commercial Zoning Districts) of this Table.				

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
3. Mobile Home Park	One monument sign per street frontage.	24 SF per sign face.	6 FT		[1] Non-illuminated or indirect illumination only. [2] Signs shall not be located within a required setback area.
4. Ontario International Airport					
a. Temporary Signs					
▪ Real Estate Signs	One freestanding or wall sign per parcel.	24 SF per sign face.	7 FT		[1] Only nonilluminated signs shall be allowed. [2] Signs shall be removed within 5 days following the sale or lease of the last unit, or final Building Department inspection.
▪ Window Signs and Displays	Window signs	Limited to 25% of the window area.			[1] Window signs shall be allowed for a maximum of 3 periods of 30 days, annually. [2] Window signs shall be allowed only on windows located on the ground floor of a building frontage. [3] Window signs shall be painted or mounted only on the inside of doors and windows. [4] Signs placed on the interior of a building that are located within 3 FT of a storefront window and are visible from the building exterior shall be deemed a window sign.
▪ On-Site Signs and Banners	One wall-mounted sign or banner per business.	50 SF per sign face.			

Table 8.01-1: Sign Regulation Matrix

Sign Classification	Sign Type, Number (max.), and Location	Sign Area (max.)	Sign Height (max.)	Sign Length (max.)	Special Regulations
b. Permanent Signs					
▪ Wall Signs	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Monument Sign	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Wayfinding and Directional Signs	As allowed by a Sign Program established pursuant to Subsection F (Sign Program) of Development Code Section 8.01.020 (Sign Standards).				
▪ Billboards	Three LED signs and three static message signs	<p><u>LED Signs:</u> 675 SF per sign face</p> <p><u>Static Signs:</u> 250 SF per sign face</p> <p><u>Total Sign Area:</u> The combined area of all billboard signs shall not exceed 2,500 SF.</p>	<p><u>LED Signs:</u> 35 FT</p> <p><u>Static Signs:</u> 35 FT</p>	<p><u>LED Signs:</u> 48 FT</p> <p><u>Static Signs:</u> 11 FT</p>	All billboard signs shall be located in close proximity to the terminals and/or rental car area of the airport.
5. Open Space—Cemetery	As determined appropriate by the Planning Director.				
6. Open Space—Recreation	As determined appropriate by the Planning Director.				
7. Rail Corridor	As determined appropriate by the Planning Director.				
8. Utilities Corridor	As determined appropriate by the Planning Director.				
G. STANDARDS FOR SPECIALTY SIGNS (Note: The below-listed standards are for the placement of permanent signs. Refer to the general zoning district standards contained in this table for the standards for temporary sign standards)					
1. Fuel Sales (Service Stations) Signs					
a. Wall Signs	One primary wall sign per building elevation, not to exceed 3 signs.	50 SF per building elevation.	<p>[1] 2 FT alphanumeric characters.</p> <p>[2] 2.5 FT graphic icons/logos.</p> <p>[3] A wall sign consisting of multiple lines of copy is permitted; however, the total height of all lines shall not exceed 2.5 FT.</p>	Not to exceed 80% of the elevation width upon which the sign is located.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.

Table 8.01-1: Sign Regulation Matrix

<i>Sign Classification</i>	<i>Sign Type, Number (max.), and Location</i>	<i>Sign Area (max.)</i>	<i>Sign Height (max.)</i>	<i>Sign Length (max.)</i>	<i>Special Regulations</i>
b. Fuel Island Canopy Sign	One fuel island canopy sign per elevation, not to exceed 2 signs.	16 SF per building elevation.	[1] 2 FT alphanumeric characters. [2] 2.5 FT graphic logos/icons may be installed in place of alphanumeric characters.	4 FT graphic logos/icons in place of alphanumeric characters.	Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
c. Fuel Pump Identification	One logo/icon identification sign per fuel pump face, not to exceed 2 signs per pump.	2.25 SF	1.5 FT graphic logo/icon		
d. Monument Signs	One monument fuel pricing sign per street frontage.	[1] 25 SF per sign face. [2] 50 SF per sign face, when combined with business identification signage.	7 FT		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.
2. Drive-Thru Restaurant Signs					
a. Wall Signs	One wall sign per building elevation, not to exceed 3 signs.	25 SF per sign face.	[1] 2 FT alphanumeric characters. [2] 2.5 FT graphic icons/logos. [3] A wall sign consisting of multiple lines of copy is permitted; however, the total height of all lines shall not exceed 2.5 FT.		Comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.
b. Menu Boards	One pre-order board and one order board per business.	36 SF per sign face.	6 FT (freestanding)		
c. Monument Signs	One monument sign per business	50 SF per sign face	6 FT		Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.

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C. Freestanding Signs. The following requirements apply generally to the design and placement of freestanding signs, including monument signs and freeway signs, and the use of electronic message or text display:

1. **Monument Signs.** Any freestanding sign that identifies: [i] a residential subdivision; [ii] a multiple-family or mixed-use development project; [iii] an individual building on an individual lot containing one or more nonresidential uses; or [iv] a center or complex consisting of 2 or more buildings containing one or more nonresidential uses per building, shall be designed as a monument sign, which complies with the following:

a. Table 8.01-1 (Sign Regulation Matrix) of this Division establishes the number, location, area, height, and additional regulations applicable to monument signs.

b. The minimum letter height shall be 8 inches.

c. Monument signs for centers/complexes shall be limited to the display of the name of the center/complex and the identification of a maximum of 7 tenants within the center/complex.

d. Monument signs shall have a maximum of 2 sign faces.

e. Monument signs may be oriented toward arterial, collector and/or local streets, or private drives, and shall not be oriented toward freeways.

f. No monument sign shall be located within a public right-of-way and must be wholly located behind the right-of-way line (street property line) for its full height. Furthermore, such signs shall be located a minimum of 10 FT behind the adjacent curb face (public and private streets).

g. A monument sign shall be located a minimum of 30 FT from a monument sign on an adjacent lot, and a minimum of 5 FT from an interior property line or driveway that intersects a public street.

h. Monument signs shall contain an address (or range of addresses) identifying the property on which the sign is located. Address numbers shall be a minimum of 6 inches in height and shall be clearly visible from the adjacent public street. The area of the address numerals shall not be calculated against the allowed sign area.

i. Unless otherwise specifically prohibited by Table 8.01-1 (Sign Regulation Matrix) of this Division, a monument sign may be internally or externally illuminated, provided that the illumination is not harsh or overly bright. Signs shall consist of individual letters/characters affixed to an opaque, matte finished background. The sign background shall not be internally illuminated; only letters/characters shall be internally illuminated.

2. **Freeway Signs.** Freeway signs may be allowed on lots with property lines that are common with the right-of-way of Interstate 10, Interstate 15, or State Route 60 freeways, which have at least 600 linear FT of freeway frontage, and are subject to the following:

a. Table 8.01-1 (Sign Regulation Matrix), above, establishes the number, location, area, height, and additional regulations applicable to freeway signs.

b. The maximum vertical or horizontal dimension of any freeway sign display surface is 25 FT.

c. A freeway sign shall be placed a minimum of 600 FT from any other freeway sign on the same property or on an adjacent property and shall be placed no further than 40 FT from the freeway right-of-way.

d. Freeway signs shall consist of no more than 2 faces unless alternative configurations are approved by the Planning Commission.

e. No tentative tract or parcel map, or lot merger shall be granted, which would result in the consolidation of multiple lots into a single lot with freeway signs in excess of the maximum number, location, area, and/or spacing of signs prescribed by this Section.

f. A freeway sign shall be placed no closer than 10 FT to an interior property line, drive aisle, or private drive.

3. Electronic Message Center. An Electronic Message Center may be incorporated into a freeway sign for a public or private school; public facility or service; convention centers, arenas and other similar places of assembly; and auto malls and shall be subject to review and approval by the Planning Commission. An Electronic Message Center shall comply with the following requirements:

a. The Electronic Message Center display shall not include any message or pictorial that is in motion or appears to be in motion;

b. The Electronic Message Center display shall not change the intensity of illumination; and

c. The Electronic Message Center display shall not change the message or pictorial more than once every 4 seconds.

d. No Electronic Message Center shall be placed within 1,000 FT of another Electronic Message Display located on the same side of the freeway.

e. An Electronic Message Center shall only advertise the business conducted, services rendered, or goods produced or sold upon the property on which the display is placed.

4. Electronic Text Display. An Electronic Text Display may be incorporated into a monument sign to facilitate a fuel pricing sign required pursuant to BPC Sections 13530 through 13540, or for the purpose of providing messages and information related to public or private schools, government facilities, facilities for religious assembly, theaters, convention centers, arenas, and other similar places of assembly. An Electronic Text Display shall comply with the following requirements:

a. An Electronic Text Display shall not include any pictorial display;

b. An Electronic Text Display shall not change the intensity of illumination; and

c. An Electronic Text Display shall not change the message more than once every 4 seconds.

d. No Electronic Text Display shall be placed within 600 feet of another Electronic Text Display located on the same side of the street, excepting fuel pricing signs provided pursuant to BPC Sections 13530 through 13540.

e. An Electronic Text Display shall only advertise the business name, and events and services conducted on the property upon which the Electronic Text Display is installed.

D. Building Wall and Fascia Signs.

1. Wall and/or fascia signs shall consist of individual channel letters placed flat against the exterior wall or parapet of a building, or suspended from the building eaves or overhang, or from the ceiling of a covered walkway, and having an overall depth of no more than 12 inches. A suspended sign shall have a clear space of at least 8 FT between the bottom of the sign and the surface of any walkway that may pass under the sign.

2. Acceptable wall and/or fascia sign designs include one or more of the following elements:

a. Halo lit channel letters;

b. Standard channel letters;

c. Front and halo lit channel letters;

d. Pin mounted sandblasted, textured, and/or burnished metal-leaf faced letters;

e. Signs mounted to hard canopies, eyebrows, or other projecting architectural elements, such as screens, grids or mesh, or etched, polished, patina or abraded materials; and/or

f. Mixed media signs (utilizing the designs described in Subparagraphs D.1.2.a through e, above), incorporating imagery and icons/logos. Although simple rectangular cabinet signs are generally not allowed, mixed media signs may be composed of several elements, one of which may be a sculptured cabinet; however, the cabinet sign shall not exceed 25 percent of the total sign area of each sign.

3. Wall and/or fascia signs may be located on an exterior building elevation that: [i] fronts/faces a public street, or [ii] faces an interior side or rear of a site, and contains a public entrance, pursuant to the standards prescribed by Table 8.01-1 (Sign Regulation Matrix), of this Section.

4. The characters that comprise a sign shall not occupy more than 75 percent of the length of the building wall or fascia upon which it is placed.

5. Electrical raceways and conduits shall be placed so that they are not within public view. Where this is physically impractical, or doing so would damage significant architectural features or materials, the Zoning Administrator may grant a waiver from this requirement, provided all conduits, raceways, and similar devices are kept as small as possible and are painted the same colors as adjacent wall surfaces.

6. Electrical raceways shall not extend beyond the outside edges of the sign copy and shall be painted to match the color of the background on which they are placed.

7. Signs shall be placed flat against the wall and shall not project from the wall more than required for normal construction purposes and in no case more than 12 inches. The Zoning Administrator may modify this requirement in special circumstances where a projection greater than 12 inches may be desirable to allow the creation of an especially creative and unique sign design.

8. Signs shall not be placed to obstruct any portion of a window or cover architectural elements, such as cornices, transom windows, vertical piers and columns, and similar elements.

E. Address Signs Required. The City finds that it is in the interest of public safety that all street addresses be clearly visible. Unless otherwise authorized in writing by the Police and Fire Departments, all permanent structures within the City shall display street address numerals of a size, color, and location, which are clearly visible from a public right-of-way. Address signs shall not count toward the maximum sign area allowed by this Division.

F. Sign Programs.

1. A Sign Program may be allowed pursuant to Section 4.02.075 (Sign Programs) of this Development Code, for the purpose of:

- a. Providing coordinated signing within a development project
- b. Utilizing common design elements; and
- c. Integrating the design of signs with the context of the building and landscape design, to form a unified architectural statement.

2. A Sign Program may allow certain deviations from the standards prescribed by Table 8.01-1 (Sign Regulation Matrix) of this Division, limited to: [i] a 20 percent increase in maximum sign area, [ii] an increase in the maximum number of signs allowed, and [iii] the use of decorative exposed neon. In approving such deviation(s), the following findings must be clearly established:

- a. The Plan's contribution to the overall design quality of the site and the surrounding area will be superior to the quality that would otherwise result under regulations normally applicable to the site;
- b. The proposed signs are compatible with the style or character of existing improvements on the site and are well-related to each other; and
- c. Any deviations from the standards prescribed by Table 8.01-1 (Sign Regulation Matrix) of this Development Code are fully consistent with the purposes of this Development Code.

3. A Sign Program may allow the use of complex-shaped (i.e., Polyhedron) sculptured cabinets if dimensional elements are also incorporated, such as burnished metal-leaf faced letters that are pin mounted from the cabinet face, or decorative exposed neon.

G. Street Banners and Street Banner Programs.

1. Street Banners.

a. No street banner, flag, pennant, or street decoration shall be placed or installed over and/or above any street or other public thoroughfare, without first obtaining City Manager approval, and the issuance of an encroachment permit by the City Engineer.

b. No person, either as principal, agent, or otherwise, shall hang or suspend any street banner above any street or other public thoroughfare, or cause the same be done, unless a Street Banner Program has approved pursuant to the requirements of Paragraph G.2 (Street Banner Programs) of this Section.

c. A street banner, flag, pennant, or street decoration shall be safely suspended not less than 17 FT above a public street, upon approval of the City Engineer and Building Official.

d. A street banner, flag, pennant, or street decoration shall not contain the name or designation of any individual, firm, or corporation as an advertisement for private gain.

e. A street banner, flag, pennant, or street decoration shall not remain in place longer than 30 days from the date permission is granted by the City Manager pursuant to Subparagraph G.1.a of this Section.

f. The Building Official shall, upon receipt of the required application, issue a permit for the erection and maintenance of a street banner, flag, pennant, or street decoration, according to **[i]** the terms of the City Manager's approval, **[ii]** the encroachment permit issued by the City Engineer, and **[iii]** the Street Banner Program described in Paragraph G.2 (Street Banner Programs), below (if required).

2. Street Banner Programs. A Street Banner Program shall be subject to review and approval by the Zoning Administrator, and must adhere to the following guidelines:

a. *Application.* The street banner program application shall contain the following minimum information:

(1) Street Banner Design—A fully dimensioned plan that clearly depicts the street banner design, materials, colors, and letter style;

(2) Street Banner Elevations—A fully dimensioned elevation drawing(s) depicting streetlight poles with each proposed banner type attached;

(3) Street Banner Location—A site plan drawn to scale, which depicts the specific location of each proposed street banner and the affected streetlight poles; and

(4) Equipment—All hardware and bracketry necessary for mounting the proposed street banner(s) to the affected streetlight poles, which shall meet or exceed City specifications.

b. *Private Business Recognition.* Private sponsorship of street banners shall only be permitted in association with an approved street banner program, with identification of the sponsor regulated as follows:

(1) **Placement**—The street banner sponsor may be identified on each street banner by lettering no greater than 6 inches in height, which runs the width of the banner, and covering no more than 10 percent of the banner area;

(2) **Font**—A uniform font type, style, size, and color shall be used for banner sponsor names within a given banner program.

(3) **Graphics**—There shall be no private logos or trademark graphics allowed.

c. *Maintenance.* At a minimum, street banners shall be removed for cleaning annually, and shall be removed for repair or replacement when worn, torn, or faded. The City may require that street banners be alternated seasonally (3 to 4 times per year). Furthermore, Street banners shall be removed for repair or replacement when worn, torn, or faded.

H. Awnings and Canopies, and Outside Umbrellas.

1. As a design feature of any building, structure, or business establishment, all awnings and canopies, and outside umbrellas, shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed, erected, or installed.

2. Awnings and canopies that contain advertising shall be counted toward the total allowable signing for the business that it serves.

3. Umbrellas shall not contain advertising.

4. The use of backlit awnings and/or canopies shall be prohibited.

I. Accent Lighting.

1. As a design feature of any building, structure, or business establishment, all accent lighting shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed or installed. Accent lighting should be limited to confined areas, such as building entries, architectural features, or used to reinforce specific architectural elements, such as tower and cornice elements.

2. Accent lighting elements and luminaires placed directly on a building façade shall be shielded. Lighting elements and luminaires placed directly on a building façade so as to be directly exposed to public view, is prohibited.

J. Construction, Installation and Maintenance.

1. Construction. The construction and installation of signs shall be enforced and administered by the Building Official. All signs and advertising structures shall be designed and constructed to withstand wind loads, dead loads, and lateral forces as required by the City's Building Code and the provisions of this Division.

2. Identification. Every sign or other advertising structure hereafter erected in the City shall have an identifying number, name of erector, installation year and, if illuminated, the voltage plainly placed on the exterior surface of the sign body, in a location where the information is readily visible after erection and installation.

3. Illumination.

a. *General Requirements.*

(1) Signs with electrical components shall be constructed, inspected, and approved by the Underwriters Laboratory (UL), or equal, and a label of approval from the laboratory shall be affixed to the sign in plain view.

(2) Awnings with back-lighting are prohibited.

(3) Light sources (luminaires) used for externally illuminated signs shall not be visible within 100 FT of any residential zoning district. Internally illuminated signs visible from any residential zoning district shall not be illuminated between the hours of 11:00PM and 6:00AM, unless they identify an establishment open for business during those hours.

(4) Signs shall not have exposed fluorescent tubes or incandescent bulbs exceeding 15 watts, and the brightness of luminous or backlit signs shall not exceed 250 footlamberts (fl).

b. *Internally Illuminated Signs.* The illumination level of a sign shall be reduced if it is determined to be excessive as a result of City evaluation. Illumination shall be considered excessive if the illumination level:

(1) Is substantially greater than the illumination level of other nearby signs;

(2) Interferes with the visibility of other signs, or with the perception of objects or buildings in the vicinity of the sign;

(3) Directs glare toward streets or motorists;

(4) Adversely impacts nearby residents or residential neighborhoods;

and/or

(5) Reduces the nighttime readability of the sign.

c. *Externally Illuminated Signs.* The light source for externally illuminated signs shall be arranged and shielded to substantially confine all direct light rays to the sign face, and away from streets and adjacent properties.

4. Maintenance. All signs, together with their supports and appurtenances, shall be kept neatly painted and posted. The Zoning Administrator, Building Official, or Code Enforcement Director may order the removal of any sign that is not maintained in accordance with the provisions of this Division.

K. Political Signs.**1. Purpose.**

a. The purpose of these political sign regulations is to identify the compatibility between the utilization of political signs, the protection of the right to privacy of individuals, and the quiet and undisturbed enjoyment of property.

b. It is recognized that there have been abuses in the placement of political signs within the City, including: **[i]** trespassing upon private property; **[ii]** placement of political signs without permission from the property owner; **[iii]** placement of political signs in such a fashion as to make it difficult to remove them; **[iv]** littering caused by dislodged political signs; **[v]** sight distance hazards to traffic due to sign size and location; **[vi]** distracting appearance; **[vii]** aesthetically displeasing impact; **[viii]** unnecessary proliferation; and **[ix]** other reasons, all of which are determined to be contrary to the best interests of the community, and in opposition to the public health, safety and welfare.

c. The reasonable regulation of political signs will obviate many of the objections that have been raised to the unregulated placement of such signs.

d. It is recognized that to the extent that placement of political signs is not contrary to the purposes stated herein, it is in the best interests of the City and its inhabitants to allow political expression, and, for that reason, it is but to avoid the total prohibition of such signs.

e. It is believed that responsibility for the placement of political signs should lie with the candidate for public office, the proponents and opponents of ballot measures, and the various political committees connected therewith. It is recognized that political signs are printed by, or at the direction of, those listed herein, and that the ultimate responsibility for the distribution of such signs and their placement lies with them.

2. Definition. The term “political sign,” as used herein, means any election or nonelection sign, advertising structure, or display, which communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon, or relating to, any political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.

3. Political Sign Registration. Pursuant to BPC Section 5405.3, any candidate (or their designee) or the proponents of a ballot measure who seek to utilize political signs, shall first file a Statement of Responsibility with the Code Enforcement Department, on a City registration form. The registrant shall be responsible for removing the temporary political sign and may be required to reimburse the City for any cost incurred for temporary political sign removal.

4. Permitted Signs. Political signs, as herein defined, shall be permitted within any zoning district subject to compliance with all of the rules and regulations set forth in Paragraph K.5 (Regulations) herein.

5. Regulations.

a. No provision in this Development Code shall be so construed as to prohibit the placing of temporary political signs.

- b.** No political sign shall be installed or displayed sooner than 45 days preceding the election for which the sign is intended.
- c.** No political sign shall exceed 16 SF in total area, except that a double-faced sign, not exceeding 16 SF on each side, shall be permitted.
- d.** No political sign shall exceed an overall height of 8 FT, except if such sign shall be within an enclosed building or structure.
- e.** No candidate for public office, proponent or opponent of ballot measures, and/or any political committees connected therewith, shall post more than one political sign per lot or parcel.
- f.** No political sign shall be lighted either directly or indirectly.
- g.** No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of the property.
- h.** No political sign shall be placed or affixed to a tree, fence, post, utility pole, or any structure, by glue, nails, or screws.
- i.** No political sign shall be posted on any public property or in the public right-of-way.
- j.** No political sign shall be placed within the right-of-way of any highway, or with 660 FT of the edge of, and visible from, the right-of-way of a landscaped freeway.
- k.** No political signs shall be posted in violation of any other provisions of this Development Code.
- l.** All political signs shall be removed within 10 days following the date of the election for which the sign was intended.

6. Removal of Illegally Placed Political Signs. The Building Official or Community Improvement Manager may cause the removal of any sign placed contrary to any provision of the Political Sign provisions contained herein (commencing with Subsection K (Political Signs) of this Section).

8.01.025: Design Guidelines

A. Introduction.

1. The following design guidelines are intended as a reference to assist the designer in understanding the city's goals and objectives for high quality sign design, construction, and placement throughout the city. These guidelines are intended to complement the mandatory standards contained in Section 8.01.020 (Sign Standards) of this Division, by providing good examples of potential design solutions and by providing design interpretations of the various mandatory requirements.

2. The design guidelines are general and may be interpreted with some flexibility in their application to specific projects. The guidelines will be utilized during the city's review of a sign

program or sign plan to encourage the highest level of design quality, while at the same time providing the flexibility necessary to encourage creativity on the part of the designer. Nonetheless, unless there is a compelling reason, these design guidelines shall be observed.

B. General Guidelines.

1. Use a Brief Message. The fewer words used, the more effective the sign. A sign with a brief message is quicker and easier to read, looks cleaner and is more attractive. A sign should only include the name and/or nature of the business, and in addition to the name, may contain a maximum of three words describing the business or service provided.

2. Avoid Overly Intricate Fonts. Signs utilizing very intricate font styles are generally difficult to read and reduce a sign's ability to communicate effectively.

3. Avoid Faddish and Peculiar Fonts. Signs utilizing faddish or peculiar fonts may look good today, but soon go out of style. The image conveyed may quickly become that of a dated and unfashionable business.

4. Sign Colors and Materials. The colors and materials of a sign should be selected so that they contribute to sign legibility and design integrity. Even the most carefully thought out sign may be unattractive and a poor communicator because of poor color selection. Dayglow, fluorescent, and overly bright or loud colors should not be used.

5. Provide Contrast Between Background and Letters/Symbols. Use significant contrast between the sign's letter/symbol color and its background color. If there is little contrast in the hue (shade or tint) and intensity (brightness) between the background and letter/symbol colors, it will be difficult to read.

6. Avoid Too Many Different Colors. The use of too many different colors will overwhelm the basic function of communication. The colors compete with sign content for the viewer's attention. The limited use of accent colors can increase legibility, while large areas of competing colors tend to confuse and annoy.

7. Sign Placement. Generally, building wall and fascia signs should be located within the middle 75 percent of the building frontage, measured from tenant line to tenant line for multiple tenant buildings, and measured across the full width of the building elevation for single tenant buildings. The Zoning Administrator shall have the authority to modify this requirement where it can be shown that:

- a. The directed placement would severely limit proper sign placement; or
- b. The directed placement would be contrary to the sign placement approved by a Development Plan.

8. Proportion, Scale and Rhythm of Sign Placement. Signs should be placed consistent with the proportions and scale of building elements within a building's facade:

- a. A particular sign may fit well on a large, plain wall area, but would overpower the finer scale and proportion of the lower storefront.

b. Signs can be used to establish facade rhythm, scale, and proportion where such elements are weak in the building design. On buildings having a monolithic or plain facade, signs can be used to establish or continue appropriate design rhythm, proportion, and scale.

c. The proportion of letter area to sign background area should be carefully considered. If the letters take up too much of the background area, they may be harder to read — large letters are not necessarily more legible than smaller ones.

d. Generally, the characters that comprise a sign should not occupy more than 70 percent of the area of a sign's background.

9. Pedestrian Signs. Signs oriented to pedestrians should be smaller in scale. The pedestrian -oriented sign is usually read from a distance of 15 to 20 feet, whereas the vehicle-oriented sign is designed to be viewed from a much greater distance. The closer the sign's viewing distance, the smaller the sign needs to be.

10. Freestanding Signs. Freestanding signs should incorporate the materials and architectural features used in the building(s) they serve.

C. Building Wall and Fascia Signs.

1. Building wall and fascia signs should be compatible with the predominant visual elements of the building. Commercial centers and offices, industrial parks, business parks, and other similar facilities, are required to be part of a sign program in accordance with the provisions of Section 4.02.080 (Sign Programs) of this Development Code.

2. Where there is more than one sign for a business (e.g., single tenant buildings) or group of businesses (e.g., multiple tenant buildings, commercial centers, or business or industrial parks), all signs should be complementary to one another in the following ways:

- a. Type of construction materials (sign copy, supports, etc.);
- b. Letter size and style of copy;
- c. Method and design of sign support (wall mounting or monument base);
- d. Configuration of sign area; and
- e. Proportion of sign copy area to background.

3. Lighted signs, whether internally or externally illuminated, are permitted; provided, they are not harsh or overly bright. Can-type box signs with translucent backlit panels should not be used.

4. Signs with backlit or internally illuminated individual channel letters are strongly encouraged.

D. Freestanding Signs.

1. Freestanding signs are intended to provide identification for single-tenant buildings, multiple-tenant buildings, commercial offices and centers, and business and industrial parks. Signs for single-tenant buildings should include the street address of the business.

2. Signs for multiple-tenant buildings, commercial offices and centers, and business and industrial parks should display the range of business addresses for that development. The business address shall not be included in the sign area calculation.

3. Lighted signs, whether internally or externally illuminated, are permitted, provided they are not harsh or overly bright. Signs should consist of individual affixed to an opaque, matte finished background. The use of backlit (halo lighting) letters is strongly encouraged.

4. Freestanding signs should be placed perpendicular to approaching vehicular traffic.

5. Freestanding signs should be placed in landscaped planters of sufficient area, shape and design that will provide a compatible setting and ground definition to the signs.

6. Monument signs should be provided with a base, which measures from 12 to 18 inches in height, to accommodate the growth of landscaping around the sign base, without interrupting view of the sign face.

Division 9.01—Definitions

Sections:

- [9.01.000](#): Purpose
- [9.01.005](#): Applicability
- [9.01.010](#): Terms and Phrases
- [9.01.015](#): Acronyms and Abbreviations

9.01.000: Purpose

The purpose of this Division is to establish definitions for terms and phrases used in this Development Code that are technical or specialized, or that may not reflect common usage.

9.01.005: Applicability

A. Unless otherwise apparent from the context, certain words, terms, phrases, abbreviations, and acronyms used in this Development Code are defined in this Division and are listed herein, in correct alphabetical order.

B. If any of the definitions in this Division conflict with definitions in other City codes and ordinances, such as the Ontario Municipal Code, or an adopted specific plan or planned unit development, these definitions shall control for the purposes of this Development Code. If a word is not defined in this Division, the Zoning Administrator shall be responsible for determining the correct definition.

C. Words used in the present tense include the future, words in the singular number also include the plural, and words in the plural number include the singular, unless the natural construction of the wording indicates otherwise.

D. The word "shall," indicates a mandatory requirement, except as when used in connection with an action or decision of the City Council, or any City commission, board, or official; in which case, the word "shall" is directory only.

E. The word "may," is a permissive term, similar in context as the terms "might," "can," or "could."

F. Whenever used in this Development Code, the word "day" shall mean a calendar day.

9.01.010: Terms and Phrases

A. Definitions of Words Beginning with the Letter "A."

Abandonment of Use. The cessation of a land use by the owner without intent to transfer the land use to another or resume the land use within the time limitations specified in Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code.

Abatement. Reducing or eliminating the degree or intensity of a nuisance or other property-related problem.

Abutting. Having property line or zoning district boundaries in common; for example, two lots are abutting if they have property lines in common.

Access. A way of approaching or entering a property. "Access" includes ingress (the right to enter) and egress (the right to leave). In zoning and subdivision regulations, recorded lots are required to have direct access to a public street or highway, or to a private street meeting public standards. This guarantees entry by owners and emergency vehicles.

Accessory (Ancillary) Structure. A structure which is incidental or subordinate to the principal structure on the same site, or the use of which is incidental or subordinate to the use of the principal structure of the site. An accessory structure that is attached or joined to a principal structure and shares a common wall therewith or is attached by a roof, which extends the full width of the structure, creating a covered breezeway (a roofed, open passage connecting two buildings, such as a house and garage), shall be deemed a part of the principal structure.

Accessory (Ancillary) Use. The use of a structure or site, or a portion of a structure or site, which is incidental or subordinate to the principal (primary) use and is located on the same property as the principle use. An accessory use shall generally be considered less intensive as it relates to area, activity, and traffic generation.

Adult Business. A business in the form of an adult arcade, adult bookstore, adult mini-motion picture theater, class "D" cabaret, escort agency, massage establishment, nude model/figure studio, sexual encounter/rap studio or sexual novelty store, as defined in this section. This definition of adult business does not include those uses, businesses, or activities of licensed professionals who are otherwise exempt from classifications as a "massage establishment" pursuant to Section 5.03.275 (Massage Services) of this Development Code. For the purposes of the adult business regulations contained in Section 5.03.015 (Adult-Oriented Businesses) of this Development Code, the following definitions shall apply:

1) Adult Arcade. An establishment having coin-operated or slug operated or electronically or mechanically controlled still or motion picture machines, projectors, or other image producing devices that show images to one person per machine at any one time, and where the images so displayed are distinguished or characterized by depicting or describing "specified sexual activities," or "specified anatomical areas," as defined in this section.

2) Adult Bookstore. An establishment which has a substantial portion of its stock-in-trade (a minimum of 30 percent) and offers for sale for any form of consideration, any one or more of the following:

a) Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by an emphasis on "specified sexual activities" or "specified anatomical areas"; or

b) Instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities," as defined in this section. This definition does not include such items customarily sold by a bona fide pharmacy.

3) Adult Motion Picture Theater. An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown to

an audience and in which a substantial portion of the total presentation time is devoted to the showing of material which is characterized by an emphasis on the depiction or description of “specified sexual activities” or “specified anatomical areas.”

4) Adult Mini-Motion Picture Theater. An enclosed building with a capacity of less than 50 persons, used for presenting material distinguished or characterized by an emphasis on matter depicting, describing, or related to “specified sexual activities” or “specific anatomical areas,” as defined in this section, for observation by patrons therein.

5) Adult Theater. A theater, concert hall, auditorium or other similar establishment, which, for any form of consideration, regularly features live performances which are characterized by the exposure of “specified anatomical areas” or by an emphasis upon the depiction of “specified sexual activities,” as defined in this section.

6) Adult Video Store. An establishment having up to 20 percent or more of its floor area trade in films, motion pictures, video cassettes or video reproduction or other visual representations which are distinguished or characterized by their emphasis on matter depicting or relating to “specified sexual activities” or “specified anatomical areas,” as defined in this section, or any establishment devoted to the sale or display of such material.

7) Class 'D' Cabaret. A cabaret that features topless dancers, bottomless dancers, go-go dancers, strippers, male or female impersonators or similar entertainment.

8) Nude Model/Figure Studio. Any place where a person, who appears in a state of nudity or displays “specified anatomical areas,” is provided to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons who pay money or any other form of consideration.

9) Sexual Encounter/Rap Studio. Any business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

a) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or

b) Activities between male and female persons and/or persons of the same sex when “specified anatomical areas” of one or more of the persons are exposed or “specified sexual activities” as defined in this section occur.

10) Sexual Novelty Store. An establishment having as a portion of its stock-in-trade goods which are replicas of, or which simulate, “specified anatomical areas,” as defined in this article, or goods which are designed to be placed on “specified anatomical areas,” as defined in this article, to cause sexual excitement.

11) Specified Anatomical Areas. Any of the following:

a) Less than completely and opaquely covered:

i) Human genitals, pubic region;

ii) Buttocks;

iii) Female breasts below a point immediately above the top of the areola;

b) Human male genitalia in a discernible turgid state, even if completely and opaquely covered.

12) Specified Sexual Activities. Any of the following:

- a) Human genitals in a state of sexual stimulation or arousal;
- b) Acts of human masturbation, sexual intercourse, oral copulation, or sodomy;
- c) Fondling or other erotic touching of human genitals, pubic region, buttock or female breasts.

Advertising Display Manufacture. A business establishment engaged in the commercial preparation, fabrication, construction or manufacture of a sign of any type.

Advisory Authority. A body, commission, committee, board or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for advising the Approving Authority on the appropriate action to take on [i] a land use or development entitlement, permit, or license; or [ii] other planning, zoning, or development action or decision, pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

Aesthetics. A term dealing with form, design, and/or quality of construction of a particular sign, building, site or structure, which presents a judgmental statement concerning the level of beauty or artistic value.

Affordable Housing. Housing that is economically feasible for persons whose income level is categorized as very low, low, or moderate within standards set by the California Department of Housing and Community Development or the United States Department of Housing and Urban Development.

Agenda. A document that specifies what will be discussed at a meeting of an Advisory, Approving or Appeal Authority (Reviewing Authorities). Agendas contain a brief, general description of each item the Reviewing Authority will be addressing. Members of the public may request that an agenda be mailed to them. Local agencies generally cannot discuss and make decisions on items that are not on the agenda (see GC Section 54950).

Alcoholic Beverage. Includes alcohol, spirits, liquor, wine, beer, brandy, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of one percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

Alcoholic Beverage Manufacturing. The manufacture or production of beer, wine, brandy, or distilled spirits within the City of Ontario, by any person or entity properly licensed by the Department of Alcoholic Beverage Control of the State of California and includes the sale or distribution of said products. Typical uses include breweries, distilleries, and wineries. Tasting rooms may be included in conjunction with the manufacturing.

Alcoholic Beverage Manufacturer. A beer manufacturer, a winegrower, a distilled spirits manufacturer, or a brandy manufacturer, licensed by the Department of Alcoholic Beverage Control of the State of California, or any officer, director, employee, or agent of any such person or entity.

Alcoholic Beverage Sales, Off-Sale. Establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption off the premises in which they are sold. Typical uses include convenience markets, grocery stores, and liquor stores.

Alcoholic Beverage Sales, On-Sale. Establishments properly licensed by the Department of Alcoholic Beverage Control of the State of California (ABC), which sell alcoholic beverages of varying types, as allowed by the type of ABC license held by the establishment, for consumption on the premises in which they are sold. Typical uses include bars, brew pubs, nightclubs, wine bars, and restaurants that serve alcoholic beverages.

Alley. A public right-of-way that is permanently reserved as a secondary means of vehicular access to abutting property, which is improved by means of asphalt, concrete, decorative laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag.

Alter. To change, add to, or modify construction, use or occupancy.

Amortization. The process by which nonconforming uses and structures must be discontinued or made to conform to requirements of the current zoning ordinance at the end of a specified period of time.

Ancillary Use, Activity or Facility. A use, activity or facility that is incidental, supplementary, or otherwise subordinate to a primary permitted or conditionally permitted use, activity or facility.

Animal Hospital. A facility in which animals or pets are given medical or surgical treatment and care during the time of such treatment, and in which the boarding of such animals or pets is permitted incidental to their medical or surgical treatment and care.

Antenna. Any exterior transmitting or receiving device mounted on a tower, building structure, or alternative tower structure and used in communications, that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies, wireless telecommunication signals or other communication signals which transmit or receive radio signals. Antennas typically are either dish, panel or whip type structures.

Apartment. A residential dwelling unit within a multiple-family dwelling, which is available for lease for an extended period.

Appeal. When a person believes a decision was made in error, an appeal may be filed so that a higher decision-making body may be allowed to review the case.

Appeal Authority. A body, commission, committee, board, or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for acting on an appeal filed pursuant to Division 2.04 (Appeals) of this Development Code, regarding an action made on [i] a land use or development entitlement, permit, or license; or [ii] other planning, zoning, or development action or decision, pursuant to Division 2.02 (Application Filing and Processing) of this Development Code.

Approving Authority. A body, commission, committee, board, or position listed in Table 2.02-1 (Review Matrix) of this Development Code, which is responsible for approving, approving

with conditions, or denying [i] a land use or development entitlement, permit, or license; or [ii] other planning, zoning, or development action or decision pursuant to the provisions of Chapter 2.0 (Administration and Procedures) and Chapter 4.0 (Permits, Actions and Decisions) of this Development Code.

Architectural Element. The unique details and component parts that, together, form the architectural style of a building or structure.

Architectural Projection. A building feature that is mounted on, and/or extends from the surface of the building wall or façade, typically above ground level. Examples of architectural projections include balconies, bay windows, lighting fixtures, marquees, canopies, and other similar projections of a building.

Artisan, Small-Scale, and Micro Manufacturing. A facility where shared or individual tools, equipment, equipment, or machinery are used to manufacture specialty products on a small scale or in limited quantities (a single product or small batches of product). Products are typically manufactured by hand or with a restricted level of automation. Artisan small-scale and micro manufacturing activities include design, production, processing, printing, assembly, treatment, testing, repair, and packaging, as-well-as any incidental storage, retail, or wholesale sales and distribution. Typical small-scale and micro manufacturing activities include, but are not limited to, electronics, food products, nonalcoholic beverages, leather products, clocks and watches, jewelry, clothing/apparel, metal work, furniture and fine woodworking, glass, ceramics, paper and paper products, soaps, perfumes, and lotions, together with ancillary training and/or educational program activities. Artisan small-scale and micro manufacturing facilities are small in scale and utilize production methods using limited quantities of hazardous materials and hazardous waste production. Furthermore, artisan small-scale and micro manufacturing does not involve the use of large assembly lines, rather relying upon single workplaces or production cells that carry out production steps, until specific components or the whole product is completed. Artisan small-scale and micro manufacturing does not include agriculture, alcoholic beverage production or sales, restaurants and other eating places, or industrial activities deemed “heavy” in nature.

Automated Teller Machine (ATM). An electronic banking device, either freestanding or attached to a building, which dispenses and collects money from or to individual bank accounts. The terms “Automated Teller Machine” and “ATM” may be used interchangeably.

B. Definitions of Words Beginning with the Letter “B.”

Base Zoning District. The principal zoning district in which a lot or area is classified at the same time it is classified in a combined or overlay zoning district.

Bed and Breakfast Inn. A structure in which paying guests are lodged on an overnight basis, with breakfast served in connection with their lodging.

Beer. Any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt, hops, or any other similar product, or any combination thereof in water, and includes ale, porter, brown, stout, lager beer, small beer, and strong beer, but does not include sake (also known as Japanese rice wine). Beer aged in an empty wooden barrel previously used to contain wine or distilled spirits, shall be defined exclusively as “beer,” and shall not be considered a dilution or mixture of any other alcoholic beverage.

Beer Manufacturer. Any establishment properly licensed by the Department of Alcoholic Beverage Control of the State of California, which has facilities and equipment for the purposes of, and is engaged in, the commercial manufacture of beer.

Brandy Manufacturer. Any establishment properly licensed by the Department of Alcoholic Beverage Control of the State of California, which is engaged in the manufacture of brandy only, and not in engaged in the manufacture of any other distilled spirits.

Billboard. An outdoor advertising sign supported by posts or standards and braces set into the ground or attached to a building or other structure and containing advertising copy on the sign face not related to a use, structure or activity located on the same site.

Billiard Parlor. An establishment that provides more than 2 billiard or pool tables or has 50 percent or more of the public floor area devoted to the use of billiard or pool tables by the public for compensation, whether or not the use of billiard or pool tables constitute the primary use or an accessory or incidental use. The terms “Billiard Parlor” “Pool Hall” may be used interchangeably.

Block Face. The properties abutting on one side of a street and lying between the 2 nearest intersecting streets or nearest the intersecting street and railroad right-of-way, unsubdivided land, watercourse or City boundary.

Boarding House (Lodging House or Rooming House). A dwelling, other than a hotel, motel, residence inn, or other similar traveler accommodation, wherein one or more rooms, with or without individual or group cooking facilities, are rented to individuals under separate rental or lease agreements, either written or oral, whether or not an owner, agent or manager is in residence. The terms “boarding house,” lodging house,” and “rooming house” may be used interchangeably.

Bona Fide Eating Place. A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, and which has suitable kitchen facilities connected therewith, containing conveniences for cooking an assortment of foods that may be required for ordinary meals, the kitchen of which must be kept in a sanitary condition with the proper amount of refrigeration for keeping of food on said premises and must comply with all the regulations of the local department of health. For the purpose of this definition, the term “meals” means the usual assortment of foods commonly ordered at various hours of the day; the service of such food and victuals only as sandwiches or salads shall not be deemed a compliance with this requirement. Furthermore, the term “guests” means persons who, during the hours when meals are regularly served therein, come to a bona fide public eating place for the purpose of obtaining, and actually order and obtain at such time, in good faith, a meal therein. Nothing in this definition, however, shall be construed to require that any food be sold or purchased with any beverage.

~~**Boutique Manufacturing.** The custom production of high quality specialty products in limited quantities (a single product or small batches of product), by hand or with a restricted level of automation, such as ceramics, furniture and fine woodworking, amplifiers, leather goods, watches, jewelry, soaps, perfumes, and lotions, among others. Boutique manufacturing facilities are small in scale (not to exceed a GFA of 5,000 SF) and utilize production methods using limited quantities of hazardous materials and hazardous waste production. Furthermore, boutique manufacturing does not involve the use of large assembly lines, rather relying upon single workplaces or production cells that carry out production steps, until specific components or the whole product is completed.~~

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Foundation. All dwellings and accessory structures shall be affixed to a permanent, continuous concrete or masonry foundation. The exterior building finish shall extend over the foundation, to within 6 inches of the adjacent finished grade.

Building Height. See “Height (of a building or structure).”

Building Official. The Building Official of the City of Ontario.

Bus. Any vehicle designed, used, or maintained: [i] to carry more than 15 persons, including the driver, or [ii] to carry more than 10 persons, including the driver, when it is used to transport persons for compensation or profit, or is used by a nonprofit organization (CVC Section 233).

Business Services. Services that are provided to business establishments in a support capacity, such as but not limited to duplicating, stenographic and messenger services.

C. Definitions of Words Beginning with the Letter “C.”

Carport. An accessory structure or portion of a main structure, open on at least 2 sides, designed for the storage of motor vehicles.

Cattery. A place in which 4 or more cats over 4 months in age are kept.

Central Business District. The area of the City bounded by “H” Street on the north, Sultana Avenue on the east, Main Street on the south and Vine Avenue on the west.

Charitable Institution. An establishment engaged in the giving of foods, goods, financial assistance, or grants or offering services or other socially useful programs on a benevolent, non-profit basis.

City. The City of Ontario, a California municipal corporation.

City Attorney. The City Attorney of the City of Ontario, or his/her designee.

City Council. The City Council of the City of Ontario.

City Engineer. The City Engineer of the City of Ontario, or his/her designee.

City Manager. The City Manager of the City of Ontario, or his/her designee.

Clinic. An establishment where patients are admitted for outpatient examination and treatment by one or more physicians, dentists, psychologists or social workers and where patients are not lodged overnight, excluding chemical dependency clinics.

Code Enforcement Director. The Code Enforcement Director of the City of Ontario, or his/her designee.

College (University). Establishments primarily engaged in furnishing academic courses and granting degrees at baccalaureate or graduate levels. The requirement for admission is at least a

high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishments or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the internet, or other electronic and distance-learning methods. The training provided by these establishments may include the use of simulators and simulation methods.

The term "College" or "University" may include ancillary support services and facilities, which include, but are not limited to, student and/or faculty housing, bookstores and student stores, food services, healthcare services, social assistance services, performing arts facilities, and athletic facilities.

Collocate. Locating wireless telecommunications antennas and related equipment from more than one provider on a single site.

Commercial Center (Commercial Complex). A development within a commercial or mixed-use zoning or land use district, which consists of 2 or more buildings or a single building divided into 5 or more tenant spaces, constructed by a single developer or group of developers and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization. The terms "commercial center" and "commercial complex" may be used interchangeably.

Commercial Recreation. An establishment, activity or use of a site or structure in which a fee is charged to provide space, services, or facilities for individual or group use in the pursuit of any recreational purpose.

Commercial Speech. Any message, the prevailing thrust of which is to propose a commercial transaction.

Commercial Vehicle. A vehicle that is used or maintained for the transportation of persons for hire, compensation, or profit (i.e., taxi or limousine), or is designed, used, or maintained primarily for the transportation of property (CVC Section 260).

Community Apartment. A development in which an undivided interest in land is coupled with the right of exclusive occupancy of any apartment located thereon.

Community Care Facility. Any facility place or building that is maintained and operated to provide nonmedical 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 the following, as defined by the California Community Care Facilities Act (HSC Section 1500 et seq.):

- 1) Residential care facility;
- 2) Adult day program;
- 3) Therapeutic day services facility;
- 4) Foster family agency;
- 5) Foster family home;

- 6) Small family home;
- 7) Social rehabilitation facility;
- 8) Community treatment facility;
- 9) Full-service adoption agency;
- 10) Noncustodial adoption agency;
- 11) Transitional shelter care facility; and
- 12) Transitional housing placement facility.

The term “Community Care Facility” is limited to those facilities places or buildings that are both subject to regulation by the State of California and actually licensed by the State of California. No facility place or building that may otherwise be regulated by the State of California, but which is not actually licensed by the State of California, shall be deemed a “Community Care Facility” for purposes of this title.

Community Noise Equivalent Level (CNEL). A scale for measuring noise activities that takes into account the sounds received at a point from all noise events causing noise levels above a prescribed value. Weighing factors are included which accord greater significance to noise events occurring during evening hours (7:00PM to 10:00PM), and even greater significance to noise events occurring at night (10:00PM to 7:00AM), than to noise events occurring during daytime hours (7:00AM to 7:00PM).

Compatibility. The characteristics of different uses or activities that permit them to be located near each other in harmony and without conflict. The designation of permitted and conditionally permitted uses in a zoning district is intended to achieve compatibility. Some elements affecting compatibility include intensity of occupancy, as measured by dwelling units per acre; pedestrian or vehicular traffic generated; volume of goods handled; and environmental effects, such as noise, vibration, glare, air pollution, or radiation.

Conditionally Permitted Use. A land use that is allowed within a specified zoning district, subject to the approval of a Conditional Use Permit.

Conditional Use Permit. A zoning instrument used primarily to review the location, site development or operation of certain land uses. A conditional use permit is granted at the discretion of the Planning Commission or Zoning Administrator, and is not the automatic right of the applicant or landowner.

Condominium. A development consisting of an undivided common interest in a portion of real property, coupled with a separate interest in space within a residential, commercial or industrial building, called a unit, the boundaries of which area described on a recorded final map, parcel map, or condominium plan, in sufficient detail to locate the boundaries thereof. The area of these boundaries may be filled with air, earth, water, or any combination thereof, and need not physically be attached to land, except by easements for access and, if necessary, support.

Congregate Care Facility. A facility that provides communal dining facilities and services, such as housekeeping, organized social and recreational activities, transportation services and

other support services appropriate for the residents. A “Congregate Care Facility” is subject to regulation by the State of California as a “Community Care Facility.”

Convalescent Home (Convalescent Hospital). See “Nursing Home.”

Convenience Store (Convenience Market or Mini-Market). A retail establishment, limited to a maximum size of 10,000 SF, offering for sale, prepackaged food products, household items, newspapers and magazines, and sandwiches/salads and other freshly prepared foods for off-site consumption. The terms “convenience store,” “convenience market” and “mini-market” may be used interchangeably.

County. The County of San Bernardino.

County Recorder. The recorder for the County of San Bernardino.

Covenant. A private legal restriction that places a burden on a parcel of land in favor of another parcel, which is recorded in the deed. Covenants are commonly used in the establishment of a subdivision to restrict the use of lots within the development, guarantee views and solar access, and guarantee access and maintenance of designated areas.

D. Definitions of Words Beginning with the Letter “D.”

Day. A calendar day.

Day Care Facilities. Day care facilities shall be defined as follows:

1) Adult Day Care Facilities. Facilities of any capacity that provide programs for frail, elderly and developmentally disabled and/or mentally disabled adults (persons 18 years of age and older) in a day care setting.

2) Child Day Care Center. A facility, other than an adult and family day care facility, providing non-medical care for children (persons less than 18 years of age) on less than a 24 hour per day basis, including infant care, pre-schools and extended day care for school-aged children.

3) Family Child Day Care. A home that regularly provides family day care, protection and supervision for 14 or fewer children (persons less than 18 years of age) in the provider's own home, for periods of less than 24 hours per day while parents or guardians are away, and includes the following:

a) Small Family Day Care. Provides family day care to 8 or fewer children, including those children under the age of 10 years who reside at the provider's residence; and

b) Large Family Day Care. Provides family day care for 7 to 14 children, inclusive, including those children under the age of 10 who reside at the provider's residence.

dBA. A number in decibels which is read from a sound level meter with the meter switched to its weighting scale labeled “A.” The number is an approximate measurement of the relative noisiness or annoyance level of common sounds.

Deck. An outdoor living area on a floor or platform that extends from a building, or may be freestanding, and which is no more than 2.5 FT above finished grade at any point. A deck is typically made of wood, or a composite wood material or vinyl.

Dedication. Property that is transferred from an owner to a public agency to be used for roads, parks, school sites or other public uses or facilities. Dedication requirements are typically imposed as a condition of a tentative map, parcel map or as a condition of development.

Deed Restriction. A private legal restriction on the use of land recorded in the deed. The restriction burdens or limits the use of the property in some way.

Density (Residential Density). A quantitative measure of the intensity with which residentially zoned land may be developed in terms of the minimum and maximum number of allowed dwelling units for each net acre of land. In calculating the allowed minimum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded up, to the higher whole number. In calculating the allowed maximum residential density of a lot, if a fractional number results from calculations performed, the number shall be rounded down, to the lower whole number.

Department Store. A retail store offering a full line of general merchandise items.

Development Advisory Board (DAB). A City panel, whose membership is established by resolution of the City Council, which is charged with the responsibility for the review and approval of certain classifications of development plans.

Development Agreement. An agreement duly entered into pursuant to GC Section 65864 et seq. of the State of California.

Development Code. The Development Code of the City of Ontario, including all text and maps, as may be amended from time to time.

Direct Access. Having unimpaired access to a public street over a front, side or rear property line adjoining a street.

Discount Store. A retail establishment that offers continually changing merchandise for sale at below market price, and has no regular stock, constant inventory, or standard supplier. Merchandise typically consists of discontinued items, stock over-runs, out of season merchandise, and one-time, large-lot purchases.

Discretionary Project. An activity that requires a public agency to exercise judgment in deciding whether or not to approve, conditionally approve, or deny a project.

Dish Antenna. A dish-like antenna used to link communications sites together by wireless transmission of voice or data. Also called microwave antenna or microwave dish antenna.

Distilled Spirits. An alcoholic beverage obtained by the distillation of fermented agricultural products, and includes alcohol for beverage use, spirits of wine, whiskey, rum, brandy, and gin, including all dilutions and mixtures thereof.

Distilled Spirits Manufacturer. Any establishment licensed by the Department of Alcoholic Beverage Control of the State of California, who produces distilled spirits from naturally fermented materials or in any other manner.

Drive-Through (Drive-Thru). Outdoor service provided by a business establishment by means of a window counter for the purpose of accommodating persons in motor vehicles.

Drive Aisle. A privately owned vehicular access, 26 FT or less in width (excluding adjoining off-street parking spaces), which is improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag, which is needed for vehicular access to off-street parking facilities required by this Development Code, and may include emergency vehicle accesses provided pursuant to the Ontario Fire Code (Ontario Municipal Code Title 4, Chapter 4 (Fire Code)).

Drive, Private. The principal means of vehicular access through a master planned development project, minimum 24 FT in width (excluding adjacent off-street parking spaces), which is privately owned and improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, and excluding loose materials, such as gravel, stone or slag, and may include emergency vehicle accesses provided pursuant to the Ontario Fire Code (Ontario Municipal Code Title 4, Chapter 4 (Fire Code)).

Driveway. The necessary hard-surfaced area, improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, excluding loose materials, such as gravel, stone or slag, which is needed for vehicular ingress and egress to a garage, carport or other off-street parking designed pursuant to Division 6.03 (Off-street Parking and Loading) of this Development Code.

Dwelling. Any building, or any portion thereof, which is not an apartment hotel, hotel, motel and which contains one or more dwelling units or guest rooms used, intended, or designed to be built, used, rented, leased, let or hired out to be occupied or which are occupied for living purposes. The classifications of “dwelling” are as follows:

1) Accessory Dwelling Unit (ADU). Refer to Section 5.03.010 (Accessory Residential Structures) of this Development Code.

2) Multiple-Family Dwellings. Two or more attached dwelling units, with each dwelling designed for occupancy by independent households. Multiple-family dwellings shall not include “second dwelling units.”

3) Single-Family Dwellings. A single detached dwelling unit designed and intended exclusively for occupancy by a single household. Single-family dwellings may be designed or arranged in a traditional development consisting of a single detached dwelling unit on a residentially zoned lot of record, or small lot and cluster developments consisting of two or more detached dwelling units, regardless of the number or configuration of lots. In either case, there may be some portion of the development owned in common by all residents.

4) Studio Dwelling. An apartment or condominium unit containing no more than one room and bath, and cooking facilities.

Dwelling Unit. One or more habitable rooms, which are designed, occupied or intended for occupancy as separate living quarters, with cooking, sleeping and sanitary facilities, and containing no more than one kitchen, provided within the same unit for the exclusive use of the household.

E. Definitions of Words Beginning with the Letter “E.”

Electronic Message Center. An advertising display where the message is changed more than once every two minutes, but no more than once every four seconds (BPC Section 5216.4).

Eligible Facilities Request. Has meaning as set forth in 47 CFR Section 1.6100(b)(3), or any successor provision.

Emergency Shelter. As defined in HSC Section 50801(e), “emergency shelter” means housing with minimal supportive services for homeless persons, which is limited to an occupancy of 6 months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

Employee (Farmworker) Housing. Has the same meaning as defined in HSC Section 17008.

Equestrian Trail. A trail which is a segment of a planned trail system designed, improved, and intended to be used for horseback riding purposes and on which use by vehicles of any type, except for maintenance and service vehicles directly related to equestrian activities and public safety vehicles, is prohibited.

Escort Agency. A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.

Exotic Pet. Any warm-blooded or cold-blooded animal of the biological kingdom Animalia, generally considered as wild, exotic, dangerous, or not normally domesticated. The term “exotic animal” does not include venomous reptiles.

F. Definitions of Words Beginning with the Letter “F.”

Façade. The exterior walls of a building exposed to public view or that wall viewed by persons not within the building. The primary facade is the exterior building face that is parallel to the front property line.

Family. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

Final Map. A map showing a subdivision of 5 or more parcels for which a tentative and final map are required by the Subdivision Map Act and this Development Code, prepared in accordance with the provisions of the Subdivision Map Act and this Development Code, and designed to be filed for recordation in the office of the County Recorder.

Flophouse. A flophouse offers very inexpensive lodging, generally by providing minimal services. Flophouse occupants generally share bathroom facilities and reside in quarters that are typically very small and may resemble office cubicles more than a room in a hotel or apartment building. Persons making use of this type of lodging are often transients.

Floor Area, Gross (GFA). The total area calculation of all floors and mezzanines of a building, measured to the outside face of the exterior walls, including hallways, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and basement or attic areas having a clear height of at least 7 FT, but excluding area used exclusively for vehicle parking or loading. The GFA calculation also includes any usable area not provided with surrounding walls, which is under the horizontal projection of a roof or canopy, or floor above. A GFA calculation shall not include mezzanine areas used as catwalks and platforms for conveyers, equipment, and related workstations.

Floor Area, Net. The total area calculation of all floor areas and mezzanines of a building, measured to the inside face of the exterior walls, excluding stairwells, elevator shafts, equipment rooms, and all floors below the ground floor, except when used or intended to be used for human habitation or service to the public, and area used exclusively for vehicle parking or loading. A net floor area calculation shall not include mezzanine areas used as catwalks and platforms for conveyers, equipment, and related workstations.

Floor Area Ratio (FAR). Floor area ratio is used as a measure of the intensity of a site being developed, represented by the mathematical formula of dividing the gross floor area of the building (measured in SF) by the lot area of the same lot on which the building is located, to generate a ratio (expressed in a percentage) of building area to land area.

Frontage. The edge of a property that is adjacent to a public or private street, or main drive aisle through a common interest subdivision.

Fueling Stations. See “Gasoline Service Station.”

Funeral Director Services. The occupation or function of organizing funerals and funeral activities, and managing funeral establishments.

Funeral Establishment. A business with assembly facilities for the purpose of conducting observances for dead persons, such as viewing bodies, funerals, and memorial services. A funeral establishment does not include facilities for the preparation of the dead for burial or cremation.

Funeral Parlors (Mortuaries). Establishments with facilities for the preparation of the dead for burial or cremation, excluding establishments with facilities for viewing bodies and for funerals.

G. Definitions of Words Beginning with the Letter “G.”

Game Arcade. An establishment that has 50 percent or more of the public floor area devoted to the use of video games, pinball machines, computers, or other similar devices, which are available to the public for compensation. The devices may be used for gaming, internet access, e-mail, access to computer software programs, and other similar activities. “Game arcades” includes cyber cafes, on-line internet gaming, and other similar facilities.

Garage. An accessory structure or portion of a main structure enclosed on 3 or more sides and designed for the shelter or storage of motor vehicles.

Gasoline Service Station (Fueling Station, Gasoline (Gas) Station, or Service Station). A retail business engaged primarily in the sale of motor fuels, but also supplying goods and services generally required in the operation and maintenance of automotive vehicles and fulfilling motorist needs, including the sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; lubrication services; washing of automobiles as an incidental part of the business; performance of minor automotive repair, including engine tune ups, tire and battery replacement and brake replacement, but excluding painting, body work, steam cleaning or major repairs; and the supplying of other such incidental customer services, including limited food and sundry items. The terms “fueling station,” “gasoline station,” “gas station,” and “service station,” may be used interchangeably.

General Plan. The Policy Plan (General Plan) component of The Ontario Plan, which includes all adopted elements and maps, as it may be amended from time to time. The General Plan is the foundation for local land use planning, providing a vision for the foreseeable planning

horizon—usually 10 to 20 years—and translates it into goals and policies for the physical development of the community.

Geologically Hazardous Area. An area that may be affected by one or more of the geologic hazards discussed in the General Plan of the City.

Government Code. The Government Code of the State of California. If at any time any of the sections of the Government Code referred to in this Development Code are redesignated by a new number, such new number shall thereupon be deemed substituted for such old number wherever the same appears in this Development Code.

Grocery Store. A retail establishment with at least 12,000 SF of floor area devoted to the sale of prepackaged food products, household items, newspapers and magazines, and sandwiches/salads and other freshly prepared foods for off-site consumption.

Gross Vehicle Weight Rating. The weight that equals the total unladen weight of the vehicle, plus the weight of the heaviest load that can be safely transported on the vehicle, according to the vehicle manufacturer.

Group Home. A residential facility for 6 or fewer occupants, which serves children or adults with chronic disabilities (mental or physical), and is staffed 24 hours a day by trained caregivers.

Guesthouse. Living quarters within a residential structure, which may be attached to, or detached from, the main dwelling, and is for the sole use of occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. A guesthouse has no kitchen facilities, and cannot be rented or otherwise used as a separate residence.

H. Definitions of Words Beginning with the Letter “H.”

Hardscape. A hard-surfaced area (e.g., driveways, patios, sidewalks, streets, walkways, water features, etc.), improved by means of asphalt, concrete, decomposed granite, laid block and/or brick, gravel, rock, slag, stone, and other similar materials, but excludes mulch.

Hazardous Waste. A waste, or combination of wastes, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may either cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of, or otherwise managed. Unless expressly provided otherwise, the term “hazardous waste” shall be understood to also include “extremely hazardous waste” (HSC Section 25117). The EPA has established four characteristics of hazardous waste that can be determined by tests:

- **Ignitability:** The ability to catch fire, or to burst into flame spontaneously or by interaction with another substance or material;
- **Corrosivity:** The ability to wear away or destroy other materials, including human issue;
- **Reactivity:** The ability to enter into a violent chemical reaction, which may involve explosion or flumes; and
- **Toxicity:** The ability to release certain toxic constituents when leached with a mild acid (33 USC Section 1321 (b)(2)(A)).

For the purposes of the hazardous waste regulations contained in this Development Code, the following definitions shall apply:

1) Cement Kiln Incineration. The burning of organic wastes as a supplementary fuel at very high temperature during the production of cement.

2) Class "I" Land Disposal Facility. A land disposal facility which must conform to the requirements of the State Water Resources Control Board for Class "I" units, and which must be located where natural geologic features provide optimum conditions for isolation of wastes from waters of the state. Currently, these facilities may accept solid and dry hazardous waste. After 1990, they will be precluded from accepting any untreated hazardous wastes.

3) Class "II" Land Disposal Facility. A land disposal facility that must be located where site characteristics and containment structures isolate wastes from the waters of the State. Class "II" land disposal facilities are suitable for wastes which have been granted a variance from Hazardous Waste Management requirements pursuant to 22 CCR Section 66310.

4) Class "III" Land Disposal Facility. A land disposal facility for nonhazardous waste, including garbage, trash, refuse, paper, ashes, etc., provided such wastes do not contain hazardous or designated wastes. Class "III" facilities must conform to the requirements of the State Water Resources Control Board as specified in CCR, Title 23, Division 3, Chapter 15, commencing with Section 2510, and must be located where site characteristics provided adequate separation between the waste and the waters of the State (also called municipal or sanitary landfill.)

5) Deep Well Injection. Subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension (22 CCR Section 66224).

6) Disposal, Hazardous Waste. Hazardous waste disposal shall be defined as follows:

a) The discharge, deposit, injection, dumping, spilling, leaking or placing of any waste so that the waste or any constituent of the waste is or may be emitted into the air or discharged into or on any land or waters, including groundwater, or may otherwise enter the environment;

b) The abandonment of any waste (HSC Section 25113).

7) Hazardous Material. A substance or combination of substances which, because of its facility, concentration, or physical, chemical or infectious characteristics, may either:

a) Cause, or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or

b) Pose a substantial present or potential hazard to human health or environment when improperly treated, stored, transported or disposed of or otherwise managed. Unless expressly provided otherwise, the term "hazardous material" shall be understood to also include extremely hazardous material (22 CCR Section 66084).

8) Hazardous Substance. Hazardous substances shall be defined as follows:

a) Any substance designated pursuant to States Environmental Protection Agency has taken action pursuant to 15 USC Section 2606;

b) Any element, compound, mixture, solution or substance designated pursuant to Section 102 of the Federal Act, 42 USC Section 9602;

c) Any hazardous waste having the characteristics identified under or listed pursuant to 42 USC Section 6921, but not including any waste the regulation of which under the Solid Waste Disposal Act has been suspended by act of Congress;

d) Any toxic pollutant listed under 33 USC Section 1317(a);

e) Any hazardous air pollutant listed under 42 USC Section 7412;

f) Any imminently hazardous chemical substance or mixture with respect to which the Administrator of the United Procedure or Waste Extraction Test), or demonstrate toxicity in animal studies (22 CCR Section 66696 et seq.); and

g) Any hazardous waste or extremely hazardous waste as defined by HSC Section 25117 and HSC Section 25115, respectively, unless expressly excluded (HSC Section 25316).

9) Hazardous Waste Facility. Hazardous waste facility or facilities means all contiguous land and structures, other appurtenances, and improvements on the land used for the treatment, transfer, storage, resource recovery, or recycling of hazardous waste. A hazardous waste facility may consist of one or more treatment, transfer storage, resource recovery, or recycling hazardous waste management units, or combinations of these units (HSC Section 25117.1).

10) Hazardous Waste Landfill. A disposal facility, or part of a facility, where hazardous waste is placed in or on land that is not a land treatment facility, a surface impoundment or an injection well (22 CCR Section 66123). After 1990, the disposal of untreated hazardous waste, except solid clean up waste from existing contaminated sites in a landfill will be illegal (HSC Section 15179.6).

11) Hazardous Waste Collection. Establishments engaged in collecting and/or hauling hazardous waste within a local area.

12) Household Hazardous Waste Collection Center. A collection center that accepts household hazardous waste from residents, which consist of but not limited to, paint, waste oil, thinners, household cleansers, etc., with a capacity of less than 55 drums (equal to 3025 gallons) of waste;

13) Incinerator. An enclosed device using controlled flame combustion, the primary purpose of which is to thermally break down hazardous waste, examples are a rotary kiln, fluidized bed liquid injection and a cement kiln;

14) Land Disposal Facility. Where hazardous waste is disposed in, on, under or to the land;

15) Land Farming (Land Application, Land Spreading). A treatment technique that involves spreading the waste on land and utilizing evaporation and microbial action to degrade the wastes. Used primarily for crude oil wastes;

16) Off-Site Hazardous Waste Facility. An operation involving handling, treatment, storage or disposal of hazardous waste at a site physically separate from the site where the waste was generated; at a site not owned by, or leased to the producer of the waste; or at a site which

receives hazardous waste from more than one generator. Also see “specified hazardous waste facility;”

17) On-Site Hazardous Waste Facility. An operation involving treatment and storage of hazardous waste on land owned by the waste producer, contiguous to the site of waste generation, which receives hazardous waste produced only by the generator;

18) Residuals Repository. A hazardous waste facility which accepts for disposal only treated hazardous waste, meets all applicable federal and state regulations, and holds a hazardous waste facility permit;

19) Specified Hazardous Waste Facility. An off-site hazardous waste facility that accepts disposal wastes from more than one producer of hazardous waste (HSC Section 25199.1(m)). For purposes of this Development Code, a household hazardous waste collection center with a capacity of less than 50 drums of waste is not considered a specified hazardous waste facility;

20) Storage Facility/Hazardous Waste. A hazardous waste facility at which hazardous waste is contained for a period greater than 96 hours at an off-site facility or for periods greater than 90 days at an on-site facility (HSC Section 25123.3);

21) Surface Impoundment. A facility or part of a facility that is a natural topographic depression, man-made excavation, or diked area, formed primarily of earthen materials (although it may be lined with man-made materials), which is designed to hold an accumulation of liquid wastes containing free liquids, and which is not an injection well. Examples of surface impoundments are holding, storage, settling, and aeration pits, ponds and lagoons (HSC Section 66200);

22) Transfer Stations. Any hazardous waste facility where hazardous wastes are located, unloaded, pumped or packaged (22 CCR Section 66212);

23) Transportable Treatment Unit. Hazardous waste treatment works which are designed to be moved either intact or in modules and which are intended to be operated at a given location for a limited period of time;

24) Treatment Facility. A facility at which hazardous waste generated in the City of Ontario is subjected to treatment or where a resource is recovered from a hazardous waste;

25) Waste Pile. Any non-containerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage (22 CCR Section 66160).

Height (of a Building or Structure). The vertical dimension of a building or any other type of structure measured from the lower of existing grade or finished grade elevation to the highest point of the roof, not including chimneys, antennas, or other appurtenant structures. The height of structures shall be measured vertically, from a line representing a horizontal plane drawn through either the base of the structure at the lowest elevation of the existing grade prior to development or finished grade of the structure, whichever is lower, to a line representing a horizontal plane drawn through the highest point of the roof or through the coping of a flat roof, the deck line of a mansard roof or the highest ridge of a sloping roof.

Historic Preservation. “Historic Preservation” refers to the treatment of historic places and sites. For the purposes of the historic preservation regulations contained in this Development Code, the following definitions shall apply:

1) Alteration. Any exterior change or modification, through public or private action, to the character-defining or significant physical features of properties affected by this Development Code, such as changes to or modification of a structure, architectural details or characteristics, rock curbs, the addition of new structures, cutting or removal of trees, and the placement or removal of significant objects, including but not limited to signs, plaques, light fixtures, street furniture, walls, fences, or steps, which affect the significant historical qualities of the property. This may also include any identified significant interior features of historic property.

2) Certificate of Appropriateness. A certificate issued by the Approving Authority approving plans, specifications, statements of work, and any other information that are reasonably required by the Approving Authority to make a decision on any proposed alteration, restoration, rehabilitation, construction, removal, relocation, or demolition, in whole or in part, or to an historic resource.

3) Certificate of Economic Hardship. A certificate authorizing work described in the accompanying Certificate of Appropriateness granted by the Approving Authority because of extreme financial privation or adversity.

4) Certified Local Government. A local government certified under a federal program by the State office of Historic Preservation for the purpose of more direct participation in federal and state historic preservation programs.

5) Character-Defining Feature. The man-made elements embodying style or components of an improvement, including but not limited to the kind and texture of the building materials, roof pitches, exterior wall finishes, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

6) Contributing Resource. Any improvement, building, structure, sign, feature, tree, or other object adding to the historical, architectural or cultural significance of an historic district.

7) Demolition. Any act or process that destroys in part or in whole an individual historic resource or a structure within an historic district.

8) Design Guidelines. The principles contained in a document, which illustrate appropriate and inappropriate methods of rehabilitation and construction. The purpose of using design guidelines is to aid design and decision-making with regard to retaining the integrity of scale, design, intent, materials, feelings, patterns of development, and historic character of an historic resource.

9) Designated Site. A parcel or part thereof on which an historic resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the Historical Resource is situated, and which has been designated a historic landmark or district.

10) Historic Context. A framework for interpreting history that groups information about historical resources sharing a common theme, geographical area, or chronology. The development of "historic context" is a foundation for decisions regarding the planning, identification, evaluation, registration, and treatment of historical resources based upon comparative historic significance.

11) Historic District. Any defined contiguous or noncontiguous grouping of properties that share a common theme and/or period of significance containing a concentration of

improvements which have a special historical interest or value, which possess integrity of location, design, setting, materials, workmanship, feeling, and association, or which represent one or more architectural periods or styles typical to the history of the City, and that has been nominated or designated a Historic District, or placed on the National Register of Historic Places or the California Register of Historical Resources.

12) Historic Integrity. The authenticity of a property's historic identity evidenced by the survival of physical characteristics that existed during the property's prehistoric or historic period. Historic integrity is the composite of seven qualities which include location, design, setting, materials, workmanship, feeling, and association.

13) Historic Landmark. Any singular Historical Resource that has been nominated or designated, or placed on the National Register of Historic Places, or the California Register of Historical Resources.

14) Historic Resources. Improvements, buildings, structures, signs, features, Historic Districts, conservation zones, trees, or other objects of cultural, architectural, or historical significance to the City, State, Region, or the Nation, which have been determined to be eligible for nomination or designation and determined to be appropriate for historic preservation by the Approving Authority.

15) Historic Resources Survey. A survey conducted to identify, record, and evaluate historic properties within a community, neighborhood, project area, or region. A reconnaissance level survey involves the preparation of a Primary Record form (or DPR523A) pursuant to standards established by the California Office of Historic Preservation. A Primary Record documents the location and physical description of a building, structure, object, or site. An intensive level survey involves the preparation of a Building, Structure, and Object (BSO) Record form (or DPR523B) pursuant to the standards established by the California Office of Historic Preservation. A BSO Record is used to evaluate and present detailed information about buildings, structures and objects. The intensive level survey will also evaluate areas or neighborhoods for historic significance and a DPR523D form will be prepared.

16) Improvement. Any building, structure, fence, gate, tree, wall or other specified object constituting a historical physical feature of real property, or any part of such feature.

17) Local Historic Status Codes. A classification system that identifies historic resources based on the level of evaluation and designation for which the property has been approved.

18) Mills Act Contract. A property contract entered into between the City and a property owner that provides a potential for lower property taxes in return for the rehabilitation, restoration and preservation of a qualified historical property pursuant to GC Section 50280 et seq.

19) Noncontributing Resource. Any improvement, building, structure, sign, feature, tree or other object that does not add to the historical, architectural or cultural significance of a district.

20) Object. A material thing of historical, cultural or architectural value.

21) Ontario Register. A list that includes historic resources that have been surveyed at the intensive level (DPR523A and DPR523B) and determined to be eligible for local, state, or national through a regulatory process. This includes "determined eligible," "designated," and "nominated" properties. Historic Preservation Subcommittee maintains the Ontario Register.

22) Ordinary Maintenance and Repair. Any work, for which a building permit is not required by law, where the purpose and effect of such work is to correct any deterioration of or damage to a structure or any part thereof and to restore the same, to its condition prior to the occurrence of such deterioration or damage.

23) Period of Significance. The length of time when a property was associated with important events, activities, or persons, or attained the characteristics which qualify it for listing in the Local, State, and/or National Register.

24) Preservation. The identification, study, protection, restoration, rehabilitation, or acquisition of Historical Resources.

25) Secretary of the Interior Standards for Rehabilitation. The guidelines prepared by the National Park Service for Rehabilitating Historic Buildings and the Standards for Historic Preservation Projects prepared by the National Park Service with Guidelines for Applying the Standards.

26) Statement of Significance. An organizational format which groups information about related historical resources based on theme, geographic units, and chronological period. The information should describe why the resource is significant within a relevant historic context.

27) Significant Feature. The man-made elements embodying style or components of an improvement, including but not limited to the kind and texture of the building materials, and the type and style of all windows, doors, lights, signs, and other fixtures appurtenant to such improvement.

28) State Historic Building Code. HSC Part 2.7 (commencing with HSC Section 18950), and the regulations promulgated thereunder, as they may be amended from time to time (24 CCR, Part 8).

Home Occupation. An occupation conducted by the occupant of a dwelling as a secondary use in which there is no display, no stock-in-trade, no commodity sold on the premises, no person employed other than residents of the dwelling, and no mechanical equipment used, except for that necessary for housekeeping purposes.

Hotel. A lodging facility, which offers transient accommodations at a daily rate, to the general public, and which may provide additional services, such as restaurants, meeting rooms and recreational facilities.

Household. One or more individuals occupying a single dwelling, with common access to and use of all living, eating, and kitchen facilities within the dwelling.

Household Pet. A small, domesticated animal, normally allowed access to the house or yard, kept for company, security or pleasure, limited to any combination of dogs, cats, potbellied pigs, rabbits, chinchillas, and other small, domesticated animals that are maintained for non-breeding purposes only.

Human Signs. A sign held by, or attached to, a human for the purpose of advertising or otherwise attracting attention to an individual, or a business, commodity, service, or product, and includes the use of a person dressed in costume for the purpose of advertising or attracting attention to an individual, business, commodity, service, or product. A "human sign" may also be referred to as a human billboard, human directional, sign walker, sign waver, or sign twirler.

I. Definitions of Words Beginning with the Letter “I.”

Immediate Neighborhood. The block in which the subject property is located, as well as the opposite block face along the same street.

Improvement. Any street work and utilities to be installed, or agreed to be installed, by the subdivider on land to be used for public or private streets, highways, driveways, drive aisles and easements, as are necessary for the general use of the lot owners in the subdivision and local neighborhood traffic, and drainage needs as a condition precedent to the approval and acceptance of the final tract map. Furthermore, the term shall mean any other specific improvement or type of improvement, whether public or private, the installation of which, either by the subdivider, public agencies, private utilities, any other entity approved by the local agency, or by a combination of such, which is necessary to ensure consistency with or implementation of the general plan or any applicable specific plan.

Industrial Clinic. Establishments of independent healthcare practitioners providing services to businesses and their employees, which are engaged in: [i] providing physical therapy services to patients with impairments, functional limitations, disabilities, or changes in physical functions and health status, which are a result of injury, disease or other causes received while on-the-job, or who require prevention, wellness or fitness services; [ii] planning and administering educational, recreational, and social activities designed to help patients or individuals with disabilities, regain physical or mental functioning or to adapt to their disabilities; and [iii] diagnosing and treating speech, language, or hearing problems.

Industrial Park (Industrial Complex). A development within an industrial zone or land use district, which consists of 2 or more buildings constructed by a single developer or group of developers, and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization. The terms "industrial park" and "industrial complex" may be used interchangeably.

In-Lieu Fee. A cash payment that may be required of an owner or developer as a substitute for the dedication of land or the construction of public improvements.

Interim Use. A use of land or a structure that is less than permanent, with the duration of the use subject to City approval.

Institutional Use. A privately operated use of a semi-public type, such as a church, convent, monastery, day care facility or hospital, nursing home, hospice facility, club or lodge, philanthropic or charitable foundation, nonprofit library, art gallery, museum, or similar type of establishment.

J. Definitions of Words Beginning with the Letter “J.”

Junior College. Establishments primarily engaged in furnishing academic, or academic and technical, courses and granting associate degrees, certificates, or diplomas below the baccalaureate level. The requirement for admission to an associate or equivalent degree program is at least a high school diploma or equivalent general academic training. Instruction may be provided in diverse settings, such as the establishments or client's training facilities, educational institutions, the workplace, or the home, and through diverse means, such as correspondence, television, the internet, or other electronic and distance-learning methods. The

training provided by these establishments may include the use of simulators and simulation methods.

K. Definitions of Words Beginning with the Letter “K.”

Kenel. A place in which 4 or more dogs over 4 months in age are kept.

Kiosk. A small, freestanding lightweight structure less than 150 SF in area, sometimes open on one or more sides. Kiosks are often used as a newsstand or for small-scale merchandising.

Kitchen. A room or portion of a room in a structure, which is used for the purposes of preparing meals and contains the necessary cooking or food preparation facilities (and may include a microwave oven or hot plate), and shall also be equipped with a sink and hot and cold running water.

L. Definitions of Words Beginning with the Letter “L.”

Lane (Alleyway). The principal means of vehicular access to one or more abutting dwellings within a townhouse, rowhouse, or cluster development, which is not intended for through access and is privately owned and improved by means of asphalt, concrete, laid brick or block pavers, or other similar material providing all-weather access, excluding loose materials, such as gravel, stone or slag. The terms "lane" and "alleyway" may be used interchangeably.

Landscaped Area. The unpaved portion of a site containing planted areas and plant materials, including trees, shrubs, lawns and flowers and ground cover, together with such decorative elements as walkways, benches, patios, terraces, water features, and the like, suitable for ornamenting a site or structure, or use on the site. Landscaping may also include non-plant decorative material as an intended complementary aspect of a landscape design, such as:

- 1) Public art installed pursuant to Division 6.07 (Public Art) of this Development Code;
- 2) Decorative fountains, reflecting pools, and ponds;
- 3) Decorative rock, stone, bark, mulch, and other similar decorative materials installed for the purpose of reducing the need for the watering of plant material, and which does not cover more than 5 percent of the total landscaped area; and
- 4) Trellises, porticos, arbors, and other similar garden structures, which do not exceed 6 FT in width, 3 FT in depth, and 8 FT in height.

Live Entertainment. Any live performance, including, but not limited to, all forms of music, theatrical or comedic performance, song, dance, karaoke, or vocal entertainment by a disc jockey (DJ) or announcer, in which one or more employees, independent contractors, guests, customers, or any other individual participates. Live entertainment shall also include dancing by patrons to live or recorded music.

Live entertainment shall not include ambient or incidental music provided for guests or patrons by one nonamplified musician, or the use of a radio, television, or other electronic playback device in any establishment, except when utilized by an announcer, DJ, master of ceremony (MC), or presenter, who at any time provides any form of vocal or visual entertainment for the purpose of gaining the attention and interest of, or diverting or amusing, guests or patrons, including the announcing of song titles or artists' names.

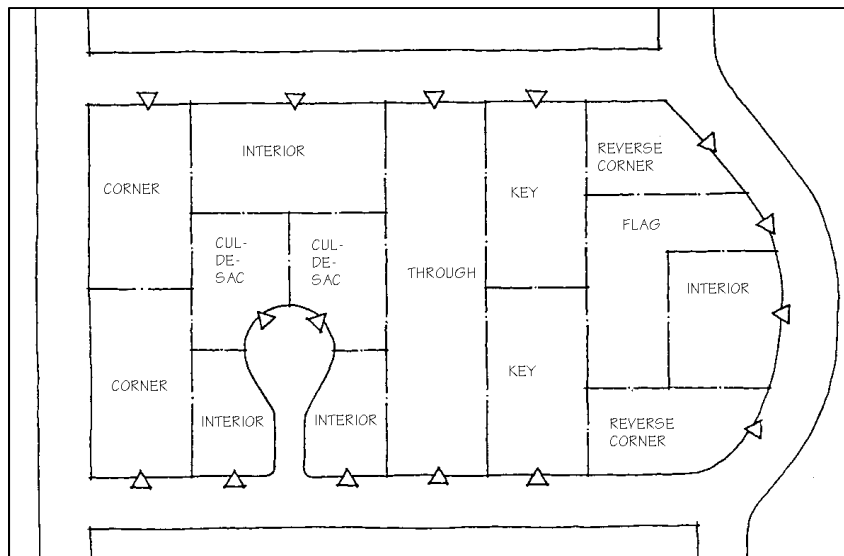
Living Area. The interior habitable area of a dwelling unit, including improved basements and attics, but does not include a garage or accessory structure.

Loading Area. The portion of a site developed for the loading or unloading of motor vehicles or trailers, including loading spaces, drive aisles and driveways.

Lodging Facility. An establishment that provides transient sleeping accommodations for rent.

Lodging House. See “Boarding House.”

Lot. A unit or portion of land, separate from other units or portions by description, as shown on a final map or by other such map or instrument approved by the City or applicable government entity under the provisions of the Subdivision Map Act (commencing with GC Section 66410) and City ordinances in effect at the time of such approval, for the purpose of sale, lease, or financing. The classifications of “lot” are described as follows (see examples below):



Lot Types

- 1) **Corner.** A lot located at the intersection of 2 or more streets.
- 2) **Cul-De-Sac.** A lot located on the turning end of a dead-end street.
- 3) **Flag.** A lot having access to a street by means of a private driveway access easement, or parcel of land not meeting the requirements of this Code for lot width, but having a dimension of at least 20 FT at its narrowest point.
- 4) **Interior.** A lot other than a corner lot.
- 5) **Key.** The first interior lot to the rear of a reversed corner lot.
- 6) **Reverse corner.** A corner lot, the side of which on a street side is substantially a continuation of the front property line of the first lot to its rear.

7) **Through.** An interior lot having frontage on 2 parallel or approximately parallel streets.

Lot Area. The area within the property lines of a lot or parcel, exclusive of any dedications for public rights-of-way, parks, school sites or other public dedications.

Lot Area, Adjusted Gross. The gross lot area, excluding public highways, streets, alleys, and other public rights-of-way, and non-buildable easements for public utilities, railroads, and private streets.

Lot Area, Gross. ~~Shall mean:~~ The entire area within the boundaries of a lot or parcel, measured to the centerline of adjoining alleys, highways or streets or to the underlying fee ownership of such adjoining alleys, highways or streets, whichever is applicable.

Lot Area, Net. A unit of land measure, not including the area within the established right-of-way of a public or private street or railroad, or any other area dedicated or required to be dedicated in the future for a public use.

Lot Coverage. The area devoted to principal and accessory structures on a lot, including patios enclosed on 3 sides, garages, and covered parking.

Lot Depth. The horizontal distance between the front and rear property lines of a site measured along a line midway between the side property lines.

Lot Line. The lines bounding a lot (also see “Property Line”). The classifications of “Lot Line” are as follows:

1) **Front.** The line separating the narrowest street frontage of a lot from a public or private street right-of-way.

2) **Interior side.** Any lot line that is not a front or rear lot line, and that does not border a public or private street right-of-way.

3) **Rear.** The lot line opposite and most distant from the front lot line. In the case of an irregularly-shaped lot, a straight line shall be drawn within the lot most nearly parallel to and the maximum distance from the front lot line

4) **Street side.** Any lot line that is not a front or rear lot line, and which abuts a public or private street right-of-way.

Lot Line Adjustment. A boundary realignment between 2 or more adjoining lots that are legally recognized and under the same or different ownership, where land taken from one lot is added to an adjacent lot, and where a greater number of lots other than originally existed is not thereby created. A lot line adjustment shall not result in the adjustment (moving) of more than 4 lot lines.

Lot Width. The horizontal distance between the side property lines of a lot, measured in a straight line in the mean direction of the front property line, at the minimum front yard setback line of a lot.

M. Definitions of Words Beginning with the Letter “M.”

Maintenance. Repair work or upkeep on a structure, including painting, carpentry, glazing, and the reinforcement or replacement of defective parts, including roofs, foundations, structural members, and the like, but not including an addition, enlargement, or replacement of the structure.

Manufactured Home. A structure designed for single-family residential use that is factory made and is fully or partially assembled on the site of ultimate use, as permitted by Federal laws and the State of California.

Manufacturing. A use engaged in the manufacture, primarily from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental processing of extracted raw materials.

Marijuana. All parts of the plant *Cannabis sativa* L., whether growing or not; the seeds thereof; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds or resin. It does not include:

1) Industrial hemp, as defined in Section 11018.5 of the California Health & Safety Code; or

2) The weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other product.

Marijuana Cultivation. Any activity involving the planting, growing, harvesting, drying, curing, grading, or trimming of marijuana.

Marijuana Dispensary. Any association, cooperative, club, coop, delivery service, collective and any other similar use involved in the sale, exchange, bartering, giving away for any form of compensation whatsoever, possession, cultivation, use and/or distribution of marijuana.

Massage. Any method of treating the external parts of the body for remedial, health or hygienic purposes, by means of pressure on or friction against; or stroking, kneading, rubbing, tapping, pounding; or stimulating the external parts of the body with the hands or other parts of the body, with or without the aid of any mechanical or electrical apparatus or appliances; or with or without supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations commonly used in this practice and shall include herbal body wraps.

For the purposes of the Massage regulations contained in the Development Code, the following definitions shall also apply:

1) **Chair Massage.** Any massage of the neck, arms, shoulders, hands, feet and back area above the waist, where the client is fully clothed, sitting upright in a chair, and done without the use of supplementary aids, such as rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotions, ointments, or other similar preparations.

2) **Massage Establishment.** An establishment having a fixed place of business where any person, association, firm, partnership, or corporation engages in, conducts, or carries on, or permits to be engaged in, conducted, or carried on, any business of giving massage, 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 character of bath, such as Turkish, Russian, Swedish, Japanese, vapor, shower, electric tub, sponge, mineral, fomentation, or any other type of bath.

Master Plans. A term used to describe a process that determines community goals and aspirations in terms of community development. The outcome of comprehensive planning is the Master Plan (also referred to as the “comprehensive plan”), which dictates public policy in terms of transportation, utilities, land use, recreation, public safety, and housing. Master plans typically encompass large geographical areas, a broad range of topics, and cover a long-term timeframe.

Material Recovery Facility. A facility that receives, processes and recycles municipal mixed solid wastes, commercial high-grade wastes (such as corrugated cardboard, newspaper, mixed papers, etc.), construction debris, commingled recyclable materials, and green waste, and ships recovered recyclables and residual solid waste to market or disposal destinations. These facilities typically include:

- 1) Materials handling, sorting, processing and compacting equipment and facilities;
- 2) Shipping/hauling of sorted materials, either by truck or rail;
- 3) Administrative functions, such as office, employee and training areas;
- 4) Weighing of vehicles and collection of fees; and
- 5) Maintenance of vehicles and equipment used in conjunction with the facility.

Medical Marijuana Dispensary. Any association, cooperative, club, coop, delivery service, collective and any other similar use involved in the sale, possession, cultivation, use and/or distribution of marijuana for medicinal purposes.

Menu Board. A permanently mounted sign displaying the bill of fare of a drive-in, drive-through or walk-up restaurant.

Metal Salvage Yards. An establishment that collects and utilizes scrap metal for use as salable products.

Mezzanine. A second level, internal to a building or unit, composed of permanent or modular construction that adds usable square footage to a unit.

Mixed-Use Development. The development of a tract of land, building, or structure, which includes residential land uses in conjunction with a variety of complementary uses, such as, but not limited to, office, manufacturing, retail, public, or entertainment, in an integrated development project with significant functional interrelationships and a coherent and cohesive physical design.

Mobile Home. Same as “Manufactured Home,” but subject to the National Manufactured Housing Construction and Safety Standards Act of 1974.

Mobile Home Park. A development designed exclusively for the placement of mobile homes on spaces or lots offered for sale, lease, rent or condominium ownership, including all improvements, buildings, structures, recreational areas, or other facilities for the use of the residents of such development, but not including any sites or spaces available on a transient basis.

Mobile Recycling Unit. An automobile, truck, trailer or van, licensed by the California Department of Motor Vehicles, which is used for the collection of recyclable materials. This definition encompasses bins, boxes or containers transported by trucks, vans or trailers and used for the collection of recyclable materials. Mobile units shall not be visible from Euclid Avenue.

Monopole. A structure composed of a single spire used to support communications equipment.

Motel. A lodging facility that offers transient accommodations at a daily rate, to the general public, which are predominantly accessed from parking lots or exterior walkways.

Motorhome. A motor vehicle originally designed or permanently altered and equipped for human habitation.

Motor Truck. A motor vehicle designed, used, or maintained primarily for the transportation of property, which has two or more axles and a gross vehicle weight rating (GVWR) of more than 10,000 pounds (CVC Section 410).

Mortuaries. See “Funeral Parlors.”

Mulch. A layer of organic material derived from plants (e.g., compost, leaf mold, peat, shredded bark, wood chips, etc.), which is applied to the surface of an area of soil to conserve moisture, improve the fertility and health of the soil, reduce weed growth, and enhance the visual appeal of the area. Nonstabilized decomposed granite or gravel may be used with appropriate California native landscapes.

Multiple Tenant Building. A building wherein two or more separate and independently owned, rented, leased, or operated commercial occupancies are contained.

Municipal Utility. A utility owned and operated by an agency of local government.

Mural. An original, noncommercial work of art that is displayed by being painted directly on, or being affixed directly to, the exterior wall of a building or structure, and which is clearly intended as a decorative or ornamental feature. Murals do not contain text, numbers, registered trademarks, registered logos, or business or service advertising or identification.

N. Definitions of Words Beginning with the Letter “N.”

Neighborhood Convenience Facility. A retail establishment offering for sale, any prepackaged food products or household items, newspapers or magazines, salads or sandwiches, or other freshly prepared foods, for consumption off the premises.

Noncommercial Speech. Any message that is not determined to be commercial speech as defined in this Division.

Nonconforming Structure. A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to a zoning ordinance, but which fails, by reason of such adoption, revision, or amendment, to conform to the present requirements of the zoning district.

Nonconforming Use. A use or activity which was lawful prior to the adoption, revision, or amendment to a zoning ordinance, but which fails, by reason of such adoption, revision or amendment, to conform to the present requirements of the zoning district.

Nonprofit Social Service Organization. An organization that is incorporated under State law and has an unpaid board of directors, and which provides social services on a non-resident basis to the public, on an ability-to-pay or non-fee basis.

Nuisance. Anything that is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use in the customary manner of any public park, street, sidewalk, alleyway, highway or other public easement is a nuisance. The classifications of nuisance are as follows:

1) Private Nuisance. A private nuisance is an interference with a person's enjoyment and use of their land, recognizing that landowners, or those in rightful possession of land, have the right to the unimpaired condition of the property and to reasonable comfort and convenience in its occupation.

2) Public Nuisance. A public nuisance interferes with the public as a class, not merely one person or a group of citizens; however, some nuisances can be both public and private in certain circumstances where the public nuisance substantially interferes with the use of an individual's land.

3) Attractive Nuisance. An attractive nuisance is alluring or fascinating to those persons, who, because of their age, inexperience, and/or mental capability, are unable to recognize its dangerous quality.

Nuisance Vegetation. Weeds and wild grasses, such as those commonly known as foxtails, tumbleweeds, devil thorns, puncture vines, horehound gourd vines, and other similar grasses and weeds.

Nursery School. See "Child Day Care Facility."

Nursing Home (Convalescent Home (Hospital), Rest Home, or Rehab (Rehabilitation) Facility). A lodging and care facility for convalescents, invalids, or aged persons, not including persons suffering from contagious or mental diseases, alcoholism, or drug addiction, and in which surgery is not performed and primary treatment, as given in hospitals or sanitariums, is not provided. The terms "Nursing Home," "Convalescent Home," "Convalescent Hospital," "Rest Home," or "Rehab Facility" may be used interchangeably.

O. Definitions of Words Beginning with the Letter "O."

Office Building. A building containing two or more separate, independently owned, rented, leased, or operated commercial, administrative or support services, or professional tenants, in which the primary access to the lease area of each occupant is from the interior of the building (from a lobby or foyer), as opposed to direct access from a street or parking lot.

Open Space. Any lot or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for public or private use or enjoyment, or for the use and enjoyment of owners and occupants of land adjoining or neighboring the open space. Open space does not include area covered by buildings or accessory structures (except recreational

structures), paved areas (except recreational facilities), proposed and existing private and public streets, drive aisles, or driveways. The classifications of open space are as follows:

1) Common. Open space within an area owned, designed, and set aside for use by all occupants of a development, or the occupants of a designated portion of a development. Common open space is not dedicated to the public and is owned or maintained by a private organization made up of the open space users. Common open space includes common recreation facilities, open landscaped areas, and greenbelts, and excludes streets, drive aisles, driveways, parking lots and other similar pavement areas, parkways, and landscaping within a public right-of-way.

2) Private. Open space directly adjoining a dwelling, which is intended for the private enjoyment of the occupants of the dwelling. For multiple-family dwellings, private open space includes area within private patios or balconies. For single-family dwellings, private open space includes front, rear, and side yard areas of individual lots.

Overlay District. A zoning district established by this Development Code that may be applied to an area or vicinity only in combination with a base zoning district.

Owner. Any person in possession, or any person(s) shown as owner(s) on the last equalized property tax assessment rolls.

P. Definitions of Words Beginning with the Letter "P."

Passenger Vehicle. Any motor vehicle, unless the vehicle is used for the transportation of persons for hire, compensation, or profit.

Patio. An outdoor living area constructed at ground level, which may extend from a building or may be freestanding. Patios may or may not have covers or roofs, can take on any shape, and may be constructed of a variety of materials, including concrete, brick, stone, gravel, pavers, flagstone, or other similar materials.

Patio, Covered. A patio with a shade structure, consisting of a roof and structural supports.

Patio, Enclosed. A patio area, consisting of a roof and vertical walls on up to 3 sides which are a minimum of 65 percent open. For the purpose of this definition, the term "open" may include the use of screen material and/or plexiglass, or other similar material. An enclosed patio shall not include any portion of a building that is habitable, as defined in the Uniform Building Code.

Parcel Map. A map that is designated to be placed on record with the office of the County Recorder for any subdivision creating 4 or fewer lots, or 5 or more lots if the subdivision complies with the provisions of GC Section 66426.

Parking Area. A site, or a portion of a site, devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives, and related landscape and screening areas.

Parolee, Federal. An individual convicted of a federal crime, sentenced to a United States federal prison, and received conditional and revocable release in the community under the supervision of a Federal parole officer.

Parolee, State Adult. An individual who is serving a period of supervised community custody, as defined in PC Section 3000, following a term of imprisonment in a state prison and is under the jurisdiction of the California Department of Correction, Parole and Community Services Division.

Parolee, Youth Authority. An adult or juvenile individual sentenced to a term in the California Youth Authority and received conditional and revocable release in the community under the supervision of a Youth Authority parole officer.

Pavement (Paving). An area improved by the laying or covering with a material, such as asphalt, concrete, laid brick or concrete block, so as to form a substantially flat, hard, and level all-weather surface. The terms “pavement” and “paving” may be used interchangeably.

Personal Property Donation Bin. An unattended canister, bin, box, receptacle, or similar device used for soliciting and collecting donations of personal property.

Personal Services. Services of a household or personal nature, such as dry cleaning, apparel repair, beauty and barbershops, but not including adult businesses as defined in this article.

Philanthropic Institution. See “Charitable Institution.”

Pickup Truck. A motor truck with a manufacturer’s gross vehicle weight rating (GVWR) of less than 11,500 pounds and an unladen weight of less than 8,001 pounds, which is equipped with an open box-type bed less than nine feet in length. The term “pickup truck” does not include a motor vehicle otherwise meeting the aforementioned definition, which is equipped with a bed-mounted storage compartment commonly called a “utility body” (CVC Section 471).

Place of Worship. See “Religious Assembly.”

Planned Development. A development, other than a condominium or stock cooperative, having a common area owned by a property owner 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.

Planned Residential Development. A residential development on a site under one ownership or under the legally incorporated control of the individual owner-members, approved in conjunction with a subdivision, developed as a single entity, allowing a mix of dwelling types and individual parcels, and containing commonly owned open space and recreation areas.

Planning Commission. The Planning Commission of the City of Ontario.

Planning Director. The Planning Director of the City of Ontario, or his/her designee.

Political Sign. Any election or non-election sign, advertising structure, or display that communicate any message or idea identifying, supporting, opposing, promoting, or conveying a position upon or relating to any political cause or issue, or candidate for public office, or proposition or issue connected with any local, special, state, or national election.

Pool Hall. See “Billiard Parlor.”

Prezoning. The classification of unincorporated territory adjoining a City into one or more City zoning districts.

Primary Use, Activity or Facility ~~Building or Structure. A building or structure housing use, activity or facility that is the principal or main use, activity or facility on a site, or functioning as the principal or main land use.~~ The principal or main use, activity, or facility of land, buildings, or other structures.

Primary Business Activity. The principal concern or interest of a business, based upon volume of business activity, gross receipts, and gross floor area devoted to business activity, in order of rank or importance.

Property Line. A line of record, which bounds a lot, and which divides a lot from another lot, a public or private street, or from any other public or private space (also see “Lot Line”).

Public Nuisance. A nuisance that affects at the same time, an entire community or neighborhood, or any large number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Public Service Installation. Buildings and other structures and equipment owned and/or operated by an agency of local, state or federal government.

Public Storage. See “Mini Warehouse.”

Public Right-of-Way. Any public street, alley, sidewalk, street island, median, or parkway that is owned or granted by easement, operated, or controlled by the City.

Public Utility Installation. Buildings and other structures and equipment owned and operated by a public utility or private utility company subject to the regulation of the Public Utility Commission of the State.

Public View. Observable or likely to be observed by a person positioned on publicly or privately owned property, at a location to which the public have unfettered access.

Q. Definitions of Words Beginning with the Letter “Q.”

Reserved

R. Definitions of Words Beginning with the Letter “R.”

Recognized Lot. Any lot that was a separate lot of record on November 5, 1947, as shown in the official records of the County Recorder, or any lot that was created after July 21, 1977, in accordance with State law or any applicable City law, or any lot that, at the time of annexation of the City, was a separate lot of record, as shown in the official records of the County Recorder.

Recreational Vehicle. A vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pick-up campers, camping trailers, motor homes, converted trucks or buses, boats and boat trailers, all-terrain vehicles, truck campers, personal water craft and trailers for their transport, off-road vehicles, fifth-wheel trailers, utility trailers and horse trailers. All-terrain and off-road vehicles licensed for use on the public street

shall not be considered a recreational vehicle, such as 4-wheel drive pick-up trucks, sport utility vehicles, and 4-wheel drive passenger vehicles.

Recreational Vehicle Park. A facility for the accommodation of recreational vehicles for short-term periods, generally for not less than one night and not used as a place of residence by persons, other than a manager or other employee and their families.

Recycling Center. A center for the collection and/or processing of recyclable materials certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986 (commencing with PRC Section 14500). A recycling facility does not include storage containers or processing activity on the premises of a residential, commercial, or industrial use, and used solely for the recycling of material generated by the residential property, business or industry. For the purposes of these provisions, recyclable material shall mean reusable material, including, but not limited to metals, glass, plastic and paper intended for reuse, remanufacture, or reconstitution for use in an altered form. Recyclable material may include used motor oil collected and transported in accordance with the California Health and Safety Code. Recycling facility is further defined as follows:

1) Large Collection Facility. A center for the acceptance by donation, redemption, or purchase, of recyclable materials from the public, that occupies an area of more than 500 SF, is not appurtenant to a host use and may use a permanent building. In addition, large collection facilities may have the capacity for aggregating and storing large amounts of material on-site.

2) Processing Facility. A facility certified by the California Department of Conservation, which purchases empty aluminum beverage containers, bimetal beverage containers, glass beverage containers, plastic beverage containers, or any other beverage containers, including any one or more of those beverage containers that have a refund value established pursuant to the California Beverage Container Recycling and Litter Reduction Act, from recycling centers within the state of California, for recycling. Processing facilities are limited to baling, briquetting, crushing, compacting, grinding, shredding, and sorting of source-separated recyclable materials, and repairing of reusable materials sufficient to qualify as a certified processing facility. A processing facility shall not shred, compact, or bale ferrous metals, other than food and beverage containers.

3) Reverse Vending Machine. An automated mechanical device that accepts one or more types of empty beverage containers, including, but not limited to, aluminum cans, glass, and plastic bottles, and issues a cash refund or a redeemable voucher. A reverse vending machine may sort and process containers mechanically if the entire process is enclosed within the machine.

4) Small Collection Facility. A center of not more than 500 SF in area for the acceptance by donation, redemption or purchase, of recyclable materials from the public, and consisting of one or more of the following:

a) Mobile Recycling Unit. An automobile, truck, trailer, or van that is licensed by the Department of Motor Vehicles, which is used for the collection of recyclable materials. A mobile recycling unit also means bins, boxes or containers transported by trucks, vans, or trailers, and used for the collection of recyclable materials.

b) Bulk Reverse Vending Machine. A reverse vending machine that is larger than 50 SF in area, is designed to accept more than one container at a time and will pay by weight rather than by individual container.

c) **Kiosk Type Unit.** Portable recycling units, but may include small permanent structures.

d) **Unattended Containers.** Any unattended container placed for the donation of recyclable material.

Rehab (Rehabilitation) Facility. See “Nursing Home.”

Religious Assembly (Place of Worship). A facility operated for worship or recurring organized religious services, or activities, including churches, temples, mosques, synagogues, and other similar facilities of religious instruction. Such facilities may include a variety of traditional accessory uses, amenities and activities, such as offices, classrooms, multi-purpose rooms, play fields and gymnasiums, rectory, group living quarters, child and adult daycare facilities, and incidental retail activities that support the primary religious activity, limited to the sale religious books and paraphernalia. “Religious assembly” within commercial, mixed-use, and specialized use zoning districts may also include nontraditional accessory uses, amenities, and activities, such as general retail sales, entertainment facilities, sports and recreation centers, and broadcasting and recording studios. “Religious assembly” shall not include dwellings periodically used for religious activities that are clearly incidental to the primary residential use of the dwelling and do not create a nuisance.

Residence Inn. A lodging facility consisting of one or more buildings containing individual guest rooms or suites of rooms and/or dwelling units, which may provide kitchen facilities, amenities, recreational facilities, and/or meals. “Residence inn” shall not include residential, group, or community care facilities, as defined in this Division.

Residential Complex. Multiple-family residential developments, mobile home parks, and common interest developments, each consisting of 5 or more dwelling units constructed by a single developer or group of developers, and designed to function as a single cohesive unit in terms of access, parking, landscaping, property and landscape maintenance, and architecture, regardless of the subsequent parcelization.

Residential, Group, or Community Care Facility. Any facility, place or building that is maintained and operated to provide residential care as defined by State law and including, but not limited to, the physically handicapped, mentally impaired, incompetent persons, abused or neglected children and the elderly. Community Care Facilities include, but are not limited to, the following: residential facility, adult day care facility, therapeutic day services facility, foster family agency, foster family home, small family home, social rehabilitation facility, community treatment facility, full service adoption agency, noncustodial adoption agency, and transitional shelter care facility. Any of these facilities with 6 or fewer people in residence shall be viewed as a single-family residence.

Residential Project. Conditional Use Permit, Development Plan, Subdivision Map, or other discretionary or ministerial land use approval that authorizes the development of one or more dwellings and/or residential lots.

Rest Home. See “Nursing Home.”

Restaurant. A business establishment that prepares and serves food and drinks to customers in exchange for money. The classifications of restaurant are described as follows:

1) **Full-Service Restaurant.** A sit-down eatery where food is served directly to the customers' table. These establishments may sell alcoholic beverages. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

2) **Limited Service Restaurants.** An establishment whose patrons generally order or select items and pay prior to eating. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

3) **Cafeterias.** A restaurant or dining room in a school or a business in which customers serve themselves or are served from a counter and pay before eating.

Reviewing Authority. Advisory Authorities, Approving Authorities, and Appeal Authorities of the City, which are responsible for acting on [i] land use or development entitlements, permits, and licenses; and [ii] other planning, zoning, and/or development actions and decisions, as established by Division 2.02 (Application Filing and Processing) of this Development Code.

Rooming House. See "Boarding House".

S. Definitions of Words Beginning with the Letter "S."

Salvage Facility. Any place of outdoor storage or deposit for the storing, keeping, processing, buying, or selling of junk motor vehicles and/or scrap metal, or an outdoor area used for the operation of a motor vehicle graveyard. A salvage facility does not include a garage where wrecked or disabled motor vehicles are stored for less than 90 days, for repairs.

As used in this definition, the following terms shall apply:

1) **Motor Vehicle Graveyard.** A yard, field, or other outdoor area used or maintained for storing or depositing more than one junk motor vehicle on a property owned or controlled by the owner of the Junk Motor Vehicle. A Motor Vehicle Graveyard does not include the following:

a) An area used by a motor vehicle hobbyist to store, organize, restore, or display motor vehicles, or parts of such vehicles, provided that the hobbyist's activities comply with all applicable federal, State, and local laws;

b) An area used by a motor vehicle dealership for the storage of new or used operational motor vehicles; and/or

c) An area used or maintained for the temporary parking or storage of operational commercial motor vehicles, which are temporarily out of service and/or unregistered, but are expected to be used in the future by the motor vehicle owner or operator. For the purpose of this definition, "temporarily out of service and/or unregistered" shall mean a period of 90 days from the date of placement or discovery.

2) **Junk Motor Vehicle.** A discarded, dismantled, wrecked, scrapped, or ruined motor vehicle, or parts thereof, or a motor vehicle, other than an on-premise utility vehicle, which is allowed to remain unregistered for a period of 90 or more days from the date of placement or discovery.

School, Private. A school owned and operated by a private entity.

School, Public. A school owned and operated by a public school district.

Self-Storage Facility. A structure or group of structures containing separate storage spaces of varying sizes to be leased or rented on an individual basis.

Senior Citizen. As set forth in CC Section 51.3, as said section may be hereinafter amended.

Senior Citizen Housing Development. A housing development consistent with the California Fair Employment and Housing Act, which has been designed to meet the physical and social needs of senior citizens, and which otherwise, qualifies as housing for senior citizens pursuant to CC Section 51.1. Senior Citizen Housing Developments shall not include Congregate Care Facilities, as defined in this Division.

Service Station. See “Gasoline Service Station.”

Setback Area. A required open space area on a parcel of land, unobstructed and unoccupied from the ground upward, except as permitted by this Development Code. The classifications of setback area are described as follows:

1) **Front.** An area that abuts a public or private street, or access easement, which extends across the full width of a lot, the depth of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the front lot line and extending from the front lot line (measured from face-of-curb in the case of an access easement) toward the interior of the lot, to a line parallel to the front lot line.

2) **Interior Side.** An area that abuts another lot or lots, extending across the full depth of a lot, the width of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the interior side lot line, and extending from the interior side lot line, toward the interior of the lot, to a line parallel to the interior side lot line.

3) **Rear.** An area extending across the full width of a lot, the depth of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line perpendicular to the rear lot line and extending from the rear lot line toward the interior of the lot, to a line parallel to the rear lot line.

4) **Street Side.** An area that abuts a public or private street, or access easement, which extends across the full depth of a lot, the width of which is the minimum required horizontal distance specified for the zoning district, measured in a straight line, perpendicular to the street side lot line and extending from the street side lot line (measured from face of curb in the case of an access easement), toward the interior of the lot, to a line parallel to the street side lot line.

Shopping Center. A group of retail stores and similar complementary establishments on a site that is planned and built as a coordinated unit, with shared pedestrian and vehicular circulation and off-street parking.

Single Room Occupancy Hotel. A cluster of 5 or more dwelling units on one property for weekly or longer tenancy and providing sleeping and living facilities for one or 2 persons within the unit, in which sanitary facilities are also normally provided and cooking facilities may be provided within each unit or shared by multiple units.

Single Tenant Building. A building in which no more than one owned, rented, leased or operated commercial occupancy is contained.

Sign. Any writing (including letter, word, or numeral), pictorial presentation (including illustration or decoration), emblem (including device, symbol, or trademark), flag (including banner or pennant), or any other device, figure, or similar character that: [i] is a structure or any part thereof, or is attached to, painted on, or in any other manner represented on a building, other structure or device; and [ii] is used to announce, direct attention to, or advertise; and [iii] is visible from the outside of a building.

The classifications of “sign,” and definitions specifically related to the establishment of a sign, are as follows:

1) Backlit Awnings and/or Canopies. Awnings and/or canopies that are illuminated from behind so as to permit the transmission of light through a covering material, which thereby serves to attract attention to the building or structure upon which the awnings and/or canopies are affixed.

2) Banner Signs. A Temporary sign of lightweight flexible plastic, nylon, fabric, or similar material. Banner signs are further classified as follows:

a) Promotional or Special Event Banners. A sign attached to a building, wall or fence, or otherwise suspended down or across its face for the purpose of advertising a promotion or special event for an interim period, as specified by this Development Code.

b) Street Banners. A sign that is mounted on City light standards within the right-of-way of arterial public streets, for the purpose of [i] promoting economic development messages to the general public, or [ii] for honoring the men and women of the City that are actively serving with the United States armed forces, or have died while serving.

3) Billboard Sign. A sign located in an area distant, and on a separate parcel of land from the place where the product, business, or premises being advertise is located.

4) Building Identification Sign. A sign that identifies the name of a building, or the primary use, establishment, activity, owner, or occupant of a building.

5) Center (Complex) Identification Sign. A sign that identifies a shopping center, office complex, industrial complex, or other use of a site containing more than one establishment.

6) Construction Sign. Signage that identifies contractors, lenders, designers, realtors, and other similar parties involved in the construction of a building or site.

7) Content Neutral Sign. Consistently applicable non-discriminatory sign regulations that specify, without reference to the content of the message, when, how, and where a sign can be displayed, with physical standards, such as, but not limited to, height, size and location, that allow the sign to be readable.

8) Descriptor Sign. Secondary signage that is intended to illustrate the products or services sold or offered by a business at the site on which the business is located.

9) Directional Sign. Signage intended to lead pedestrian and/or vehicular traffic to a predetermined location or destination.

10) Double-Faced Sign. A sign with two parallel opposing (back-to-back) faces.

11) Electronic Message Display. An LED, LCD, or plasma advertising display containing a changing text message or pictorial presentation.

12) Electronic Text Display. A sign with electronically controlled changeable copy and/or message containing internally illuminated letters whose function is primarily to scroll text. Such signs are intended for use with those retail, entertainment, and assembly uses that typically necessitate signs with easily changeable copy, such as fuel pricing signs, marquee-type signs for public or private schools, public facilities and services, theaters, convention centers, arenas, places of worship, and other similar assembly uses.

13) Fascia Sign. A sign on the exterior of a building that is attached to a wooden board or other flat piece of material that covers the ends of joists or rafters.

14) Freestanding Sign. A sign structure that is permanently affixed to the ground, and includes: [i] complex identification monument signs, which identify a commercial, professional or industrial complex or center, which consists of 2 or more separate buildings, or 5 or more uses within one or more buildings; [ii] building or tenant (business) identification monument signs, which identify a single building or specific use or uses within an individual building; and [iii] freeway oriented signs.

15) Freeway Sign. A freestanding sign, including a sign incorporated into garden and screen wall, that is located within 600 FT of a roadway that is declared to be a freeway in compliance with the California Streets and Highways Code, and which complies with the minimum “freeway sign” requirements established by Division 8.01 (Signs) of this Development Code.

16) Fuel Island Canopy Sign. Signage placed on the fascia of a canopy structure located over pump (fuel dispenser) islands.

17) Historical Marker. An indicator, such as a plaque or sign, to commemorate an event or person of historic interest, and to associate that point of interest with a specific locale one can visit.

18) Human Sign. An advertisement that is applied to, worn, or held by a person. Most commonly, this means holding or wearing a sign, but may also include wearing advertising as clothing. A person holding a sign is known in the advertising industry as a “human directional,” but may also be referred to as a “sign walker,” “sign waver,” or “sign twirler.” Frequently, a “human directional” will spin or dance, or wear a costume with the promotional sign in order to attract attention.

19) Menu Board. A board on which a food menu is written.

20) Monument Sign. A freestanding sign with a solid base that is in close contact with the ground, which is equal to or larger than the width of the sign face and incorporates the architectural theme and building materials of the building(s) located on the property in which the sign serves.

21) Off-Site Subdivision Sign. A sign that is located off-site, which contains the name of and the direction of travel to a residential subdivision project in the City.

22) Permanent Sign. A sign attached to a building, structure, or the ground in a manner that enables the sign to resist environmental loads, such as wind, and precludes ready removal or movement of the sign.

23) Pole Sign. A freestanding sign with visible support structure.

24) Political Sign. Any display utilized for the purpose of proposing or opposing the election of a candidate, or ballot measure or proposition.

25) Portable Sign. A sign not permanently attached to the ground or building, with a power-cord for connection to an electrical source, and readily removable using ordinary hand tools.

26) Real Estate Sign. A temporary sign advertising the sale, rental, or lease of the premises upon which the sign is maintained.

27) Roof Sign. A sign mounted on or above the roof of a building, but not including a sign mounted on a parapet.

28) Single-Face Sign. A sign with only one face plane.

29) Supergraphics. A large-scale painted or applied sign, typically in bold colors and containing simple geometric or typographic designs, placed over exterior walls of buildings, and sometimes roofs.

30) Swooper Sign. A sign that is longer than it is wide, which is made of a flexible material (typically cloth, nylon, or vinyl), and mounted to a pole that allows it to fly freely, and is commonly used to attract attention to a business or event, or to advertise goods and/or services.

31) Temporary Sign. Any sign not intended for permanent installation, which is incidental or secondary in nature, and is subject to a time limitation, such as banner signs, construction signs, political signs, and real estate signs.

32) Tenant (Business) Identification Sign. A sign displaying the name of the business to which it pertains and/or the name or description of the products or services sold or offered by the business at the site on which the business is located. A business identification sign may be an attached or freestanding sign.

33) Vehicle-Mounted Billboard (moving or stationary). An automobile, truck, trailer, semi-trailer, or other vehicle to which a business identification sign is mounted, painted, or otherwise affixed.

34) Wall Sign. A sign attached to the exterior wall of a building or structure.

35) Way-Finding Signs. Signage, including maps and other graphic or audible methods, which is used to convey location and directions to pedestrian and/or vehicular traffic.

36) Window Sign. A sign that is posted, painted, placed, or affixed to, or suspended or placed within 5 FT feet of the interior side of, a window or glass door of a building, which is intended for viewing from the exterior of the building.

Sign Area. The entire face of a sign, including the surface of any framing, projections or molding, but not including the support structure. The area of a sign consisting of individual channel letters mounted on a building wall or freestanding structure shall be calculated by including the entire area within a single, continuous perimeter enclosing the extreme limits of lettering, representation, emblem, or other display.

Sign Copy. Any words, letters, numbers, figures, designs, or any other symbolic representations incorporated onto the face of a sign, excluding building addresses.

Sign Face. The exterior surface of a sign, exclusive of structural supports, on which is placed the sign copy.

Site. A parcel of land or combination of contiguous parcels of land.

Site Area. The net horizontal area included within the boundary lines of a site, not including the area of any easement within which the right of use has been relinquished, and not including the area within the established right-of-way of a public street, future public street, railroad, or any other area dedicated or to be dedicated for a public use.

Small Cell Facility. Has the same meaning as “small wireless facility” in 47 CFR 1.6002(l), or any successor provision, which is a personal wireless services facility that meets the conditions that, solely for convenience, have been set forth below.

1) The facility:

a) is mounted on a structure 50 FT or less in height, including antennas, as defined in 47 CFR Section 1.1320(d), or

b) is mounted on a structure no more than 10 percent taller than other adjacent structures, or

c) does not extend an existing structure on which it is located, to a height of more than 50 FT or by more than 10 percent, whichever is greater;

2) Each antenna associated with the deployment, excluding associated antenna equipment (as defined in the definition of antenna in 47 CFR Section 1.1320(d)), is no more than 3 cubic feet in volume;

3) All other wireless equipment associated with the structure, including the wireless equipment associated with the antenna and any pre-existing associated equipment on the structure, is no more than 28 cubic feet in volume;

4) The facility does not require antenna structure registration under 47 CFR Part 17;

5) The facility is not located on Tribal lands, as defined under 36 CFR Section 800.16(x);
and

6) The facility does not result in human exposure to radiofrequency radiation in excess of the applicable safety standards specified in 47 CFR Section 1.1307(b).

Special District. An agency of the State for the local performance of governmental or proprietary functions within limited boundaries including a county service area, a maintenance

district or area, an improvement district, or any other area or district formed for the purpose of designating an area within which a tax or charge will be levied to pay for a service or improvement benefiting that area, but not including a school district or community college district.

State. The State of California.

State Density Bonus Law. The laws, rules and regulations contained in GC Section 65915, as said section may be hereinafter amended.

State Freeway. Any section of a State highway that has been declared to be a freeway by resolution of the Highway Commission of the State, pursuant to the provisions of SHC Section 100.3, and/or any section of State highway that has been fenced by a State agency between intersecting streets, for the purpose of limiting or restricting access thereto.

Stealth Facility. Any wireless telecommunications facility that is designed to blend into the surrounding environment. Examples of stealth facilities may include architecturally screened roof-mounted antennas, building-mounted antennas painted to match the existing structure, antennas integrated into architectural elements and details, and antenna structures designed to look like light poles, trees, and flagpoles. Stealth facilities are also referred to as concealed antennas.

Street. Any public or private thoroughfare, other than an alley, that provides the principal means of access to abutting property and has been designed and/or constructed pursuant to the City's minimum established standards for public streets. The classifications of "street" are as follows:

1) Arterial Street. A street with signals at important intersections and stop signs on the side streets that collect and distribute traffic to and from collector streets.

2) Collector Street. A street that collects traffic from local streets and connects with arterial streets.

3) Local Street. A street designed to provide vehicular access to abutting property and to discourage through traffic.

4) Private Street. A street in private ownership, which complies with all of the following:

a) The street is built to the standards for public streets established by the City of Ontario;

b) The street has not been accepted for dedication as a public street; and

c) The street is the principal means of vehicular access to properties that do not have access to a public street.

5) Public Street. A street that has been accepted for dedication by the City, the County, or the State.

Stock Cooperative. A development in which a corporation is formed to hold title to improved real property, and in which all of the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property, title to which is held by the corporation.

Story. That portion of a building included between the surface of any floor and the surface of the floor next above it. If there is no floor above it, then the space between the floor and the ceiling above it, and including basements used for primary use.

Structure. Anything that is built or constructed, whether installed on, above, or below the surface of land or water, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner, but not including light standards, poles, lines, cables, or other transmission or distribution facilities of a public utility.

Subdivider. A person, firm, corporation, partnership or association who proposes to divide, divides, or causes to be divided, real property into a subdivision for oneself or others. The term shall not include employees or consultants of such persons or entities, acting in such capacity.

Subdivision. The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized county assessment roll as a unit or as contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easement or railroad rights-of-way. "Subdivision" includes a condominium project, as defined in CC Section 1351(f), a community apartment project, as defined in CC Section 1351(d), or the conversion of 5 or more existing dwelling units to a stock cooperative, as defined in CC Section 1351(m).

Subdivision Map Act. The provisions of GC Title 7, Division 2, commencing with Section 66410, and such amendments thereto as may be made from time to time.

Substandard Lot. Any lot that does not meet the minimum dimension or area requirement of the zoning district in which it is located and for which no variance has been obtained. In determining the minimum lot area or dimensions, the area of any easement that restricts the normal usage of the lot may be excluded.

Supermarket. See "Grocery Store."

Supportive Housing. As defined in HSC Section 50675.14(b)(2), "supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. For the purposes of this definition, the term "target population" means persons, including persons with disabilities, and families who are "homeless," as that term is defined by USC 42 Section 11302, or who are "homeless youth," as that term is defined by GC 11139.3(e)(2). Furthermore, individuals and families currently residing in supportive housing meet the definition of "target population" if the individual or family was homeless when approved for tenancy in the supportive housing project in which they currently reside.

Swap Meet (Concession Mall). The retail sales of a variety of unrelated merchandise within a single enclosed establishment or marketplace by 5 or more independent persons, merchants and/or businesses, that individually occupy or make use of floor area or wall space, for which a fee, commission, rent or lease is charged. The terms "swap meet" and "concession mall" may be used interchangeably.

T. Definitions of Words Beginning with the Letter "T."

Tasting Room. A separate area of the alcoholic beverage manufacturer's licensed premises, maintained and operated by and for an alcoholic beverage manufacturer, wherein

alcoholic beverages may be sold and served by an employee or designated representative of the alcoholic beverage manufacturer, to consumers of legal drinking age for consumption on the alcoholic beverage manufacturer's licensed premises. The alcoholic beverages served shall be limited to the products that are authorized to be sold by the alcoholic beverage manufacturer under its license issued by the California Department of Alcoholic Beverage Control. Alcoholic beverages manufactured elsewhere may not be sold in the tasting room or on the alcoholic beverage manufacturer's licensed premises. A tasting room is, and at all times shall remain, an incidental use to the primary alcoholic beverage manufacturing use.

Temporary Use, Activity or Facility. A use, activity, or facility established pursuant to the requirements of this Development Code, for a specific period of time, with the intent to discontinue the use, activity, or facility at the end of the designated time period.

Tentative Map. A map prepared for showing the design of a proposed subdivision and the existing conditions in and around it. The classifications of "tentative map" are as follows:

1) Tentative Parcel Map. A tentative map for a proposed subdivision creating 5 or more lots, 5 or more condominiums as defined in CC Section 783, a community apartment project containing 5 or more parcels, or for the conversion of a dwelling to a stock cooperative containing 5 or more dwelling units, excepting those subdivisions that comply with the provisions of GC Section 66426(a) through (d).

2) Tentative Parcel Map. A tentative map for a proposed subdivision creating 4 or fewer lots or 5 or more proposed lots that comply with the provisions of GC Section 66426(a) through (d).

3) Vesting Tentative Map. A tentative map prepared in accordance with the provisions of this Title that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed.

Tow Truck. Pursuant to CVC Section 615A motor vehicle that has been altered or designed and equipped for, and primarily used in the business of, transporting vehicles by means of a crane, hoist, tow bar, tow line, or dolly, or is otherwise primarily used to render assistance to other vehicles. The term "tow truck" also includes a "roll-back carrier" designed to carry up to 2 vehicles, and excludes an automobile dismantler's tow vehicle or a tow vehicle used for the repossession of vehicles, defined as follows:

1) Automobile Dismantlers' Tow Vehicle. A tow vehicle that is registered by an automobile dismantler licensed pursuant to BPC Division 5, Chapter 3 (commencing with Section 11500), and is used exclusively to tow vehicles owned by the automobile dismantler in the course of the automobile dismantling business.

2) Repossessor's Tow Vehicle. A tow vehicle that is registered to a reposessor licensed or registered pursuant to BPC Division 3, Chapter 11 (commencing with Section 7500), which is used exclusively in the course of the repossession business.

Tract Map. See "Final Map."

~~**Temporary Use.** A use established for a fixed period, with the intent to discontinue the use upon the expiration of the period.~~

Trailer Coach. A trailer designed primarily for human habitation or human occupancy.

Transient. Any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license, or other agreement, for a period of 30 days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed a transient until said 30-day period has expired.

Transitional Housing. Intended as a middle point between “emergency shelter” and permanent housing, “transitional housing” provides shelter for homeless individuals and families for up to 2 years, in an environment of security and support, which is designed to help residents progress toward self-sufficiency.

Transitional Living Centers. A facility for homeless persons, which varies by program and facility. The length of stay and services provided vary by program. Some transitional living facilities are simply shared houses with minimal supervision, while others may provide meals, medical care, employment assistance, case management, and other similar homeless services.

Transportation Terminal. A station or passenger terminal for any type of transportation system.

Trash Containers. Any container such as trash bags, boxes, or bins used to store trash, rubbish, or other such refuse matter that meets the requirements of OMC Section 6-3.302 (Placement of Refuse, Recycling and Green Waste in Receptacles) and is placed at a collection point.

Travel Trailer. A non-motorized vehicle designed to be towed by a motor vehicle, used for recreation purposes, including human habitation while parked or at rest, but not as a permanent place of residence.

Tree. A plant having a permanently woody main, erect stem or trunk, with a circumference of at least 9.5 inches (or a diameter of 3 inches) at a height of 54 inches above natural grade at maturity, having a rather distinct and elevated head (crown), and usually developing branches at some distance from the ground.

Truck Camper. A recreation vehicle in which the part containing the living and sleeping accommodations is separate from the vehicle and may be removed from the bed of the truck.

Truck Tractor. A motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the vehicle weight and load that is drawn. As used herein, the term “load” does not include items carried on the truck tractor in conjunction with the vehicle operation if the load carrying space for these items does not exceed 34 SF (CVC Section 655).

U. Definitions of Words Beginning with the Letter “U.”

Unladen Vehicle Weight. The weight of a vehicle equipped and ready for operation on the road, including body, fenders, permanently attached boxes, and body parts, oil in the motor, radiator full of water, weight of 5 gallons of fuel, and any machinery, equipment, or attachment that functions as a part of the body or vehicle in its normal operation.

University. See “College.”

Urban Farm. The growing of plants and products derived from them, which are grown and sold on the same lot, or sold off-site.

Use. The purpose for which ~~a site or a structure is~~ land, buildings or other structures are arranged, designed, intended, constructed, erected, moved, altered, or enlarged, or for which either ~~a site or structure is or~~ land, buildings or other structures may be occupied or maintained.

Used Merchandise Stores. Retail establishments primarily engaged in the sale of vintage goods, antique furniture and home furnishings, antique glassware, rare books and manuscripts, and other antique objects of art, and previously owned goods. “Used merchandise stores” does not include the retail sales of used motor vehicles and parts, such as automobiles, recreational vehicles, motorcycles, boats, motor vehicle parts, tires, and mobile homes, and pawn shops, which sell a variety of used merchandise but generate most of their revenue from interest and fees on loans.

The classifications of “used merchandise stores” are as follows:

1) Antique Shops/Dealers. A retail establishment offering objects for sale that are 100 or more years old, such as works of art, furniture or decorative items, that are collected or desirable because of age, rarity, condition, utility, craftsmanship or other unique feature, and which represent a previous era in human society.

2) Collectibles Shops. A retail establishment offering new or used objects for sale, typically mass produced, which are less than 100 years old and are designed for people to collect or have value due to their rarity and/or desirability.

3) Consignment Shops. A retail establishment offering objects for sale that are owned by others and derives their profit by collecting a set fee for the objects that are sold or retaining a portion of their purchase price.

4) Flea Markets and Swap Meets. A single enclosed retail establishment offering a variety of unrelated objects for sale, within which individual sales booths, or stall or wall spaces are available for use, for which a fee, commission or lease is charged, for the display and/or sale of new, antique, vintage, or collectible objects or merchandise, or for the display and/or sale of services, by 5 or more vendors possessing a valid City business license.

5) Thrift and Secondhand Stores. A retail establishment operated by a charitable organization for the purpose of fundraising, offering objects for sale that are used, typically at reduced prices.

6) Used Goods Stores. A retail establishment offering objects for sale that that are used or previously owned, such as clothing, shoes, furniture, home furnishings, appliances, electronic equipment and devices, books, musical instruments, compact discs (CDs), tapes, records, and specialty building materials architectural elements.

7) Vintage Shops. A retail establishment offering objects for sale that are more than 20 years old, and which exhibit the best of a certain quality, or qualities, associated with, or belonging to, a specific era, and is representational and recognizable as belonging to the era in which it was made.

V. Definitions of Words Beginning with the Letter “V.”

Vanpool Vehicle. Any motor vehicle, other than a motor truck or truck tractor, which is designed for carrying more than 10, but not more than 15 persons (including the driver), which is

maintained and used primarily for the nonprofit work-related transportation of adults for the purposes of ridesharing (CVC Section 668).

Variance. A zoning instrument which allows deviation from development standards required in the Code when, because of special circumstances applicable to the property, strict application of Code requirements deprives a property the privileges enjoyed by other properties in the vicinity and under identical zoning. Any variance granted will assure that the adjustment granted will not constitute a special privilege.

Variety Store. An establishment primarily engaged in retailing new goods in general merchandise stores (except department stores, discount stores, warehouse clubs, superstores, and supercenters). These establishments retail a general line of new merchandise, such as apparel, automotive parts, dry goods, hardware, groceries, housewares or home furnishings, and other lines in limited amounts, with none of the lines predominating.

Veterinary Hospital. See “Animal Hospital.”

W. Definitions of Words Beginning with the Letter “W.”

Whip (Omnidirectional, Stick or Pipe) Antenna. An antenna that transmits signals in 360 degrees. Whip antennae are typically cylindrical in shape and are less than 6 inches in diameter and measure up to 18 FT in height.

Wine. The product obtained from normal alcoholic fermentation of the juice of sound ripe grapes or other agricultural products containing natural or added sugar, or any such alcoholic beverage to which is added grape brandy, fruit brandy, or spirits of wine, which is distilled from the particular agricultural product or products of which the wine is made and other rectified wine products and by whatever name, and which does not contain more than 15 percent added flavoring, coloring, and blending material, and which contains not more than 24 percent of alcohol by volume, and includes vermouth and sake (also known as Japanese rice wine).

Wine Grower. Any establishment licensed by the Department of Alcoholic Beverage Control of the State of California, which has facilities and equipment for the conversion of grapes, berries, or other fruit into wine, and is engaged in the production of wine within the City.

Wireless Telecommunications Facility. The transmitters, antenna structures and other types of installations used for the provision of wireless services at a fixed location, including, without limitation, any associated tower(s), support structure(s), and base station(s).

X. Definitions of Words Beginning with the Letter “X.”

Reserved

Y. Definitions of Words Beginning with the Letter “Y.”

Yard. An open space unoccupied by and unobstructed from the natural ground upward, except as otherwise provided for in this Development Code. Required yards shall be measured parallel with the front, side or rear property line, as appropriate, in a line perpendicular to the nearest point of a structure on the site; provided, however, where a future right-of-way of a street, highway, freeway or railroad has been established, required yards shall be measured from the established right-of-way line.

Where a site abuts on a street having only a portion of its required width dedicated or a reserved for street purposes, the required yard shall be measured from the line establishing the additional width required for street purposes abutting the line.

On a site that is so irregularly shaped that the locations of the required front, side, and rear yards cannot clearly be identified, the locations and the manner of measurements shall be prescribed by the Zoning Administrator.

The classifications of “yard” are described as follows:

1) Front. A yard that extends across the full width of a lot, between the primary (front) façade of the forward-most building on the lot and the front property line, the depth of which is the horizontal distance between the front property line and the structure.

2) Interior Side. A yard that abuts another lot or lots, extending between the front and rear yards, the depth of which is the horizontal distance between the side property line and a structure on the site.

3) Rear. A yard extending across the full width of a site, between the rear-most building and the rear property line, the depth of which is the horizontal distance between the rear property line and the structure.

4) Street Side. A yard that abuts a public or private street, or access easement, extending between the front and rear yards, the depth of which is the horizontal distance between the side property line and a structure on the site.

Z. Definitions of Words Beginning with the Letter “Z.”

Zoning District (Zone). A specifically delineated area, district or zone within the City, in which regulations and requirements uniformly govern the use, placement, spacing and size of land and buildings. The terms “zoning district” and “zone” may be used interchangeably.

Zoning Administrator. The Zoning Administrator of the City of Ontario, or their designee.

9.01.015: Acronyms and Abbreviations

For the purposes of this Development Code, the following abbreviations and acronyms shall have the meanings listed below:

<—Less than

≤—Less than or equal to

>—Greater than

≥—Greater than or equal to

ABC—Department of Alcoholic Beverage Control of the State of California

AC—Acre(s)

ADA—Americans with Disabilities Act of 1990

ADT—Average Daily Trips made by vehicles or persons within a 24-hour period

ALUC—Airport Land Use Commission of the City of Ontario

AQMD—Air Quality Management District

ARB—California Air Resources Board

BLM—United States Bureau of Land Management

BMP—Best Management Practices
BMR—Below Market Rate
BPC—Business and Professions Code of the State of California
BTH—Brown trunk height
CAC—California Administrative Code
CalEPA—California Environmental Protection Agency
CalGreen—California Green Building Standards Code
CBD—Central Business District
CC—Civil Code of the State of California
CCP—Code of Civil Procedure
CC&Rs—Covenants, conditions and restrictions
CCR—California Code of Regulations
CDBG—Community Development Block Grant
CEQA—California Environmental Quality Act of 1970, as amended
CESA—California Endangered Species Act
CF—Cubic feet (foot)
CFD—Community Facilities District
CFR—Code of Federal Regulations
CHBC—California Historical Building Code
CIP—Capital Improvement Program
CLG—Certified Local Government
CMP—Congestion Management Plan
CNEL—Community Noise Equivalent Level
COG—Council of Governments
CPI—Consumer Price Index
CSA—Community Service District
CUP—Conditional Use Permit
CVC—California Vehicle Code
CWA—Federal Clean Water Act
CY—Cubic yard
DAB—Development Advisory Board of the City of Ontario
dB—Decibels
DFG—California Department of Fish and Game
DG—Decomposed Granite
DMV—Department of Motor Vehicles of the State of California
DOE—United States Department of Energy
DOT—United States Department of Transportation
DU/AC—Residential dwelling unit per acre
DU—Residential dwelling unit
EC—Education Code of the State of California
EIR—Environmental Impact Report
EIS—Environmental Impact Statement
EPA—Federal Environmental Protection Agency
ESA—Federal Endangered Species Act
FAA—Federal Aviation Administration
FAR—Floor area ratio
FEIR—Final Environmental Impact Report
FEMA—Federal Emergency Management Agency
FHA—Federal Housing Administration
FHWA—Federal Highway Administration
FIA—Fiscal Impact Analysis
FIFRA—Federal Insecticide, Fungicide and Rodenticide Act

FIR—Fiscal Impact Report
FT—Feet (foot)
GC—Government Code of the State of California
GFA—Gross floor area
GLA—Gross leasable area
HCD—California Department of Housing and Community Development
HDR—High Density Residential
HPC—Historic Preservation Commission of the City of Ontario
HSC—Health and Safety Code of the State of California
HUD—United States Department of Housing and Urban Development
JPA—Joint Powers Authority
LAB—Labor Code of the State of California
LAC—Local Assistance Committee
LAFCO—Local Agency Formation Commission
LDR—Low Density Residential
LOS—Level of Service
MDR—Medium Density Residential
MOU—Memorandum of Understanding
NEPA—National Environmental Policy Act
NOC—Notice of Completion
NOD—Notice of Determination
NOP—Notice of Preparation
NPDES—National Pollution Discharge Elimination System
ODC—Ontario Development Code
OPA—Office of Permit Assistance of the State of California
OPR—Governor’s Office of Planning and Research of the State of California
OMC—Ontario Municipal Code
PC—[\[i\]](#) Penal Code of the State of California; or [\[ii\]](#) Planning Commission
PRC—Public Resources Code of the State of California
PUC—Public Utilities Code of the State of California
PUD—Planned Unit Development
Ref—Reference
RFP—Request for Proposal
RFQ—Request for Qualifications
RLUIPA—Religious Land Use and Institutionalized Persons Act
R-O-W—Right-of-Way
RWQCB—Regional Water Quality Control Board
SCAQMD—South Coast Air Quality Management District
SF—Square Feet (Foot)
SFR—Single-Family Residential
SHC—Streets and Highways Code of the State of California
SMA—Subdivision Map Act
TOD—Transit Oriented Development
TOT—Transient Occupancy Tax
USC—United States Code
WQMP—Water Quality Management Plan
WRCB—Water Resources Control Board
WUCOLS—Water Use Classifications of Landscape Species

Division 9.02—Glossary

Sections:

- [9.02.000](#): Purpose
- [9.02.005](#): Applicability
- [9.02.010](#): Glossary of Terms and Phrases

9.02.000: Purpose

The purpose of this Division is to define common nomenclature used in explaining, depicting, expressing, illustrating, or portraying urban planning and architectural design concepts and elements.

9.02.005: Applicability

- A.** Unless otherwise apparent from the context, the urban planning and architectural design nomenclature stated in this Division may be used in the implementation of the development and design standards of this Development Code.
- B.** The words, terms, phrases, abbreviations, and acronyms defined in this Division shall be maintained in correct alphabetical order.

9.02.010: Glossary of Terms and Phrases

A. Definition of Words Beginning with the Letter “A.”

Acoustical Separation. An area or component provided for the purpose of restricting sound transmission between abutting areas or building modules.

Arcades. Covered walkways attached to buildings and supported on one side by columns. Arcades provide pedestrians with shelter and can serve to provide large buildings with a more human scale.

Articulation. The visible expression of architectural or landscape elements through form, structure or materiality. Articulation provides a method for reducing the scale and breaking up the mass of buildings and plazas.

Awnings. Roof-like shelters, generally of canvas, that project from the wall of a building. Awnings serve to provide protection for buildings and pedestrians against the harsh elements of sunlight and weather.

B. Definition of Words Beginning with the Letter “B.”

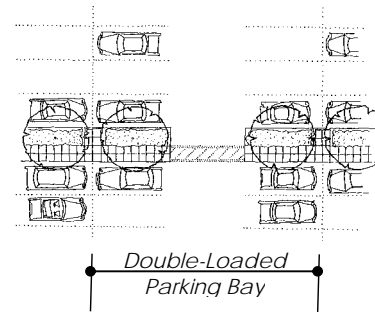
Bank. A sloping surface often used to create separation. See also “Berm.”

Base. The bottom portion of a building, which generally supports its upper portions, both structurally and visually.

Bays. The term “bays” may be used when referring to the structural design of a building or when referring to parking lot design, as follows:

1) **Bays of a Building.** Structural modules occurring between the vertical means of support. Structural bays generally occur between columns or load-bearing walls.

2) **Parking Bays.** Bays in parking lots are a “complete” parking module consisting of a drive aisle with perpendicular or diagonal parking on one side (single-loaded parking bays) or both sides (double-loaded parking bays) (see figure, right).

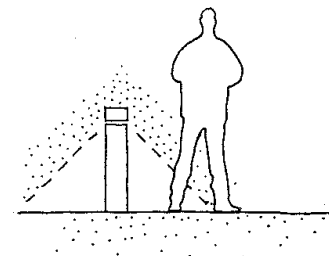


Parking Bays

Bay Windows. Window assemblies that protrude beyond the wall plane of a building. Bay windows may be semi-circular, faceted, or rectangular, and often have their own roof. They are used to provide a wider view, bring in more light, and contribute to the articulation of a building’s exterior.

Berm. An artificial bank of earth usually located along roadsides and off-street parking areas. Berms serve to physically and visually separate areas by raising the level of plants and other landscape elements.

Bollard Light. A short post, generally not more than 3 feet in height, with a built-in light fixture at its uppermost portion (see example, right).



Bollard Light

Build-Out. Development of land to its full potential or theoretical capacity as permitted under current or proposed planning or zoning designations.

Build-To Lines. Building edges that are required to be placed at given locations, as established by the development standards of the City. Build-to lines are generally defined as a given distance from a property line, and can be used to encourage building fronts, entrances and windows to line and spatially define streets, parks or plazas.

C. Definition of Words Beginning with the Letter “C.”

Can Sign. A sign that is internally or externally illuminated, which is generally formed into a square or rectangular-shaped box.

Canopy. A structure or architectural projection of rigid construction over which a covering is attached that provides weather protection, identity, or decoration, and may be structurally independent or supported by attachment to a building.

Cantilever. A horizontal projection without external bracing. Cantilevers may appear visually awkward, as they typically appear to have no apparent source of support.

Cap. The crowning feature of a wall. Caps protect walls from the weather and provide architectural detailing that contributes to the wall’s visual interest.

Cobrahead Light. A streetlight whose luminaire is supported on a cantilevered arm, which extends over the street, having a profile vaguely resembling that of a cobra snake (see example, right).

Clapboard Siding. A building sheathing made up of overlapping horizontal boards.

Clerestory Windows. Windows with high sills that are often used to bring in light when lower windows are undesirable because of privacy concerns.

Common Open Space. Semi-public areas intended for the use of residents or workers within a project. Common open spaces may include gardens, plazas or recreational spaces.

Connecting Walkways. Pedestrian paths that connect buildings or open spaces directly to the street, and are not overly circuitous. See also "Pedestrian Connections."

Cornice. Horizontal ornamentation on a building's façade, which is generally located near the top of a building's façade, and is often located near the floor line of upper stories (see example, right).

Cupola. A small hat-like projection occurring the ridgeline of a roof. Cupolas traditionally covered the place where large structures, like barns, were vented.

D. Definition of Words Beginning with the Letter "D."

Detailing. The manner in which separate building elements are assembled. Careful detailing will minimize the effects of weather on buildings, and promote an attractive and long-lasting appearance.

Dormers. Upright windows built out from a sloping roof.

Downspouts. Pipes that carry rainwater from a roof gutter to the ground or sewer.

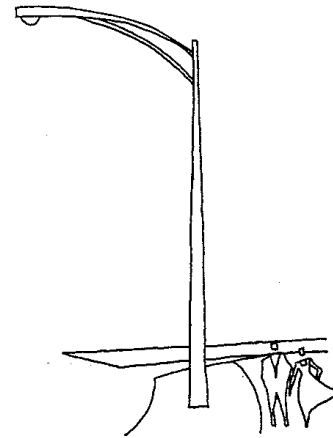
E. Definition of Words Beginning with the Letter "E."

Eaves. The portion of a sloping roof that extends beyond the exterior wall of a building. See also "Overhang."

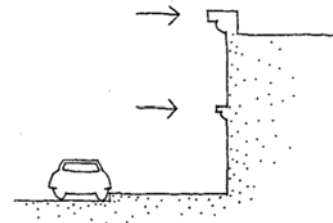
Egress. The point of exit.

Emulate. To represent or re-create the qualities of something else, without duplicating it literally. For example, historic styles may be emulated without copying an historic building.

Entry. The doorway into a building, along with the architectural treatments that accompany it.



Cobrahead Light



Cornice

F. Definition of Words Beginning with the Letter "F."

Fast Food. Those food service establishments offering relatively immediate service of pre-prepared food in disposable containers.

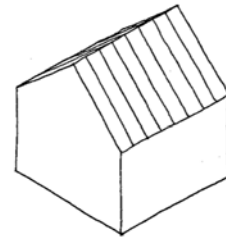
Fenestration. The arrangement of windows in a building.

Finishes. The materials applied to the surface of buildings or landscape elements. Properly applied finishes contribute to an attractive appearance and long-lasting wear.

Freestanding. To be supported at the ground and without support from a building or other structure.

G. Definition of Words Beginning With the Letter "G."

Gable Roof. A type of roof that slopes upward on two sides from the eaves to the ridge (see example, right).



Gable Roof

Gateway. Generally, a major entry into a district or area, which is often emphasized through landscaping.

Gazebo. A small, free-standing structure with a roof, which is open on all sides. Traditionally, gazebos are used as an outdoor room within gardens, or to cover musicians performing in community concerts.

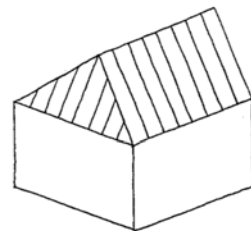
Glazing. The glass within a window.

Grade. The surface of a building site or its vertical elevation (often measured as feet above sea level).

Grasscrete. A paving material that supports the weight of an occasional vehicle, while also permitting groundcover to grow. Also referred to as "turf block".

H. Definition of Words Beginning with the Letter "H."

Hip Roof. A type of roof that slopes upward on all sides, from the eaves to the ridge (see example, right).



Hip Roof

I. Definition of Words Beginning with the Letter "I."

Ingress. A point of entry.

J. Definition of Words Beginning with the Letter "J."

Reserved

K. Definition of Words Beginning with the Letter "K."

Reserved

L. Definition of Words Beginning with the Letter “L.”

Landscape Architectural Feature. Decorative structural elements in a landscaped area, such as walks, benches, patios, terraces, water features, and the like.

Landscaped Buffer. An attractive arrangement of trees, shrubs, and other vegetation that acts as a divider between incompatible uses or activities.

Lattice. An open framework of wood or other members that is often used to partly block views or support vines.

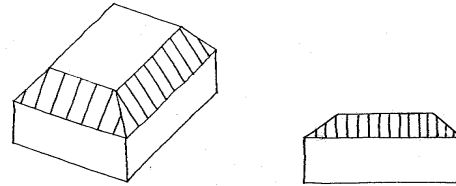
Loggia. A roofed deck that is integrated within an upper level of a building.

Lotting Pattern. A recognizable arrangement of residential lots, which are of the same or varying sizes and widths.

M. Definition of Words Beginning with the Letter “M.”

Major Entry. The most common point or points of ingress for a development project or building.

Mansard Roofs. Extremely steep as they slope up from the eaves; this steeply sloped roof may end in a roof with a shallow roof or a parapet. Mansard roofs are a popular way of decorating tall parapets, such as are used to screen the rooftop equipment above fast food restaurants (see example, right).



Mansard Roof

Mass. The overall volume or form of a building or building element.

Median. An area dividing opposing travel lanes at or near the middle of a road, which is often landscaped.

Metal Standing Seam Roof. A sheet metal roof that has its joints folded together and raised above the roof surface in order to attach metal sheets and prevent leaks.

Modules. Similar units or subcomponents that are combined to create a total building system.

Mullion. The outer structural vertical and horizontal members of a glazing system, which forms a division between the glazing units.

Muntin. The nonstructural vertical and horizontal members of a window that divides the window into individual lites, and holds (or appears to hold) the individual panes of glass.

Muted. A softened or less-vivid color tone.

N. Definition of Words Beginning with the Letter “N.”

Neotraditional. A form of design that attempts to recreate positive features of neighborhoods from an earlier generation.

O. Definition of Words Beginning with the Letter “O.”

Oblique View. A view at an angle that allows one to see more than one side of a building.

On-Site Parking. Parking stalls and aisles that occur on parcels outside of a street right-of-way.

On-Street Parking. Parking stalls provided within the street right-of-way. On-street parking is often in a parallel configuration, along the edge of curbs.

Opaque. Not transparent or semi-transparent.

Overhang. [1] The portion of a building that extends horizontally beyond the building’s exterior wall (also referred to as the “eaves”); or [2] the portion of a motor vehicle that extends beyond the tires, to the front or back of a car (see examples, right).

P. Definition of Words Beginning with the Letter “P.”

Parapet. A wall that extends above the roof, which is often used to protect the edge of the roof, hide roof-mounted equipment, and express ornamentation.

Park. A place for public recreation that generally contains landscaped ground surfaces, such as lawns and gardens.

Pavers. Units of pavement assembled to form the “floor” of a plaza or street. Pavers are often made of concrete or terra cotta (brick).

Pavilion. A small, lightweight structure, often with a roof, used for recreation or shelter in a garden, park or plaza.

Pedestrian Connections. Sidewalks that provide convenient routes between destinations. Pedestrian connections are generally lined by landscape and building features for the pedestrian’s comfort and visual interest. See also “Connecting Walkways.”

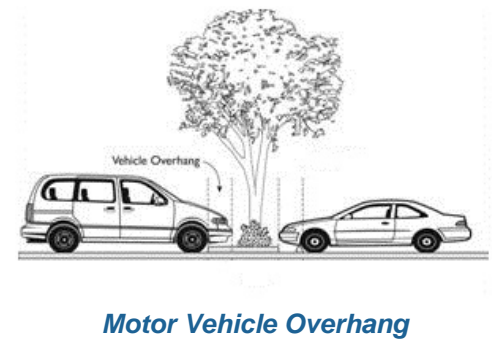
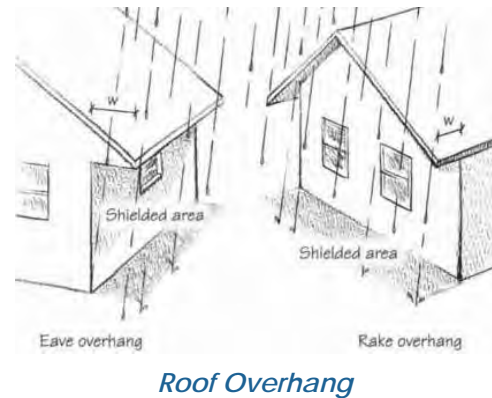
Pedestrian Oriented. Designing to make a building or structure inviting to pedestrian traffic.

Pilaster. A vertical architectural member that is integrated within a wall, but is architecturally treated as a column and usually projects one-third or less of its width from the wall.

Place Making. The creation of pleasant and memorable spaces.

Plaza. A place for public recreation that generally contains hard surfaces, such as seating areas and ornate pavement.

Podium Apartments. A ground floor parking structure with one or more levels of residential units above.



Porte Cochere. A roofed extension of a building over a driveway that shelters passengers getting into and out of vehicles.

Portico. A roofed porch that may be open or partly enclosed.

Prefab. A construction method in which shop-manufactured pieces undergo final assembly on-site.

Primary Building Entry. A publicly accessible and commonly used place of building ingress.

Public Way. A path or road that is accessible by, and generally maintained, by the public.

Q. Definition of Words Beginning with the Letter “Q.”

Reserved

R. Definition of Words Beginning with the Letter “R.”

Recessed Panel. An indentation within a building facade, such as occurs between pilasters or within other framed openings.

Reveals. Depressions or notches, primarily at an edge or corner, used to provide architectural detail by showing depth and enriching character.

Ridge. The line of intersection between opposing sides or slopes of a roof.

S. Definition of Words Beginning With the Letter “S.”

Scale. The proportion of one thing relative to the size of another. Something that is “human” in scale has elements that are comparable to the size of a person. Scale *of a building* is the proportional system that relates the various-sized building elements to each other and to people.

Setback. The ~~distance between a property line and a building or structure~~ required distance that a building, structure, parking space, drive aisle, or other designated item must be located from a lot line or other designated location. Setback requirements ~~can~~ provide a way of encouraging the spatial definition of open space; the separation of uses, ~~activities or facilities~~; or the provision of yards and landscaping.

Staggered Walls. Sections of walls placed in shifted planes.

Structural Podium. See “Podium Apartments.”

T. Definition of Words Beginning with the Letter “T.”

Tandem. An arrangement of things placed one behind the other. Tandem parking places one car behind another.

Terrace. An outdoor paved platform extending from a building that complements the use or activities located within the building.

Tops. The uppermost portions of a building and often include cornice treatments, roof overhangs, or parapets.

Transformers. Electrical switching equipment used for converting electricity from high-voltage to common current. They are often located in ground-mounted boxes.

Trellis. A light framework of horizontal and/or vertical members, often used to support climbing plants.

U. Definition of Words Beginning with the Letter “U.”

Unit. One of many similar or identical components that comprise a greater whole. Unit is also a single dwelling, either on its own lot (in the case of single-family homes) or grouped as part of a multi-family complex.

V. Definition of Words Beginning with the Letter “V.”

Value. A color’s relative lightness or darkness.

Vehicular Access. An entrance or exit for cars or trucks.

Vestibule. An entrance hall or lobby of a building.

W. Definition of Words Beginning with the Letter “W.”

Wainscot. An area of facing or paneling on the lower portion of the walls of a room.

Wall Footings. Structural foundation elements that carry the weight of a structure to the ground.

Window Stem Walls. Low walls that support a large window, generally on a storefront.

X. Definition of Words Beginning with the Letter “X.”

Reserved

Y. Definition of Words Beginning with the Letter “Y.”

Reserved

Z. Definition of Words Beginning with the Letter “Z.”

Zero Lot Line. A development approach in which a building is sited on a lot in such a manner that one or more of the structure’s sides rest directly (to the extent possible) on a lot line along a side property line, with the opposing side yard area separating the dwelling on the abutting lot (conceivably, 3 of the 4 sides of a dwelling could be placed on a lot line). The intent is to allow more flexibility in site design and to increase the amount of usable open space on a lot.

Zone Division Walls. Walls constructed for the purpose of buffering adjacent incompatible land uses.

Zoning Map. The official zoning map of the City, which delineates the location of the zoning districts of the City, governing the use, placement, spacing, and size of land and buildings.

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CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Cathy Wahlstrom, Planning Director *PC for CW*

DATE: September 22, 2020

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF AUGUST 2020

Attached, you will find the Planning Department Monthly Activity Report for the month of August 2020. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of August 2020

DEVELOPMENT ADVISORY BOARD MEETING
August 3, 2020

Meeting Cancelled

ZONING ADMINISTRATOR MEETING
August 3, 2020

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING
August 4, 2020

No Planning Department Items on the Agenda

DEVELOPMENT ADVISORY BOARD MEETING
August 17, 2020

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-049:

A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential 25.1 to 45 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-361-01) **Submitted by Creative Design Associates. Planning Commission action is required. Item continued from July 20, 2020, meeting.**

Action: The Development Advisory Board approved the project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NO'S. PMTT18-009 AND PDEV18-031:

A Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot in conjunction with a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet located on the southwest corner of Riverside Drive and Hamner Avenue within the proposed Neighborhood Commercial, Business Park and Light Industrial land

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of August 2020

use designations of the Edenglen Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-171-21 and 0218-171-27) **Submitted by Ontario CC, LLC. Planning Commission action is required.**

Action: The Development Advisory Board approved the project, subject to conditions.

ZONING ADMINISTRATOR MEETING
August 17, 2020

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING
August 18, 2020

ENVIRONMENTAL ASSESSMENT AND LANDMARK DESIGNATION REVIEW FOR FILE NO. PHP20-002: A request for a Local Landmark Designation of a single-family residence (Tier III Historic Resource) located at 535 East D Street within the LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines; (APN: 1048-393-18) **submitted by Jose Vladimir Felix and Angela Dawn Tejada.** The Historic Preservation Commission recommended approval of this item on July 28, 2020, with a vote of 6 to 0.

Action: The City Council adopted a resolution approving File No. PHP20-002, designation 535 East D Street (APN: 1048-393-18) as a local landmark.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW AMENDMENT FOR FILE NO. PSPA20-004: An Amendment to the Grove Avenue Specific Plan for the following: 1) To establish consistency with the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP); 2) To change the land use designation for 11.1 acres of land located at 1935 South Grove Avenue from Office/Commercial to Business Park to be consistent with TOP Policy Plan (Exhibit LU-01 Land Use Plan); and 3) Changes to the Development Standards to be consistent with the Business Park zoning district. The environmental impacts of this project were previously analyzed with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by the City Council on January 27, 2010. This application introduces no new significant

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of August 2020

environmental impacts. State Law requires Specific Plans must be made consistent with adopted airport compatibility plans. The ONT ALUCP environmental impacts of this project were previously reviewed in conjunction with File No. PADV07-008, for which a Negative Declaration (State Clearinghouse No. 2011011081) was adopted by the Ontario City Council on April 19, 2011. This project introduces no new significant environmental impacts; (APN: 113-451-14) **City Initiated**. The Planning Commission recommended approval of this item on May 26, 2020 with a vote of 6 to 0.

Action: The City Council adopted a resolution approving an Amendment to the Grove Avenue Specific Plan (File No. PSPA20-004).

PLANNING/HISTORIC PRESERVATION COMMISSION SPECIAL MEETING
August 25, 2020

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-049:

A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential 25.1 to 45 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-361-01) **submitted by Creative Design Associates**.

Action: The Planning/Historic Preservation Commission approved the project, subject to conditions.

RECEIVE AND FILE A REQUEST BY GRACEPOINT BRETHERN IN CHRIST CHURCH TO WITHDRAW THEIR APPLICATIONS FOR A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT (FILE NOS. PDEV19-036 AND PCUP19-015):

A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 6,800 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district.; (APN: 1014-111-08) **submitted and withdrawn by Gracepoint Brethren in Christ Church**.

Action: The Planning/Historic Preservation Commission approved to receive and file the withdrawal.

ENVIRONMENTAL ASSESSMENT AND HISTORIC DISTRICT DESIGNATION REVIEW FOR FILE NO. PHP18-028:

A request for a Local Historic District Designation of the Graber Olive House Historic District as Historic District No. 8, located at the northeast corner of East Fourth Street and North

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of August 2020

Columbia Avenue, within the College Park Historic District, at 301 East Fourth Street, 315 East Fourth Street, 405 East Fourth Street, and 406 East Harvard Place, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1047-543-01, 1047-543-31, 1047-543-30, 1047-543-20); **submitted by Clifford Graber II. City Council action required.**

Action: Continued to the September 22, 2020, Planning Commission meeting.

ENVIRONMENTAL ASSESSMENT LANDMARK DESIGNATION REVIEW FOR FILE NO. PHP18-029:

A request for a Local Landmark Designation of a single-family residence, a Contributor to the Designated College Park Historic District, located at 301 East Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district. The request is not a “Project” pursuant to Section 21065 of the CEQA Guidelines. (APN: 1047-543-01); **submitted by Clifford Graber II. City Council action required.**

Action: Continued to the September 22, 2020, Planning Commission meeting.

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NOS. PGPA18-002 AND PSPA18-003:

A request for the following entitlements: 1) A General Plan Amendment (File No. PGPA18-002) to modify the Policy Plan (General Plan) Land Use Plan (Exhibit LU-01) component of The Ontario Plan, changing the land use designation of approximately 46 acres of land from General Commercial and Business Park to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Industrial; 2) Modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 3) An amendment (File No. PSPA18-003) to the Edenglen Specific Plan to change the land use designation from Community Commercial, Commercial/Business Park Flex Zone and Business Park/Light Industrial to 4.13 acres of Neighborhood Commercial, 3.51 acres of Business Park and 39 acres of Light Industrial including updates to the development standards, exhibits and text changes to reflect the proposed land uses. The project site is located on the southwest corner of Riverside Drive and Hamner Avenue. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-171-21 and 0218-171-27) **submitted by Ontario CC, LLC. City Council action is required.**

Action: The Planning/Historic Preservation Commission recommended the City Council approve File Nos. PGPA18-002 and PSPA18-003.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT REVIEW FOR FILE NO.

PDA18-006: A Development Agreement (File No. PDA18-006) between the City of Ontario and Ontario CC, LLC, to establish the terms and conditions for the development of Tentative Parcel

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Map 20027 (File No. PMTT18-009), for a 46.64 acre property located at the southwest corner of Riverside Drive and Hamner Avenue, within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 0218-171-21 and 0218-171-27) **submitted by Ontario CC, LLC. City Council action is required.**

Action: The Planning/Historic Preservation Commission recommended the City Council approve File No. PDA18-006.

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW

FOR FILE NO'S. PMTT18-009 AND PDEV18-031: A Tentative Parcel Map (File No. PMTT18-009/TPM 20027) to subdivide 46.64 acres of land into 7 numbered parcels and 1 lettered lot in conjunction with a Development Plan (File No. PDEV18-031) to construct 5 industrial buildings totaling 968,092 square feet located on the southwest corner of Riverside Drive and Hamner Avenue within the proposed Neighborhood Commercial, Business Park and Light Industrial land use designations of the Edenglen Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-171-21 & 218-171-27) **submitted by Ontario CC, LLC.**

Action: The Planning/Historic Preservation Commission approved File Nos. PMTT18-009 and PDEV18-031, subject to conditions.

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA19-009, AND ZONE CHANGE REVIEW FOR FILE NO. PZC19-003:

An Amendment to the Policy Plan (General Plan) component of The Ontario Plan to: [1] modify the Land Use Map (Exhibit LU-01), changing the land use designation from Rural Residential to Low-Medium Density Residential for a land locked parcel totaling .21 acres of land generally located west of 1524 and 1526 South Euclid Avenue; and [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and a Zone Change from AR-2 (Residential-Agricultural – 0 to 2.0 DUs/Acre) to MDR-11 (Medium Density Residential – 5.1 to 11.0 DUs/Acre). Staff is recommending the adoption of an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and

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found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-061-16) **submitted by Blaise D’Angelo. City Council action is required.**

Action: Continued to the September 22, 2020, Planning Commission meeting.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE

NO. PDCA18-003: A Development Code Amendment proposing to: [1] revise current provisions regarding the regulation of Accessory Dwelling Units, replacing an Urgency Ordinance previously approved by the City Council on January 21, 2020; [2] revise current provisions regarding the MU-1 (Downtown Mixed Use) zoning district, to facilitate the establishment of the Downtown District Plan; [3] establish new provisions regarding the regulation of small lot infill subdivisions, which are proposed to be allowed in Mixed Use zoning districts and the MDR-11 (Low-Medium Density Residential – 5.1 to 11.0 DUs/Acre), MDR-18 (Medium Density Residential – 11.1 to 18.0 DUs/Acre), MDR-25 (Medium-High Density Residential – 18.1 to 25.0 DUs/Acre), and HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre) zoning districts; [4] revise current provisions regarding Massage Services and Massage Establishments, establishing that such uses are subject to Administrative Use Permit issuance and requirements; and [5] modify certain Development Code provisions to include various clarifications, including Chapter 2.0 (Administration and Procedures), Chapter 4.0 (Permits, Actions and Decisions), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 8.0 (Sign Regulations), and Chapter 9.0 (Definitions and Glossary). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). Furthermore, the project site is located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; **City Initiated. City Council action is required.**

Action: Continued to the September 22, 2020, Planning Commission meeting.

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PCUP20-015:

Submitted by Ryan Maderios

A Conditional Use Permit to establish live entertainment and alcoholic beverage sales, including beer, wine, and distilled spirits for on-premises consumption in conjunction with a proposed 6,261-square foot restaurant on 1.73 acres of land located at 3660 East Porsche Way, within the Urban Commercial land use district of the Ontario Center Specific Plan (APN: 210-211-44). **Zoning Administrator action required.**

PCUP20-016:

Submitted by Encore Gas and Supply

A Conditional Use Permit to establish a 10,883 square foot welding supply store, including the selling of compressed flammable gasses such as propane and acetylene, on 0.7-acre of land located at 1631 South Marigold Place, within the IG (General Industrial) zoning district (APN: 1050-171-07). **Zoning Administrator action required.**

PDEV20-019:

Submitted by KB Home Coastal, Inc.

A Development Plan approval to construct 102 single-family dwellings on approximately 19.73 acres of land located at the northwest corner of Chino Avenue and Haven Avenue, within the PA4 - Single Family Residential and Park land use districts of the West Haven Specific Plan (APN: 0218-151-11). Related File: PMTT11-003 (TM 18026). **Planning Commission action required.**

PMTT20-006:

Submitted by Joseph Shealy

A Parcel Map to subdivide 6.56 acres of land into 2 parcels located at 1250 West Phillips, within the AR-2 zoning district (APN: 1011-581-15). **Planning Commission action required.**

PPRE20-001:

Submitted by Brookfield Land Contractors, Inc.

A request to change the land use designation on 92 acres of land, from Low-Medium and Medium Density Residential to Industrial, to facilitate the development of approximately 1.5 million square feet of industrial uses. The proposal also includes cul-de-sacing Mill Creek Avenue, south of Chino Avenue (emergency access available to Chino Avenue), and providing a 100-foot wide linear park as a buffer between existing/planned residential uses and the proposed industrial uses; submitted by Brookfield Land Construction, Inc., and Richland Developers, Inc. (APNs: 0218-161-14, portion of 0218-161-01, and a portion of 0218-211-29). **Staff action is required.**

PSGN20-074:

Submitted by Coastal Sign

A Sign Plan for the installation of a wall sign for T-MOBILE, located at 1125 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1008-521-04). **Staff action is required.**

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PSGN20-075: **Submitted by Speed Quality Signs**

A Sign Plan for the installation of three wall signs for TURNER'S OUTDOORSMAN, located at 4400 East Ontario Mills Parkway, within the Ontario Mills Specific Plan (APN: 0238-041-29). **Staff action is required.**

PSGN20-076: **Submitted by Advantage Sign Service**

A Sign Plan for the installation of a rebranding sign package for RITE AID, monument sign re-face, new wall-mounted and blade signs, located at 1841 East Fourth Street within the CN (Neighborhood Commercial) zoning district (APN: 0110-301-21). **Staff action is required.**

PSGN20-077: **Submitted by Majestic Sign Studio**

A Sign Plan for the installation of one 24.5 square foot non-illuminated wall sign for CHINO BASIN DESALTER AUTHORITY, located at 3550 East Philadelphia Street, Unit 170, within the Haven Gateway Centre Specific Plan (APN: 1083-321-10). **Staff action is required.**

PSGN20-078: **Submitted by B.K. Signs**

A Sign Plan for the installation of one wall sign for QUADIENT, located at 3130-D East Inland Empire Boulevard (Shelby Park Sign Program), within the Wagner Properties Specific Plan (APN: 0210-571-10). **Staff action is required.**

PSGN20-079: **Submitted by National Sign and Marketing Corp**

A Sign Plan for the installation of menu boards and monument, wall, and directional signs for CARL'S JR., located at 3440 East Ontario Ranch Road (Haven Marketplace Sign Program), within The Avenue Specific Plan (APN: 0218-402-43). **Staff action is required.**

PSGN20-080: **Submitted by Machan Sign Company**

A Sign Plan for the installation of monument and wall signs for THE HABIT BURGER GRILL, located at 624 West Holt Boulevard, within the MU-1 (Downtown Mixed Use) zoning district (APN: 104859130). **Staff action is required.**

PSGN20-081: **Submitted by Yesco Signs LLC**

A Sign Plan for the installation of 3 wall signs, directional signs, menu/order boards, clearance bar, and parking signs and two monument signs for STARBUCKS COFFEE, located at 3520 East Guasti Road, within the Ontario Gateway Specific Plan (APN: 0210-212-65). **Staff action is required.**

PSGN20-082: **Submitted by Robert Coffee Architects and Associates**

A Sign Plan for the installation of wall and monument signs for ANTHONY MUNOZ PARK, located at 1240 West Fourth Street, within the OS-R (Open Space – Recreation) zoning district (APN: 1008-541-01). **Staff action is required.**

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PSGN20-083: **Submitted by Michael Roberts**

A Sign Plan the installation of 2 primary wall signs, 2 secondary wall signs, re-face panels on 2 existing monument signs, and directional signs for RITE AID, located at 1050 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1010-141-09). **Staff action is required.**

PSGP20-005: **Submitted by REDA/Ontario Land Ventures**

A Sign Program establishing sign standards for the WEST ONTARIO COMMERCE CENTER, bordered by Eucalyptus Avenue on the north, Carpenter Avenue on the west, Merrill Avenue on the south, and San Bernardino County Flood Control District channel on the east (APNs: 0218-261-44 and 0218-261-45). **Staff action is required.**

PSPA20-005: **Submitted by City of Ontario**

An amendment to the West Ontario Commerce Center Specific Plan, revising the maximum building square footage for buildings fronting onto a public right-of-way, from 100,000 square feet to 120,000, within the Business Park land use district. Related File: PDEV19-051. **City Council action required.**

PTUP20-041: **Submitted by Rainbow Nail and Spa**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor nail salon) for RAINBOW NAIL AND SPA, located at 2421 South Grove Avenue. Starting on 08/05/2020. **Staff action is required.**

PTUP20-042: **Submitted by Top Hat Barber**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor barber services) for TOP HAT BARBER, located at 1349 East Fourth Street. Starting on 08/05/2020. **Staff action is required.**

PTUP20-043: **Submitted by Blue Diamond Nails**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor nail salon) for BLUE DIAMOND NAILS located at 562 West Holt Boulevard, Ontario. Starting on 08/06/2020. **Staff action is required.**

PTUP20-044: **Submitted by Mis Princesas, Inc.**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining with alcohol sales) for URUAPAN CARNITAS, located at 2407 South Grove Avenue. Starting on 08/07/2020. **Staff action is required.**

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PTUP20-045: **Submitted by Azteca's Bakery**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for AZTECA'S BAKERY, located at 713 South Vine Avenue. Starting on 08/05/2020. **Staff action is required.**

PTUP20-046: **Submitted by Mt Zion Church of Ontario**

A Temporary Use Permit to hold outdoor religious services onsite, within the parking lot for MT. ZION CHURCH OF ONTARIO, located at 224 West California Street. Starting 08/16/2020. **Staff action is required.**

PTUP20-047: **Submitted by 1 Hr Nails**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor nail salon) for 1 HR NAILS, located at 1127 North Mountain Avenue. Starting 08/09/2020. **Staff action is required.**

PTUP20-048: **Submitted by YA YA Nail & Spa**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor nail salon) for YA YA NAIL & SPA, located at 1802 South Euclid Avenue, Suite #101. Starting 08/11/2020). **Staff action is required.**

PTUP20-049: **Submitted by Ben Spell**

A Temporary Use Permit for a charitable fundraising event selling boxed, prepackaged frozen foods within the Ontario Mills parking lot, located at 1 Mills Circle. Event to be held 08/27/2020 thru 09/07/2020, 9:00AM to 6:00PM, daily. **Staff action is required.**

PTUP20-050: **Submitted by Mis Princesas, Inc**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for URUAPAN CARNITAS, located at 2407 South Grove Avenue. Starting 08/12/2020. **Staff action is required.**

PTUP20-051: **Submitted by V & A Properties LLC**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for EL PESCADOR RESTAURANT, located at 2322 South Mountain Avenue. Starting 08/12/2020. **Staff action is required.**

PTUP20-052: **Submitted by Paradise Nails**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor nail salon) for PARADISE NAILS OF ONTARIO, located at 1061 West Philadelphia Street. Starting on 08/12/2020. **Staff action is required.**

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PTUP20-053: **Submitted by Annette Pirzadian@darden.com**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for OLIVE GARDEN RESTAURANT, located 4403 Mills Circle. Starting on 08/14/2020. **Staff action is required.**

PTUP20-054: **Submitted by Sizzler**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for SIZZLER, located at 2228 South Mountain Avenue. Starting on 08/13/2020. **Staff action is required.**

PTUP20-055: **Submitted by Lucky Elephant Thai Cuisine**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for LUCKY ELEPHANT THAI CUISINE, located at 1515 North Mountain Avenue, Suites E and F. Starting on 08/14/2020. **Staff action is required.**

PTUP20-056: **Submitted by Applebees Neighborhood Grill & Bar**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining) for APPLEBEES, located at 1021 North Milliken Avenue. Starting on 08/25/2020. **Staff action is required.**

PTUP20-057: **Submitted by Spectators Sports Bar**

A Temporary Outdoor Dining/Professional Care Services Space Permit (outdoor dining with alcoholic beverages) for SPECTATORS SPORTS BAR, located at 750 North Archibald Avenue. Starting on 09/10/2020. **Staff action is required.**

PTUP20-058: **Submitted by Elks Lodge #1419**

A Temporary Use Permit for the ELEVENTH ANNUAL ELKS LODGE CAR SHOW, to be held in the Lodge parking lot, located at 1150 West Fourth Street. Event to be held 10/6/19, 8:00AM to 2:00PM. **Staff action is required.**

PVER20-032: **Submitted by Nationwide Zoning Services**

A Zoning Verification for property located at 1155 South Wanamaker Avenue (APN: 0238-221-36). **Staff action is required.**

PVER20-033: **Submitted by Partner Assessment Corporation**

A Zoning Verification for property located at 320 West G Street (APN: 1048-271-50). **Staff action is required.**

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PVER20-034:

Submitted by Zoning Info Inc

A Zoning Verification for property located within the General Industrial (IG) Zoning District at 1495 East Francis Street and 1496 East Locust Street (APN: 0113-402-15). **Staff action is required.**

PVER20-035:

A Zoning Verification for property located at 2050 South Baker Avenue (APN: 0113-382-10). **Staff action is required.**

PVER20-036:

Submitted by Partner Engineering & Science, Inc.

A Zoning Verification for property located at 1130 West Fourth Street (APN: 1008-521-06). **Staff action is required.**

PVER20-037:

Submitted by Partner Engineering & Science, Inc.

A Zoning Verification for property located at 1206 West Fourth Street (APN: 1008-541-05). **Staff action is required.**

PVER20-038:

Submitted by Cheryl King

A Zoning Verification for property located at 601 South Rockefeller Avenue (APN: 0238-193-20). **Staff action is required.**