

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

March 22, 2016

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

6:30 P.M.

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

All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

- *Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.*
- *Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats 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.*
- *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
- *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.*
- *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*

ROLL CALL

DeDiemar __ Delman __ Downs __ Gage __ Gregorek __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Recognition of Sheila Mautz' resignation

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 February 23, 2016, approved as written.

A-02 ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV15-020: A Development Plan to construct 149 single-family homes on approximately 14.5 acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues. The impacts to this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014 and was prepared pursuant to the requirements of California Environmental Quality Act. 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 ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 218-444-10 thru 17, 218-444-25 thru 41, 218-444-43, 218-452-10, 11, 12, 218-462-16 thru 25, 218-462-36 thru 52, 218-482-25 thru 48, 218-483-23 thru 48 and 218-503-01 thru 44); **submitted by Brookfield Residential.**

PLANNING COMMISSION 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 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.

B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS: PDEV15-018 & PCUP15-011:

A Development Plan to construct a 54-foot tall stealth wireless telecommunication facility and a Conditional Use Permit to operate the wireless facility within 500-feet of residentially zoned property, located within an existing 2.68-acre site at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential-11.1 to 18.0 DU/Acres) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15332 (Class 32: In-Fill Development Projects) of the State CEQA Guidelines. 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. (APN: 1048-451-51); **submitted by Verizon Wireless.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15332

2. File No. PDEV15-018 (Development Plan)

Motion to Approve/Deny

3. File No. PCUP15-011 (Conditional Use Permit)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT, AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO. PGPA16-001:

A City initiated request to change the General Plan land use designations on 83 properties generally located south of Fourth Street and west of Euclid Avenue, and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03). Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. The environmental impacts of this project were previously analyzed in an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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. (APNs: Various) **City initiated. City Council action is required.**

1. CEQA Determination

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

2. File No. PGPA16-001 (General Plan Amendment)

Motion to recommend Approval/Denial

D. ENVIRONMENTAL ASSESSMENT, AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-001: A City initiated request to change the zoning designations on 881 properties generally located south of Fourth Street and west of Euclid Avenue, 127 properties along East Holt Boulevard, and 37 other properties located throughout the City in order to make the zoning consistent with The Ontario Plan land use designations of the properties. The environmental impacts of this project were previously analyzed in an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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. (APNs: Various) **City initiated. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PZC16-001 (Zone Change)

Motion to recommend Approval/Denial

E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-002: A Development Code Amendment proposing various modifications and clarifications to the following provisions of the Ontario Development Code:

[1] Revise Section 3.02.030 (Amortization and Abatement of Nonconforming Signs), deleting “billboard signs” from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs);

[2] Revise Division 5.02 (General Land Use Provisions), Division 5.03 (Standards for certain Land Uses, Activities, and Facilities), and Division 6.01 (District Standards and Guidelines), deleting all references to the CCC zoning district;

[3] Revise Table 5.02-1 (Land Use Matrix), adding “Escape and Exit Rooms” (live interactive adventure, labyrinth, leadership, and strategy games) to the list of allowed land uses in the CC (Community Commercial), CR (Regional Commercial), MU-1 (Mixed Use - Downtown), BP (Business Park), IL (Light Industrial), and IG (General Industrial) zoning districts;

[4] Revise Section 5.03.025 (Alcoholic Beverage Sales) to clarify that the Public Convenience or Necessity determination criteria (Paragraph F.3) only applies to off-premise Alcoholic Beverage Control licenses;

[5] Revise Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) to clarify that a temporary outdoor sales event may 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 event;

[6] Revise Section 6.01.035 (Overlay Zoning Districts) to clarify that within the ICC Overlay District (Paragraph B.5), building alteration or expansion is only allowed in conjunction with an existing, legally established, commercial land use;

[7] Revise Section 8.01.020 (Sign Standards) to combine various Political Sign provisions into a single Subsection (8.01.020.K), and include provisions clarifying the purpose and intent of the Political Sign standards; and

[8] Revise Table 8.01-1 (Sign Regulation Matrix) to clarify timeframes for the issuance of temporary promotional and special event signs and banners.

The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application introduces no new significant environmental impacts. 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 ONT Airport Land Use Compatibility Plan (ALUCP). **City Initiated. City Council action is required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDCA16-002 (Development Code Amendment)

Motion to recommend Approval/Denial

HISTORIC PRESERVATION ITEMS

F. CERTIFICATE OF APPROPRIATENESS AND ENVIRONMENTAL ASSESSMENT FOR FILE NO. PHP16-001: A request for a Certificate of Appropriateness to construct 2 single story, single family residences (approximately 1750 square feet each) with detached garages (441 square feet each) on approximately 0.3 acres of land within the College Park Historic District, located at 326 East Fourth Street (APN: 1048-063-05) and 330 East Fourth Street (APN: 1048-063-06), within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (New Construction or Conversion of Small Structures). **Submitted by Kirk and Elena Wallace.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15303

2. **File No. PHP16-001** (Certificate of Appropriateness)

Motion to Approve/Deny

G. **SIXTEENTH ANNUAL MODEL COLONY AWARDS FOR FILE NO. PADV16-001**: A request for the Historic Preservation Commission to accept the nominations for the Sixteenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

1. **CEQA Determination**

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. **File No. PADV16-001** (Model Colony Awards)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing):
- 2) New Business
 - Election of Officials
- 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, Marci Callejo, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on Friday, March 18, 2016, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Marci Callejo, Secretary Pro Tempore



Scott Murphy, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

February 23, 2016

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

MINUTES

February 23, 2016

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:30 p.m.

COMMISSIONERS

Present: Chairman Willoughby, Vice-Chairman Downs, Delman, Gage, Gregorek, and Ricci.

Absent: None.

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, Principal Planner Zeledon, Assistant City Engineer Do and Planning Secretary Callejo.

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Ricci.

ANNOUNCEMENTS

No one responded from the audience.

PUBLIC COMMENTS

Baltazar Barrias III, and resides at 625 East El Morado Ct. Mr. Barrias stated he is a Freshman at student at Cal Poly Pomona studying Urban and Regional Planning. He stated that for the past couple of weeks he has been following the Planning Commission and it's an honor to see what he hopes to do in the future. He stated Planners impact lives and are some of the greatest people you'll meet.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of January 26, 2016, approved as written.

It was moved by Delman, seconded by Ricci, to approve the Planning Commission Minutes of January 26, 2016, as written. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT AND AN AMENDMENT TO THE RICH HAVEN SPECIFIC PLAN FILE NO. PSPA16-001 (RELATED FILE NO'S PSPA13-004 AND PSPA13-005):** An Amendment to the Rich Haven Specific Plan that includes affecting property generally located south of Riverside Drive and the Southern California Edison substation, west of Hamner Avenue, north and south sides of Edison Avenue and east of Haven Avenue, to include: [1] reconfiguration of the boundaries and circulation layout for the existing Planning Areas 1 through 21B; [2] change the existing Specific Plan Land Use Plan designation for 27 acres of land (Planning Areas 8 and 13) from Middle School and Low Density Residential (0 to 6 du/ac) to Public Park; 77.6 acres of land (Planning Areas 9 through 12) from Low Density Residential (0 to 6 du/ac) to Low-Medium Density Residential (6–12 du/ac); 36.1 acres of land (Planning Area 14) from Low Density Residential (0 to 6 du/ac) to Medium Density Residential (12 to 18 du/ac); and 78.5 acres of land (Planning Areas 15 through 19) from Low-Medium Density Residential (6–12 du/ac) and Medium Density Residential (12 to 18 du/ac) to Mixed-Use, consistent with The Ontario Plan (TOP) Policy Plan (General Plan) Land Use Plan; [3] increase the number of residential units from 4,256 to 4,866; [4] increase the maximum square feet for commercial/office development from 889,200 sq. ft. to 1,039,200 sq. ft.; [5] incorporate a minimum square foot requirement for commercial/office development within Planning Areas 20, 21A and 21B; and [6] revise and update housing product types, development standards, design guidelines, exhibits and language to reflect the proposed changes and TOP Policy Plan consistency. An addendum to Rich Haven Specific Plan EIR (SCH# 2006051081) has been prepared for this project pursuant to the requirements of California Environmental Quality Act. 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. (APN NO's: 0218-161-01, 04, 05, 09, 10, 11, 13, and 14, 0218-211-01, 02, 05, 08, 12, 15, 17, 21, 23, 24, 25 and 27); **submitted by GDCI-RCCD 2LP, Richland Communities and Brookfield Residential. City Council action is required.**

Principal Planner, Rudy Zeledon, presented the staff report. He stated the project is bounded by Riverside to the north, Haven to the west, Ontario Ranch Road (formerly Edison) to the south, Mill Creek to the east and the Esparanza Specific Plan to the south. Mr. Zeledon stated the Rich Haven Specific Plan was approved in 2007 and included 412 gross acres and had a maximum development of 4,256 residential units, with a variety of product types including both single-family and multi-family, along with 160 acres of commercial. He states that in 2010, The Ontario Plan (TOP) policy plan was adopted and the land-use designation was changed within the Specific Plan Areas 8 thru 14 and 15 thru 19 between Chino Avenue and Edison (now Ontario Ranch Road). He said these changes included 27 acres of land that went from middle school to parkland, 33 acres that went from Low-Density Residential (LDR) to Medium-Density Residential (MDR), 80 acres that went from LDR to MDR, and 78 acres that went from LDR to Mixed-Use (MU). He states the first change is make the Specific Plan consistent with TOP and, second, to reconfigure and change the boundaries. He goes through all the area changes in the planning areas. Mr. Zeledon states with the land use changes being proposed it increases the number of residential units by 610 and 150,000 square feet of commercial and office; which is consistent with The Ontario Plan (TOP). He points out through Power Point slides the various areas and locations. He states the last component of the Specific Plan is the

development standards, design guidelines, exhibits and policies. Mr. Zeledon shares various product styles and parking options. Staff is recommending the adoption of the Addendum to the EIR and approval to the Specific Plan Amendment the City Council.

Mr. Gage wanted to know if the Specific Plan was approved prior to the TOP, and that's why this needed "to be consistent with TOP".

Mr. Murphy stated that was correct, the Rich Haven Specific Plan was approved in 2007 and TOP was approved January of 2010.

Mr. Gage asks if TOP is a mandate or a guideline.

Mr. Murphy states that the most of the land-uses categories that are in place are for minimum and maximum densities for each land-use category and, as such they, need to develop within those ranges. He states, for example, the Medium-Density Residential (MDR) has a range of 11 to 25 units to the acre, so they would need to develop within that range. He states within the commercial square footage there is an increase provided. There is only a maximum provided for commercial based on floor area ratio.

PUBLIC TESTIMONY

Jason Lee, a representative from GDCI-RCCD 2LP appeared and spoke. He thanked the staff and stated they have worked hard to stay consistent with the originally approved Specific Plan and also work to meet the TOP requirements, not only for his company but also the others involved. They are excited about new Ontario Ranch Road. It opens the door for growth from commercial vendors and developers.

Loree Masonis, an Ontario resident came up to speak. She thanked staff for the presentation, it answered quite a few questions, but wanted clarification on what TOP means.

Mr. Murphy stated that TOP stands for The Ontario Plan, the business plan for the city that includes sections on vision, governance and the policy plan which they refer to is the General Plan and identifies the land-use and goals, policies and objectives for the land-use and development within the city.

Ms. Masonis asked for clarification on the SCE Substation location; if this was where the towers were located.

Mr. Murphy stated that the SEC Substation is where Southern California Edison has about 80 acres and the towers feed handle 500 plus KV lines which feed into that area and are distributed then among the residents.

Ms. Masonis questioned if the proposed area is located close by.

Mr. Murphy states it's next door.

Ms. Masonis states that her understanding for this project is so it's in accordance with The Ontario Plan.

Mr. Murphy states they are bringing the Rich Haven Plan into conformance with TOP and General Plan.

Ms. Masonis states when she hears the word high density she thinks “crowded”. She questions if this to make more people per square feet and making better use of land.

Mr. Murphy states that the TOP has a number of layers; there is a huge housing shortage in California, how do we provide residential units for residents now and into the future? Also, there is a certain obligation from the State to provide certain amount of units within certain price ranges. He also states there is provision of transit, the proposed BRT (Bus Rapid Transportation) along Ontario Ranch Road. To make this possible, you need higher density to support ridership along those lines. He states there is a variety of product time in the Ontario Ranch area which has been strategically planned for these reasons.

Ms. Masonis states this information for multi-family living and transit is based on survey or what the State mandates. She then questions of the houses will be rentals or for sale.

Mr. Willoughby states these homes will be for sale, there may be some for rental, but the vast majority will be for sale units. He continues to explain there is variety of homes from townhomes to single-family produces which are available.

Ms. Masonis states she’s not a planner but questions the correlation between density and square feet.

Mr. Willoughby states density would be how many units can be put on an acres of land and depending on what it is, for example, Medium Density allows for 11-25 units per acre. So depending on the density depends on how many square feet a particular unit can be. This is all factored in and worked on by the developer or architect and staff.

Mr. Murphy states there is also commercial square footage as well. So when square footage is talked about, typically it’s about commercial development.

Ms. Masonis asks about Mixed-Use, is that where residential is on top?

Mr. Murphy states there are two types of Mixed-Use, vertical with residential on top or horizontal with residential next to commercial.

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 Ricci, seconded by Gregorek, to recommend adoption of the CEQA Determination of an Addendum to a previous EIR. Roll call vote: AYES, Delman, Downs, Gage, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.

It was moved by Downs, seconded by Ricci, to recommend adoption of a resolution to approve the Specific Plan Amendment. Roll call vote: AYES, Delman, Downs, Gage, Gregorek, 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):

- **Special Meeting held on February 1, 2016**

Approved a Modification to the Certificate of Appropriateness for the Sunkist water tower (PHP15-009); included Mitigated Negative Declaration

- **Regular Meeting on February 11, 2016**

They denied two requests of craftsman homes Eligible for Historic Resource (PHP16-002 & PHP16-003)

New Business

- Appointment of Historic Preservation Subcommittee member
 - **Mr. Gregorek has been appointed to replace Ms. Mautz.**

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated the Monthly Activity Reports are in their packets and nominations for officers are at the next meeting. Mr. Murphy stated that the Council is accepting applications and currently no deadlines on those.

ADJOURNMENT

Downs motioned to adjourn, seconded by Ricci. The meeting was adjourned at 7:08 p.m.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

March 22, 2016

SUBJECT: A Development Plan (PDEV15-020) to construct 149 single-family homes on approximately 14.5 acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues. (APN No's: 218-444-10 thru 17, 218-444-25 thru 41, 218-444-43, 218-452-10, 11, 12, 218-462-16 thru 25, 218-462-36 thru 52, 218-482-25 thru 48, 218-483-23 thru 48 and 218-503-01 thru 44); **submitted by Brookfield Residential.**

PROPERTY OWNER: Brookcal Ontario, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV15-020, pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 14.5 acres of land generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven Avenue and Turner Avenue, within the Low Density Residential and Medium Density Residential land use designations of The Avenue Specific Plan, and is depicted in Figure 1: Project Location, to the right. The project site gently slopes from north to south and is currently mass graded and was previously used for dairy and agriculture uses. The site is surrounded by residential development and vacant land that has been mass graded previously used for dairy and agriculture uses.

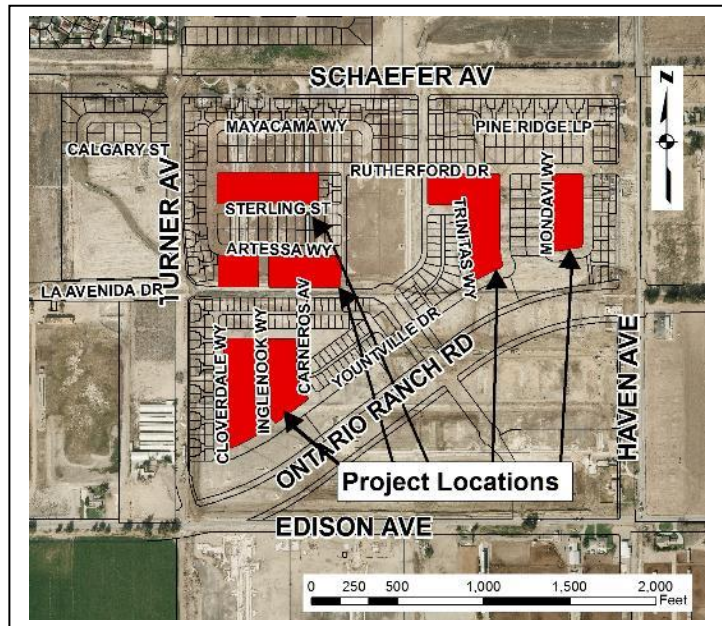


Figure 1: Project Location

Case Planner:	Lorena Mejia	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	3/21/16	Approved	Recommend
Submittal Date:	June 9, 2015	ZA			
Hearing Deadline:		PC	3/22/16		Final
		CC			

PROJECT ANALYSIS:

[1] Background — The Avenue Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on December 19, 2006. The Avenue Specific Plan established the land use designations, development standards, and design guidelines for 568 acres, which includes the potential development of 2,875 dwelling units and approximately 131,000 square feet of commercial.

On April 8, 2014, the Planning Commission approved Tentative Tract Map 18922 (referred to as an “A” Map) for Planning Areas 9A and 10A of The Avenue Specific Plan. The approved “A” Map facilitates the backbone infrastructure improvements (major streets, sewer, water and storm drain facilities) and the creation of park/recreational facilities and residential neighborhoods in the eastern portion of the Specific Plan (see **Figure 2: The Avenue Specific Plan Land Use Plan**, below).

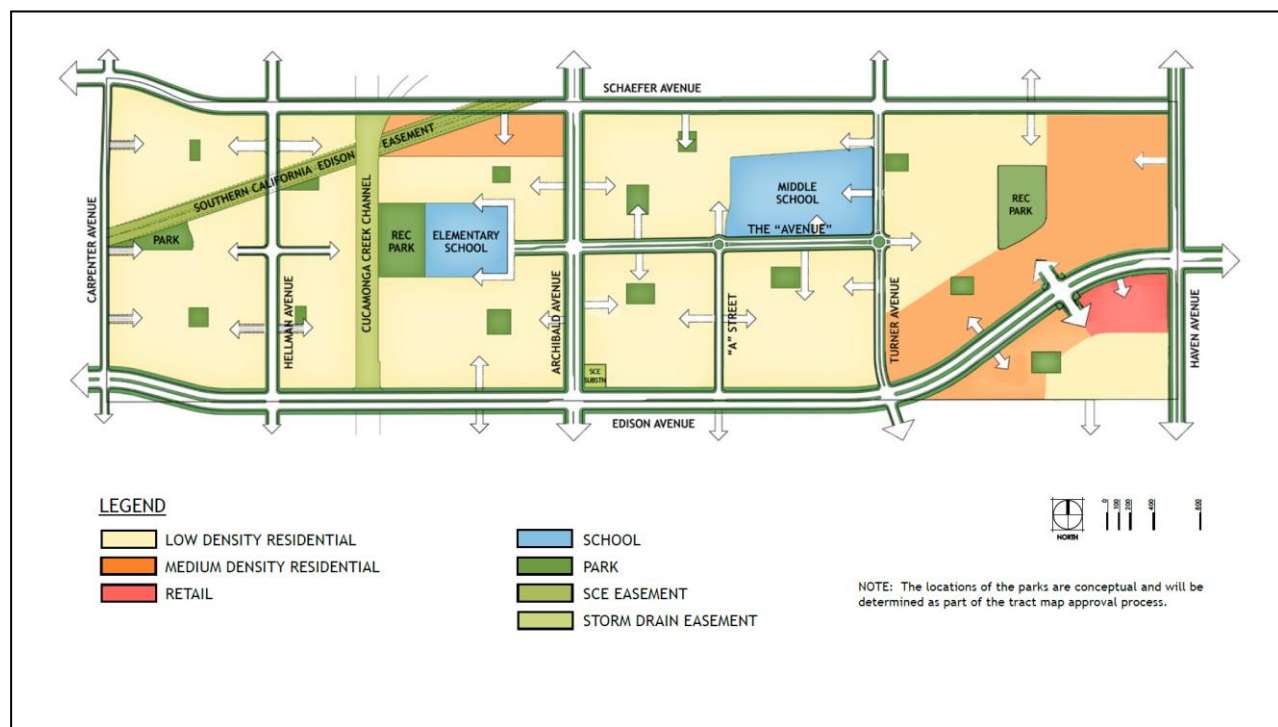


Figure 2: The Avenue Specific Plan Land Use Map

On August 26, 2014, the Planning Commission approved Tentative Tract Maps 18991, 18992, 18993 and 18994 (referred to as “B” Maps) for the subdivision of Planning Areas 9A and 10A of The Avenue Specific Plan. The approval of tentative tract maps subdivided the area into a combination of residential lots and lettered lots (private drive aisles, alleys, landscape buffers and parking) to accommodate conventional single-

family, alley loaded, cluster (6-pack) products and multi-family rowtown and autocourt products being marketed as the New Haven community. The Applicant, Brookfield Residential, has submitted a development application for the construction of 149 conventional single-family homes. To date there have been three Development Plans approved for the New Haven community that include:

- Holiday – A 98-unit townhome project consisting of seven two-story complexes;
- Summerset - 112 single-family conventional homes; and
- Waverly – A 6-pack cluster product with 135 single-family homes.

[2] Site Design/Building Layout — The 149 single-family homes will be located in five separate neighborhoods within Planning Area 10A of the Specific Plan. (**Exhibit A: Site Plan**). The lots range in size from 4,050 to 7,714 square feet. Three floor plans are proposed with three elevations per plan. The three plans are described in the following table:

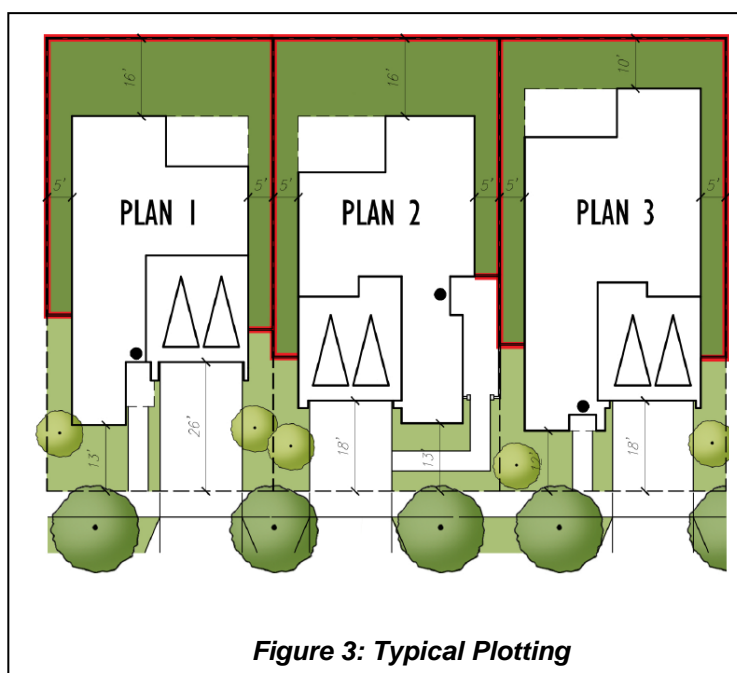
Plan 1	Plan 2	Plan 3
<ul style="list-style-type: none"> • 2,513 SF • 3 bedrooms + bonus room & 3 bath • Optional Screened Porch • 2 stories • 49 Units (32%) • 2-car garage 	<ul style="list-style-type: none"> • 2,820 SF • 4 bedrooms + bonus room/optional 5th bedroom & 3 bath • Optional Screened Porch • 2 stories • 50 Units (34%) • 2-car garage 	<ul style="list-style-type: none"> • 3,058 SF • 4 bedrooms + bonus room/optional 5th bedroom & 3 bath • Optional Screened Porch • 2 stories • 50 Units (34%) • 2-car garage with optional 3rd bay

Plans 1 and 3 have street facing porch/entry areas and Plan 2 has a side entry accessed through a courtyard. All three plans were designed to de-emphasize the garage by recessing it six to twelve feet behind the living area. In addition to meeting the minimum setback standards, varied rear and front yard setbacks were incorporated into the plotting that creates an attractive, diverse streetscape (see **Figure 3: Typical Plotting**). Special attention and architectural treatment was given to properties located on corner lots by wrapping porches and providing enhanced architectural treatments such as shutters and enhanced gable ends. All three plans have an open concept with the main living and kitchen areas oriented towards the rear yards, providing opportunities to extend the living areas into outdoor patio rooms. All plans incorporate various design features such as single and second story massing, varied covered entries, front porches, 2nd floor laundry facilities and optional screened patio covers.

[3] Site Access/Circulation — The approved related Tentative Tract Map 18922 (“A” Map) has facilitated the construction of the backbone streets and primary access points into Planning Area 10A of The Avenue Specific Plan, which include primary access points from Turner Avenue, Ontario Ranch Road, Schaefer Avenue and Haven Avenue. The approved “B” Maps for the area (TT18991, TT18992, TT18993 and TT18994) will continue to facilitate the construction of the interior neighborhood streets serving the project site (see **Exhibit A: Site Plan**).

[4] Parking — Each plan provides a 2-car garage in addition to 2-driveway spaces. Parking requirements are consistent with the parking requirements of the Development Code and The Avenue Specific Plan.

[5] Architecture — The architectural styles of the proposed single family homes include Spanish Colonial, American Farmhouse and Cottage (see **Figure 5: Conceptual Rendered Street Scene**). The American Farmhouse architectural style is not included within The Avenue Specific Plan, however, it meets the design guidelines and increases the diversity of architectural styles and design within the community. These styles complement one another through the overall scale, massing, proportions and



details. Also, detailing, architectural treatments, and articulation are provided on all four sides of the proposed elevations. The three architectural styles proposed will include the following (see **Exhibit B - Elevations**):

Spanish Colonial: Varying gable, shed and hipped roofs with concrete “S” tile roof; roof overhangs; second story pop-out features; stucco exterior; square and arched entry openings with stucco trim; a combination of square and arched recessed multi-paned windows; shutters; arched entryways bordered with decorative tile for Plans 1 and 3; and a shed roof canopy over the entryway for Plan 2.

American Farmhouse: Varying high pitched gable roofs with flat tile; roof overhangs; second story pop-out features; a combination of vertical siding, brick veneer and stucco exterior; double gable front entries for Plans 1 and 3; shed roof canopy over the entryway for Plan 2; and multi-paned windows with shutters.

Cottage: Varying high pitched gable roofs with flat tile; roof overhangs; second story pop-out features; stone veneer and stucco exterior (enhanced façade at gable ends with vertical foam treatment and horizontal siding); front porch entries with high pitched gable entries for Plans 1 and 2; shed roof canopy over the entryway for Plan 2; and multi-paned windows with enlarged trim surround with shutters.



Figure 5: Conceptual Rendered Street Scene

[6] Landscaping — The Development Plan includes sidewalks separated from the street by landscaped parkways, which provides visual interest and promotes pedestrian mobility. All the single-family 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 side and rear yard landscape improvements.

The Ontario Plan (TOP) Policy PR1-1 requires new developments to provide a minimum of 2 acres of private pocket park per 1,000 residents. To satisfy the park requirement, a 6.8 acre park, as part of the related “A” Map (TT18922), has been constructed at the center of Planning Area 10A. The park features an 8,348 square foot club house, two

pools and a spa, open lawn area and other recreational amenities. Some of the lots proposed for development are located directly across from the park or within walking distance of the park.

[7] CC&R's — CC&R's were prepared and recorded with the related Tract Map 18922. The CC&R's outline the maintenance responsibilities for open space areas, utilities and upkeep of the entire site to ensure the on-going maintenance of the common areas and facilities.

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 Priorities

Primary Goal: Regain Local Control of Ontario International Airport

Supporting 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; and
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony.

[2] Policy Plan (General Plan)

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 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.

➤ LU1-3: Adequate Capacity. We require adequate infrastructure and services for all development.

➤ 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.

Land Use Element — Neighborhood & Housing

▪ Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodates 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.

▪ Goal H3: A City regulatory environment that balances the need for creativity and excellence in residential design, flexibility and predictability in the project approval process, and the provision of an adequate supply and prices of housing.

➤ H3-1: Community Amenities. We shall provide adequate public services, infrastructure, open space, parking and traffic management, pedestrian, bicycle and equestrian routes and public safety for neighborhoods consistent with City master plans and neighborhood plans.

➤ H3-3: Development Review. We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public yet allows for the appropriate review to facilitate quality housing development.

Parks and Recreation Element – Planning & Design

▪ Goal PR1: A system of safe and accessible parks that meets the needs of the community.

➤ PR1-1: Access to Parks. We strive to provide a park and/or recreational facility within walking distance (¼ mile) of every residence.

➤ PR1-9: Phased Development. We require parks be built in new communities before a significant proportion of residents move in.

Mobility Element – Bicycles and Pedestrians Diversity

▪ Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

➤ 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.

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.

➤ CE2-2 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 — Seismic & Geologic Hazards

▪ 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 — 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.

➤ CD1-1 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.

➤ 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.

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.

➤ CD2-7 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.

➤ CD2-13 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.

Community Design — 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.

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 COMPLIANCE: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with a Specific Plan Amendment for The Avenue Specific Plan (PSPA13-003), for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by 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 and Graded	Low Density and Medium Density Residential	The Avenue Specific Plan	Planning Area 10A - Low Density and Medium Density Residential
<i>North</i>	Vacant/Graded/Residential/Open Space	Low Density and Medium Density Residential	The Avenue Specific Plan	Planning Area 10A - Low Density and Medium Density Residential
<i>South</i>	Vacant/Graded/Residential	Medium Density Residential	The Avenue Specific Plan	Planning Area 10A - Medium Density Residential
<i>East</i>	Vacant/Graded/Residential/Open Space	Low Density and Medium Density Residential	The Avenue Specific Plan	Planning Area 10A - Low Density and Medium Density Residential
<i>West</i>	Vacant/Graded/Residential/Open Space	Low Density and Medium Density Residential	The Avenue Specific Plan	Planning Area 10A - Low Density and Medium Density Residential

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Maximum coverage (in %):</i>	55%	26%-51%	Y
<i>Minimum lot size (in SF):</i>	3,200 SF	4,050 SF to 7,714 SF	Y
<i>Minimum lot depth (in FT):</i>	80 FT	90 – 107 FT	Y
<i>Minimum lot width (in FT):</i>	40 FT (knuckles 35 FT)	45 – 73 FT	Y
<i>Front yard setback (in FT):</i>	12 FT Living Area	12 – 21 FT	Y
<i>Side yard setback (in FT):</i>	5 FT	5 – 34FT	Y
<i>Rear yard setback (in FT):</i>	10 - 15 FT	10 – 32 FT	Y
<i>Maximum height (in FT):</i>	35 FT	27 – 30 FT	Y
<i>Parking:</i>	2-car garage	2 to 3 car garage	Y

Exhibit A: Site Plan







Exhibit B: Elevations



0 4 8 12

A2.2



EXTERIOR ELEVATIONS - PLAN 1A

KTGY Group, Inc.
Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 08 # 284455
 8.13.2016

New Haven - 45 x 90 Lots

Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.8688



A2.4

KTGY Group, Inc.
Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

EXTERIOR ELEVATIONS - PLAN 1B

ONTARIO, CALIFORNIA
 03/12/2016
 003 # 2011-0515

New Haven - 45 x 90 Lots
Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.6668



A2.5



EXTERIOR ELEVATIONS - PLAN IC

KTGY Group, Inc.
 Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 03/17/2016

New Haven - 45 x 90 Lots

Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.6888



0 4 8 12

A3.3



EXTERIOR ELEVATIONS - PLAN 2A

Ktgy Group, Inc.
 Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 03/23/16
 03 # 2014511

New Haven - 45 x 90 Lots

Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.6888



A3.2



EXTERIOR ELEVATIONS - PLAN 2B

KTGY Group, Inc.
 Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 000 P. 161601
 01/2016

New Haven - 45 x 90 Lots
 Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.6868



OVERHANG - 6"
 ROOF PITCH - 4:12

Roof Plan
 Scale 1/8" = 1'-0"

0 4 8 12
A3.5

EXTERIOR ELEVATIONS - PLAN 2C

New Haven - 45 x 90 Lots

Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.6866

ONTARIO, CALIFORNIA
 8/22/2014
 018 # 2014-051

KTGY Group, Inc.
Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com





0 4 8 12
A4.3



EXTERIOR ELEVATIONS - PLAN 3A

KTGY Group, Inc.
 Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 EX # 2014-005

8.13.2014

New Haven - 45 x 90 Lots

Brookfield Residential
 Suite 1000
 Costa Mesa, CA 92626
 714.427.6868



0 4 8 12
A4.2



EXTERIOR ELEVATIONS - PLAN 3B

KTGY Group, Inc.
 Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 #132864
 #132864

New Haven - 45 x 90 Lots

Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Costa Mesa, CA 92626
 714.427.6868



0 4 8 12
A4.2

EXTERIOR ELEVATIONS - PLAN 3C

New Haven - 45 x 90 Lots



KTGY Group, Inc.
Architecture+Planning
 17911 Von Karman Ave., Suite 200
 Irvine, CA 92614
 949.851.2133
 ktgy.com

ONTARIO, CALIFORNIA
 082 # 2014-051
 8/17/2014

Brookfield Residential
 3200 Park Center Dr., Suite 1000
 Irvine, CA 92626
 714.427.6866

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV15-020, FOR 149 SINGLE-FAMILY HOMES ON APPROXIMATELY 14.5 ACRES OF LAND GENERALLY LOCATED SOUTH OF SCHAEFER AVENUE, NORTH OF ONTARIO RANCH ROAD BETWEEN HAVEN AVENUE AND TURNER AVENUE, WITHIN PLANNING AREA 10A OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF – APN NO'S: 218-444-10 THRU 17, 218-444-25 THRU 41, 218-444-43, 218-452-10, 11, 12, 218-462-16 THRU 25, 218-462-36 THRU 52, 218-482-25 THRU 48, 218-483-23 THRU 48 AND 218-503-01 THRU 44.

WHEREAS, Brookfield Residential ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV15-020, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 14.5 acres of land generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues, within the Planning Area 10A of The Avenue Specific Plan, and is presently mass graded; and

WHEREAS, the properties to the north, south, east and west of the Project site are within Planning Area 10A of The Avenue Specific Plan, and are vacant/mass graded and improved with model/production homes and a community park (clubhouse); and

WHEREAS, there are 149 single-family residential conventional lots proposed to be developed. The lots being developed have a minimum lot dimension of 45'x90' and Product Type 1C Development Standards of The Avenue Specific Plan are being applied; and

WHEREAS, the lots range in size from 4,050 to 7,714 square feet. Three floor plans are proposed with 3 elevations per plan; and

WHEREAS, all three floor plans de-emphasize the garage by recessing it six to twelve feet behind the living area. In addition to meeting the minimum setback standards, varying rear and front yard setbacks were incorporated into the plotting that creates an attractive, diverse streetscape; and

WHEREAS, the architectural styles of the proposed single-family homes include Spanish Colonial, Cottage and American Farmhouse styles. The American Farmhouse architectural style is not included within The Avenue Specific Plan, however it meets the design guidelines and increases the diversity of architectural style and design within the community; 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 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.

WHEREAS, 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; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with Specific Plan Amendment for The Avenue Specific Plan (PSPA13-003), for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014, 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, on March 21, 2016, the Development Advisory Board of the City of Ontario conducted a hearing and issued Decision No. [insert DAB Decision #] recommending the Planning Commission approve the Application; and

WHEREAS, on March 22, 2016, 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. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation. Based upon the facts and information contained in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation, the Planning Commission finds as follows:

a. The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) reflects the independent judgment of the Planning Commission; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

SECTION 2. 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 above, the Planning Commission hereby concludes as follows:

a. 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 Project is compatible with 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 existing site is vacant and mass graded and the proposed development will be compatible with future developments within The Avenue Specific Plan. The Development Plan has been required to comply with all provisions of Product Type 1C Residential Development Standards of The Avenue Specific Plan. Future neighborhoods within the Avenue Specific Plan and surrounding area will provide for a diverse housing and highly amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

b. 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 will complement 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 proposed location of the Development Plan and the proposed conditions under which it will operate or be maintained will be consistent with TOP Policy Plan and Specific Plan and therefore not be detrimental to health safety and welfare. In addition, the environmental impacts of this project were reviewed in conjunction with the previously adopted addendum to The Avenue Specific Plan EIR.

c. 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 Project will not have a significant adverse impact on the environment. The environmental impacts of this project were previously reviewed in conjunction with The Avenue Specific Plan Environmental Impact Report (SCH#2005071109). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

d. 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 Project is consistent with applicable development standards set forth in The Avenue Specific Plan. The Development Plan complies with all provisions of Product Type 1C Residential Design Guidelines and Development Standards of The Avenue Specific Plan.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby APPROVES the herein described Application subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

SECTION 4. 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. 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. 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 March 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PDEV15-020
March 22, 2016
Page 6

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



Prepared: March 21, 2016

File No: PDEV15-020

Related Files: N/A

Project Description: A Development Plan (PDEV15-020) to construct 149 single-family homes on approximately 14.5 acres of land within Planning Area 10A of The Avenue Specific Plan, generally located south of Schaefer Avenue, north of Ontario Ranch Road between Haven and Turner Avenues. (APN No's: 218-444-10 thru 17, 218-444-25 thru 41, 218-444-43, 218-452-10, 11, 12, 218-462-16 thru 25, 218-462-36 thru 52, 218-482-25 thru 48, 218-483-23 thru 48 and 218-503-01 thru 44); **submitted by Brookfield Residential**

Prepared by: Lorena Mejia, Associate Planner

Phone: (909) 395-2036; **Email:** lmejia@ontarioca.gov; **Fax:** (909) 395-2420

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following conditions of approval:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 1020-021 on March 16, 2010. 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. Project 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. 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 Architectural Treatment.

(a) All corner lots shall be treated with enhanced elevations and include: lots 10 and 12 of Tract 18991; lots 130, 138, 139, 147, 165, 175, 183, 184 and 198 of Tract 18992; lots 89, 93, 94, 107, 108, 112, 135 and 160 of Tract 18993; and lots 71, 82, 86, 96, 97, 104, 108 and 114 of Tract 18994. Construction drawings shall include architectural enhancements for the above mentioned lots.

(b) All Plan 2 elevations shall add a decorative arbor to the courtyard entry with complementary gate. The side yard courtyard shall be enclosed by 3 foot high decorative wall and cap to match the neighborhood wall.

(c) Front elevation stone/brick veneer base treatments shall be wrapped to a logical point or to side yard return wall.

(d) Each side yard gate shall complement the architectural style and color scheme of each residential unit.

2.3 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.

2.4 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with Specific Plan Amendment for The Avenue Specific Plan (PSPA13-003), for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. 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. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

(b) 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.

(c) 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).

(d) 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.

2.5 Additional Fees.

(a) After 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.

(b) Within 5 days following final application approval, the Notice of Determination (NOD), Notice of Exemption (NOE), 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 will 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 the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

2.6 Additional Requirements.

(a) 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.

(b) The project shall be consistent with Development Agreement (File No. PDA10-002).

(c) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(d) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from The Avenue Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

(e) All applicable conditions of approval of The Avenue Specific Plan shall apply to this tract.

(f) All applicable conditions of approval of the "A" Map TT 18922 (File No. PMTT13-010) and "B" Maps TT18991 (File No. PMTT14-013), TT 18992 (File No. PMTT14-014), TT 18993 (File No. PMTT14-015) and TT 18994 (File No. PMTT14-016) shall apply to this tract.

(g) 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 attached residential Screening Tables.

CEQA THRESHOLDS AND SCREENING TABLES

Table 1: Screening Table for Implementation of GHG Reduction Measures for Residential Development

Feature	Description	Assigned Point Values	Project Points
Reduction Measure PS E1: Residential Energy Efficiency			
Building Envelope			
Insulation	2008 Baseline (walls R-13; roof/attic: R-30)	0 points	12
	Modestly Enhanced Insulation (walls R-13; roof/attic: R-38)	12 points	
	Enhanced Insulation (rigid wall insulation R-13, roof/attic: R-38)	15 points	
	Greatly Enhanced Insulation (spray foam wall insulated walls R-15 or higher, roof/attic R-38 or higher)	18 points	
Windows	2008 Baseline Windows (0.57 U-factor, 0.4 solar heat gain coefficient (SHGC))	0 points	6
	Modestly Enhanced Window Insulation (0.4 U-Factor, 0.32 SHGC)	6 points	
	Enhanced Window Insulation (0.32 U-Factor, 0.25 SHGC)	7 points	
	Greatly Enhanced Window Insulation (0.28 or less U-Factor, 0.22 or less SHGC)	9 points	
Cool Roof	Modest Cool Roof (CRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance)	10 points	12
	Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance)	12 points	
	Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	14 points	
Air Infiltration	Minimizing leaks in the building envelope is as important as the insulation properties of the building. Insulation does not work effectively if there is excess air leakage.		10
	Air barrier applied to exterior walls, caulking, and visual inspection such as the HERS Verified Quality Insulation Installation (QII or equivalent)	10 points	
	Blower Door HERS Verified Envelope Leakage or equivalent	8 points	
Thermal Storage of Building	Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls.		0
	Modest Thermal Mass (10% of floor or 10% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	2 points	
	Enhanced Thermal Mass (20% of floor or 20% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	4 points	

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Indoor Space Efficiencies			
Heating/ Cooling Distribution System	Minimum Duct Insulation (R-4.2 required)	0 points	7
	Modest Duct insulation (R-6)	7 points	
	Enhanced Duct Insulation (R-8)	8 points	
	Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent)	12 points	
Space Heating/ Cooling Equipment	2008 Minimum HVAC Efficiency (SEER 13/60% AFUE or 7.7 HSPF)	0 points	7
	Improved Efficiency HVAC (SEER 14/65% AFUE or 8 HSPF)	4 points	
	High Efficiency HVAC (SEER 15/72% AFUE or 8.5 HSPF)	7 points	
	Very High Efficiency HVAC (SEER 16/80% AFUE or 9 HSPF)	9 points	
Water Heaters	2008 Minimum Efficiency (0.57 Energy Factor)	0 points	15
	Improved Efficiency Water Heater (0.675 Energy Factor)	12 points	
	High Efficiency Water Heater (0.72 Energy Factor)	15 points	
	Very High Efficiency Water Heater (0.92 Energy Factor)	18 points	
	Solar Pre-heat System (0.2 Net Solar Fraction)	4 points	
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	8 points	
Daylighting	Daylighting is the ability of each room within the building to provide outside light during the day reducing the need for artificial lighting during daylight hours.		0
	All peripheral rooms within the living space have at least one window (required)	0 points	
	All rooms within the living space have daylight (through use of windows, solar tubes, skylights, etc.)	1 points	
	All rooms daylighted	2 points	
Artificial Lighting	2008 Minimum (required)	0 points	10
	Efficient Lights (25% of in-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40watt)	8 points	
	High Efficiency Lights (50% of in-unit fixtures are high efficacy)	10 points	
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	12 points	
Appliances	Energy Star Refrigerator (new)	1 points	1
	Energy Star Dish Washer (new)	1 points	
	Energy Star Washing Machine (new)	1 points	



CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Miscellaneous Residential Building Efficiencies			
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes natural heating, cooling, and lighting.	5 point	0
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on Jun 21 st .	4 Points	0
Energy Star Homes	EPA Energy Star for Homes (version 3 or above)	25 points	NA
Independent Energy Efficiency Calculations	Provide point values based upon energy efficiency modeling of the Project. Note that engineering data will be required documenting the energy efficiency and point values based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	4.1% ↑
Other	This allows innovation by the applicant to provide design features that increases the energy efficiency of the project not provided in the table. Note that engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	Radiant Barrier 1
Existing Residential Retrofits	The applicant may wish to provide energy efficiency retrofit projects to existing residential dwelling units to further the point value of their project. Retrofitting existing residential dwelling units within the City is a key reduction measure that is needed to reach the reduction goal. The potential for an applicant to take advantage of this program will be decided on a case by case basis and must have the approval of the Ontario Planning Department. The decision to allow applicants to ability to participate in this program will be evaluated based upon, but not limited to the following; Will the energy efficiency retrofit project benefit low income or disadvantaged residents? Does the energy efficiency retrofit project fit within the overall assumptions in reduction measures associated with existing residential retrofits? Does the energy efficiency retrofit project provide co-benefits important to the City? Point value will be determined based upon engineering and design criteria of the energy efficiency retrofit project.	TBD	NA
Reduction Measure PS E2: Residential Renewable Energy Generation			
Photovoltaic	Solar Photovoltaic panels installed on individual homes or in collective neighborhood arrangements such that the total power provided augments: Solar Ready Homes (sturdy roof and solar ready service panel) 10 percent of the power needs of the project 20 percent of the power needs of the project 30 percent of the power needs of the project 40 percent of the power needs of the project 50 percent of the power needs of the project 60 percent of the power needs of the project 70 percent of the power needs of the project 80 percent of the power needs of the project	2 points 10 points 15 points 20 points 28 points 35 points 38 points 42 points 46 points	2

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
	90 percent of the power needs of the project	52 points	
	100 percent of the power needs of the project	58 points	
Wind turbines	Some areas of the City lend themselves to wind turbine applications. Analysis of the area's capability to support wind turbines should be evaluated prior to choosing this feature. Individual wind turbines at homes or collective neighborhood arrangements of wind turbines such that the total power provided augments: 10 percent of the power needs of the project 20 percent of the power needs of the project 30 percent of the power needs of the project 40 percent of the power needs of the project 50 percent of the power needs of the project 60 percent of the power needs of the project 70 percent of the power needs of the project 80 percent of the power needs of the project 90 percent of the power needs of the project 100 percent of the power needs of the project	10 points 15 points 20 points 28 points 35 points 38 points 42 points 46 points 52 points 58 points	NA
Off-site renewable energy project	The applicant may submit a proposal to supply an off-site renewable energy project such as renewable energy retrofits of existing homes that will help implement renewable energy within the City. These off-site renewable energy retrofit project proposals will be determined on a case by case basis and must be accompanied by a detailed plan that documents the quantity of renewable energy the proposal will generate. Point values will be determined based upon the energy generated by the proposal.	TBD	NA
Other Renewable Energy Generation	The applicant may have innovative designs or unique site circumstances (such as geothermal) that allow the project to generate electricity from renewable energy not provided in the table. The ability to supply other renewable energy and the point values allowed will be decided based upon engineering data documenting the ability to generate electricity.	TBD	NA
Reduction Measure PS W1: Residential Water Conservation			
Irrigation and Landscaping			
Water Efficient Landscaping	Limit conventional turf to < 50% of required landscape area	0 points	0
	Limit conventional turf to < 25% of required landscape area	4 points	
	No conventional turf (warm season turf to < 50% of required landscape area and/or low water using plants are allowed)	6 points	TBD
	Only California Native Plants that requires no irrigation or some supplemental irrigation	8 points	

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Water Efficient irrigation systems	Low precipitation spray heads < .75"/hr or drip irrigation	2 point	TBD
	Weather based irrigation control systems or moisture sensors (demonstrate 20% reduced water use)	3 points	
Recycled Water	Recycled connections (purple pipe) to irrigation system on site	6 points	TBD
Water Reuse	Gray water Reuse System collects Gray water from clothes washers, showers and faucets for irrigation use,	12 points	0
Storm water Reuse Systems	Innovative on-site stormwater collection, filtration and reuse systems are being developed that provide supplemental irrigation water and provide vector control. These systems can greatly reduce the irrigation needs of a project. Point values for these types of systems will be determined based upon design and engineering data documenting the water savings.	TBD	0
Potable Water			
Showers	Water Efficient Showerheads (2.0 gpm)	3 points	3
Toilets	Water Efficient Toilets (1.5 gpm)	3 points	3
Faucets	Water Efficient faucets (1.28 gpm)	3 points	3
Dishwasher	Water Efficient Dishwasher (6 gallons per cycle or less)	1	0
Washing Machine	Water Efficient Washing Machine (Water factor <5.5)	1	0
WaterSense	EPA WaterSense Certification	12 points	NA
Reduction Measure PS T1: Land Use Based Trips and VMT Reduction			
Mixed Use	Mixes of land uses that complement one another in a way that reduces the need for vehicle trips can greatly reduce GHG emissions. The point value of mixed use projects will be determined based upon a Transportation Impact Analysis (TIA) demonstrating trip reductions and/or reductions in vehicle miles traveled. Suggested ranges: Diversity of land uses complementing each other (2-28 points) Increased destination accessibility other than transit (1-18 points) Increased transit accessibility (1-25 points) Infill location that reduces vehicle trips or VMT beyond the measures described above (points TBD based on traffic data).	TBD	NA
Residential Near Local Retail (Residential only Projects)	Having residential developments within walking and biking distance of local retail helps to reduce vehicle trips and/or vehicle miles traveled. The point value of residential projects in close proximity to local retail will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled (VMT)	TBD	TBD

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Other Trip Reduction Measures	Other trip or VMT reduction measures not listed above with TIA and/or other traffic data supporting the trip and/or VMT for the project.	TBD	TBD
Reduction Measure PST2: Bicycle Master Plan			
Bicycle Infrastructure	<p>Ontario's Bicycle Master Plan is extensive and describes the construction on 11.5 miles of Class I bike paths and 23 miles of Class II and Class III bikeways to build upon the current 8 miles of bikeways.</p> <p>Provide bicycle paths within project boundaries.</p> <p>Provide bicycle path linkages between residential and other land uses.</p> <p>Provide bicycle path linkages between residential and transit.</p>	<p>TBD</p> <p>2 points</p> <p>5 points</p>	TBD
Reduction Measure PS T3: Neighborhood Electric Vehicle Infrastructure			
Electric Vehicle Recharging	<p>Provide circuit and capacity in garages of residential units for use by an electric vehicle. Charging stations are for on-road electric vehicles legally able to drive on all roadways including Interstate Highways and freeways.</p> <p>Install electric vehicle charging stations in the garages of residential units</p>	<p>1 point</p> <p>8 points</p>	TBD
Total Points Earned by Residential Project:			104 pt



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development and Environmental], Traffic/Transportation Division,
Ontario Municipal Utilities Company and Management Services Department)

DATE: **October 27, 2015**

DAB MEETING DATE: **November 16, 2015**

PROJECT ENGINEER: **Naiim Khoury, Associate Engineer** *NK*

PROJECT PLANNER: **Lorena Mejia, Associate Planner**

PROJECT: **PDEV 15-020; A Development Plan to construct 149 conventional SFR within The Avenue Specific Plan. Related Files Tract Map Nos. TM18922-1, TM18922-2, TM18922-3 (A-Maps) and TM18991, TM18992, TM18993 and TM18994 (B-Maps).**


APPLICANT: **BrookCal, LLC – Brookfield Residential**

LOCATION: **South of Schaefer Avenue and west of haven Avenue**

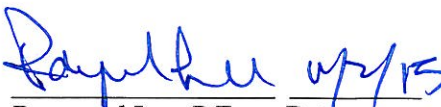
This project shall comply with the requirements set forth in the General Standard Conditions of Approval adopted by the City Council (Resolution No. 2010-021) and the Project Specific Conditions of Approval specified herein. The Applicant shall be responsible for the completion of all conditions prior to issuance of permits and/or occupancy clearance.

- 1) Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and The Avenue specific Plan. All public improvements for TM18922-1, TM18922-2, TM18922-3, TM18991, TM18992, TM18993 and TM18994 shall be complete and operational.
- 2) 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).
- 3) The applicant/developer shall be responsible to design and construct in-tract fiber optic conduit system and connect to the fiber optic system constructed per TM18922-1, TM18922-2, TM18922-3, TM18991, TM18992, TM18993 and TM18994.





Khoi Do, P. E. 10/20/15
Principal Engineer Date



Raymond Lee, P.E. 10/21/15
Assistant City Engineer Date

- c: Raymond Lee, P.E., Engineering/Land Development
 Khoi Do, P.E., Engineering/Land Development
 Stephen Wilson, Engineering/Environmental
 Larry Tay, Engineering/Traffic
 Sheldon Yu, Ontario Municipal Utility Company

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorene Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: PDEV15-020
SUBJECT: June 11, 2015

1. The plan **does** adequately address the departmental concerns at this time.
No comments.

cc: File

KS:kb



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia
Planning Department

FROM: Adam A. Panos, Fire Protection Analyst
Bureau of Fire Prevention

DATE: July 9, 2015

SUBJECT: PDEV15-020: A request for Development Plan approval to construct 149 single-family dwelling units on approximately 20.69 acres of land located at southwest corner of Schaefer Avenue and Haven Avenue within the Medium Density Residential and Low Density Residential land use designation (Planning Area 10A) of The Avenue Specific Plan. APN No(s): 0218-402-03, 26 & 218-392-07,09, 15

- The plan **does** adequately address Fire Department requirements at this time.
- No comments or conditions
 - Conditions of approval below.
- The plan **does NOT** adequately address Fire Department requirements at this time.
- Comments / corrections below.

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: Type VB – Wood frame
- B. Roof Materials Used: Combustible
- C. Ground Floor Area(s): Plan 1 – 1,145 Square Feet
Plan 2 – 2851 Square Feet
Plan 3 – 3091 Square Feet
- D. Number of Stories: 2 stories
- E. Total Square Footage:
- F. Type of Occupancy: 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.ci.ontario.ca.us, 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 twenty-six (26) 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.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is 1000 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 street 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.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 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

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 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 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.
- 4.4 Fire Department Connections (FDC's) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department Connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.
- 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

- 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 4.8 Hose valves with two and one half inch (2 ½”) connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.
- 4.9 Due to inaccessible rail spur areas, two and one half inch 2-1/2” fire hose connections shall be provided in these areas. These hose valves shall be take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

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 9-1.3280 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 9-1.3280 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.
- 5.6 Knox brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

CITY OF ONTARIO
LANDSCAPE PLANNING DIVISION
 303 East "B" Street, Ontario, CA 91764

DAB CONDITIONS OF APPROVAL	
Sign Off	
	10/14/15
Jamie Richardson, Associate Landscape Planner	Date

Reviewer's Name: Jamie Richardson, Associate Landscape Planner	Phone: (909) 395-2615
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D.A.B. File No.: PDEV15-020	Case Planner: Lorena Mejia
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Project Name and Location: The Avenue – New Haven Single Family Homes

Applicant/Representative: Brookfield Residential 3200 Park Center Drive, Suite 1000 Costa Mesa, CA 92626

<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (9/14/2015) 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.
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<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.
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CORRECTIONS REQUIRED

1. Provide typical planting palettes for south and west exposures and north and east exposures.
2. Spaces shall be designed so that utilities such as transformers are screened with 5' of landscape; 18" high groundcover in front and 3' high non-hedging shrubs on three sides.
3. Provide an overall tree plan showing front yard and parkway trees.
4. Show sideyards access gates on plans.
5. Show a path (28" wide to accommodate trash bin) at sideyards for trash cans and access; concrete pavers or decomposed granite.
6. Show AC units located on non-access side yards.
7. Show gas meters on sideyards in front of access gates.
8. Note outdoor/security lighting on building walls will be coordinated with tree plantings to avoid blocking light.
9. Note automatic irrigation to be water efficient, appropriate for the landscape, hydrozones separated and provides 100% coverage.
10. Landscape construction plans shall meet City standards as listed in the Landscape Development Standards, the State Model Water Efficient Landscape Ordinance or as obtained in writing from the Landscape Planning Division. Landscape construction plans are required for homeowner installed residential landscape projects with a minimum of 5,000 sf.



CITY OF ONTARIO

MEMORANDUM

TO: Otto Kroutil, Development Director
Scott Murphy, Planning Director
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Raymond Lee, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Scott Melendrez, Police Department
Art Andres, Deputy Fire Chief/Fire Marshal
Brent Schultz, Housing and Neighborhood Revitalization Director (Copy of memo only)
Sigfrido Rivera, Housing Manager
Tom Danna, T. E., Traffic/Transportation Manager
Lorena Mejia, Associate Planner, Airport Planning (Copy of memo only)
Steve Wilson, Engineering/NPDES
Mark Chase, Community & Public Services Director

FROM: Lorena Mejia,

DATE: June 10, 2015

SUBJECT: FILE #: PDEV15-020 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 **Wednesday, June 24, 2015**.

- 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 request for Development Plan approval to construct 149 single-family dwelling units on approximately 20.69 acres of land located at southwest corner of Schaefer Avenue and Haven Avenue within the Medium Density Residential and Low Density Residential land use designation (Planning Area 10A) of The Avenue Specific Plan. APN No(s): 0218-402-03, 26 & 218-392-07,09, 15

Submitted by: Brookfield Residential

- 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.

Police
Department

DOUGLAS SOREL
Signature

MGMT ANALYST
Title

6/15/15
Date

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV15-020

Address: SWC of Schaefer Avenue & Haven Avenue

APN: 0218-402-03, 26 & 218-392-07, 09, 15

Existing Land Use: Vacant

Proposed Land Use: 149 single family homes

Site Acreage: 20.69 Proposed Structure Height: 35'

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Lorena Mejia

Date: 8/28/15

CD No.: 2015-031

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: 200 +ft	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Compatibility Zones:

Zone A
 Zone B1
 Zone C
 Zone D
 Zone E

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 provided the following condition is met (see Attached).

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2015-031
PALU No.: n/a

PROJECT CONDITIONS

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.



PLANNING COMMISSION STAFF REPORT

March 22, 2016

SUBJECT: A Development Plan (File No. PDEV15-018) to construct a 54-foot tall stealth wireless telecommunication facility and a Conditional Use Permit (File No. PCUP15-011) to operate the wireless facility within 500-feet of residentially zoned property, located within an existing 2.68-acres site at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential-11.1 to 18.0 DU/Acres) zoning district. (APN: 1048-451-51); submitted by Verizon Wireless.

PROPERTY OWNER: Calvary Apostolic Tabernacle Church

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PDEV15-018 and PCUP15-011, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 2.68 acres of land and is located at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential-11.1 to 18.0 DU/Acres) zoning district, and is depicted in Figure 1: Project Location, below. The general zoning designation of the area is Medium Density Residential and is developed with single family homes to the north, multi-family homes to the south, multi-family homes and the Sovereign Grace Baptist Church to the east, and single family and multi-family homes to the west. The subject property is an existing place of worship (Calvary Apostolic Tabernacle Church) and is developed with three structures and 134 parking spaces (see Attachments A & B: Site Plan & Existing Church Uses). The property has street frontage on Virginia Avenue, "G" Street and Flora Street with vehicular access on Virginia Avenue and G Street. The property is secured with a 6' tall decorative wrought iron fence with pilasters along the north, south and west

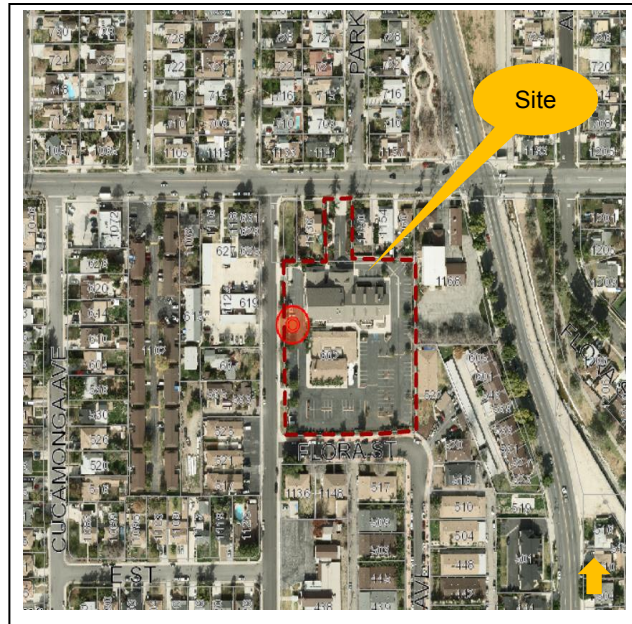


Figure 1: Project Location

Case Planner:	Luis E. Batres	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	2-17-16	Approved	Recommend
Submittal Date:	4-30-15	ZA			
Hearing Deadline:	August 3, 2016	PC	3-22-16		Final
		CC			

property lines and a 6' tall block wall along the east property line and portions of the north property line.

PROJECT ANALYSIS:

[1] Background —On June 28, 2011 the Planning Commission approved a Development Plan (PDEV10-007), a Conditional Use Permit (PCUP10-028), and a Variance (PVAR11-001) to exceed the 35 foot height limit to allow for the construction of a 48'-tall T-Mobile stealth wireless telecommunication facility. The wireless facility was designed to be housed within a roof cupola proposed on the west gable end of the church roof. During the construction plan phase of the project, it was determined the existing roof could not support the weight of the cupola, thereby resulting in the revision of the project. The applicant is now proposing to construct a free standing 54 foot high tower design for the wireless facility. In addition, since the approval of the previous project in 2011, the height limit for single user telecommunication facilities has increased to 55-feet as a result of the Development Code update that went into effect on January 1, 2016.

On February 17, 2016, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the project.

[2] Proposed Project — Verizon Wireless is requesting approval of a Development Plan and Conditional Use Permit to construct and operate a 54-foot tall single-user wireless telecommunication facility with an equipment enclosure. The dimensions of the tower are 14'-4" by 14'-4" by 54'-tall. The equipment enclosure dimensions are 10' by 18' by 8' tall. The enclosure will be located just behind the proposed tower (see Attachment A: Site Plan). The maximum allowed height in the zone for a single telecommunication user is 55-feet, and 65-feet for a co-located facility. Therefore, the proposed height is consistent for the zone.

The wireless facility is will be located within the parking lot area just north of the church sanctuary building. The facility will be partially screened from street view (G Street) by existing single family homes located just north of the site. The tower will serve to house the communication facility (Antennas) and provide an identifiable architectural feature for the church.

The tower will be designed to complement the existing Colonial Revival architectural style of the church and related structures on site. The bottom portion of the tower will feature a decorative cornice treatment with tongue-and-groove siding with walk-through openings that lead into an outside plaza area. The center portion of the tower will feature horizontal tongue-and-groove siding and a church cross that has been inset into the face of the structure. The top of the tower will feature three arched elements and a hipped roof, finished with composition shingles. To enhance the base and perimeter of the tower, a 3-foot wide landscape planter will be provided along the north, east, and

west sides (see Attachment C: Landscape Plan). The applicant is proposing to use the same architecture style, colors, and construction materials (stucco, composition roof shingles, and horizontal wood siding) as those of the existing church (see Figure 2: Simulation of Tower). The equipment enclosure is proposed to be constructed of concrete block with a decorative cap, and will be textured and painted to match the sanctuary building. A landscape planter will also be incorporated around the equipment enclosure.



Figure 2: Simulation of Tower

[3] Site Access/Circulation — The subject property has street frontages on North Virginia Avenue, East “G” Street and Flora Street, and has vehicular access on Virginia Avenue and G Street. All streets are fully improved and no improvements are being requested as part of this project. In regards to access, the proposed facility will be accessed from “G” Street, through an existing driveway entrance.

[4] Parking — The proposed project will displace one existing parking space, therefore, as a condition of approval, the project will be required to replace the parking space along the south portion of the site. In accordance with the Ontario Development Code, the project will utilize one parking space on site. The parking space will be used

by the maintenance engineers once a month to service the communication facility and, therefore, no parking issues are anticipated.

[5] Conditional Use Permit — A Conditional Use Permit (CUP) is required for this project due to its proposed placement within 500 feet of residential development. The intent of a CUP application and review is to ensure that the use will be operated in a manner consistent with local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. Uses are also conditioned to mitigate for their potential impacts on the immediate area.

The applicant is requesting approval of a CUP to establish and operate a 54-foot tall single-user wireless telecommunication facility. The location will provide an opportunity for the carrier to improve telecommunication coverage in the area. Figures 3 and 4 below illustrate the existing wireless coverage and the proposed expanded coverage once the project is completed.

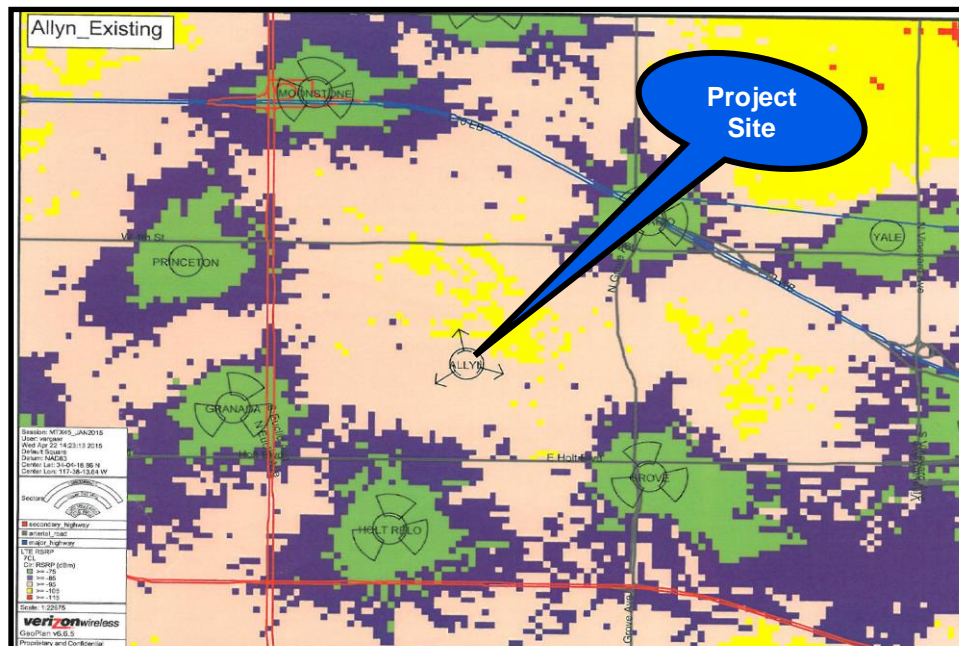


Figure 3: Existing Coverage

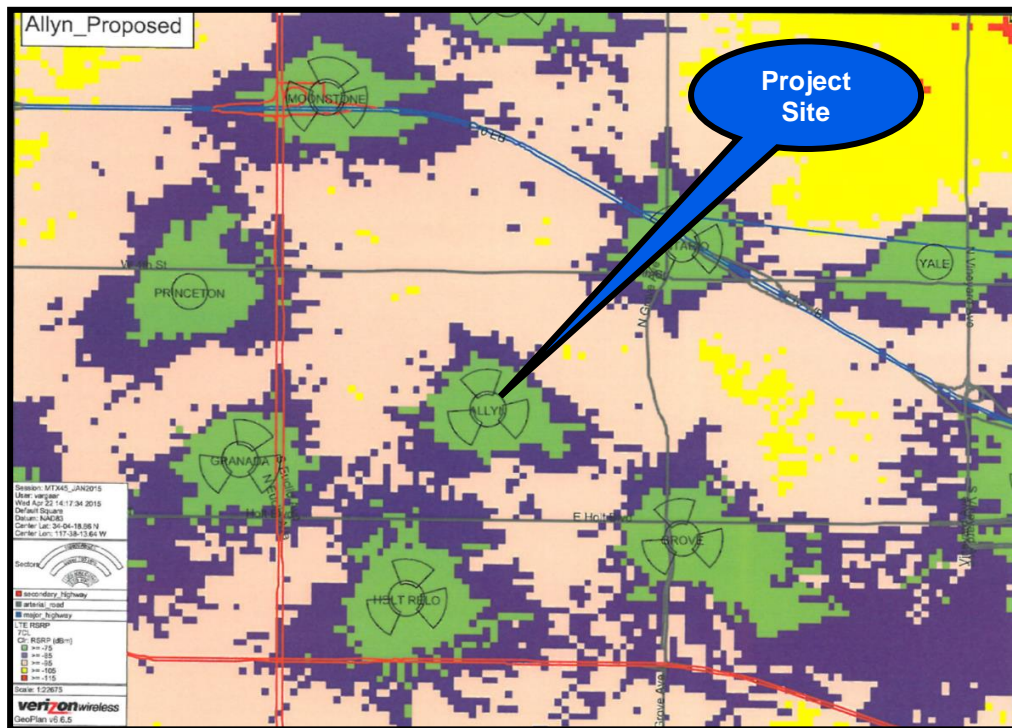


Figure 3: Proposed Coverage

Special attention has been given to the site design, architecture and the placement of the tower to blend in with uses on-site and not disrupt the residential neighborhood. Therefore, no negative impacts are anticipated. Conditions of approval have also been placed to ensure the project will not adversely impact the immediate area.

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 Priorities

Primary Goal: Regain Local Control of Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy;
- Operate in a Businesslike Manner; and
 - Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

[2] Policy Plan (General Plan)

Land Use Element — Compatibility

- 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.

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.
 - CE2-2 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.

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.
 - CD1-1 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.
 - 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.

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.

➤ CD2-7 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.

➤ CD2-9 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.

➤ CD2-13 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.

Community Design — 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.

AIRPORT LAND USE COMPATIBILITY PLAN COMPLIANCE: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has

been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32: In-Fill Development) of the CEQA Guidelines, based on the following:

- The project is consistent with the general plan designation and all the general plan policies as well as with the zoning designation and regulations;
- The project occurs within city limits on a site of less than five acres, and is substantially surrounded by urban uses;
- The site has no value as habitat for endangered, rare or threatened species because the site is fully developed with structures and surface parking; and
- The site can be adequately served by all required utilities and public services.

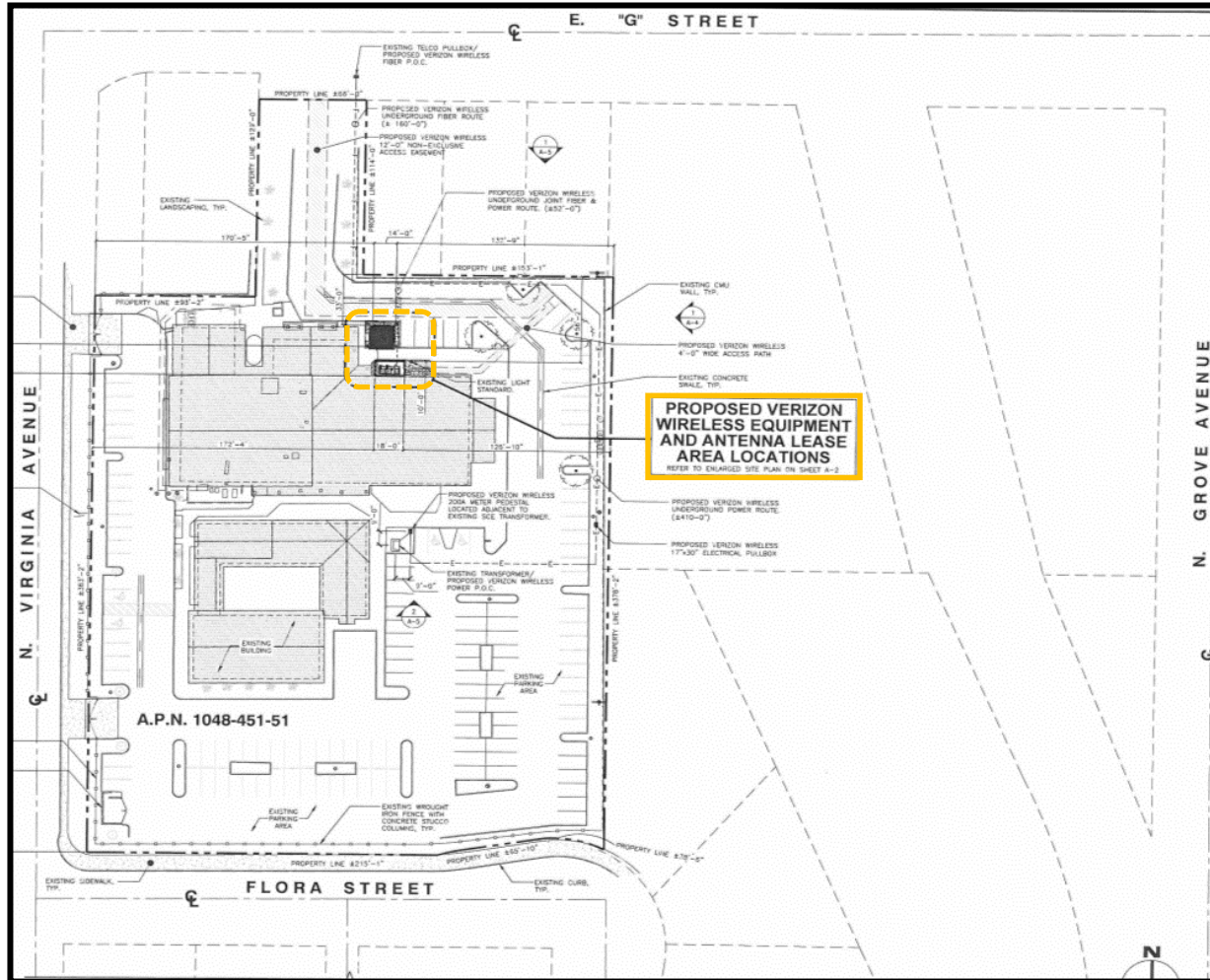
CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

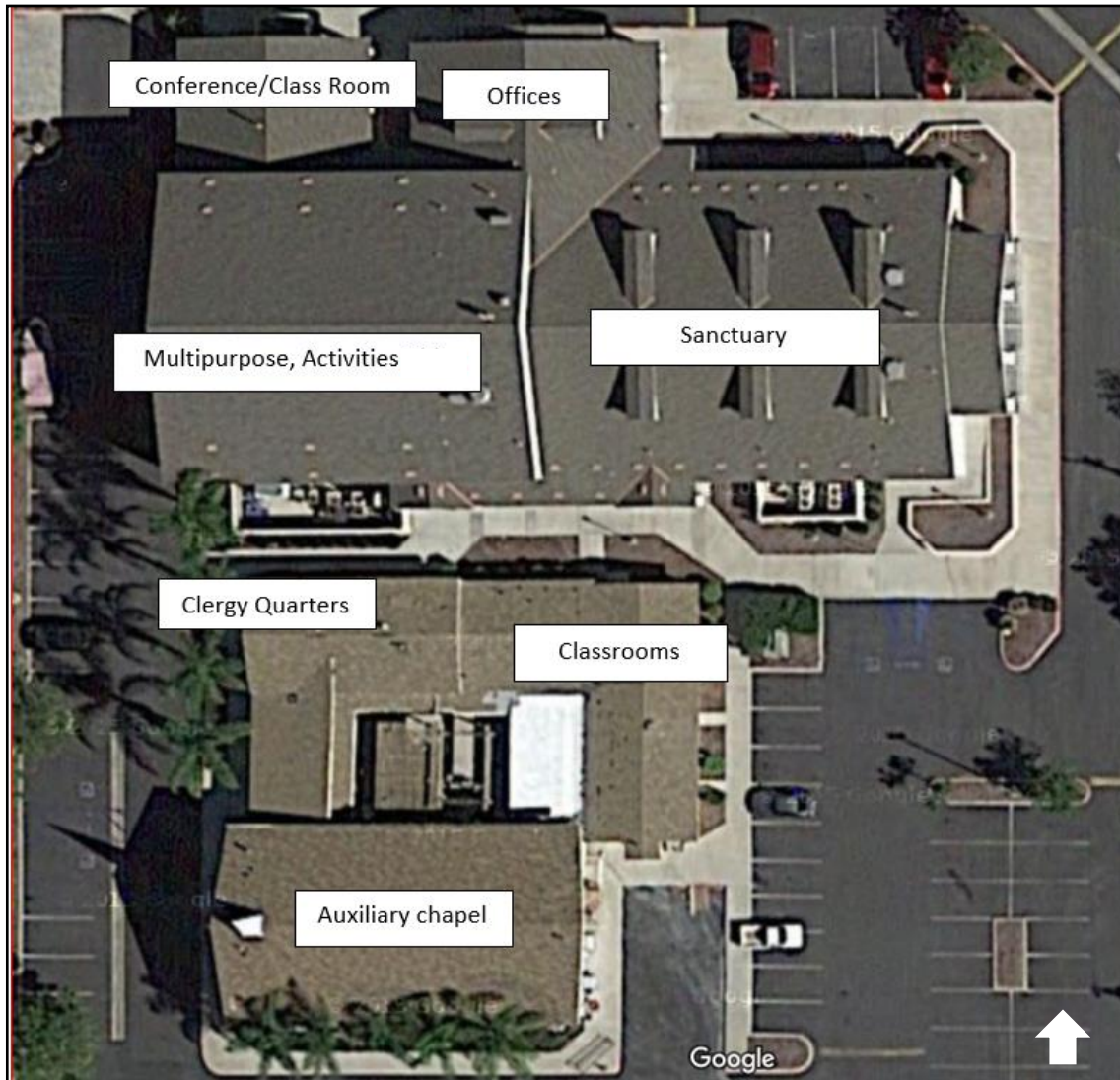
Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Religious Assembly Use	MDR & LMDR	MDR-18	n/a
<i>North</i>	Single Family Homes	LMDR & LDR	MDR-11	n/a
<i>South</i>	Multi Family Homes	MDR	MDR-18	n/a
<i>East</i>	Religious Assembly Use/Multi Family Homes	LMDR & MDR	MDR-11 & MDR-18	n/a
<i>West</i>	Single Family Homes & Multi Family Homes	MDR	MDR-18	n/a

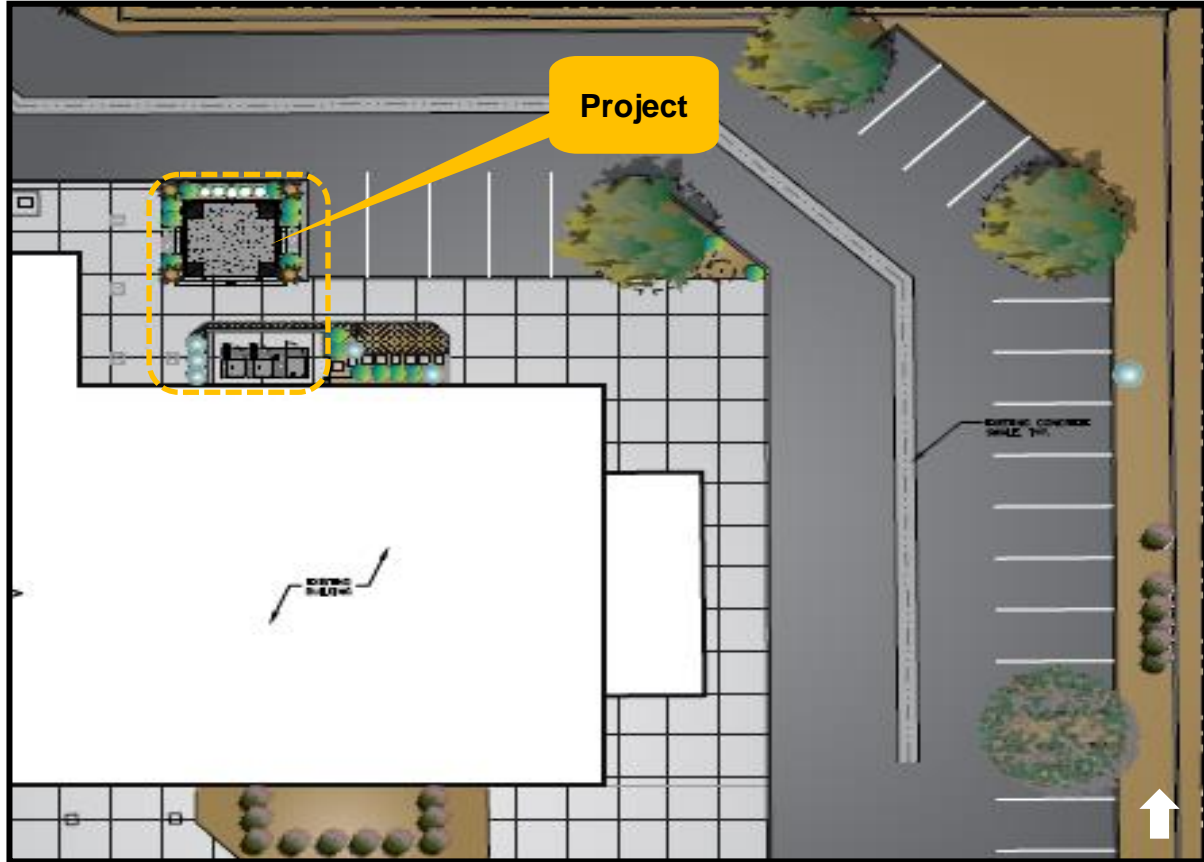
Attachment A: Site Plan



Attachment B: Existing Church Uses



Attachment C: Landscape Plan



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV15-018, A DEVELOPMENT PLAN TO CONSTRUCT A 54-FOOT TALL, STEALTH, WIRELESS TELECOMMUNICATION FACILITY ON A 2.68-ACRE SITE AT 602 N. VIRGINIA AVENUE, WITHIN THE MDR-18 (MEDIUM DENSITY RESIDENTIAL-11.1 TO 18.0 DU/ACRES) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-451-51.

WHEREAS, VERIZON WIRELESS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV15-018, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.68 acres of land located at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential 11.1 to 18.0 DU/Acres) zone, and is presently improved with a church; and

WHEREAS, the property to the north of the Project site is within the MDR-11 zoning district and is developed with single family homes. The property to the east is within the MDR-11 & MDR-18 zoning districts and is developed with multi-family homes and a church. The property to the south is within the MDR-18 zoning district and is developed with multi-family homes. The property to the west is within the MDR-18 zoning district and is developed with single and multi-family homes; and

WHEREAS, approval of an accompanying Conditional Use Permit (File No. PCUP15-011) will allow for the telecommunication tower to operate within 500-feet of residentially zoned property; 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 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.

WHEREAS, 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); 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, on February 17, 2016, the Development Advisory Board of the City of Ontario conducted a hearing and issued Decision No. DAB16-001 recommending the Planning Commission approve the Application; and

WHEREAS, on March 22, 2016, 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. As the decision-making 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:

a. The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32: In-Fill Development), of the CEQA Guidelines, based on the following:

1. The project is consistent with the general plan designation and all the general plan policies as well as with the zoning designation and regulations;
2. The project occurs within city limits on a site of less than five acres, and is substantially surrounded by urban uses;
3. The site has no value as habitat for endangered, rare or threatened species because the site is fully developed with structures and surface parking; and
4. The site can be adequately served by all required utilities and public services.

b. The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2. 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 above, the Planning Commission hereby concludes as follows:

a. 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.

b. 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 is a compatible use with the project site, and the surrounding area. The proposed telecommunication tower has been architecturally designed to complement the existing structures of the existing church in colors and materials. The tower will serve two functions. One, to house the communication facility and two, to provide an identifiable architectural feature for the church. In addition, the proposed height of 54 feet is below the allowed height of 55 feet. Once completed, the proposed telecommunication tower will look like it was always part of the original development of the site.

c. 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 proposed wireless telecommunication tower will provide necessary coverage for Verizon customers in the area, where there is currently deficient coverage. By improving coverage in the immediate area, this will also improve public safety because both the public and police will be able to communicate better. The tower will also serve as an identifiable architectural feature for the church property.

d. The project will not have a significant adverse impact on the environment. The proposed project is categorically exempt from environmental review pursuant to Section 15332 (Class 32: In-Fill Development), of the California Environmental Quality Act Guidelines, based on the following:

1. The project is consistent with the general plan designation and all the general plan policies as well as with the zoning designation and regulations, and
2. The project occurs within city limits on a site of less than five acres, and is substantially surrounded by urban uses, and
3. The site has no value as habitat for endangered, rare or threatened species because the site is fully developed with structures and surface parking, and
4. The site can be adequately served by all required utilities and public services.

The project was reviewed by all the various City departments, which include Fire and Police, and they are all in support.

e. The proposed development is consistent with the development standards set forth in the Development Code, or applicable specific plan or planned unit development. The project is consistent with the development standards set forth in the Ontario Development Code. The project is not requesting any variances. If the proposed Conditional Use Permit is approved, the proposed telecommunication tower will meet all the Development Code requirements as specified in the Ontario Development Code.

f. The project is consistent with the design guidelines set forth in the Ontario Development Code. The proposed telecommunication tower meets the City's design guidelines as specified in the Ontario Development Code. To complement the existing developments on the site, the facility has been designed as a stealth church tower. The tower will serve two functions. One, to house the communication facility and two, to provide an identifiable architectural feature for the church. The bottom portion of the tower will feature a decorative cornice treatment with tongue and groove siding with walk-through openings that lead into an outside plaza area. The center portion of the tower will feature horizontal tongue and groove siding and a church cross that has been inset into the face of the structure. The top of the tower will feature three architectural arched elements and a hipped roof finished with composition shingles. To enhance the base and perimeter of the tower, a 3-foot wide landscape planter will be provided along the north, east, and west sides. In addition, the project has been designed to use the same architecture style, colors, and construction materials (stucco, composition roof shingles and horizontal wood siding) as those of the existing church.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby APPROVES the herein described Application subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

SECTION 4. 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. 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. 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 March 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PDEV15-018
March 22, 2016
Page 6

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



Planning Department Conditions of Approval

Prepared: February 2, 2016

File No: PDEV15-018 & PCUP15-011

Project Description: A Development Plan (File No. PDEV15-018) to construct a 54-foot tall stealth wireless telecommunication facility and a Conditional Use Permit (File No. PCUP15-011) to operate the wireless facility within 500-feet of residentially zoned property, located within an existing 2.68-acres site at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential-11.1 to 18.0 DU/Acres) zoning district. (APN: 1048-451-51); submitted by Verizon Wireless.

Prepared by: Luis E. Batres, Senior Planner

Phone: (909) 395-2431

Email: Lbatres@ci.ontario.ca.us

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following conditions of approval:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 1020-021 on March 16, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Time Limits. Project 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. 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.

3.0 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:

3.1 Landscaping.

(a) All dead and or missing landscaping within the project site (subject property) shall be replaced. A working sprinkler system shall be installed and system shall be set on a timer.

(b) All landscaped areas (existing and proposed) shall be regularly maintained. Any dead or missing plants, trees, or ground cover shall be replaced immediately once they are identified by the applicant, property ownership and or City staff.

3.2 Additional Fees.

(a) After 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.

(b) Within 5 days following final application approval, the Notice of Determination (NOD), Notice of Exemption (NOE), 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 will 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 the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

3.3 Additional Requirements.

- (a) Parking space(s) displaced by the project shall be replaced along the southern portion of the property. Applicant shall work with staff during plan check to accomplish this.
- (b) Any damage to existing metal fencing/block walls shall be repaired prior to getting a final for this project.
- (c) Telecommunication equipment shall not be visible inside of the proposed tower or equipment enclosure.
- (d) A final inspections from Planning shall be required prior to a final given by Building and Safety.
- (e) Equipment enclosure gates shall feature decorative metal gates. Applicant shall work with Planning during the plan check process.
- (f) A City business license shall be obtained prior to a final from Planning and Building and Safety.
- (g) A sign (2' x 2') identifying the carrier(s) and a contact phone number for emergencies and maintenance issues, shall be posted near the facility within the views of a 6' tall individual. The sign location and information shall be clearly marked on construction drawings submitted for plan check review. Updated information shall also be maintained on the sign at all time during the life of this communication facility.
- (h) If any communication disruption/interference is detected with the new facility, the applicant shall correct the problem 24-hours from notification, if not sooner.
- (i) Regular maintenance and upkeep shall be provided to this facility and to the entire subject property.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres
Planning Department

FROM: Adam A. Panos, Fire Protection Analyst
Bureau of Fire Prevention

DATE: May 20, 2015

SUBJECT: PDEV15-018 - A Development Plan to construct a stealth wireless telecommunication facility (Verizon Wireless) within a proposed tower for an existing church on 2.68 acres of land located at 602 North Virginia Avenue, within the R2 (Medium Density Residential) zoning district (APN: 1048-451-51). Related Files: PCUP15-011 and PVAR15-004.

- The plan **does** adequately address Fire Department requirements at this time.
- No comments or conditions
 - Conditions of approval below.
- The plan **does NOT** adequately address Fire Department requirements at this time.
- Comments / corrections below.

SITE AND BUILDING FEATURES:

- A. Type of Building Construction Used: VB – Non Rated
- B. Roof Materials Used: N/A
- C. Ground Floor Area(s): 180 sq. ft.
- D. Number of Stories: N/A
- E. Total Square Footage: 180 sq. ft.
- F. Type of Occupancy: 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.ci.ontario.ca.us, 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 twenty-six (26) 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](#).

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2013 California Fire Code, Appendix B, is ___ gallons per minute (g.p.m.) for ___ hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

- 3.2 Off-site street 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.
- 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- 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

- 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- 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 13. 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 Fire Department Connections (FDC's) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department Connection(s) shall be painted red, five feet either side, per City standards.
- 4.5 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.
- 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA)

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- 4.8 Hose valves with two and one half inch (2 ½") connections will be required on the roof, in locations acceptable to the Fire Department. These hose valves shall take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.
- 4.9 Due to inaccessible rail spur areas, two and one half inch 2-1/2" fire hose connections shall be provided in these areas. These hose valves shall take their water supply from the automatic fire sprinkler systems, and shall be included in the design submitted for these systems. Identification shall be provided for all hose valves per Standard #D-004.

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 9-1.3280 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 9-1.3280 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.
- 5.6 Knox brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP15-011, A CONDITIONAL USE PERMIT TO OPERATE A WIRELESS FACILITY WITHIN 500-FEET OF RESIDENTIALLY ZONED PROPERTY, FOR A 2.68-ACRE PARCEL OF LAND LOCATED AT 602 N. VIRGINIA AVENUE, WITHIN THE MDR-18 (MEDIUM DENSITY RESIDENTIAL-11.1 TO 18.0 DU/ACRES) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-451-51.

WHEREAS, VERIZON WIRELESS ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP15-011, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.68 acres of land located at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential 11.1 to 18.0 DU/Acres) zone, and is presently improved with a church; and

WHEREAS, the property to the north of the Project site is within the MDR-11 zoning district and is developed with single family homes. The property to the east is within the MDR-11 & MDR-18 zoning districts and is developed with multi-family homes and a church. The property to the south is within the MDR-18 zoning district and is developed with multi-family homes. The property to the west is within the MDR-18 zoning district, and is developed with single and multi-family homes; and

WHEREAS, approval of an accompanying Development Plan (File No. PDEV15-018) will allow for the development of a 54-foot tall, stealth wireless telecommunication facility on the subject property; 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 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.

WHEREAS, 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); 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, on February 17, 2016, the Development Advisory Board of the City of Ontario conducted a hearing and issued Decision No. DAB16-002 recommending the Planning Commission approve the Application; and

WHEREAS, on March 22, 2016, 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. As the decision-making 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:

a. The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32: In-Fill Development), of the CEQA Guidelines, based on the following:

1. The project is consistent with the general plan designation and all the general plan policies as well as with the zoning designation and regulations;
2. The project occurs within city limits on a site of less than five acres and is substantially surrounded by urban uses;
3. The site has no value as habitat for endangered, rare or threatened species because the site is fully developed with structures and surface parking; and
4. The site can be adequately served by all required utilities and public services.

b. The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2. 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 above, the Planning Commission hereby concludes as follows:

a. 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.

b. The proposed location of the Conditional Use Permit is in accord with the objectives and purpose of the Development Code and zoning district within which the site is located. The proposed location of the Conditional Use Permit meets the intent of the MDR-18 (Medium Density Residential 11.1 to 18.0 DU/Acres) zone district's allowable uses and can adequately support a wireless telecommunication tower and accompanying equipment enclosure. In addition, the project is a compatible use with the project site, and the surrounding area. The telecommunication tower has been architecturally designed to complement the existing structures of the existing church in colors and materials. The tower will serve two functions. One, to house the communication facility and two, to provide an identifiable architectural feature for the church.

c. The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the TOP policy plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The proposed location of the wireless telecommunication tower is consistent with the goals and objectives of the TOP Policy plan, of providing proper infrastructure to residents in the City of Ontario. The proposed wireless telecommunication tower will provide necessary coverage for Verizon customers in the area, where there is currently deficient coverage. By improving coverage in the immediate area, this will also improve public safety because both the public and police will be able to communicate better. Additionally, the wireless telecommunication tower will not negatively affect the general safety or welfare of the surrounding community, because the proposed project is a stealth design that will complement the existing structure of the existing church. In addition, the proposed project is categorically exempt from environmental review pursuant to Section 15332 (Class 32: In-Fill Development), of the California Environmental Quality Act Guidelines, based on the following:

1. The project is consistent with the general plan designation and all the general plan policies as well as with the zoning designation and regulations;
2. The project occurs within city limits on a site of less than five acres, and is substantially surrounded by urban uses;
3. The site has no value as habitat for endangered, rare or threatened species because the site is fully developed with structures and surface parking; and
4. The site can be adequately served by all required utilities and public services.

The project was also reviewed by all the various City departments, which include Fire and Police, and they are all in support.

d. Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to the public safety. The proposed wireless telecommunication tower will not create a significant new source of vehicle or truck traffic, nor negatively impact any part of the surrounding circulation system. In accordance to the Development Code, the proposed project will provide one parking space on site, which will be used once a month when maintenance engineers visit the site.

e. The proposed Conditional use Permit will comply with each of the applicable provisions of the Development Code. The project is not requesting any variances, therefore, no impacts are anticipated.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby APPROVES the herein described Application subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

SECTION 4. 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. 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. 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 March 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PCUP15-011
March 22, 2016
Page 6

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



Planning Department Conditions of Approval

Prepared: February 2, 2016

File No: PDEV15-018 & PCUP15-011

Project Description: A Development Plan (File No. PDEV15-018) to construct a 54-foot tall stealth wireless telecommunication facility and a Conditional Use Permit (File No. PCUP15-011) to operate the wireless facility within 500-feet of residentially zoned property, located within an existing 2.68-acres site at 602 N. Virginia Avenue, within the MDR-18 (Medium Density Residential-11.1 to 18.0 DU/Acres) zoning district. (APN: 1048-451-51); submitted by Verizon Wireless.

Prepared by: Luis E. Batres, Senior Planner

Phone: (909) 395-2431

Email: Lbatres@ci.ontario.ca.us

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following conditions of approval:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 1020-021 on March 16, 2010. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Time Limits. Project 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. 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.

3.0 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:

3.1 Landscaping.

(a) All dead and or missing landscaping within the project site (subject property) shall be replaced. A working sprinkler system shall be installed and system shall be set on a timer.

(b) All landscaped areas (existing and proposed) shall be regularly maintained. Any dead or missing plants, trees, or ground cover shall be replaced immediately once they are identified by the applicant, property ownership and or City staff.

3.2 Additional Fees.

(a) After 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.

(b) Within 5 days following final application approval, the Notice of Determination (NOD), Notice of Exemption (NOE), 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 will 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 the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

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CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres
Planning Department

FROM: Adam A. Panos, Fire Protection Analyst
Bureau of Fire Prevention

DATE: May 20, 2015

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- 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 9-1.3280 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 9-1.3280 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.
- 5.6 Knox brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.
- 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

6.0 OTHER SPECIAL USES

- 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



PLANNING COMMISSION STAFF REPORT

March 22, 2016

SUBJECT: A City initiated request to change the General Plan (**File No. PGPA16-001**) land use designations on 83 properties generally located south of Fourth Street and west of Euclid Avenue, and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03). (Related File No.: PZC16-001). **City initiated. City Council action is required.**

PROPERTY OWNER: Various

RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, and approval of File No. PGPA16-001, pursuant to the facts and reasons contained in the staff report and attached resolutions.

PROJECT ANALYSIS:

[1] Background — In 2010, The Ontario Plan (“TOP”) was adopted that contains the Policy Plan (General Plan) which sets forth the land use pattern for the City to achieve its Vision. After adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City and to update the Development Code. Staff worked to establish zones that will effectively implement the intent of TOP. The Development Code update has been adopted and went into effect January 1, 2016. This application is part of this TOP-Zoning Consistency effort.

The proposed General Plan Amendment (**File No.: PGPA16-001**) is designed to support the zone changes being processed concurrently (**File No.: PZC16-001**). During the review of the approximate 1,100 sites needing zone changes, staff found that the land use designations of the subject 83 parcels should be changed to be more in keeping with the existing development of the sites while retaining the overall City vision for the areas as shown in Exhibit A of the attached resolution.

The proposed General Plan Amendment will result in the changes to the land use map (Exhibit LU-01) and to the Future Buildout Table (LU-03) shown in Exhibits A and B of the attached resolution.

<i>Case Planner:</i>	C. Burden/ M. Mullis	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB	NA	NA	NA
<i>Submittal Date:</i>	N/A	ZA	NA	NA	NA
<i>Hearing Deadline:</i>	NA	PC	3/22/16		Recommend
		CC			Final

[2] Community Open Houses – Community Open Houses were held on January 25 and January 27, 2016, for this General Plan Amendment (**File No.: PGPA16-001**) and the associated zone change application (**File No. PZC16-001**). Subject property owners and property owners within 300 feet were notified of the meeting. About 250 people attended. No one provided written comments regarding the proposed General Plan Amendment.

Staff is recommending approval of the proposed General Plan Amendment affecting 83 properties predominately located south of Fourth Street and west of Euclid Avenue.

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 Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals: Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy

[2] Policy Plan (General Plan)

Land Use Element — Balance, Compatibility, Phase Growth & Airport Planning

▪ 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 stage 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 which 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 reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

- Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.
 - LU4-1: Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designations allow for the continuation of existing uses while maintaining a logical land use pattern in and around the affected areas.

- 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 required general plans, specific plans and all new development by 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 is consistent with the adopted Airport Land Use Compatibility Plan for both Ontario 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 properties are located within the 60 to 65 CNEL of the 65 to 70 CNEL Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (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 Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by 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 not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

CITY OF ONTARIO

ADDENDUM TO THE CERTIFIED ENVIRONMENTAL IMPACT REPORT FOR THE ONTARIO PLAN RE: GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATIONS ON 83 PARCELS TOTALING 38.13 ACRES AND MODIFY THE FUTURE BUILDOUT TABLE AND LAND USE PLAN TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES PURSUANT TO THE ONTARIO PLAN

A. PROJECT INFORMATION

- 1. Project Title:** General Plan Amendment (**File No. PGPA16-001**) A City initiated request to: Change the General Plan land use designations of various parcels from Low Density Residential to Rural Residential, Low Density Residential to Medium Density Residential, Low-Medium Density Residential to Neighborhood Commercial, Medium Density Residential to Low Density Residential, Medium Density Residential to Neighborhood Commercial, Office Commercial to Medium Density Residential, Business Park to General Commercial, Business Park and Open Space-Non Recreation to Open Space – Non Recreation and Right of Way to Airport.

- 2. Lead Agency Name and Address:** City of Ontario
303 East "B" Street
Ontario, CA 91764

- 3. Contact Person(s) and Phone** Clarice Burden, Associate Planner (909) 395-2432

- 4. Project Location:** 83 parcels totaling 38.13 acres located throughout the City, mainly south of Fourth Street and west of Euclid Avenue

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.

PROJECT DESCRIPTION:

The City has initiated a request to change the General Plan land use designations on 83 parcels totaling 38.13 acres located throughout the City, mainly south of Holt Boulevard and west of Euclid Avenue. The changes are to accommodate the existing uses of the properties and to coordinate with the surrounding area. The project also includes modifications to the Future Buildout Table and changes to the General Plan land use map in order to be consistent with these changes.

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 for the project and 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 of the approximate 37 acres associated with this amendment, will result in less development than TOP EIR analyzed at buildout.

	Units	Population	Non-Residential Square Footage	Jobs
Original TOP EIR	104,644	360,851	257,405,754	325,794
After Proposed Project	101,155	349,912	246,496,640	312,239

Since the anticipated buildout associated from the proposed changes will be less than originally analyzed in TOP EIR, no 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.

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 more in keeping with the existing use of the properties. 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 an EIR or negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines § 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines § 15162(b).) When only minor technical changes or additions to the EIR or 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, § 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 TOP 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. In accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). The 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 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 resultant population and employment growth in the City. The proposed land use designation changes reflect the existing uses of the properties or closely coordinate with TOP land use designations in 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 must be 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 the 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 Council hereby adopts this Addendum to TOP EIR.

California Environmental Quality Act Environmental Checklist Form

City of Ontario
Planning Department
303 East "B" Street
Ontario, California
Phone: (909) 395-2036
Fax: (909) 395-2420



Project Title/File No.: PGPA16-001

Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

Contact Person: Clarice Burden, Associate Planner (909)395-2432

Project Sponsor: City of Ontario, 303 East "B" Street, Ontario, California 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 4, below, the project site consists of 83 parcels totaling approximately 38 acres located throughout the City.

Figure 1: Regional Location Map



Figure 2—Vicinity Maps

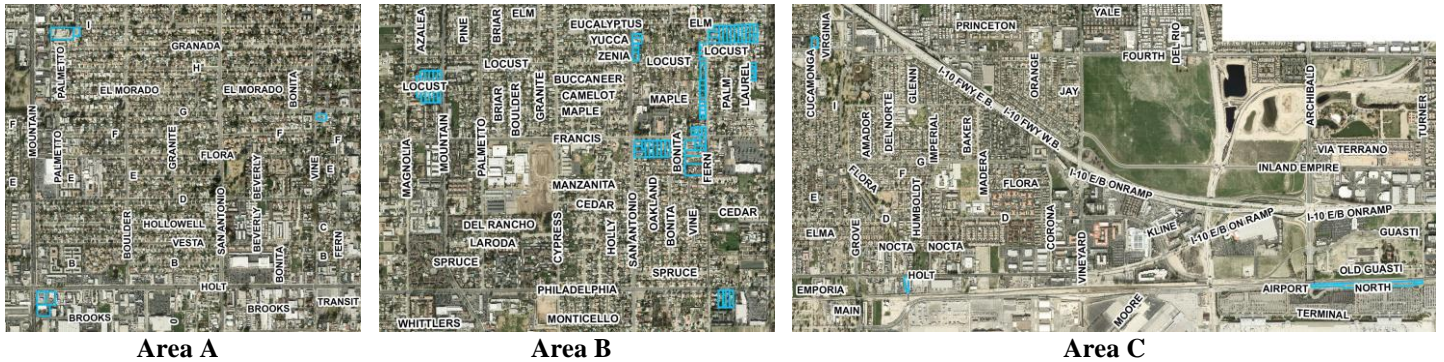


Figure 3—Proposed General Plan Amendments

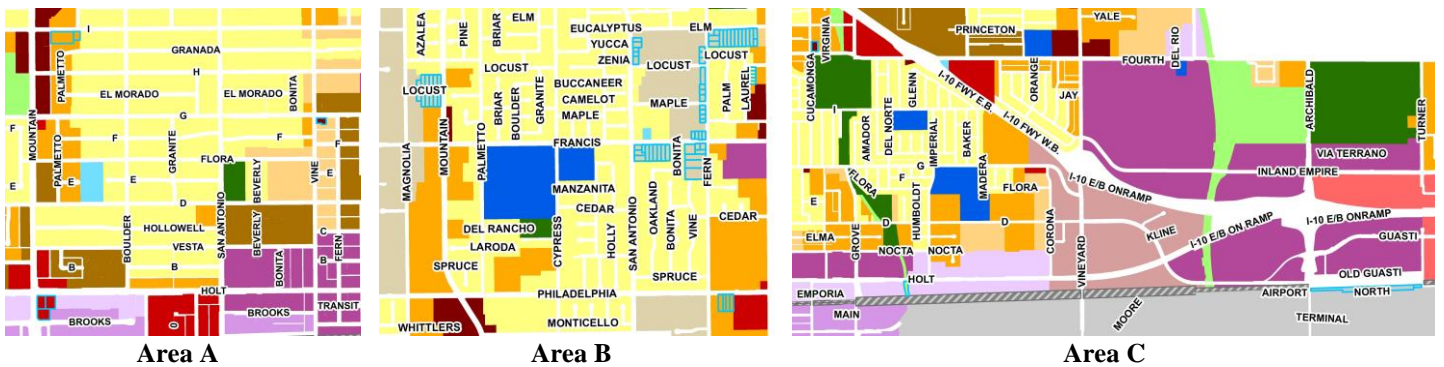


Figure 4—Airport Landuse Compatibility Review

See Exhibit B attached

General Plan Designation: Proposal to change the General Plan land use designations on 83 parcels totaling 38.13 acres of land located as shown in Exhibit A.

Zoning: Various (See Exhibit A)

Description of Project: A City initiated request to change the General Plan (**File No. PGPA16-001**) land use designation from:

- Low Density Residential to Rural Residential,
- Low Density Residential to Medium Density Residential,
- Low-Medium Density Residential to Neighborhood Commercial,
- Medium Density Residential to Low Density Residential,
- Medium Density Residential to Neighborhood Commercial,
- Office Commercial to Medium Density Residential,
- Business Park to General Commercial,
- Business Park and Open Space-Non Recreation to Open Space – Non Recreation, and
- Right of Way to Airport

and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03).

Project Setting: The project is comprised of 83 parcels totaling 38.13 acres of land located as shown in Exhibit A.

Surrounding Land Uses:

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	Various	Various
▪ South—	Various	Various
▪ East—	Various	Various
▪ West—	Various	Various

Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement): None

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 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"/> Population / Housing | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation / Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

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 Certified The Ontario Plan (TOP) Environmental Impact Report (EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed upon the proposed project, the analysis from the Certified TOP EIR was used as a basis for this Addendum, nothing further is required.

Signature

Clarice Burden
Printed Name

March 1, 2016
Date

Ontario Planning Department
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>No Impact</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) Substantially degrade the existing visual character or quality of the site and its surroundings?	<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"/>
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:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors 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 federally protected wetlands as defined by Section 404 of the Clean Water Act (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 as defined in 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) 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to 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"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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 (1994), creating substantial 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"/>
7) 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"/>
8) 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"/>
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 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10) 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) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11) 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"/>
12) NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels 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) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e) For a project located within 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, 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"/>
13) POPULATION AND HOUSING. Would the project:				
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14) 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?	<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"/>
15) 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"/>
16) TRANSPORTATION/TRAFFIC. Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17) UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? 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).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18) MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to 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"/>
b) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

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 not have a significant adverse effect 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 only proposes General Plan Amendments on 83 parcels located throughout the City. The Project does not permit 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?**

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. SR-83 (Euclid Avenue) traverses through the City and a portion of it is designated as a National Landmark. The proposed project does not authorize any new construction and will not impact the scenic or historic character of SR-83. None of the 83 properties are listed on the Ontario Register (List of Historic Resources). Therefore, it will not result in adverse environmental impacts.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **Substantially degrade the existing visual character or quality of the site and its surroundings?**

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by development and is surrounded by urban land uses. The proposed General Plan Amendments reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area. Therefore, no impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 land use designations on the properties will not introduce new lighting to the surrounding area beyond what was anticipated in the Certified TOP FEIR. Therefore, no new adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 sites are mostly developed and do not contain any agricultural uses. Further, the sites are identified as Urban Built up land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. The project will not create any new impacts to agricultural uses in the vicinity which were not identified in the Certified TOP FEIR. As a result, no new adverse environmental 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion of Effects: The project site is not and will not be zoned for agricultural use. The project proposes to change the General Plan land use designations for these 83 parcels. 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 sites. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing zoning or Williamson Act contracts.

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 FEIR. No changes or additions to TOP FEIR 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 designations on various properties 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 adverse 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 FEIR. No changes or additions to TOP FEIR 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 The Ontario Plan 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 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 FEIR. No changes or additions to TOP FEIR 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 FEIR. While conversion of farmland increases the potential for adjacent areas to also be converted from farmland to urban uses, the Project does not directly result in conversion of farmland. No new cumulative impacts beyond those identified in TOP FEIR would result from Project implementation. The potential for growth inducement due to extension of utility systems into the City is addressed in TOP FEIR. There are no agricultural uses occurring onsite. 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 The Ontario Plan 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 FEIR. No changes or additions to TOP FEIR 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 FEIR. TOP FEIR has addressed short-term construction impacts, however, 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 FEIR would result from Project implementation. Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not generate significant new or greater air quality impacts than identified in TOP FEIR.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) **Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not generate significant new or greater air quality impacts than identified in TOP FEIR. 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 FEIR would result from Project implementation.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not generate significant new or greater air quality impacts than identified in TOP FEIR. 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 FEIR would result from Project implementation.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) **Expose sensitive receptors to substantial pollutant concentrations?**

Discussion of Effects: As discussed in Section 5.3 of TOP FEIR, 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 reflects the existing use of the properties or closely correlates to the land use designations of the surrounding area and will not generate significant new or greater air quality impacts than identified in TOP FEIR. Adequate mitigation (Mitigation Measure 3-1) has already been adopted by the City that would reduce air pollutants to a less-than-significant level. No new impacts beyond those identified in TOP FEIR would result from Project implementation.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) **Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The proposed General Plan Amendment does 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 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 FEIR. No changes or additions to TOP FEIR 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 Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (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: None 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 FEIR. No changes or additions to TOP FEIR 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 proposed General Plan Amendment does not authorize construction of any new buildings. Future development would be subject to TOP FEIR requirements for implementation of regulatory and standard conditions of approval to mitigate for impacts to species and project-specific CEQA review will be undertaken at the appropriate time. Policy ER5-1 encourages efforts to conserve flood control channels and transmission line corridors as wildlife movement corridors. Therefore, no adverse environmental impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 ordinances protecting biological resources. Further, the proposed General Plan Amendment does not authorize any new construction. Therefore the General Plan Amendment does not conflict with existing plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

5) CULTURAL RESOURCES. Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

Discussion of Effects: The project contains no buildings constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. In addition, Title 9, Chapter 1, Article 4, Section 9-1.0412 and 9-1.0413, and Article 26 of the City of Ontario Municipal Code protects sensitive historical resources of local interest. No new impacts beyond those identified in TOP FEIR would result from the Project.

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 FEIR. No changes or additions to TOP FEIR 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 FEIR (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/or graded for the existing development 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 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) 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 Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the Project does not directly propose excavation and standard conditions will be imposed on any future development that in the event that unanticipated paleontological resources are identified during excavation, construction activities will not continue or will moved to other parts of the project site and a qualified paleontologist shall be contacted to determine the significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Disturb any human remains, including those interred outside of formal cemeteries?

Discussion of Effects: Changing the General Plan land use designation on 83 parcels totaling 38.13 acres 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. Thus, 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 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

6) **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 Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (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 future development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 Rupture Hazard Zone (formerly Alquist-Priolo Zone). The Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The proposed change in land use designation will not approved any new construction. All future construction will be in compliance 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in TOP FEIR (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: None 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 FEIR. No changes or additions to TOP FEIR 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 land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Result in substantial soil erosion or the loss of topsoil?

Discussion of Effects: Changing the General Plan land use designations will not create greater erosion impacts than were identified in the Certified TOP FEIR.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 land use designations will not create greater landslide potential impacts than were identified in the Certified TOP FEIR. Therefore, no adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated. Changing the General Plan land use designation will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

7) 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 impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases (“GHGs”) was analyzed in the Environmental Impact Report (“EIR”) for the Policy Plan (General Plan). 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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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 Ontario Plan 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 Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary. The mitigation measures adopted as part of TOP FEIR adequately addresses 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 land use designations on 83 parcels totaling 38.13 acres will not create significantly greater impacts than were identified in the Certified TOP FEIR. 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: 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

8) 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 is not anticipated to 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: None 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 FEIR. No changes or additions to TOP FEIR 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 project is not anticipated to involve the 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: None 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 FEIR. No changes or additions to TOP FEIR 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: None 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 FEIR. No changes or additions to TOP FEIR 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: Changing the General Plan land use designations 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR 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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project site is located outside on the safety zone for ONT and Chino Airports.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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 everyday 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, any impacts would be reduced to a less than significant level.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- h) **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

9) **HYDROLOGY & WATER QUALITY. Would the project:**

- a) **Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?**

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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. No increases in the current amount of water flow to the project site are anticipated, and 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 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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. Stormwater generated by the future development of the project site will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any new development. The future development of the project site is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- e) **Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The General Plan changes will not increase impervious surfaces and will not increase runoff. It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code,

and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The future development of the site will be required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

h) Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

j) Expose people or structures to inundation by seiche, tsunami or mudflow?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

10) LAND USE & PLANNING. Would the project:

a) Physically divide an established community?

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. No adverse impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

11) **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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR 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: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

12) **NOISE.** Would the project result in:

- a) **Exposure of persons to or generation of noise levels 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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The proposed project does not authorize any development and any future development would need to comply with existing noise standards. As such 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) For a project located within 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: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. The project proposes to change the General Plan land use designation on seventy-two parcels, located within the 60-65 CNEL Noise Impact area and three parcels, located within the 65-70 CNEL Noise Impact area. Exhibit B describes the specific location of each of the proposed changes. These parcels are not located within safety zones. The remaining eight properties are outside the Noise Impact areas. All proposed changes were found to be consistent with the ALUCP. Therefore, no significant 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) For a project within the vicinity of a private airstrip, 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. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

13) POPULATION & HOUSING. Would the project:

- a) **Induce substantial 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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The housing units on the three parcels that contain housing will be allowed to remain.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The housing units on the three parcels that contain housing will be allowed to remain.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

14) 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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

- ii) **Police protection?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

iii) **Schools?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

iv) **Parks?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

v) **Other public facilities?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

15) **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 land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR 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 land use designation designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

16) **TRANSPORTATION/TRAFFIC.** Would the project:

a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street

improvements existing. 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 guidelines. As described on page 2, the cumulative impact of the proposed general plan amendment will have less impacts than the TOP EIR assumed resulting in less than significant impacts.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project is in an area that is mostly developed with most street improvements existing. The project will generate lower total dwelling units, population, non-residential square footage and jobs than the certified TOP EIR assumed, resulting in less impacts. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials. Less than significant 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it is outside of areas with FAA-imposed height restrictions. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Substantially increase hazards due to a 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 most 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 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) Result in inadequate emergency access?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) Result in inadequate parking capacity?

Discussion of Effects: The future development of the project 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 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

17) UTILITIES AND SERVICE SYSTEMS. Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not significantly alter wastewater treatment needs of Ontario and will not create greater impacts than were identified in the Certified TOP FEIR.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion of Effects: Changing the General Plan land use designations will not create greater impacts than were identified in the Certified TOP FEIR.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

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 storm drain facilities. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? 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: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

e) 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: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres does not authorize any construction and will not create greater impacts than were identified in the Certified TOP FEIR. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR. 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

g) **Comply with federal, state, and local statutes and regulations related to solid waste?**

Discussion of Effects: Changing the General Plan land use designations on 83 parcels totaling 38.13 acres will not create greater impacts than were identified in the Certified TOP FEIR.

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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

18) **MANDATORY FINDINGS OF SIGNIFICANCE**

Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or 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, 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 impacts are anticipated.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

a) **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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

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.)**

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

c) **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: None 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 FEIR. No changes or additions to TOP FEIR analyses are necessary.

EARLIER ANALYZES

(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 analyzes used. Identify earlier analyzes used and state where they are available for review.

- a) The Ontario Plan Final EIR
- b) The Ontario Plan
- c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

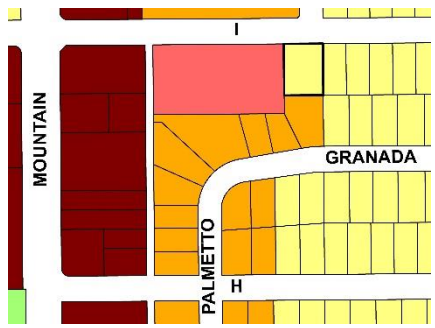
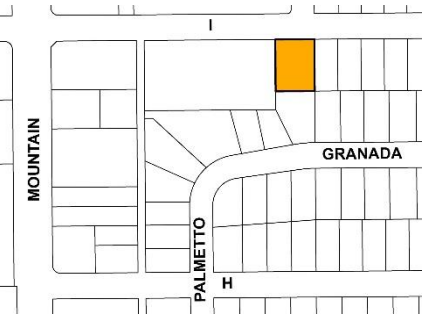
2) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards.

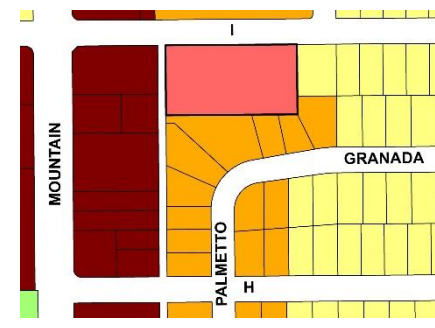

Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

MITIGATION MEASURES

The Mitigation Measures contained in the Certified TOP Environmental Impact Report adequately mitigate the impacts of the proposed project. These mitigation measures are contained in the Mitigation Monitoring Program.

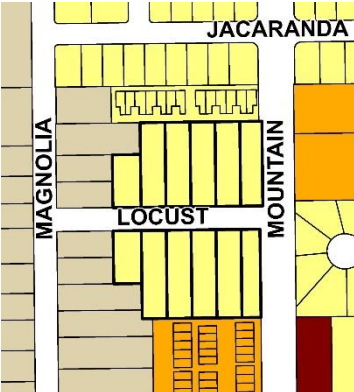
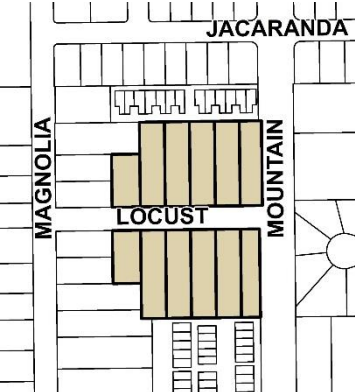
Exhibit A Proposed General Plan Amendment

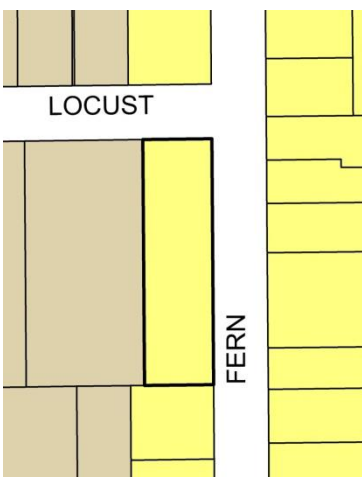
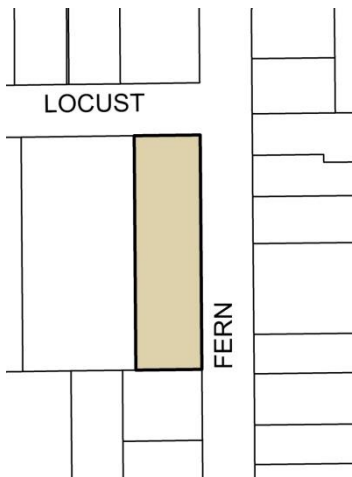
EXISTING	PARCELS	PROPOSED
<p>A4</p>  <p>TOP: Low Density Residential Zoning: P1, Off-Street Parking</p>	<p>101019131 <i>(1 Property)</i></p>	 <p>Medium Density Residential; MDR-25, Medium-High Density Residential</p>

EXISTING	PARCELS	PROPOSED
<p>A46</p>  <p>TOP: Office Commercial Zoning: OL, Low Intensity Office</p>	<p>101019130 <i>(1 Property)</i> Status: PGPA16-001 & PZC16-001</p>	 <p>Medium Density Residential MDR-25, Medium High Density Residential with ICC, Interim Community Commercial Overlay</p>

EXISTING	PARCELS	PROPOSED
<p>A30</p>	<p>101113206 – 101113207 101113220</p> <p><i>(3 Properties)</i></p>	
<p>TOP: Business Park Zoning: CC, Community Commercial</p>		<p>General Commercial No Change</p>

EXISTING	PARCELS	PROPOSED
<p>B38</p>	<p>104834101</p> <p><i>(1 Property)</i></p>	
<p>TOP: Low-Medium Density Residential Zoning: CN, Neighborhood Commercial</p>		<p>Neighborhood Commercial CS, Corner Store</p>

EXISTING	PARCELS	PROPOSED
<p>C1</p>  <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>101420102 – 101420107 101420202 – 101420207</p> <p><i>(12 Properties)</i></p>	 <p>Rural Residential RE-2, Rural Estate</p>

EXISTING	PARCELS	PROPOSED
<p>C5</p>  <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>105030118</p> <p><i>(1 Property)</i></p>	 <p>Rural Residential No Change</p>

EXISTING	PARCELS	PROPOSED
C10		
	<p>105003116 – 105003118 105003136 105003138 – 105003140 105003144 105029110 – 10502913 105030139 - 105030141</p> <p>(15 Properties)</p>	
<p>TOP: Low Density Residential Zoning: LDR-5, Low Density Residential</p>		<p>Rural Residential RE-2, Rural Estate</p>

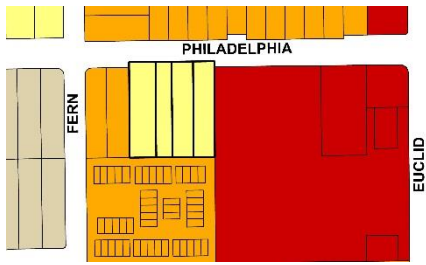
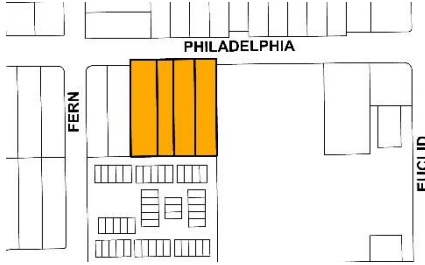
EXISTING	PARCELS	PROPOSED
C11		
	<p>105036102 (1 Property)</p>	
<p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>		<p>Rural Residential No Change</p>

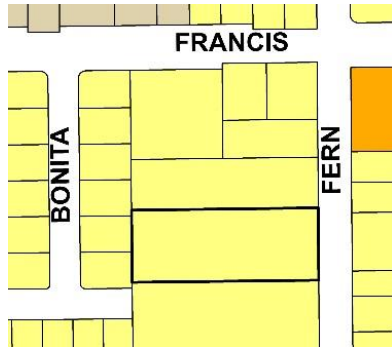
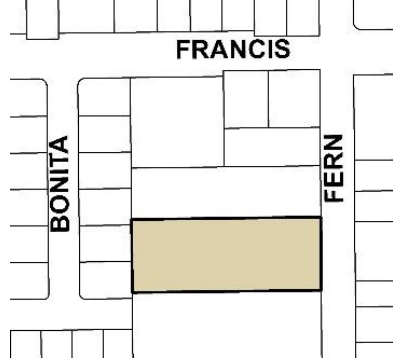
EXISTING	PARCELS	PROPOSED
C12		
	<p>105035123 – 105035124 105035127 105036103 - 105036105</p> <p>(6 Properties)</p>	
<p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>		<p>Rural Residential RE-2, Rural Estate</p>

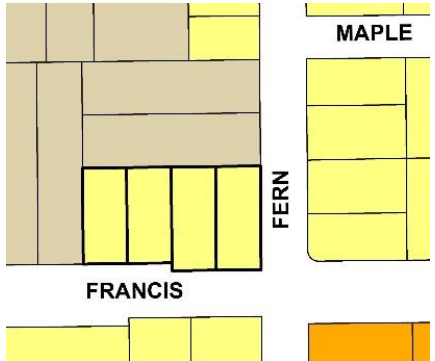
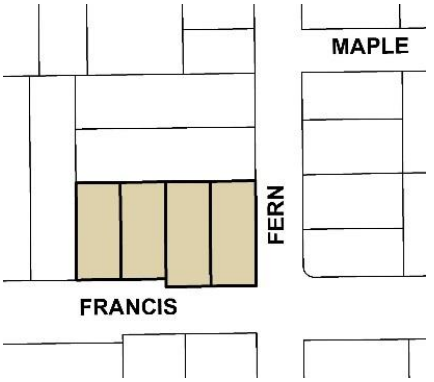
EXISTING	PARCELS	PROPOSED
<p>C22</p> <p>TOP: Medium Density Residential Zoning: LDR-5, Low Density Residential</p>	<p>105027204 – 105027208 <i>(5 Properties)</i></p>	<p>TOP: Low Density Residential Zoning: No Change</p>

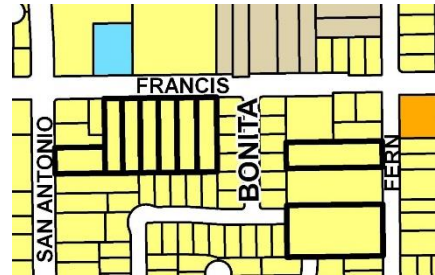
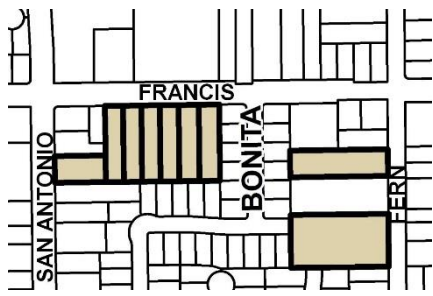
EXISTING	PARCELS	PROPOSED
<p>C26</p> <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>105006102 – 105006103 105006106 – 105006116 <i>(13 Properties)</i></p>	<p>TOP: Rural Residential Zoning: No Change</p>

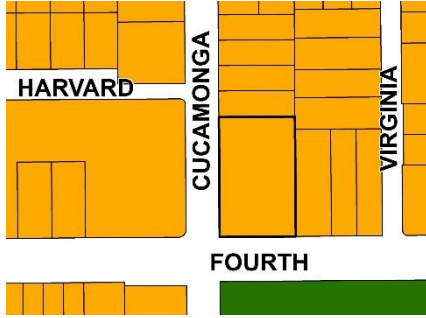
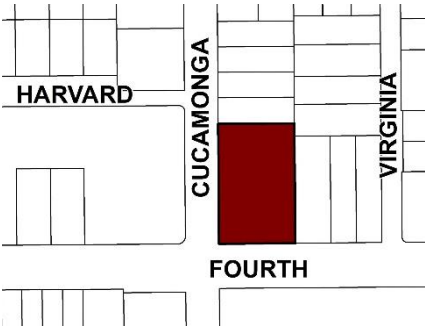
EXISTING	PARCELS	PROPOSED
<p>C27</p> <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>105006104 – 105006105 <i>(2 Properties)</i></p>	<p>TOP: Rural Residential Zoning: RE-2, Rural Estate</p>

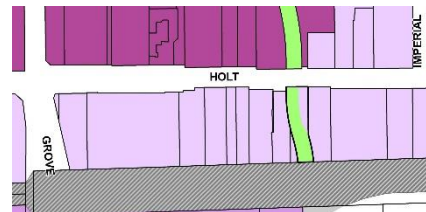
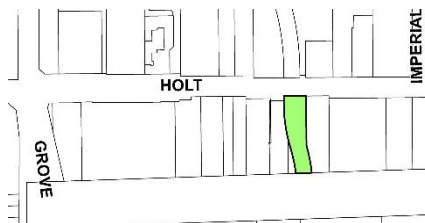
EXISTING	PARCELS	PROPOSED
<p>C30</p>  <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>105105102 - 105105105 <i>(4 Properties)</i></p>	 <p>TOP: Medium Density Residential Zoning: MDR-18, Medium Density Residential</p>

EXISTING	PARCELS	PROPOSED
<p>C32</p>  <p>TOP: Low Density Residential Zoning: LDR-5, Low Density Residential</p>	<p>105036107 <i>(1 Property)</i></p>	 <p>TOP: Rural Residential Zoning: AR-2, Residential-Agricultural</p>

EXISTING	PARCELS	PROPOSED
<p>C38</p>  <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>105029116 - 105029119 <i>(4 Properties)</i></p>	 <p>Rural Residential RE-2, Rural Estate</p>

EXISTING	PARCELS	PROPOSED
<p>C41</p>  <p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>	<p>105035125 105035128 – 105035131 105035174 – 105035175 105036106 105036108 <i>(9 Properties)</i></p>	 <p>Rural Residential No Change</p>

EXISTING	PARCELS	PROPOSED
E21 	104746120 (1 Property)	
TOP: Medium Density Residential Zoning: CN, Neighborhood Commercial & P1, Off-Street Parking		TOP: Neighborhood Commercial Zoning: CN, Neighborhood Commercial

EXISTING	PARCELS	PROPOSED
H21 	11013122 (1 Property)	
TOP: Business Park & Open Space – Non Recreation Zoning: OS-R, Open Space - Recreation		TOP: Open Space – Non Recreation Zoning: UC, Utility Corridor

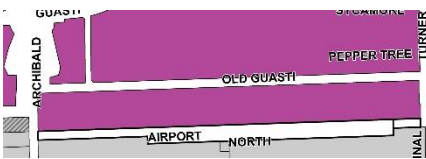
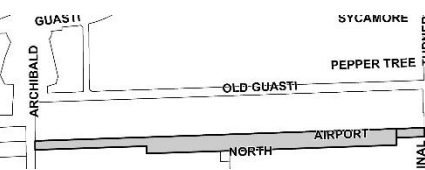
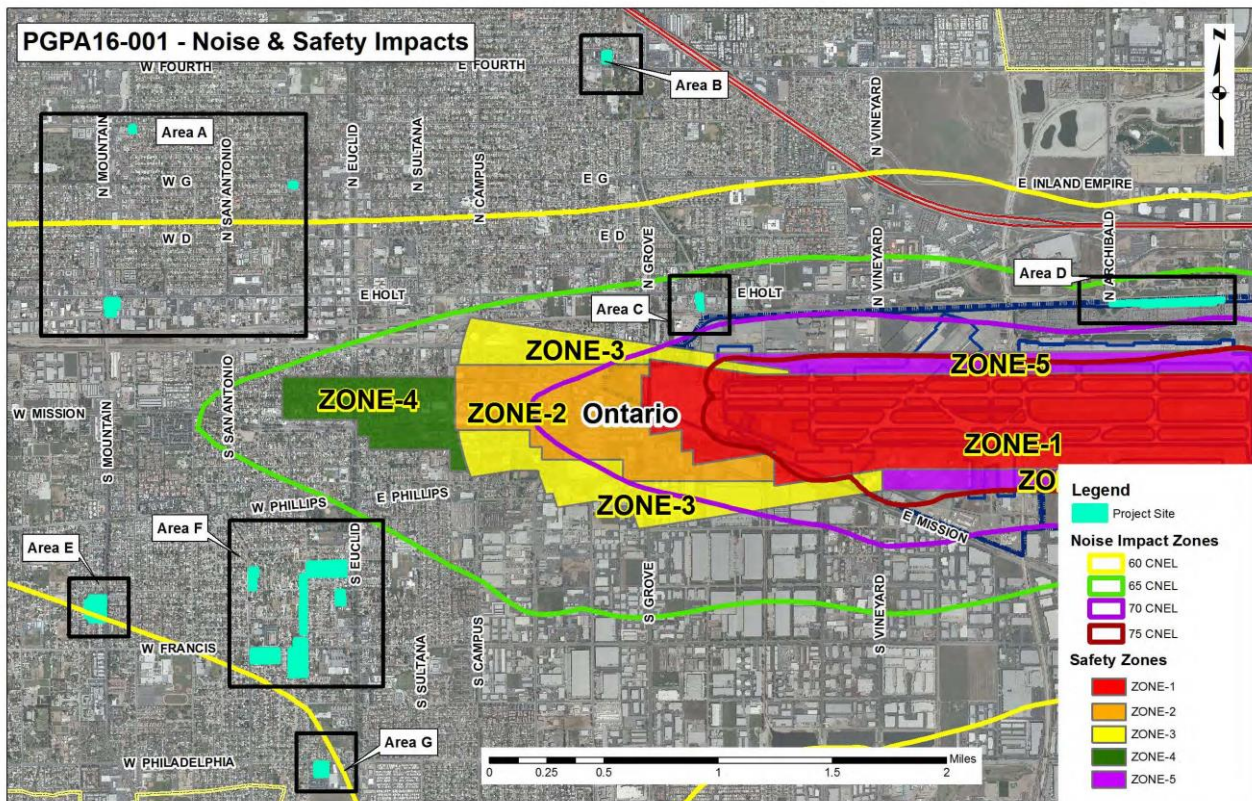
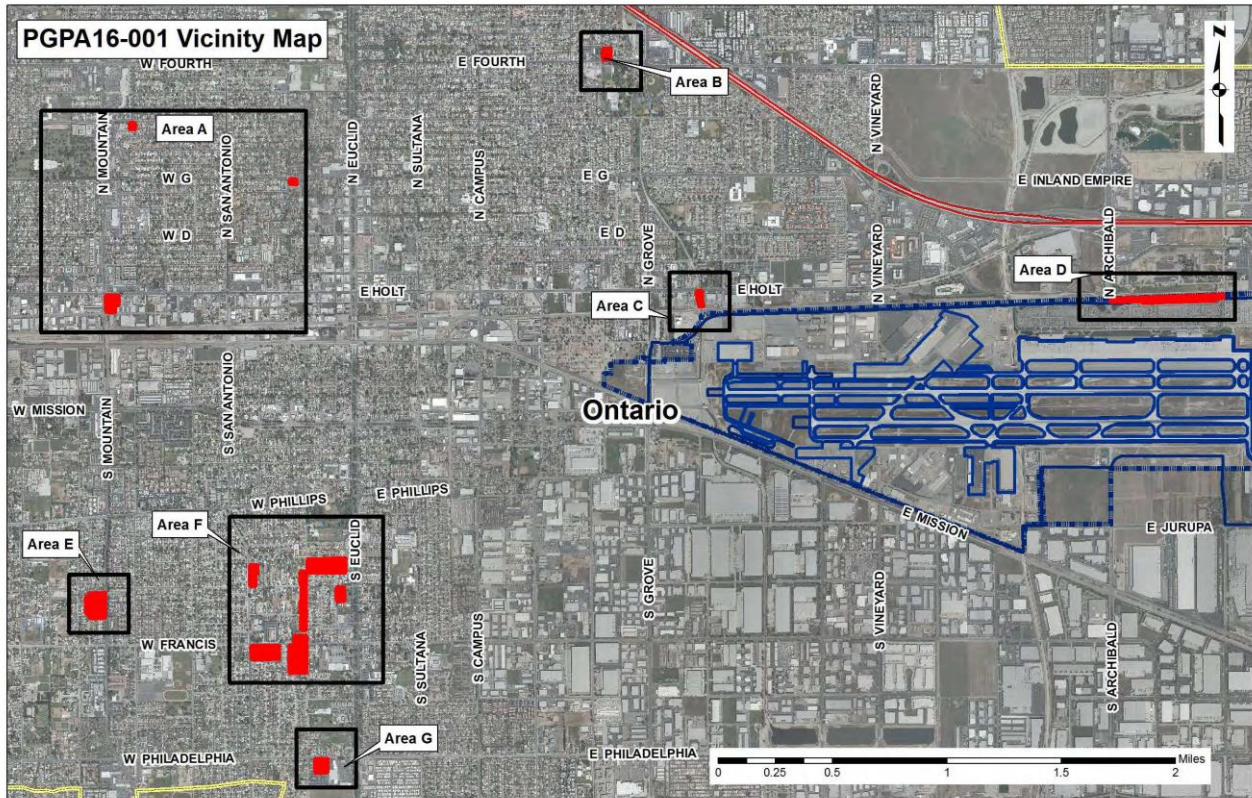
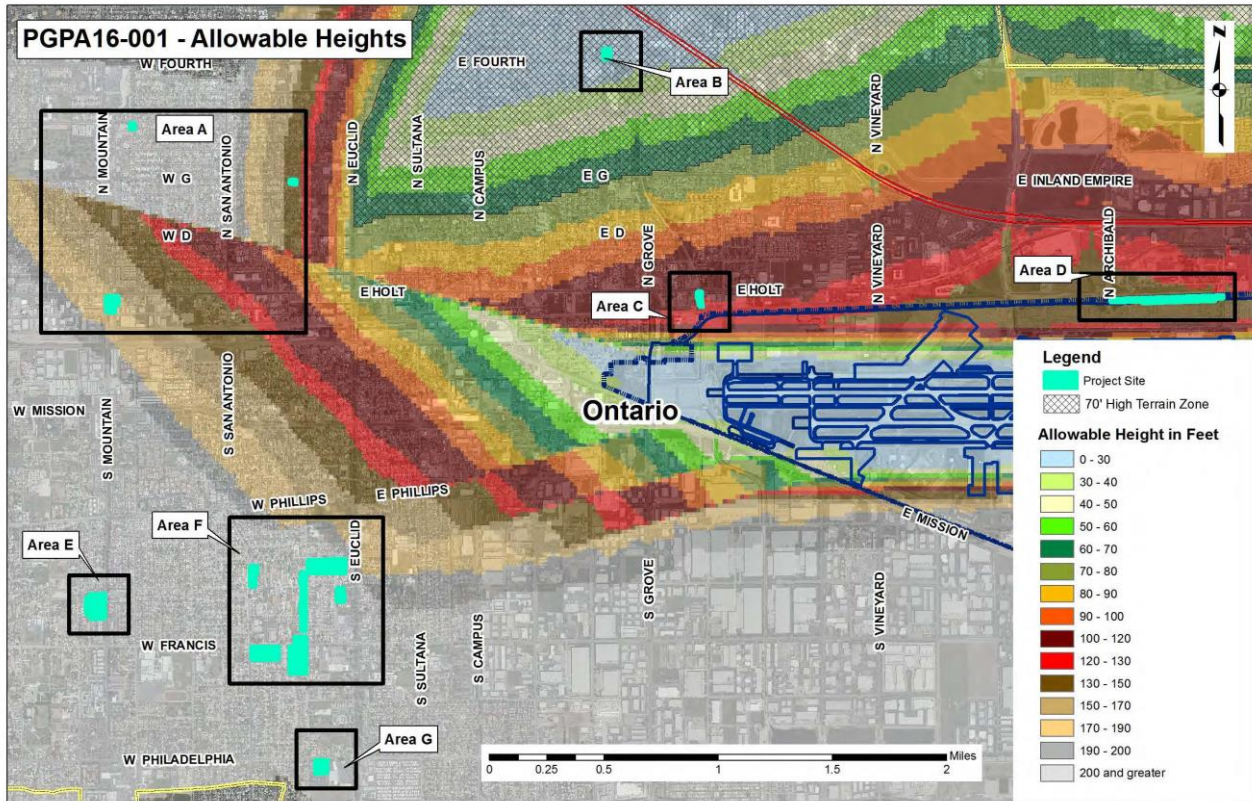
EXISTING	PARCELS	PROPOSED
H22 	21120104 21120106 (2 Properties)	
TOP: Right-of-Way Zoning: IL, Light Industrial		TOP: Airport Zoning: ONT, Ontario International Airport

Exhibit B Airport Land Use Compatibility Review





PALU16-001 - PGPA16-001
 Proposed General Plan Amendment ONT-IAC Consistency Determination Table

APN	Area	SITE ADDRESS	LOT ACREAGE	EXISTING LAND USE	EXISTING GENERAL PLAN	PROPOSED GENERAL PLAN	REASON FOR AMENDMENT	NOISE IMPACT ZONE	SAFETY IMPACT ZONE	AIRSPACE PROTECTION ZONES	CONSISTENCY DETERMINATION
101019131	A		0.31	AUTOMOBILE PARKING	LDR - Low Density Residential	OC - Office Commercial	Consistency with existing land use (Site is existing parking lot for Office Building)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
104834101	A	636 N VINE AVE ONT 91762	0.29	GROCERIES	LMDR - Low Medium Density Residential	NC - Neighborhood Commercial	Consistency with existing land use (Site is developed with commercial uses)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101113207	A	1051 W HOLT BLVD ONT 91762	0.69	EATING PLACES	BP - Business Park	GC - General Commercial	Consistency with existing land use (Existing Commercial Uses)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101113206	A	1065 W HOLT BLVD ONT 91762	0.57	VARIETY STORES	BP - Business Park	GC - General Commercial	Consistency with existing land use (Existing Commercial Uses)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101113220	A	125 S MOUNTAIN AVE ONT 91762	0.72	RETAIL-ANTIQUES	BP - Business Park	GC - General Commercial	Consistency with existing land use (Existing Commercial Uses)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
104746120	B	1107 E 4TH ST ONT 91764	0.81	EATING PLACES	MDR - Medium Density Residential	NC - Neighborhood Commercial	Consistency with existing land use (Site is developed with commercial uses)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
11013122	C		0.65	WATER UTIL AIRPORT PROPERTY - ROADWAY	BP - Business Park/OS-NR - Open Space-Non Recreational	OS-NR - Open Space-Non Recreational	Consistency with existing land use (Existing Use is a flood control channel considered non-recreation open space throughout the City)	65 - 70 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
21120106	D		0.26	PROPERTY - ROADWAY AIRPORT	ROW - Right of Way	ARPT - Airport	Consistency with existing land use (All airport property is being changed to Airport)	65 - 70 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
21120104	D		5.24	PROPERTY - ROADWAY	ROW - Right of Way	ARPT - Airport	Consistency with existing land use (All airport property is being changed to Airport)	65 - 70 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420102	E	1108 W LOCUST ST ONT 91762	0.35	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420103	E	1114 W LOCUST ST ONT 91762	0.39	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420104	E	1120 W LOCUST ST ONT 91761	0.39	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420105	E	1128 W LOCUST ST ONT	0.39	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420106	E	1136 W LOCUST ST ONT 91762	0.39	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420107	E	W LOCUST ST AVE ONT 91761	0.28	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420207	E	1107 W LOCUST ST ONT	0.31	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420206	E	1115 W LOCUST ST ONT 91761	0.41	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP

PALU16-001 - PGPA16-001
 Proposed General Plan Amendment ONT-IAC Consistency Determination Table

APN	Area	SITE ADDRESS	LOT ACREAGE	EXISTING LAND USE	EXISTING GENERAL PLAN	PROPOSED GENERAL PLAN	REASON FOR AMENDMENT	NOISE IMPACT ZONE	SAFETY IMPACT ZONE	AIRSPACE PROTECTION ZONES	CONSISTENCY DETERMINATION
101420205	E	1121 W LOCUST ST ONT 91762	0.41	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420204	E	1127 W LOCUST ST ONT 91762	0.41	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420203	E	1135 W LOCUST ST ONT 91761	0.41	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
101420202	E	1139 W LOCUST ST ONT 91762	0.28	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003140	F	1541 S SAN ANTONIO AVE ONT 91761	0.18	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003117	F	1544 S FERN AVE ONT 91761	0.23	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003136	F	560 W LOCUST ST ONT 91762	0.33	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029113	F	1728 S FERN AVE ONT 91761	0.14	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029111	F	1712 S FERN AVE ONT 91762	0.19	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029112	F	1722 S FERN AVE ONT 91762	0.18	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029116	F	404 W FRANCIS ST ONT 91761	0.21	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029117	F	408 W FRANCIS ST ONT 91761	0.21	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029118	F	416 W FRANCIS ST ONT 91762	0.20	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029119	F	424 W FRANCIS ST ONT	0.19	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105029110	F	405 W MAPLE ST ONT 91761	0.18	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105027208	F	1605 S LAUREL AVE ONT 91761	0.22	SINGLE FAMILY	MDR - Medium Density Residential - Medium Density Residential	LDR - Low Density Residential	Consistency with existing land use (Site is consistent with single family use)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP

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 Proposed General Plan Amendment ONT-IAC Consistency Determination Table

APN	Area	SITE ADDRESS	LOT ACREAGE	EXISTING LAND USE	EXISTING GENERAL PLAN	PROPOSED GENERAL PLAN	REASON FOR AMENDMENT	NOISE IMPACT ZONE	SAFETY IMPACT ZONE	AIRSPACE PROTECTION ZONES	CONSISTENCY DETERMINATION
105030118	F	403 W LOCUST ST ONT 91762	0.57	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105027207	F	1611 S LAUREL AVE ONT 91762	0.21	SINGLE FAMILY	MDR - Medium Density Residential - Medium Density Residential	LDR - Low Density Residential	Consistency with existing land use (Site is consistent with single family use)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105027206	F	1619 S LAUREL AVE ONT 91762	0.21	SINGLE FAMILY	MDR - Medium Density Residential - Medium Density Residential	LDR - Low Density Residential	Consistency with existing land use (Site is consistent with single family use)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105036104	F	403 W FRANCIS ST ONT	0.26	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105030140	F	S FERN AVE ONT 91762	0.21	ADDITIONAL RESIDENT USE	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105030141	F	402 MAPLE ST ONT 91762	0.27	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006115	F	119 W ELM ST ONT 91762	0.28	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006114	F	125 W ELM ST ONT 91762	0.47	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006113	F	131 W ELM ST ONT 91761	0.47	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006112	F	205 W ELM ST ONT 91761	0.47	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006111	F	213 W ELM ST ONT 91761	0.46	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006110	F	219 W ELM ST ONT 91762	0.46	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006109	F	225 W ELM ST ONT	0.46	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006108	F	231 W ELM ST ONT 91762	0.45	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006107	F	303 W ELM ST ONT	0.45	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP

PALU16-001 - PGPA16-001
 Proposed General Plan Amendment ONT-IAC Consistency Determination Table

APN	Area	SITE ADDRESS	LOT ACREAGE	EXISTING LAND USE	EXISTING GENERAL PLAN	PROPOSED GENERAL PLAN	REASON FOR AMENDMENT	NOISE IMPACT ZONE	SAFETY IMPACT ZONE	AIRSPACE PROTECTION ZONES	CONSISTENCY DETERMINATION
105006106	F	311 W ELM ST ONT 91761	0.46	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006105	F	319 W ELM ST ONT 91762	0.22	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006104	F	327 W ELM ST ONT	0.22	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006103	F	1515 S FERN AVE ONT	0.43	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003144	F	1515 SAN ANTONIO AVE ONT 91762	0.25	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006116	F		0.20	UNDEVELOPED LAND	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105006102	F	1525 S FERN AVE ONT 91762	0.43	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003138	F	1521 S SAN ANTONIO AVE ONT 91762	0.35	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003116	F	1534 S FERN AVE ONT 91762	0.21	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003139	F	1533 S SAN ANTONIO AVE ONT 91761	0.17	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105003118	F	408 W LOCUST ST ONT 91762	0.24	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105036106	F	1824 S FERN AVE ONT 91762	0.84	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035125	F	1823 S SAN ANTONIO ONT 91761	0.44	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105036107	F	1840 S FERN AVE ONT 91761	1.20	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105036108	F	1844 S FERN AVE ONT	1.67	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105036103	F	415 W FRANCIS ST ONT 91761	0.22	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A -Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP

PALU16-001 - PGPA16-001
 Proposed General Plan Amendment ONT-IAC Consistency Determination Table

APN	Area	SITE ADDRESS	LOT ACREAGE	EXISTING LAND USE	EXISTING GENERAL PLAN	PROPOSED GENERAL PLAN	REASON FOR AMENDMENT	NOISE IMPACT ZONE	SAFETY IMPACT ZONE	AIRSPACE PROTECTION ZONES	CONSISTENCY DETERMINATION
105036102	F	501 W FRANCIS ST ONT 91761	0.73	VACANT BUILDINGS	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035174	F	525 W FRANCIS ST ONT 91762	0.50	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035175	F	527 W FRANCIS ST ONT 91762	0.50	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035128	F	529 W FRANCIS ST ONT 91762	0.46	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035131	F	533 W FRANCIS ST ONT 91761	0.46	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035130	F	539 W FRANCIS AVE ONT 91762	0.45	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035129	F	543 W FRANCIS ONT 91761	0.45	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035127	F	545 W FRANCIS ST ONT 91761	0.19	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035123	F	597 W FRANCIS ST ONT 91762	0.28	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105036105	F	1816 S FERN AVE ONT 91762	0.32	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105035124	F	1817 S SAN ANTONIO AVE ONT 91761	0.34	SINGLE FAMILY	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105027205	F	1623 S LAUREL AVE ONT 91762	0.21	SINGLE FAMILY	MDR - Medium Density Residential	LDR - Low Density Residential	Consistency with existing land use (Site is consistent with single family use)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105027204	F	1627 S LAUREL AVE ONT 91762	0.20	SINGLE FAMILY	MDR - Medium Density Residential	LDR - Low Density Residential	Consistency with existing land use (Site is consistent with single family use)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105030139	F	S FERN AVE ONT 91762	0.21	UNDEVELOPED LAND	LDR - Low Density Residential	RR - Rural Residential	Consistency with existing land use (Site is consistent Rural Residential requirements and allows for animal keeping)	60 - 65 dB Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105105105	G	299 PHILADELPHIA ST ONT 91762	0.45	SINGLE FAMILY	LDR - Low Density Residential	MDR - Medium Density Residential	Consistency with lot size range (Site can accommodate higher density range)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105105104	G	301 W PHILADELPHIA ST CHI 91710	0.45	SINGLE FAMILY	LDR - Low Density Residential	MDR - Medium Density Residential	Consistency with lot size range (Site can accommodate higher density range)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP

PALU16-001 - PGPA16-001
 Proposed General Plan Amendment ONT-IAC Consistency Determination Table

APN	Area	SITE ADDRESS	LOT ACREAGE	EXISTING LAND USE	EXISTING GENERAL PLAN	PROPOSED GENERAL PLAN	REASON FOR AMENDMENT	NOISE IMPACT ZONE	SAFETY IMPACT ZONE	AIRSPACE PROTECTION ZONES	CONSISTENCY DETERMINATION
105105103	G	309 W PHILADELPHIA ST ONT 91761	0.34	SINGLE FAMILY	LDR - Low Density Residential	MDR - Medium Density Residential	Consistency with lot size range (Site can accommodate higher density range)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP
105105102	G	317 W PHILADELPHIA ST CHI 91761	0.56	SINGLE FAMILY	LDR - Low Density Residential	MDR - Medium Density Residential	Consistency with lot size range (Site can accommodate higher density range)	N/A - Outside of Noise Impact Zone	N/A - Outside of any Safety Zone	N/A - Land Use Change only, no structures are proposed	Consistent with ONT ALUCP

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH # 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO PGPA16-001

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140) for File No. PGPA16-001 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all 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, File No. PGPA16-001 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of a General Plan Amendment to change the land use designations of 83 properties generally located south of Fourth Street and west of Euclid Avenue, and modify the Future Buildout Table to be consistent with the land use designation changes (amending Exhibits LU-01 and LU-03), in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the Initial Study/Environmental Impact Report Addendum concluded that implementation of the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in The Ontario Plan (TOP) certified Environmental Impact Report (SCH # 2008101140). No changes or additions to TOP EIR analyses are necessary, nor is there a need for any additional mitigation measures; and

WHEREAS, The Ontario Plan Environmental Impact Report was certified on January 27, 2010, in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("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 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 proposed approval to otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Environmental Impact Report 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 Initial Study/Environmental Impact Report 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: As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Initial Study/Environmental Impact Report Addendum and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Initial Study/Environmental Impact Report Addendum and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The Planning Commission has independently reviewed and analyzed the Initial Study/Environmental Impact Report Addendum and other information in the record, and has considered the information contained therein, prior to acting upon or recommending the Project;

(2) The Initial Study/Environmental Impact Report Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

(3) The Initial Study/Environmental Impact Report Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department, located at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 2: Based upon the Addendum and all related information presented to the Planning Commission, the Planning Commission finds that the preparation of a subsequent or supplemental EIR is not required for the Project, as the Project:

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

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

c. 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 EIR was certified, that shows any of the following:

1. The project will have one or more significant effects not discussed in the certified EIR; or

2. Significant effects previously examined will be substantially more severe than shown in the certified EIR; or

3. 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

4. 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: The Planning Commission does hereby find 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 recommend that the City Council approve the Addendum to the certified EIR.

SECTION 4: 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. The Initial Study/Environmental Impact Report Addendum, and all other documents and materials that constitute the record of proceedings on which these findings have been based, are on file 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. The records are available for inspection by any interested person, upon request.

SECTION 6. 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 March, 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PGPA16-001, A CITY INITIATED REQUEST TO CHANGE THE GENERAL PLAN LAND USE DESIGNATIONS ON 83 PROPERTIES GENERALLY LOCATED SOUTH OF FOURTH STREET AND WEST OF EUCLID AVENUE, AND MODIFY THE FUTURE BUILDOUT TABLE TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES (AMENDING EXHIBITS LU-01 AND LU-03), AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: AS SHOWN IN EXHIBIT A (ATTACHED). (LAND USE CYCLE 1 FOR THE 2016 CALENDAR YEAR)

WHEREAS, City of Ontario ("Applicant") has initiated an Application for the approval of a General Plan Amendment, File No. PGPA16-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 83 parcels totaling 38.13 acres; and

WHEREAS, the proposed changes to Figure LU-01 Official Land Use Plan include changes to land use designations of certain properties shown in Exhibit A (attached) to make the land use designations of these properties consistent with the existing use of the property or to coordinate with the surrounding land use designations; and

WHEREAS, Figure LU-03 Future Buildout specifies the likely buildout for Ontario with the adopted land use designations. The proposed changes to Figure LU-01 Official Land Use Plan will require Figure LU-03 Future Buildout to be modified, as shown in Exhibit B, to be consistent with LU-01 Official Land Use Plan; and

WHEREAS, the City of Ontario held Community Open Houses on January 25, 2016 and January 27, 2016, to gain input from impacted property owners and property owners within a 300 foot radius; and

WHEREAS, no written public comments were received at the Community Open Houses; and

WHEREAS, the proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) was routed for interagency review and was found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT; 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, as the first action on the Project, on March 22, 2016, the Planning Commission approved a resolution recommending City Council adoption of 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 significant; and

WHEREAS, on March 22, 2016, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to a previous Environmental Impact Report, the initial study, and 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. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. 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

b. 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

c. There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

d. The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

SECTION 2. 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 above, the Planning Commission hereby concludes as follows:

a. The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

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 which provides opportunities for choice in living and working environments.

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 reflects the existing uses of the properties or closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

LU4-1 Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designations allow for the continuation of existing uses while maintaining a logical land use pattern in and around the affected areas.

LU5-7 ALUCP Consistency with Land Use Regulations. We comply with state law that required general plans, specific plans and all new development by 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 is consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

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 properties are located within the 60 to 65 CNEL of the 65 to 70 CNEL Noise Impact areas. The proposed land use designations are compatible with the Noise Impact area or are existing uses.

b. The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. The Land Use Element is a mandatory element of the Policy Plan (General Plan) component of The Ontario Plan, which, pursuant to GC Section 65358, may be amended up to four times per calendar year, and the proposed General Plan Amendment is the first cycle amendment to the Land Use Element within the current calendar year.

d. During the amendment of the Policy Plan (General Plan) component of The Ontario Plan, opportunities for the involvement of citizens, California Native American Indian tribes (pursuant to GC 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 GC Section 65351.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application.

SECTION 4. 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. 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. 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 March, 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PGPA16-001
March 22, 2016
Page 6

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:





















ABSENT:

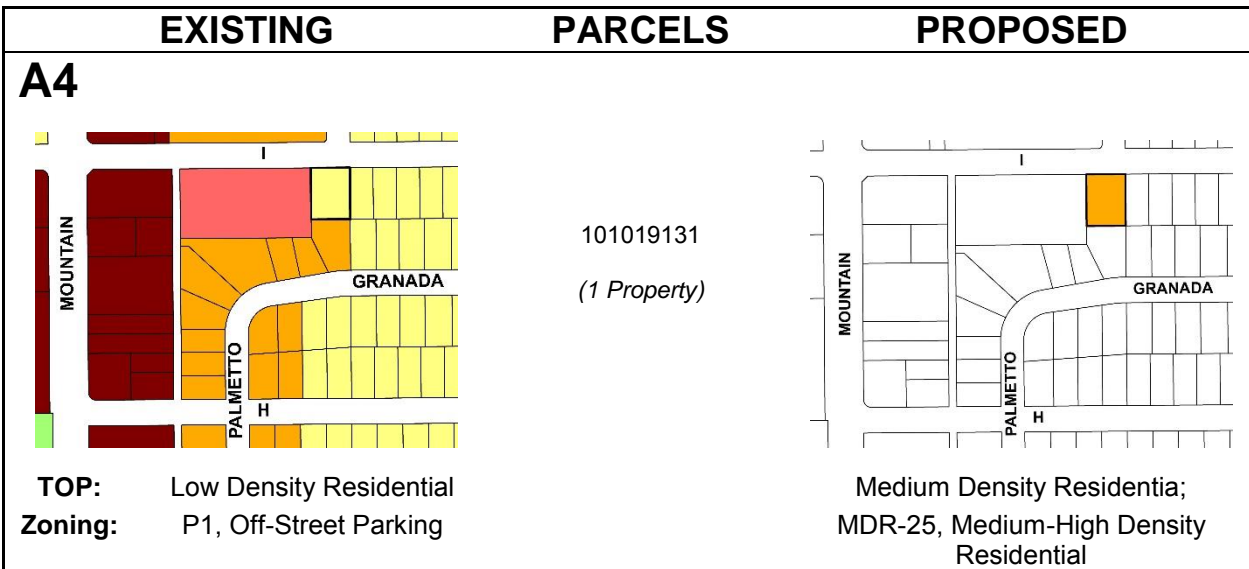
ABSTAIN:

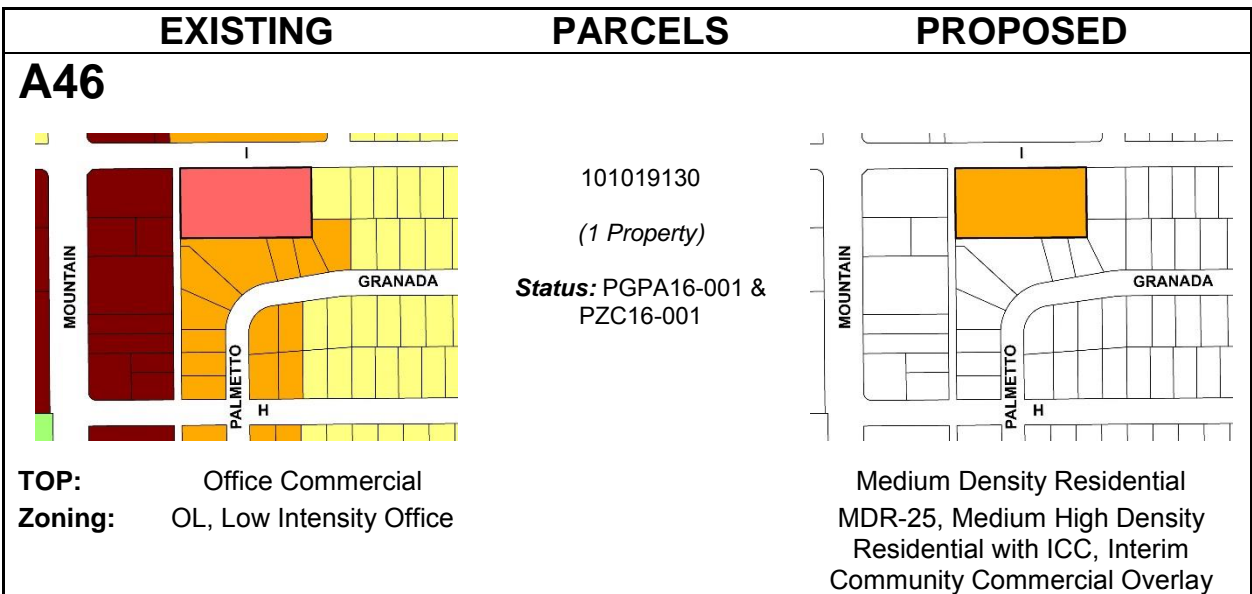
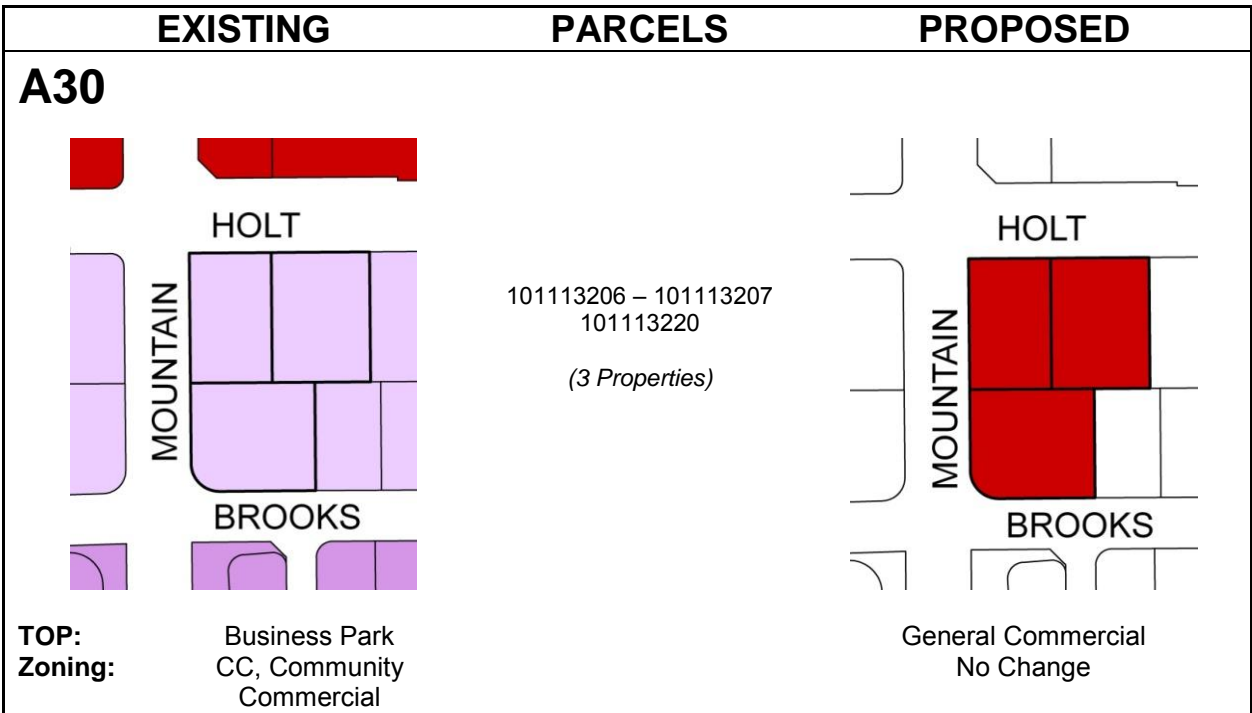
Marci Callejo
Secretary Pro Tempore

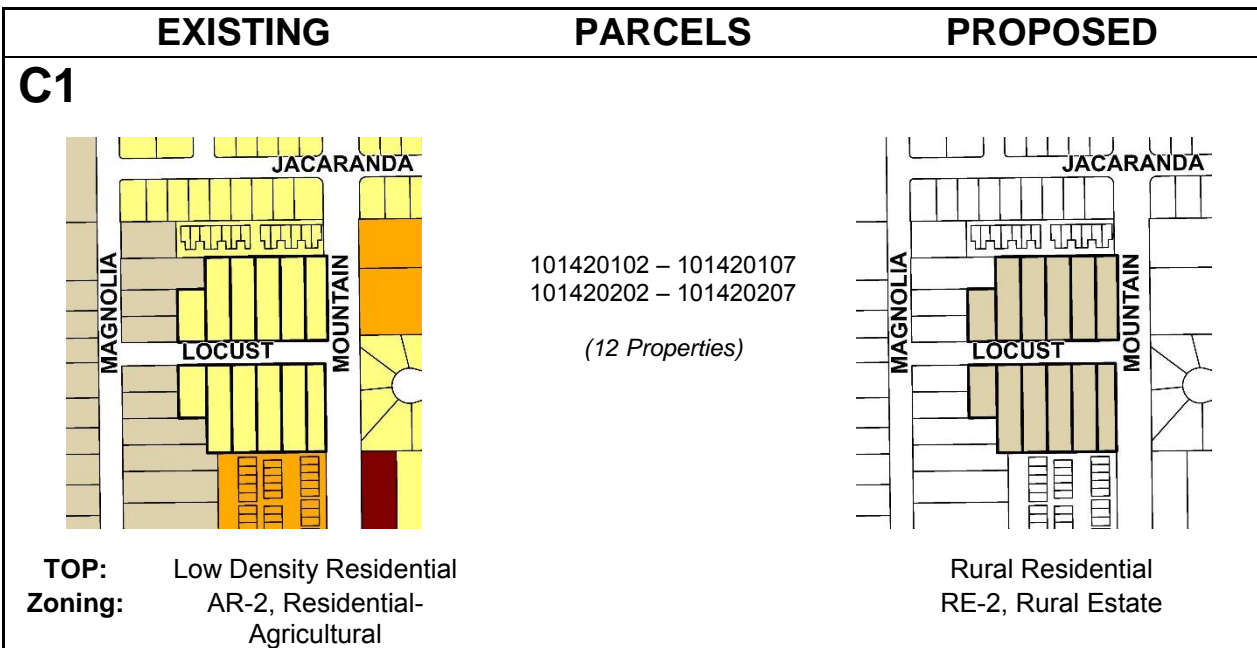
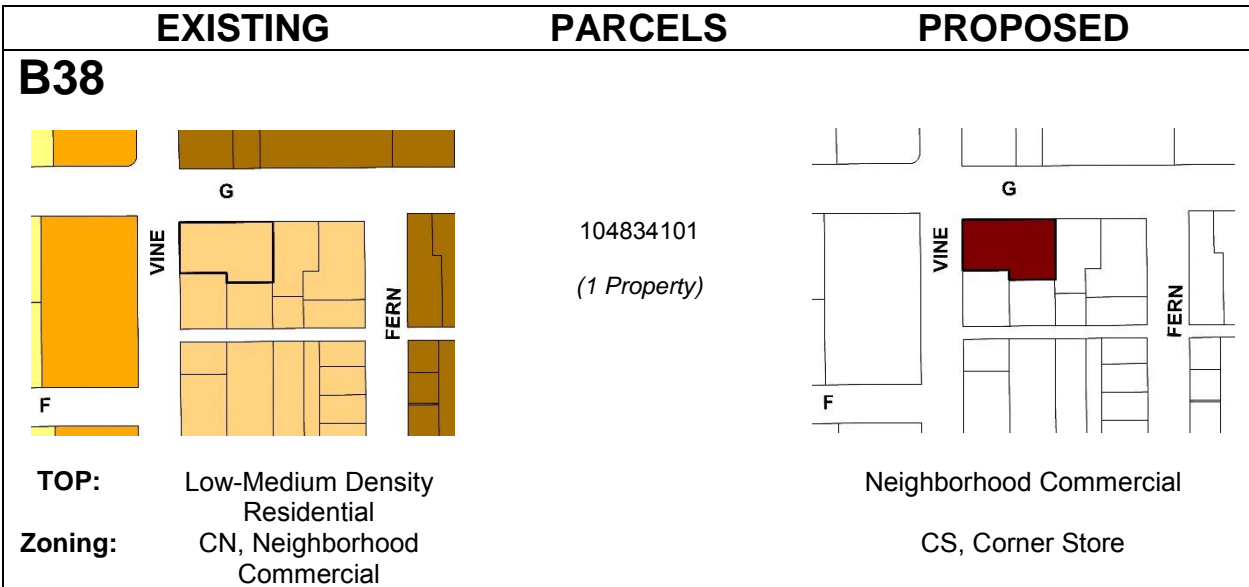
Exhibit A PGPA16-001

TOP Legend:

 Rural Residential	 Mixed Use	 Business Park	 Open Space - Water
 Low Density Residential	 Neighborhood Commercial	 Industrial	 Open Space - Non Recreation
 Low-Medium Density Residential	 General Commercial	 Airport	 Public Facility
 Medium Density Residential	 Office Commercial	 Land Fill	 Public School
 High Density Residential	 Hospitality	 Open Space - Recreation	 Rail

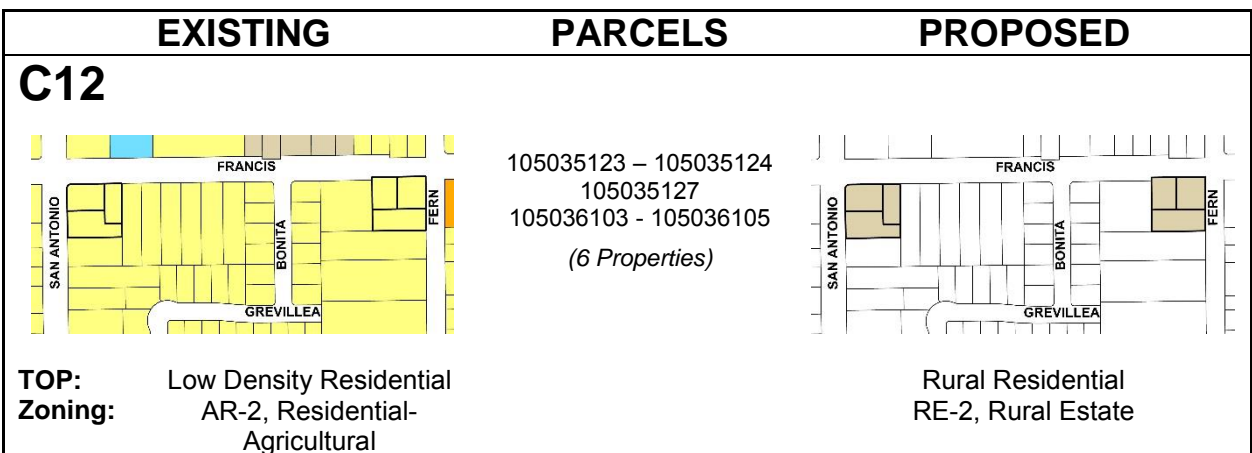
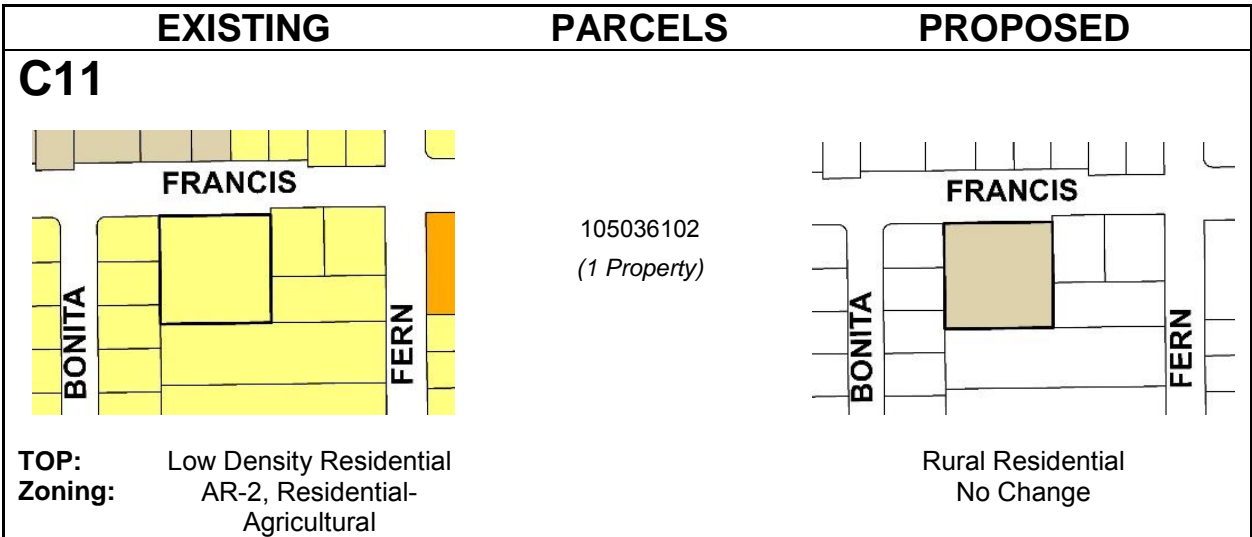


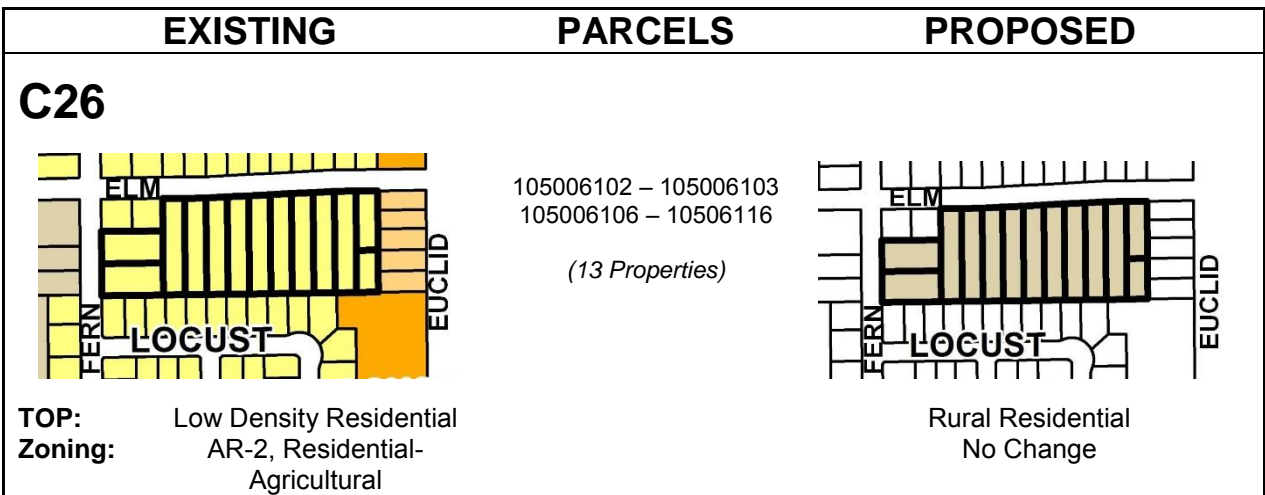
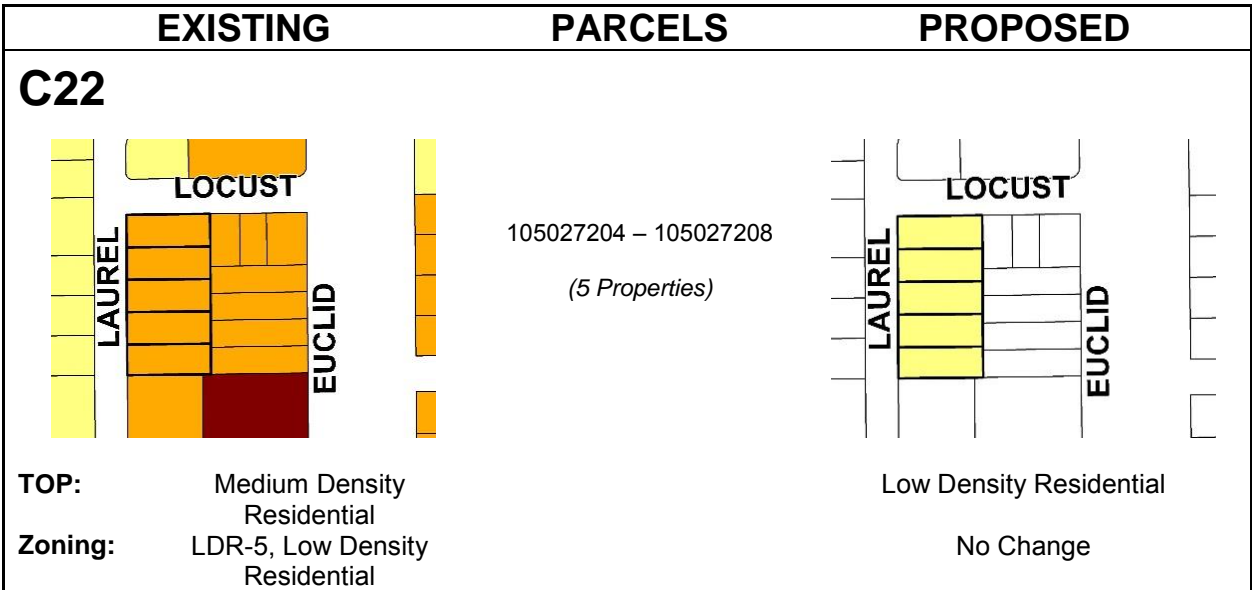


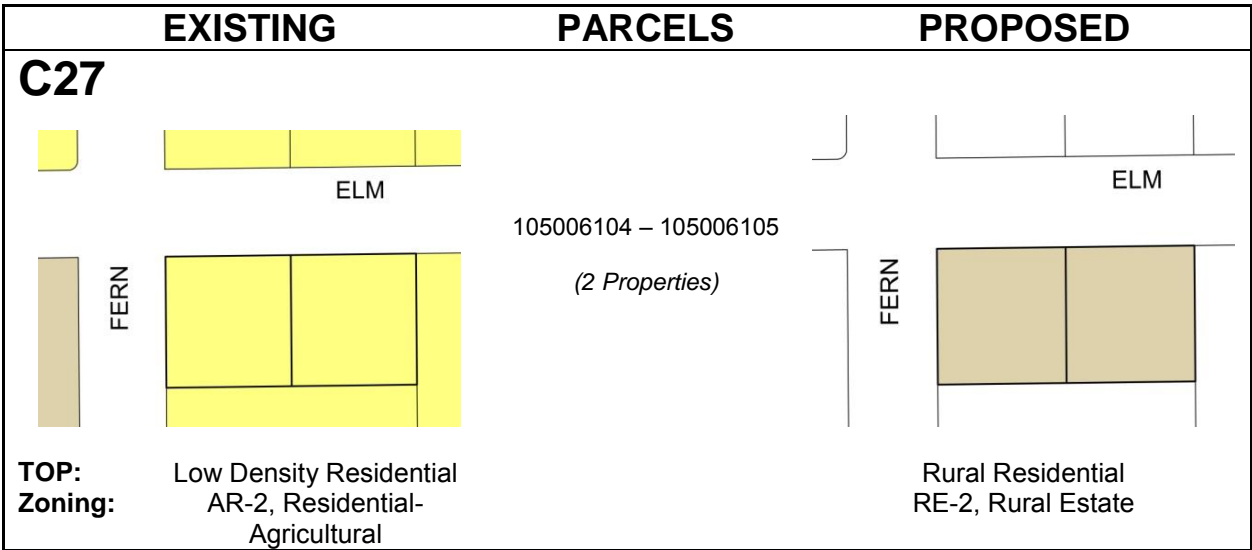


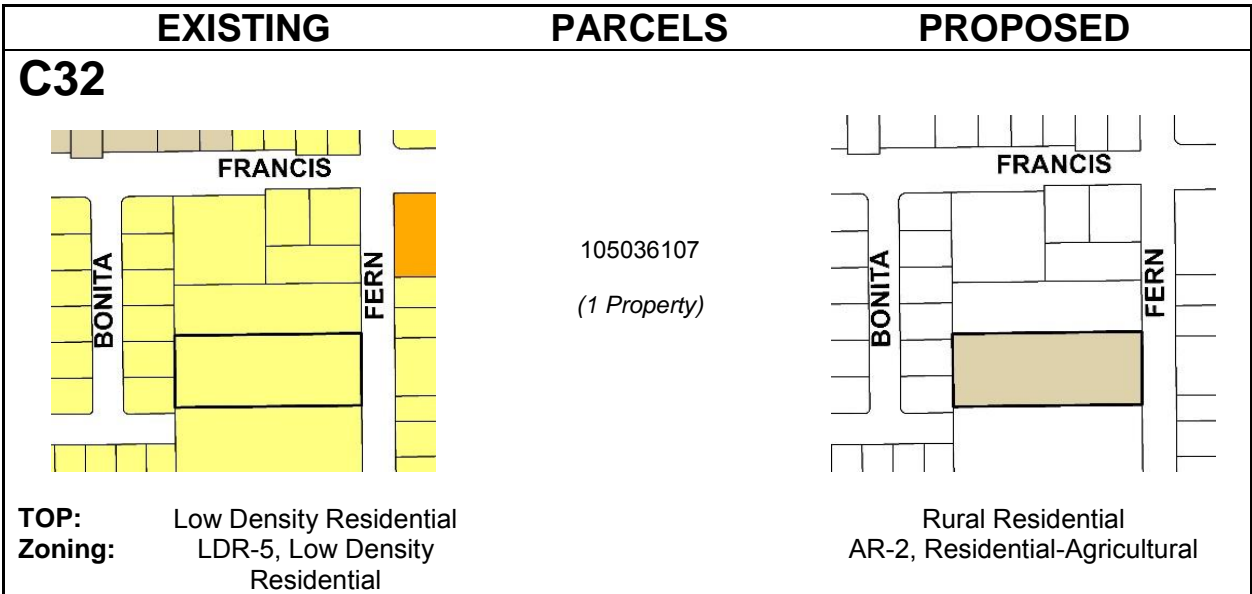
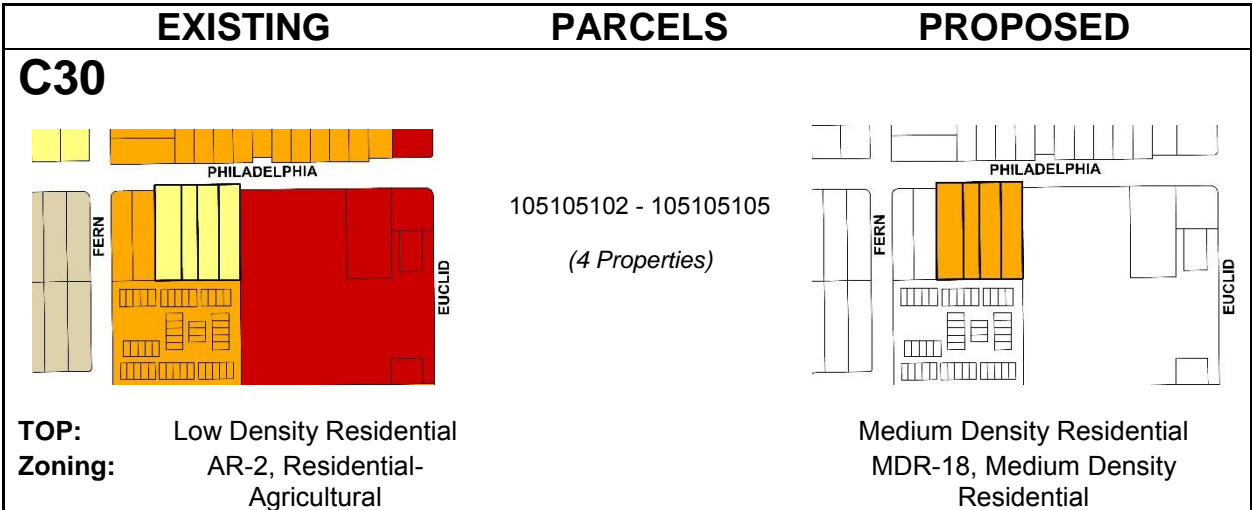
EXISTING	PARCELS	PROPOSED
C5		
	<p>105030118 <i>(1 Property)</i></p>	
<p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>		<p>Rural Residential No Change</p>

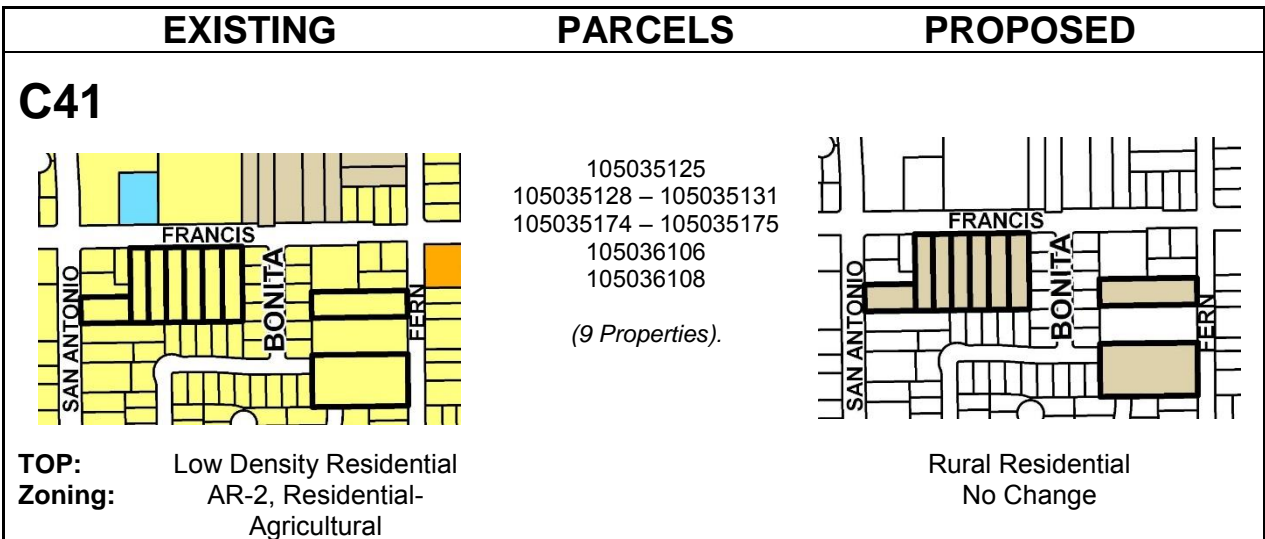
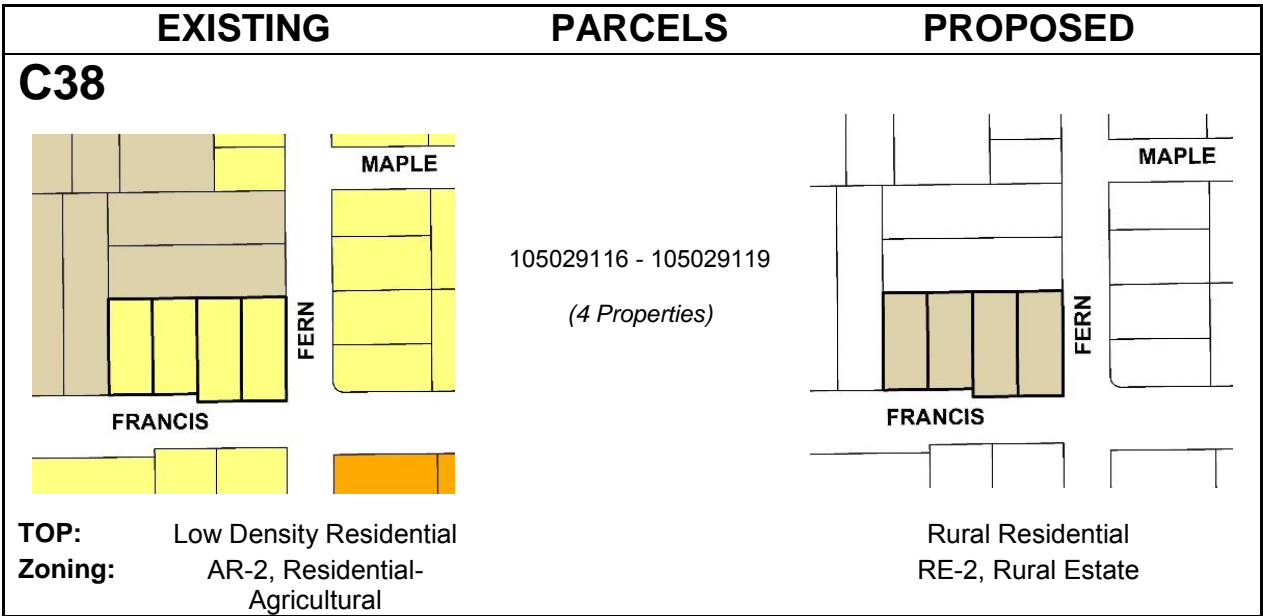
EXISTING	PARCELS	PROPOSED
C10		
	<p>105003116 – 105003118 105003136 105003138 – 105003140 105003144 105029110 – 10502913 105030139 - 105030141 <i>(15 Properties)</i></p>	
<p>TOP: Low Density Residential Zoning: LDR-5, Low Density Residential</p>		<p>Rural Residential RE-2, Rural Estate</p>

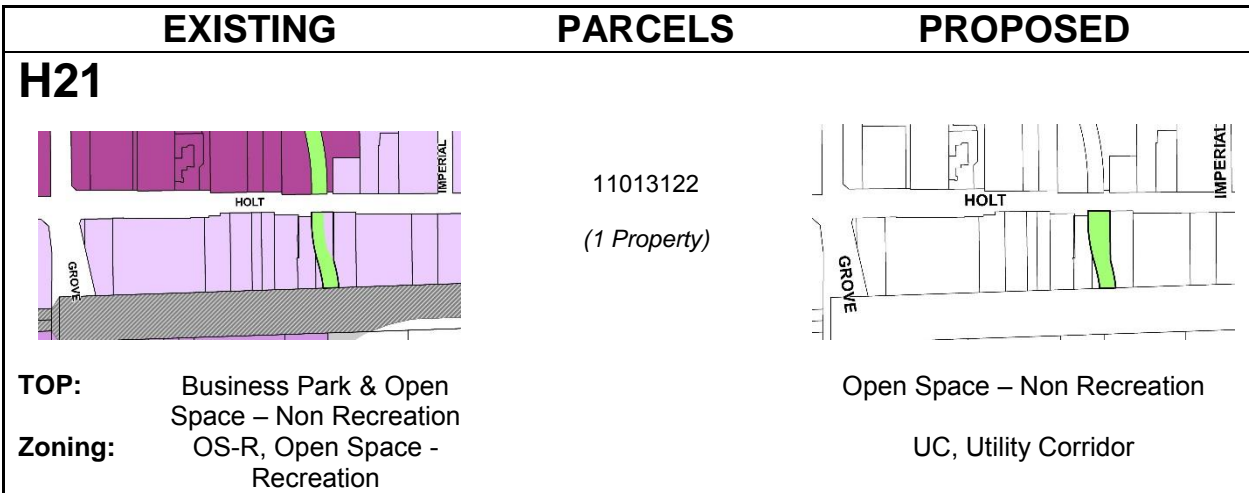
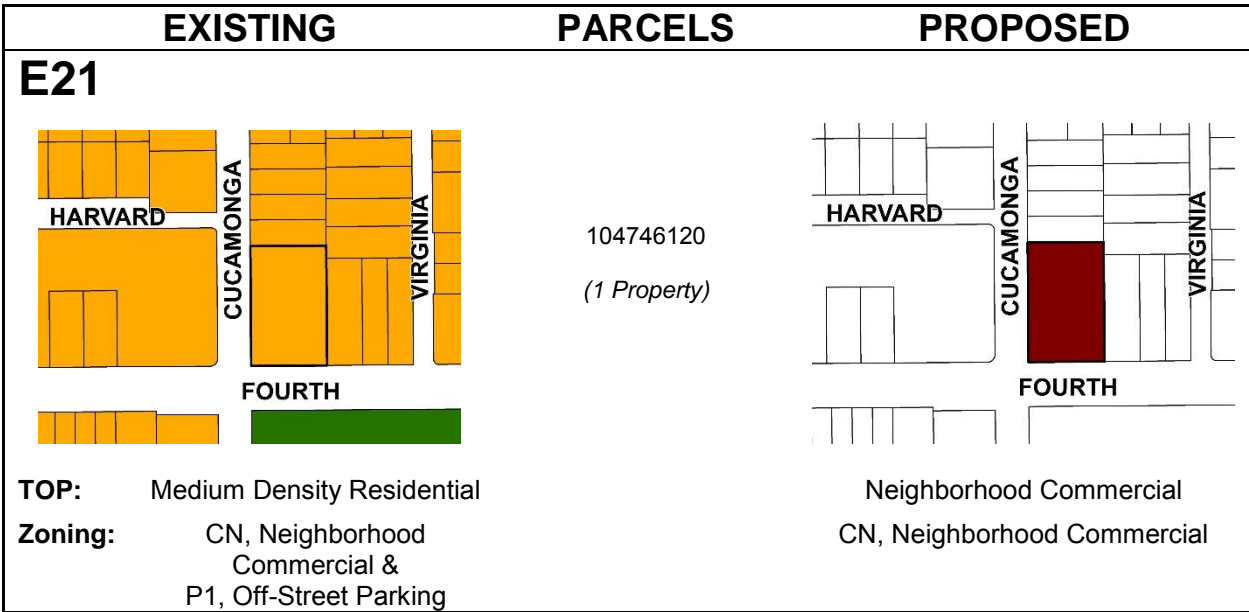












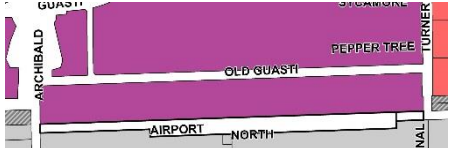
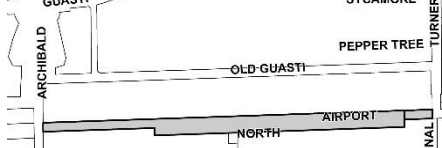
EXISTING	PARCELS	PROPOSED
<p>H22</p>  <p>TOP: Right-of-Way Zoning: IL, Light Industrial</p>	<p>21120104 21120106 (2 Properties)</p>	 <p>Airport ONT, Ontario International Airport</p>

Exhibit B LU-03 Future Buildout Table



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	458 483	2.0 du/ac	917 965	3,663 3,858		
Low Density ⁶	7,370 7,344	4.0 du/ac (OMC) 4.5 du/ac (NMC)	31,042 30,940	124,075 123,669		
Low-Medium ⁶ Density	910	8.5 du/ac	7,739 7,736	30,931 30,922		
Medium Density	1,896 1,898	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,188 38,218	133,745 133,858		
High Density	234	35.0 du/ac	8,178	27,373		
<i>Subtotal</i>	10,868 10,869		86,064 86,038	319,788 319,680		
Mixed Use						
• Downtown	112	<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 	2,352	4,704	1,561,330	2,793
• 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"> 23% of the area at 37.4 du/ac 72% at 0.35 FAR for office and retail uses 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• 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 at 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 .70 FAR office 	500	1,001	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 0.5 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 0.5 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 0.7 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 0.3 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
<i>Subtotal</i>	1,667		15,116	30,232	34,914,612	72,368



LU-03 Future Buildout¹ (Cont.)

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/Service						
Neighborhood ⁶	244	0.30 FAR			3,192,120	7,724
Commercial	245				3,206,495	7,759
General Commercial	615	0.30 FAR			8,035,644	7,465
Office/Commercial	527	0.75 FAR			17,227,218	38,204
Commercial	526				17,181,480	38,102
Hospitality	145	1.00 FAR			6,312,715	7,237
<i>Subtotal</i>	1,532 1,533				34,767,697 34,762,209	60,630 60,587
Employment						
Business Park	1,570	0.40 FAR			27,355,680	47,995
	1,568				27,317,347	47,928
Industrial	6,240	0.55 FAR			149,502,472	131,356
<i>Subtotal</i>	7,910 7,808				176,858,152 176,819,819	179,351 179,284
Other						
Open Space-Non-Recreation	1,230	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	1,672 1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,880 4,875	Not applicable				
<i>Subtotal</i>	9,907					
Total	31,784		101,180 101,155	350,821 349,912	246,540,461 246,496,640	312,349 312,239

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, click here to 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, click here to access the [Methodology](#) report.
- To view the factors used to generate the number of employees by land use category, click here to 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.



PLANNING COMMISSION STAFF REPORT

March 22, 2016

SUBJECT: A City initiated request to change the zoning designations (**File No. PZC16-001**) on 881 properties generally located south of Fourth Street and west of Euclid Avenue, 127 properties along East Holt Boulevard, and 37 other properties located throughout the City in order to make the zoning consistent with The Ontario Plan land use designations of the properties. APNs: Various. (Related File PGPA16-001). **City initiated. City Council action is required.**

PROPERTY OWNER: Various

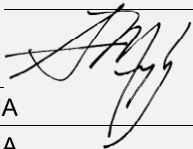
RECOMMENDED ACTION: That the Planning Commission recommend City Council approval of File No. PZC16-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS:

[1] Background - In 2010, The Ontario Plan (“TOP”) was adopted that contains the Policy Plan (General Plan) which sets forth the land use pattern for the City to achieve its Vision. After the adoption of TOP, staff embarked on a two pronged effort to ensure that the zoning and TOP land use designations are consistent for all properties in the City and to update the Development Code. Staff worked to establish zones that will effectively implement the intent of TOP. The Development Code update has been adopted and went into effect January 1, 2016. This application is part of the TOP-Zoning Consistency effort.

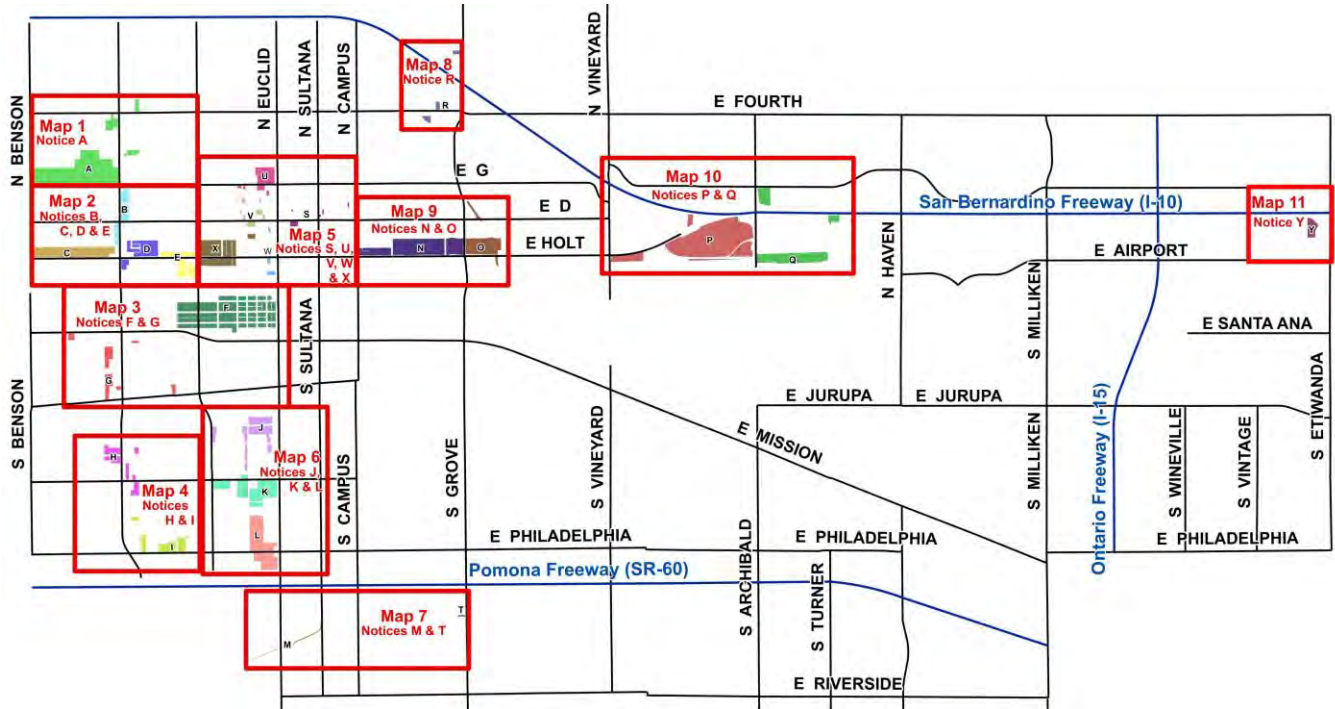
[2] Community Open Houses - Community Open Houses were held on January 25 and January 27, 2016, for this zone change (**File No.: PZC16-001**) and the associated General Plan Amendment (**File No. PGPA16-001**). Subject property owners and property owners within 300 feet were notified of the meetings and about 250 people attended. The majority of the people in attendance were seeking information about the proposed zone changes and did not voice any opposition to the project. Fifty-two people provided written comments. Nineteen of these responses did not support the proposed changes.

[3] Proposed Changes – The proposed zone changes are predominantly located south of Fourth Street and west of Euclid Avenue, and include 1,045 properties located within 11 different map areas (see vicinity map below). In order to align zoning with TOP land use designations, the updated Development Code created and/or refined specific zones. The table below outlines the zoning consistent with TOP land use designations being addressed in this proposed zone change.

<i>Case Planner:</i>	C Burden/M. Mullis	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB	NA	NA	NA
<i>Submittal Date:</i>	NA	ZA	NA	NA	NA
<i>Hearing Deadline:</i>	NA	PC	3-22-16		Recommend
		CC			Final

TOP Land Use Designation	Zoning Consistent with TOP
Rural Residential	AR-2, Residential-Agricultural RE-2, Rural Estate
Low Density Residential	RE-4, Residential Estate LDR-5, Low Density Residential
Low-Medium Density Residential	MDR-11, Low-Medium Density Residential
Medium Density Residential	MDR-18, Medium Density Residential MDR-25, Medium-High Density Residential
High Density Residential	HDR-45, High Density Residential
Neighborhood Commercial	CS, Corner Store CN, Neighborhood Commercial
General Commercial	CC Community Commercial
Hospitality	CCS, Convention Center Support Commercial
Office-Commercial	OL, Low Intensity Office OH, High Intensity Office
Airport	ONT, Ontario International Airport
Industrial	IL, Light Industrial IG, General Industrial IH, Heavy Industrial Zoning District
Public Facility	CIV, Civic
Open Space-Non Recreation	UC, Utilities Corridor OS-C, Open Space-Cemetery
Rail	RC, Rail Corridor
Mixed Use	MU-1, Downtown Mixed-Use MU-2, East Holt Mixed-Use MU-11, Euclid/Francis Mixed-Use

The following pages include maps showing the proposed changes. The vicinity map below, shows the locations of these maps.

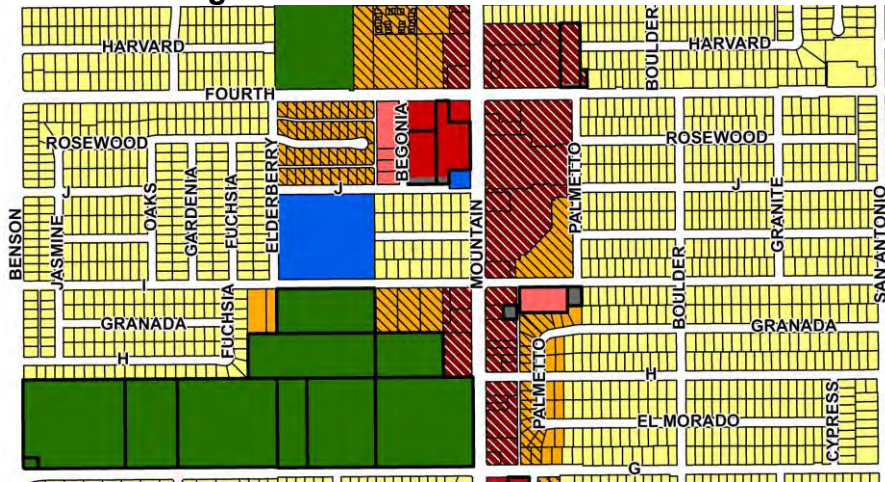


1. Area Between Fourth and G Streets from Benson to San Antonio Avenues

Purpose:

- To eliminate P1 zoned properties (zone has been eliminated)
- To place the cemetery in a unique zone for cemetery use (OS-C, Open Space Cemetery)
- To allow the ongoing use of properties uniquely designed to accommodate commercial uses by the use of an ICC, Interim Community Commercial Overlay
- To eliminate split zoning of properties
- To accommodate adequate housing sites per the adequate sites inventory of the Housing Element
- To provide consistency with TOP land use designations of properties

Current Zoning



Zones

- AR-2, Residential-Agriculture
- RE-2, Rural Estate
- RE-4, Residential Estate
- LDR-5, Low Density Residential
- MDR-11, Low_Medium Density Residential
- MDR-18, Medium Density Residential
- MDR-25, Medium-High Residential
- HDR-45, High Density Residential
- PUD, Planned Unit Residential
- MHP, Mobile Home Park
- MU 1-Downtown Mixed Use
2-High Blvd.
11-Euclid & Francis
- CS, Corner Store
- CN, Neighborhood Commercial
- CC, Community Commercial
- CCS, Convention Center Support
- OL, Low Intensity Office
- OH, High Intensity Office
- BP, Business Park
- IP, Industrial Park
- IL, Light Industrial
- IG, General Industrial
- IH, Heavy Industrial
- ONT, Ontario Intl Airport (Former M3)
- CIV, Civic
- OS-R, Open Space-Recreation
- OS-C, Open Space-Cemetery
- UC, Utilities Corridor
- SP, Specific Plan
- SP(AG), Specific Plan (Agriculture Overlay)
- RC, Rail Corridor
- P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
- ES, Emergency Shelter
- ICC, Interim Community Commercial
- PZC16-001 Zone Change Property

Zoning After Proposed Zone Changes



Detailed Maps can be found in PC Resolution pages 6, 7, 9, 16 & 20

Area 1 (17 properties) Public Comments Received:

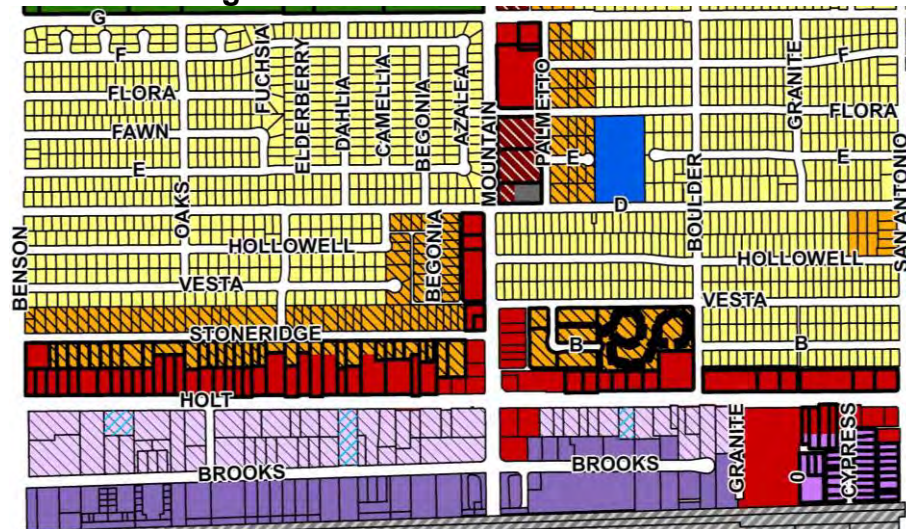
- One written response was received for groups within this area but it did not indicate whether the person was in support or not in support of the zone changes.

2. Area Between G and State Streets from Benson to San Antonio Avenues

Purpose:

- To allow the ongoing use of properties uniquely designed to accommodate commercial uses that are compatible with adjacent residential uses by the use of an ICC, Interim Community Commercial Overlay
- To encourage the elimination of strip commercial along Holt Blvd. in order to revitalize the corridor
- To eliminate split zoning of properties
- To accommodate adequate housing sites per the adequate sites inventory of the Housing Element
- To provide consistency with TOP land use designations of properties

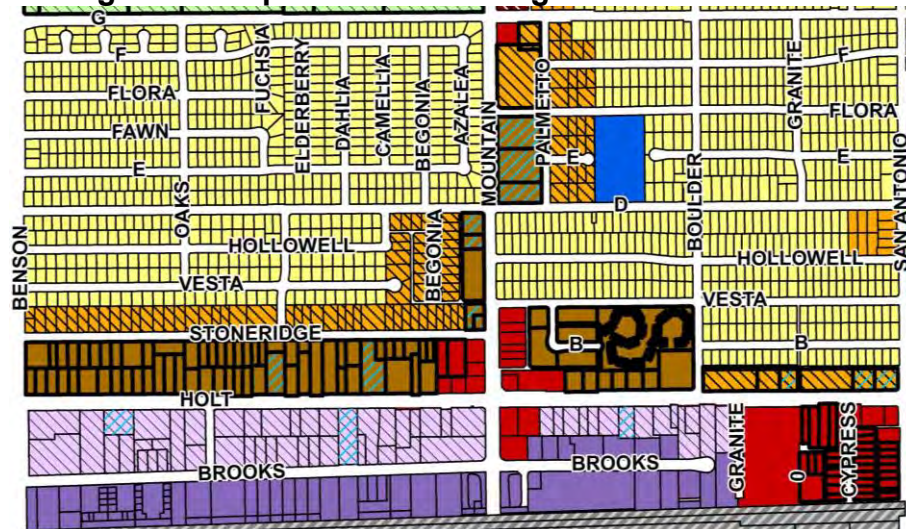
Current Zoning




Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low, Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Eucloid & Francis
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Int'l Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial

Zoning After Proposed Zone Changes



 PZC16-001 Zone Change Property
 Detailed Maps can be found in PC Resolution pages 8-14 & 17-19

Area 2 (200 properties) Public Comments Received:

- Fourteen written responses have been received for groups within this area,
 - Four support the proposed changes (29%),
 - Eight do not support the proposed changes (57%), and
 - Two had no comment regarding the proposed changes (14%).
- Written comments include:
 - Don't support A13 (Holt & Boulder) going to High Density Residential – This group contains properties that are part of the housing adequate sites inventory per the adopted Housing Element.
 - Changing A13 to High Density Residential will make selling business and property difficult – Legally established businesses may continue operations as approved regardless of ownership. Only a change of use would require compliance with the zoning in place at the time of the proposed change.
 - Intersection at Boulder and Holt can't handle additional traffic – The potential traffic impacts were analyzed in conjunction with the adoption of TOP.
 - Parking is an issue in the area – especially created by apartments at Palmetto and Vesta which makes it difficult to put trash cans on street for pick up – Staff explained that any new multi-family development would be required to provide parking per the Development Code requirements.
 - Property owner wants 802 W. Holt Blvd. to have ICC Overlay – Staff analyzed this property and is recommending ICC, Interim Community Commercial Overlay for this property since the use of the site is within a wholly enclosed building and should not negatively impact adjacent residential uses.

3. Area Between State and Phillips Streets from Oaks to Euclid Avenues

Purpose:

- To eliminate split zoning of properties
- To allow the continued use of certain rural properties on Magnolia Avenue for large animal keeping as agreed to during the development and adoption of TOP
- To provide consistency with TOP land use designations of properties

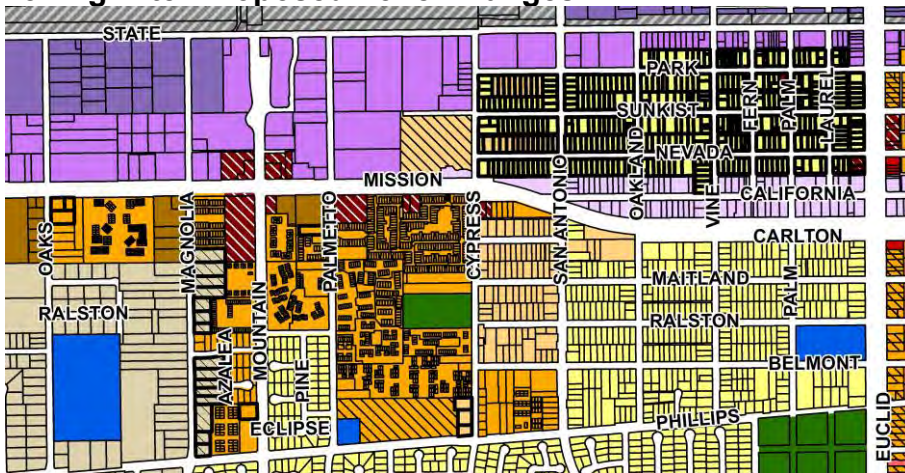
Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
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 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial
- PZC16-001 Zone Change Property

Zoning After Proposed Zone Changes



Detailed Maps can be found in PC Resolution pages 15, 20-24, 33, 37-39, 44 7 49-50

Area 3 (397 properties) Public Comments Received:

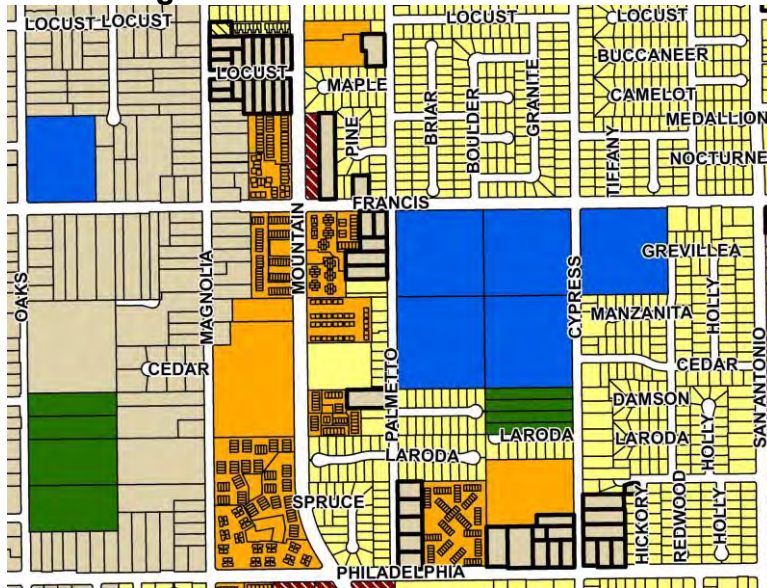
- Six written responses have been received for groups within this area,
 - Two support the proposed changes (33%),
 - Three do not support the proposed changes (50%), and
 - One had no comment regarding the proposed changes (17%).
- Written comments include:
 - Would like things not to change. I have been here my entire life – Proposed zone changes are in compliance with the land use designations of TOP.
 - Preserve historic homes, build historic looking “new” buildings, clean up Euclid & Holt – Comment not directly related to the proposed zone changes.

4. Area Between Locust and Philadelphia Streets from Oaks to San Antonio Avenues

Purpose:

- To convert isolated rural properties that are surrounded by single family residential properties to low density residential in order to improve compatibility
- To allow the continued use of certain rural properties on Magnolia Avenue for large animal keeping as agreed to during the development and adoption of TOP
- To provide consistency with TOP land use designations of properties

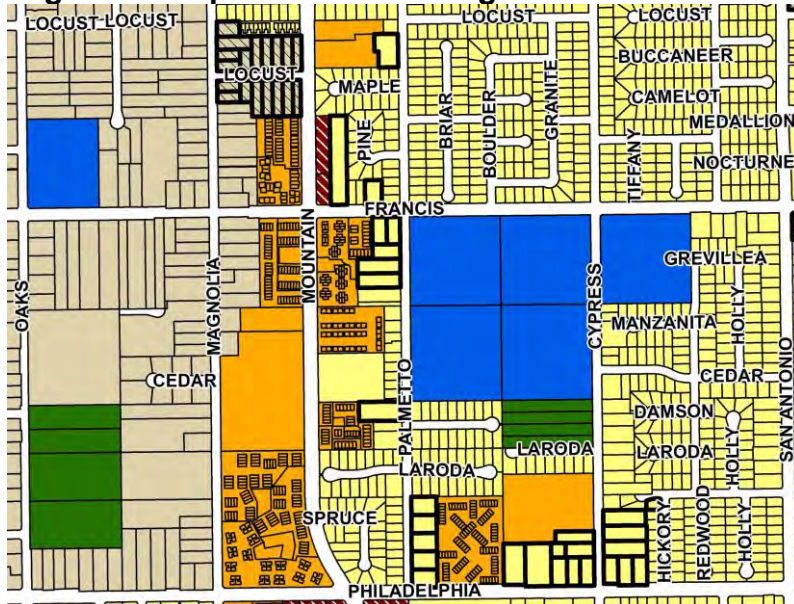
Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
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 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial
- PZC16-001 Zone Change Property

Zoning After Proposed Zone Changes



Detailed Maps can be found in PC Resolution pages 37-38, 47, 51 & 53

Area 4 (47 properties) Public Comments Received:

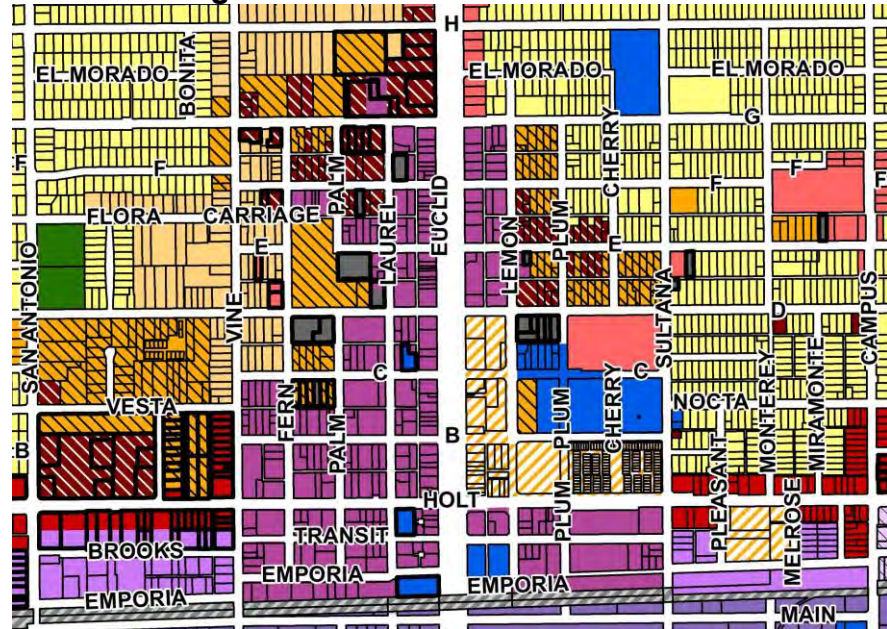
- Six written responses have been received for groups within this area,
 - Three support the proposed changes (50%),
 - Two do not support the proposed changes (33%), and
 - One had no comment regarding the proposed changes (17%).
- Written comments include:
 - Loss of value for property going from AR-2 to LDR-5 – Converting rural properties surrounded by single family residential properties to low density residential will improve compatibility in the area.

5. Area Between H and Main Streets from San Antonio to Campus Avenues

Purpose:

- To eliminate P1 zoned properties (zone has been eliminated)
- To eliminate split zoning of properties
- To provide consistency with TOP land use designations of properties

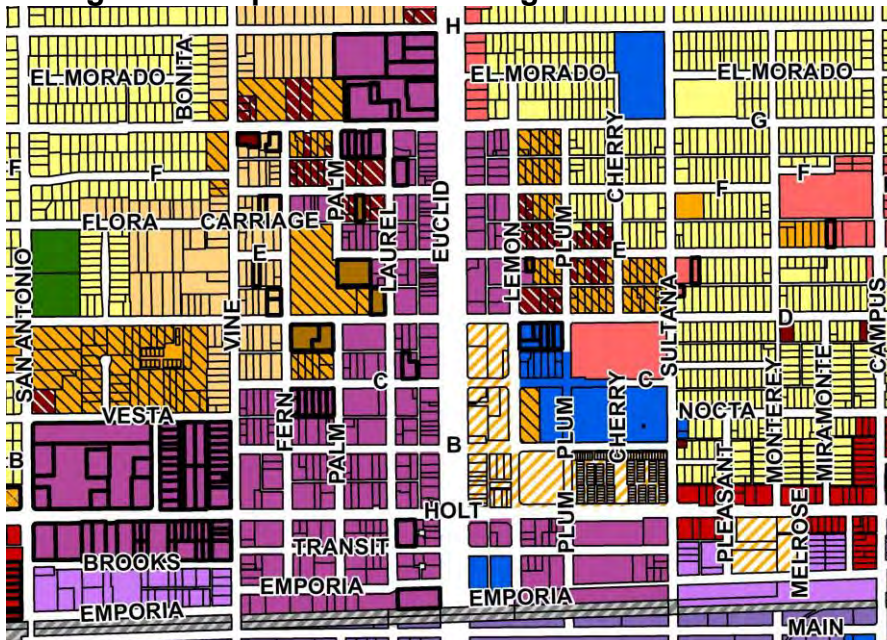
Current Zoning



Zones

- AR-2, Residential-Agriculture
 - RE-2, Rural Estate
 - RE-4, Residential Estate
 - LDR-5, Low Density Residential
 - MDR-11, Low_Medium Density Residential
 - MDR-18, Medium Density Residential
 - MDR-25, Medium-High Residential
 - HDR-45, High Density Residential
 - PUD, Planned Unit Residential
 - MHP, Mobile Home Park
 - MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Euclid & Francis
 - CS, Corner Store
 - CN, Neighborhood Commercial
 - CC, Community Commercial
 - CCS, Convention Center Support
 - OL, Low Intensity Office
 - OH, High Intensity Office
 - BP, Business Park
 - IP, Industrial Park
 - IL, Light Industrial
 - IG, General Industrial
 - IH, Heavy Industrial
 - ONT, Ontario Int'l Airport (Former M3)
 - CIV, Civic
 - OS-R, Open Space-Recreation
 - OS-C, Open Space-Cemetery
 - UC, Utilities Corridor
 - SP, Specific Plan
 - SP(AG), Specific Plan (Agriculture Overlay)
 - RC, Rail Corridor
 - P1, Off-Street Parking (To be eliminated)
- Overlays**
- MTC, Multimodal Transit Center
 - ES, Emergency Shelter
 - ICC, Interim Community Commercial

Zoning After Proposed Zone Changes



PZC16-001 Zone Change Property

Detailed Maps can be found in PC Resolution pages 21, 24-32, 34-36 & 54-55

Area 5 (111 properties) Public Comments Received:

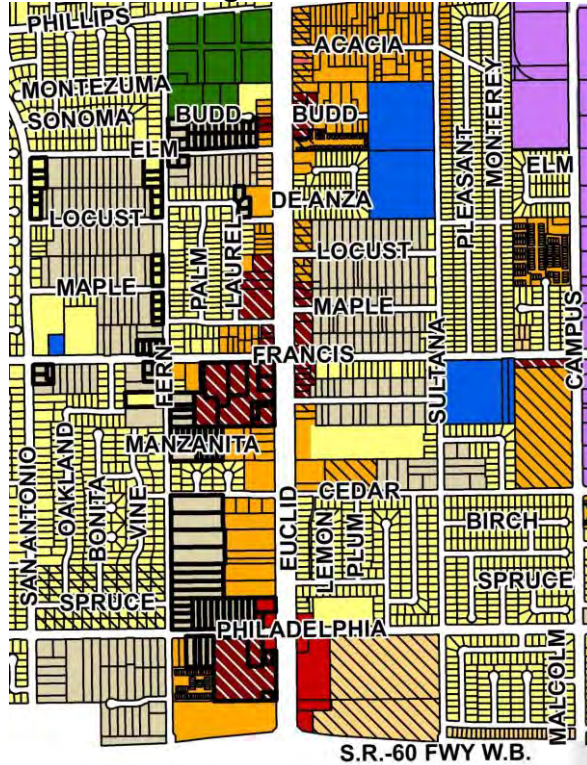
- Three written responses were received for groups within this area,
 - One person was not in support of the zone change (33%), and
 - Two people had no comments regarding the proposed changes (67%)
- Although not directly related to the proposed zone changes, the following written comments regarding the area were received:
 - SEC of E & Sultana – Parking lot is dumping ground for debris/trash/mattresses. Car lot is used to clean & repair vehicles. Site is used for drug dealing & sleeping transients, while length of alley between E & D Sultana & Monterey is a trash dump. Crime has significantly increased.
 - We are extremely concerned about the increasing issue of aggressive homeless in our community!! We have worked with the COPS unit, we have called Police out, we have been harassed and are concerned!

6. Area Between Phillips Street and SR60 from San Antonio to Campus Avenues

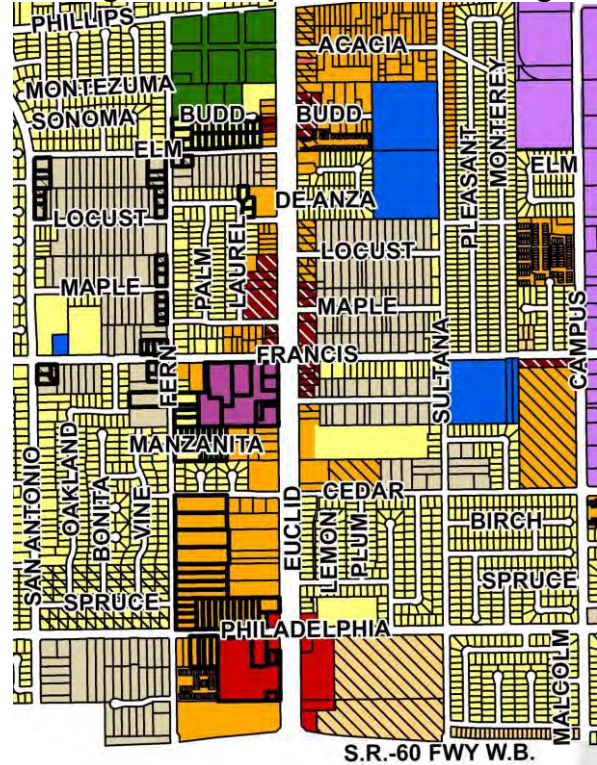
Purpose:

- To allow the continued use of certain rural properties for large animal keeping as agreed to during the development and adoption of TOP
- To accommodate adequate housing sites per the adequate sites inventory of the Housing Element
- To provide consistency with TOP land use designations of properties

Current Zoning



Zoning After Proposed Zone Changes



Zones

	AR-2, Residential-Agriculture		CS, Corner Store
	RE-2, Rural Estate		CN, Neighborhood Commercial
	RE-4, Residential Estate		CC, Community Commercial
	LDR-5, Low Density Residential		CCS, Convention Center Support
	MDR-11, Low/Medium Density Residential		OL, Low Intensity Office
	MDR-18, Medium Density Residential		OH, High Intensity Office
	MDR-25, Medium-High Residential		BP, Business Park
	HDR-45, High Density Residential		IP, Industrial Park
	PUD, Planned Unit Residential		IL, Light Industrial
	MHP, Mobile Home Park		IG, General Industrial
	MU 1-Downtown Mixed Use 2-Holt Blvd. 11-Euclid & Francis		IH, Heavy Industrial

	ONT, Ontario Int'l Airport (Former M3)
	CIV, Civic
	OS-R, Open Space-Recreation
	OS-C, Open Space-Cemetery
	UC, Utilities Corridor
	SP, Specific Plan
	SP(AG), Specific Plan (Agriculture Overlay)
	RC, Rail Corridor
	P1, Off-Street Parking (To be eliminated)

Overlays

	MTC, Multimodal Transit Center
	ES, Emergency Shelter
	ICC, Interim Community Commercial

PZC16-001 Zone Change Property

Detailed Maps can be found in PC Resolution pages 39-43, 45, 48 & 52-53

Area 6 (118 properties) Public Comments Received:

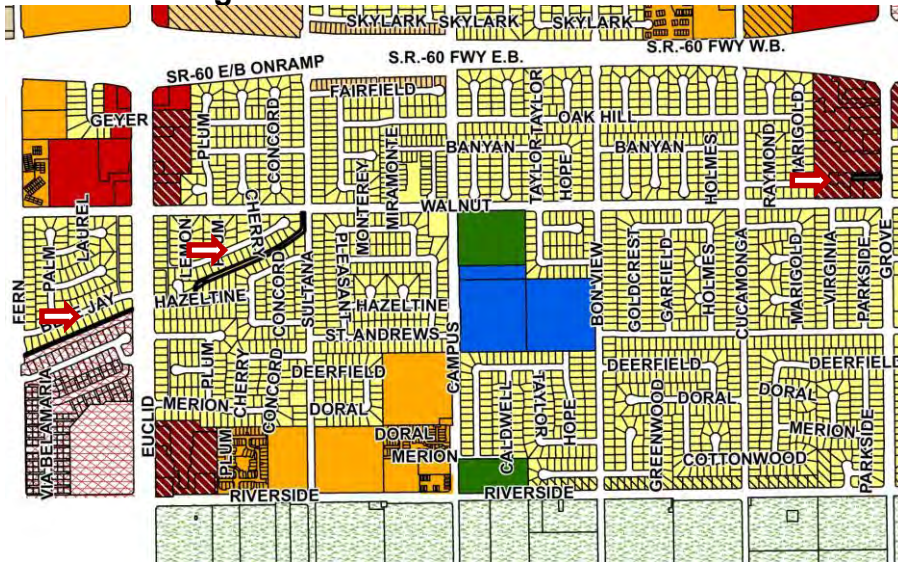
- Eleven written responses were received:
 - Five people were in support of the zone change (45%), and
 - Four people were not in support of the zone change (36%)
 - Two people had no comments regarding the proposed changes (18%).
- Written comments included:
 - No apartments should be permitted – Some properties within this area (Groups C8 & C20) have a TOP designation of medium density residential and are adjacent to existing multi-family development. The proposed zone change would bring conformance with TOP.
 - Too much traffic – Potential traffic impacts were previously analyzed with the adoption of TOP.

7. Area Between SR60 and Riverside Drive from Fern to Grove Avenues

Purpose:

- To eliminate P1 zoned properties (zone has been eliminated)
- To place flood control channel in the UC, Utilities Corridor zone
- To provide consistency with TOP land use designations of properties

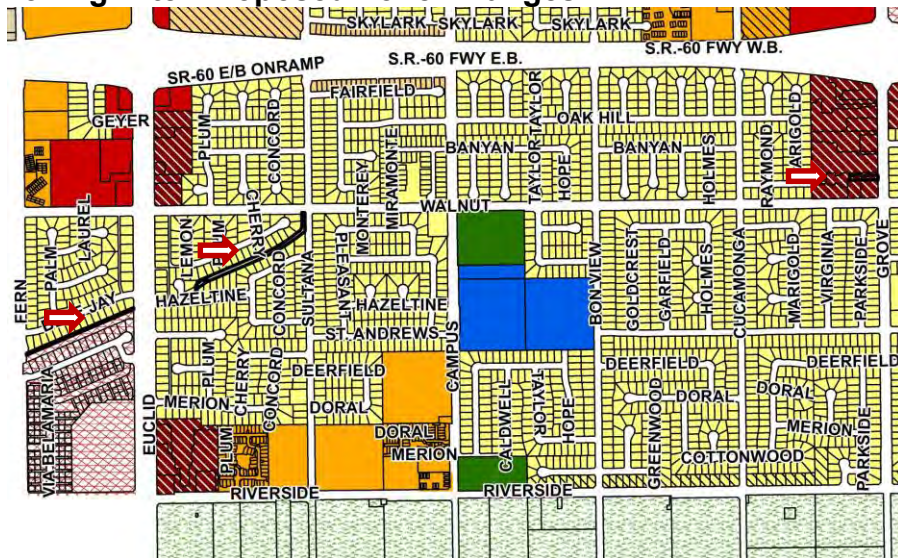
Current Zoning



Zones

- AR-2, Residential-Agriculture
- RE-2, Rural Estate
- RE-4, Residential Estate
- LDR-5, Low Density Residential
- MDR-11, Low_Medium Density Residential
- MDR-18, Medium Density Residential
- MDR-25, Medium-High Residential
- HDR-45, High Density Residential
- PUD, Planned Unit Residential
- MHP, Mobile Home Park
- MU 1-Downtown Mixed Use
2-Hot Blvd.
11-Euclid & Francis
- CS, Corner Store
- CN, Neighborhood Commercial
- CC, Community Commercial
- CCS, Convention Center Support
- OL, Low Intensity Office
- OH, High Intensity Office
- BP, Business Park
- IP, Industrial Park
- IL, Light Industrial
- IG, General Industrial
- IH, Heavy Industrial
- ONT, Ontario Int'l Airport (Former M3)
- CIV, Civic
- OS-R, Open Space-Recreation
- OS-C, Open Space-Cemetery
- UC, Utilities Corridor
- SP, Specific Plan
- SP(AG), Specific Plan (Agriculture Overlay)
- RC, Rail Corridor
- P1, Off-Street Parking (To be eliminated)

Zoning After Proposed Zone Changes



- Overlays
- MTC, Multimodal Transit Center
- ES, Emergency Shelter
- ICC, Interim Community Commercial

PZC16-001 Zone Change Property

Detailed Maps can be found in PC Resolution pages 46 & 66

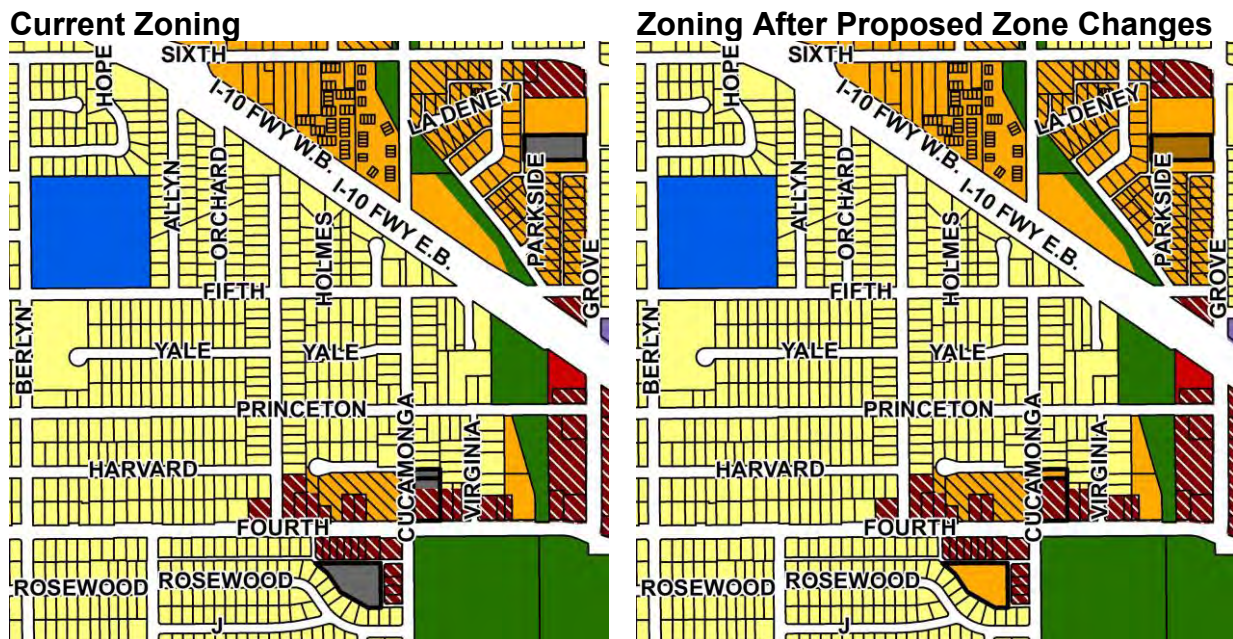
Area 7 (5 properties) Public Comments Received:

- Three written responses were received for groups within this area
 - One person was in support of the zone change (33%)
 - Two people had no comments regarding the proposed changes (66%).
- No specific written comments were received.

8. Area Between Sixth and Rosewood Streets from Berlyn to Grove Avenues

Purpose:

- To eliminate P1 zoned properties (zone has been eliminated)
- To eliminate split zoning of properties
- To provide consistency with TOP land use designations of properties



Zones

AR-2, Residential-Agriculture	CS, Corner Store
RE-2, Rural Estate	CN, Neighborhood Commercial
RE-4, Residential Estate	CC, Community Commercial
LDR-5, Low Density Residential	CCS, Convention Center Support
MDR-11, Low_Medium Density Residential	OL, Low Intensity Office
MDR-18, Medium Density Residential	OH, High Intensity Office
MDR-25, Medium-High Residential	BP, Business Park
HDR-45, High Density Residential	IP, Industrial Park
PUD, Planned Unit Residential	IL, Light Industrial
MHP, Mobile Home Park	IG, General Industrial
MU 1-Downtown Mixed Use 2-Hot Blvd. 11-Euclid & Francis	IH, Heavy Industrial

ONT, Ontario Int'l Airport (Former M3)
CIV, Civic
OS-R, Open Space-Recreation
OS-C, Open Space-Cemetery
UC, Utilities Corridor
SP, Specific Plan
SP(AG), Specific Plan (Agriculture Overlay)
RC, Rail Corridor
P1, Off-Street Parking (To be eliminated)

Overlays

MTC, Multimodal Transit Center
ES, Emergency Shelter
ICC, Interim Community Commerci

PZC16-001 Zone Change Pronev

Detailed Maps can be found in PC Resolution pages 58-59

Area 8 (4 properties) Public Comments Received:

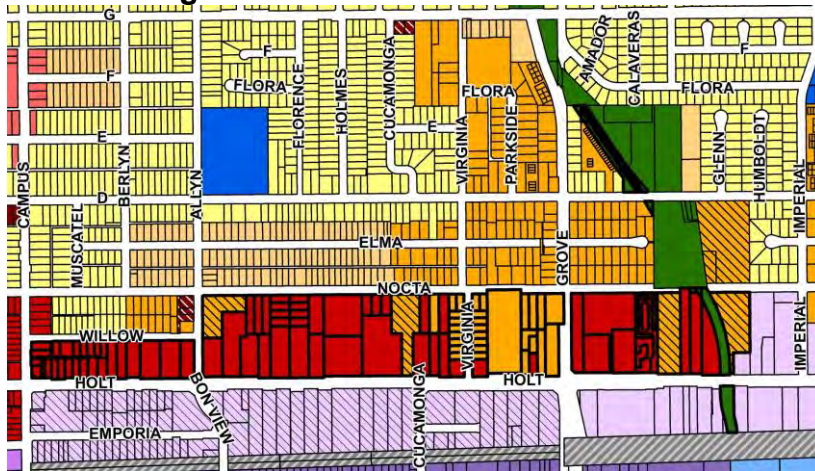
- One written response in support of the proposed zone change was received for groups within this area but no specific comments were provided

9. Area Between G Street and Holt Blvd. from Campus to Imperial Avenues

Purpose:

- To encourage the elimination of strip commercial along Holt Blvd. in order to revitalize the corridor
- To place flood control channel in the UC, Utilities Corridor zone
- To accommodate adequate housing sites per the adequate sites inventory of the Housing Element
- To provide consistency with TOP land use designations of properties

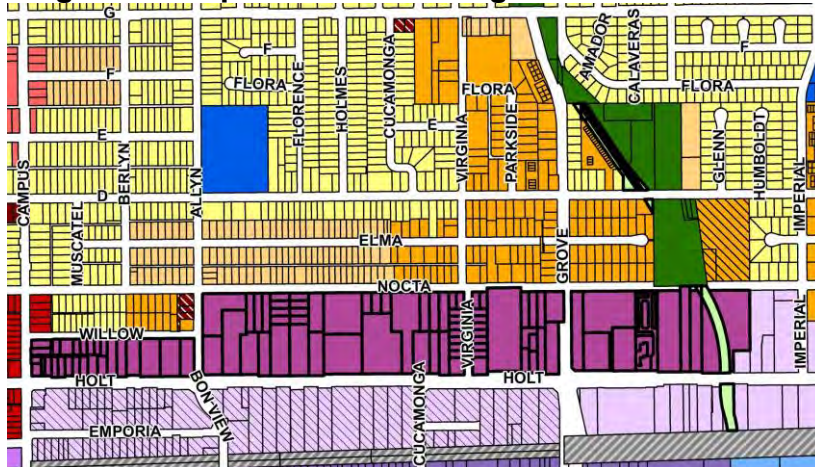
Current Zoning




Zones

- AR-2, Residential-Agriculture
- RE-2, Rural Estate
- RE-4, Residential Estate
- LDR-5, Low Density Residential
- MDR-11, Low_Medium Density Residential
- MDR-18, Medium Density Residential
- MDR-25, Medium-High Residential
- HDR-45, High Density Residential
- PUD, Planned Unit Residential
- MHP, Mobile Home Park
- MU 1-Downtown Mixed Use
2-Holt Blvd.
11-Essex & Francis
- CS, Corner Store
- CN, Neighborhood Commercial
- CC, Community Commercial
- CCS, Convention Center Support
- OL, Low Intensity Office
- OH, High Intensity Office
- BP, Business Park
- IP, Industrial Park
- IL, Light Industrial
- IG, General Industrial
- IH, Heavy Industrial
- ONT, Ontario Int'l Airport (Former M3)
- CIV, Civic
- OS-R, Open Space-Recreation
- OS-C, Open Space-Cemetery
- UC, Utilities Corridor
- SP, Specific Plan
- SP(AG), Specific Plan (Agriculture Overlay)
- RC, Rail Corridor
- P1, Off-Street Parking (To be eliminated)

Zoning After Proposed Zone Changes



 PZC16-001 Zone Change Property

Detailed Maps can be found in PC Resolution pages 56-57, 60 & 63-64

Area 9 (118 properties) Public Comments Received:

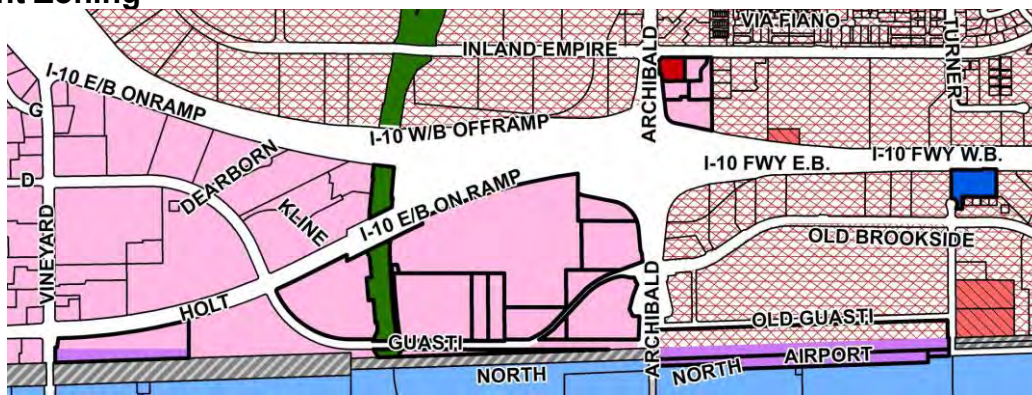
- Six written responses were received for groups within this area
 - Five people were in support of the zone change (83%)
 - One person had no comments regarding the proposed changes (17%).
- Written comments included:
 - Gracias
 - I support the improvements in our area
 - Better sidewalks – This project does not include any development but allows for future development in conformance with TOP.

10. Area Between Inland Empire Blvd. and Airport Drive from Vineyard to Turner Avenues

Purpose:

- To eliminate split zoning of properties
- To place flood control channel in the UC, Utilities Corridor zone
- To place the MTC, Multimodal Transit Center Overlay on properties to allow for the future transit center
- To place railroad facilities in a unique zone for the rail corridors (RC, Rail Corridor).
- To provide consistency with TOP land use designations of properties

Current Zoning



Zoning After Proposed Zone Changes



Zones

<ul style="list-style-type: none"> AR-2, Residential-Agriculture RE-2, Rural Estate RE-4, Residential Estate LDR-5, Low Density Residential MDR-11, Low_Medium Density Residential MDR-18, Medium Density Residential MDR-25, Medium-High Residential HDR-45, High Density Residential PUD, Planned Unit Residential MHP, Mobile Home Park MU 1-Downtown Mixed Use 2-Hill Blvd. 11-Euclid & Francis 	<ul style="list-style-type: none"> CS, Corner Store CN, Neighborhood Commercial CC, Community Commercial CCS, Convention Center Support OL, Low Intensity Office OH, High Intensity Office BP, Business Park IP, Industrial Park IL, Light Industrial IG, General Industrial IH, Heavy Industrial 	<ul style="list-style-type: none"> ONT, Ontario Int'l Airport (Former M3) CIV, Civic OS-R, Open Space-Recreation OS-C, Open Space-Cemetery UC, Utilities Corridor SP, Specific Plan SP(AG), Specific Plan (Agriculture Overlay) RC, Rail Corridor P1, Off-Street Parking (To be eliminated) 	<p>Overlays</p> <ul style="list-style-type: none"> MTC, Multimodal Transit Center ES, Emergency Shelter ICC, Interim Community Commercial <p>PZC16-001 Zone Change Property</p>
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Detailed Maps can be found in PC Resolution pages 59, 61-62 & 64-65

Area 10 (27 properties) Public Comments Received:

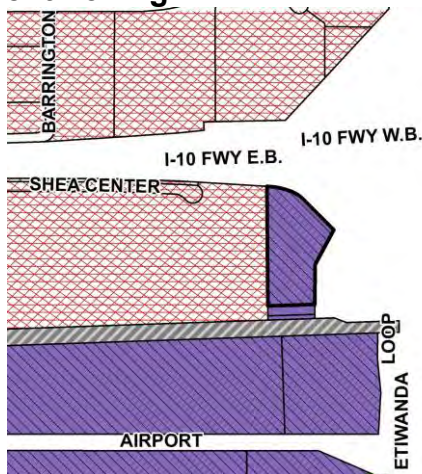
- No written comments received for groups within this area.

11. Area Between I-10 Freeway and Airport Drive from Etiwanda to Barrington Avenues

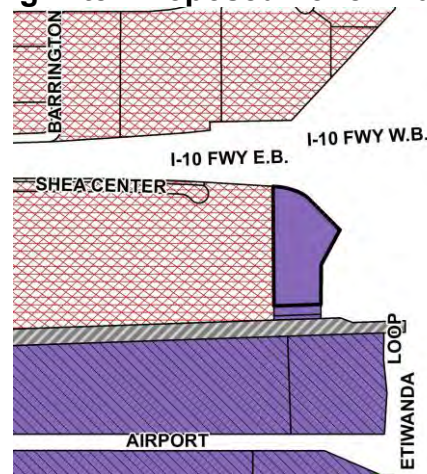
Purpose:

- To eliminate Heavy Industrial zoning along Interstate 10 while maintaining consistency with TOP land use designation of property

Current Zoning



Zoning After Proposed Zone Changes



Zones

AR-2, Residential-Agriculture	CS, Corner Store	ONT, Ontario Int'l Airport (Former M3)	Overlays MTC, Multimodal Transit Center ES, Emergency Shelter ICC, Interim Community Commercial PZC16-001 Zone Change Property
RE-2, Rural Estate	CN, Neighborhood Commercial	CIV, Civic	
RE-4, Residential Estate	CC, Community Commercial	OS-R, Open Space-Recreation	
LDR-5, Low Density Residential	CCS, Convention Center Support	OS-C, Open Space-Cemetery	
MDR-11, Low_Medium Density Residential	OL, Low Intensity Office	UC, Utilities Corridor	
MDR-18, Medium Density Residential	OH, High Intensity Office	SP, Specific Plan	
MDR-25, Medium-High Residential	BP, Business Park	SP(AG), Specific Plan (Agriculture Overlay)	
HDR-45, High Density Residential	IP, Industrial Park	RC, Rail Corridor	
PUD, Planned Unit Residential	IL, Light Industrial	P1, Off-Street Parking (To be eliminated)	
MHP, Mobile Home Park	IG, General Industrial		
MU 1-Downtown Mixed Use 2-Holt Blvd. 11-Euclid & Francis	IH, Heavy Industrial		

Detailed Maps can be found in PC Resolution page 66

Area 11 (1 property) Public Comments Received:

- One written response in support of the zone change was received at an Open House held March 21, 2013.

Staff is recommending approval of this group of zone changes affecting 1,045 properties in an on-going effort to achieve consistency between TOP land use designations and zoning for all properties in the City.

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 Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals: Operate in a Businesslike Manner
Invest in the Growth and Evolution of the City's Economy

[2] Policy Plan (General Plan)

Land Use Element – Balance & Phased Growth

- 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: Undertaking the zone changes to provide consistency between the zoning and TOP land use designations will further the City's intent of becoming a complete community which will result in a land use pattern that provides residents, employers, workers and visitors a wide spectrum of choices to live, work, shop and recreate within Ontario.

- Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.

➤ LU4-1: Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The zone changes will help to bring consistency between the zoning and TOP land uses and will bring the achievement of our Vision closer.

Housing – Neighborhoods & Housing

- **Goal H1:** Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity
 - **H1-2: *Neighborhood Conditions*.** We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provisions of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.

Compliance: Changing the zoning of certain existing residential properties, to comply with our Vision, will provide for long term stability of the neighborhoods

Safety – 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 proposed zone changes are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

COMPLIANCE WITH THE AIRPORT LAND USE COMPATIBILITY PLAN: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"). The environmental impacts of this project were previously reviewed in conjunction The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

NOTICE



TO: Ontario, California Planning Commission

March 5, 2016

FROM: Wesley and Dana Chambers, 1836 South Palmetto Avenue Ontario 91762

SUBJECT: We strongly object to a proposed change of zone from AR-2 Residential Agricultural to LDR-5 to Low Density Residential on our property at 1836 South Palmetto Avenue.

Under current zoning, we are allowed three horses on the lot that measures 100' x 300' (¾ acre). We have had horses on the property since 1965 and have never had anyone complain about them..

Our next door neighbors at 1846 So Palmetto Avenue have horses on their property which is the same size (¾ acre) and has the same dimensions (100'x 300') as ours.

We see no reason for a change of zoning at this time. No new development is proposed on adjacent properties or anywhere in the neighborhood that we are aware of.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Chambers".

Wesley T. Chambers

A handwritten signature in black ink, appearing to read "Dana S. Chambers".

Dana S. Chambers

1836 So Palmetto Ave
Ontario Ca 91762
(909) 986-8516

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PZC16-001, A CITY INITIATED REQUEST TO CHANGE THE ZONING DESIGNATIONS ON 881 PROPERTIES GENERALLY LOCATED SOUTH OF FOURTH STREET AND WEST OF EUCLID AVENUE, 127 PROPERTIES ALONG EAST HOLT BOULEVARD, AND 37 OTHER PROPERTIES LOCATED THROUGHOUT THE CITY IN ORDER TO MAKE THE ZONING CONSISTENT WITH THE ONTARIO PLAN LAND USE DESIGNATIONS OF THE PROPERTIES, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: AS SHOWN IN EXHIBIT A (ATTACHED).

WHEREAS, City of Ontario ("Applicant") has initiated an Application for the approval of a Zone Change, File No. PZC16-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1,045 properties totaling about 522 acres; and

WHEREAS, the zoning of the properties is inconsistent with The Ontario Plan ("TOP") land use designations of the properties and the proposed zone changes will make the zoning consistent with TOP land use designations of the properties as shown in Exhibit A; 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 consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. Sixty-six parcels within Groups A7, A8, A9, A10, A11, A12, A13, A35, A36, A42, A43, E7, and E8 as shown in Exhibit A (attached) are 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 density specified in the Available Land Inventory.

WHEREAS, 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; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (TOP) (File No. PGPA06-001), for which an Environmental Impact Report (SCH # 2008101140) was adopted by the City Council on January 27, 2010, 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, on March 22, 2016, 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. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted Environmental Impact Report (SCH # 2008101140) and supporting documentation. Based upon the facts and information contained in the Environmental Impact Report (SCH # 2008101140) and supporting documentation, the Planning Commission finds as follows:

- a. The previous EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- b. The previous EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- c. The previous EIR reflects the independent judgment of the Planning Commission; and
- d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

SECTION 2. 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 above, the Planning Commission hereby concludes as follows:

- a. 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:

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: Undertaking the zone changes to provide consistency between the zoning and TOP land use designations will further the City's intent of becoming a complete community which will result in a land use pattern that provides residents, employers, workers and visitors a wide spectrum of choices to live, work, shop and recreate within Ontario.

LU4-1 Commitment to Vision. We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The zone changes will help to bring consistency between the zoning and TOP land uses and will bring the achievement of our Vision closer.

H1-2 Neighborhood Conditions. We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provisions of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.

Compliance: Changing the zoning of certain existing residential properties, to comply with our Vision, will provide for long term stability of the neighborhoods

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 proposed zone changes are consistent with the adopted Airport Land Use Compatibility Plan for both Ontario Airport and Chino Airport.

b. The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses.

d. 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.

SECTION 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application.

SECTION 4. 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. 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. 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 March, 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PZC16-001
March 22, 2016
Page 5

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:


































ABSENT:

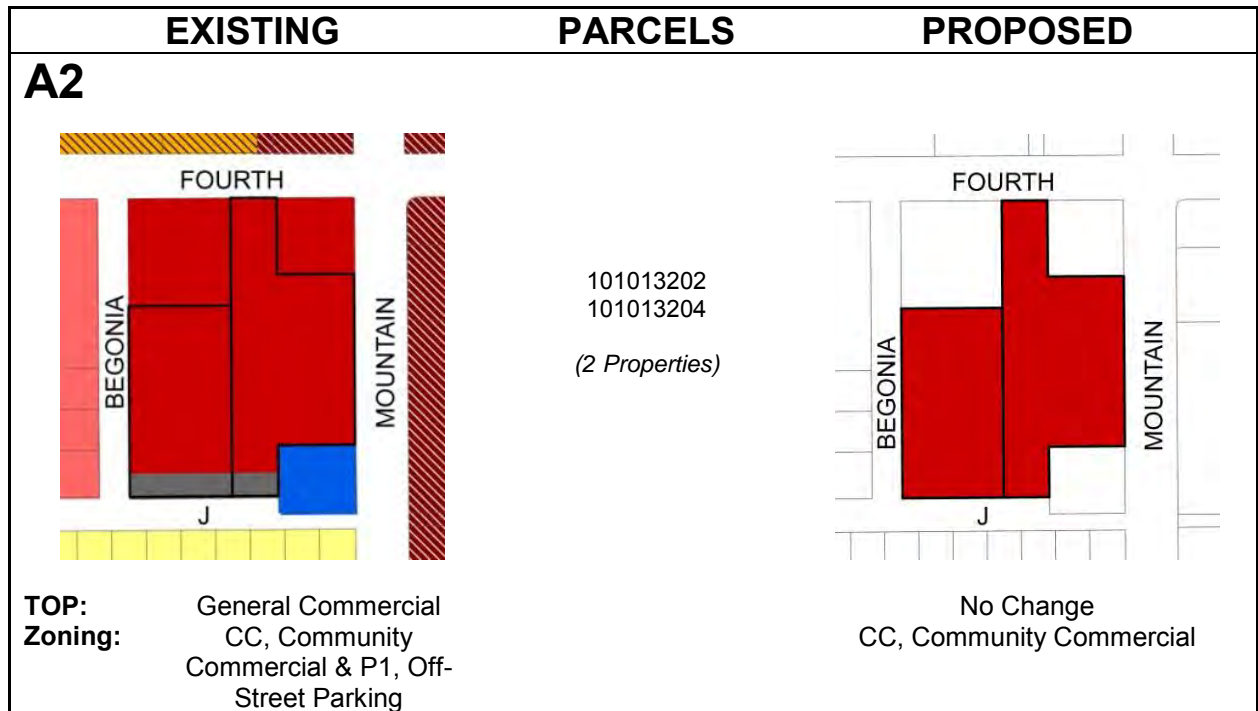
ABSTAIN:

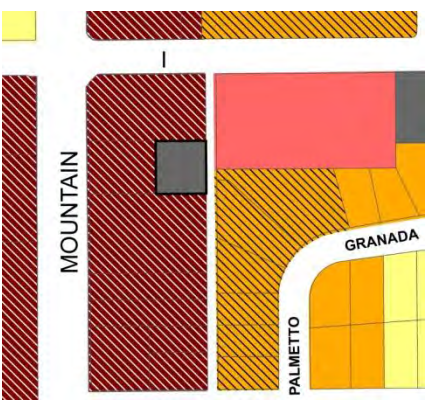
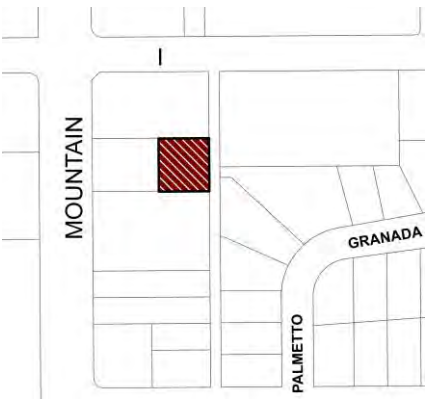
Marci Callejo
Secretary Pro Tempore

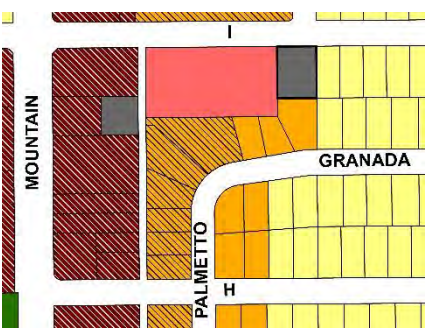

Exhibit A PZC16-001

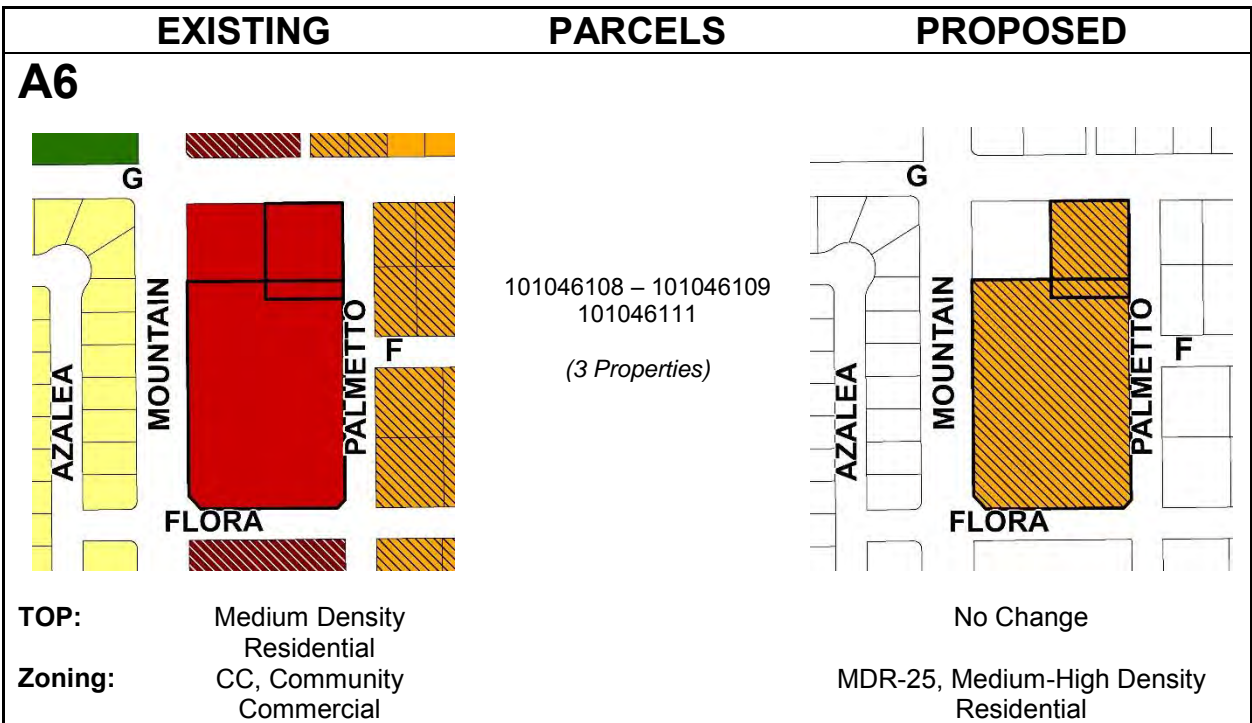
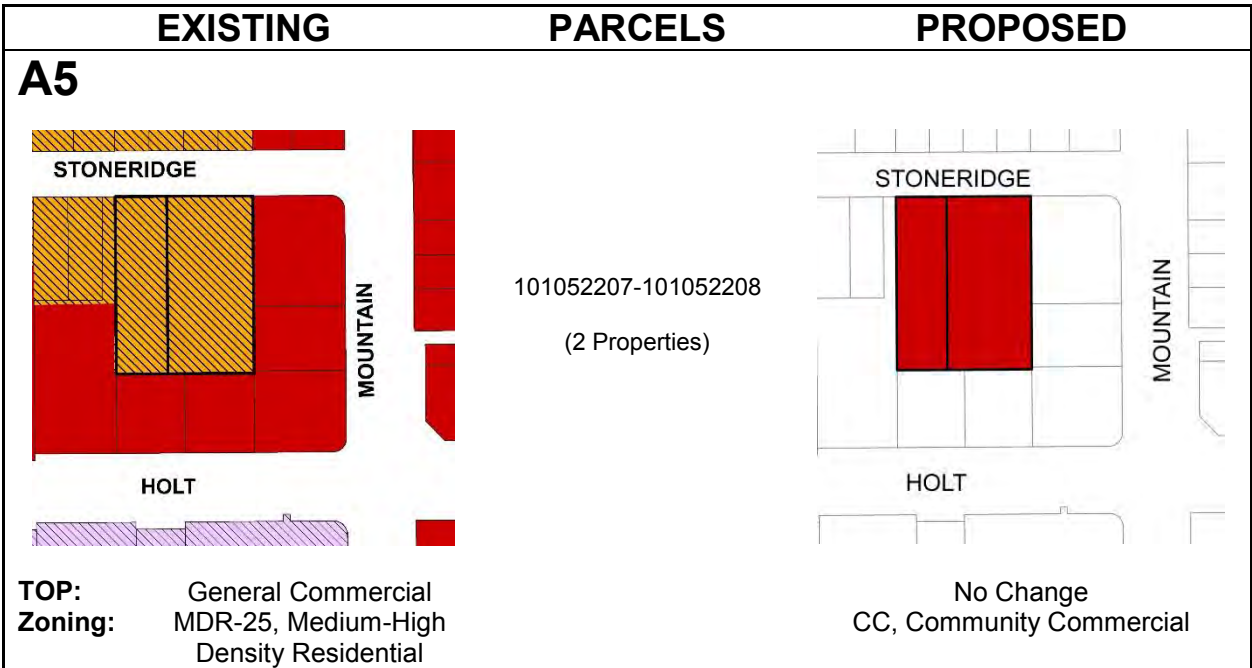
ZONING Legend:

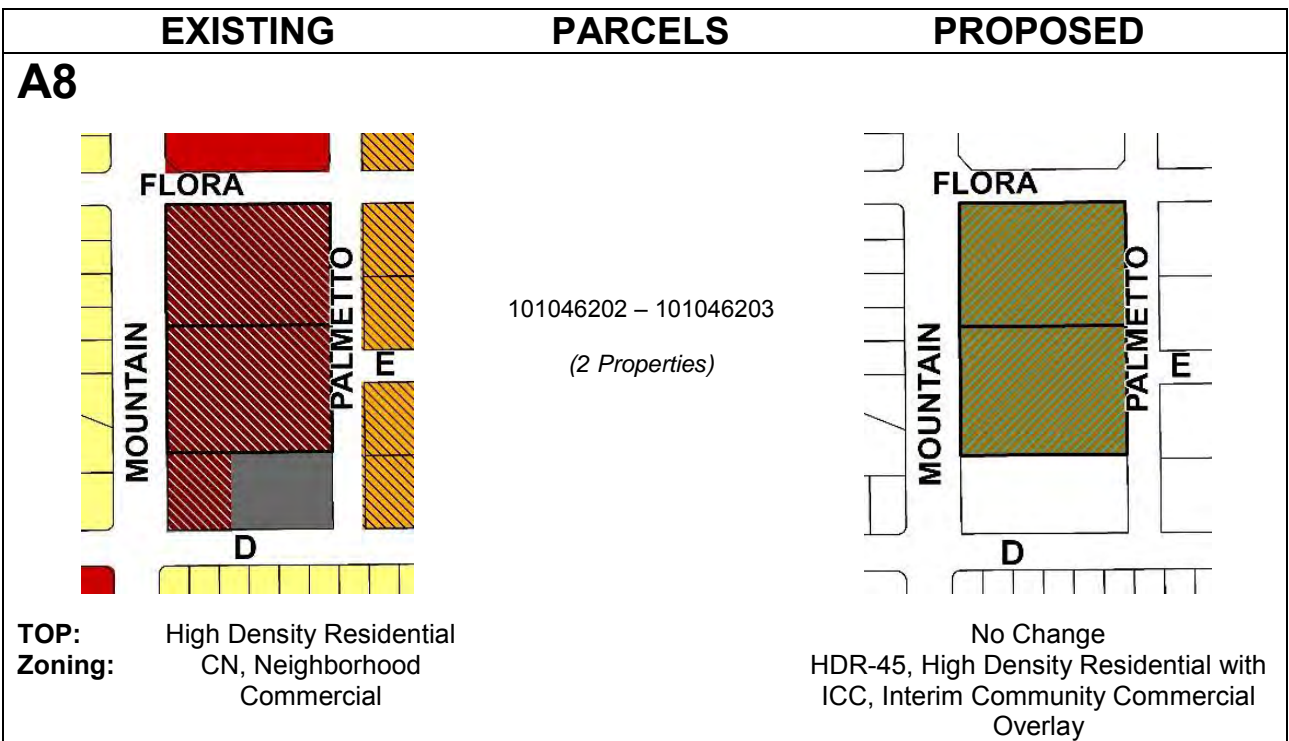
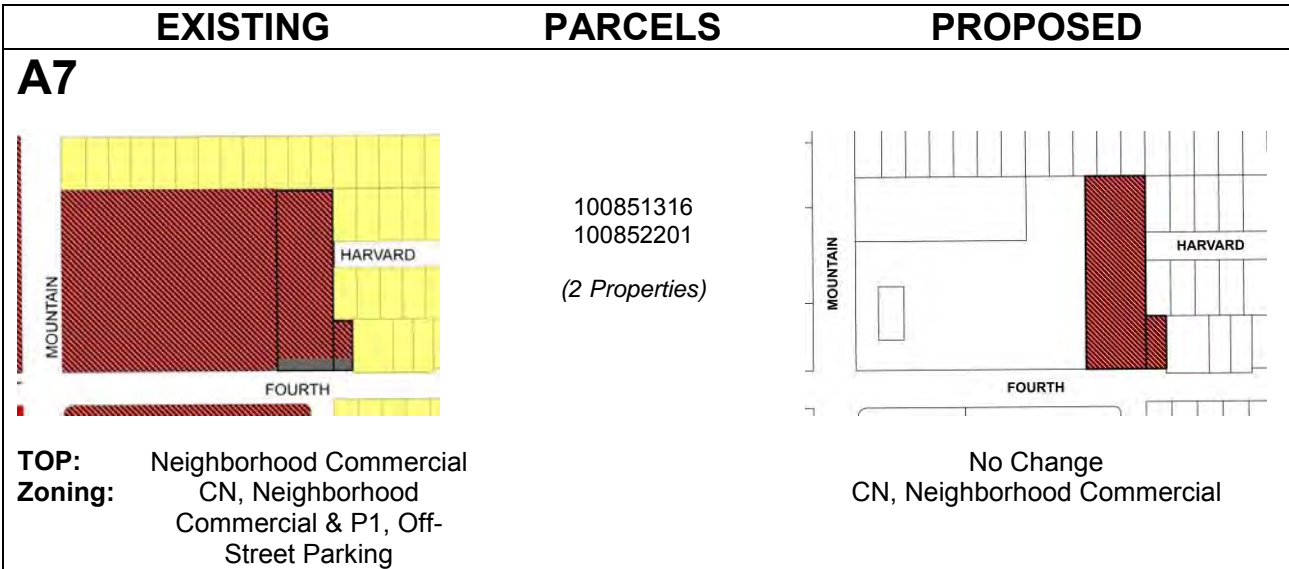
	AR-2, Residential-Agricultural		PUD, Planned Unit Development		BP, Business Park		OS-R, Open Space - Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space-Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		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
	MHP, Mobile Home Park						

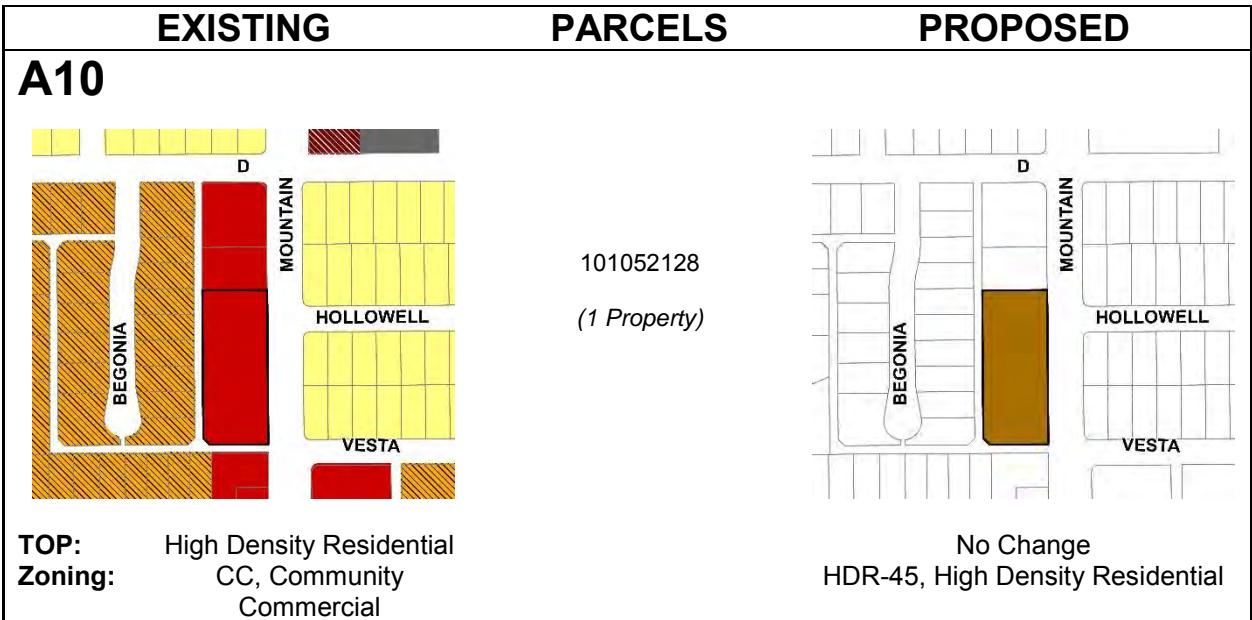
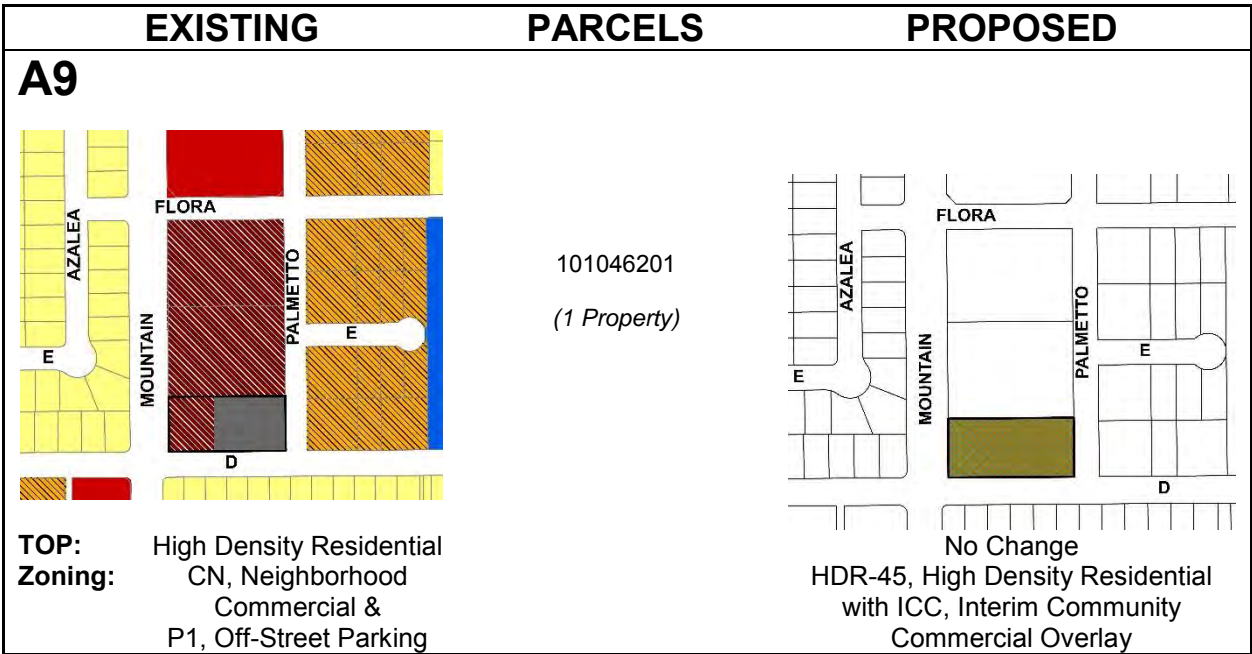


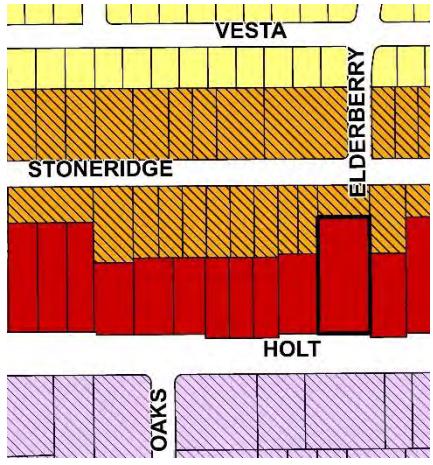
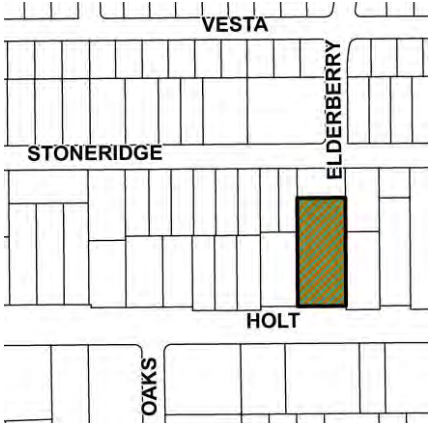
EXISTING	PARCELS	PROPOSED
<p>A3</p>  <p>TOP: Neighborhood Commercial Zoning: P1, Off-Street Parking</p>	<p>101019143 <i>(1 Property)</i></p>	 <p>No Change CN, Neighborhood Commercial</p>

EXISTING	PARCELS	PROPOSED
<p>A4</p>  <p>TOP: Low Density Residential Zoning: P1, Off-Street Parking</p>	<p>101019131 <i>(1 Property)</i></p>	 <p>Medium Density Residential MDR-25, Medium-High Density Residential</p>



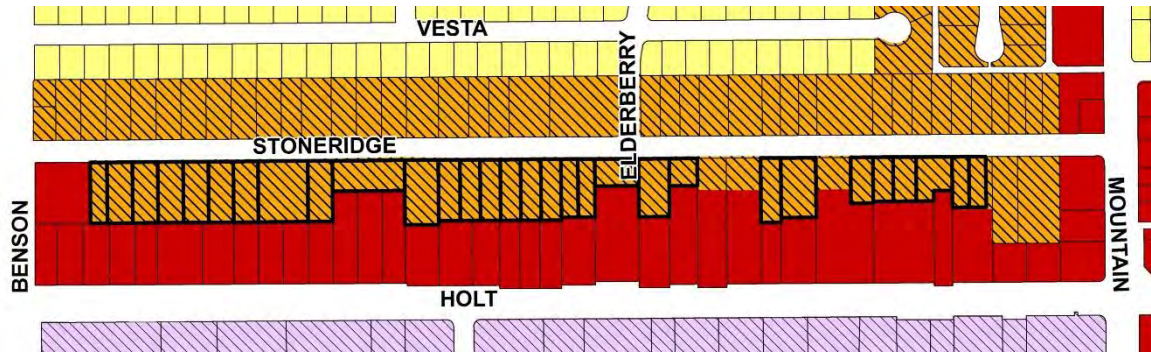




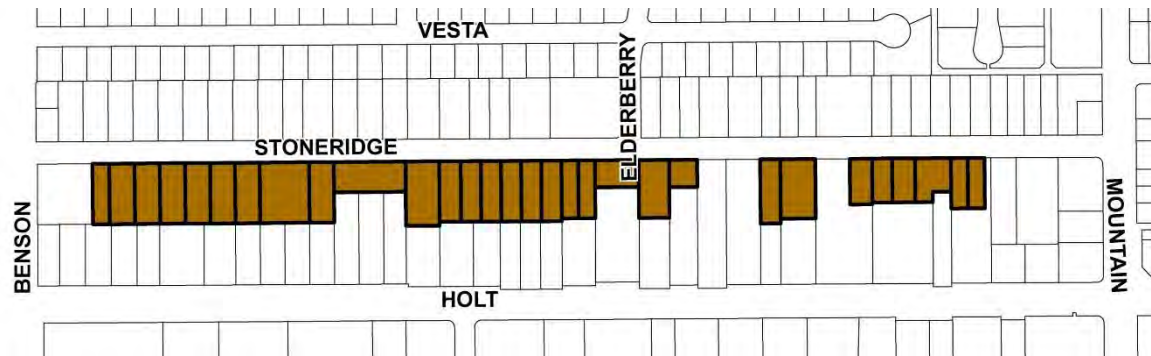
EXISTING	PARCELS	PROPOSED
A11		
	<p>101054302 <i>(1 Property)</i></p>	
<p>TOP: High Density Residential Zoning: CC, Community Commercial</p>		<p>No Change HDR-45, High Density Residential with ICC, Interim Community Commercial Overlay</p>

A12

EXISTING



PROPOSED



Parcels: (30 Properties)

101052202 – 101052205
 101052216
 101054316 – 101054329

101054331
 101055217 – 101055223
 101055226

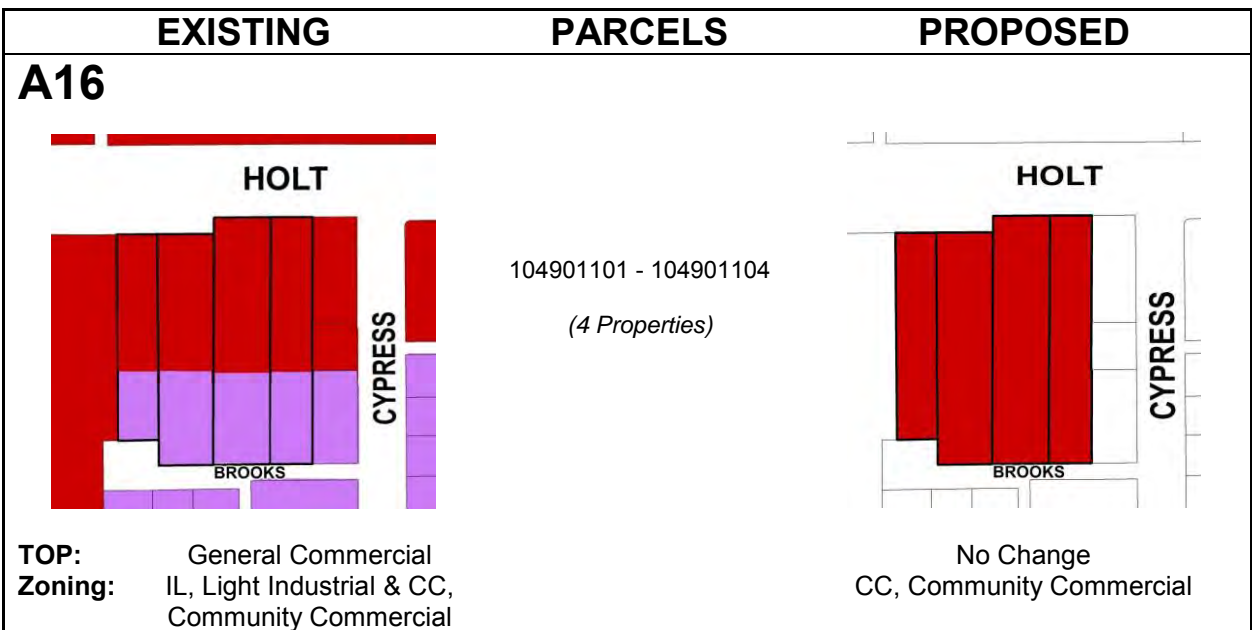
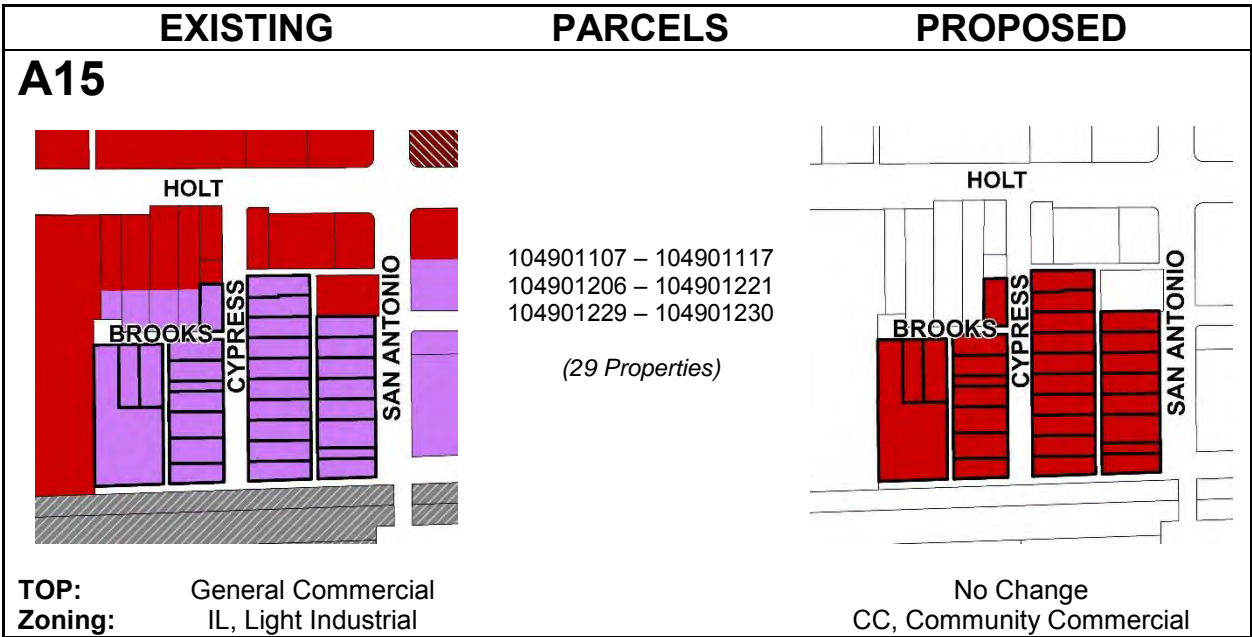
101055231
 101055235

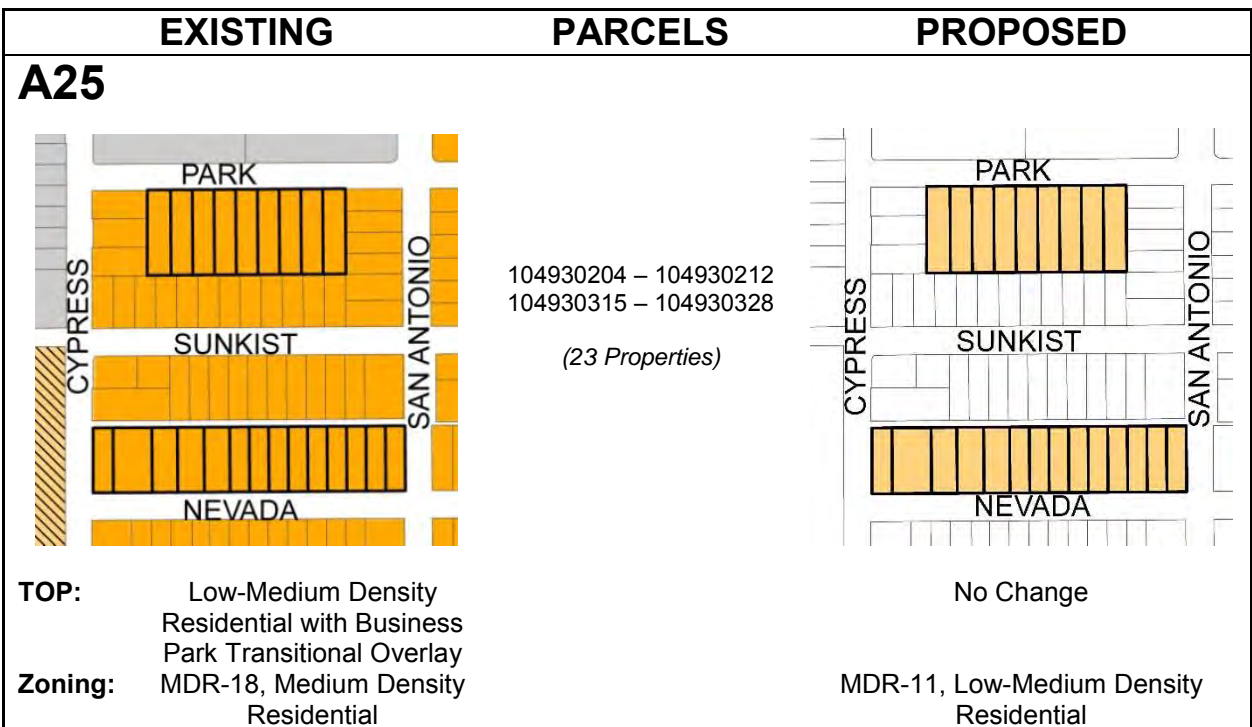
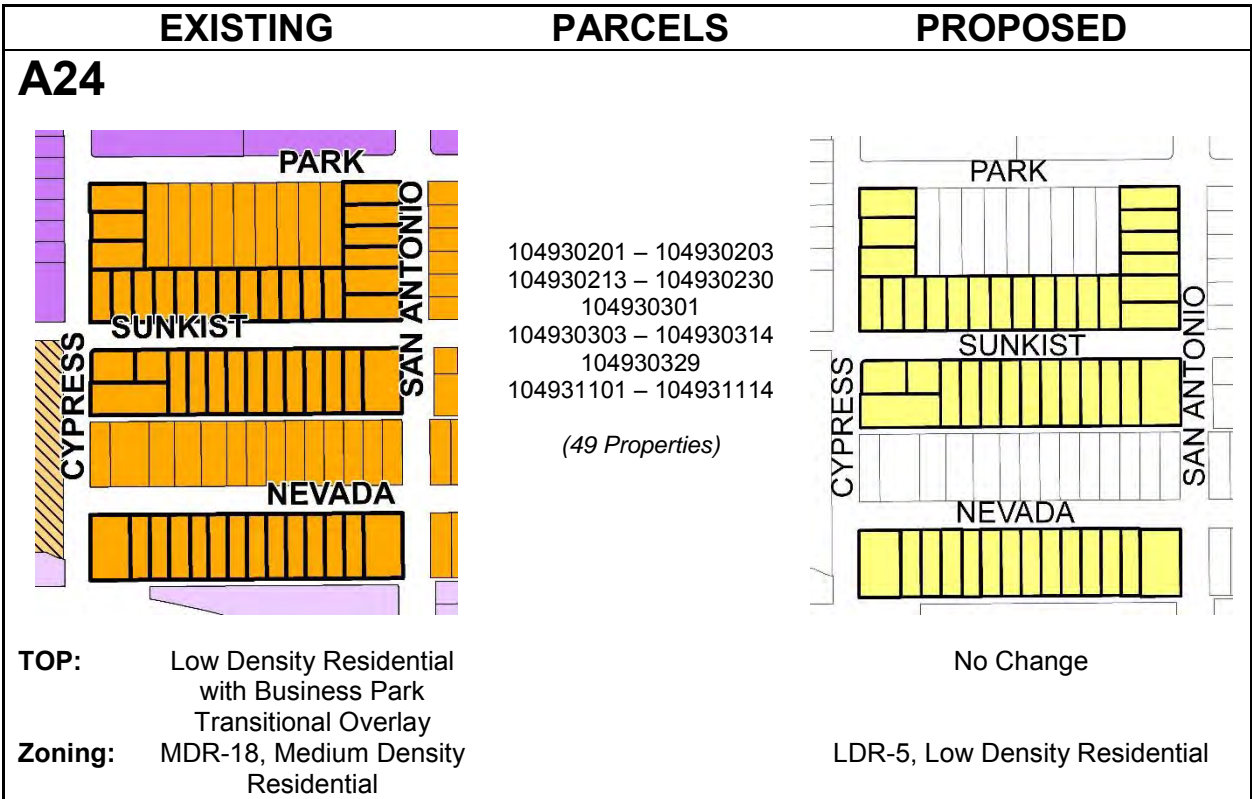
EXISTING
TOP: High Density Residential
Zoning: MDR-25, Medium-High Density Residential



PROPOSED
TOP: No Change
Zoning: HDR-45, High Density Residential

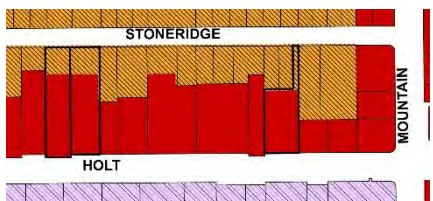
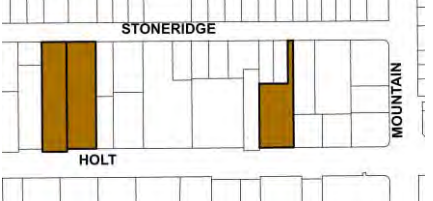
EXISTING	PARCELS	PROPOSED
A13		
	<p>101050176 – 101050180 101050206 – 101050207</p> <p>(7 Properties)</p>	
<p>TOP: High Density Residential Zoning: CC, Community Commercial</p>		<p>No Change HDR-45, High Density Residential</p>

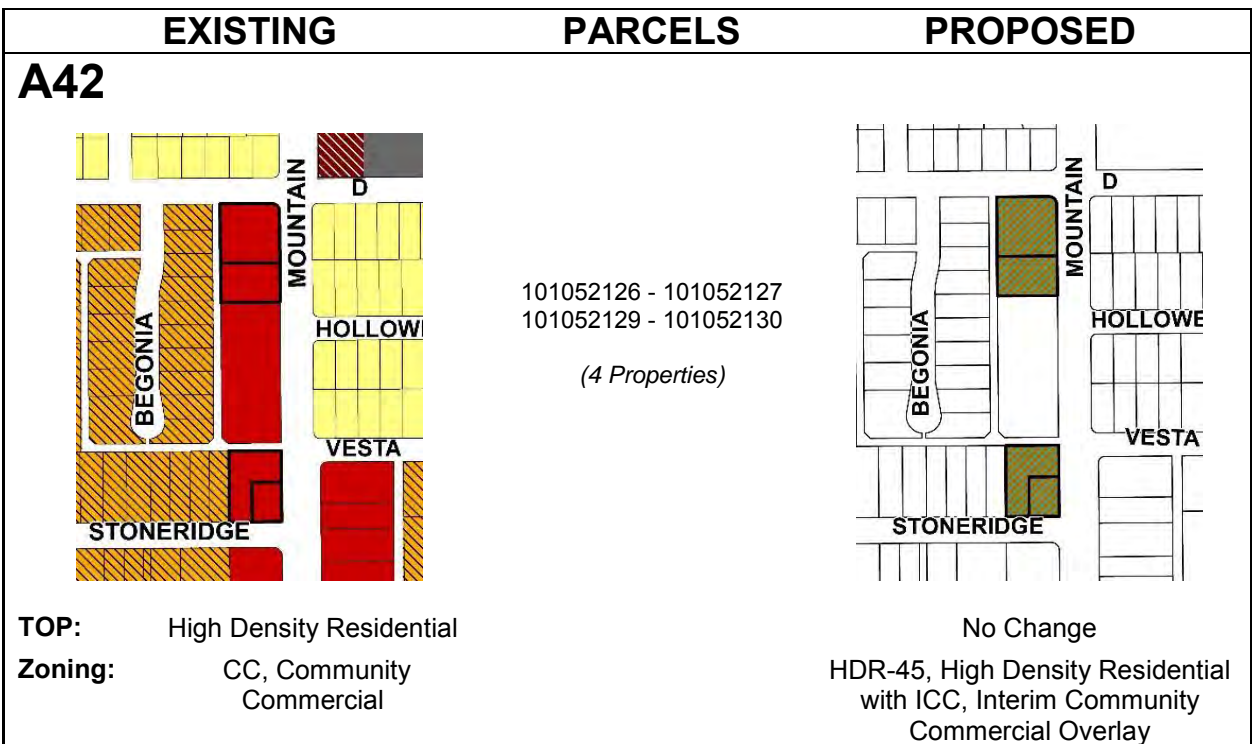
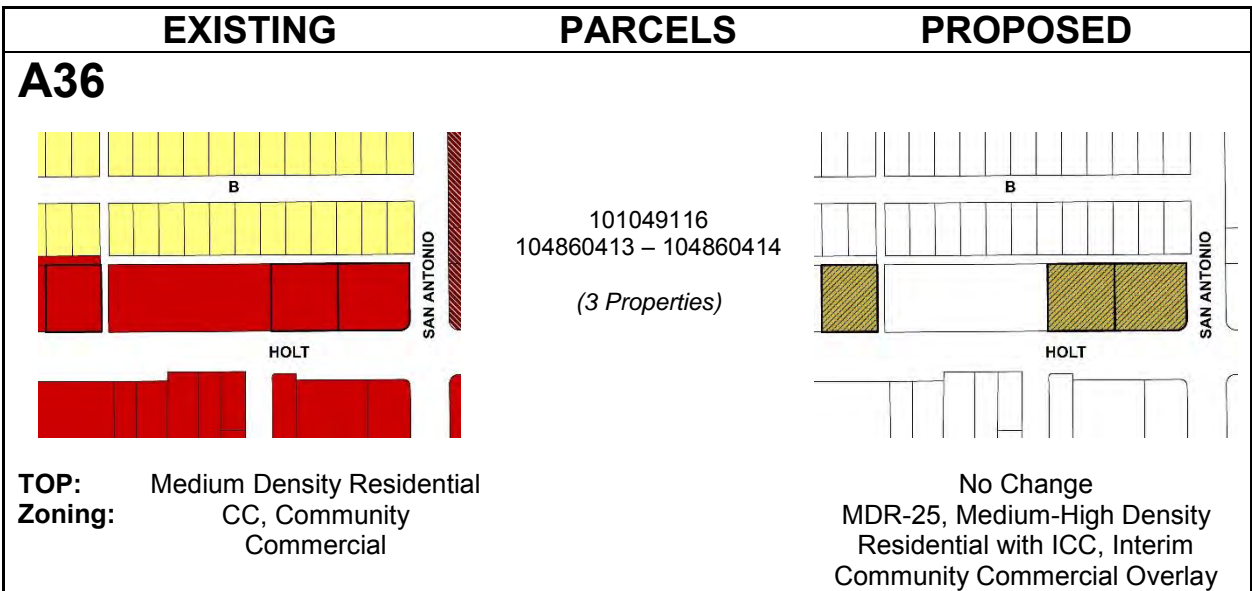
EXISTING	PARCELS	PROPOSED
A14		
	<p>101050106 – 101050175 101050181 101050216 – 101050217 101050223 – 101050225</p> <p>(76 Properties)</p>	
<p>TOP: High Density Residential Zoning: MDR-25, Medium-High Density Residential</p>		<p>No Change HDR-45, High Density Residential</p>





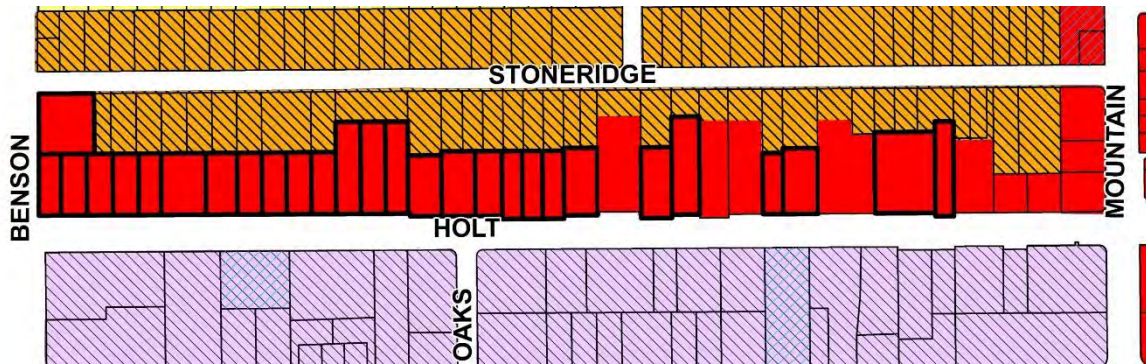
EXISTING	PARCELS	PROPOSED
A27		
	<p>101020109 – 101020110 101021101 – 101021103 101022316 – 101022317 101024101 – 101024103</p> <p>(10 Properties)</p>	
<p>TOP: Open Space Non-Recreation Zoning: OS-R, Open Space-Recreation</p>		<p>No Change OS-C, Open Space-Cemetery</p>

EXISTING	PARCELS	PROPOSED
A35		
	<p>101052206 101054304 101054305</p> <p>(3 Properties)</p>	
<p>TOP: Business Park Zoning: CC, Community Commercial & MDR-25, Medium-High Density Residential</p>		<p>No Change HDR-45, High Density Residential</p>

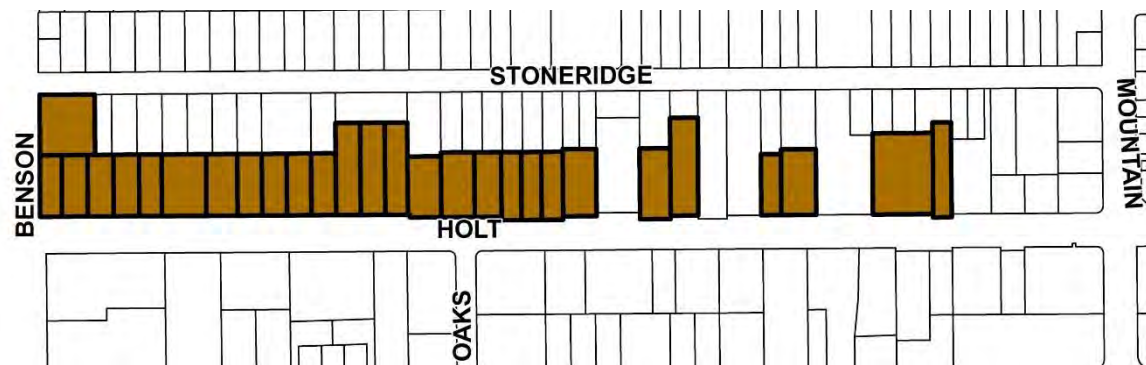


A43

EXISTING



PROPOSED



Parcels: (28 Properties)

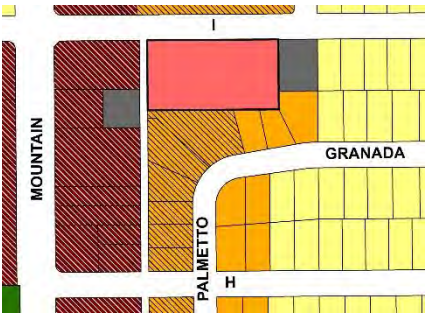
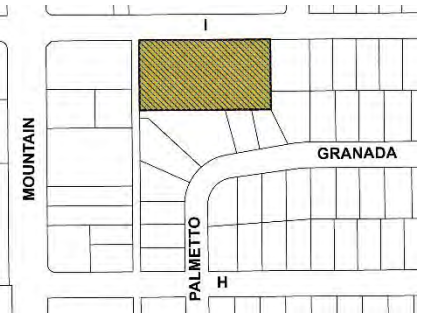
101052213	101054309 – 101054314	101055211 – 101055216
101052217	101054332	101055232 – 101055234
101054302 - 101054303	101055204 – 101055207	101055237 – 101055238
101054306 - 101054307		

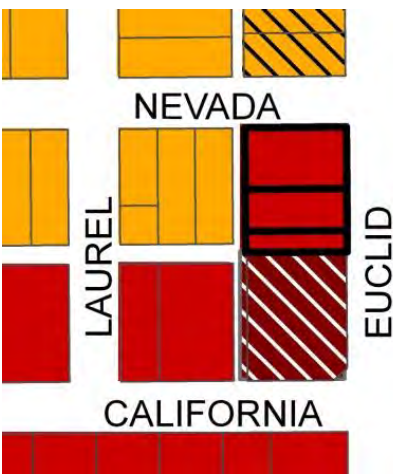
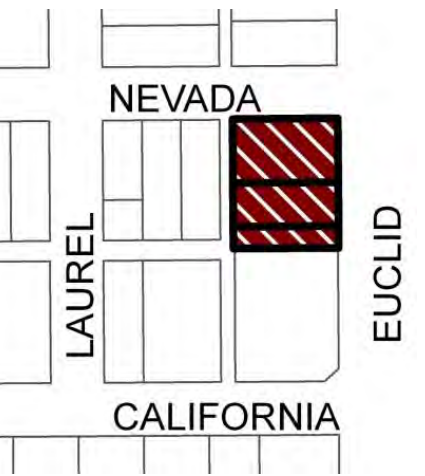
EXISTING
TOP: High Density Residential
Zoning: CC, Community Commercial

PROPOSED
TOP: No Change
Zoning: HDR-45, High Density Residential

EXISTING	PARCELS	PROPOSED
<p>A44</p> <p>101054301 <i>(1 Property)</i></p> <p>TOP: Business Park Zoning: CC, Community Commercial & MDR-25, Medium-High Density Residential</p>		
		<p>No Change HDR-45, High Density Residential with ICC, Interim Community Commercial Overlay</p>

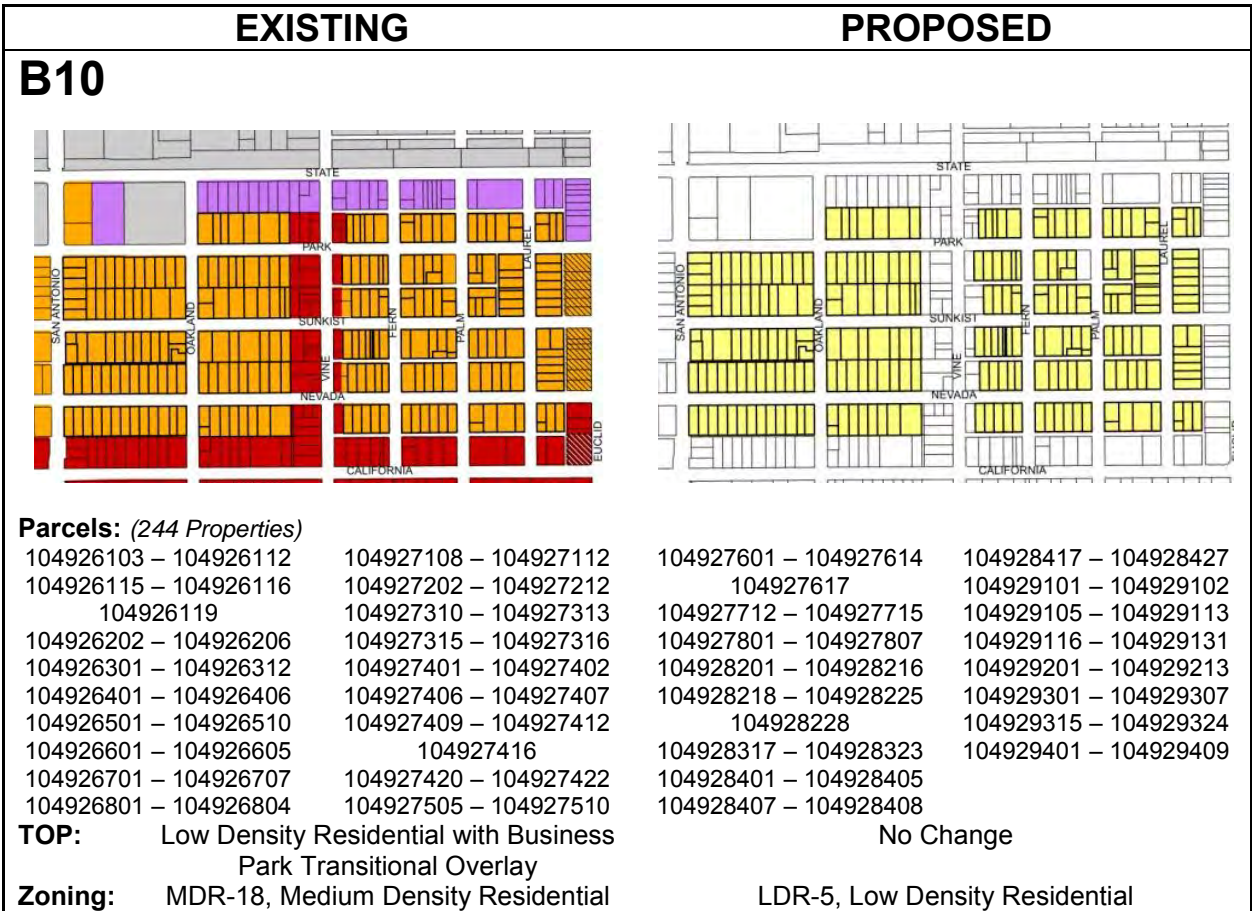
EXISTING	PARCELS	PROPOSED
<p>A45</p> <p>101049102 – 101049103 101049115 104860415 <i>(4 Properties)</i></p> <p>TOP: Medium Density Residential Zoning: CC, Community Commercial</p>		
		<p>No Change MDR-25, Medium-High Density Residential</p>

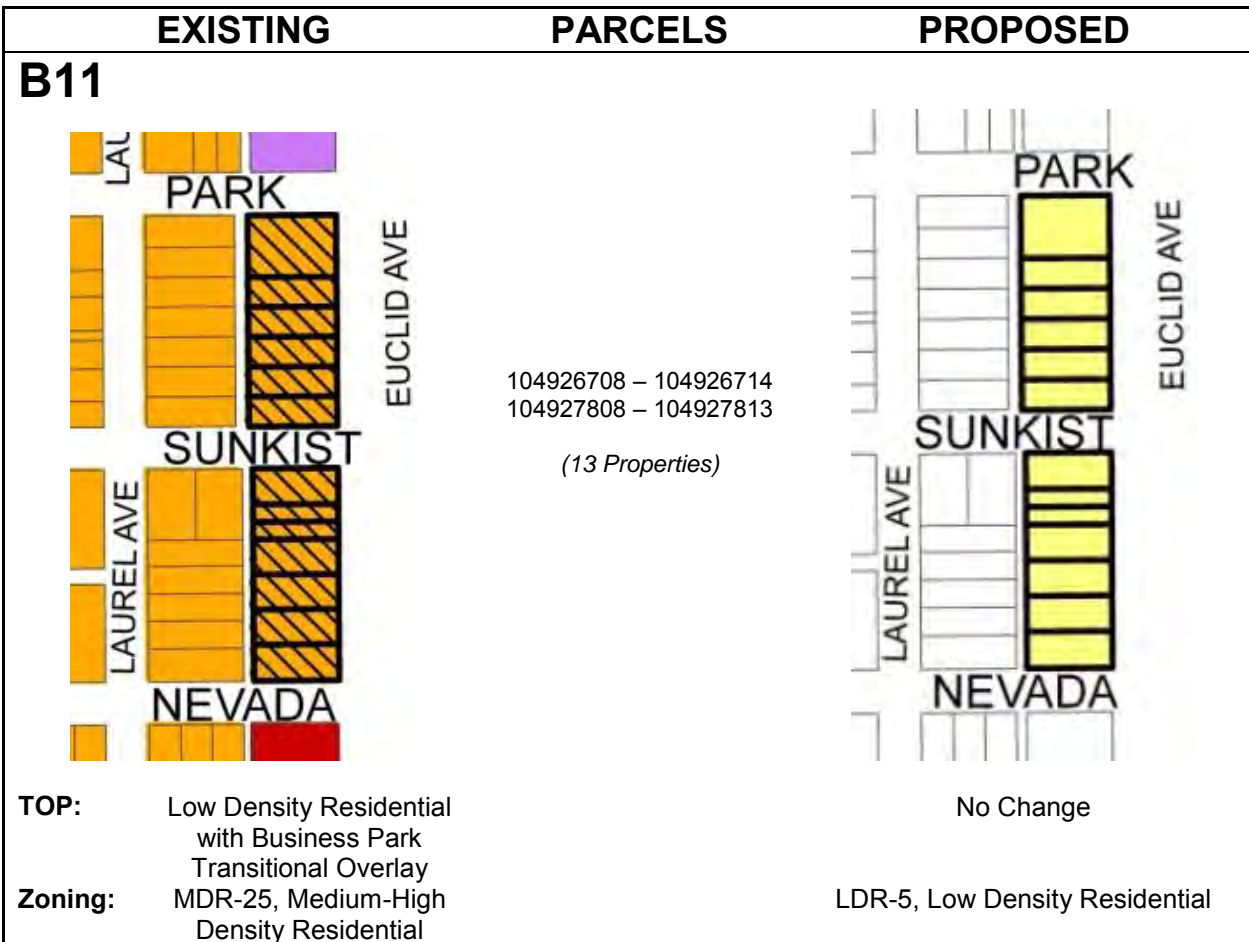
EXISTING	PARCELS	PROPOSED
<p>A46</p>  <p>TOP: Office Commercial Zoning: OL, Low Intensity Office</p>	<p>101019130 <i>(1 Property)</i></p>	 <p>Medium Density Residential MDR-25, Medium High Density Residential with ICC, Interim Community Commercial Overlay</p>

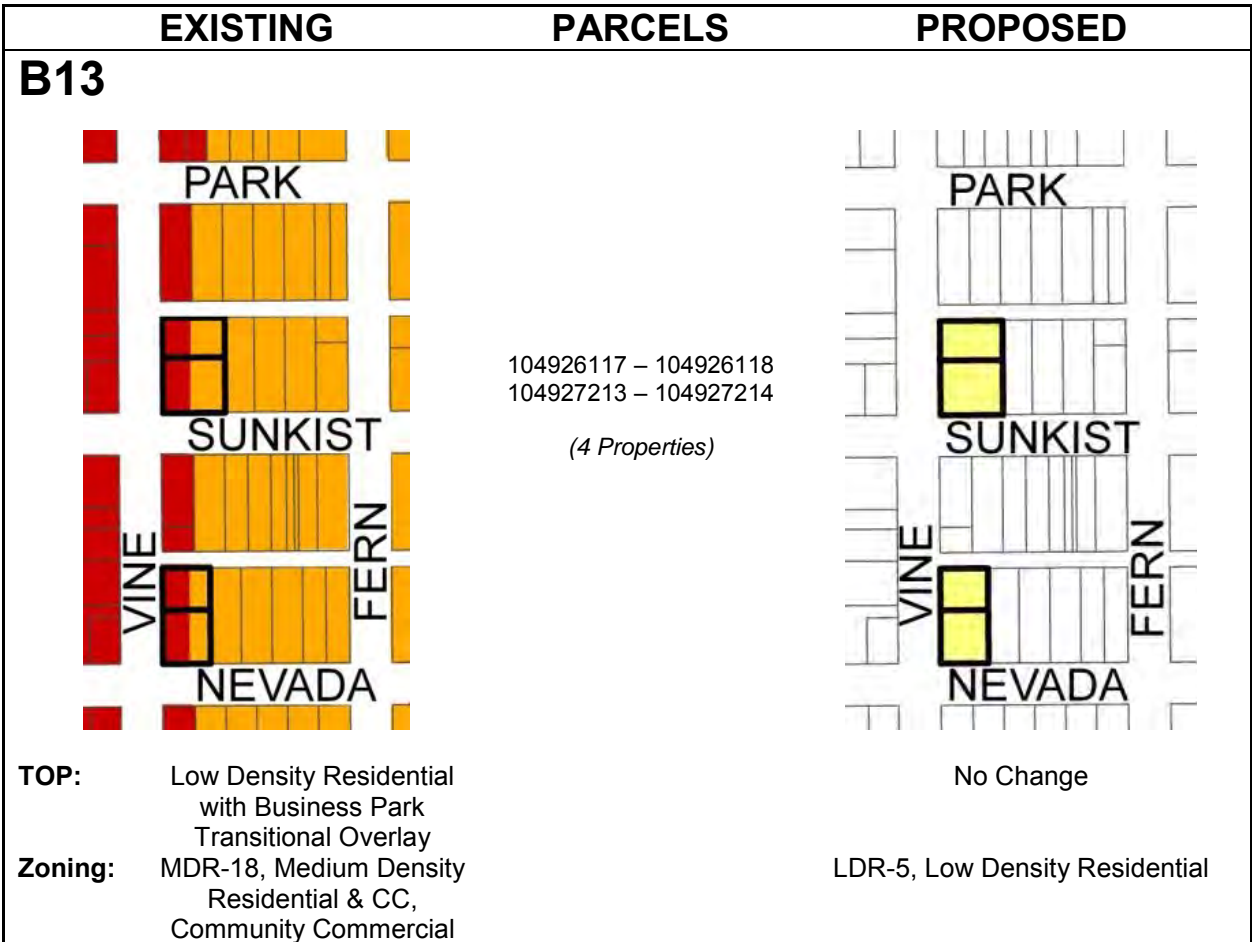
EXISTING	PARCELS	PROPOSED
<p>B1</p>  <p>TOP: Neighborhood Commercial with a Business Park Transitional Overlay Zoning: CC, Community Commercial</p>	<p>104926805 - 104926807 <i>(3 Properties)</i></p>	 <p>No Change CN, Neighborhood Commercial</p>

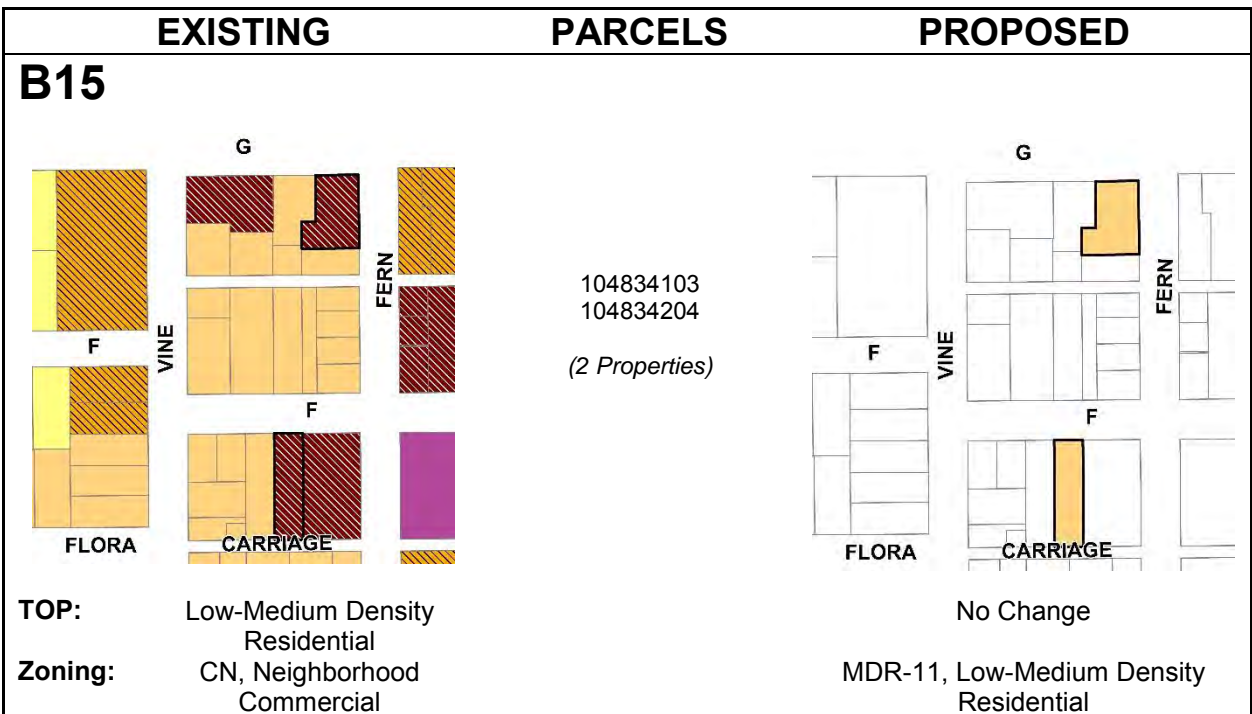
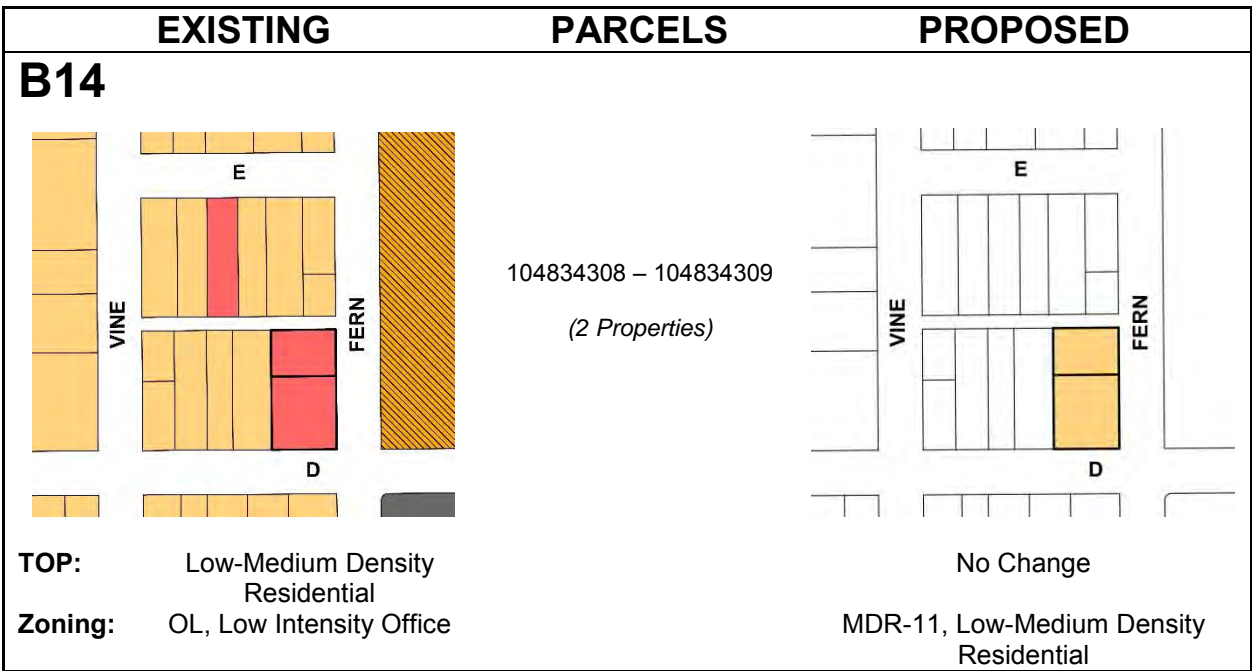
EXISTING	PARCELS	PROPOSED
B2		
	<p>104927408 <i>(1 Property)</i></p>	
<p>TOP: Neighborhood Commercial with a Business Park Transitional Overlay</p> <p>Zoning: MDR-18, Medium Density Residential</p>		<p>No Change</p> <p>CS, Corner Store</p>

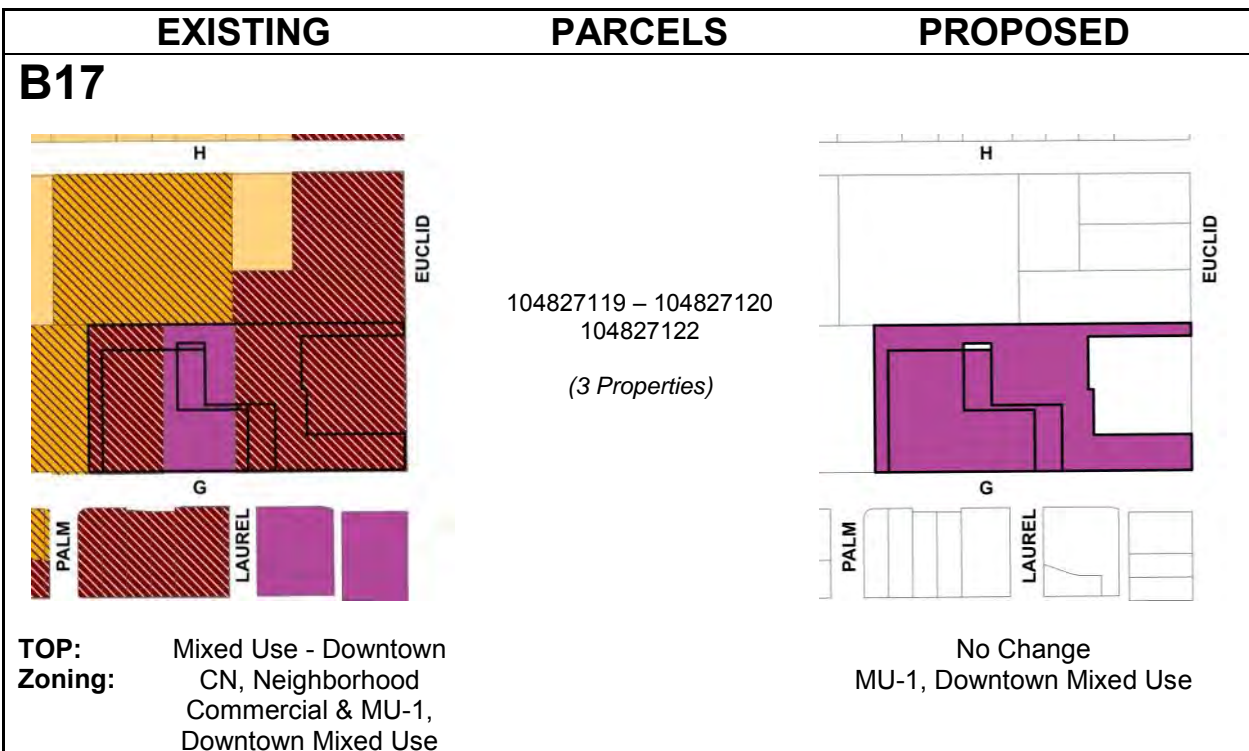
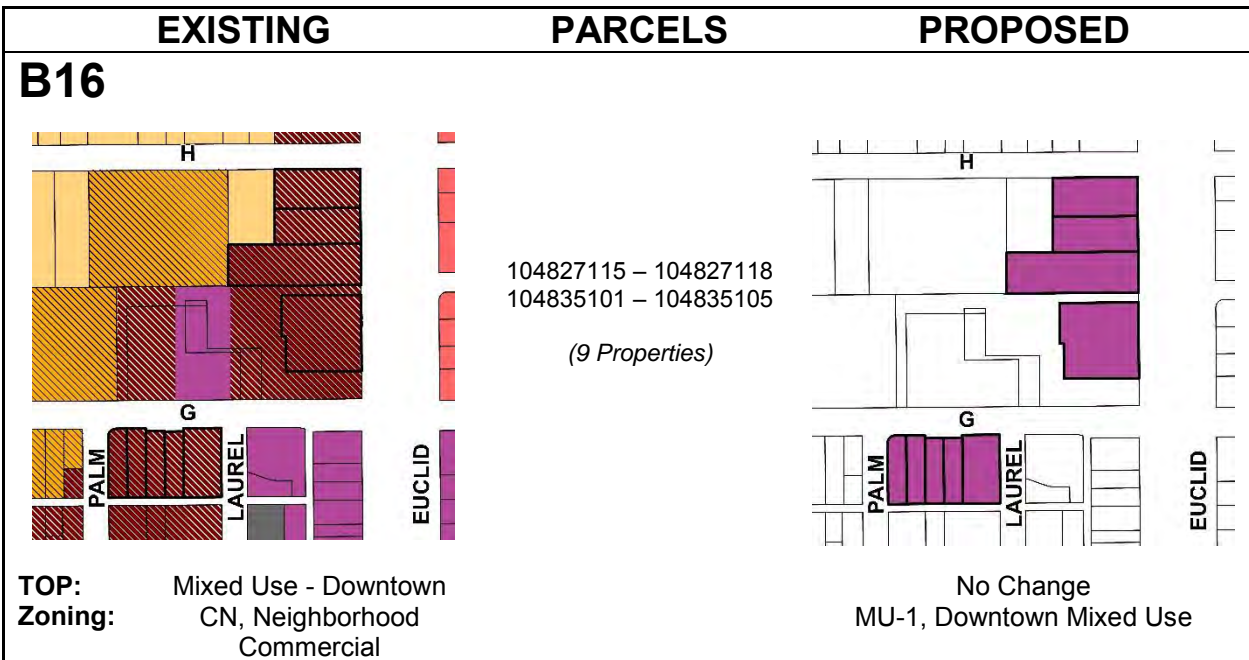
EXISTING	PARCELS	PROPOSED
B8		
	<p>104835313 <i>(1 Property)</i></p>	
<p>TOP: High Density Residential</p> <p>Zoning: MU-1, Downtown Mixed Use & P1, Off-Street Parking</p>		<p>No Change</p> <p>HDR-45, High Density Residential</p>

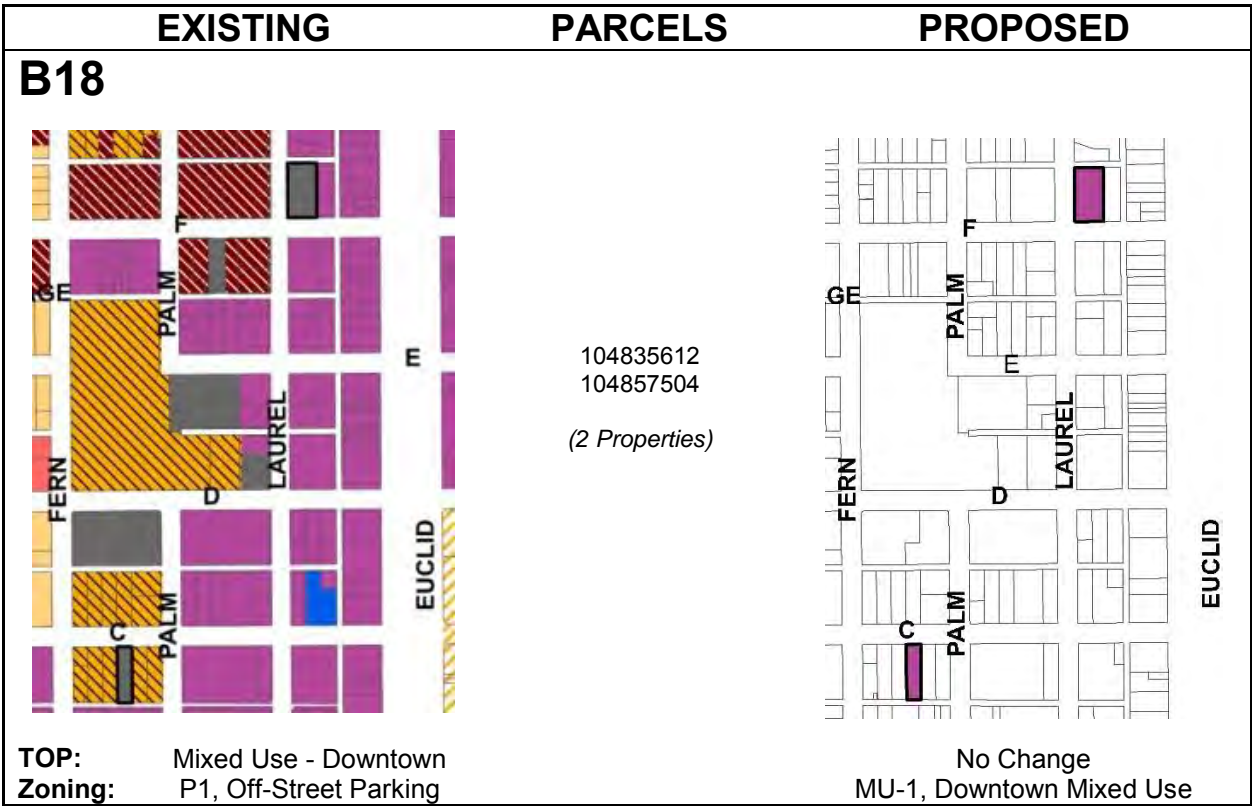




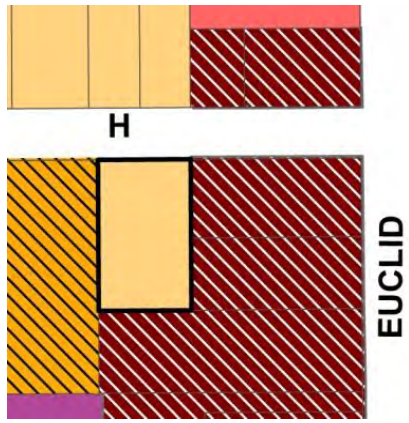
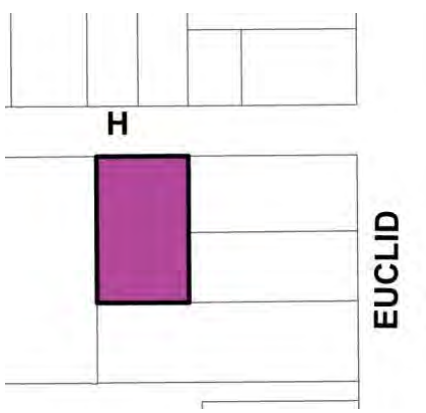






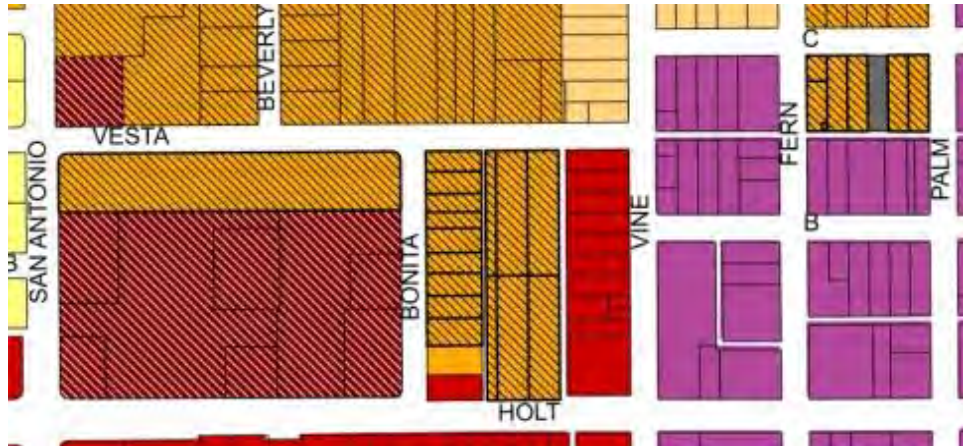




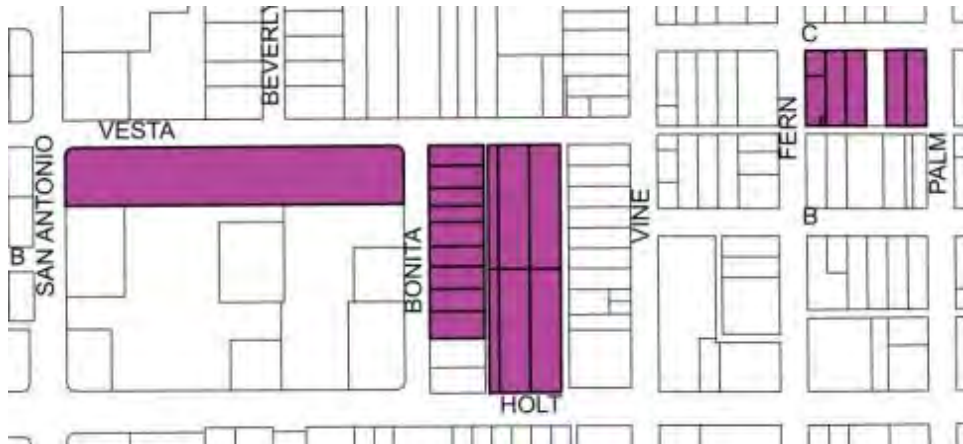
EXISTING	PARCELS	PROPOSED
B20		
 <p> TOP: Mixed Use - Downtown Zoning: MDR-11, Low-Medium Density Residential </p>	<p> 104827114 <i>(1 Property)</i> </p>	 <p> No Change MU-1, Downtown Mixed Use </p>

B21

EXISTING



PROPOSED



Parcels: (23 Properties)

104857501 – 104857503
 104857505 – 104857506

104857515 – 104857516
 104859135

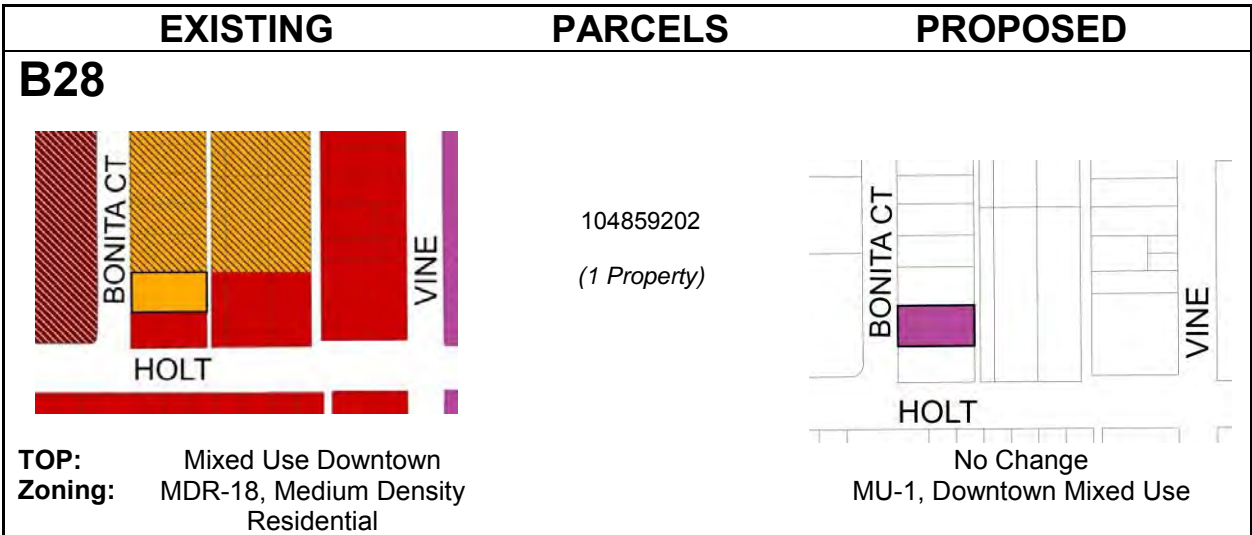
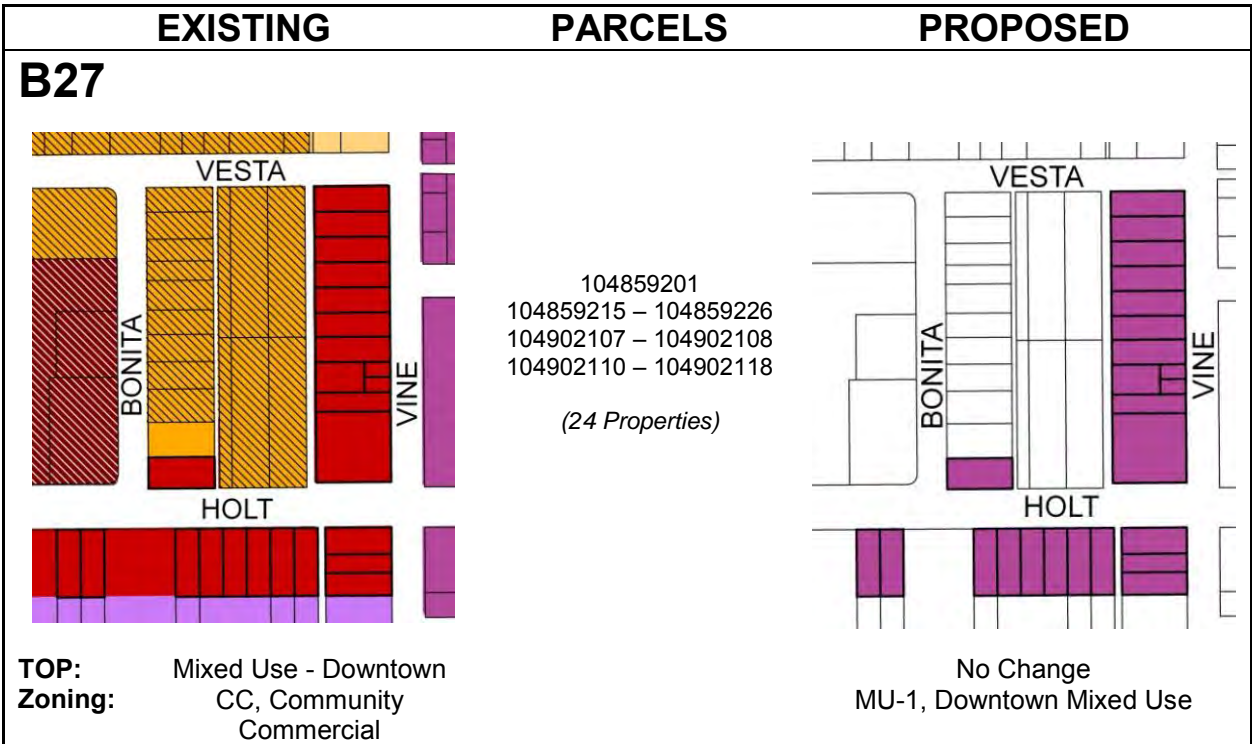
104859203 – 104859214
 104859227 – 104859229

EXISTING

TOP: Mixed Use – Downtown
Zoning: MDR-25, Medium-High Density Residential

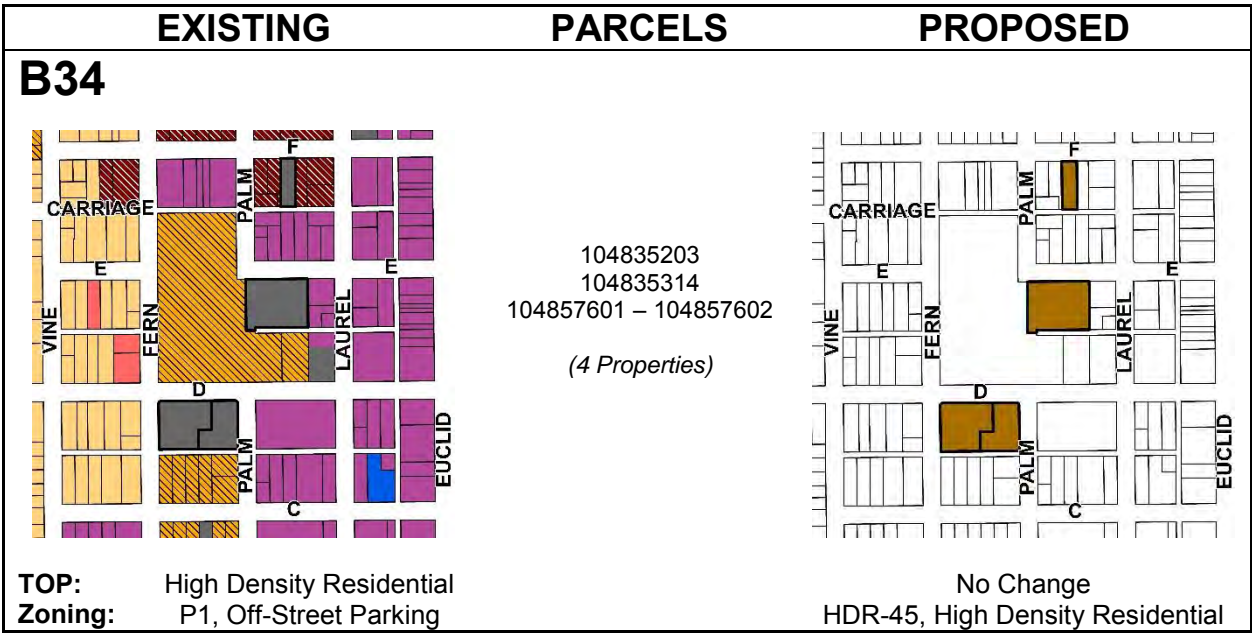
PROPOSED

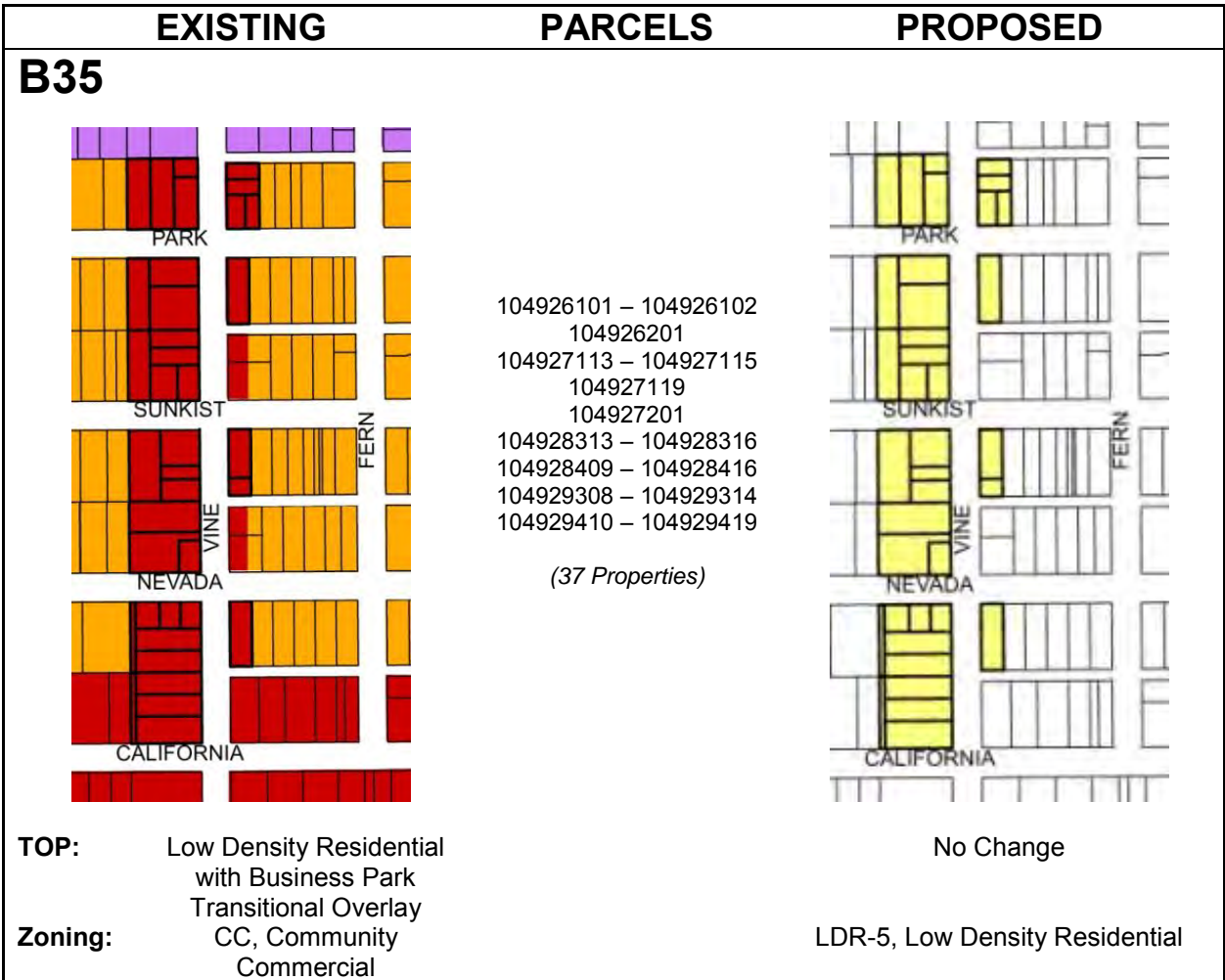
TOP: No Change
Zoning: MU-1, Downtown Mixed Use

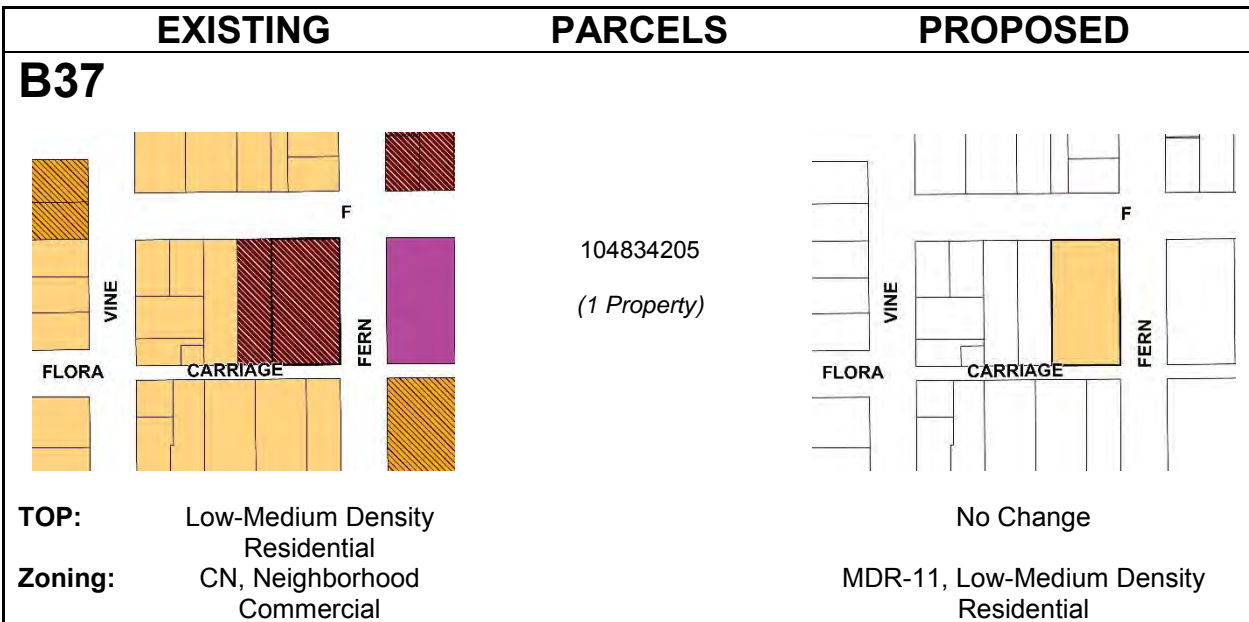
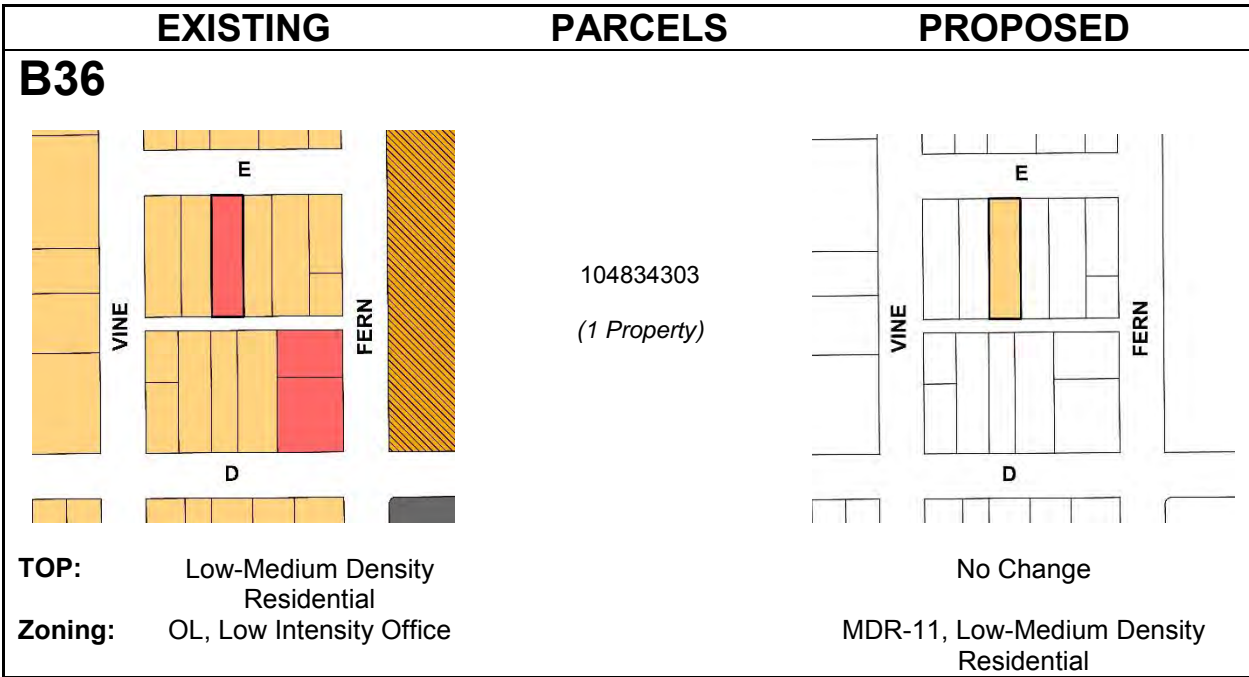


EXISTING	PARCELS	PROPOSED
B29		
	<p>104902103 - 104902106 104902109 104902128 - 104902129</p> <p><i>(7 Properties)</i></p>	
<p>TOP: Mixed Use - Downtown Zoning: CC, Community Commercial & IL, Light Industrial</p>	<p>No Change MU-1, Downtown Mixed Use</p>	

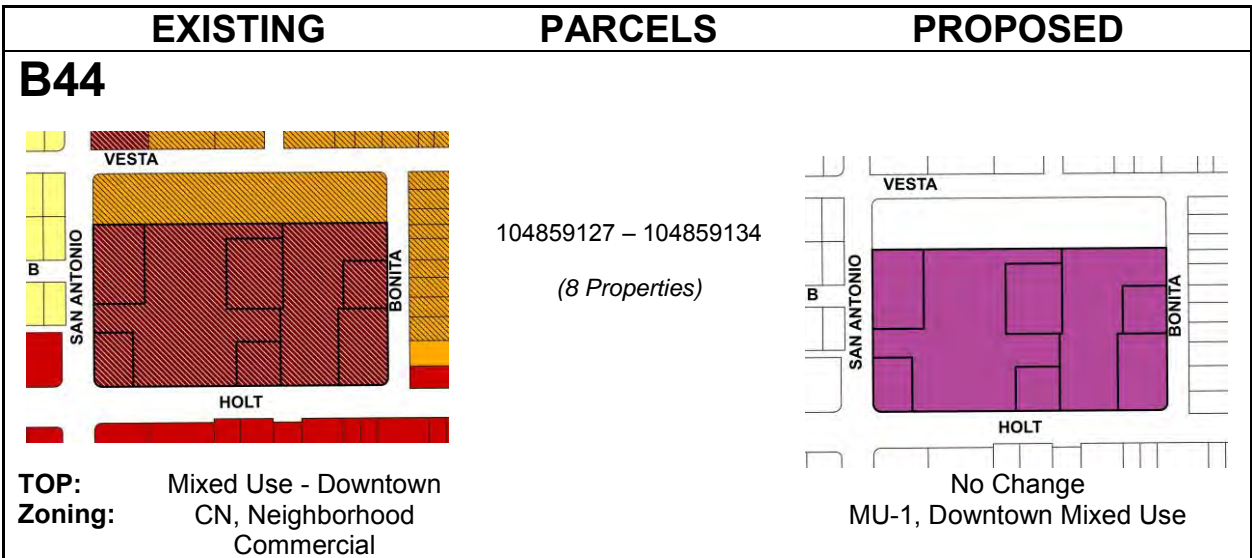
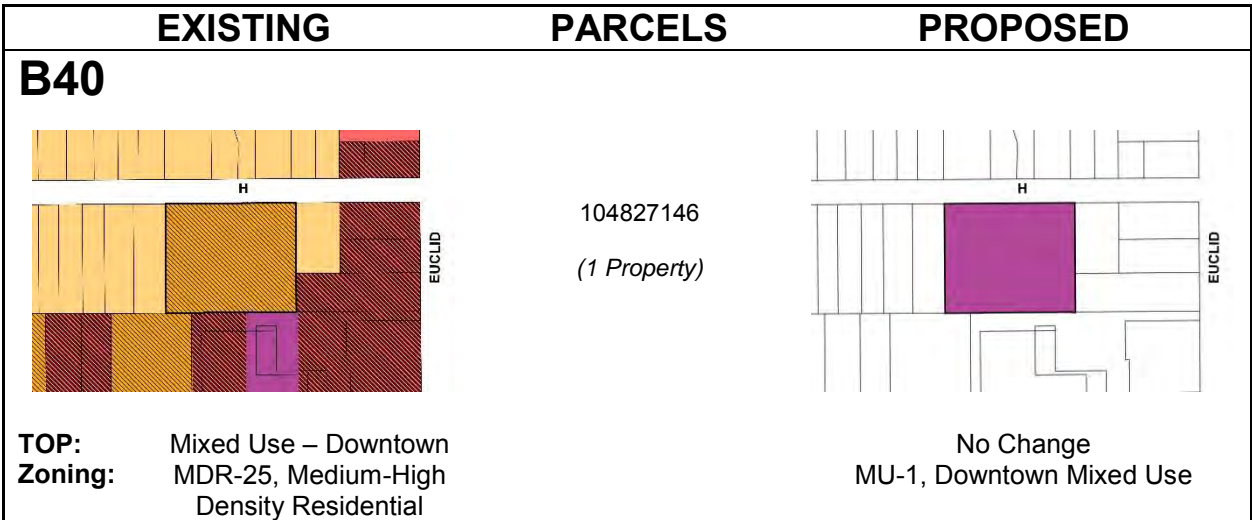
EXISTING	PARCELS	PROPOSED
B32		
	<p>104902119 - 104902121 104902124 - 104902126 104902130</p> <p><i>(7 Properties)</i></p>	
<p>TOP: Mixed Use - Downtown Zoning: IL, Light Industrial</p>	<p>No Change MU-1, Downtown Mixed Use</p>	

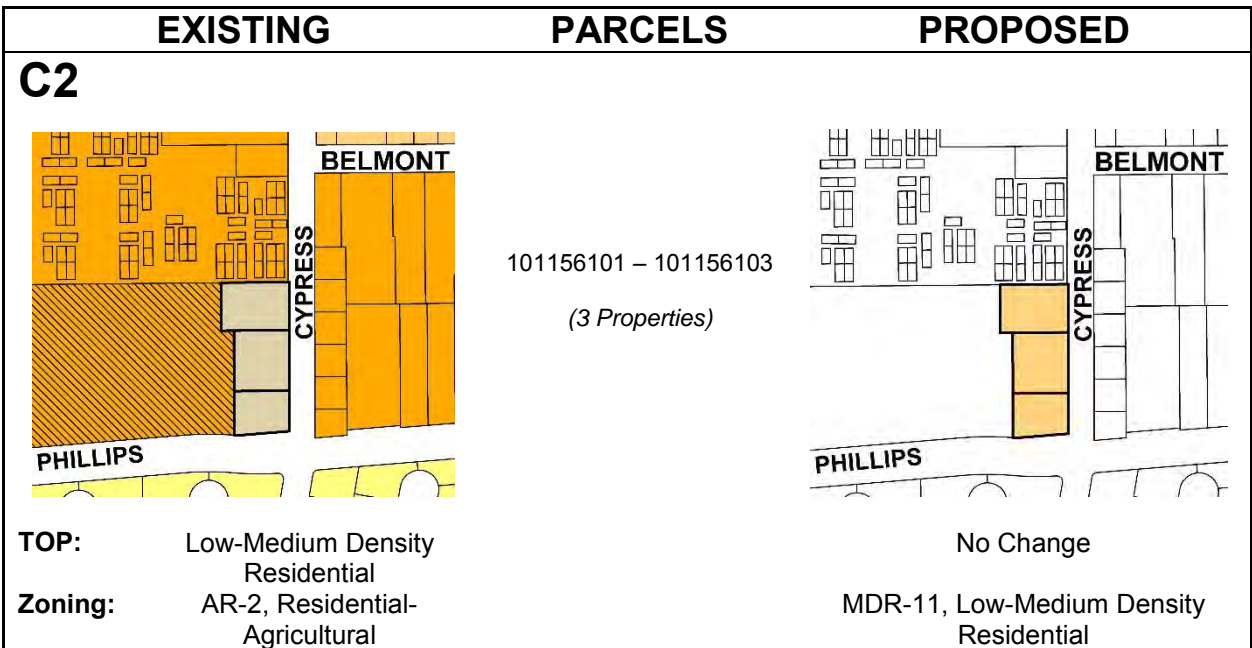
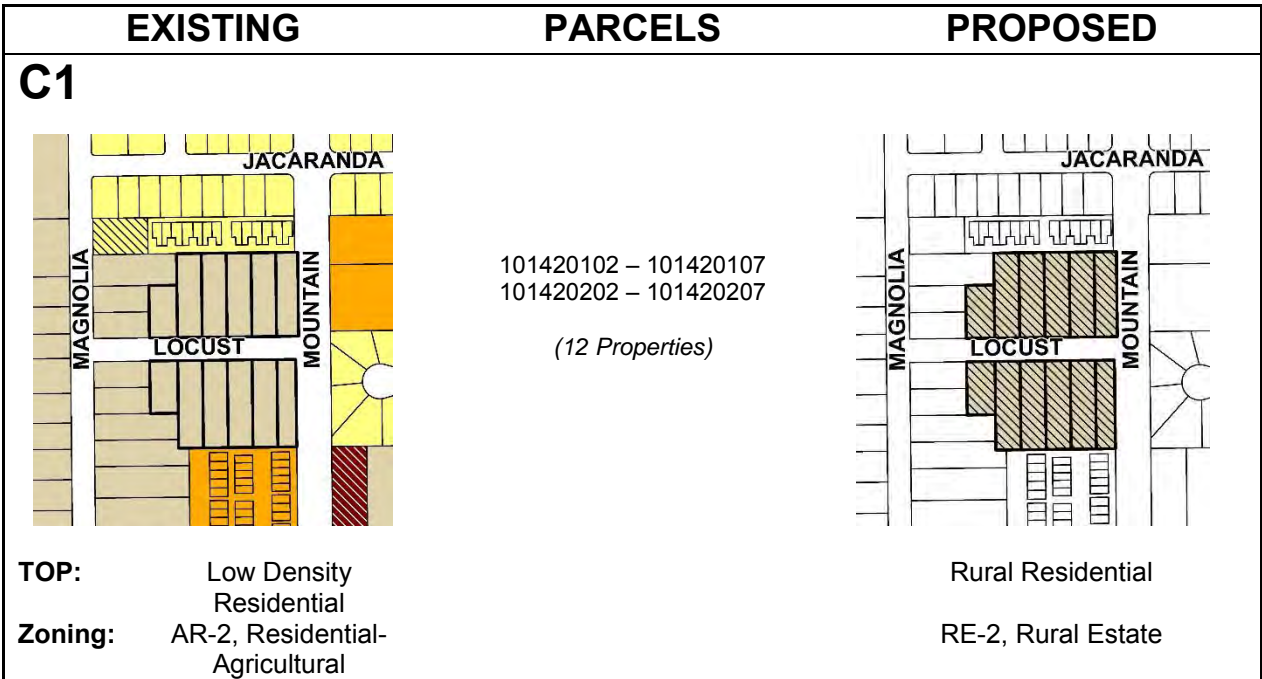


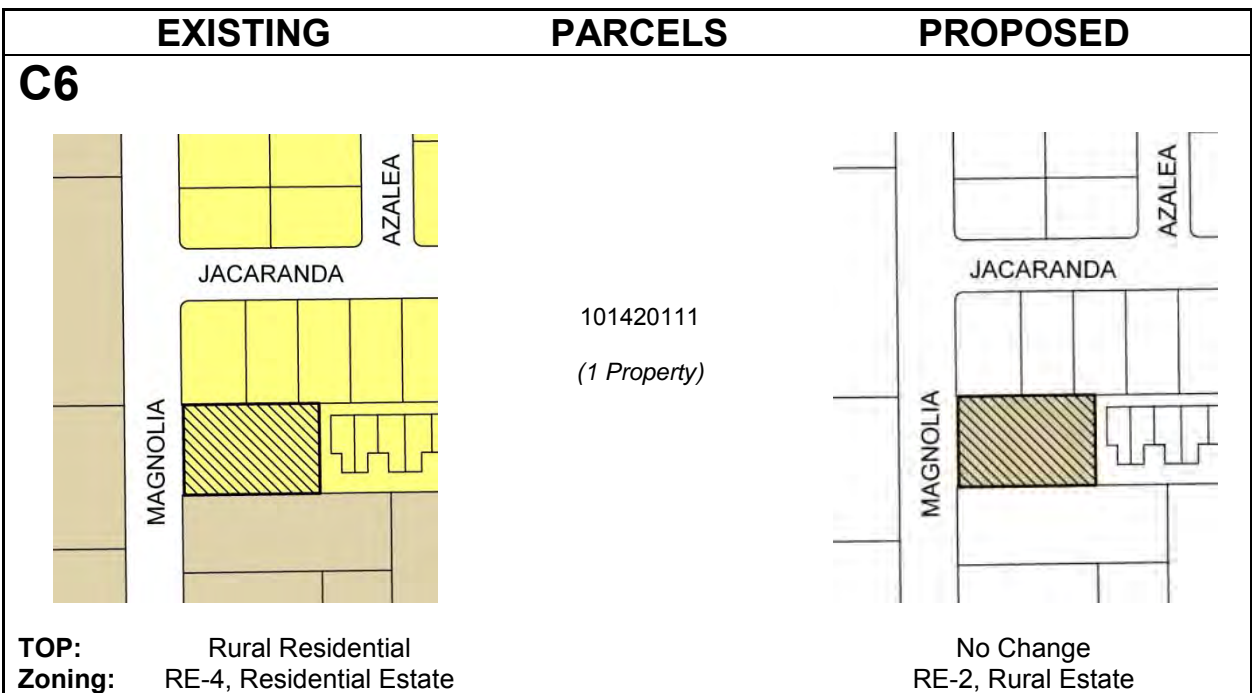
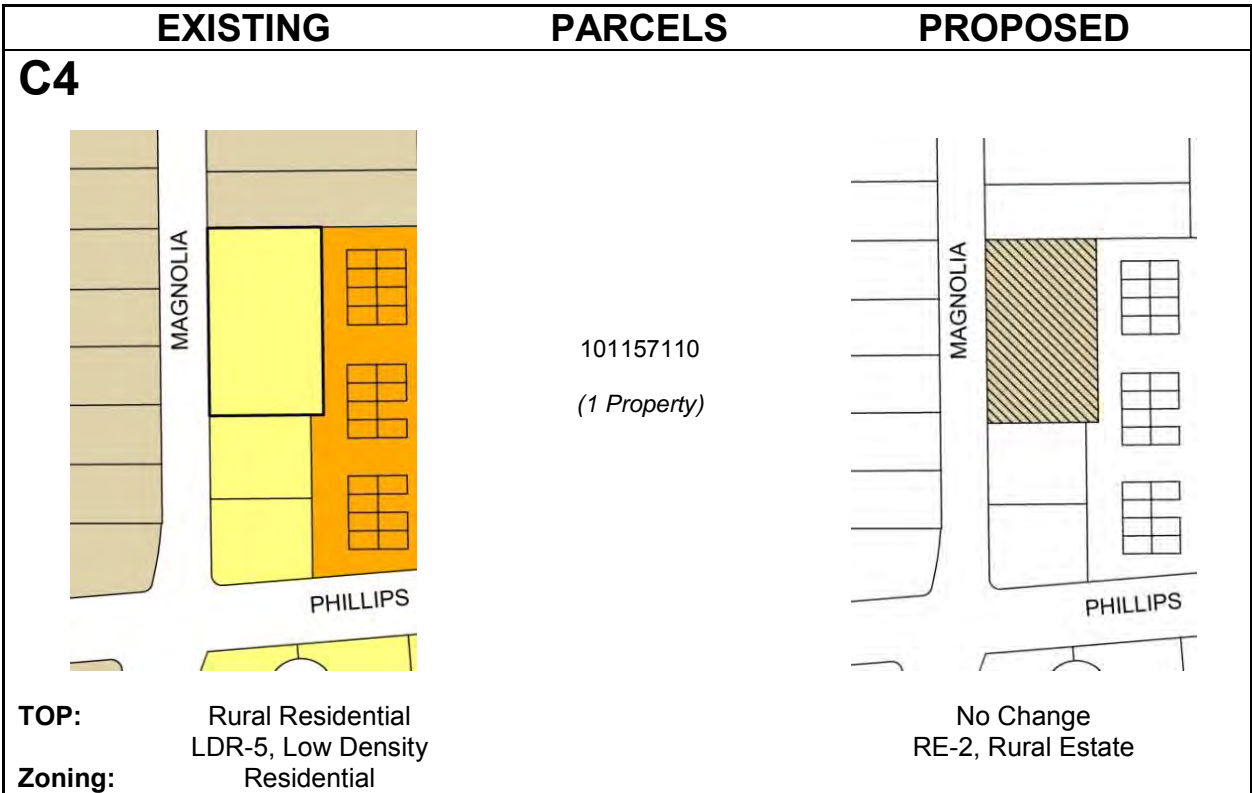


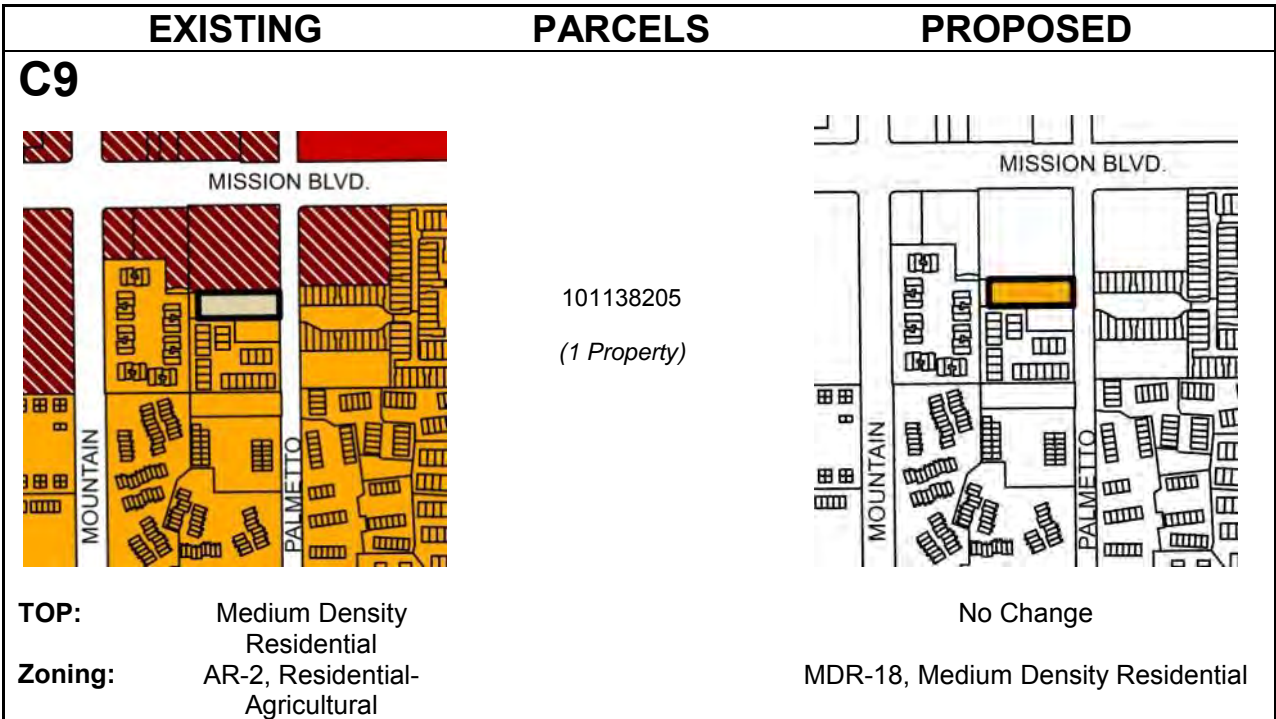
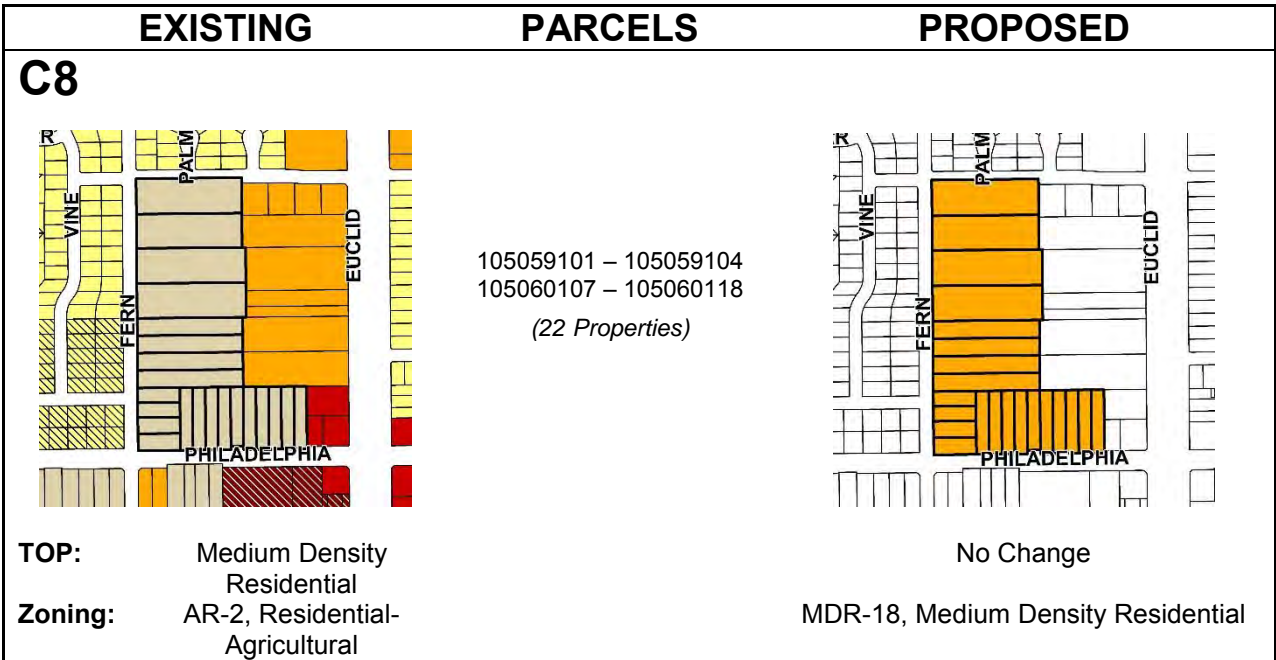


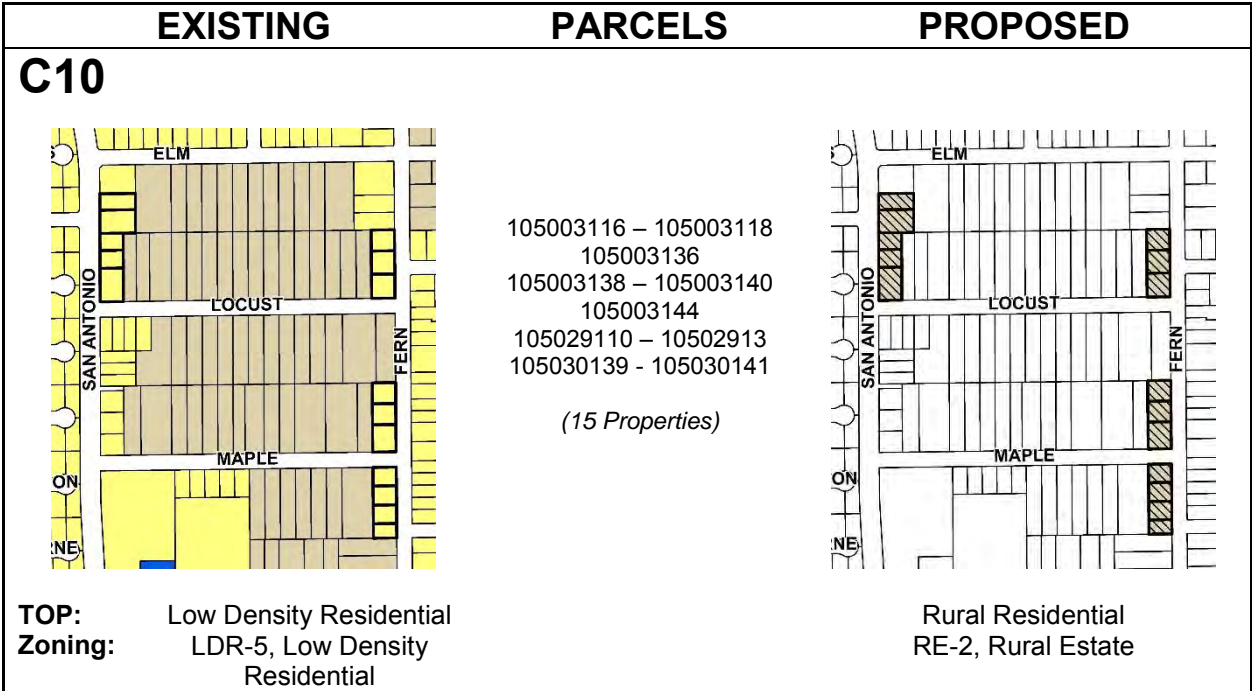
EXISTING	PARCELS	PROPOSED
B38		
	<p>104834101 <i>(1 Property)</i></p>	
<p>TOP: Low-Medium Density Residential Zoning: CN, Neighborhood Commercial</p>		<p>Neighborhood Commercial CS, Corner Store</p>





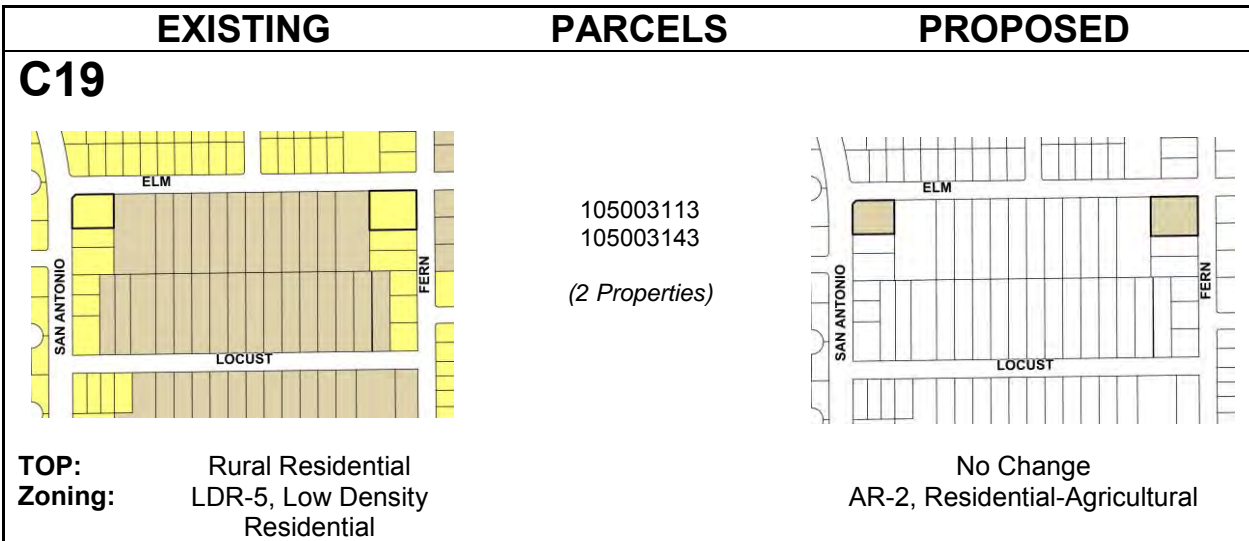
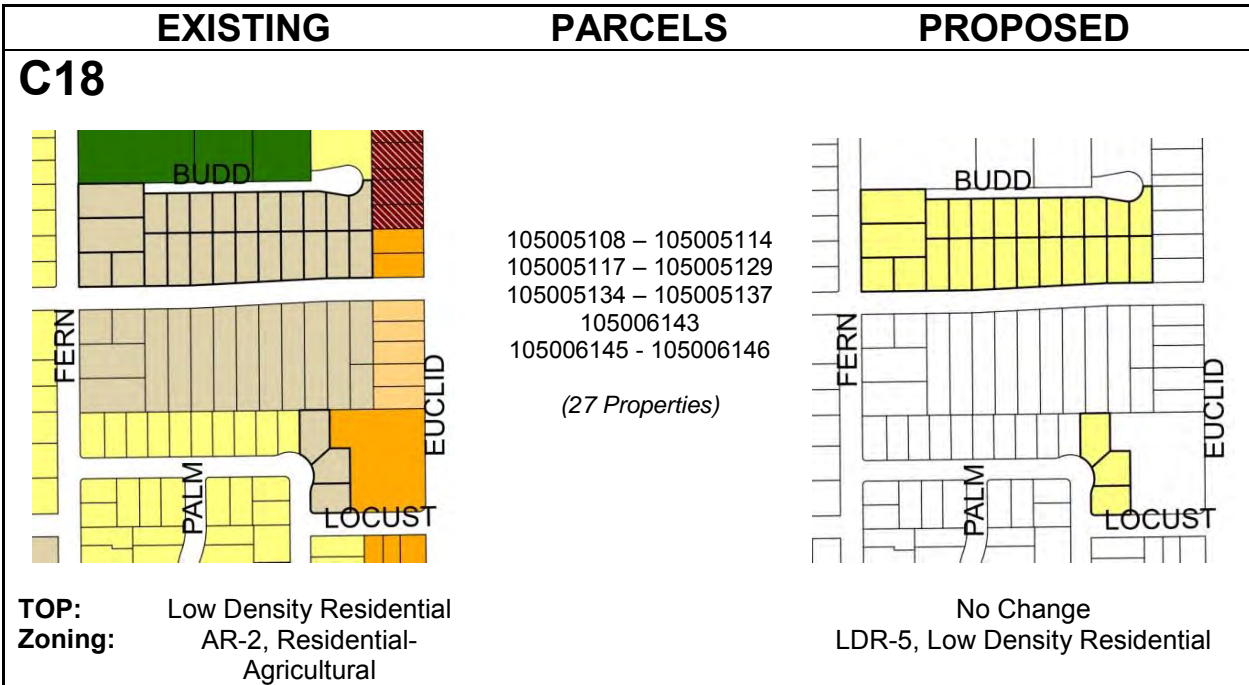


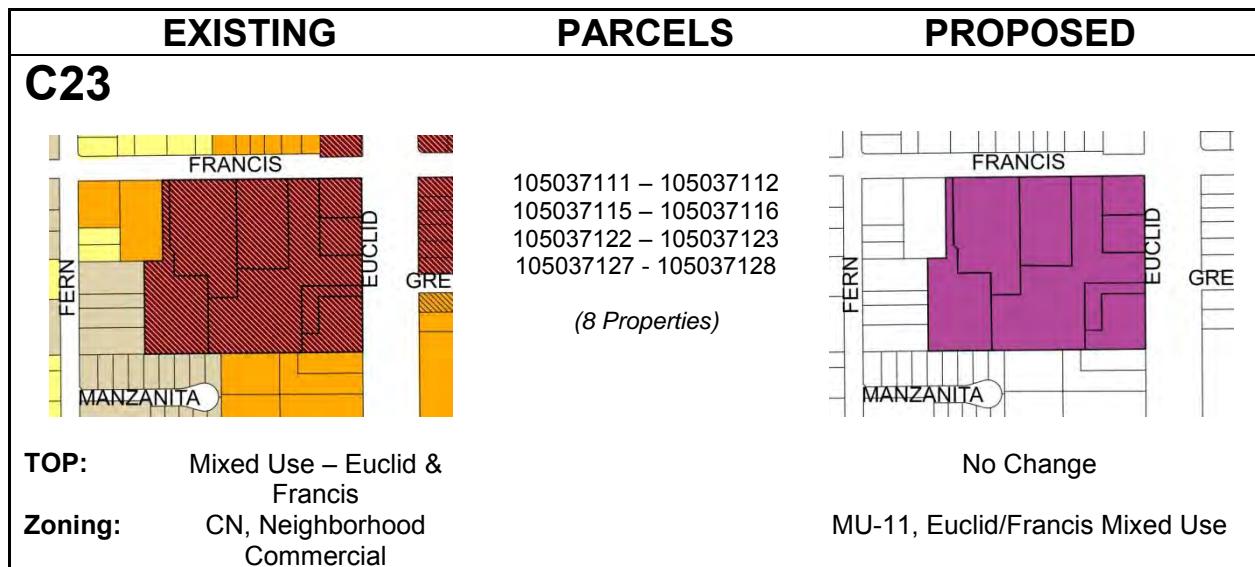
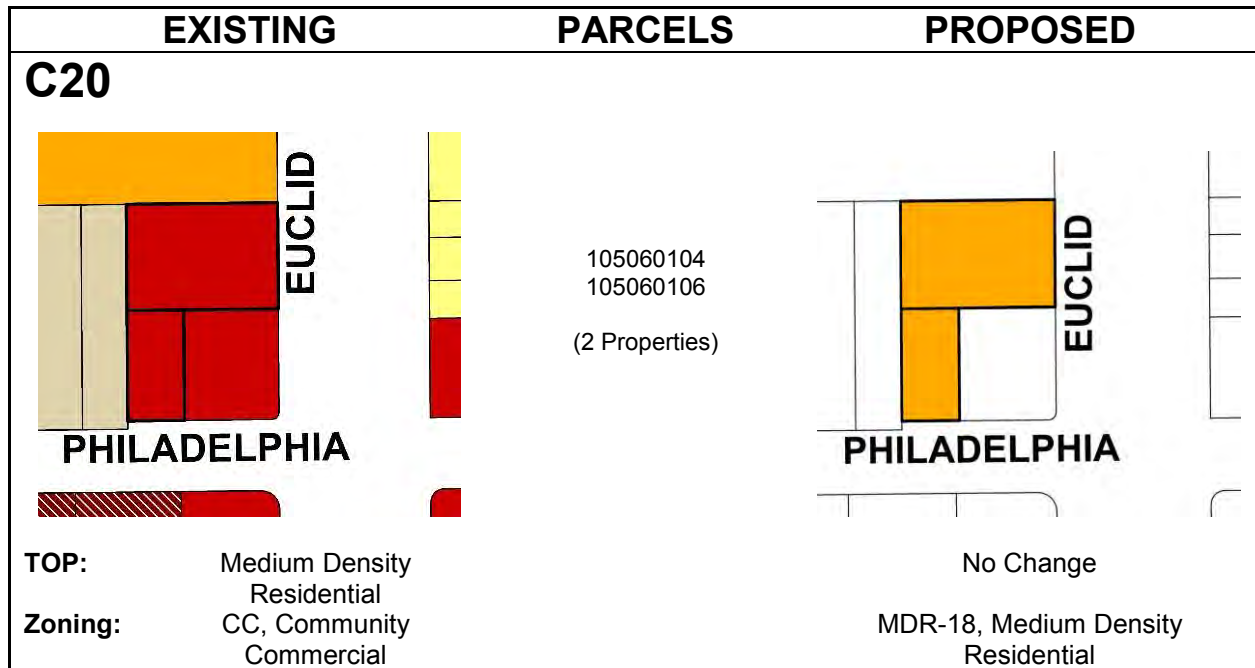


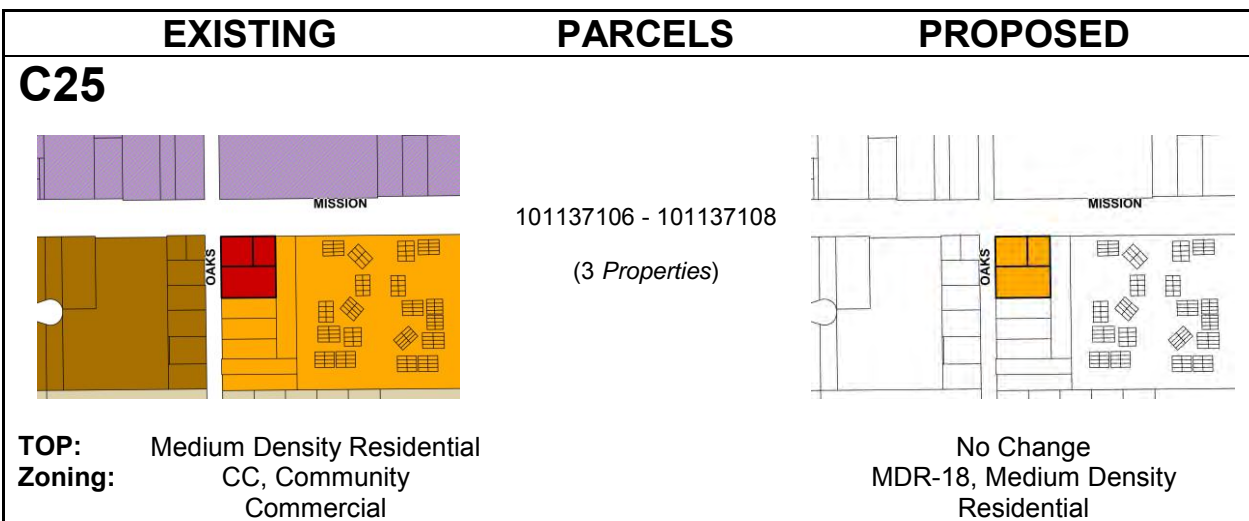
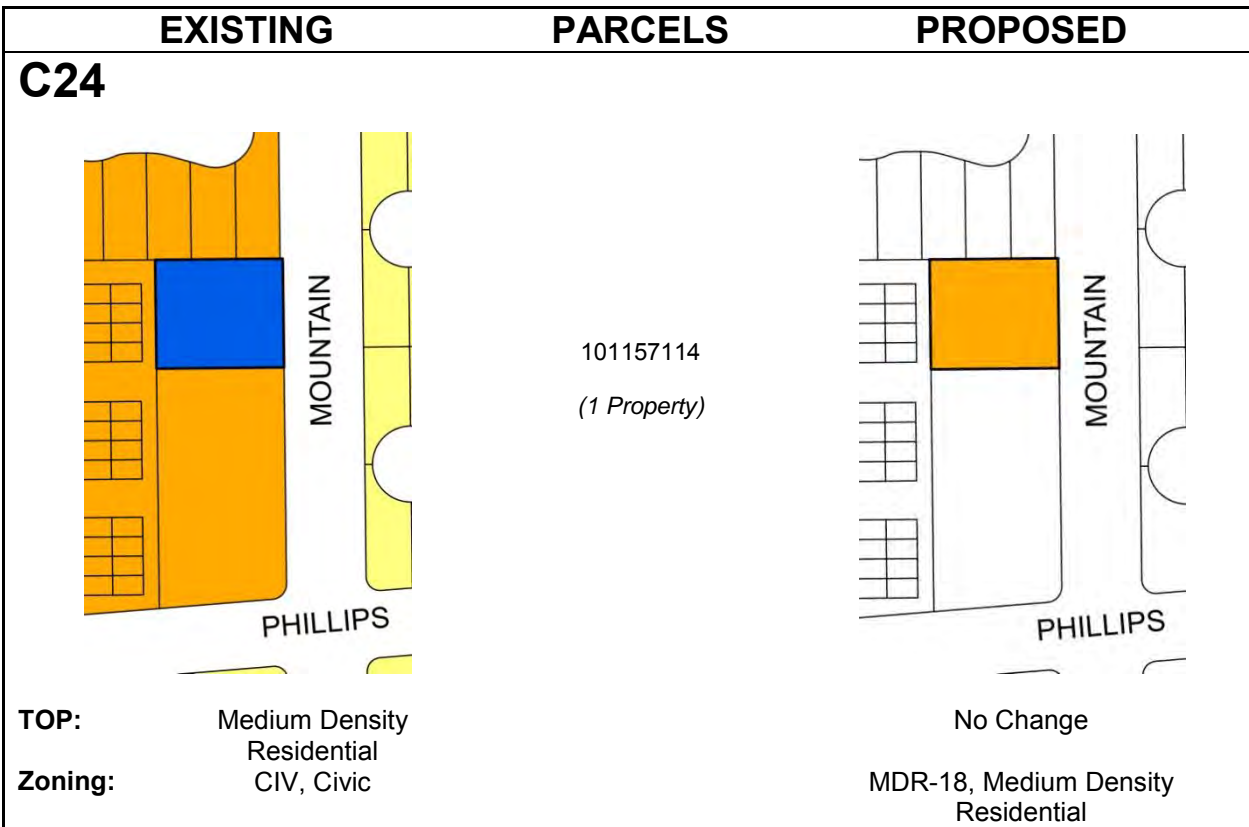


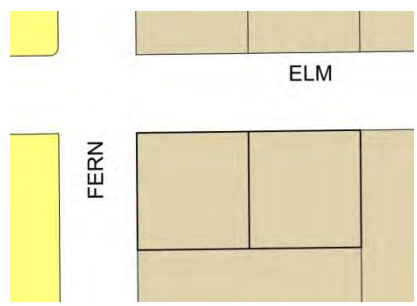
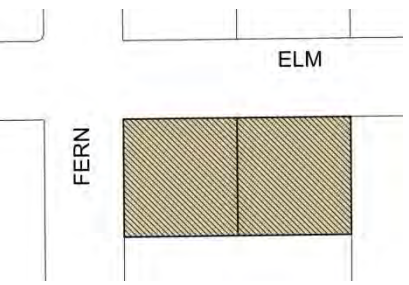
EXISTING	PARCELS	PROPOSED
C12		
	<p>105035123 – 105035124 105035127 105036103 – 105036105 <i>(6 Properties)</i></p>	
<p>TOP: Low Density Residential Zoning: AR-2, Residential-Agricultural</p>		<p>Rural Residential RE-2, Rural Estate</p>

EXISTING	PARCELS	PROPOSED
C13		
	<p>105105111 105105117 105105171 - 105105172 <i>(4 Properties)</i></p>	
<p>TOP: General Commercial Zoning: CN, Neighborhood Commercial</p>		<p>No Change CC, Community Commercial</p>



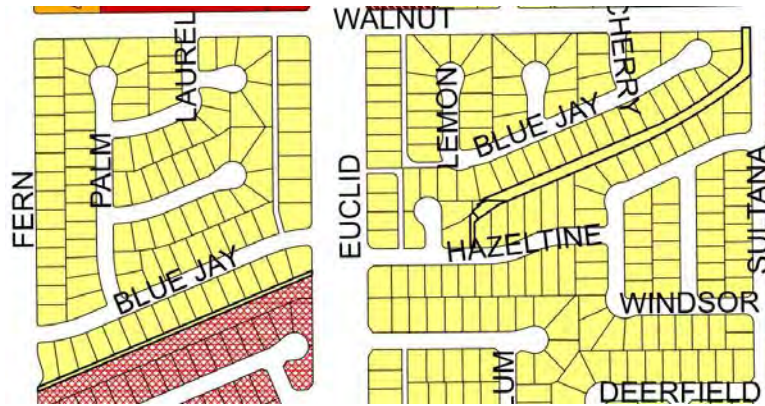




EXISTING	PARCELS	PROPOSED
<p>C27</p>  <p>TOP: Zoning: Low Density Residential AR-2, Residential- Agricultural</p>	<p>105006104 – 105006105 <i>(2 Properties)</i></p>	 <p>Rural Residential RE-2, Rural Estate</p>

C28

EXISTING



PROPOSED



Parcels: (4 Properties)

105141107
 105141140

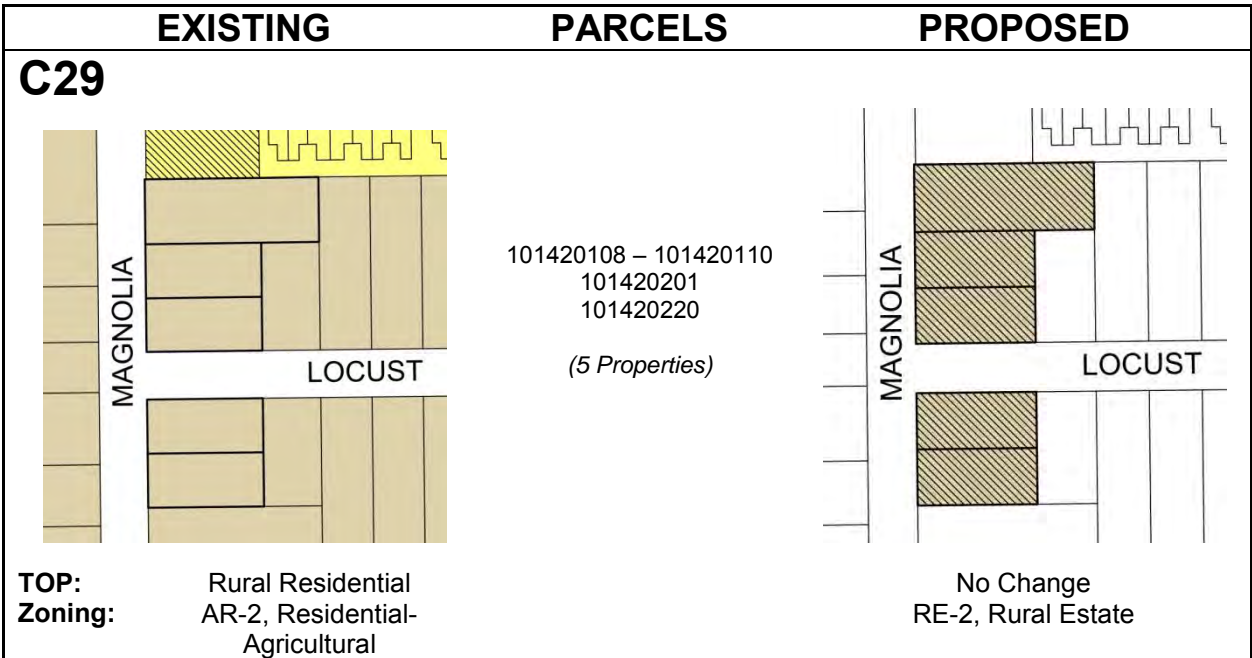
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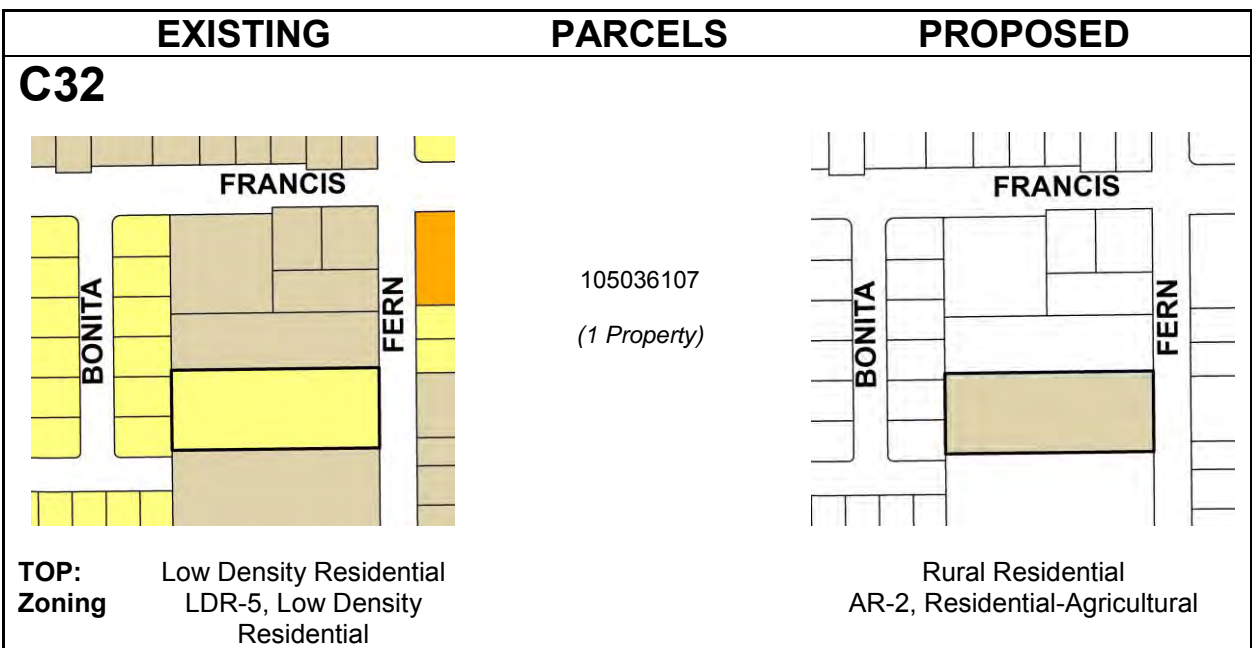
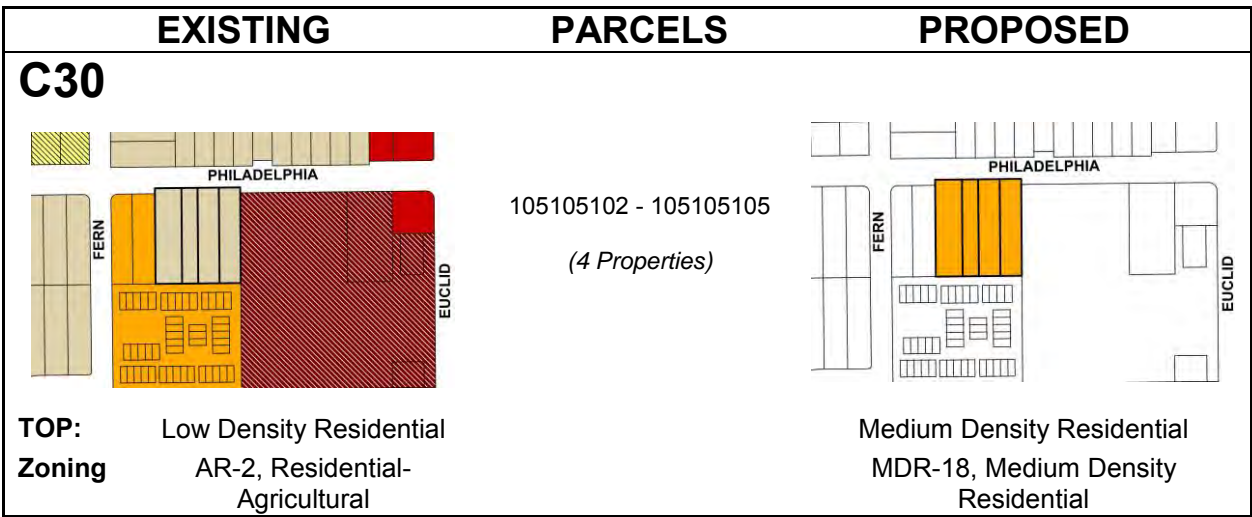
EXISTING

PROPOSED

TOP: Open Space-Non Recreation
Zoning: LDR-5, Low Density Residential

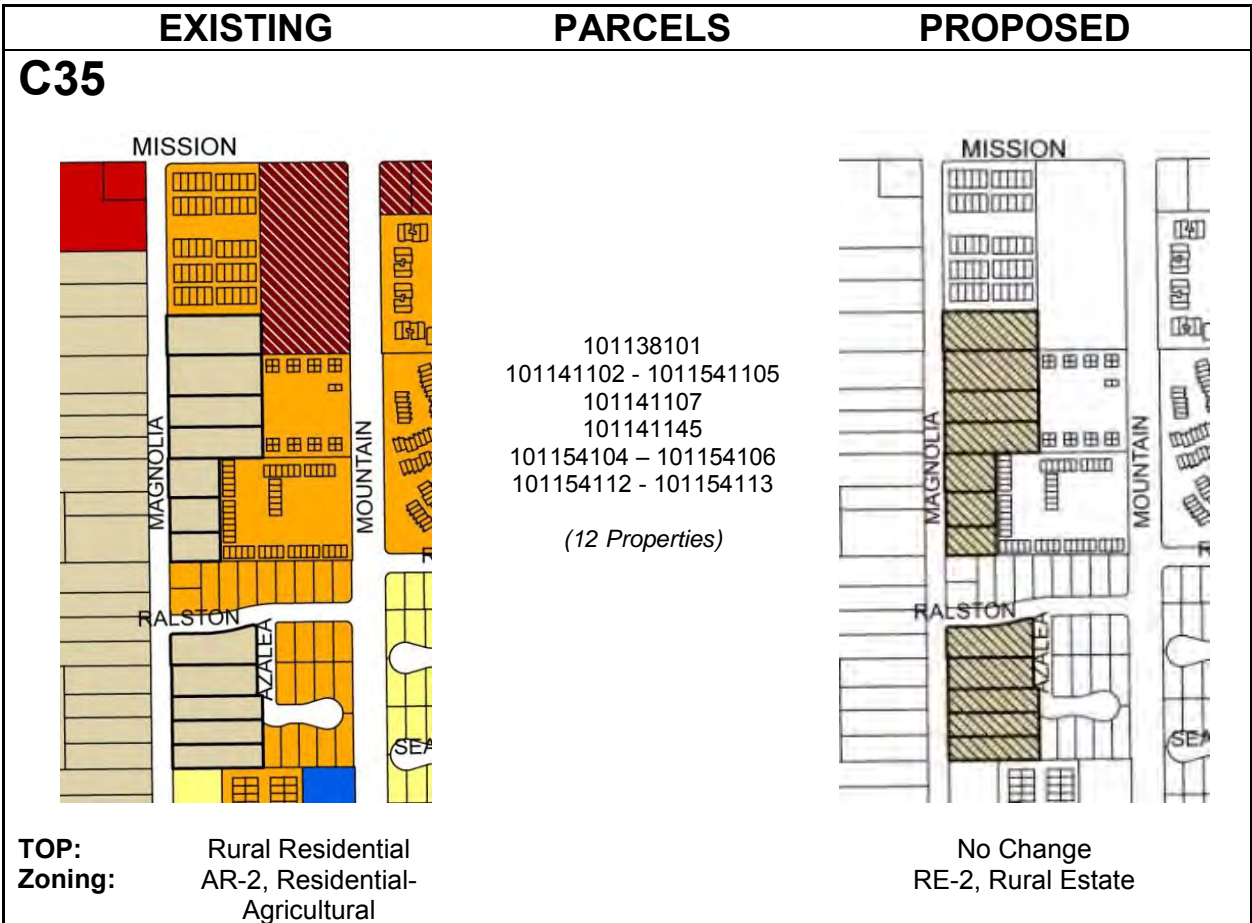
No Change
 UC, Utilities Corridor

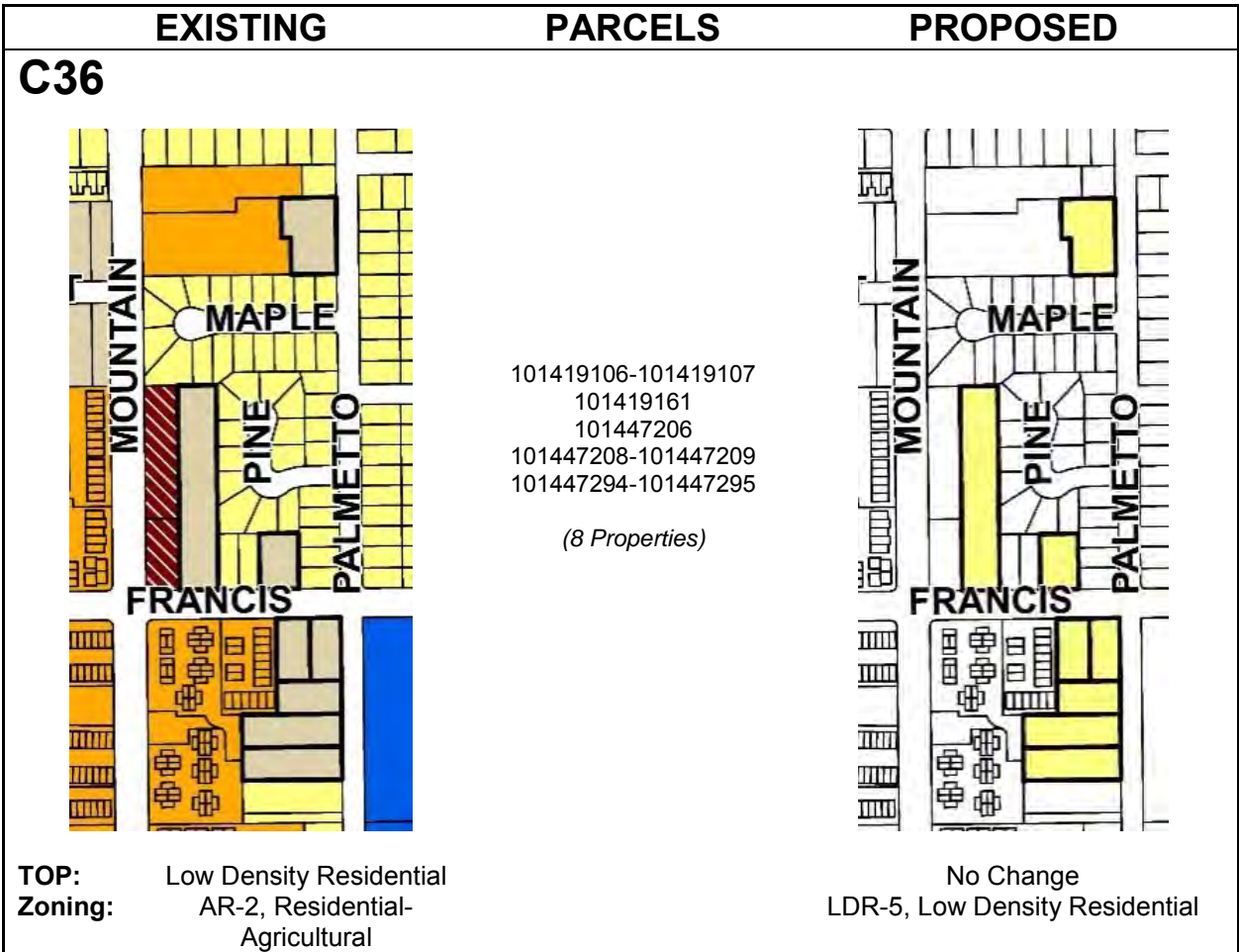


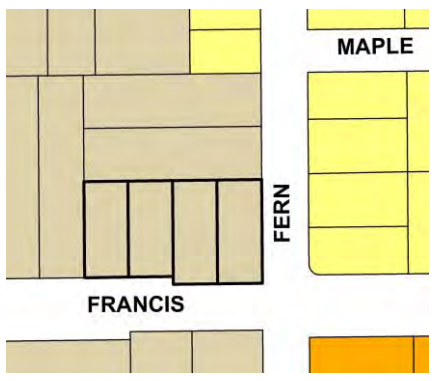
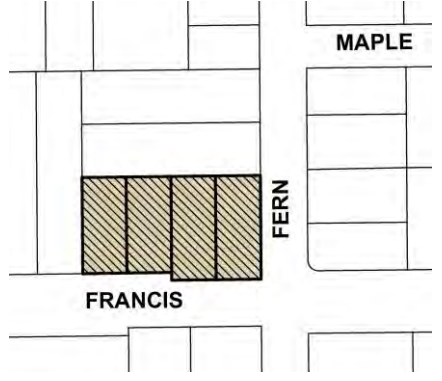


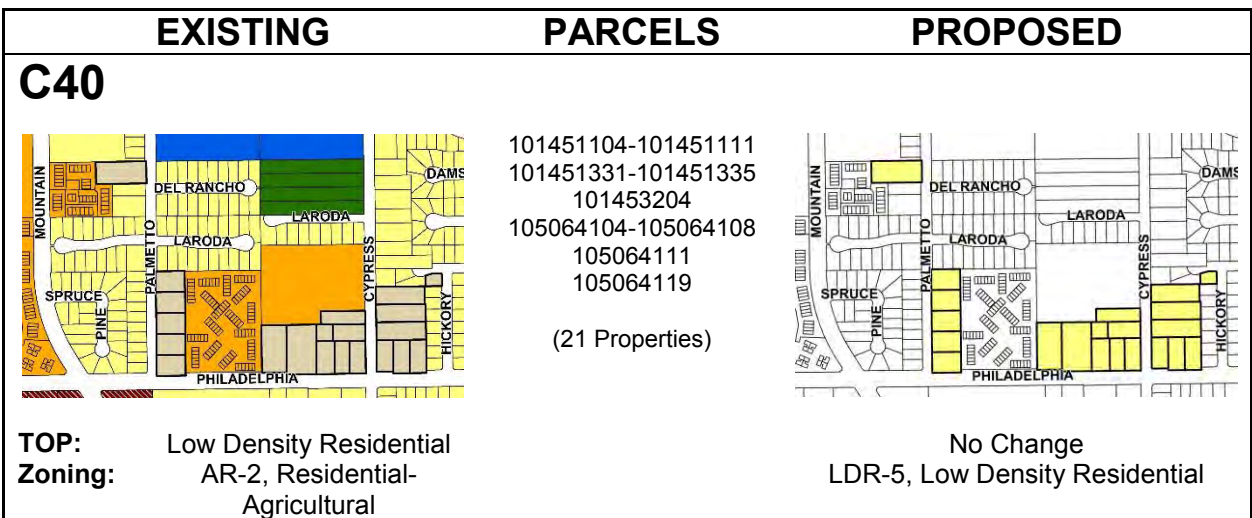
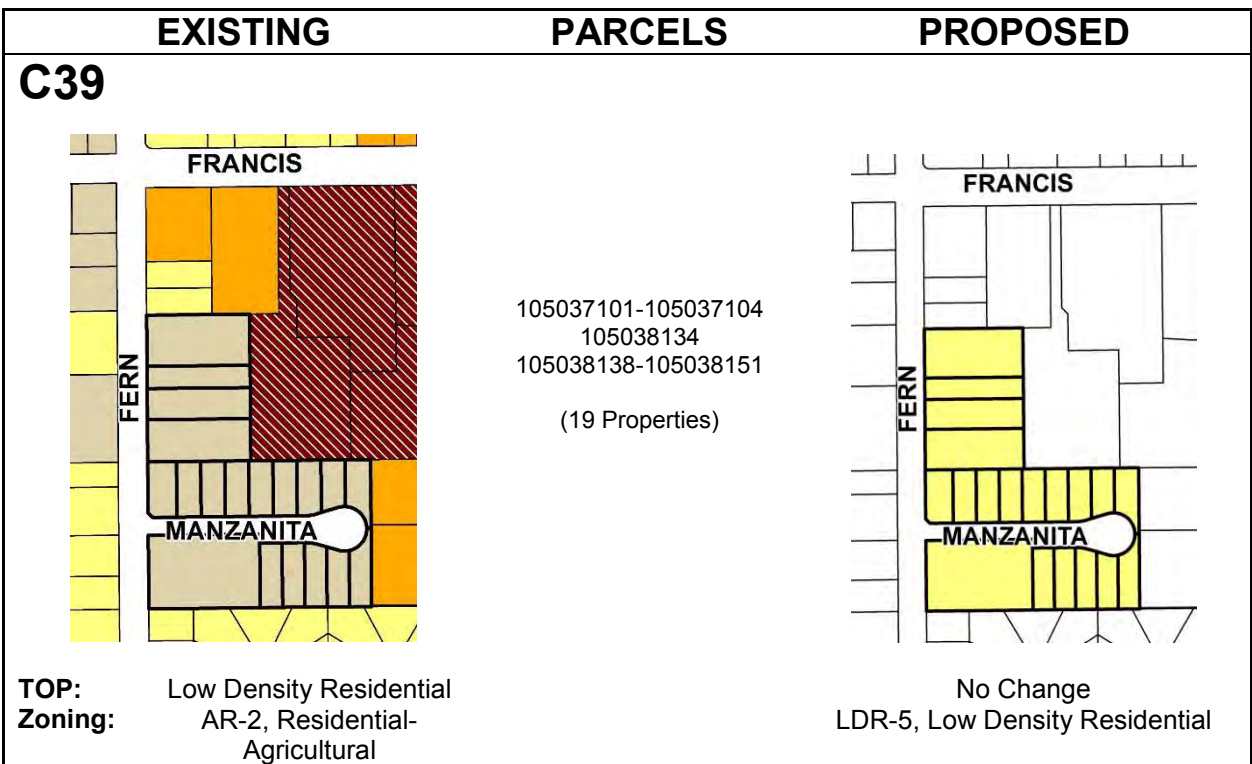
EXISTING		PARCELS	PROPOSED
C33			
		<p>101157161 – 101157162 <i>(2 Properties)</i></p>	
TOP: Zoning	Rural Residential LDR-5, Low Density Residential		No Change RE-2, Rural Estate

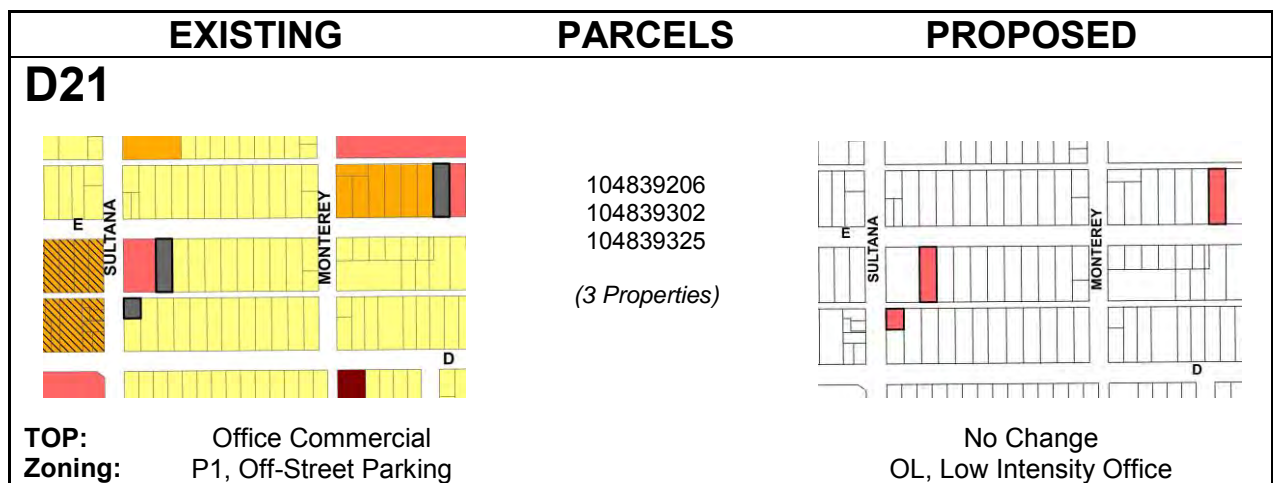
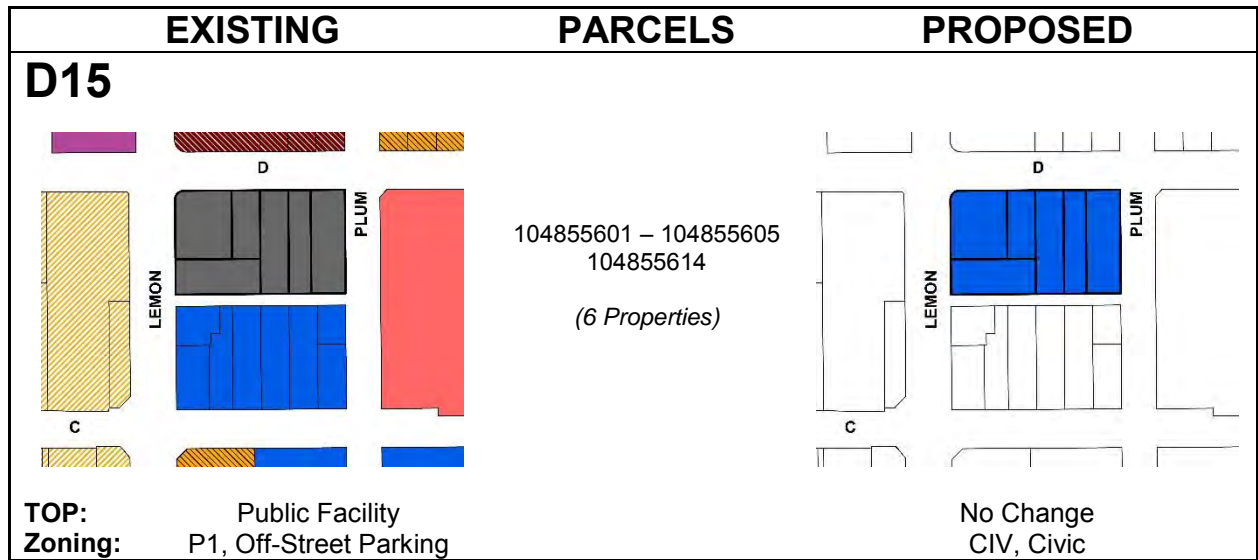
EXISTING		PARCELS	PROPOSED
C34			
		<p>105003114 - 105003115 <i>(2 Properties)</i></p>	
TOP: Zoning	Rural Residential LDR-5, Low Density Residential		No Change RE-2, Rural Estate





EXISTING	PARCELS	PROPOSED
<p>C38</p>  <p>FRANCIS</p> <p>MAPLE</p> <p>FERN</p> <p>TOP: Low Density Residential</p> <p>Zoning: AR-2, Residential-Agricultural</p>	<p>105029116 - 105029119</p> <p>(4 Properties)</p>	 <p>FRANCIS</p> <p>MAPLE</p> <p>FERN</p> <p>Rural Residential</p> <p>RE-2, Rural Estate</p>

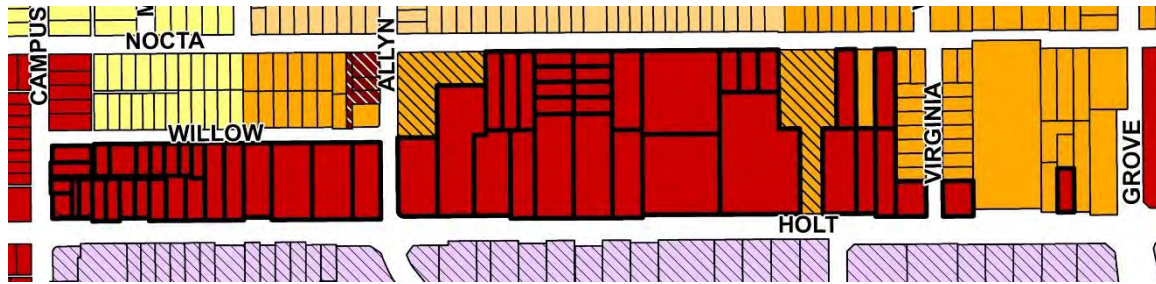




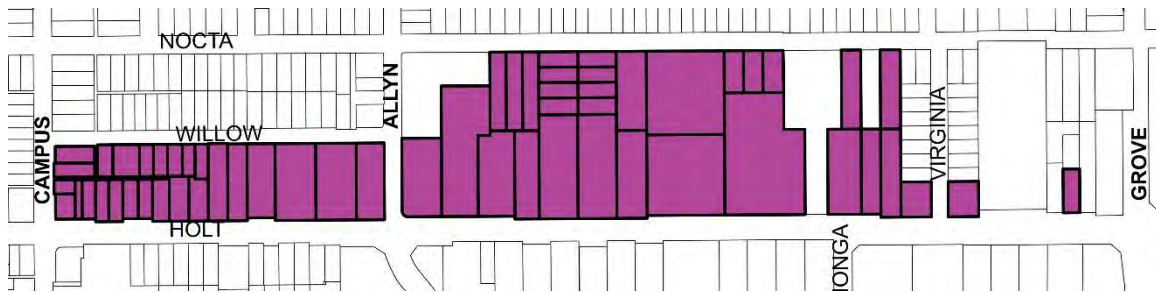
EXISTING	PARCELS	PROPOSED
D35		
<p> LEMON PLUM D </p>	<p>104836402 (1 Property)</p>	<p> LEMON PLUM D </p>
<p> TOP: High Density Residential Zoning: P1, Off-Street Parking </p>		<p> No Change HDR-45, High Density Residential </p>

E7

EXISTING



PROPOSED



Parcels: (59 Properties)

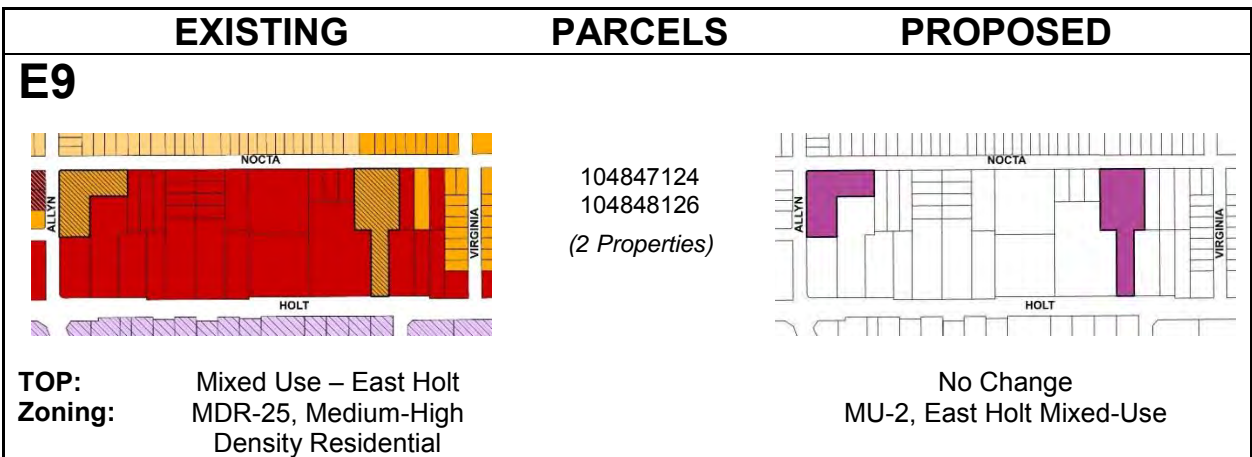
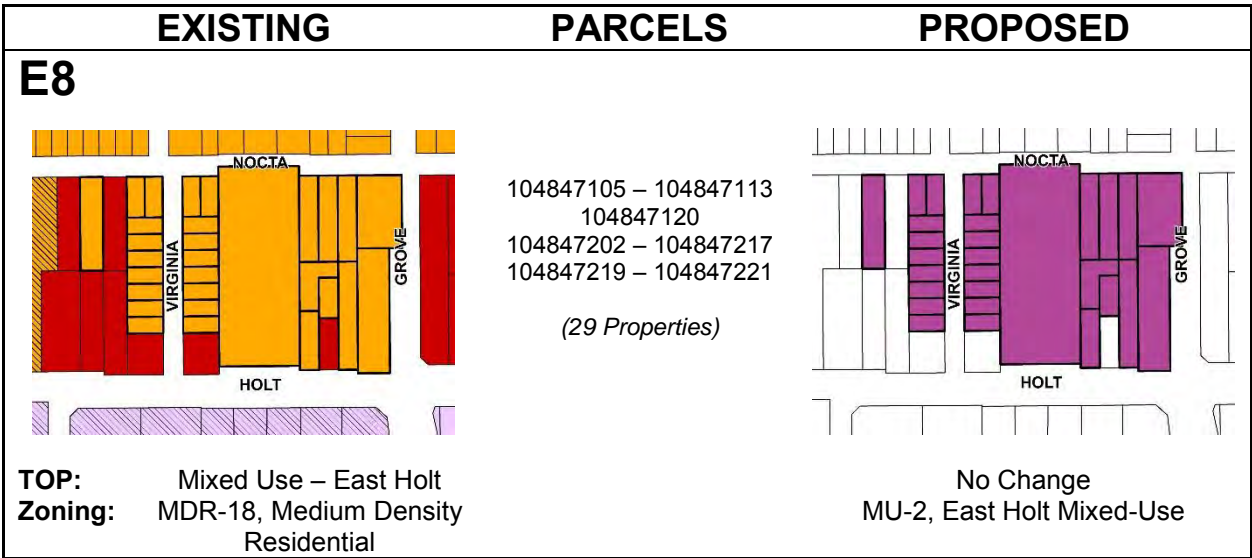
104847102	104847201	104848110 – 104848125
104847104	104847218	104848127 – 104848129
104847114 – 104847115	104848101 – 104848103	104851201 – 104851226
104847122 – 104847123	104848106 – 104848108	

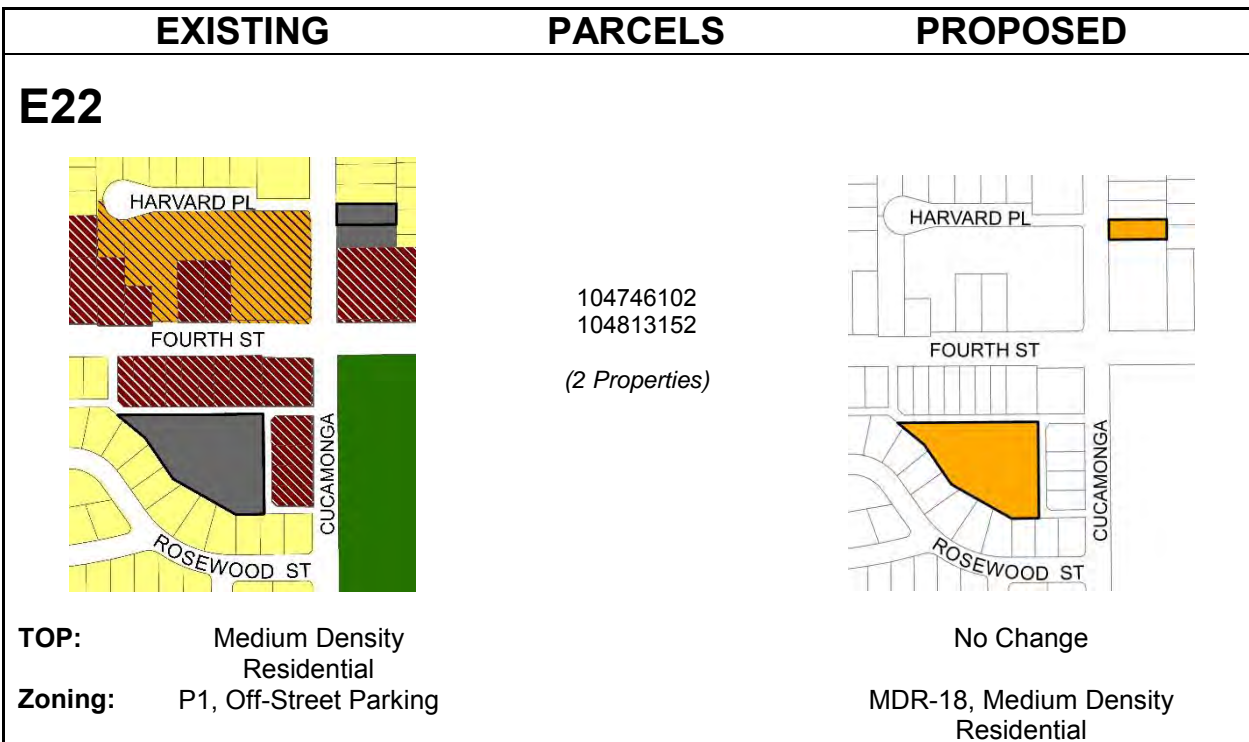
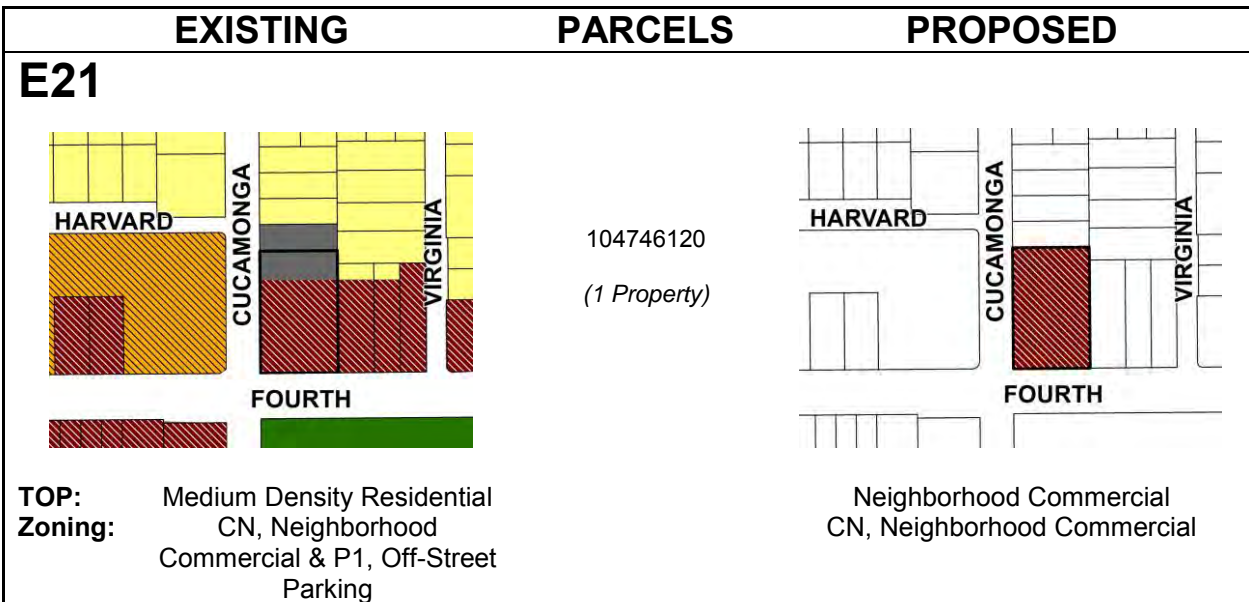
EXISTING

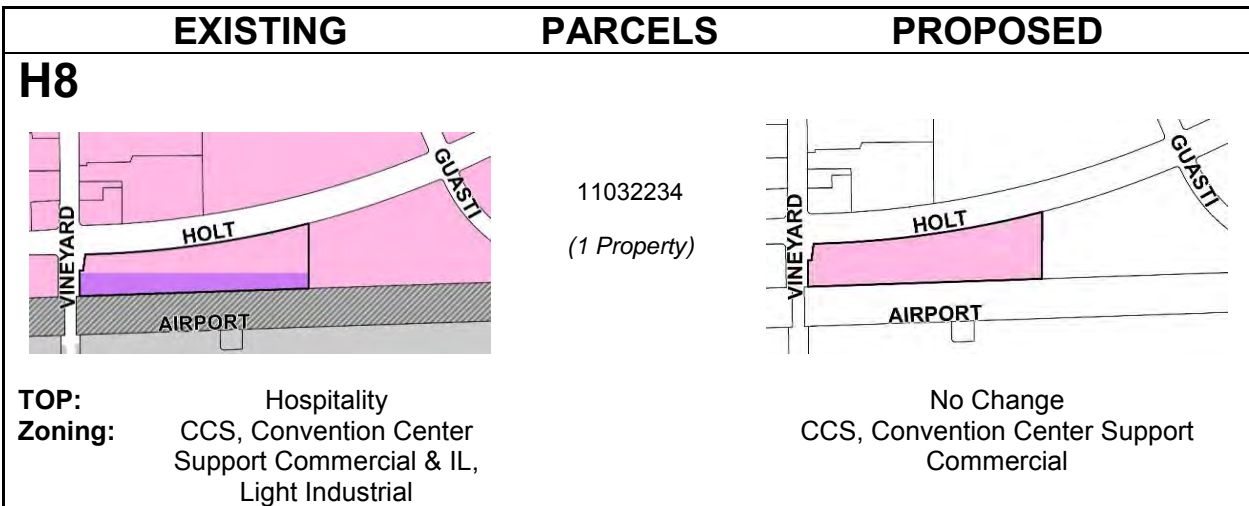
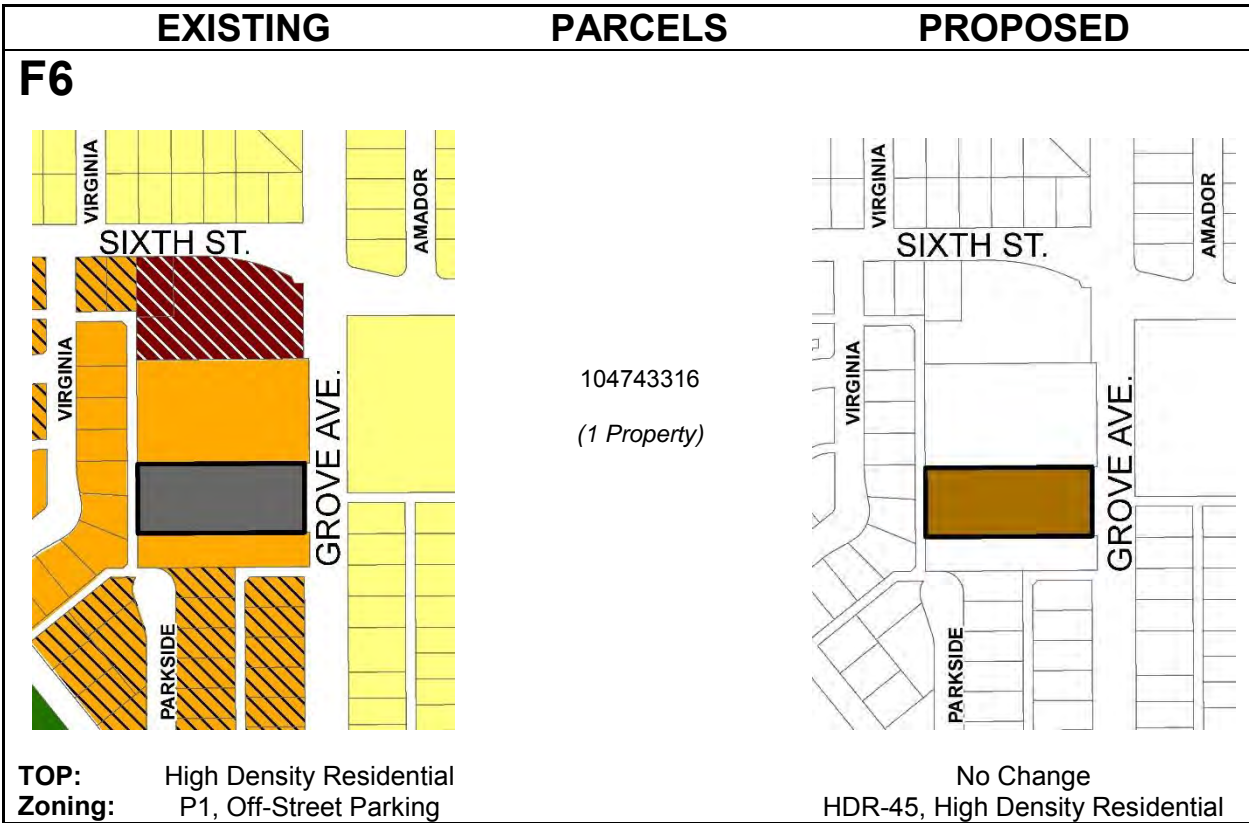
TOP: Mixed Use – East Holt
Zoning: CC, Community Commercial

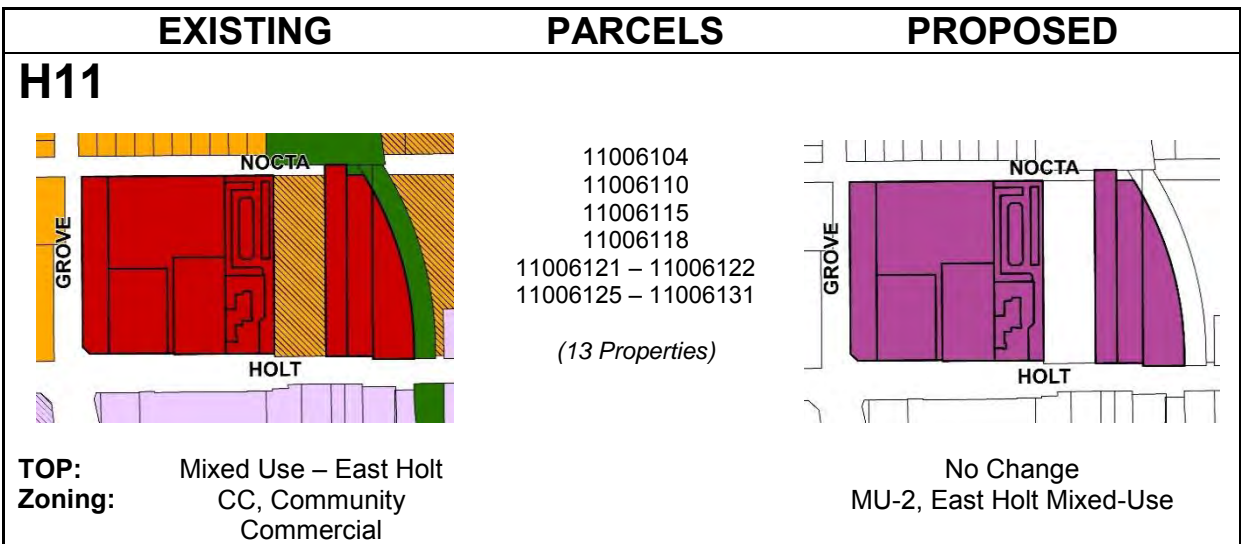
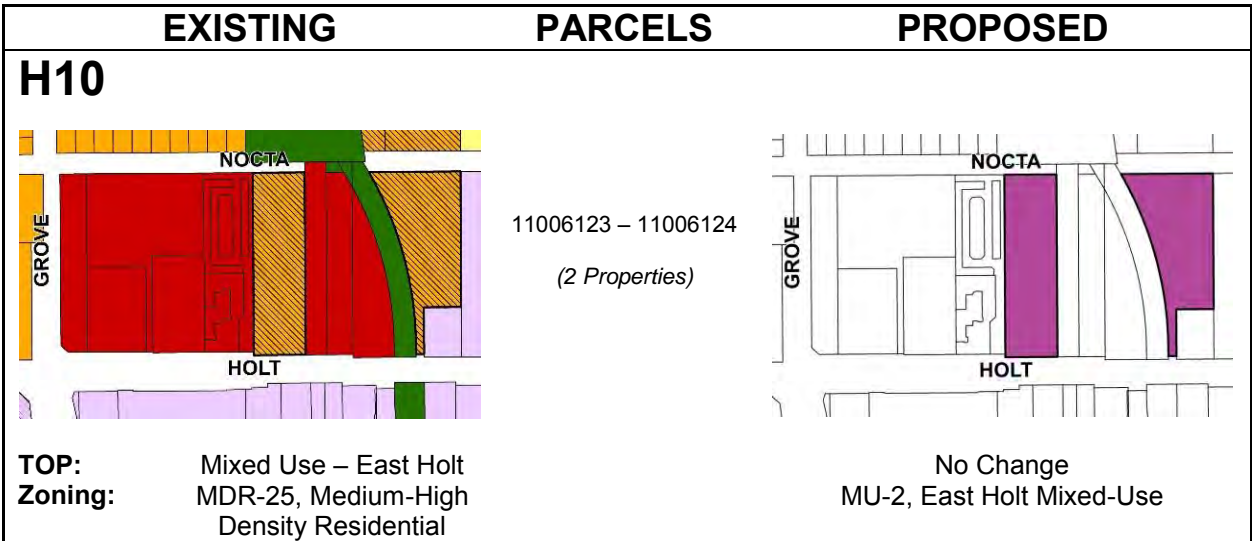
PROPOSED

TOP: No Change
Zoning: MU-2, East Holt Mixed-Use







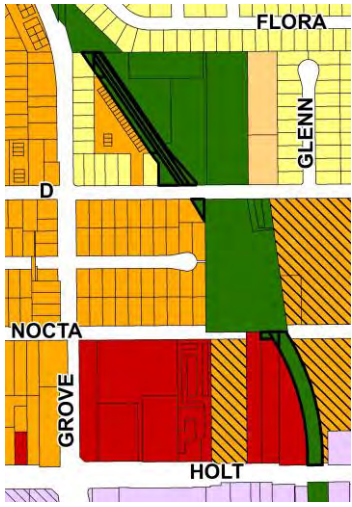
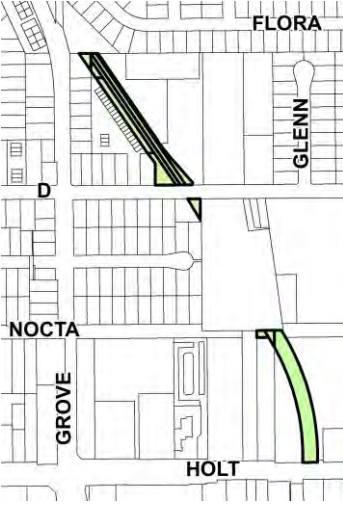


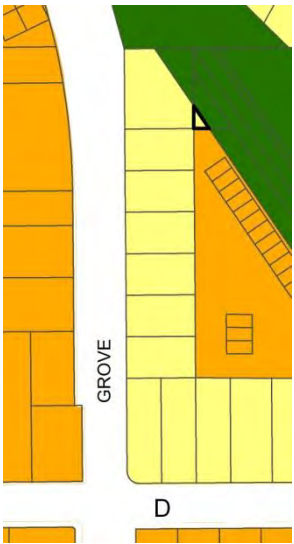
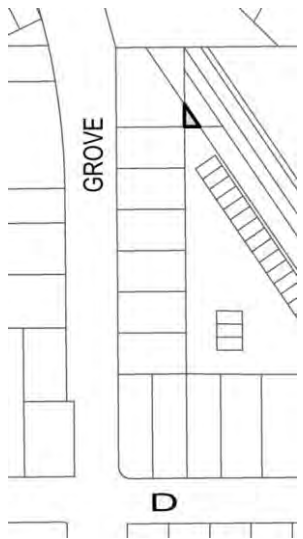
EXISTING	PARCELS	PROPOSED
H12		
	<p>21019124 <i>(1 Property)</i></p>	
<p>TOP: Office/Commercial Zoning: CC, Community Commercial</p>		<p>No Change OH, High Intensity Office</p>

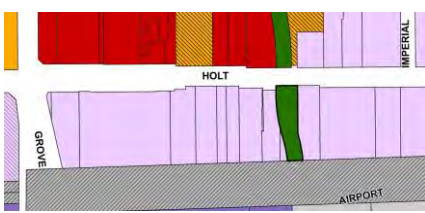
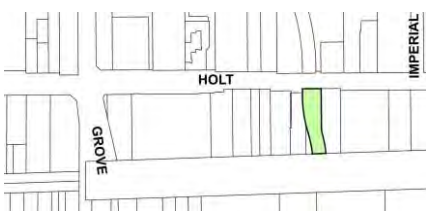
EXISTING	PARCELS	PROPOSED
H13		
	<p>21019129 – 21019132 <i>(4 Properties)</i></p>	
<p>TOP: Office/Commercial Zoning: CCS, Convention Center Support Commercial</p>		<p>No Change OH, High Intensity Office</p>

EXISTING	PARCELS	PROPOSED
H14		
	11032208 11032217 – 11032218 11032221 – 11032222 11032225 11032228 – 11032231 11032233 11032305 (11 Properties)	
TOP: Mixed Use – Multi Modal Mixed Use Zoning: CCS, Convention Center Support Commercial		No Change SP, Specific Plan with MTC, Multimodal Transit Center Overlay

EXISTING	PARCELS	PROPOSED
H17		
	21055101 (1 Property)	
TOP: Office/Commercial Zoning: CIV, Civic		No Change OH, High Intensity Office

EXISTING	PARCELS	PROPOSED
<p>H19</p>  <p>TOP: Open Space – Non Recreation</p> <p>Zoning: OS-R, Open Space- Recreation</p>	<p>11001307 – 11001313 11005112 11006100 11006117 11006119</p> <p><i>(11 Properties)</i></p>	 <p>No Change</p> <p>UC, Utilities Corridor</p>

EXISTING	PARCELS	PROPOSED
H20		
	<p>11001327 <i>(1 Property)</i></p>	
<p>TOP: Open Space – Non Recreation</p> <p>Zoning: LDR-5, Low Density Residential</p>		<p>No Change UC, Utilities Corridor</p>

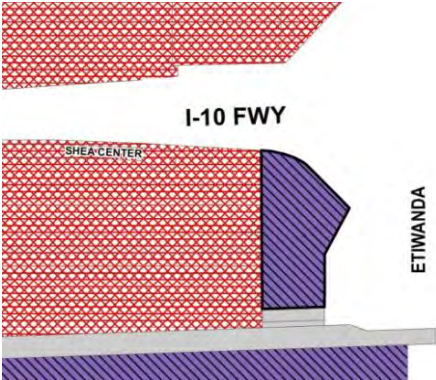
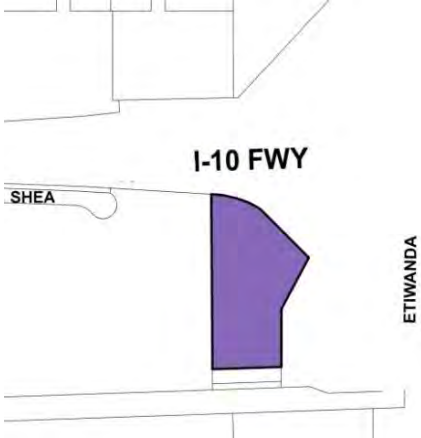
EXISTING	PARCELS	PROPOSED
H21		
	<p>11013122 <i>(1 Property)</i></p>	
<p>TOP: Business Park & Open Space – Non Recreation</p> <p>Zoning: OS-R, Open Space - Recreation</p>		<p>Open Space – Non Recreation UC, Utility Corridor</p>

EXISTING	PARCELS	PROPOSED
H22		
	21120104 21120106 (2 Properties)	
TOP: Right-of-Way Zoning: IL, Light Industrial		TOP: Airport Zoning: ONT, Ontario International Airport

EXISTING	PARCELS	PROPOSED
H23		
	11032130 11032227 11032302 (3 Properties)	
TOP: Open Space – Non Recreation Zoning: OS-R, Open Space-Recreation		TOP: No Change Zoning: UC, Utilities Corridor

EXISTING	PARCELS	PROPOSED
H24		
	<p>21120115 (1 Property)</p>	
<p>TOP: Mixed Use/Rail Zoning: SP, Specific Plan & IL, Light Industrial</p>		<p>No Change SP, Specific Plan & RC, Rail Corridor</p>

EXISTING	PARCELS	PROPOSED
I6		
	<p>105132155 (1 Property)</p>	
<p>TOP: Neighborhood Commercial Zoning: P1, Off-Street Parking</p>		<p>No Change CN, Neighborhood Commercial</p>

EXISTING	PARCELS	PROPOSED
<p>L5</p>  <p>TOP: Industrial</p> <p>Zoning: IH, Heavy Industrial</p>	<p>23805211 (1 Property)</p>	 <p>No Change</p> <p>IG, General Industrial</p>



PLANNING COMMISSION STAFF REPORT

March 22, 2016

SUBJECT: A Development Code Amendment (File No. PDCA16-002) proposing various modifications and clarifications to the following provisions of the Ontario Development Code: **[1]** revise Section 3.02.030 (Amortization and Abatement of Nonconforming Signs), deleting “billboard signs” from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs); **[2]** revise Division 5.02 (General Land Use Provisions), Division 5.03 (Standards for certain Land Uses, Activities, and Facilities), and Division 6.01 (District Standards and Guidelines), deleting all references to the CCC zoning district; **[3]** Revise Table 5.02-1 (Land Use Matrix), adding “Escape and Exit Rooms” (live interactive adventure, labyrinth, leadership, and strategy games) to the list of allowed land uses in the CC (Community Commercial), CR (Regional Commercial), MU-1 (Mixed Use - Downtown), BP (Business Park), IL (Light Industrial), and IG (General Industrial) zoning districts; **[4]** revise Section 5.03.025 (Alcoholic Beverage Sales) to clarify that the Public Convenience or Necessity determination criteria (Paragraph F.3) only applies to off-premise Alcoholic Beverage Control licenses; **[5]** revise Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) to clarify that a temporary outdoor sales event may 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 event; **[6]** revise Section 6.01.035 (Overlay Zoning Districts) to clarify that within the ICC Overlay District (Paragraph B.5), building alteration or expansion is only allowed in conjunction with an existing, legally established, commercial land use; **[7]** revise Section 8.01.020 (Sign Standards) to combine various Political Sign provisions into a single Subsection (8.01.020.K), and include provisions clarifying the purpose and intent of the Political Sign standards; and **[8]** revise Table 8.01-1 (Sign Regulation Matrix) to clarify timeframes for the issuance of temporary promotional and special event signs and banners. **City Initiated.** City Council action is required.

RECOMMENDED ACTION: That the Planning Commission recommend the City Council approve File No. PDCA16-002, based upon the facts and reasons contained in the staff report and attached 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

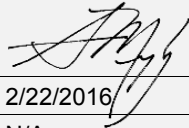
Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	2/22/2016	ZA			
Hearing Deadline:	N/A	PC	3/22/2016		Recommend
		CC	4/19/2016		Final



Figure 1: Vicinity Map

County boundary on the south; see Figure 1 (Vicinity Map), above. The City of Ontario is substantially built-out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. According to the California Department of Finance, the City of Ontario's 2015 estimated population is 168,777 persons, and it is ranked the 29th largest city in the State.

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 several minor alterations to the Development Code, to adjust and clarify the

following provisions of the Ontario Development Code. The proposed revisions are described below:

- **Revise Section 3.02.030 (Amortization and Abatement of Nonconforming Signs), deleting “billboard signs” from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs).** The City Attorney has recommended that “billboard signs” be removed from the nonconforming sign amortization list contained in Development Code, as it is in conflict with current provisions in State law. Therefore, staff has initiated the necessary change to Development Code.

- **Revise Division 5.02 (General Land Use Provisions), Division 5.03 (Standards for certain Land Uses, Activities, and Facilities), and Division 6.01 (District Standards and Guidelines), deleting all references to the CCC zoning district.** Staff has initiated modifications to Divisions 5.02, 5.03 and 6.01 of the Development Code, deleting all references to the CCC zoning district (formerly the Convention Center Commercial zoning district), as the CCC zone was combined with the CCS (Convention Center Support Commercial) zone prior to City Council action on the comprehensive Development Code update in 2015. Several references to the CCC zoning district inadvertently remain in the current Development Code, necessitating their removal.

- **Revise Table 5.02-1 (Land Use Matrix) to add “Escape, Exit, Mystery, and Puzzle Rooms” to the list of allowed land uses in the CC (Community Commercial), CR (Regional Commercial), MU-1 (Mixed Use - Downtown), BP (Business Park), IL (Light Industrial), and IG (General Industrial) zoning districts.** Over the past several months, the Planning Department has received a number of requests to establish “escape room” businesses (also referred to as an exit room, puzzle room, or mystery room), an entertainment activity that is trending worldwide (according to the on-line Escape Room Directory, there is currently a total of 3,328 escape rooms worldwide, in 64 countries). This business model was inspired by the escape-the-room genre of videogames, which consist of live action, interactive labyrinth, adventure, leadership, and strategy games. Most escape rooms follow a standardized formula consisting of a group of people (typically 4 to 12) that are locked in a themed room filled with clues, puzzles, and other hidden things. The group then has a limited amount of time (usually an hour) to find clues, solve puzzles, and uncover mysteries, in order to exit the room.

Staff is recommending that escape rooms and other similar activities be allowed as a conditionally permitted land use in the CC, CR, MU-1, BP, IL, and IG zoning districts, classified under “All Other Amusement and Recreation Industries” (NAICS 713990).

▪ **Revise Section 5.03.025 (Alcoholic Beverage Sales) to clarify that the Public Convenience or Necessity determination criteria (Paragraph F.3) only applies to off-premise Alcoholic Beverage Control licenses.** Paragraph F.3 (Criteria for Determining Public Convenience or Necessity) of Development Code Section 5.03.025 (Alcoholic Beverage Sales) provides criteria for determining public convenience or necessity (PCN). In November 2011, the City Council adopted Ordinance 2943, approving alcoholic beverage sales operating standards and approval requirements. The ordinance states that the criteria was to apply only to off-premise Alcoholic Beverage Control (ABC) licenses; however, in implementing the PCN criteria with the comprehensive Code update, staff has found the text of the criteria to be unclear in this regard. Therefore, staff is recommending modification to Paragraph 5.03.025.F.3 in order to clarify the PCN criteria only applies to off-premise ABC licenses.

▪ **Revise Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) to clarify that a temporary outdoor retail sales event may 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 event.** Development Code Section 5.03.395 allows temporary outdoor retail sales events in conjunction with an existing business; however, a loophole exists that would allow a business to temporarily rent a portion of a unit or building for the purpose of obtaining a Temporary Use Permit for an outdoor retail sales event. By temporarily renting building area, the restrictions on the maximum number of temporary sales events can be circumvented. Therefore, staff is recommending that the Development Code provisions addressing temporary outdoor retail sales events be revised to require that a business must be operated for a period of at least 180 days prior to the issuance of a Temporary Use Permit for an event.

▪ **Revise Section 6.01.035 (Overlay Zoning Districts) to clarify that within the ICC Overlay District (Paragraph B.5), building alteration or expansion is only allowed in conjunction with an existing, legally established, commercial land use.** Paragraph B.5 (ICC (Interim Community Commercial) Overlay District) of Development Code Section 6.01.035 (Overlay Zoning Districts) allows for the establishment of commercial land uses, on an interim basis, on property containing existing buildings that were constructed for occupancy by commercial land uses, but which are located within the High Density Residential (25.1 to 45 DU/Acre) Policy Plan land use district. Staff is proposing that the provisions of the ICC Overlay District be revised to clarify that a building expansion may only be allowed for the purpose of expanding an existing, legally established commercial land use. An expansion would be limited to one time, not to exceed 25 percent of the existing gross floor area, consistent with the requirements applicable to nonconforming, nonresidential structures, as specified in Subsection J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of Development Code Section 3.01.020 (Nonconforming Structures and Improvements).

▪ **Revise Section 8.01.020 (Sign Standards) to combine various Political Sign provisions into a single Subsection (8.01.020.K), and include provisions clarifying the purpose and intent of the Political Sign standards.** The political sign provisions contained in Division 8.01 (Sign Regulations) of the Development Code are divided among several sections. To aid the City in the enforcement of these provisions, staff is recommending that they be consolidated into a single Subsection (8.01.020.K). Additionally, to clarify the intent of the political sign provisions, staff recommends the reintroduction of purpose statements that were inadvertently deleted from the City's sign regulations several years ago, as follows:

“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.”

▪ **Revise Table 8.01-1 (Sign Regulation Matrix) to clarify timeframes for the issuance of temporary promotional and special event signs and banners.** The Development Code's Sign Regulations specify that the placement of temporary promotional and special event signs and banners are subject to the time limitations applicable to the temporary outdoor activities, displays, events, and sales specified in

Subsection G (Temporary Outdoor Activities, Displays, Events, and Sales) of Development Code Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures). The referenced provisions, however, do not clearly specify how the timeframes are to be implemented. Therefore, staff is recommending certain clarifications as to how the existing temporary promotional and special event signs and banners provisions should be implemented:

a. Business Grand Opening — A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration.

b. Retail Sales Event — A Retail Sales Event (as allowed pursuant to Paragraph 5.03.395.G.1 of the Development Code) may be allowed temporary signage for maximum 7 days duration during the specified “holiday sale periods” (President’s Day, Memorial Day, Independence Day, and Labor Day), and during the specified “additional periods” (four unspecified periods per calendar year) for which a Temporary Use Permit has been issued, not to exceed a total of 56 days (Note: 45 days were previously allowed) 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).

c. Holiday Retail Sales — Holiday Retail Sales (Christmas tree sales, pumpkin sales, etc., allowed pursuant to Paragraph 5.03.395.G.2 of the Development Code) may be allowed temporary signage for maximum 30 days duration.

d. Shows and Exhibits — Shows and Exhibits (pursuant to Paragraph 5.03.395.G.3 of the Development Code) may be allowed temporary signage for maximum 30 days duration.

e. Amusement and/or Sporting Events — Amusement and/or Sporting Events (pursuant to Paragraph 5.03.395.G.4 of the Development Code) may be allowed temporary signage for a maximum 30 days duration per calendar year, which may be used in a single period or in 2 periods of 15 days duration.

f. Tent Revivals — Tent Revivals (pursuant to Paragraph 5.03.395.G.5 of the Development Code) may be allowed temporary signage for a maximum 30 days duration per calendar year, which may be used in a single period or in 2 periods of 15 days duration.

g. Charitable and Fund Raising Events — Charitable and Fund Raising Events (pursuant to Paragraph 5.03.395.G.6 of the 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.

Each chapter of the Development Code containing the above-described clarifications are included in Exhibits A through D, attached. The first page of each Chapter describes the proposed changes to the Chapter, and the proceeding page in which the proposed change was made.

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 Priorities.

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy;
- Operate in a Businesslike Manner;
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities; and
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] 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] Land Use – Airport Environs

- Goal LU5: Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.

➤ LU5-5 Airport Compatibility Planning for ONT. We create and maintain the Airport Land Use Compatibility Plan for ONT.

➤ 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.

[e] 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.

[f] 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.

[g] 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.

[h] 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.

[i] Mobility Element – Roadway System:

▪ Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

➤ M1-1 Roadway Design and Maintenance. We require our roadways to:

- Comply with federal, state and local design and safety standards.
- Meet the needs of multiple transportation modes and users.
- Handle the capacity envisioned in the Functional Roadway Classification Plan.
- Maintain a peak hour Level of Service (LOS) E or better at all intersections.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices and our Right-of-Way Management Plan.

➤ M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

[j] 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.

[k] 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.

[l] Environmental Resources Element – Water & Wastewater:

- Goal ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.

- ER1-3 Conservation. We require conservation strategies that reduce water usage.

- ER1-5 Groundwater Management. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.

- ER1-6 Urban Run-off Quantity. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.

- ER1-7 Urban Run-off Quality. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

[m] Environmental Resources Element – Energy:

- Goal ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.

➤ ER3-6 Generation – Renewable Sources. We promote the use of renewable energy sources to serve public and private sector development.

[n] Environmental Resources Element – Air Quality:

▪ Goal ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.

➤ ER4-1 Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance

➤ ER4-3 Greenhouse Gases (GHG) Emissions Reductions. We will reduce GHG emissions in accordance with regional, state and federal regulations.

➤ ER4-8 Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.

[o] Parks & Recreations Element – Planning & Design:

▪ Goal PR1: A system of safe and accessible parks that meets the needs of the community.

➤ PR1-5 Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.

➤ PR1-6 Private Parks. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.

[p] 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.

[q] 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 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 COMPLIANCE: The project site is located within the Airport Influence Area of LA/Ontario International Airport and has been found to be consistent with the policies and criteria set forth within the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP).

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. This Application introduces no new significant environmental impacts.

CONDITIONS OF APPROVAL: See attached department reports.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PDCA16-002, A DEVELOPMENT CODE AMENDMENT PROPOSING THE FOLLOWING MODIFICATIONS AND CLARIFICATIONS TO THE ONTARIO DEVELOPMENT CODE: [1] DELETE "BILLBOARD SIGNS" FROM THE NONCONFORMING SIGN AMORTIZATION LIST (SECTION 3.02.030: AMORTIZATION AND ABATEMENT OF NONCONFORMING SIGNS); [2] DELETE ALL REFERENCES TO THE CCC ZONING DISTRICT (DIVISION 5.02—GENERAL LAND USE PROVISIONS, DIVISION 5.03—STANDARDS FOR CERTAIN LAND USES, ACTIVITIES, AND FACILITIES, AND DIVISION 6.01—DISTRICT STANDARDS AND GUIDELINES); [3] ADD "ESCAPE AND EXIT ROOMS" TO THE LIST OF ALLOWED LAND USES IN THE CC (COMMUNITY COMMERCIAL), CR (REGIONAL COMMERCIAL), MU-1 (MIXED USE - DOWNTOWN), BP (BUSINESS PARK), IL (LIGHT INDUSTRIAL), AND IG (GENERAL INDUSTRIAL) ZONING DISTRICTS (TABLE 5.02-1: LAND USE MATRIX); [4] CLARIFY THAT "PUBLIC CONVENIENCE OR NECESSITY" DETERMINATION CRITERIA ONLY APPLIES TO OFF-PREMISE ALCOHOLIC BEVERAGE CONTROL LICENSES (SECTION 5.03.025: ALCOHOLIC BEVERAGE SALES); [5] TEMPORARY OUTDOOR SALES EVENTS MAY 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 EVENT (SECTION 5.03.395: TEMPORARY AND INTERIM LAND USES, BUILDINGS, AND STRUCTURES); [6] BUILDING ALTERATION OR EXPANSION IN THE ICC OVERLAY DISTRICT IS ONLY ALLOWED IN CONJUNCTION WITH EXISTING, LEGALLY ESTABLISHED COMMERCIAL LAND USES (SECTION 6.01.035: OVERLAY ZONING DISTRICTS); [7] COMBINE ALL POLITICAL SIGN PROVISIONS AND CLARIFY THEIR PURPOSE AND INTENT (SECTION 8.01.020: SIGN STANDARDS); AND [8] CLARIFY TIMEFRAMES FOR THE ISSUANCE OF TEMPORARY PROMOTIONAL AND SPECIAL EVENT SIGNS AND BANNERS (TABLE 8.01-1: SIGN REGULATION MATRIX), 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. 16-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario consists of 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 is substantially built-out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. Table 1 (City of Ontario Land Uses) provides the land use composition of the City pursuant to the future buildout projections contained in The Ontario Plan (Exhibit LU-03). According to the California Department of Finance, the City of Ontario's 2015 estimated population is 168,777 persons, and is ranked the 29th largest city in the State

WHEREAS, on December 1, 2015, the City Council approved Ordinance No. 3028, a comprehensive update to the City of Ontario Development Code (Ontario Municipal Code Title 9), which became effective on January 1, 2016. The Development Code provisions as they existed prior to the January 1, 2016, effective date were repealed and superseded in their entirety; and

WHEREAS, on January 19, 2016, the City Council approved Ordinance No. 3037, amending Ordinance No. 3028, adding an "interagency relocation exception" allowing for the relocation billboards provided they meet certain locational criteria and findings, and include the elimination of other billboards within the City of Ontario, which became effective on February 19, 2016; and

WHEREAS, on January 19, 2016, the City Council approved Resolution No. 2016-002, adding References A through H to the Development Code.

WHEREAS, the City has initiated several minor alterations to the Development Code, to adjust and clarify a number of its provisions, which are described in the ensuing statements; and

WHEREAS, the City Attorney has recommended that "billboard signs" be removed from the nonconforming sign amortization list contained in Section 3.02.030 (Amortization and Abatement of Nonconforming Signs) of the Development Code, as it is in conflict with current provisions in State law. Therefore, the necessary change to Development Code was initiated; and

WHEREAS, modifications to Development Code Division 5.02 (General Land Use Provisions), Division 5.03 (Standards for certain Land Uses, Activities, and Facilities), and Division 6.01 (District Standards and Guidelines) were initiated, deleting all references to the CCC zoning district (formerly the Convention Center Commercial zoning district), as the CCC zone was combined with the CCS (Convention Center Support Commercial) zone prior to City Council action on the comprehensive Development Code update in 2015 (Ordinance No. 3028). Several references to the CCC zoning district inadvertently remain in the current Development Code, necessitating their removal; and

WHEREAS, modification to Development Code Table 5.02-1 (Land Use Matrix), adding “Escape, Exit, Mystery, and Puzzle Rooms” as a conditionally permitted land use in the CC (Community Commercial), CR (Regional Commercial), MU-1 (Mixed Use - Downtown), BP (Business Park), IL (Light Industrial), and IG (General Industrial) zoning districts, has been initiated. Over the past several months, the Planning Department has received a number of requests to establish escape room businesses (also referred to as an exit room, puzzle room, or mystery room), an entertainment use that is trending worldwide (according to the on-line Escape Room Directory, there is currently a total of 3,328 escape rooms worldwide, in 64 countries). This business model was inspired by the escape-the-room genre of videogames, which consist of live action, interactive labyrinth, adventure, leadership, and strategy games. Most escape rooms follow a standardized formula consisting of a group of people (typically 4 to 12) that are locked in a themed room filled with clues, puzzles, and other hidden things. The group then has a limited amount of time (usually an hour) to find clues, solve puzzles, and uncover mysteries, in order to exit the room; and

WHEREAS, modification to Development Code Section 5.03.025 (Alcoholic Beverage Sales) has been initiated to clarify that the Public Convenience or Necessity determination criteria (Paragraph F.3) only applies to off-premise Alcoholic Beverage Control licenses. Paragraph F.3 (Criteria for Determining Public Convenience or Necessity) provides criteria for determining public convenience or necessity (PCN). In November 2011, the City Council adopted Ordinance 2943, approving alcoholic beverage sales operating standards and approval requirements. The ordinance states that the criteria was to apply only to off-premise Alcoholic Beverage Control (ABC) licenses; however, in implementing the PCN criteria with the comprehensive Code update, staff has found the text of the criteria to be unclear in this regard.; and

WHEREAS, modification to Development Code Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) has been initiated, to clarify that a temporary outdoor retail sales event may 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 event. The proposed Development Code Amendment will close a loophole that currently allows a business to temporarily rent a portion of a unit or building for the purpose of obtaining a Temporary Use Permit (TUP) and circumvent the maximum number of TUPs allowed per year; and

WHEREAS, modification to Development Code Section 6.01.035 (Overlay Zoning Districts) has been initiated to clarify that within the ICC Overlay District (Paragraph B.5), building alteration or expansion is only allowed in conjunction with an existing, legally established commercial land use. Paragraph B.5 (ICC (Interim Community Commercial) Overlay District) currently allows for the establishment of commercial land uses, on an interim basis, on property containing existing buildings that were constructed for occupancy by commercial land uses, but which are located within the High Density Residential (25.1 to 45 DU/Acre) Policy Plan land use district. The proposed amendment

clarifies that an expansion would be limited to one time, not to exceed 25 percent of the existing gross floor area, consistent with the requirements applicable to nonconforming nonresidential structures (as specified in Subsection J (Alteration and/or Expansion of a Nonconforming Nonresidential Structure) of Development Code Section 3.01.020 (Nonconforming Structures and Improvements); and

WHEREAS, modification to Development Code Section 8.01.020 (Sign Standards) has been initiated to combine various Political Sign provisions into a single Subsection (8.01.020.K), to aid the City in their enforcement of these provisions, and include provisions clarifying the purpose and intent of the Political Sign standards; and

WHEREAS, modification to Development Code Table 8.01-1 (Sign Regulation Matrix) has been initiated to clarify timeframes for the issuance of temporary promotional and special event signs and banners, as follows:

- a. Business Grand Opening — One time, maximum of 30 days duration.
- b. Retail Sales Event — Maximum 7 days duration during specified “holiday sale periods” (President’s Day, Memorial Day, Independence Day, and Labor Day), and “additional periods” (four unspecified periods per calendar year) 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).
- c. Holiday Retail Sales (Christmas tree sales and pumpkin sales) — Maximum 30 days duration for which a Temporary Use Permit has been issued.
- d. Shows and Exhibits — Allowed for maximum 30 days duration for which a Temporary Use Permit has been issued.
- e. Amusement and/or Sporting Events — Allowed for maximum 30 days duration per calendar year for which a Temporary Use Permit has been issued, which may be used in a single period or in 2 periods of 15 days duration.
- f. Tent Revivals — Allowed for maximum 30 days duration per calendar year for which a Temporary Use Permit has been issued, which may be used in a single period or in 2 periods of 15 days duration.
- g. Charitable and Fund Raising Events — Allowed during the specified “holiday periods,” and “additional events” for which a Temporary Use Permit has been issued; 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 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.

WHEREAS, 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; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) prepared for File No. PDCA11-003, which was adopted by the Ontario City Council (by Resolution No. 2015-095) on September 1, 2015. 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, on March 22, 2016, 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. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), and supporting documentation. Based upon the facts and information contained in the previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140), and supporting documentation, the Planning Commission finds as follows:

a. The previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

b. The previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

c. The previously adopted Addendum to the Ontario Plan Environmental Impact Report (SCH# 2008101140) reflects the independent judgment of the Planning Commission; and

d. All previously adopted mitigation measures, which are applicable to the Project, shall be a condition of Project approval and are incorporated herein by reference.

SECTION 2. 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 above, the Planning Commission hereby concludes as follows:

a. 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.

b. The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City, as 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 3. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Development Code Amendment.

SECTION 4. 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. 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. 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 March 2016, 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:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PDCA16-002
March 22, 2016
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC16-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

EXHIBIT A

Chapter 3.0:

Nonconforming Lots, Land Uses, Structures, and Signs

[Division 3.01](#)—Nonconforming Lots, Land Uses, and Structures

[Division 3.02](#)—Nonconforming Signs

Proposed Revisions:

1. **Amortization of Nonconforming Billboard Signs** — Remove billboard signs from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs). Deletion made to page 3.02-4.

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Division 3.02—Nonconforming Signs

Sections:

- 3.02.000: Purpose
- 3.02.005: Applicability
- 3.02.010: Damage or Destruction of a Legal Nonconforming Sign
- 3.02.015: Illegal Signs
- 3.02.020: Amortization and Abatement of Nonconforming Signs

3.02.000: Purpose

A. It is the determination of the City Council that that nonconforming signs within the City are detrimental to the welfare of the citizens and their property, and to the orderly and creative development of the City. The City Council further determines that nonconforming signs shall be eliminated as rapidly as possible, without infringing upon the rights of property owners. To this end, it is the intent of this Division to:

1. Prevent the expansion of nonconforming signs to the maximum extent feasible;
2. Establish criteria under which nonconforming signs are allowed to be continued or expanded; and
3. Provide for the correction or removal of nonconforming signs in a reasonable, practical and judicious manner.

B. Furthermore, it is the intent of this Division to provide for the orderly termination of nonconforming signs to promote the public health, safety and welfare, and to bring nonconforming signs into conformity with the principals, goals and policies of the City Council Priorities, Vision, and Policy Plan (General Plan) components of The Ontario Plan.

3.02.005: Applicability

A. Nonconforming signs may be continued, maintained, repaired, and/or abated only as allowed by the provisions of this Division. It shall be the responsibility of each respective property and/or business owner to provide sufficient evidence or information to justify the continuation, maintenance, reconstruction, restoration, or rebuilding of a nonconforming sign, pursuant to the rights prescribe by this Division.

B. A nonconforming sign may be continued, maintained, reconstructed, restored, or rebuilt, provided the sign is not structurally altered or expanded.

3.02.010: Damage or Destruction of a Legal Nonconforming Sign

L. A legal nonconforming sign that is damaged or destroyed by fire or other calamity, or the public enemy, or other cause that is beyond the control of the business owner, and which could not otherwise have been prevented by reasonable care and maintenance of the sign, may be reconstructed, restored, or rebuilt up to the original size, design and placement, provided that

total cost of the reconstruction does not exceed more than 50 percent of the sign's fair market value prior to the damage or destruction. The reconstruction, restoration, or rebuilding of a damaged or destroyed legal nonconforming sign shall commence within 6 months following the occurrence of the damage or destruction, unless extended by the Zoning Administrator, and shall be diligently pursued to completion.

M. In the event that the cost of reconstructing, restoring, or rebuilding a sign exceeds 50 percent of the fair market value of the sign prior to any damage occurring, the sign may be reconstructed, restored, or rebuilt up to its original size, design and placement, and the use of the sign may be resumed, subject to the following:

1. The Planning Commission, at a duly noticed public hearing, must find that **[i]** the reconstruction, restoration, or rebuilding of the nonconforming sign will not be detrimental or injurious to the health, safety or general welfare of persons residing or working in the neighborhood, and will not be detrimental or injurious to property and improvements in the neighborhood, and **[ii]** continuation of the nonconforming sign will not result in an annoyance to and/or reduction of any surrounding property.

2. In considering whether a nonconforming sign results in annoyance to and/or reduction of any surrounding property, the Zoning Administrator shall consider the following:

a. The number of additional nonconforming signs on the property;

b. Whether the nonconforming sign(s) impede visibility toward other conforming signs on the subject property and/or adjacent properties;

c. The extent to which the nonconforming sign(s) contribute to sign clutter within the surrounding area; and

d. The extent to which such nonconforming sign(s) provide the subject property, or use thereon, with its only means of identification.

3. The reconstruction, restoration, or rebuilding of a nonconforming sign shall be completed within 6 months following building permit issuance, unless extended by the Zoning Administrator, and shall be diligently pursued to completion.

4. Nothing in this Division shall be construed to permit the continuation of conditions that will endanger the public health, safety or welfare, or which constitute a public or private nuisance.

3.02.015: Illegal Signs

A. Nuisance Signs. The following signs shall be considered illegal and deemed to be a nuisance:

1. Unsafe Signs. An unsafe sign is a sign determined by the Zoning Administrator or Building Official to be any of the following:

a. A sign that poses a danger to the public or could create a potential hazard;

b. A sign erected without required permits; or

c. A sign erected in the public right-of-way or on public property without specific written authorization from the City.

2. Abandoned Signs.

a. An abandoned sign is a sign remaining in place for a period of 90 or more consecutive days, which no longer advertises or identifies an ongoing business, product, or service available on the premise where upon the sign is located.

b. When the abandonment of a sign is in question, the determination shall be made by the Zoning Administrator, based upon satisfactory evidence. When there are no business receipts, records or necessary licenses available to provide evidence that the business for which the sign was erected has been in continual operation, the Zoning Administrator may make a determination of sign abandonment based upon [i] consideration of 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. Unmaintained Signs. An unmaintained sign is a sign that has not been kept in a proper state of preservation, free of damaged or broken components, and has been kept neatly painted and maintained.

4. Illegally Erected Signs. A sign is illegally erected if:

a. It violates any provision of this title, except as provided by Paragraph B.2 of this Section;

b. It was erected without first obtaining required permits; or

c. It was erected without complying with all ordinances and regulations in effect at its time of construction, erection or use. No sign that has been erected in violation of any previously existing sign regulation(s) shall become a conforming sign by virtue of the adoption of any new regulation(s).

B. Existing Illegal Signs. Any business located on the same property where a sign has been determined by the Zoning Administrator to be illegal, shall not be granted a permit for additional signs until all illegal signs have been removed, except as follows:

1. The sign determined to be illegal is associated with a business that is different from the business seeking a permit for new signage, even though they may be located in the same center or complex; or

2. The sign determined to be illegal is not owned or controlled by the permit applicant, and the permit applicant is not the agent of the person who owns or controls the illegal sign.

C. Identification and Inventory of Illegal Signs. Within one-year following the enactment date of this Section, the City shall commence with the identification and inventory of illegal signs within the City. Upon completion of the identification and inventory of illegal signs, the City may commence abatement of all illegal signs identified in the sign inventory.

D. Removal of Illegal Signs.

1. Unsafe Signs. The Zoning Administrator, Building Official, or Code Enforcement Director, may cause the removal of any unsafe sign, or any other advertising structure that creates an immediate peril to persons or property, summarily and without notice.

2. Political Signs and Commercial Advertising on Public Facilities and Rights-of-Way. Political signs and commercial advertising are prohibited from being displayed on public facilities and rights-of-way, including but not limited to, any curb, gutter, sidewalk, or utility pole. The Code Enforcement Director may cause the immediate removal of any such sign.

3. Abandoned, Unmaintained, and Illegally Erected Signs. Abandoned, unmaintained, and/or illegally erected signs shall be removed and stored pursuant to the rules and procedures established by the Code Enforcement Director, at which time they may be recovered by the owner upon payment to the City for costs of removal and storage.

3.02.020: Amortization and Abatement of Nonconforming Signs

A. Amortization of Nonconforming Signs. A sign lawfully placed, erected, or constructed at the time an ordinance codified in this Development Code became effective, and which does not conform to the applicable current sign regulations, is deemed a "legal nonconforming sign." The classifications of legal nonconforming signs identified in Table 3.02-1 (Amortization Period of Certain Classifications of Nonconforming Signs), below, shall be removed or made to meet the current requirements of this Division within the timeframes specified by said Table, except that timeframes for signs nonconforming by reason of annexation to the City shall begin on the date of completion of the annexation.

Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs

<i>Sign Classification</i>	<i>Abatement Period</i>
Billboard signs, excluding signs established by billboard relocation agreement pursuant to Section 4.02.010 (Billboard Relocation Agreements) of this Development Code	10 years
Pole signs	10 years
Painted signs on buildings, walls and fences within commercial zoning districts, excepting historic signs	5 years

B. Inventory of Nonconforming Signs. Following the enactment of this Division, the City shall commence the identification and inventory of nonconforming signs within the City. Upon completion of said nonconforming sign identification and inventory, the City may commence abatement of all identified nonconforming signs.

C. Abatement of Nonconforming Signs. The abatement of nonconforming signs shall be accomplished in the following manner:

1. Painted Signs. Signs painted directly on buildings, walls, and fences shall be painted over in such a manner that the sign will not thereafter become visible. Such painting shall cause the sign area to blend with, and be compatible with, the color scheme of the building, wall, or fence, as applicable.

2. All Other Signs. All other nonconforming signs not otherwise specified in Subsection A (Amortization of Nonconforming Signs), above, shall be removed or altered to cause it to conform to the provisions of this Division. Nothing in this Section shall prohibit the normal upkeep or repair of any sign, or the painting or repainting of the face thereof, during its lawful existence.

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EXHIBIT B

Chapter 5.0: Zoning and Land Use

[Division 5.01](#)—Zoning Districts and Boundaries

[Division 5.02](#)—Land Use

[Division 5.03](#)—Standards for Certain Land Uses, Activities, and Facilities

Proposed Revisions:

- 1. Table 5.02-1 (Land Use Matrix)** — Removes all references to the CCC zoning district (CCC zone was previously combined with the CCS zone prior to the initial approval of the Dev Code; however, not all references to the CCC zone were removed. Appropriate deletions were made to pages 5.02-5 through 28.
- 2. Section 5.03.020 (Air Transportation) and Section 5.03.270.H.3 (Massage Establishments and Services)** — Removes all references to the CCC zone. Appropriate deletions were made to pages 5.03-20, and page 5.03-67, respectively.
- 3. Subsection 5.03.025.F.3** — Clarifies that the PCN determination criteria only applies to off-premise ABC licenses. See revised text on page 5.03-22.
- 4. Paragraph 5.03.395.G (Temporary Outdoor Activities, Displays, Events, and Sales)** — Require that a temporary outdoor sale, display, event, or activity may 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 requested temporary outdoor sale, display, event, or activity. See revised text on page 5.03-88.

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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 land use designation of the Policy Plan component of The Ontario Plan.

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. The MU-1 zoning district is hereby established to accommodate a fairly 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. Development projects are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area. The most intensive uses are envisioned along Euclid Avenue and Holt Boulevard. The MU-1 zoning district is consistent with and implements the Downtown Mixed Use Area 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 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. 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 District. The AG Overlay 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 District 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 District is consistent with, and implements, all land use designation of the Policy Plan component of The Ontario Plan.

2. EA (Euclid Avenue) Overlay District. The EA Overlay 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 District. The ES Overlay 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 District. The MTC Overlay 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 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 District. The ICC Overlay District is hereby established to allow for the interim use of existing commercial buildings 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, with community commercial land uses allowed in the CC 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 high density residential projects in the High Density (25.1 to 45 DU/Acre) land use designation. The ICC Overlay District is consistent with, and implements, the High Density (25.1 to 45 DU/Acre) land use designation 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, established and may be changed in accordance with 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 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, that 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.3 (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 inconsistent 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) 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>
n/a	Residential
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: Properties 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 & Overlay Zoning Districts								Additional Regulations		
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	GGG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC			
00	RESIDENTIAL																															
	Accessory Residential Structures (limited to guesthouses, garages, carports, garden and tool sheds, and other ancillary buildings and structures constructed in conjunction with a single-family dwelling)	P/C	P/C	P/C	P	---	---	---	---	---	---	---	---	P/C	P	P	---	---	---	---	---	---	P	---	P/C	---	---	---	---	---	---	See Section 5.03.010 (Accessory Detached Residential Structures)
	Animal Keeping (as an accessory use)																															
	Birds																															
	• Fewer than 25 birds	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See 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	P	---	---	---	---	---	---	P	---	P	---	---	---	---	---	---	See 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	C	P	---	---	C	---	---	---		
	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	See Section 5.03.410 (Urban Agriculture)	
	Employee (Farmworker) Housing																															
	• 6 or fewer employees	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.405 (Transitional Shelter Housing)
	• 7 to 12 employees	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	
	Home Occupations	A	A	A	A	---	---	---	---	---	---	---	---	A	A	A	---	---	---	---	---	---	A	---	A	---	---	---	---	---	---	See Section 5.03.240 (Home Occupations)
	Mixed-Use Developments (commercial developments incorporating single-family and/or multiple-family dwellings)	---	---	---	---	---	C	C	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.285 (Mixed-Use Developments)
	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 <i>Note: Properties 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 & Overlay Zoning Districts						Additional Regulations				
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC	
	Multiple-Family Dwellings	---	---	P	P	---	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	Second Dwellings	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.355 (Second Dwellings)
	Senior Citizen Housing Developments	---	---	P	P	---	---	C	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.360 (Senior Citizen Housing Developments)	
	Single-Family Dwellings	P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	See Section 5.03.365 (Single-Family Dwellings)	
	Single Room Occupancy (SRO) Facilities	---	---	---	C	---	---	C	---	---	C	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.370 (Single Room Occupancy (SRO) Facilities)		
	Supportive Housing	P	P	P	---	---	---	C	---	---	---	---	C	---	---	---	---	P	C	---	---	C	---	C	---	---	---	---	See Section 5.03.405 (Transitional Shelter Housing)		
	Work/Live Units	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.425 (Work/Live Units)		
11	COMMERCIAL AGRICULTURE																														
111	Commercial Crop Production and Farming	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	See Section 5.03.410 (Urban Agriculture)		
112	Commercial Animal Production																														
1121	Cattle Ranching and Farming	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
1122	Hog and Pig Farming	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
1123	Poultry and Egg Production	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
1124	Sheep and Goat Farming	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
1125	Aquaculture	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
1129	Other Animal Production																														
11291	Apiculture (bee keeping and production)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	P	See Section 5.03.410 (Urban Agriculture) and OMC Section 6-1.224 through Section 6-1.228 regarding commercial kennel licensing.	
11292	Horses and Other Equine Production	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
11293	Fur-Bearing Animal Production (limited to rabbits, chinchillas, and other similar small, fur-bearing animals)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)	
11299	All Other Animal Production, limited to the following (NAICS 112990):																														
112990	Kennels and Catteries (includes animals owned by the owner or occupant of the property, and those kept and/or boarded for remuneration)																														
	• Fewer than 8 animals	P	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	P	P	---	P	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture) and OMC Section 6-1.224 through Section 6-1.228 regarding commercial kennel licensing.		
	• 8 or more animals	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	C	---	---	P	---	---	---	---	See Section 5.03.410 (Urban Agriculture)		
112990	Alpaca and Llama Farming	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)		
112990	Aviaries	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)		
112990	Ostrich, Emu, and Rhea Farming	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	See Section 5.03.410 (Urban Agriculture)		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations			
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCC	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC		UC		
115	Support Activities for Agriculture																															
115110	Support Activities for Crop Production (limited to cotton ginning; soil preparation, planting and cultivating; crop harvesting; postharvest crop activities; farm labor contractors and crew leaders; and farm management services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---
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)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
22	UTILITIES																															
221	Utilities																															
2211	Electric Power Generation, Transmission and Distribution																															
22111	Electric Power Generation																															
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	---	---	---	---	---	---	---	---	---	---	---
22112	Electric Power Transmission, Control and Distribution (transformer stations and substations)	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	
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	---	---	---	P	---	---	---	---	---	---	---	See Section 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors)
31-33	MANUFACTURING																															
311	Food Manufacturing																															
3111	Animal Food Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	---	---
3112	Grain and Oilseed Milling	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	C	---	---	---	---	---	---	---	---
3113	Sugar and Confectionery Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC		
3114	Fruit and Vegetable Preserving and Specialty Food Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---		
3115	Dairy Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---		
3116	Animal Slaughtering and Processing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	C	---	---	---	---		
3117	Seafood Product Preparation and Packaging	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	C	---	---	---	---		
3118	Bread and Tortilla Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	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	---	---	---	P	---	---	---	---	See Section 5.03.190 (Food Manufacturing, Other)
312	Beverage and Tobacco Product Manufacturing																														
3121	Beverage Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---		
3122	Tobacco Products Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	P	---	---	---	---		
313	Textile Mills (transforms basic fiber into fabric)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---		
314	Textile Product Mills (transforms fabric into product, except apparel)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---		
315	Apparel Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	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	---	---	---	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	---	---	---	P	---	---	---	---	See Section 5.03.255 (Leather and Allied Product Manufacturing, Other)
321	Wood Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---		
322	Paper Manufacturing																														
3221	Pulp, Paper, and Paperboard Mills	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---		
3222	Converted Paper Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---		
323	Printing and Related Support Activities	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	
324	Petroleum and Coal Products Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---		
325	Chemical Manufacturing																														
3251	Basic Chemical Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---		
3252	Resin, Synthetic Rubber, and Artificial Synthetic Fibers and Filaments Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts							Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC		UC
3253	Pesticide, Fertilizer, and Other Agricultural Chemical Manufacturing																													
32531	Fertilizer Manufacturing (limited to mixing of purchased materials; excludes on-site composting facilities—see NAICS 562219)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	
32532	Pesticide and Other Agricultural Chemical Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	
3254	Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing—see NAICS 325414, below)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	P	---	---	---	C	---	---	---	---	See Section 5.03.325 (Pharmaceutical and Medicine Manufacturing)	
325414	Biological Product (except diagnostic) manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---		
3255	Paint, Coating, and Adhesive Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---		
3256	Soap, Cleaning Compound, and Toilet Preparation Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	C	---	---	---	---	See Section 5.03.375 (Soap, Cleaning Compound, and Toilet Preparation Manufacturing)	
3259	Other Chemical Product and Preparation Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---		
326	Plastics and Rubber Products Manufacturing																													
3261	Plastics Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.335 (Plastics Product Manufacturing)	
3262	Rubber Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---		
327	Nonmetallic Mineral Product Manufacturing (except glass and glass product manufacturing)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	C	---	---	---	---		
32721	Glass and Glass Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	C	---	---	---	---		
331	Primary Metal Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	C	---	---	---	---		
332	Fabricated Metal Product Manufacturing																													
3321	Forging and Stamping	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---		
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	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
332812	Painting, Powder Coating and Polishing Metal and Metal Products for the Trade	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	C	---	---	---	---	---	
3329	Other Fabricated Metal Product Manufacturing																													
33291	Metal Valve Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	
33299	All Other Fabricated Metal Product Manufacturing																													
332991	Ball and Roller Bearing Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	---		
332992	Small Arms Ammunition Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---	---		
332993	Ammunition (except Small Arms) Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---	---		
332994	Small Arms, Ordnance, and Ordnance Accessories Manufacturing, limited to the following:																													
	• Small Arms Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---		
	• Other Ordnance and Accessories Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	P	---	---	---	---	---		
332996	Fabricated Pipe and Pipe Fitting Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---		
332999	All Other Miscellaneous Fabricated Metal Product Manufacturing	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	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	---	---	---	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 (excepting Boutique Manufacturing Facilities)	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	See Section 5.03.265 (Manufacturing, Miscellaneous)		
	Boutique Manufacturing Facilities	---	---	---	---	---	C	C	---	---	---	C	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---		
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	---	---	---	P	---	---	---	---		
4233	Lumber and Other Construction Materials	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC		
4234	Professional and Commercial Equipment and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
4235	Metals and Minerals (except Petroleum)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	
4236	Household Appliances, and Electrical and Electronic Goods	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
4237	Hardware and Plumbing, and Heating Equipment and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
4238	Machinery Equipment and Supplies	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	
4239	Miscellaneous Durable Goods	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	
424	Merchant Wholesalers, Nondurable Goods (excluding industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	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	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	
	• Durable and Nondurable Goods Agents and Brokers	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.155 (Durable and Nondurable Goods Agents and Brokers)
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 5.03.300 (Motor Vehicle Dealers)
441120	Used Vehicles	---	---	---	---	---	---	C	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.305 (Motor Vehicle Dealers)
4412	Other Motor Vehicle Dealers																														
441221	Recreational Vehicles, Motorcycles, Personal Watercraft, All Terrain Vehicles, and Other Similar Vehicles	---	---	---	---	---	---	C	C	---	C	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.300 (Motor Vehicle Dealers)

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC		
441222	Boats	---	---	---	---	---	---	C	C	---	C	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.300 (Motor Vehicle Dealers)
441229	All Other Motor Vehicles (such as truck-tractors, utility trailers, buses, and other similar vehicles)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	P	---	---	---	---	---	See Section 5.03.300 (Motor Vehicle Dealers)	
4413	Automotive Parts, Accessories and Tire Stores																														
441310	Automotive Parts and Accessories (excludes automotive repair)	---	---	---	---	---	P	P	P	---	---	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---		
441320	Tire Stores	---	---	---	---	---	---	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	---	---	---	C	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
445	Food and Beverage Stores																														
	Alcoholic Beverage Sales for Off-Premise Consumption (except beer, wine and liquor stores (see NAICS 4453); and business to consumer internet retail wine sales (Type 85 ABC license) (NAICS 454111))	---	---	---	---	C	C	C	C	€	C	---	C	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---	See Section 5.03.025 (Alcoholic Beverage Sales)	
4451	Grocery Stores																														
44511	Supermarkets and Other Grocery Stores (primarily retailing a range of grocery items and meats), Commissaries and Food Stores	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
44512	Convenience Stores	---	---	---	---	P	P	P	P	P	P	---	P	P	P	P	---	---	---	---	---	---	---	P	---	---	---	---			
4452	Specialty Food Stores																														
44521, 44522, 44523, 44529	Confectionary and Baked Goods, 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	---	---	---	---	P	P	P	P	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.125 (Convenience Markets and Specialty Food Stores)	
445230	Farmers Markets and Certified Farmers Markets	---	---	---	---	---	C	C	C	€	---	---	C	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---		
4453	Beer, Wine and Liquor Stores	---	---	---	---	---	C	C	C	---	---	---	---	---	C	---	---	---	---	---	---	---	---	C	---	---	---	---	---		
446	Health and Personal Care Stores																														
446110	Pharmacies and Drug Stores	---	---	---	---	---	P	P	P	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.330 (Pharmacies and Drug Stores)	
	Medical Marijuana Dispensary	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.280 (Medical Marijuana Dispensary)	
44612	Cosmetics, Beauty Supplies, and Perfume Stores	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
44613	Optical Goods Stores	---	---	---	---	---	P	P	P	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
44619	Other Health and Personal Care Stores (limited to hearing aids, medical equipment and supplies, and prosthetics)	---	---	---	---	---	P	P	P	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
447	Gasoline and Fueling Stations																													
447110	Gasoline Fueling with Convenience Stores	---	---	---	---	---	P	P	P	P	P	---	---	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	
447190	Self-Serve and Full Service Fueling Stations	---	---	---	---	---	P	P	P	P	P	---	---	P	P	P	P	P	P	P	P	---	---	---	P	---	---	---	---	
447190	Automated Fueling Facilities ("card lock" facilities)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	P	---	---	---	---	---	
447190	Truck Stops	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	---	---	
448	Clothing and Clothing Accessories Stores						P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
451	Sporting Goods, Hobby, Book, and Music Stores						P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
452	General Merchandise Stores																													
4521	Department Stores						---	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4529	Other General Merchandise Stores																													
452910	Warehouse Clubs and Supercenters	---	---	---	---	---	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
452990	All Other General Merchandise Stores (limited to dollar stores, variety stores and catalog showrooms)	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453	Miscellaneous Store Retailers																													
4531	Florists					P	P	P	P	---	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
4532	Office Supplies, Stationery, and Gift Stores					---	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	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453310	Consignment Shops	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453310	Flea Markets and Swap Meets (indoor only)	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453310	Precious Metals, Gemstones, Jewelry, and Similar Merchandise (includes the purchase of used items, such as "cash for gold" stores)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453310	Personal Property Donation Bins	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.320 (Personal Property Donation Bins)	
453310	Thrift and Secondhand Stores, and Used Goods Stores	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.400 (Thrift and Secondhand Stores, and Used Goods Stores)	
4539	Other Miscellaneous Store Retailers																													
453910	Pet and Pet Supplies Stores	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
453920	Art Dealers	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts							Additional Regulations				
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC		UC			
453930	Manufactured (Mobile) Home Dealers, limited to the following:																																
	• Without Display of Homes	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
	• With Indoor Display of Homes (no outdoor display of homes permitted)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---		
453991	Tobacco Stores (in-store smoking prohibited)	---	---	---	---	---	P	P	P	P	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
453998	All Other Miscellaneous Store Retailers, limited to the following:																																
	• Art Supplies, Candles, Closet Organizers, Collectibles, Flowers, Home Security Equipment, Hot Tubs, Janitorial Supplies, Police Supplies, Religious Goods, Swimming Pool Supplies and Trophy Shops	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	• Auction Houses	---	---	---	---	---	---	---	C	---	---	---	C	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---		
	• Industrial Retail Sales (limited to the ancillary retail sales of goods and/or product either manufactured, warehoused or wholesaled on-site)																																
	[1] Up to 15% of Building GFA Area or 8,000 sq-ft, whichever is less	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---		
	[2] Over 8,000 sq-ft or 15% of Building GFA	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---	---		
454	Nonstore Retailers																																
4541	Electronic (internet) Shopping and Auctions, and Mail-Order Houses (includes direct business to consumer internet retail sales, auction houses, and/or mail order retail sales)	---	---	---	---	---	P	P	P	---	---	P	P	P	P	P	P	P	P	P	---	---	---	---	P	---	---	---	---	---	---	See Section 5.03.170 (Electronic Shopping and Mail-Order Houses)	
4542	Vending Machine Operators	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---		
4543	Direct Selling Establishments																																
454312	Fuel Dealers (liquefied petroleum gas)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	---	---	---	---	---	---	---	---	---	---	---		
454390	Other Direct Selling Establishments	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---		
48-49	TRANSPORTATION AND WAREHOUSING																																
481	Air Transportation , limited to the following:																																
	• Airport	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	See Section 5.03.020 (Air Transportation)	
	• Helipad/Heliport	---	---	---	---	---	---	P	P	C	---	C	---	---	---	---	---	---	P	P	---	P	---	C	---	---	---	---	---	---	---		
482	Rail Transportation , limited to the following:																																
	• Railroad Passenger Terminals (limited to line haul)	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	C	C	C	---	P	---	C	---	---	---	P	---	---			
	• Railroad Equipment Maintenance Yards	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	C	---	---	---	C	---	---			
484	Truck Transportation (includes general and specialized freight trucking)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	---	P	---	---	---	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts							Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC		UC
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	ε	C	C	C	C	C	C	C	C	C	C	C	C	C	P	C	C	C	C	C	
4853	Taxi and Limousine Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	
4855	Charter Bus Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	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	---	---	---	---	---	---	---	C	---	---	
4884	Support Activities for Road Transportation																													
488410	Towing Services (see Motor Vehicle Storage (NAICS 493190) for vehicle storage requirements)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	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	---	---	---	---	---	---	---	---	---	---	---	
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	---	---	---	---	---	
492	Couriers and Messengers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	---	
493	Warehousing and Storage																													
493110	General Warehousing and Storage, limited to the following:																													
	• Within a Wholly Enclosed Building	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	
	• Outside Materials and Equipment Storage																													
	[1] In conjunction with an allowed use	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	---	
	[2] As a primary use of property	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	---	---	---	P	---	---	---	---	---	---	
493120	Refrigerated Warehousing and Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	---	
493190	Other Warehousing and Storage, limited to the following:																													
	• Bulk Petroleum Storage (tank farm)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	
	• Lumber Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	---	---	
	• Motor Vehicle Storage																													
	[1] Indoor Vehicle Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	
	[2] Outdoor Vehicle Storage	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	P	---	---	---	C	---	
	• Self-Storage Facilities (includes one Caretaker Quarters)	---	---	---	---	---	---	C	---	---	---	---	---	---	---	P	P	P	P	---	---	---	P	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
522298	Pawnshops and Pawnbrokers	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
5223	Activities Related to Credit Intermediation	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
52231	Mortgage and Nonmortgage Loan Brokers	---	---	---	---	---	P	P	P	---	P	P	P	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	
52232	Financial Transactions Processing and Clearinghouse Activities	---	---	---	---	---	---	P	P	---	---	---	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
52239	Other Activities Related to Credit Intermediation (limited to check cashing, money order issuance, money transmission and payday advance services)	---	---	---	---	---	---	P	P	---	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.130 (Credit Intermediation-Related Activities)	
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	---	---	---	---	---	---	---	---	---	---	---	---	---	
53	REAL ESTATE, RENTAL AND LEASING																													
531	Real Estate (limited to offices of real estate lessors, agents and brokers, property managers and appraisers, and escrow and listing services)	---	---	---	---	---	P	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	
531120	Banquet Facilities (standalone facilities only)	---	---	---	---	---	C	C	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
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	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	---	---	---	C	---	---	---	---		
54	PROFESSIONAL, SCIENTIFIC AND TECHNICAL SERVICES																													
541	Professional, Scientific and Technical Services, except Scientific Research and Development Services, and Veterinary and Animal Hospital Services (limited to 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	---	---	---	---	---	---	---	---	---	---	---	---		
5417	Scientific Research and Development Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
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	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	---	---	---	---	---	---	---	---	---	---	---	---	
56	ADMINISTRATIVE AND SUPPORT, AND WASTE MANAGEMENT AND REMEDIATION SERVICES																													
561	Administrative and Support Services																													
5611, 5612	Office Administrative Services and Facilities Support Services (limited to services provided for others on a contract or fee basis)	---	---	---	---	---	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
5613	Employment Services (limited to employment placement, executive search and temporary employment services)	---	---	---	---	---	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
5614	Business Support Services																													
56141	Document Preparation Services	---	---	---	---	---	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	
56142	Telephone Call Centers	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	
56143	Business Service Centers																													
561431	Private Mail Centers, and Postal Services and Supplies	---	---	---	---	P	P	P	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	
561439	Other Business Service Centers (limited to mailbox rental, photocopying, duplicating, blueprinting, mailing services, document copying services, facsimile services, word processing services, on-site PC rental services, and office product sales)	---	---	---	---	---	P	P	P	---	P	---	P	P	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	
56144	Collection Agencies	---	---	---	---	---	---	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---		
56145	Credit Bureaus	---	---	---	---	---	---	P	P	---	---	---	P	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	
56149	Other Business Support Services (including repossession services, court reporting and stenotype services and all other business support services)	---	---	---	---	---	---	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---		
5615	Travel Arrangement and Reservation Services																													
5616	Investigation and Security Services																													
5617	Services to Buildings and Dwellings (limited to exterminating and pest control, janitorial, landscaping, carpet and upholstery cleaning, building exterior and chimney cleaning, power washing, gutter cleaning, light building maintenance, parking lot cleaning and swimming pool maintenance services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	P	---	---	---	See Section 5.03.180 (Exterminating Services)	
5619	Other Support Services (limited to packaging and labeling services, convention and trade show organizers, and document shredding services)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	---	P	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts						Additional Regulations							
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCC	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C		OS-R	RC	UC				
562920	Material Recovery Facilities (MRF)																																	
	<ul style="list-style-type: none"> Commercial High Grade Wastes (cardboard, newspaper, mixed papers, etc.) 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---		
	<ul style="list-style-type: none"> Commingled Recyclable Waste 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---		
	<ul style="list-style-type: none"> Construction Debris 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---		
	<ul style="list-style-type: none"> Electronic Equipment and Component Waste (E-waste) 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	P	P	---	---	---	---	---	---	---	---	---	---	---		
	<ul style="list-style-type: none"> Municipal Mixed Solid Wastes 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---		
	<ul style="list-style-type: none"> Tires 	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---		
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	P	---	---	---	---	---	---	---	---			
	<ul style="list-style-type: none"> Private Schools 	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, 6116	Technical and Trade Schools, and Other Schools and Instruction	---	---	---	---	---	---	C	C	---	---	C	C	C	C	C	C	C	---	---	---	C	---	C	---	---	---	---	---	---	---			
6117	Educational Support Services (limited to testing, evaluation, and tutorial services)	---	---	---	---	---	---	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	---	---	---	---	---	---	---	---	---	---	---	---	---			
		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																																

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• 7 or More Persons	---	---	C	C	---	C	C	---	---	C	---	C	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---	
624190	Other Individual and Family Services	---	---	---	---	---	---	P	---	---	P	P	---	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---		
6242	Community Food and Housing, Emergency and Other Relief Services																													
62421	Community Food Services (limited to food banks, meal delivery programs, and fixed and mobile soup kitchens)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	C	---	---	---	---		
62422	Community Housing Services																													
624221	Temporary Shelters																													
	• Emergency Shelters	---	---	C	---	---	---	C	---	---	---	---	C	---	---	---	---	P	C	C	---	C	C	C	---	---	---	---	See Section 5.03.405 (Transitional Shelter Housing)	
	• Transitional Housing	P	P	P	P	---	---	C	---	---	---	C	---	---	---	---	P	C	C	---	C	P	C	---	---	---	---			
	• Transitional Living Centers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	C	---	---	---	---			
624229	Other Community Housing Services (agencies and organizations)	---	---	---	---	---	P	P	---	---	P	P	P	P	P	P	---	---	---	---	---	P	---	---	---	---	---	---		
62423	Emergency and Other Relief Services (administrative services/activities only)	---	---	---	---	---	---	P	---	---	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---		
6243	Vocational Rehabilitation Services (limited to vocational habilitation and rehabilitation, and workshops for persons with disabilities)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	C	C	C	---	---	---	C	---	P	---	---	---	---		
6244	Child Day Care Services , limited to the following:																													
624410	Child Day Care Centers (Commercial Facilities)	---	---	C	C	C	C	C	C	---	---	C	C	C	C	C	C	P	P	---	---	---	---	P	C	---	---	---	See Section 5.03.100 (Child Day Care Services)	
624410	Child Day Care Centers (Employer Provided Services)	---	---	---	---	---	---	---	P	---	---	P	---	---	---	P	P	P	P	P	---	P	---	---	---	---	---			
624410	Family Child Day Care (Residential Facilities)																													
	• Large Family (7 to 14 children)	A	A	A	A	---	---	---	---	---	---	---	A	---	---	---	---	---	---	---	---	---	---	A	---	---	---	---	See Section 5.03.100 (Child Day Care Services)	
	• Small Family (less than 8 children)	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---			
71	ARTS, ENTERTAINMENT AND RECREATION																													
711	Performing Arts, Spectator Sports, and Related Industries	---	---	---	---	---	---	---	C	C	---	---	C	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---		
712	Museums, Historical Sites, and Similar Institutions																													
7121	Museums, Historical Sites, and Similar Institutions																													
71211	Museums	C	C	C	C	C	C	P	P	P	P	P	P	P	P	---	---	---	---	---	---	P	C	---	---	P	---			
71213	Zoos and Botanical Gardens	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---			
713	Amusement, Gambling, and Recreation Industries																													
7131	Amusement Parks and Arcades																													
71311	Amusement and Theme Parks	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	C	---			

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC		
71312	Amusement Arcades (limited to video and electronic game arcades, cyber cafes and on-line and internet gaming facilities)	---	---	---	---	---	---	C	C	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.220 (Game Arcades, Internet Cafes, On-Line Internet Gaming, and Similar Facilities)
7132	Gambling Industries (except Bingo conducted pursuant to Ontario Municipal Code Title 5, Chapter 18 (Bingo for Charity))	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
7139	Other Amusement and Recreation Industries																														
71391	Golf Courses and Country Clubs	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	P	---	---	---		
71394	Fitness and Recreational Sports Centers (limited to health clubs and gyms, fitness and sports training facilities, tennis clubs, swim clubs and other similar activities and facilities)																														
	• GFA Less than 10,000 SF	---	---	---	---	---	P	P	P	---	P	---	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---		
	• GFA 10,000 or More SF	---	---	---	---	---	---	C	C	---	P	---	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	---		
71395	Bowling Centers	---	---	---	---	---	---	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
71399	All Other Amusement and Recreation Industries, limited to the following (NAICS 713990):																														
713990	Adult-Oriented Businesses	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	P	---	---	---	---	---	See Section 5.03.015 (Adult-Oriented Businesses)	
713990	Batting Cages -- Indoor	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	P	---	---	---	---	---			
713990	Batting Cages -- Outdoor	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	---	---	---	---	P	---	C	---	---	---			
713990	Billiard Parlors and Pool Halls	---	---	---	---	---	---	C	C	---	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.075 (Billiard Parlors and Pool Halls)		
713990	Dancing, Dance Clubs, Dance Halls, Ballrooms and Discotheques	---	---	---	---	---	---	C	C	---	---	---	C	C	C	---	---	---	---	---	---	---	C	---	---	---	---	---			
713990	Golf Driving Ranges, Miniature and Pitch-N-Put Golf Courses, and Practice Ranges	---	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	C	---	---			
713990	Hookah Establishments	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.245 (Hookah Establishments)		
713990	Live Entertainment	---	---	---	---	---	C	C	C	C	---	C	C	C	C	---	---	---	---	---	---	---	C	---	C	---	---	---			
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			
713990	Shooting Ranges and Galleries	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	C	---	---	---	---	C	---	---	---	---	---		
713990	Simulated Racing (limited to go-carts, radio controlled vehicles and other similar facilities)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
713990	Simulated Shooting Games -- Indoor Only (limited to laser tag and paint ball)	---	---	---	---	---	---	C	C	---	---	---	---	C	C	---	C	---	---	---	---	---	---	---	---	---	---	---	---		
713990	Skating Rinks and Parks (indoor only)	---	---	---	---	---	---	C	C	---	---	---	---	---	---	C	C	---	---	---	---	---	---	C	---	---	---	---	---		
713990	Smoking Lounges and Similar Facilities	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCC	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
713990	Stables (commercial riding)	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	---	---		
72	ACCOMMODATION AND FOOD SERVICES																													
721	Accommodation (Lodging Facilities)																													
7211	Traveler Accommodation																													
72111	Hotels and Motels	---	---	---	---	---	---	C	€	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation)	
72119	Other Traveler Accommodation																													
721191	Bed-and-Breakfast Inns	C	C	C	C	C	C	C	---	---	C	C	C	C	---	---	---	---	---	---	---	---	---	C	---	---	---	---	See Section 5.03.070 (Bed-and-Breakfast Inns)	
721199	All Other Traveler Accommodation																													
	• Residence Inns	---	---	---	---	---	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Traveler Accommodation)	
	• Cabins and Cottages	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	• Hostels	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
7212	RV (Recreational Vehicle) Parks and Recreational Camps	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
7213	Boarding, Lodging and Rooming Houses	A	A	A	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	A	---	A	---	---	---	---	---	See Section 5.03.080 (Boarding, Lodging and Rooming Houses)	
722	Food Services and Drinking Places																													
	Alcoholic Beverage Sales for On-Premise Consumption (except drinking places)	---	---	---	---	C	C	C	C	€	C	---	C	C	C	C	C	---	---	---	---	---	---	C	---	C	---	---	See Section 5.03.025 (Alcoholic Beverage Sales)	
7223	Special Food Services																													
72231	Food Service Contractors	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---		
72232	Caterers	---	---	---	---	---	---	P	---	---	---	P	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---		
72233	Mobile Food Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	See Section 5.03.290 (Mobile Food Services)	
7224	Drinking Places (includes bars, cocktail lounges, nightclubs and taverns, and other similar facilities)	---	---	---	---	---	---	C	C	€	C	---	C	C	C	---	---	---	---	---	---	---	---	---	---	C	---	---		
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	---	---	See Section 5.03.150 (Drive-Thru Facilities) if drive-thru facility is proposed	
722513	Limited-Service and Fast Food Restaurants	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	P	---	P	---	---	See Section 5.03.150 (Drive-Thru Facilities) if drive-thru facility is proposed	
722514	Cafeterias and Buffets	---	---	---	---	P	P	P	P	P	---	P	P	P	P	P	P	P	---	---	---	---	---	P	---	P	---	---	See Section 5.03.150 (Drive-Thru Facilities) if drive-thru facility is proposed	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC		
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) if drive-thru facility is proposed	
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)																														
81111	<i>Motor Vehicle Mechanical and Electrical Repair and Maintenance</i>																														
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	---	---	---	---	---	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)																														
	• Automobile, Light Truck and Van Repair and Maintenance	---	---	---	---	---	---	C	P	---	---	---	---	---	---	C	P	P	P	---	---	---	---	P	---	---	---	---	See Section 5.03.060 (Automotive Repair and Maintenance—General Repair Facilities)		
	• Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---			
81112	<i>Automotive Body, Paint, Interior and Glass Repair</i>																														
811121	Automotive Body, Paint, and Interior Repair and Customization																														
	• Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	P	---	---	---	P	---	---	---	---	See Section 5.03.045 (Automotive Body, Paint, and Interior Repair and Customization—Minor Customization Work)		
	• Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- no body or paint work is allowed)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	P	P	---	---	---	P	---	---	---	---			
	• Large Truck and Bus Body, Paint, and Interior Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	C	---	---	---	---			
	• Mobile Body and Paint Repair Services	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	C	P	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)		
81119	<i>Other Automotive Repair and Maintenance</i>																														
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)																														
	• Automobiles, Light Trucks and Vans	---	---	---	---	---	---	C	C	---	---	---	---	C	C	---	C	---	---	---	---	---	---	P	---	---	---	---			

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC	
	• Trucks and Similarly Large Vehicles	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	P	P	---	---	---	P	---	---	---	---	---	
	• 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																													
	• Emissions Testing (test only facilities)	---	---	---	---	---	P	P	P	---	---	---	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	
	• Rustproofing and Undercoating Shops	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	
	• Spray-On Bedliner Installation Shops	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	---	---	---	---	---	---	
	• 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		
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																													
81141	Home and Garden Equipment and Appliance Repair and Maintenance	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	---	
81142	Reupholstery and Furniture Repair	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	---	---	---	---	P	---	---	---	---	---	
81143	Footwear and Leather Goods Repair	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
81149	Other Personal and Household Goods Repair and Maintenance (limited to garment alteration and repair, jewelry repair, key duplicating, musical instrument repair and tailor shops)	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	---	
812	Personal and Laundry Services																													
8121	Personal Care Services																													
81211	Hair, Nail, and Skin Care Services	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
81219	Other Personal Care Services																													
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	---	---	---	---	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)	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts							Additional Regulations			
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC		UC		
	• Massage Establishments	---	---	---	---	---	---	C	---	---	C	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	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	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	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	---	---	---	---	See Section 5.03.205 (Funeral Director Services)		
812210	Funeral Parlors and Mortuary Services (excludes funeral establishments)	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	---	---	---	---	P	---	---	---	---	---	---	---	
812210	Funeral Establishments	---	---	---	---	---	C	C	C	---	---	---	C	---	---	C	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	
812220	Cemeteries	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	
812220	Crematories	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	C	C	---	---	---	---	C	---	---	---	---	---	---	
8123	Drycleaning and Laundry Services																															
81231	Coin-Operated Laundries and Drycleaners	---	---	---	---	---	P	P	---	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
81232	Drycleaning and Laundry Services (except Coin-Operated)	---	---	---	---	---	P	P	P	---	P	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
81233	Linen and Uniform Supply																															
812331	Linen Supply	---	---	---	---	---	---	P	---	---	---	---	P	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	
812332	Industrial Launderers	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	P	P	P	P	---	---	---	P	---	---	---	---	---	---	---	
8129	Other Personal Services																															
81291	<i>Pet Care (except Veterinary and Kennel) Services, limited to the following (NAICS 812910):</i>																															
812910	Pet Grooming and Training Services	---	---	---	---	---	P	P	P	---	---	---	P	P	P	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
812910	Pet Boarding and Sitting (Doggy Daycare) Services, and Shelters	---	---	---	---	---	C	C	C	---	---	---	C	C	C	C	---	---	---	---	---	---	---	P	---	---	---	---	---	---	---	
81292	Photofinishing	---	---	---	---	---	P	P	P	---	---	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812930	Parking Lots and Garages (commercial)	---	---	---	---	---	---	C	C	---	C	---	C	C	C	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
81299	<i>All Other Personal Services, limited to the following (NAICS 812990):</i>																															
812990	Astrology, Fortunetelling, Numerology, Palmistry, Phrenology and Psychic Reading Services	---	---	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
812990	Funeral Planning Services (office only—excludes preparation of the dead for burial or interment, and the conducting of funeral services)	---	---	---	---	---	P	P	P	---	---	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
812990	Party Planning Services	---	---	---	---	---	P	P	P	---	P	P	P	---	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities <i>Note: Properties 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 & Overlay Zoning Districts								Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCG	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R	RC	UC		
812990	Personal Fitness Trainer	---	---	---	---	---	P	P	P	---	P	P	P	P	P	P	P	P	P	---	---	---	---	---	---	---	---	---	---	---	See Section 5.03.315 (Personal Fitness Trainer)
812990	Wedding and Funerary Chapels (excludes religious assembly)	---	---	---	---	---	C	C	---	---	---	---	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
813	Religious, Grantmaking, Civic, Professional and Similar Organizations																														
8131	Religious Organizations																														
813110	Religious Assembly	C	C	C	C	C	C	C	---	C	---	---	C	C	C	C	C	---	---	---	---	---	C	C	---	---	---	---	---		
813110	Monasteries, Convents and Other Similar Facilities	---	---	C	C	---	---	C	---	---	---	---	C	---	---	---	---	---	---	---	---	---	C	---	---	---	---	---	---		
8132, 8133, 8134, 8139	Grantmaking and Giving Services; Social Advocacy Organizations; Civic and Social Organizations; and Business, Professional, Labor, Political and Similar Organizations																														
	• Offices Only	---	---	---	---	---	---	P	P	---	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
	• Assembly Facilities	---	---	---	---	---	---	C	C	---	---	C	C	C	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
92	PUBLIC ADMINISTRATION																														
921	Executive, Legislative, and Other General Government Support	---	---	---	---	---	---	P	P	---	---	P	P	P	P	---	P	---	---	---	---	---	P	---	---	---	---	---	---		
922	Justice, Public Order, and Safety Activities																														
92211	Courts	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	---		
92212	Police Protection (limited to stations, substations and storefront 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		
92213	Legal Counsel and Prosecution	---	---	---	---	---	---	P	P	---	---	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	---	---		
92214	Correctional Institutions	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---		
92215	Parole Offices and Probation Offices	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	P	---	---	---	---	---	P	---	---	---	---	---	---		
92216	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		
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	---	---	---	---	---	---		
	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	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)	
	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	See Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures)	
	• 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		
	• More than 10 years	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	

Division 5.03—Standards for Certain Land Uses, Activities and Facilities

Sections:

- [5.03.000](#): Purpose
- [5.03.005](#): Applicability
- [5.03.010](#): Accessory Detached Residential Buildings and Structures
- [5.03.015](#): Adult-Oriented Businesses
- [5.03.020](#): Air Transportation
- [5.03.025](#): Alcoholic Beverage Sales
- [5.03.030](#): Ambulatory Health Care Services—All Other Miscellaneous Services
- [5.03.035](#): Apparel Manufacturing
- [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
- [5.03.070](#): 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 Day Care 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
- [5.03.180](#): Exterminating Services
- [5.03.185](#): Fabricated Metal Product Manufacturing, All Other Miscellaneous
- [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
- [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:](#) Medical 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:](#) Second Dwellings
- [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
- [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 standards and guidelines 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 Detached Residential Buildings and Structures.

The following regulations shall govern the development and use of buildings and structures that are accessory to single-family dwellings, and are detached from the main dwelling, such as carports, garages, garden and tool sheds, guesthouses, and other similar ancillary buildings and structures:

- A. General Requirements.** Accessory detached residential buildings and structures shall only be allowed on a lot containing a single-family dwelling and shall be developed pursuant to the following standards:
1. Accessory buildings and structures may be attached to the main dwelling or may be an independent structure that is detached from the main dwelling. An accessory building or structure that is attached to the main dwelling by either a common wall or solid roof (having a minimum width equal to the width of the accessory structure roof) shall be considered part of the main dwelling and is subject to all setback requirements applicable to the main dwelling. Accessory detached residential buildings and structures shall comply with the applicable conventional single-family, and small lot and cluster single-family residential development standards and guidelines contained in Section 6.01.010 (Residential Zoning Districts) of this Development Code.
 2. The structure shall not contain a kitchen or cooking facilities, excepting second dwellings designed pursuant to Section 5.03.360 (Second Dwellings), of this Division.
 3. The size, footprint, height, bulk, and scale of accessory structures shall be compatible with the main dwelling and other accessory structures and dwellings in the surrounding neighborhood.
 4. The area of an accessory structure shall be the minimum necessary to house, shelter, or secure the use proposed within the structure; however, in no case shall the total floor area of all accessory structures on a lot or parcel exceed the area contained in the main dwelling, excepting those accessory structures used for animal keeping purposes. In calculating the area of all accessory 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).
 5. Accessory buildings and structures shall match the main dwelling 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 buildings and 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 buildings and structures used solely for animal keeping purposes shall include the storage of vehicles, machinery, and equipment used in animal keeping.

6. Detached accessory structures shall not be located within front yards or within street side yards of corner lots, or in front of the main dwelling.

7. No accessory structure containing mechanical or other fixed equipment capable of creating a noise audible beyond the property line shall be placed closer than 5 FT to a side or rear property line.

8. Detached accessory structures may be placed within the side or rear yard area of a lot pursuant to the development standards applicable to detached accessory residential buildings and structures contained in Section 6.01.005 (Residential Zoning Districts) of this Development Code; however, a minimum useable rear yard shall be maintained, which is equal to a minimum of 10 percent of the lot area. In addition, conventional single-family dwellings shall have a rear yard minimum dimension of 20 FT in any direction, and single-family small lot and cluster dwellings shall have a rear yard with a minimum dimension of 8 FT in any direction.

9. On a reversed corner lot, a detached accessory residential building or structure placed within the rear yard shall not project beyond the minimum required front yard setback of the adjoining key lot, and shall be located no closer than 5 FT to the side property line of the key lot (rear property line of the reverse corner lot).

10. On reverse corner lots, a detached accessory structure shall not be closer to the rear property line than the minimum required side yard setback on the adjoining key lot.

B. Guesthouses. In addition to the general requirements applicable to accessory structures, which are contained in Subsection A (General Requirements), above, guesthouses shall comply with the following additional standards:

1. No more than one guesthouse shall be permitted per lot and a guesthouse shall not be constructed if a second dwelling exists on the lot.

2. Guesthouses 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.

C. Carports. No carport shall be allowed within a front or street side yard area. A carport may be located within the rear or interior side yard area of a lot, provided it is screened from public view by a solid 6-FT high fence or wall, with an appropriate view-obstructing access gate. Carports shall not be permitted in lieu of a two-car garage required pursuant to the provisions of Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.

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 day care 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 acupressure 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 day care 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 5.03-1 (Minimum Lighting Requirements for Adult-Oriented Businesses), below.

Table 5.03-1: 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 or 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 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 5.03-2 (ONT Development Standards), below.

Table 5.03-2: ONT Development Standards

Requirements	Standards	Additional Regulations
A. SITE DEVELOPMENT STANDARDS		
1. Minimum Lot Size	10,000 SF	Note 1
2. Maximum Floor Area Ratio (FAR)	0.55	Note 2
3. Minimum Landscape Coverage	Interior Lots: 10 percent; Corner Lots: 15 percent for	

Table 5.03-2: ONT Development Standards

<i>Requirements</i>	<i>Standards</i>	<i>Additional Regulations</i>
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, Tile 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	
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	

Table 5.03-2: ONT Development Standards

Requirements	Standards	Additional Regulations
3. Maximum Building Height	55 FT	

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.

2. Exceptions to Development Standards. The following exceptions from the industrial zoning district development standards stipulated in Table 5.03.-2 (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, ~~CCC~~, 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.

5.03.025: 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 Required.

a. The retail sale 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 Section 4.02.015 (Conditional Use Permit) of this Development Code, 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 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 C (Temporary Alcoholic Beverage Sales) of Section 5.03.360 (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 G (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.

1. Conditional Use Permit approval shall be required for the sale of any alcoholic beverage, for consumption on the premises where the alcoholic beverage is sold, and 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.

2. A business engaged in the retail sale or tasting of alcoholic beverages for consumption on the premises 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 minimum 5-FT high solid barrier. The design of said outdoor area and required barrier shall be subject to review and approval by the Planning Director and Police Chief.

E. Alcoholic Beverage Sales for Consumption off the Premises. A business engaged in the sale of alcoholic beverages for consumption off the premises shall comply with the following:

1. Conditional Use Permit approval shall be required for the retail sales of any alcoholic beverage, for consumption off the premises where alcoholic beverage is sold.

2. Establishments engaged in the concurrent sale of motor vehicle fuel with beer and wine shall abide by 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-premise 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 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. Criteria for Determining Public Convenience or Necessity. Within a census tract having an undue concentration of off-premise ABC licenses, the City desires to strike a balance between the number of off-premise licenses and the convenience of store customers. Consequently, the~~The~~ Reviewing Authority shall rely upon the following factors in making a determination of public convenience or necessity:

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. The business wherein the retail alcoholic beverage license application is proposed shall contain at least 12,000 SF of GFA;

e. No more than 10 percent of the GFA of a retail business shall be devoted to the display of alcoholic beverages;

f. At least 10 percent of the retail business' GFA shall be devoted to food 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.

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. As used in this Section, the following words and phrases shall have the meanings listed below:

a. *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.

b. *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.

c. *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.

d. *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.

e. *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.

f. *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.

g. *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.

h. *Off-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption off the premises where sold.

i. *On-Sale Alcohol Outlet.* An establishment that conducts retail sales of Alcoholic Beverages for consumption on the premises where sold.

j. *Performance Standards.* Regulations prescribed in the Deemed Approved Performance Standards contained in Paragraph G.6 (Performance Standards and Deemed Approved Activities), below, 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.

k. *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.

l. *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 as long as it complies with the Deemed Approved performance standards as set forth in Paragraph G.6 (Performance Standards and Deemed Approved Activities), below, 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., below.

6. Performance Standards and Deemed Approved Activities. A Deemed Approved Activity shall retain its Deemed Approved Status only if it conforms to all 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), below, 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 sales clerks 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), below, 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 his 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.

5.03.040: 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 5.03.060 (Automotive Body and Paint—Mobile Repair Services), below.

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. Work space 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.

5.03.070: Bed-and-Breakfast Inns.

The following standards shall govern the establishment and operation of bed-and-breakfast inns:

- A.** 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.
- B.** 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.
- C.** The bed-and-breakfast inn shall be accessory to the residential use of the property.
- D.** 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.
- E.** 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.
- F.** Guests may check in only between the hours of 9:00AM and 9:00PM.
- G.** 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.
- H.** 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 Day Care Services.

The following standards shall govern the establishment and operation of child day care services:

A. Child Day Care Centers.

1. No City permit for a child day care 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 day care centers shall not be allowed in conjunction with a residential land use.
3. Within industrial zoning districts, child day care 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 day care center shall not be located within any area in which the measurable exterior noise level is 65 CNEL or greater.

B. Family Child Day Care, Large Family.

1. To prevent over concentrations of family child day care 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 family child day care home. The distance between any structure used as a family child day care home and another structure used as a family child day care 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 day care home to the closest property line of another structure used as a family child day care home.

2. A family child day care home shall only be allowed in conjunction with a single-family dwelling.

3. A family child day care home shall be clearly incidental and subordinate to the primary residential use.

4. No City permit for a family child day care home shall be effective until satisfactory evidence has been provided to the City demonstrating that all necessary State licenses and permits have been obtained.

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 day care 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 design 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. Drive-thru businesses shall not disrupt the pedestrian activity of adjacent or nearby commercial uses or commercially zoned property. The use shall not interfere with the normal use of adjoining properties or potential for 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 1 acre. This area may be modified when the business is within an integrated shopping center.

2. Lot Coverage. The lot coverage shall exceed 40 percent of the lot area.

3. Floor Area. The minimum area for businesses incorporating a drive-thru shall be 3,000 SF (including enclosed floor area within a building and outdoor seating areas), with a minimum interior floor area of 2,500 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 shall be orient toward the street, as exemplified in Figure 5.03-1 (Street-Oriented Example Site Plan), bottom right corner of this page.

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

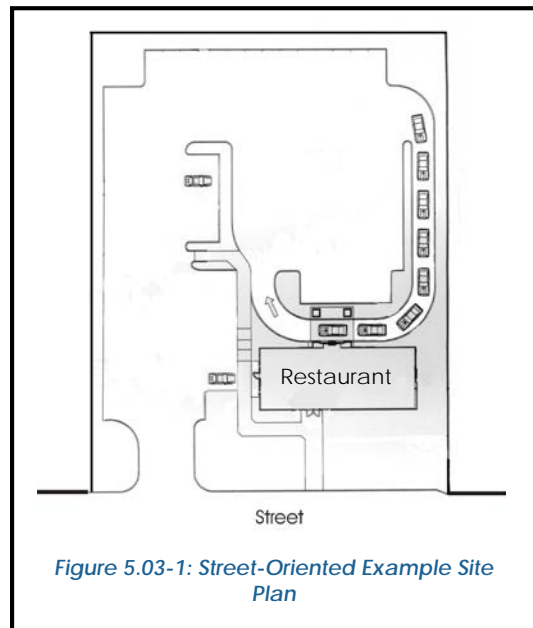


Figure 5.03-1: Street-Oriented Example Site Plan

thoroughfare, but instead shall take access from a parking area or on-site drive aisle, as exemplified by Figure 5.03-1 (Street-Oriented Example Site Plan).

7. Building Height. Buildings 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.

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 berming, 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.

5.03.180 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.

5.03.190: 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, and shall be limited to office uses only.

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;
- 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.** No on premise signs advertising the location of the business shall be permitted.
- 7.** 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 zoning district, kennels and catteries 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 5.03.040 (Animal Production and Related Uses) of this Division shall be complied with.
- 8.** 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.
- 9.** 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.
- 10.** Activities conducted, and equipment or material used, shall not change the fire safety or occupancy classifications of the premises.
- 11.** The Home Occupation shall not generate vehicular or pedestrian traffic in greater volumes than normal in a residential neighborhood.

12. 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.

13. 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.

14. 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.

15. 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.

The following standards shall govern the establishment and operation of hookah establishments:

A. Hookah establishments may be either standalone (lounge) or part of a sit-down restaurant within an outside open patio area, or as part of an ABC-licensed bona fide eating establishment;

B. Hookah establishments cannot be associated with live entertainment;

C. Hookah establishments cannot be associated with a bar or nightclub;

D. Hookah establishments 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); and

E. Hookah establishments shall dispose of ash and coals pursuant to Ontario Fire Department requirements.

F. Hookah establishments 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.

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 hotel, motel, residence inn, or other similar traveler accommodation shall be established/constructed, unless the following amenities are provided:

1. Each guestroom shall include voicemail, wired and/or wireless internet access, desk, hairdryer, retractable magnifying (10X) and lighted makeup mirror, iron and ironing board, color television, and alarm clock or wake-up service;

2. Minimum of 15 FT of meeting space per guestroom for limited -service hotels and 30 SF for full-service hotels;

3. Recreational facilities shall include a pool, whirlpool/spa and a fitness room; and

4. A restaurant shall be provided for full-service hotels and a guest courtesy lounge (for light meals and snacks) shall be provided for 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.

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.

5.03.260: 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 administer massage or provide massage services for compensation, or engage in the business of massage or provide services as a Massage Therapist or Massage Practitioner, unless:

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.

(c) 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 and bath rooms, tanning booths, whirlpool baths and 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 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, ~~CCC~~, 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 an MRF shall be wholly contained within a fully enclosed building.

5.03.280: Medical Marijuana Dispensary.

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, as follows:

A. The operation of any medical 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 medical marijuana dispensary, regardless of whether the medical 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 medical marijuana dispensary in the City.

C. No person shall deliver marijuana or marijuana-infused products with such delivery originating from any medical marijuana dispensary located within the City, regardless of whether the delivery destination is within the City.

5.03.285: Mixed-Use Developments.

The following standards shall govern the development of multiple-family dwellings in conjunction with a variety of complementary nonresidential 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:

A. Mixed-Use Developments Subject to the Standards and Guidelines of the Base Zoning District. The site and building(s) 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 guidelines of the base zoning district.

B. Mixed-Use Developments within Commercial Zoning Districts.

1. Within commercial zoning districts, multiple-family 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.

2. 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.

3. The applicant for a mixed-use development project shall be responsible for all City costs incurred in preparing the EIS.

C. Mixed-Use Developments within Mixed-Use Zoning Districts. Within mixed-use zoning districts, the maximum residential density of a mixed-use development shall be pursuant to 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 Building Separation Requirements), below.

Table 5.03-3: 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 be licensed as a home occupation.

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 “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 71394).

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 5.03-4: Small Collection Facility Maximum Parking Reduction

<i>Required Number of Parking Spaces</i>	<i>Parking Space Reduction</i>
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 located at least 150 FT from a property line common with any property zoned or planned for residential land uses.

5. 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.

6. 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.

7. 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.

8. 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 large collection 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 Section 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: Second Dwellings.

In addition to the provisions of State law governing second units (GC Section 65852.150 et seq.), the following standards shall govern the establishment and use of second units:

- A.** Second dwellings shall only be permitted in conjunction with a single-family dwelling. The use of the second dwelling as an independent living space may continue only if one dwelling on the property is owner occupied.
- B.** The second dwelling may either be:
 - 1. An independent unit attached to an existing single-family dwelling;
 - 2. A unit attached to the main single-family dwelling, sharing living space; or
 - 3. An independent unit detached from the main single-family dwelling.
- C.** A second dwelling that is detached from the main single-family dwelling shall comply with the requirements applicable to accessory detached residential structures contained in Section 5.03.010 (Accessory Detached Residential Buildings and Structures) of this Division, in addition to the provisions of this Section.
- D.** No more than one second dwelling is allowed on a lot, and a second dwelling shall not be constructed if a guesthouse already exists on the lot, as the guesthouse may be converted to a second dwelling.
- E.** Separate sale of second dwellings shall not be permitted; however, a dwelling may be rented.
- F.** Second dwellings may be metered separately from the main dwelling for gas, electricity and water services. A sewer connection separate from the main single-family dwelling may also be provided.
- G.** If an entrance to a second dwelling is provided separate from the main single-family dwelling, the entrance shall not be on the same street elevation as the main dwelling.
- H.** A second dwelling shall include a kitchen or food preparation area.
- I.** Prior to the issuance of a building permit for a second dwelling, a restrictive covenant to run with the land, which specifies that the use of the second dwelling as an independent living space may continue only if one unit on the property is owner occupied, shall be submitted to the San Bernardino County Recorder for recordation.

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:

Base Density (in DU/Acre)	Districts		
	CN	CC	MU-1
	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:

Density Bonus (in percentage/units)	Districts		
	CN	CC	MU-1
	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 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 day care center, family child day care 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 Subsection 5.03.405.G (On-Site Produce Sales Stands) 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 F (Temporary Office Structures), below.

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. Should the City determine that a temporary wireless telecommunications facility is need 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 remain in place for a period of 90 days from date of installation. The time in which the approval expires may be extended by the Planning Director for a maximum of 2 periods of 90 days duration, each, for a total of 270 days.

b. Engineered plans and drawings 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. 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.

d. 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: Transitional Shelter Housing.

The following standards shall govern the establishment and operation of Transitional Shelter Housing facilities, including Emergency Shelters, Employee (Farmworker) Housing, Supportive Housing, Transitional Housing, and Transitional Living Centers:

A. General Requirements.

1. No portion of any Transitional Shelter Housing facility shall be located within 300 FT of another such facility that is constructed, or that is approved for construction.

2. Transitional Shelter 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 Transitional Shelter Housing facility.

4. An application submitted for approval of a Transitional Shelter Housing facility shall identify whether any boarders are currently Federal, State, or Youth Authority parolees. Owners and/or operators of Transitional Shelter Housing 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 Transitional Shelter Housing facilities shall require boarders to sign a Crime Free Lease Addendum as part of their lease or rental agreement, 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. Transitional Shelter 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 pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code) and/or business license revocation, including but not limited to, violations of PC Section 3003.5.

7. No Transitional Shelter Housing facility shall be maintained as a nuisance. The conduct of any temporary/transitional shelter or housing 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/transitional shelter or housing, and restrain and enjoin any person from conducting, operating or maintaining an temporary/transitional shelter or housing contrary to the provisions of this Article or Development Code.

8. Any owner, operator, manager, employee or independent contractor of a Transitional Shelter 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 Transitional Shelter 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 Transitional Shelter 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 Transitional Shelter 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. Transitional Shelter Housing facilities, excepting farmworker housing in compliance with Subsection C (Farmworker Housing) of this Section, shall be prohibited within the ALUCP safety zones.

11. Transitional Shelter 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.

B. 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.

C. Employee (Farmworker) Housing. When allowed by Table 5.02-1 (Land Use Matrix) of this Development Code, farmworker dwelling units and farmworker housing complexes shall be subject to the requirements of this Subsection.

1. General Requirements.
 - a. 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.
 - b. 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.
 - c. 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.
 - d. 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.
 - e. 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.

f. 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).

g. 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.

h. 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.

i. 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.

j. Farmworker housing is not required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

k. The minimum lot size for Farmworker Housing shall be 10 acres.

2. Farmworker Dwelling Unit.

a. 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.

b. 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.

c. A farmworker dwelling unit provided pursuant to Subsection C.1.c of this Section shall not be required to be located on the same site as the qualifying agricultural operation where the farmworkers are employed.

d. 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.

e. A farmworker dwelling unit shall not be subdivided from the primary lot on which it is located.

f. At least one off-street parking space shall be provided for each farmworker dwelling unit.

3. Farmworker Housing Complex.

a. 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.

b. 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.

c. 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.

4. Farmworker Verification.

a. 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.

b. 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).

c. 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:

(1) Tilling and cultivation of the soil associated with commercial crop production;

(2) Raising, production, and cultivation of commercial livestock for the production of food and/or fiber;

(3) Growing and harvesting of any commercial agricultural or horticultural commodities;

(4) Commercial raising of bees, fur-bearing animals or poultry;

(5) Preparation and processing of farm products for market; or

(6) Timber or forestry operations.

For the purposes of this Subsection, 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, which includes, but is not limited to:

d. At a minimum, the verification form shall contain the following information:

- (1) Entity responsible for housing maintenance and upkeep;
- (2) Description of whether the housing will be based on a permanent, temporary, and/or seasonal basis;
- (3) Total number of people to be housed on-site at any one time;
- (4) 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;
- (5) Location(s) where the employees will work;
- (6) 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
- (7) 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.

5. Location of Housing.

- a. Farmworker housing shall be located no less than 75 FT from barns, pens, or other structures that house livestock or poultry.
- b. Farmworker housing must be located off prime and productive agricultural land, unless no other alternative locations exist on-site.
- c. Farmworker housing shall be set back a minimum of 200 FT from the property line of any adjacent residential zoning district.

6. 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.

7. 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.).

8. 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.

9. 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.

10. Facilities to Accommodate Recreational Vehicles, Tents or Other Mobile Camping Equipment.

a. Permits for the installation of appropriate permanent facilities to accommodate mobilehomes and recreational vehicles shall be obtained from the City prior to installation.

b. 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.

5.03.410: 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 C.1.b(1)(d)(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 5.03-3 (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 5.03-5: 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
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 conjunction with, and ancillary to, a 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 out of doors. Yard areas must be kept 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; horse and other equine production; fur-bearing animal production; 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 keeping is prohibited within all residential zoning districts.

(2) **Commercial Zones.** Commercial animal keeping is prohibited within all commercial zoning districts.

(3) **Mixed-Use Zones.** Commercial animal keeping is prohibited within all mixed-use zoning districts.

(4) **Industrial Zones.** Commercial animal keeping is prohibited within all industrial zoning districts.

(5) **Specialized Use Zones.** Commercial animal keeping is conditionally permitted (requires Conditional Use Permit approval) 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 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 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, except 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.2.b(5)(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 5.03-4 (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 5.03-6: Maximum Animal Keeping Densities for Animal Production

Animal Type	Maximum Animal Density
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.
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.*

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. 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:

1. Residential Zones. Commercial Crop Production and Farming is conditionally permitted (requires Conditional Use Permit approval) within the AR-2 and RE-2 zoning districts, and is prohibited within all other residential zoning districts.

2. Commercial Zones. Commercial Crop Production and Farming is permitted by right within the CS, CN, CC, and OH zoning districts, and is prohibited within all other commercial zoning districts.

3. Mixed-Use Zones. Commercial Crop Production and Farming is permitted by right within the MU-2 zoning district, and is prohibited within all other mixed-use zoning districts.

4. Industrial Zones. Commercial Crop Production and Farming is permitted by right within all industrial zoning districts.

5. Specialized Use Zones. Commercial Crop Production and Farming is permitted by right within all specialized use and overlay zoning districts, excepting the MHP zone, which prohibits Commercial Crop Production and Farming.

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 under developed 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.

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.c (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 shall established and operated in compliance with Subsection G (On-Site Produce Sales Stands) of this Section. On-Site Produce Sales Stands 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 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 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 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 stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and County.

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.

b. *Commercial Zones.* Urban Farms are administratively permitted within all commercial zoning districts.

c. *Mixed-Use Zones.* Urban Farms are administratively within all mixed-use zoning districts.

d. *Industrial Zones.* Urban Farms are administratively permitted within all industrial zoning districts.

e. *Specialized Use Zones.* Urban Farms 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 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) 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 each of 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 shall be established and operated in compliance with Subsection G (On-Site Produce Sales Stands) of this Section.

(3) 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 stand must be located on the same site as the Urban Farm it serves.

(b) All plants and produce sold at the stand must be grown on-site.

(c) The operator of the stand shall be responsible for obtaining all necessary food and health licenses, and permits issued by the State and/or County.

G. On-Site Produce Sales Stands. On-Site Produce Sales Stands shall be allowed in conjunction with a Community Garden pursuant to Subparagraph E.2.d (Community Garden On-Site Produce Sales Stands) of this Division, or an Urban Farm pursuant to Subparagraph F.2.d (Urban Farm On-Site Produce Sales Stands) of this Division, and subject to the following:

1. On-Site Produce Sales Stands shall only be used for the retail sales of plants or products that are grown on-site, except as otherwise specifically permitted by Subparagraph E.2.d(3)(b) of this Section.

2. 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.

3. On-Site Produce Sales Stands shall be removed by the property owner(s), at their expense, upon termination of the host Community Garden or Urban Farm.

4. An on-site produce sales stand shall not be located within a public right-of-way.

5. On-Site Produce Sales Stands shall be setback a minimum of 20 FT from any street property line (public right-of-way), or side or rear property line.

6. Off-street parking areas 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.

7. 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. Applications for wireless telecommunications facilities that propose an integrated building/structure design or a roof-mounted design that is less than 10 FT in height, is architecturally screened from view, and is located within a nonresidential zoning district, shall be reviewed and acted upon utilizing the Building Department's plan check review process.

2. Tier 2 Review.

a. A proposed wireless telecommunications facility meeting each of the following criteria shall require Development Plan approval pursuant to Section 4.02.030 (Development Plans) of this Development Code:

(1) The facility is located within a commercial, 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 4.02.035 (Development Plans) and special public notification pursuant to Division 2.03 (Public Hearings) 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 within, or 500 FT or less from (as measured in a straight line from any point along the outer boundaries of the property containing the wireless telecommunications facility), a residentially zoned property;

c. All nonstealth wireless telecommunications facilities;

d. Wireless telecommunications facilities proposed in the AG overlay district, excepting those facilities meeting the above-stated Tier 1 review criteria;

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 a provider of wireless telecommunications services not being able to provide 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 feasible alternative is available to provide adequate coverage.

B. Additional Submittal Requirements.

1. In addition to the general submittal requirements for plan checks, Development Plans, and/or Conditional Use Permits contained in the *Minimum Filing and Public Notice Requirements Checklist* of the City's General Application Packet, all applications for wireless telecommunication facility approval must include the additional information required by 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 co-locating 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.5 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 by commercial zoning districts, and then residential zoning districts. If proposed within an established specific plan area, the preferred order of location is: industrial land use districts, followed by business park land use districts, and then commercial land use districts.

2. Wireless communications facilities located within residential zoning districts shall only be allowed in conjunction with a non-residential land use, such as a church, fire station, park, or school, or a multiple-family building or structure.

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 are 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 65 FT in height; 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 rear portion of property, 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 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.

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.

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 5.03-7 (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 5.03-7: 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.

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EXHIBIT C

Chapter 6.0: Development and Subdivision Regulations

- [Division 6.01](#)—District Standards and Guidelines
- [Division 6.02](#)—Walls, Fences and Obstructions
- [Division 6.03](#)—Off-Street Parking and Loading
- [Division 6.04](#)—Congestion Management and Trip Reduction
- [Division 6.05](#)—Landscaping
- [Division 6.06](#)—Street Naming and Address Numbering
- [Division 6.07](#)—Public Art
- [Division 6.08](#)—Subdivisions
- [Division 6.09](#)—Environmental Performance and Sustainable Development Standards
- [Division 6.10](#)—Property Appearance and Maintenance
- [Division 6.11](#)—Shopping Cart Retention and Storage

Proposed Revisions:

1. **Table 6.01-8 (Commercial Zoning District Development Standards)**— *Removed all references to the CCC zoning district (CCC zone was combined with the CCS zone prior to the initial approval of the Dev Code; however, not all references to the CCC zone were removed prior to Dev Code approval. Deletions made to pages 6.01-36 through 38.*
2. **Paragraph 6.01.035.B.5** — *Amend to clarify that: [1] within the ICC Overlay District, building alteration or expansion, and new building construction, is only allowed for the purpose of expanding an existing, legally established commercial land use, and [2] clarify that 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). See revised text on pages 6.01-63 and 64.*

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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 developments 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 zoning districts.

b. Traditional single-family residential developments consist of a single detached dwelling unit constructed on a single lot of record, which meets or exceeds the minimum lot sizes (area and dimensions) prescribed by Table 6.01-1 (Traditional Single-Family Residential Development Standards), below.

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), below. 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.

3. Multiple-Family Residential Development Standards.

a. Multiple-family developments within residential zoning districts shall comply with the requirements of Table 6.01-3 (Multiple-Family Residential Development Standards), which specifies standards for the development of multiple-family dwellings within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts.

b. A multiple-family residential development consists of 2 or more attached dwelling units, regardless of lot size or configuration, which meets the standards prescribed by Table 6.01-3 (Multiple-Family Residential Development Standards), below.

4. 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	
A. SITE DEVELOPMENT STANDARDS						
1. Allowed Density Range (in dwelling units per acre)	0 to 2.0	0 to 2.0	2.1 to 4.0	2.1 to 5.0	5.1 to 11.0	Notes 2, 12 & 13
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) Measured at Front Property Line	40 FT					Note 1
(b) Measured 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.F.9
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.F.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).					

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	
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 Setbacks						
a. From Front Property Line						
(1) Public Street	30 FT		20 FT			
(2) Private Street (measured from back-of-curb)	40 FT		30 FT			
b. From Street Side Property Line						
(1) Freeways	20 FT					
(2) Public Street	20 FT		10 FT			
(3) Private Street (measured from back-of-curb)	30 FT		20 FT			
c. From Interior Side Property Line	10 FT		5 FT			Note 3
d. From Rear Property Line	25 FT		10 FT - Ground Level 20 FT - Other Levels			
2. Minimum Separation Between Buildings	6 FT					
3. Maximum Height	35 FT					See Section 6.01.010.F.14 (Airport Safety Zones)
C. DETACHED ACCESSORY STRUCTURE AND SECOND DWELLING REQUIREMENTS						
1. Maximum Building/Structure Height						
a. With Conditional Use Permit Approval	35 FT					Note 4
b. Without Conditional Use Permit Approval	14 FT					
2. Maximum Building/Structure Area						
a. With Conditional Use Permit Approval	As deemed appropriate by the Approving Authority					Note 5
b. Without Conditional Use Permit Approval	650/1,050 GFA					Note 5
c. Guesthouses and Second Dwellings	650 GFA					Note 6

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	
3. Minimum Building/Structure Setbacks						Note 7
a. From Street Side Property Line	10 FT					Note 8
b. From Interior Side Property Line						
(1) Depth of Structure ≤25 FT	10 FT			0/5 FT	0/5 FT	Note 9
(2) Depth of Structure >25 FT	10 FT			10 FT	0/5 FT	Note 10
c. From Rear Property Line						
(1) Width of Structure ≤25 FT	5 FT			3 FT		Note 11
(2) Width of Structure >25 FT	10 FT					
d. From Alley Property Line (for alley-facing garages only)	6 FT					
4. Minimum Separation Between Buildings/Structures	6 FT					Note 7
5. Minimum Setback From Major Pipelines (to any habitable structures)	50 FT					Note 14

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.F (Density Bonus and Other Incentives), below.
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. Detached accessory structures in excess of 14 FT in height shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable.
5. 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 1,050 SF for detached accessory structures containing parking spaces required pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.
6. Refer to Section 5.03.010 (Accessory Detached Residential Buildings and Structures) of this Development Code for additional regulations pertaining to guesthouses and second dwellings.
7. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures, provided:
 - 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 screened from view of public or private streets.

8. Garages with vehicle doors facing a public street shall be setback a minimum of 20 FT behind the street property line.
9. Within the LDR-5, MDR-11, and MDR-18 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.
10. Within the MDR-11 and MDR-18 zoning districts, the interior side yard 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.
11. 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, for a minimum width of 10 FT for vehicle parking space.
12. Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.
13. If as a result of the design of a lot the minimum residential density cannot be achieved, the lot shall be allowed to be developed with at least one dwelling unit.
14. 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.

Table 6.01-2A: Small Lot Single-Family Residential Development Standards — Traditional Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum nos. of allowed dwellings, stated in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	11.1 to 18.0	Notes 2, 6 & 7
2. Minimum Project Area	One acre			Note 1
3. Minimum Lot Size				
a. Interior Lots	4,000 SF		2,800 SF	
b. Corner Lots	4,500 SF		3,200 SF	
4. Maximum Lot Coverage	55%		60%	
5. Minimum Lot Dimensions				
a. Lot Width				
(1) Interior Lots	40 FT		35 FT	
(2) Corner Lots	45 FT		40 FT	
b. Lot Depth	100 FT		80 FT	
6. Minimum Parking Space (Uncovered), Drive Aisle, and Driveway Setbacks				

Table 6.01-2A: Small Lot Single-Family Residential Development Standards — Traditional Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
a. From Project Boundary Street Property Lines				
(1) Freeways		20 FT		
(2) Arterial Streets		30 FT		
(3) Other Streets		20 FT		
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 Single-Family Subdivisions, and Multiple-Family and Mixed-Use Development Projects).			
11. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.F.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).			
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 Public Street Property Lines				
a. Freeways		20 FT		
b. Arterial Streets		30 FT		
c. Collector and Local Streets				
(1) Front				
(a) Living Area		14 FT		
(b) Porch		8 FT		

Table 6.01-2A: Small Lot Single-Family Residential Development Standards — Traditional Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
(c) Garage Entry		18 FT		
(d) Garage		14 FT		
Other				
(2) Street Side		10 FT		
(3) Rear (Through Lots)		15 FT		
2. Minimum Setback From Interior Property Lines				
a. Lot Sides		5 FT		
b. Lot Rear				
(1) Living Area		10 FT		
(2) Garage		5 FT		
3. Minimum Setback From Private Streets (measured from back-of-curb)				
a. Front				
(1) Living Area		23 FT		Note 9
(2) Porch		17 FT		Note 9
(3) Garage Entry		27 FT		Note 9
(4) Garage Other		23 FT		Note 9
b. Street Side				
(1) Living Area		19 FT		Note 9
(2) Porch		14 FT		Note 9
(3) Garage Entry		27 FT		Note 9
(4) Garage Other		19 FT		Note 9
4. Maximum Building Height		35 FT		See Section 6.01.010.F.14 (Airport Safety Zones)
5. Minimum Setback From Major Pipelines (to habitable structures)		50 FT		Note 8
C. DETACHED ACCESSORY STRUCTURE AND SECOND DWELLING REQUIREMENTS				
1. Maximum Building/Structure Height				
a. With Conditional Use Permit Approval		35 FT		Note 3
b. Without Conditional Use Permit Approval		14 FT		
2. Maximum Building/Structure Area		650 SF		Note 4

Table 6.01-2A: Small Lot Single-Family Residential Development Standards — Traditional Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
3. Minimum Building/Structure Setbacks				
a. Street Property Line	Same as main building			Note 5
b. Interior Property Line	Same as main building			Note 5
c. Alley Property Line (for alley-facing garages only)	6 FT			Note 5
4. Minimum Separation Between Buildings/Structures	6 FT			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.F (Density Bonus and Other Incentives) of this Division.
3. Detached accessory structures in excess of 14 FT in height shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable.
4. Refer to Section 5.03.355 (Second Dwellings) of this Development Code for additional regulations pertaining to second dwellings.
5. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures, provided:
 - 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 screened from view of public or private streets.
6. Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.
7. If as a result of the design of a lot the minimum residential density cannot be achieved, the lot shall be allowed to be developed with at least 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

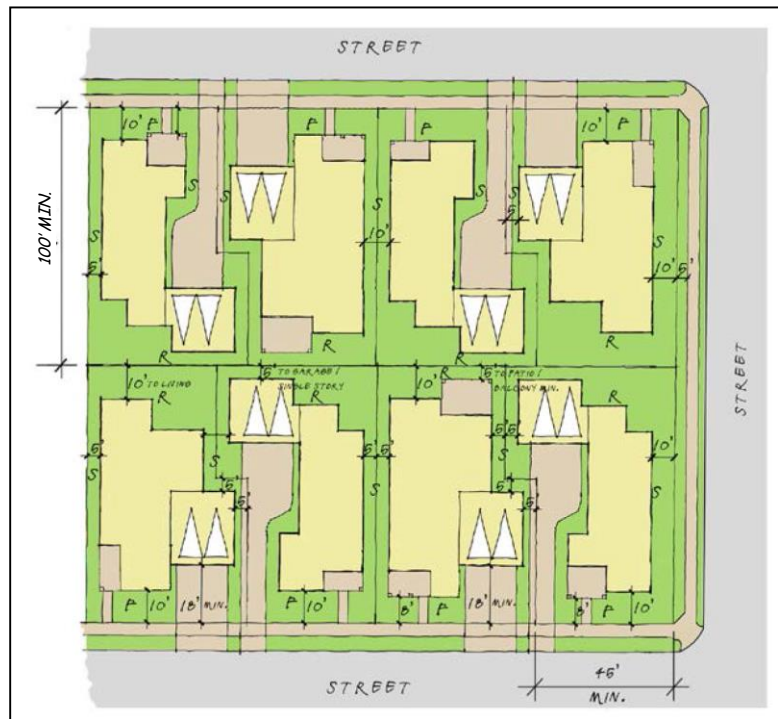


Figure 6.01-1A: Example of a Small Lot Single-Family Traditional Subdivision

- 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. Setbacks assume a 9-FT parkway adjacent to the private street, which consists of 5 FT of curb-adjacent landscaping and a 4-FT wide sidewalk. Additional setback area may be required to achieve a wider parkway area adjacent to the private street if needed/desired.

Table 6.01-2B: Small Lot Single-Family Development Standards — Alley-Loaded Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum nos. of allowed dwellings, stated in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	11.1 to 18.0	Notes 2, 6 & 7
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions				
a. Width	200 FT			Note 1
b. Depth	200 FT			Note 1
4. Minimum Lot Size	N/A			
5. Maximum Lot Coverage	N/A			
6. Minimum Lot Dimensions				
a. Lot Width	N/A			
b. Lot Depth	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or Lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines				
(1) Freeways	20 FT			
(2) Arterial Streets	30 FT			
(3) Other Streets	20 FT			
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 Single-Family Subdivisions, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.F.6 (Landscaping).			

Table 6.01-2B: Small Lot Single-Family Development Standards — Alley-Loaded Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
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).			
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				
a. Freeways		20 FT		
b. Arterial Streets		30 FT		
c. Collector and Local Streets				
(1) Front		20 FT		
(2) Street Side		10 FT		
2. Minimum Setback From Interior Project Boundary		10 FT		
3. Minimum Setback From Private Streets (measured from back-of-curb)				
a. Living Area		22 FT		
b. Porch		16 FT		
c. Garage Entry		30 FT		
d. Garage Other		22 FT		
4. Minimum Setback From Private Drives (measured from back-of-curb)				
a. Living Area		19 FT		
b. Porch		13 FT		
c. Garage Entry		27 FT		
d. Garage Other		19 FT		

Table 6.01-2B: Small Lot Single-Family Development Standards — Alley-Loaded Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
5. Minimum Setback From Private Lanes/Alleyways (measured from back-of-curb)				
a. Living Area		10 FT		
b. Garage Entry		5 FT		
c. Garage Other		10 FT		
6. Minimum Setback From Dwellings to Parking Spaces		10 FT		
7. Minimum Separations (measured from building to building)				
a. Dwelling Front to Front		25 FT		
b. Dwelling Front to Rear		25 FT		
c. Dwelling Front to Side		25 FT		
d. Dwelling Side to Side		8 FT		
e. Dwelling Side to Rear		12 FT		
f. Dwelling Rear to Rear		20 FT		
g. Garage to Garage				
Entry (1) Garage Entry to		30 FT		
Side (2) Garage Entry to		30 FT		
Side (3) Garage Side to		8 FT		
Rear (4) Garage Side to		8 FT		
8. Maximum Building Height		35 FT		See Section 6.01.010.F.14 (Airport Safety Zones)
9. Minimum Setback From Major Pipelines (to habitable structures)		50 FT		Note 8
C. DETACHED ACCESSORY STRUCTURE AND SECOND DWELLING REQUIREMENTS				
1. Maximum Building/Structure Height				
a. With Conditional Use Permit Approval		35 FT		Note 3
b. Without Conditional Use Permit Approval		14 FT		
2. Maximum Building/Structure Area		650 SF		Note 4
3. Minimum Building/Structure Setbacks		Same as main building		Note 5

Table 6.01-2B: Small Lot Single-Family Development Standards — Alley-Loaded Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
4. Minimum Separation Between Buildings/Structures	6 FT			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.F (Density Bonus and Other Incentives) of this Division.
3. Detached accessory structures in excess of 14 FT in height shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable.
4. Refer to Section 5.03.355 (Second Dwellings) of this Development Code for additional regulations pertaining to second dwellings.
5. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures, provided:
 - 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 screened from view of public or private streets.
6. Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.
7. If as a result of the design of a lot the minimum residential density cannot be achieved, the lot shall be allowed to be developed with at least 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.

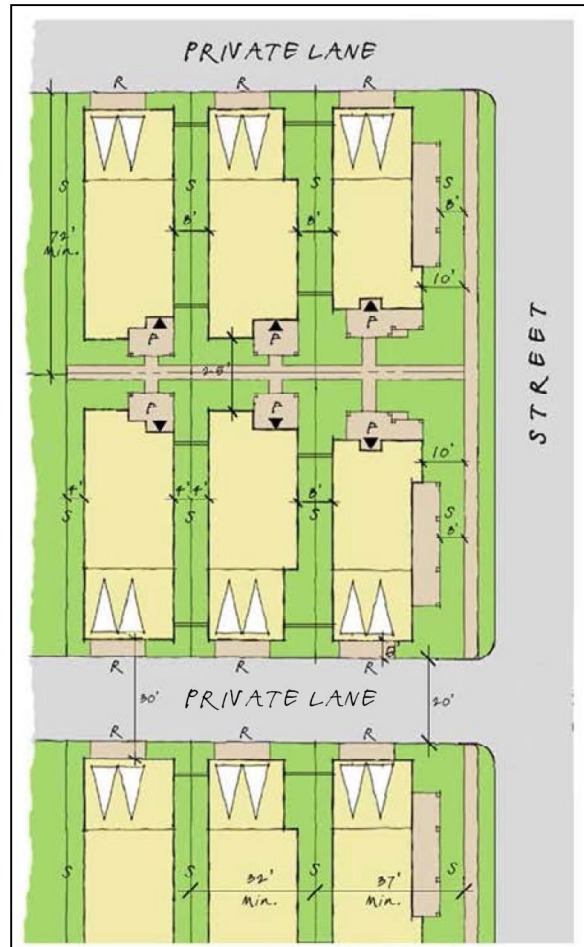


Figure 6.01-1B: Example of a Small Lot Single-Family Alley-Loaded Subdivision

Table 6.01-2C: Small Lot Single-Family Development Standards — Cluster Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
A. SITE DEVELOPMENT STANDARDS				
1. Density Range (minimum to maximum nos. of allowed dwellings, stated in dwelling units per acre)	2.1 to 5.0	5.1 to 11.0	11.1 to 18.0	Notes 2, 6 & 7
2. Minimum Project Area	One acre			Note 1
3. Minimum Project Dimensions				
a. Width	200 FT			Note 1
b. Depth	200 FT			Note 1
4. Minimum Lot Size	N/A			
5. Maximum Lot Coverage	N/A			
6. Minimum Lot Dimensions				
a. Lot Width	N/A			
b. Lot Depth	N/A			
7. Minimum Parking Space (Uncovered) and Private Street, Drive, or Lane/Alleyway Setbacks				
a. From Project Boundary Street Property Lines				
(1) Freeways	20 FT			
(2) Arterial Streets	30 FT			
(3) Other Streets	20 FT			
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 Single-Family Subdivisions, and Multiple-Family and Mixed-Use Development Projects).			
12. Landscaping	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.F.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).			

Table 6.01-2C: Small Lot Single-Family Development Standards — Cluster Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
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).			
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				
a. Freeways		20 FT		
b. Arterial Streets		30 FT		
c. Collector and Local Streets				
(1) Front		20 FT		
(2) Street Side		10 FT		
2. Minimum Setback From Interior Project Boundary		10 FT		
3. Minimum Setback From Private Streets and Drives (measured from back-of-curb)				
a. Living Area		27 FT		
b. Porch		21 FT		
c. Garage Entry		30 FT		
d. Garage Other		27 FT		
4. Minimum Setback From Private Drives (measured from back-of-curb)				
a. Living Area		24 FT		
b. Porch		18 FT		
c. Garage Entry		27 FT		
d. Garage Other		24 FT		
5. Minimum Setback From Lanes/Alleyways (measured from back-of-curb)				
a. Living Area		10 FT		
b. Porch		5 FT		
c. Garage Entry		5 FT		
d. Garage Other		10 FT		

Table 6.01-2C: Small Lot Single-Family Development Standards — Cluster Subdivisions

Requirements	Residential Zoning Districts			Additional Regulations
	LDR-5	MDR-11	MDR-18	
6. Minimum Setback From Dwellings to Parking Spaces				
a. Living Area		10 FT		
b. Garage		5 FT		
7. Minimum Separations (measured from building to building)				
a. Dwelling Front to Front		30 FT		
b. Dwelling Front to Rear		30 FT		
c. Dwelling Front to Side		25 FT		
d. Dwelling Side to Side		10 FT		
e. Dwelling Side to Rear		15 FT		
f. Dwelling Rear to Rear		20 FT		
g. Garage to Garage				
Entry (5) Garage Entry to		30 FT		
Side (6) Garage Entry to		30 FT		
Side (7) Garage Side to		10 FT		
Rear (8) Garage Side to		10 FT		
8. Maximum Building Height		35 FT		See Section 6.01.010.F.14 (Airport Safety Zones)
9. Minimum Setback From Major Pipelines (to habitable structures)		50 FT		Note 8
C. DETACHED ACCESSORY STRUCTURE AND SECOND DWELLING REQUIREMENTS				
1. Maximum Building/Structure Height				
a. With Conditional Use Permit Approval		35 FT		Note 3
b. Without Conditional Use Permit Approval		14 FT		
2. Maximum Building/Structure Area		650 SF		Note 4
3. Minimum Building/Structure Setbacks		Same as main building		Note 5
4. Minimum Separation Between Buildings/Structures		6 FT		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.F (Density Bonus and Other Incentives) of this Division.

3. Detached accessory structures in excess of 14 FT in height shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable.

4. Refer to Section 5.03.345 (Second Dwellings) of this Development Code for additional regulations pertaining to second dwellings.

5. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures, provided:

- 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 screened from view of public or private streets.

6. Lots with a maximum density calculation of less than one dwelling shall be allowed the construction of one dwelling unit.

7. If as a result of the design of a lot the minimum residential density cannot be achieved, the lot shall be allowed to be developed with at least 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.

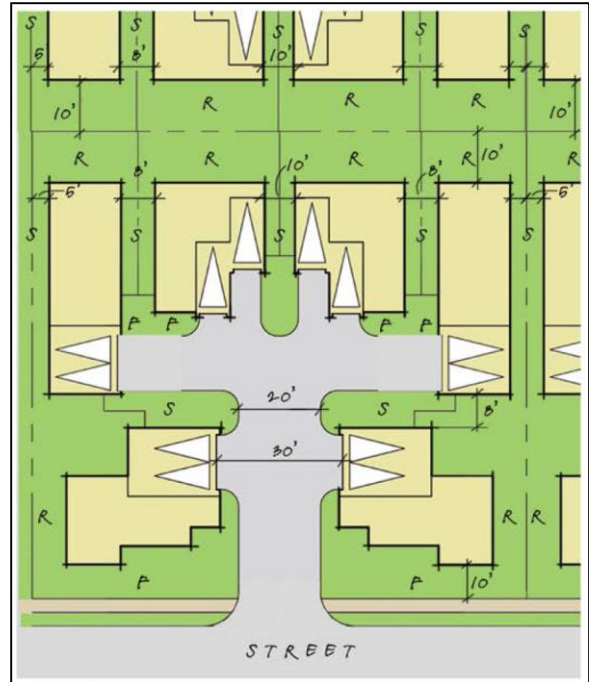


Figure 6.01-1C: Example of a Small Lot Single-Family Cluster Subdivision

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 nos. of allowed dwellings, stated 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 2, 6 & 7
2. Minimum Project Area	10,000 SF			2.5 AC	Note 1
3. Minimum Project Dimensions					

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
a. Width	100 FT			330 FT	Note 1
b. Depth	100 FT			330 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					
a. Lot Width	Refer to Subsection 6.08.045.C (Common Interest Subdivisions are Exempt From Minimum Lot Area and Building Setback Requirements)				
b. Lot Depth					
8. Minimum Parking Space (Uncovered), Drive Aisle and Driveway Setbacks					
a. From Project Boundary Street Property Line					
(1) Freeways	20 FT			10 FT	
(2) Arterial Streets	20 FT				
(3) Collector and Local Streets	10 FT				
b. From Project Boundary Interior Property Line	5 FT			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 Single-Family Subdivisions, 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.F.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).				
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).				

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR-45	
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					
a. Freeways	20 FT				Note 3
b. Arterial Streets	30 FT		10 FT		
c. Collector and Local Streets	20 FT		10 FT		
5. Minimum Setback From Interior Property Lines	10 FT				Notes 4
6. Minimum Setback From Public Alley Property Lines	10 FT				
7. Minimum Setback From Private Streets (measured from back-of-curb)					
a. Living Areas	27 FT		17 FT		
b. Garage Entry	32 FT		22 FT		
8. Minimum Setback From Private Drives and Alleyways (measured from edge of drive aisle)					
a. Living Area	15 FT				
b. Garage Entry					
(1) Accessed from private drive or alleyway less than 24 FT in width	4 FT				
(2) Accessed from private drive or alleyway 24 FT or more in width	0 FT				
9. Minimum Setback From Dwellings to Parking Spaces					
a. Living Area	10 FT		5 FT		
b. Garage, Carports, Storage Area, etc.	5 FT		5 FT		
10. Minimum Setback From Parking Space or Drive Aisle to Wall or Fence	5 FT				

Table 6.01-3: Multiple-Family Residential Development Standards

Requirements	Residential Zoning Districts				Additional Regulations
	MDR-11	MDR-18	MDR-25	HDR- 45	
11. Minimum Separations (measured from building to building)					
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				
e. Dwelling Side to Rear	15 FT				
f. Dwelling Rear to Rear	20 FT				
g. Garage to Garage (or other nonhabitable)					
(1) Garage Entry to Garage Entry or Side	30 FT				
(2) Garage Side to Garage Side or Rear	10 FT				
12. Minimum Storage Space	240 CF				Note 5
13. Maximum Building Height	35 FT	45 FT	60 FT	75 FT	See Section 6.01.010.F.14 (Airport Safety Zones)
14. Minimum Setback From Major Pipelines (to habitable structures)	50 FT				Note 8

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.F (Density Bonus and Other Incentives), below.
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 with front doors facing onto an interior property line shall be setback a minimum of 15 FT from that 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 one dwelling shall be allowed the construction of one dwelling unit.
7. If as a result of the design of a lot the minimum residential density cannot be achieved, the lot shall be allowed to be developed with at least 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.*
-

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. *Towers, Spires, Cupolas, Chimneys, Elevator Penthouses, Water Tanks, Flagpoles, Monuments, Aerials and Antennas, and Other Similar Structures.* Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, flagpoles, monuments, aerials and antennas, 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 5.03.175 (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 side setback a maximum of 50 percent of the required setback, provided the porte cochere is no greater than 20 FT in width; however, in no case shall the side setback width be reduced to less than 2.5 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.

E. Open Space Requirements for Single-Family Small Lot Subdivisions, 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 single-family small lot 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 Single-Family Subdivisions—A minimum of 20 percent of the project area shall be devoted to open space area (private and common area), and shall include common recreation amenities and facilities provided pursuant to Paragraph E.2.c (Active Open Space Area) 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 residential portion of mixed-use development projects. The required open space area shall be calculated on a 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 single-family small lot subdivisions, at least 450 SF of contiguous private open space area shall be provided for each dwelling, at the ground level, with a minimum clear horizontal dimension of 15 FT and a minimum clear vertical dimension of 8 FT.

(2) For multiple-family dwellings, private open space located at the dwelling's main living level shall have a minimum contiguous clear area of 60 SF, with 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, with 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. Active Open Space Area.

(1) Active open space 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, tennis courts, water-play fountains, childcare facilities, and other major amenities requiring significant investment and appropriate to serve 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 play areas, spas or saunas, picnic and barbecue areas, 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							
	< 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) 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.

(3) All 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.

(4) Active open space areas are to be permanently maintained in an orderly manner.

d. Passive Open Space Area.

(1) Passive open space areas shall be located a minimum of 5 FT from the habitable portion of any dwelling on the project site.

(2) Passive 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 6.01-5 (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

No. of Dwellings Proposed	Minimum No. of Differing Floor Plans Required	Minimum No. of Elevations for Each Floor Plan Required
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) Particular care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, no trash enclosure shall 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. Storage of Automobiles, Recreational Vehicles, Light Trucks, Trailers, and Other Similar Vehicles.

a. The storage of automobiles, boats, recreational vehicles, trucks, trailers and other similar vehicles 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 vehicles similarly used 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.

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.F.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.f.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 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, as exemplified below, shall incorporate enhanced paving treatments consisting of interlocking pavers, and textured and/or color pigmented concrete, throughout all motorcourt areas.

(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;

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;

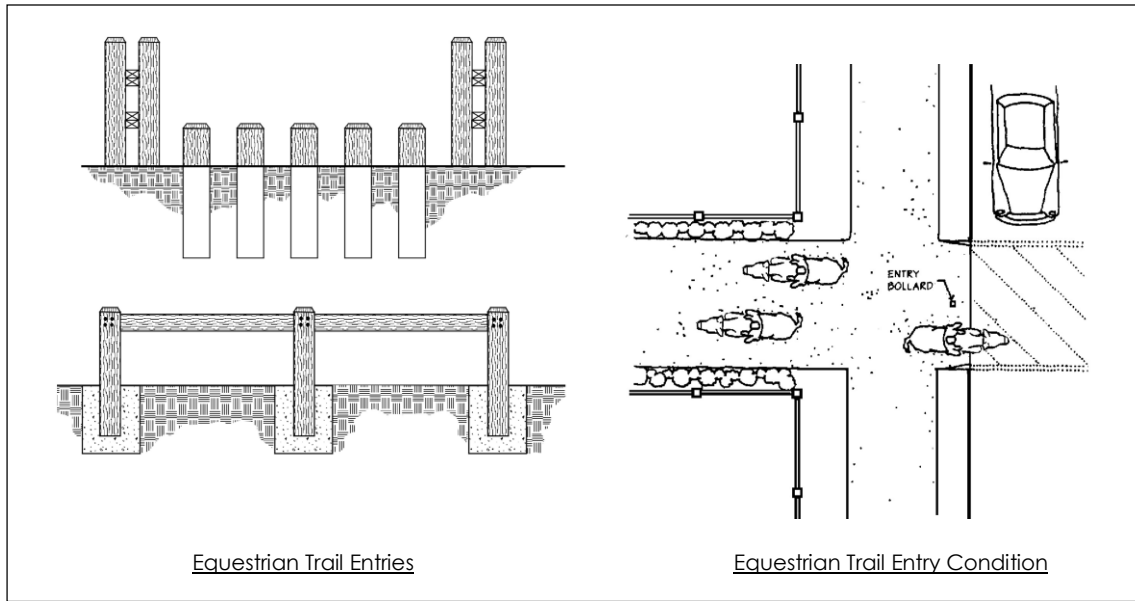


Figure 6.01-2: Equestrian Trail Step-Through Entry Design

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 parking, narrowing paved widths (to minimize crossing distances), and marking the crossing with striping and signs.

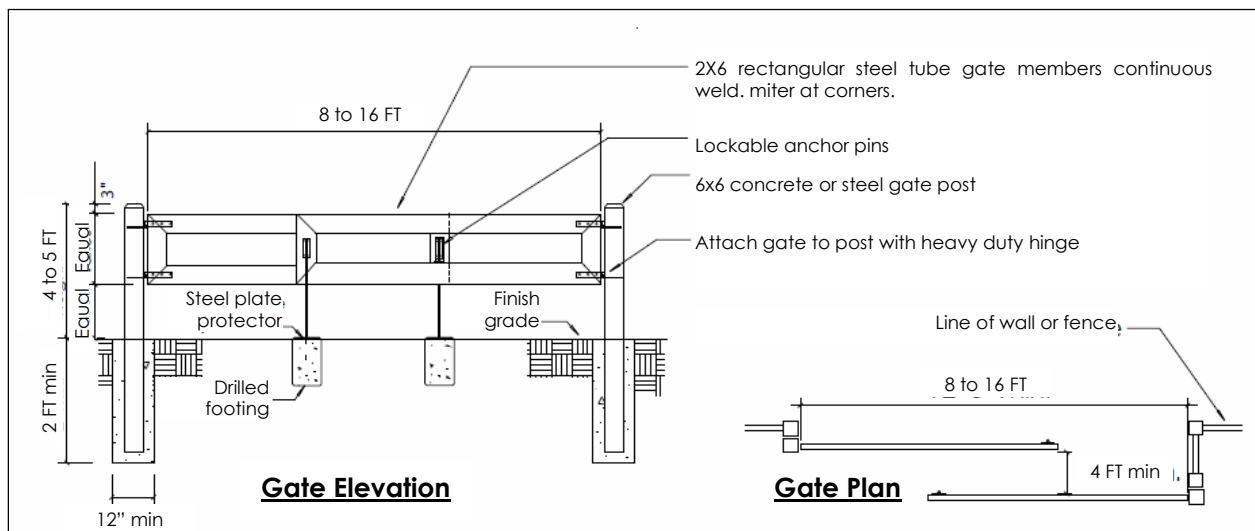


Figure 6.01-3: Equestrian Trail Steel Barrier Gate Entry Design

10. Infill Single-Family Housing Projects. Infill single-family housing projects are to be complementary with the character of the surrounding neighborhood in which they are proposed

in terms of height, setbacks, general architectural style, and use of exterior finish materials, and shall comply with the following standards:

- a.** New housing projects within existing neighborhoods shall be integrated with 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 shall be compatible with existing residential development in the surrounding neighborhood.
- c.** Infill housing projects shall be plotted on a lot in a manner consistent with the pattern of development in the surrounding 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 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.

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 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, or spas shall not be constructed within a front yard area, and must be setback a minimum 5 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. 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. 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. In addition, the Approving Authority may approve, approve in modified form, or deny a density bonus and other incentives after considering and clearly establishing the following findings, and giving specific reasons in support of each finding:

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.

H. 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

A. 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.

B. 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.

C. Commercial Zoning District Development Standards. Development within commercial zoning districts shall comply with the requirements of Table 6.01-7 (Commercial Zoning District Development Standards), below, which specifies standards for the development of structures within the CS, CN, CC, CR, CCC, 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	CCC	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		
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.F.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			
(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							
Exception: Property line common to a residential zoning district	10 FT (area shall be densely landscaped)								

Table 6.01-8: Commercial Zoning District Development Standards

Requirements	Commercial Zoning Districts								Additional Regulations
	CS	CN	CC	CR	CCC	CCS	OL	OH	
c. Parking Space or Drive Aisle to Buildings, Walls, and Fences	5 FT								Note 4
6. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential 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			
3. Maximum Height	Pursuant to the requirements of ALUCP Appendix J								Note 5
<u>Exception:</u> 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. 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.

D. Exceptions to Development Standards.

1. Building Height.

a. Towers, Spires, Cupolas, Chimneys, Elevator Penthouses, Water Tanks, Flagpoles, Monuments, Aerials and Antennas, and Other Similar Structures. Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, flagpoles, monuments, aerials and antennas, 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 5.03.410 (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.

E. 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 it's 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
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.

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 6.03.055 (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, child care 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).

F. 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 25.1 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 6.01-9 (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						
a. Lot Width	100 FT					Note 1
b. Lot Depth	100 FT					Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.F.6 (Landscaping) for additional standards					
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
<u>Exception:</u> From property line common with residential district	10 FT (area shall be densely landscaped)			n/a		
c. Parking Space to Buildings, Walls, and Fences	[1] Areas adjacent to public entries and office areas: 10 FT; and [2] Areas adjacent to other building areas: 5 FT.					Note 5
<u>Exception:</u> Within screened loading and storage yard areas	0 FT					
d. Drive Aisles to Buildings, Walls, and Fences	10 FT					Note 5
<u>Exception:</u> Within screened loading and storage yard areas	0 FT					
6. Minimum Screened Loading and Storage Yard Separations						

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
a. Enclosed Loading and Storage Yard to Street Property Line						
(1) Freeway			20 FT			
(2) Arterial Street			20 FT			
(3) Collector/Local Street			10 FT			
b. Screened Loading and Storage Yard to Interior Property Line			0 FT			
<u>Exception:</u> From interior property line common with residential district	10 FT (area shall be densely landscaped)				n/a	
c. Screened Loading and Storage Yard to Buildings, Walls, and Fences			0 FT			
7. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential 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.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Maximum Building Area	Single-Tenant:	45,000 SF			n/a	Note 9
	Multi-Tenant:	60,000 SF				
2. Minimum Street Setback						
a. From Freeway Property Line			20 FT			

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
b. From Arterial Street Property Line						
(1) Holt Boulevard	10 FT					
(2) All Other Arterial Streets	20 FT					
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 LA/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 Building Area” 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. *Towers, Spires, Cupolas, Chimneys, Elevator Penthouses, Water Tanks, Flagpoles, Monuments, Aerials and Antennas, and Other Similar Structures.* Towers, spires, cupolas, chimneys, elevator penthouses, water tanks, flagpoles, monuments, aerials and antennas, 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 5.03.410 (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, child care 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 6.03.055 (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 residential 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. Each Special Purpose zoning district shall be applied as follows:

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 5.03.305 (Mobile Home Parks) of this Development Code.

3. ONT (Ontario International Airport) Zoning District. The ONT zoning district is established to accommodate 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. Each overlay district shall be applied as follows:

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, and to allow for the establishment of general agricultural uses, such as dairies, within certain areas of concentrated agricultural use.

b. Applicability.

(1) The standards and guidelines established by this Subsection shall apply to all property located within the boundary of the AG Overlay District, as established by the official Zoning Map of the City. The provisions of this Subsection 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) 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 granted by the provisions of this Paragraph (B.1 (AG (Agricultural) Overlay District) 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. 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 6.01-10 (AG (Agricultural) Overlay District Development Standards), below.

Table 6.01-11: AG (Agricultural) Overlay District Development Standards

Requirements	Standards	Additional Regulations
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).	
7. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).	
8. Landscaping	Refer to Division 6.05 (Landscaping).	
9. Environmental Performance Standards and Sustainable Development Practices	[Reserve for Future Use]	
10. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).	
11. 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.	
12. Signs	Refer to Division 8.1 (Sign Regulations).	
13. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
14. 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).	
15. 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	25 FT	
b. From Street Side Property Line	25 FT	

Table 6.01-11: AG (Agricultural) Overlay District Development Standards

Requirements	Standards	Additional Regulations
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	See Section 6.01.010.F.14 (Airport Safety Zones)
C. DETACHED ACCESSORY STRUCTURE AND SECOND DWELLING REQUIREMENTS		
1. Maximum Building Height	35 FT	
2. Maximum Building Area		
a. With Conditional Use Permit Approval	As deemed appropriate by the Approving Authority	Note 2
b. Without Conditional Use Permit Approval	650/1,050 GFA	Note 2
c. Guesthouses and Second Dwellings	650 GFA	Note 3
3. Minimum Building Setbacks		
a. From Street Side Property Line	25 FT	
b. From Interior Side Property Line	15 FT	
c. From Rear Property Line	15 FT	
4. Minimum Building Separation	6 FT	

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. 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 1,050 SF for detached accessory structures containing parking spaces required pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.
3. Refer to Section 5.03.010 (Accessory Detached Residential Structures) of this Development Code for additional regulations pertaining to guesthouses, and Section 5.03.345 (Second Dwellings) for regulations pertaining to second dwellings.

(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.

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.*

(1) The rights provided by this Paragraph (B.2 (EA (Euclid Avenue) Overlay District) shall apply to all property located within the boundary of the EA Overlay District, as shown on the official Zoning Map of the City.

(2) The standards and guidelines established by this Paragraph shall apply to all property located within the boundary of the EA Overlay District, as established by the official Zoning Map of the City. The provisions of this Subsection 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 following:

(1) 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).

(2) Medical Offices and Clinics, which Front Euclid Avenue—That portion of a medical office or clinic that directly fronts on to Euclid Avenue shall only be allowed on the second floor of a building or above (ground floor business frontage shall not be allowed).

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 rights provided by this Paragraph (B.3 (ES (Emergency Shelter) Overlay District) shall apply to all property located within the boundary of the ES Overlay district, as shown on the official Zoning Map of 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.

(3) The standards and guidelines established by this Subsection shall apply to all property located within the boundary of the ES Overlay District, as established by the official Zoning Map of the City. The provisions of this Subsection 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.

(4) All rights granted by the provisions of this Paragraph (B.3 (ES (Emergency Shelter) Overlay District)) shall run with the land and shall be transferable to any future owner(s) of property within the ES Overlay District, and their assigns.

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 rights provided by this Paragraph (B.4 (MTC (Multimodal Transit Center) Overlay District)) shall apply to all property located within the boundary of the MTC Overlay district, as shown on the official Zoning Map of 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 granted by the provisions of this Paragraph (B.4 (MTC (Multimodal Transit Center) Overlay District) 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 rights provided by this Paragraph (B.5 (ICC (Interim Community Commercial) Overlay District) shall apply to all property located within the boundary of the ICC Overlay District, as shown on the official Zoning Map of 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 of high density residential projects.

~~**(4)c.**~~ Expansion of Existing Commercial Structures and Uses.

~~**(5)(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.

~~(6)~~**(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, ~~Any expansion of existing buildings or proposals for new building construction~~ 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 ~~this Development Code~~ the HDR-45 zoning district.

~~(7)~~**(4)** Protection of ICC Overlay District Land Use and Development Rights. All land use and development rights granted by the ICC Overlay District ~~this Paragraph (B.5 (ICC (Interim Community Commercial) Overlay District), above,~~ shall be transferable to any future owner(s) of property within the ICC Overlay District, and their assigns.

EXHIBIT D

Chapter 8.0: Sign Regulations

Division 8.01—Sign Regulations

Proposed Revisions:

1. **Political Signs** – Relocate all Political Sign provisions into a single Subsection (8.01.020.K), and reintroduce previously deleted “intent” provisions. See revised text on pages 8.01-39 through 41.
2. **On-Site Promotional and Special Event Signs and Banners** — Amend Table 8.01-1 (Sign Regulation Matrix) to clarify how the temporary promotional and special event signs and banners provisions should be implemented. See revised text on pages 8.01-16 through 19 for commercial zones, and pages 8.01- 23 through 25 for industrial zones.
 - a. Business Grand Opening — A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration.
 - b. Retail Sales Event — 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 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).
 - c. Holiday Retail Sales — 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.
 - d. Shows and Exhibits — 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.
 - e. Amusement and/or Sporting Events — 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.
 - f. Tent Revivals — 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.

- g.** Charitable and Fund Raising Events — 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.

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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), below.

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. 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 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. Signs guiding and directing traffic in parking lots and facilities, provided that no individual signs exceeds 4 SF in area and 4 FT in height.

D. Signs showing the location of public restrooms, telephones, other public conveniences, and underground utilities, provided no individual sign exceeds 2 SF in area.

E. 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. 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 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.** 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 campaign signs installed pursuant to Subsection 8.01.025.J (Political Signs) of this Division.
- J.** 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 that do not advertise any business establishment, product, or other commercial activity, limited to 30 days within any 60-day period.
- L.** Temporary real estate and construction signs allowed pursuant to Table 8.01-1 (Sign Regulation Matrix) of this Division.
- M.** 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 billboards established pursuant to a Billboard Relocation Agreement, implemented pursuant to Section 4.02.010 (Billboard Relocation Agreements) 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.** Banners, except as a temporary promotional or special event sign 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 a temporary promotional or special event sign 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), below, 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</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>Subdivision Signs is not permitted.</p> <p>[5] Signs shall not advertise residential subdivisions 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><u>Sign:</u> 7 FT (overall)</p> <p><u>Business Panel Signs:</u> 10 inches (each)</p>	<p><u>Business Panel Signs:</u> 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,

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>such as temporary closure of a public street, which provides main access to the businesses;</p> <p>[2] The design, construction materials, and color scheme of an Off-Site Business Sign 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</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
					illegal signs associated with such businesses are removed.
<p>d. Political Signs</p>	<p>[1] There shall be no restriction as to the maximum number of political signs allowed.</p> <p>[2] Political signs shall only be placed on private property, with the permission of the property owner.</p>	<p>16 SF</p>	<p>8 FT</p>	<p>No restriction.</p>	<p>[1] No provision in this Development Code shall be so construed as to prohibit the placing of temporary political signs.</p> <p>[2] No political sign shall be installed or displayed sooner than 45 days preceding the election for which the sign is intended.</p> <p>[3] No political sign shall be lighted either directly or indirectly.</p> <p>[4] No political sign shall be placed on private property, vacant or otherwise, without the permission of the owner of the property.</p> <p>[5] No political sign shall be placed or affixed to a tree, fence, post, utility pole, or any structure, by glue, nails, or screws.</p> <p>[6] No political sign shall be posted on any public property or in the public right-of-way.</p> <p>[7] 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.</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>[8] No political signs shall be posted in violation of any other provisions of this Development Code.</p> <p>[9] All political signs shall be removed within 10 days following the date of the election for which the sign was intended.</p> <p>[10] 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.</p>
e. Street Banners	Pursuant to Subsection 8.01.020.G (Street Banners and Street Banner Programs) of this Division.	No restriction.	No restriction.	No restriction.	Comply with the requirements of Subsection 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

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>
					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 character of the community or reflect Ontario's environmental setting.	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 specific business, product, or service. [2] Wall murals may be approved by the Planning Commission, upon consideration of the following:

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"> ▪ 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)	<p>One freestanding sign per lot, which identifies a property as "For Sale," "For Lease" or "For Rent."</p> <p>One on-site freestanding sign per event, which identifies an "Open House."</p> <p>Four off-site freestanding directional signs, which identifies the location of an "Open House" event.</p>	<p>8 SF per sign face.</p> <p>4 SF per sign face.</p> <p>4 SF per sign face.</p>	<p>5 FT</p> <p>3 FT</p> <p>3 FT</p>		<p>[1] Only nonilluminated signs shall be allowed.</p> <p>[2] A sign identifying a property for sale/lease/rent shall be removed within 5 days following the close of escrow.</p> <p>[3] "Open House" signs shall be allowed as follows:</p> <ul style="list-style-type: none"> ▪ Signs may be placed between the hours of 8:00AM and 8:00PM, on Friday, Saturday, Sunday, and legal holidays;

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"> ▪ 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		<p>[1] Only nonilluminated signs shall be allowed.</p> <p>[2] Signs shall be removed within 30 days following the sale of the last unit in the complex.</p>
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)		<p>[1] Only nonilluminated signs shall be allowed.</p> <p>[2] The Planning Director may implement measures to ensure sign maintenance, such as the establishment of a homeowners association</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
					and the recordation of appropriate CC&Rs with the San Bernardino County Recorder's office, or other suitable measures.
<ul style="list-style-type: none"> 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					
<ul style="list-style-type: none"> Complex Signs 	One monument sign or wall sign per street frontage.	24 SF per sign face.	6 FT (freestanding)		<p>[1] Signs shall be nonilluminated.</p> <p>[2] Wall signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.</p> <p>[3] Monument signs shall comply with Paragraph 8.01.020.C.1 of this Division.</p>
<ul style="list-style-type: none"> 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.)	<p><u>Wall Signs:</u> One sign per street frontage, not to exceed 2 signs per building.</p> <p><u>Monument Signs:</u> One sign per street frontage.</p>	<p><u>Wall Signs:</u> 24 SF per building elevation.</p> <p><u>Monument Signs:</u> 24 SF per sign face</p>	<p><u>Wall Signs:</u> 2 FT maximum alphanumeric character height</p> <p><u>Monument Signs:</u> 6 FT</p>	<p><u>Wall Signs:</u> Not to exceed 80% of the elevation width upon which the sign is located.</p>	<p><u>Wall Signs:</u> Signs shall comply with Subsection 8.01.020.D (Building Wall and Fascia Signs) of this Division.</p> <p><u>Monument Signs:</u> Signs shall comply with Paragraph 8.01.020.C.1 of this Division.</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>
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		<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, 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] Business Grand Opening. A new business may be allowed temporary signage

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"> ▪ > 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.	<p><u>identifying its grand opening, one time, for a maximum of 30 days duration.</u></p> <p><u>[2] Retail Sales Event. 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 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).</u></p> <p><u>[3] Holiday Retail Sales. 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.</u></p> <p><u>[4] Shows and Exhibits. 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.</u></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><u>[5] Amusement and/or Sporting Events. 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.</u></p> <p><u>[6] Tent Revivals. 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.</u></p> <p><u>[7] Charitable and Fund Raising Events. 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. Signage shall be subject to the time limitations for the respective activities, displays, events, and sales prescribed in Subsection 5.03.395.G (Temporary</u></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
					Outdoor Activities, Displays, Events, and Sales) of this Development Code.
2. Permanent Signs					
a. Wall Signs					
<ul style="list-style-type: none"> ▪ <u>Retail</u>: Businesses Occupying > 100,000 SF 	One primary and 2 descriptor wall signs per building elevation, not to exceed 3 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 and 2 descriptor wall signs per building elevation, not to exceed 3 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 and 2 descriptor wall signs per building elevation, not to exceed 3 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.		
<ul style="list-style-type: none"> ▪ <u>Retail</u>: Businesses Occupying 8,000 SF to 19,999 SF 	One primary and 2 descriptor wall signs per building elevation, not to exceed 3 signs.	100 SF per building elevation.	<u>Primary Signs</u> : 3 FT for alphanumeric characters and graphic logos/icons. <u>Descriptor Signs</u> : 12 inches for alphanumeric characters and graphic logos/icons.		

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"> ▪ Retail: 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"> ▪ Office: 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"> ▪ Office: 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"> ▪ Office: 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> <u>50 SF.</u></p> <p><u>Nameplates:</u> <u>15 SF.</u></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.

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>
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				
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>

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>c. On-Site Promotional and Special Event Signs and Banners</p>	<p>One wall-mounted banner per tenant.</p>	<p>One-half the area allowed for permanent tenant identification signage, not to exceed 50 SF.</p>		<p>Not to exceed 50% of the elevation width upon which the sign is located.</p>	<p><u>[1] Business Grand Opening. A new business may be allowed temporary signage identifying its grand opening, one time, for a maximum of 30 days duration.</u></p> <p><u>[2] Retail Sales Event. 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 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).</u></p> <p><u>[3] Holiday Retail Sales. 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.</u></p> <p><u>[4] Shows and Exhibits. Shows and Exhibits established pursuant to Paragraph 5.03.395.G.3 of this Development Code may be</u></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><u>allowed temporary signage for maximum 30 days duration.</u></p> <p><u>[5] Amusement and/or Sporting Events. 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.</u></p> <p><u>[6] Tent Revivals. 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.</u></p> <p><u>[7] Charitable and Fund Raising Events. 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. Signage shall be subject to the time limitations for the respective activities.</u></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
					displays, events, and sales prescribed in Subsection 5.03.395.G (Temporary Outdoor Activities, Displays, Events, and Sales) of this Development Code.
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><u>Signs With Multiple Lines of Copy:</u> 6 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><u>Signs With Multiple Lines of Copy:</u> 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 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><u>Wall Signs:</u> 4 FT for alphanumeric characters and graphic logos/icons.</p> <p><u>Signs With Multiple Lines of Copy:</u> 4 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><u>Wall Signs:</u> 3 FT for alphanumeric characters and graphic logos/icons.</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
			<u>Signs With Multiple Lines of Copy</u> : 3.5 FT for height of all lines		
<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	<u>Wall Signs</u> : 2 FT for alphanumeric characters and graphic logos/icons. <u>Signs With Multiple Lines of Copy</u> : 2.5 FT for height of all lines	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	<u>Residential Uses</u> : Rely upon the sign standards for residential land uses established by Subsection B (Residential Zoning Districts) of this Table. <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 <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				
2. Civic	<u>Rely upon the sign standards for office land uses established by Subsection C (Commercial Zoning Districts) of this Table.</u>				
3. Mobile Home Park	One monument sign per street frontage.	24 SF per sign face.	6 FT		[1] Non-illuminated or indirect illumination only.

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>
					[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.

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>
▪ On-Site Signs and Banners	One wall-mounted sign or banner per business.	50 SF per sign face.			
b. Permanent Signs					
▪ Wall Signs	One wall sign per tenant/building (for corner lots, one per street elevation, not to exceed 2 signs per building)	<p>[1] One SF of sign per lined FT of building frontage;</p> <p>[2] For corner lots, one SF of sign per lined FT of building frontage, on each street; or one-half SF of sign area for each lined foot of lot frontage on one street only.</p> <p>[3] 200 SF maximum sign area, calculated as prescribed above. A calculation of less than 20 SF shall result in a maximum sign area of 20 SF.</p>			
▪ Monument Sign	One monument sign per development.	50 SF per sign face.	7 FT		<p>[1] Comply with Paragraph 8.01.020.C.1 (Monument Signs) of this Division.</p> <p>[2] Signs shall not be located in any required setback area, unless authorized by the Planning Commission.</p>
▪ Freeway Signs	<p>[1] One sign per parcel having a minimum of 600 FT of freeway frontage, and is developed as a single entity.</p> <p>[2] Two signs per parcel having a minimum of 1,800 FT of freeway frontage, a minimum of 10 acres in area,</p>	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 (vertical or horizontal) shall exceed 25 FT in any direction.	[1] Any advertisement, text, symbols, or other indications displayed on the sign face shall be limited to 5 words, letters, numbers, figures, symbols or other indications to substitute for words.

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>and is developed as a single entity.</p> <p>[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.</p>				<p>[2] Signs shall be separated by 600 FT. Signs may not be located further than 40 FT from the freeway.</p> <p>[3] Sign shall not have more than 2 display surfaces, unless approved by the Planning Commission.</p> <p>[4] No tentative map or parcel map shall be approved on a parcel upon which a bonus sign is located if the effect on the parcel upon which said bonus sign is located would be to reduce its area to less than 10 acres or its freeway frontage to less than 600 FT.</p>
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.				

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
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.	[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.	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.
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.		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>
			<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>		
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. Such signs shall be located behind the street property line, and shall be located a minimum of 10 FT behind the nearest 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 Display. An electronic message display 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 display shall comply with the following requirements:

a. The display shall not include any message or pictorial that is in motion or appears to be in motion;

b. The display shall not change the intensity of illumination; and

c. The display shall not change the message or pictorial more than once every 4 seconds.

d. No Electronic Message Display shall be placed within 1,000 FT of another Electronic Message Display located on the same side of the freeway.

e. An Electronic Message Display 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. The display shall not include any pictorial display;

b. The display shall not change the intensity of illumination; and

c. The 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 required 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 4.02.080 (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), below.

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, above.

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 street light 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 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 fifteen to twenty 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.

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: March 22, 2016

FILE NO.: PHP16-001

SUBJECT: A Certificate of Appropriateness to construct 2 single family residences on 0.309 acres of land within the College Park Historic District, located at 326 and 330 East Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district; (APNs: 1048-063-05 and 1048-063-06)

LOCATION: 326 and 330 East Fourth Street

**APPLICANT/
PROPERTY
OWNER:** Kirk and Elena Wallace

RECOMMENDATION: That the Historic Preservation Commission approve File No. PHP16-001, 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.

BACKGROUND: The project site is comprised of 0.309 acres of land located at 326 East Fourth Street (APN: 1048-063-05) and 330 East Fourth Street (APN: 1048-063-06), within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre) zoning district, and is depicted in *Figure 1: Project Location*. The properties are located on the south side of East Fourth Street, between Sultana and Columbia Avenues, within the College Park Historic District. Properties were designated by the City Council on July 18, 2000, as Contributors to the College Park Historic District.

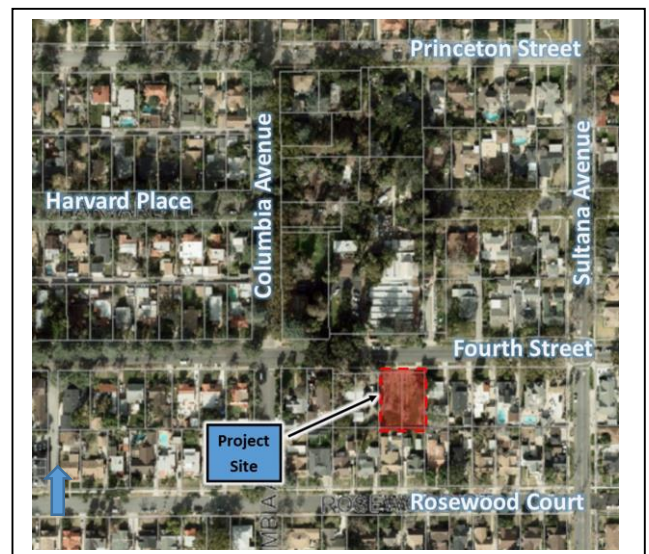
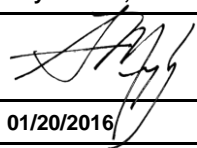


Figure 1: Project Location

Surrounding properties are developed with single family residences within the LDR-5 (Low Density Residential) zoning district. Directly

Case Planner: **Elly Antuna, Assistant Planner**

Planning Director Approval: 

Submittal Date: **01/20/2016**

Hearing Deadline: **03/22/2016**

Hearing Body	Date	Decision	Action
HPSC:	03/10/2016	Approve	Recommend
PC / HPC:	03/22/2016		Final
CC:			

north of the property is the Graber Olive House, which includes 2 shops and a historic cannery facility.

Currently recorded on the property is a dedication, approximately 11 feet deep and 102 feet wide, which runs along the north side of the property. On February 10, 2016, the property owner submitted a Vacation application (File No. E201600132) for a summary vacation of the dedication. The Vacation application is currently under review and is subject to City Council approval.

The project site was previously developed with orchards and an irrigation system that was installed, maintained, and operated by the Graber Olive House. The orchard was planted prior to 1938 and appears to have been removed in 2015. The non-operational irrigation system currently remains on the properties and consists of a small pump and six cast concrete standpipes.

Section 4.02.050 (Historic Preservation - Certificates of Appropriateness and Demolition of Historic Resources) of the Ontario Development Code requires a Certificate of Appropriateness for any infill development within a historic district to ensure compatibility and avoid adverse impacts to the historic district.

HISTORIC CONTEXT: The College Park Historic District is a well-established single family neighborhood that consists of many styles of homes including Mediterranean, Craftsman Bungalow, Ranch, and French Eclectic Revival. Lydia Belle Ford subdivided the College Park tract into 48 lots on September 11, 1914. The original tract was from Euclid Avenue to Columbia Avenue, and Fourth Street to Princeton Street.



The Historic District features large setbacks, typically 30 feet. The original College Park Tract was one of, if not the first, subdivisions to have underground telephone, water, gas and electrical lines, ornamental street lighting, and streets and alleys that are paved and curbed. The parkways in the district feature a variety of mature trees including deodars, camphors and palms. Since the 1920s, when most of the homes were constructed, the neighborhood has seen little to no alterations. Several early residents were leaders in the agricultural field, including C.C. Graber, founder of the Graber Olive House, which is Ontario's oldest business, and Benton Ballou, who was the original owner of what is today Hofer Ranch.

Many prominent people throughout Ontario's history lived in the College Park Tract, but the neighborhood was best known for the amount of teachers that lived there. The homes in College Park are an eclectic collection of architectural styles, making this neighborhood truly unique. The Ontario City Council designated the College Park Historic District on July 18, 2000.

PROJECT ANALYSIS: The Applicant is requesting a Certificate of Appropriateness (File No. PHP16-001) to allow for infill construction of two single-family residences within the College Park Historic District. In order to accommodate the construction, the existing irrigation system including the pump and standpipes, will be removed. As such, an intensive level Cultural Resource Survey of the site was completed for the project. The survey concluded that the irrigation system no longer retained sufficient integrity to convey its association with the City’s agricultural history or the Graber Olive House because the irrigation system has been largely dismantled and the orchard was removed in 2015.

Site Design/Building Layout - The two new single-family homes proposed are single-story and approximately 1,773 square feet each, with detached 2-car garages that are 441 square feet (Figure 2: Site Plan). Both homes will be oriented toward the street with recessed front entries. Each home will have 3 bedrooms and 2 bathrooms. The garages will be accessed via 10-foot wide Hollywood style driveways from Fourth Street.

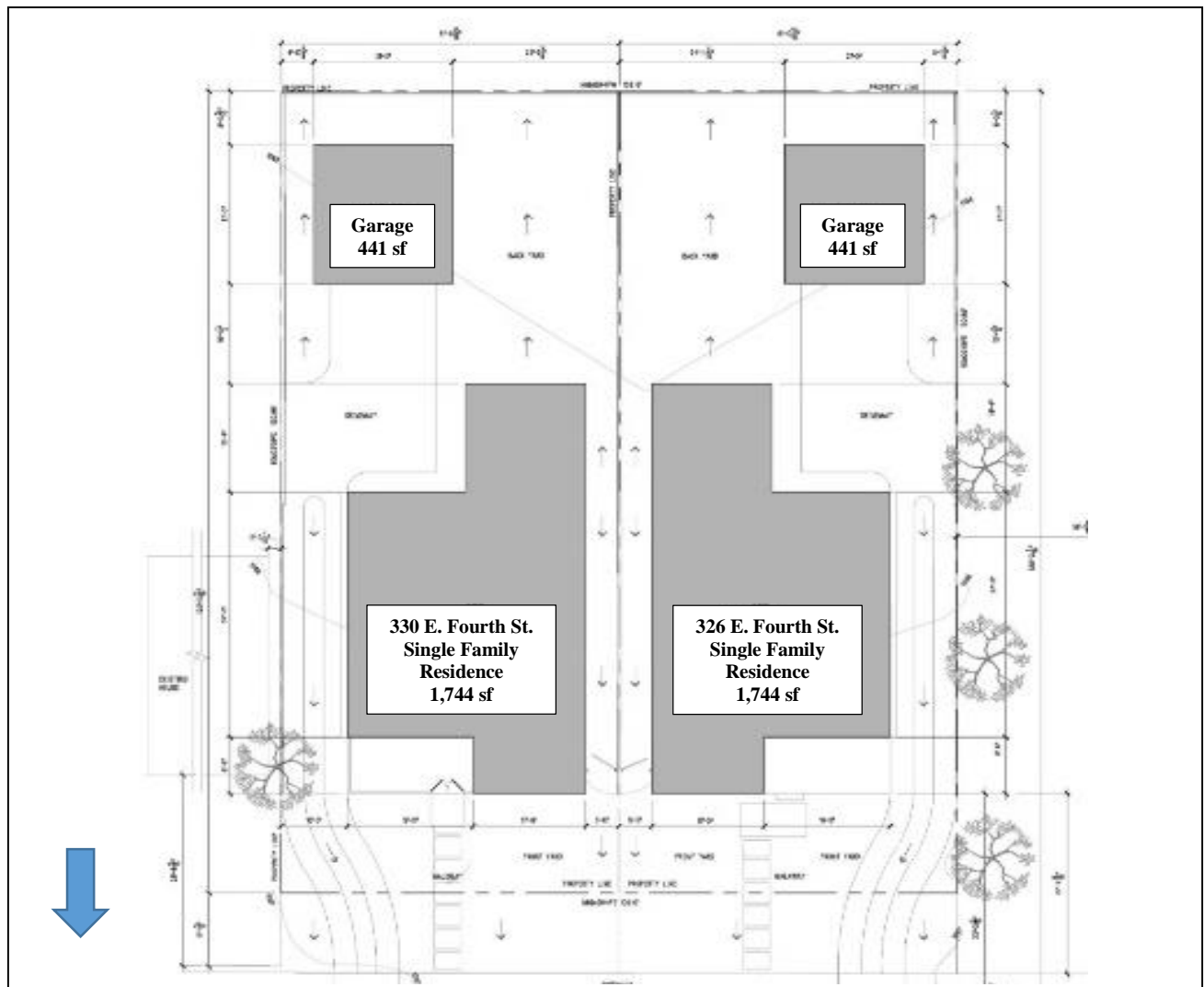


Figure 2: Site Plan

Architecture - The proposed architectural designs of the homes meet or exceed the Residential Design Guidelines, which encourages high quality architectural designs and the use of high quality materials. The homes have been designed to be compatible with the architectural style, features, and historic character of the district. Furthermore, the massing, scale and design of the new homes complement each other and the surrounding neighborhood.

- 326 East Fourth Street: The proposed single family home is in the French Eclectic style of architecture (*Figure 3: French Eclectic Elevation*). Traditional French Eclectic elements include a steeply pitched gable roof, stucco exterior, multi-paned windows and individual casement windows, or hung multi-paned windows. The home will feature a steeply pitched cross-gabled roof covered in composition shingles with exposed rafter tails. The front entry is highlighted by a secondary gable and an arched doorway. The home will feature several casement and hung windows.



Figure 3: French Eclectic Elevation

The detached garage will also feature a steeply pitched front-gabled roof (*Figure 4: French Eclectic Garage Elevation*), resulting in a building height of 19 feet, which exceeds the Development Code standard of 14 feet for detached buildings. However, the Development Code allows for exceptions to height limits for architectural elements with a Certificate of Appropriateness approval.



Figure 4: French Eclectic Garage Elevation

- 330 East Fourth Street: The proposed single family home is in the Mediterranean Revival style of architecture (*Figure 5: Mediterranean Revival Elevation*). Common features of this style include red barrel tile roofs, stucco walls, courtyards and casement or single-hung windows. The residence will feature a courtyard entry consisting of a low pony wall covered in smooth stucco to match the building, a decorative wrought iron gate entry and a decorative awning over the front door in a Mediterranean Revival style. Additional elements include a red s-shaped tile roof, smooth stucco siding, a triple pattern (casement-fixed-casement) window on the primary elevation and decorative iron grillwork and vents on the gable ends.



Figure 5: Mediterranean Revival Elevation

Landscaping – Front yard landscaping, including pathways, turf, shrubs and trees, with an automated drip irrigation system is proposed for both homes. The project will incorporate a unique landscape design for each lot that complements the corresponding architectural style. Each lot will feature a Hollywood style driveway with decorative pavers that leads from Fourth Street to the detached garages at the rear of the lots.

A 6-foot high decorative wooden fence will be constructed along all interior side and rear property lines, and connecting between dwellings with appropriate gates for rear yard access. The interior fences will begin 27 feet from the back of sidewalk. The Development Code requires a 6-foot high decorative masonry wall to be constructed along the perimeter of all new residential developments. A windshield survey of the surrounding neighborhood shows a variety of fencing materials present, including wood, block and chain-link. Through appropriate material and color selection, the construction of wooden fences in lieu of decorative masonry walls for this development will complement the historic neighborhood. A condition of approval has been added to ensure that all walls meet this requirement.

On March 10, 2016, the Historic Preservation Subcommittee (HPSC) reviewed the project and recommended approval to the Planning/Historic Preservation Commission with conditions as contained in Exhibit A of the Resolution.

FINDING OF FACT: The Planning Commission, serving as the Historic Preservation Commission, must consider and clearly establish certain findings of facts for all Certificate of Appropriateness applications. The new construction, in whole or in part:

- a. *Will not detrimentally change, destroy, or adversely affect any significant architectural feature of the resource.*

The site is currently vacant except for an irrigation system consisting of a small pump and six cast concrete standpipes. The irrigation system no longer retains sufficient integrity to convey significant association with the City's agricultural history or the Graber Olive House because the irrigation system has been largely dismantled and the orchard was removed in 2015. Therefore, the removal of the abandoned irrigation system to accommodate the project will not adversely affect any of the significant features of the Historic District.

- b. *Will not detrimentally change, destroy, or adversely affect the historic character or value of the resource.*

The proposed single family homes are setback no less than 27-feet from the sidewalk and align with adjacent buildings. The detached garages are placed at the rear of the lots and are accessed via a Hollywood style driveway which is consistent with the site design of adjacent lots. The single-story designs and site configurations are appropriate in scale and massing for the infill construction - the historic character of the Historic District will not be altered.

- c. *Will be compatible with the exterior character-defining features of the historic resource.*

Through appropriate landscaping, enhanced architectural elements in the Mediterranean Revival and French Eclectic architectural styles, and placement of the building and detached accessory structures on the sites, the proposed project will be compatible with the exterior features of the surrounding area.

- d. *Will not adversely affect or detract from the character of the historic district.*

Through appropriate landscaping, enhanced architectural elements in the Mediterranean Revival and French Eclectic architectural styles, and placement of the building and detached accessory structures on the sites, the proposed project will not detract from the character of the Historic District.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the components that make up The Ontario Plan (TOP), including: (1) Vision, (2) Governance, (3) Policy Plan (General Plan) and (4) City Council Priorities in the following ways:

[1] City Council Priorities

Primary Goal: Regain Local Control of Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] 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.

Distinctive Development

- Diverse and highly successful villages that benefit from preservation, enhancement and selective intensification (Original Model Colony)

[3] Governance

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

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.
 - LU1-6 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).

Housing Element – Neighborhoods & Housing

- Goal H1: Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.
 - H1-4 Historical Preservation. We support the preservation and enhancement of residential structures, properties, street designs, lot configurations, and other reminders of Ontario's past that are considered to be local historical or cultural resources.

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

Community Economics – Complete Community

- 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

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.
 - CD1-1 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.
 - 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.

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.
 - CD2-9 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.

ENVIRONMENTAL REVIEW: Staff independently reviewed, evaluated and exercised judgment over the project and the project's environmental impacts and determined that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15303 Class 3 New Construction or Conversion of Small Structures.

RESOLUTION NO. PC

A RESOLUTION OF THE ONTARIO HISTORIC PRESERVATION COMMISSION APPROVING FILE NO. PHP16-001, A CERTIFICATE OF APPROPRIATENESS TO CONSTRUCT TWO SINGLE FAMILY RESIDENCES ON 0.309 ACRES OF LAND WITHIN THE COLLEGE PARK HISTORIC DISTRICT, LOCATED AT 326 AND 330 EAST FOURTH STREET, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DUS/ACRE) ZONING DISTRICT. (APNS: 1048-063-05 AND 1048-063-06).

WHEREAS, Kirk and Elena Wallace, (“Applicant”) has filed an application for the approval of a Certificate of Appropriateness, File No. PHP16-001, as described in the title of this Resolution (hereinafter referred to as “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 Development and the Aesthetic, Cultural, Open Space and Recreational Resources Elements of the Policy Plan Component of the Ontario Plan sets forth Goals and Policies to conserve Ontario’s historic buildings and districts; and

WHEREAS, Section 4.02.050 (Historic Preservation - Certificates of Appropriateness and Demolition of Historic Resources) of the Ontario Development Code requires approval of a Certificate of Appropriateness for any infill development within a historic district to ensure compatibility in an effort to avoid adverse impacts to the historic district; and

WHEREAS, the College Park Historic District is worthy of preservation and the properties located at 326 and 330 East Fourth Street were designated by the City Council on July 18, 2000, as Contributors to the College Park Historic District; 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, 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, 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; and

WHEREAS, on March 10, 2016, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing on the Application and issued Decision No. HPSC16-005 recommending the Planning Commission approve the Application; and

WHEREAS, approval of the Project is contingent upon City Council approval of property dedication vacation; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Commission of the City of Ontario as follows:

SECTION 1. As the decision-making body for the Project, the Historic Preservation/ 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

a. The Project is categorically exempt from environmental review pursuant to Section 15303 (Class 3—New Construction or Conversion of Small Structures) of the CEQA Guidelines; and

b. The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

c. The determination of CEQA exemption reflects the independent judgment of the Historic Preservation Commission.

SECTION 2. 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 new construction, in whole or in part:

a. Will not detrimentally change, destroy or adversely affect any significant

architectural feature of the resource. The site is currently vacant except for an irrigation system consisting of a small pump and six cast concrete standpipes. The irrigation system no longer retains sufficient integrity to convey significant association with the City's agricultural history or the Graber Olive House because the irrigation system has been largely dismantled and the orchard was removed in 2015. Therefore, the removal of the abandoned irrigation system to accommodate the project will not adversely affect any of the significant features of the Historic District.; and

b. Will not detrimentally change, destroy or adversely affect the historic character or value of the resource. The proposed single family homes are setback no less than 27 feet from the sidewalk and align with adjacent buildings. The detached garages are placed at the rear of the lots and are accessed via a Hollywood style driveway which is consistent with the site design of adjacent lots. The single-story designs and site configurations are appropriate in scale and massing for the infill construction, therefore are not altering the historic character of the Historic District; and

c. Will be compatible with the exterior character-defining features of the historic resource. Through appropriate landscaping, enhanced architectural elements in the Mediterranean Revival and French Eclectic architectural styles, and placement of the building and detached accessory structures on the sites, the proposed project will be compatible with the exterior features of the surrounding area; and

d. Will not adversely affect or detract from the character of the historic district. Through appropriate landscaping, enhanced architectural elements in the Mediterranean Revival and French Eclectic architectural styles, and placement of the building and detached accessory structures on the sites, the proposed project not detract from the character of the Historic District.

SECTION 3. Based upon findings set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby APPROVES the Certificate of Appropriateness, subject to the conditions attached herein and incorporated by this reference (Exhibit A).

SECTION 4. 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 incorporate fully in the defense.

SECTION 5. The documents and materials that constitute the record of proceedings on which these findings have been raised are located at 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. 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 22nd day of March, 2016, 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:

Scott Murphy
Planning Director/Secretary of Historic
Preservation Commission

Historic Preservation Commission Resolution
File No. PHP16-001
March 22, 2016
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC**-** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 22, 2016 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

Exhibit A- Conditions of Approval

1. Time Limits.

1.1. The Certificate of Appropriateness shall become void twenty-four (24) months from the date of approval unless a building permit has been issued and work authorized by this approval has commenced prior to the expiration date and is diligently pursued to completion.

2. Site Plan.

2.1. Houses shall be setback no less than 27' from the sidewalk so as to be consistent with the contributing resources within the surrounding historic neighborhood. Setback is contingent on City Council approval of vacation of property dedication (File No. E201600132) running along the northern side of the properties (11'-1 $\frac{3}{8}$ " deep and 102'-1 $\frac{7}{8}$ " wide).

2.2. Water heaters shall be placed at one of the following locations:

2.2.1. At the rear of the residence or the rear of the detached garage within an enclosure that is designed to fully integrate with the architectural style. The enclosure shall be a cabinet covered in stucco and have a shed roof covered in roofing materials to match the residence; or

2.2.2. Within the main residence; or

2.2.3. Within the detached garage.

3. Landscaping.

3.1. The project shall incorporate a unique landscape design for each lot that complements the architectural style.

3.2. Each lot shall feature a 10' wide Hollywood driveway with decorative pavers that leads from Fourth Street to the detached garages at the rear of the lots.

3.3. Landscape and irrigation plans shall be submitted to the Building Department in conjunction with construction plans. These plans shall be approved by the Landscape Planning Division of the Planning Department prior to issuance of building permits.

4. Walls/Fences.

4.1. A 6-foot high decorative masonry block wall, with a decorative cap, or a 6-foot high wooden fence, shall be constructed at the following location(s):

4.1.1. Along all interior side and rear property lines, and connecting between dwellings with appropriate gates for rear yard access. Gates shall adequately screen mechanical equipment located within interior side yard setback. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

4.1.2. Interior fence will begin 27 feet from the back of sidewalk.

4.2. Interior fences shall have a logical end such as a connection to a gate or a decorative plaster.

5. Architectural Treatment.

5.1. The style of the garage doors shall be consistent with the architectural style of the buildings and may have decorative treatments such as decorative hardware and windows. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

5.2. Exterior light fixtures shall be period appropriate. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

5.3. Mediterranean Revival (330 East Fourth Street).

5.3.1. All materials, finishes, and colors of the Project shall be consistent with the Mediterranean Revival architectural style.

5.3.2. All roof slopes shall be low pitched (4-6:12). All roofing material shall be a red-clay tile barrel, tapered, or S-curve on garage and house. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

5.3.3. The residence and detached garage shall have little or no eaves.

5.3.4. The style (i.e. grid pattern, frame thickness, opening direction, etc.) and fenestration of the windows shall be consistent with the Mediterranean Revival architectural style. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

5.3.4.1. Windows shall be casement, fixed or hung (sliders are permitted on bathroom windows only) and shall be true divided light.

5.3.4.2. All windows shall have a 2" - 4" recessed opening.

5.3.4.3. Window and doors shall have a bull nose decorative surround treatment.

5.3.4.4. Windows shall have a minimum 3" wood sill.

- 5.3.4.5. Windows shall be made of wood, aluminum cladding, fiberglass or a dark colored vinyl (if available).
- 5.3.4.6. Front window shall be a triple pattern (casement-fixed-casement) in a palladium style.
- 5.3.5. All doors, and garage doors shall have a 6" recessed opening and shall be architecturally appropriate. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
- 5.3.6. Residence shall feature a courtyard entry consisting of a low pony wall (no more than 2' high from finished floor and 3.5' from finished grade) covered in smooth stucco to match the building, a decorative wrought iron gate entry and a decorative awning in a Mediterranean Revival style over the main entrance.
- 5.3.7. Entry door shall have six to eight evenly spaced panels or be a board and batten wood door with appropriate hardware. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
- 5.3.8. Decorative detail including iron grillwork, decorative vents, or tile shall be added to the gable ends of the main residences and detached garages.
- 5.3.9. All of the exterior siding on the buildings shall have a smooth stucco finish.
- 5.3.10. Detached garage building height shall not exceed 14 feet.
- 5.4. French Eclectic (326 East Fourth Street).
 - 5.4.1. All materials, finishes, and colors of the Project shall be consistent with the French Eclectic architectural style.
 - 5.4.2. All roof slopes shall be high pitched (10-12:12). All roofing material shall be an architectural and dimensional 30 year composition shingle with a shadow effect. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
 - 5.4.3. Fascia on gable ends shall be 6"-12".
 - 5.4.4. The residence and detached garage shall have large overhanging eaves (12"-18") with exposed rafters.
 - 5.4.5. The style (i.e. grid pattern, frame thickness, opening direction, etc.) and fenestration of the windows shall be consistent with the French Eclectic architectural style. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.

- 5.4.5.1. Windows shall be casement or hung (sliders are permitted on bathroom windows only) and shall be true divided light.
 - 5.4.5.2. All windows shall have a 2" - 4" recessed opening.
 - 5.4.5.3. Windows and doors may have a decorative surround treatment such as shutters and trim. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
 - 5.4.5.4. Windows shall have a minimum of 3" wood sill.
 - 5.4.5.5. Windows frames and treatment shall be made of wood, aluminum cladding, fiberglass, or a white colored vinyl.
 - 5.4.6. All doors, and garage doors shall have a 6" recessed opening and shall be architecturally appropriate. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
 - 5.4.7. Entry door shall be a two panel arched top door with appropriate hardware. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
 - 5.4.8. On gable ends of the main residence and detached garage, all vents shall be arched and decorative. Submit a cut sheet to Planning for review and approval prior to issuance of building permit.
 - 5.4.9. All of the exterior siding on the buildings shall have a sand stucco finish.
 - 5.4.10. Detached garage building height shall not exceed 19 feet.
- 6. The applicant shall obtain a building permit prior to any demolition or construction.
 - 7. Any deviation from the approved plans shall require approval of the Planning Department and, if necessary, the Historic Preservation Commission.
 - 8. Conditions of Approval shall be reproduced onto the plans submitted for permits.
 - 9. Prior to Occupancy the Planning Department shall inspect the premises to ensure the Conditions of Approval have been met and that the project has been constructed per the approved plans.

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: March 22, 2016

FILE NO.: PADV16-001

SUBJECT: 2016 "Model Colony" Awards

LOCATION: Citywide

APPLICANT: City Initiated

PROPERTY OWNER: N/A

RECOMMENDATION:

That the Planning/Historic Preservation Commission approve the nominations for the 2016 "Model Colony" Awards.


BACKGROUND:

In 2000, the City Council adopted the Model Colony Awards to recognize outstanding efforts to restore, rehabilitate, and preserve Ontario's historic places. This is the sixteenth consecutive year that the City has conducted the awards program. The award categories include: Restoration, Rehabilitation, John S. Armstrong Landscape, Founder's Heritage Award, George Chaffey Memorial, and Merit. Past Model Colony Award recipients included Ontario's schools, churches, single-family residences, historic multi-family properties, and joint public/private preservation projects.

There are 4 property nominations this year which include 4 historic single family residences. The nominees represent excellence in preservation of the community's historic resources. The 2016 Model Colony Awards will be presented to award recipients by the City Council during a special ceremony and reception on May 3, 2016.

2016 AWARD NOMINEES:

For their outstanding efforts in the field of historic preservation, the candidates are:

Case Planner:	Elly Antuna, Assistant Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		HPSC:	03/10/2016		Recommend
Submittal Date:	N/A	PC / HPC:	03/22/2016		Final
Hearing Deadline:	N/A	CC:	05/03/2016		Presentation

Restoration Award for: 748 East Holt Boulevard

Award Recipients: Matthew Taylor

After several years of neglect and disrepair, this one and one-half story historic home recently entered into receivership. This Victorian bungalow is estimated to have been built in 1920 and is one of the few remaining Victorian era homes located on Holt Boulevard. The restoration project included extensive interior and exterior improvements that accentuate the original architectural details. The entrance of the property was previously concealed behind overgrown landscaping which was removed to reveal a small front patio and double



hung windows on the north side of the property. Prior to the restoration, there were 3 doorway openings within the recessed porch area. Two doorways were removed and filled in with new horizontal wood siding for a seamless match. All necessary repairs were made to exterior wood siding, window and door trim. The original windows were completely stripped and sanded, painted and reglazed. An illegal addition at the rear of the residence was removed. A Sherwin-Williams historic 3-color palette was chosen that highlights the homes character-defining features, such as the fish-scale tiles on the gable end and the numerous wood framed double hung windows.

The interior of the home was entirely updated with new flooring, baseboards, fixtures and period-appropriate doors. The kitchen and bathrooms were completely rehabilitated from ceiling to floor with new cabinets, countertops and fixtures. The electrical service was rewired and new plumbing was installed. A new HVAC and central heating system, new water heater and new waste water utility line were installed. The front yard was completely landscaped with a young pepper tree, shrubs, turf, and new white picket fencing. In the rear yard, trash, debris, and unstable structures were removed, leaving behind a heritage oak tree. This restoration project transformed what was once an overlooked historic home into one of the City's finest Victorian bungalow homes.

Restoration Award for:

564 West D Street

Award Recipient:

Lorenzo Medina

This two-story residence is estimated to have been constructed in 1912. The American Foursquare style, with Victorian influences, embodies classic features of the style including a square shaped floor plan, moderate pitch hipped roof, large overhanging boxed eaves accentuated with decorative brackets, a gable end with an Oriental flared roof line, horizontal wood siding, wood framed double hung windows, two wood framed screened-in balconies (north and south elevations), a full-width stone porch on the primary facade, and a wood framed entry door with sidelights. The narrow driveway is paved with concrete and leads to the rear of the half acre property.



Prior to the current ownership, the property had undergone extensive, non-permitted construction including the enclosure of the front and rear patios, extensive interior alterations, and the addition of a laundry area and bathroom off the back porch. The front yard landscaping was also overgrown and in need of attention. The restoration project included legalization of all the unpermitted construction and installation of a new exterior foundation for the front porch and living room.

During the restoration, the current property owner made a significant effort to preserve many of the building's original features, including the fish-scale siding and wood vent on the gable end, the original stone porch and numerous doors and windows throughout the residence. The front porch restoration proved to be a project all on its own. The porch visibly sagged at the support columns and was in need of reinforcement. The stone porch was taken apart, reinforced, and the original stones that had been painted over were stripped of paint and re-laid one by one. The exterior of the building was painted in a complimentary color scheme. All window trim and frames were repaired and repainted. The interior was painted and upgraded with new kitchen and bathroom cabinets, counter tops and fixtures, new carpet and flooring, as well as new lighting fixtures. Unique interior features, including pocket doors and built-in cabinets, were repaired and received new period-appropriate hardware as needed. The front yard also received an update with new landscaping and fencing.

John S. Armstrong Landscape Award for: 1458 North Euclid Avenue

Award Recipient: Steven and Sylvia Romero

This one-story Spanish Colonial Revival Bungalow style single-family home was built in 1937 (est.) for Dr. Ben Henke. Spanish Colonial features on the home include a low pitched red tile roof, exposed rafter tails, multi-paned metal framed windows, stucco siding and an ornate wood front entry door. Other character-defining features include a small roof overhang, recessed windows, and a small courtyard style porch at the rear of the residence.



The Romero family purchased the Dr. Ben Henke House in August 2014 because of their desire to own a historic home on Euclid Avenue. They first began their work on the rear yard, removing large areas of pavement and planting turf, white rose bushes, rosemary and citrus trees. In mid-2015, they began developing a plan for the front yard landscaping, drawing inspiration from other historic homes and movies. Over the past 9 months their vision became a reality.

The front yard landscaping features 2 focal points. The first point of interest is the front walkway that features broken pavers with grass growing in between the joints. The walkway is lined with Mexican heather flowers and leads to a small brick patio and an ornate wood front entry door. The second point of interest is a planter area on the northwest corner of the lot. The planter area features salvias, succulents, aloes, purple fountain grass, bougainvillea and a tiered terracotta pots fountain. The unique landscaping complements the Spanish Colonial Revival architectural style and is a great example of using drought tolerant landscaping effectively.

Award of Merit for:

575 West Armsley Square

Award Recipient:

William and Genevieve McGurty

This single-story mid-century California Ranch adobe home was built in 1964 for William H. McGurty and his wife, Genevieve. Mr. McGurty contracted the renowned Escondido-based Weir Brothers to aid in the design and construction of the home. The Weir Brothers custom adobe homes became



iconic because of their unique style of blending ancient building techniques and mid-century Ranch style elements including: circular walls, heavy reclaimed timbers, and terrazzo materials. Mr. McGurty and Jack Weir were naval fighter pilots together during World War II, which eventually led to their collaboration on this mid-century adobe home.

The single family residence features a low-pitched tile roof with exposed rafter tails, hand laid adobe brick walls, deeply recessed steel windows with sills, and a brick walkway that leads to an ornate wooden front door flanked by sidelights. Additional character-defining features include a curved patio wall and a curved bay window on the primary façade, a signature detail of Weir Brothers homes. The front yard is landscaped with palms, cactus, succulents, and turf and is accented with decomposed granite.

The interior of the home features unique details handpicked by Mrs. McGurty, who had an appreciation for Mexican architecture. Distinctive interior features include terrazzo floors, exposed adobe brick walls, exposed beams, niches and built-ins throughout and iron light fixtures. Due to a shortage of lumber after World War II, and through their Navy connections, the Weir Brothers acquired lumber salvaged from an airplane hangar in San Diego for the impressive exposed beams visible throughout the home.

The rear of the property features a detached two-car garage with an attached workspace, and was also constructed with hand laid adobe bricks. The backyard includes a large covered patio and a mature olive tree. The olive tree was planted by the family a few years after the home was built and has been carefully pruned and cared for, resulting in a large, mature and healthy tree that creates the feeling of an outdoor room. The combination of the covered patio, mature olive tree and adobe brick pillar fencing surrounding the backyard is reminiscent of the Spanish missions.

For over 50 years the original property owners have diligently preserved this property for future generations to appreciate. This adobe home is one of Ontario's finest examples of mid-century adobe construction. All of the homes original interior and exterior features remain intact, including flooring, windows, cabinets and fixtures. The only feature that is

not original to the home is the current tile roofing, the original cement Mexican tile has been replaced with an appropriate red tile. Through their outstanding stewardship, the property owners have designed, built and preserved a true gem.

COMPLIANCE WITH THE ONTARIO PLAN:

The Model Colony Awards Program is consistent with the principles, goals and policies contained in the following components of The Ontario Plan (TOP), including: (1) Vision, (2) Governance, and (3) Policy Plan (General Plan):

[1] City Council Priorities

Primary Goal: Regain Local Control of the Ontario International Airport

Supporting Goals:

- Invest in the Growth and Evolution of the City's Economy
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

[2] Vision

Distinctive Development

- Development Quality: A community that is so well maintained and litter-free that its properties uniformly convey a sense of prosperity that is readily apparent and a symbol of community pride.

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.

[3] Governance

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

- G1-1 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.

[4] Policy Plan (General Plan)

Community Design – 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
 - CD1-3: Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

Community Design – Historic Preservation

- Goal CD4: Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.
 - 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.
 - CD4-7: Public Outreach. We provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario and the Robert E. Ellingwood Model Colony History Room.

Community Design – 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.
 - CD5-4: Neighborhood Involvement. We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, Planning Director *SM*

DATE: March 22, 2016

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF FEBRUARY 2016

Attached, you will find the Planning Department Monthly Activity Report for the month of February 2016. 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 at www.ci.ontario.ca.us/index.cfm/22418.

Monthly Activity Report—New Applications

Month of: February 2016

PALU16-001:

Submitted by City of Ontario

General Plan Amendments for multiple parcels. There was a comprehensive General Plan update completed in 2010, upon further analysis, the proposed amendments are needed to create cohesive land use patterns.

PCUP16-002:

Submitted by Bhatia J & J, Inc.

Modification of a previously approved Conditional Use Permit (File No. PCUP14-001), to establish beer, wine and distilled spirits sales (Type 21 - Off-Sale General - ABC License) in conjunction with an existing convenience store (Mobil Mart) and fueling station (Mobil) on approximately 1.3 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, at 670 North Archibald Avenue, within the CC (Community Commercial) zoning district (APN: 0210-191-24).

PCUP16-003:

Submitted by Khosrow Yousefi

A Conditional Use Permit to establish an Auto Auction (including 880 square feet of office and 576 square feet of indoor storage) on approximately 0.86 acres of land located at 1304 South Mildred Avenue, within the IG (General Industrial) zoning district (APN: 0113-351-10).

PCUP16-004:

A Conditional Use Permit to establish a 5,820-square foot banquet facility, with live entertainment, dancing, and alcohol beverage sales for consumption on the premises, including beer, wine and distilled spirits (Type 48 - On Sale General-Public Premises - ABC license), located at 231 North Euclid Avenue (APN: 1048-565-05).

PCUP16-005:

Submitted by Ms Yue Trust

A Conditional Use Permit to establish fabricated metal product manufacturing within a 27,000 SF industrial building, on 1.96 acres of vacant land, generally located at the southeast corner of State Street and Palmetto Avenue, within the IL (Industrial Light) zoning district (APN: 1011-161-01). Related File: PDEV16-006.

PCUP16-006:

Submitted by Alrahman, LLC

A conditional Use Permit to establish alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC license), in conjunction with a 6,650-square foot gas station and convenience market, generally located at the northwest corner of Milliken Avenue and Riverside Drive, within the Commercial land use district of the Tuscana Village Specific Plan. Related File: PDEV16-007.

Monthly Activity Report—New Applications

Month of: February 2016

PDCA16-001:

Submitted by City of Ontario

An Ordinance establishing Title 5, Chapter 22 (Property Appearance - Nuisance), of the Ontario Municipal Code, which will reestablish the conditions under which the maintenance of a property may be determined to be a nuisance, and procedures to abide in abating such nuisance.

PDCA16-002:

Submitted by City of Ontario

A Development Code Amendment is proposing various modifications and clarifications to the following provisions of the Ontario Development Code: [1] revise Section 3.02.030 (Amortization and Abatement of Nonconforming Signs), deleting “billboard signs” from the nonconforming sign amortization list (Table 3.02-1: Amortization Period of Certain Classifications of Nonconforming Signs); [2] revise Division 5.02 (General Land Use Provisions) and Division 5.03 (Standards for certain Land Uses, Activities, and Facilities), deleting all references to the CCC zoning district, which was previously combined with the CCS zoning district; [3] revise Section 5.03.025 (Alcoholic Beverage Sales) to clarify that the Public Convenience or Necessity determination criteria (Paragraph F.3) only applies to off-premise Alcoholic Beverage Control licenses; [4] revise Section 5.03.395 (Temporary and Interim Land Uses, Buildings, and Structures) to clarify that a temporary outdoor sales event may 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 event; [5] revise Section 6.01.015 (Commercial Zoning Districts), deleting all references to the CCC zoning district, which was previously combined with the CCS zoning district; [6] revise Section 6.01.035 (Overlay Zoning Districts) to clarify that within the ICC Overlay District (Paragraph B.5), building alteration or expansion is only allowed in conjunction with an existing, legally established, commercial land use; [7] revise Section 8.01.020 (Sign Standards) to combine various Political Sign provisions into a single Subsection (8.01.020.K), and include provisions clarifying the purpose and intent of the Political Sign standards; and [8] revise Table 8.01-1 (Sign Regulation Matrix) to clarify timeframes for the issuance of temporary promotional and special event signs and banners.

PDEV16-004:

Submitted by Lahlouh Family Limited Partnership

A Development Plan to construct a 61,560-square foot industrial building on approximately 3.3 acres of land generally located at the northwest corner of Francis Street and Business Parkway, within the Business Park land use district of the California Commerce Center South Specific Plan (APN: 0211-262-07).

PDEV16-005:

Submitted by 607 West LP

A Development Plan to construct a 13-unit multiple-family apartment complex on a 0.54-acre parcel of land, located at 607 West D Street, within the HDR 45 (High Density Residential – 25.1 to 45.0 DU/Acre) zoning district (APN 1028-581-07).

Monthly Activity Report—New Applications

Month of: February 2016

PDEV16-006: **Submitted by Mywi Fabricators, Inc.**

A Development Plan to construct a 27,000-square foot industrial building, on 1.96 acres of land generally located at the southeast corner of State Street and Palmetto Avenue, within the IL (Industrial Light) zoning district (APN: 1011-161-01). Related File: PCUP16-005.

PDEV16-007: **Submitted by Alarahman, LLC**

A Development Plan to construct a 30,225-square foot retail center, and a 6,650-square foot fueling station and convenience store, on approximately 8.1 acres of land generally located at the northwest corner of Riverside Drive and Milliken Avenue, within the Commercial land use district of the Tuscana Village Specific Plan (APN: portion of 1083-361-01).

PMTT16-005: **Submitted by Alrahman, LLC**

A Parcel Map to subdivide approximately 8.1 acres of land into 10 lots, to facilitate the development of a retail center and fueling station with convenience store, , generally located at the northwest of Riverside Drive and Milliken Avenue, within the Commercial land use district of the Tuscana Village Specific Plan. Related File: PDEV16-007.

PSGN16-021: **Submitted by Richard Smith**

A Sign Plan to reface an existing monument sign located at 13568 South Milliken Avenue.

PSGN16-022: **Submitted by PS Services, Inc.**

A Sign Plan to install a wall sign (45 SF) for DAL TILE, located at 3625 East Jurupa Street.

PSGN16-023: **Submitted by Don't Know**

A Sign Plan to reface two monument signs (17 square feet, each) for MOBIL, located at 2315 South Euclid Avenue.

PSGN16-024: **Submitted by Dennis Godlewski**

A Sign Plan for a temporary banner for Sit-and-Sleep, located at 990 North Ontario Mills Drive. Banners are to be changed out at four different dates: 2/11-2/21/2016, 5/23-6/5/2016, 6/27-7/11/2016, and 12/5-12/12/2016.

PSGN16-025: **Submitted by AKC Services, Inc.**

A Sign Plan to reface an existing monument sign and 4 directional signs, located at 1460 South Hofer Ranch Road.

PSGN16-026: **Submitted by Taylor Conterio**

A Sign Plan to replace two wall signs and one drive thru sign, and relocate menu boards, for Starbucks, located at 4880 East Motor Lane.

Monthly Activity Report—New Applications

Month of: February 2016

PSGN16-027:

Submitted by Williams Sign Co.

A Sign Plan to install wall signs for T-Mobile (consists of 24-inch channel letters by 12 feet long, and 18-inch channel letters by 9-feet long), located at 1337 North Mountain Avenue.

PSGN16-028:

A Sign Plan to install a monument sign and a mix of 9 wall and directional signs, for Audio Ontario, located at 2272 East Inland Empire Boulevard.

PSGN16-029:

Submitted by Michoacana

A Sign Plan to install a wall sign for LA MICHOCANA PREMIUM (approximately 55 square feet), located at 1327 East Fourth Street.

PTUP16-004:

Submitted by Iglesias De Dios de la Profecia

A Temporary Use Permit for a retail sales event (church flower sale) in conjunction with Iglesias De Dios de la Profecia, located at 1130 South Campus Avenue. To be held: 02/08 through 02/14/2016.

PTUP16-005:

Submitted by Candyland Amusements

A Temporary Use Permit for a carnival (Candyland Amusements), located at 1848 South Euclid Avenue. To be held: 3/10 through 3/13/2016 (set-up 3/7 through 7/9/2016).

PTUP16-006:

Submitted by Grocery Outlet

A Temporary Use Permit for a grand opening in conjunction with Grocery Outlet, located at 2275 South Euclid Avenue.

PTUP16-007:

Submitted by RM El Torito LLC

A Temporary Use Permit for a charitable fund raising event (14th Annual St. Patrick's Day Tip the Firefighter) sponsored by Ontario Firefighters Local 1430 (to benefit Megan's Wing), located at 3680 East Inland Empire Boulevard. To be held: 3/17/2016.

PTUP16-008:

Submitted by Run for the Wall

A Temporary Use Permit for a charitable fund raising event (28th Annual Veterans Motorcycle Ride -- Run for the Wall), leaving Ontario for Washington DC, located at 2000 East Convention Center Way (Lot "D"). Approximately 1,000 riders anticipated.

PTUP16-009:

Submitted by Alternative Retail, Inc.

A Temporary Use Permit for a retail sales event in conjunction with an industrial warehouse located at 5200 E. Shea Center Drive. To be held: 2/25 through 2/28/2016.

Monthly Activity Report—New Applications

Month of: February 2016

PTUP16-010:

Submitted by Ontario Reign

A Temporary Use Permit for a charitable fund raising event (Ontario Reign 5K Run), located at Citizens Business Bank Arena, 4000 Ontario Center Parkway. To be held 3/19/2016.

PVER16-005:

Submitted by Maria de la Paz Sanchez

Zoning Verification for 1437 South Euclid Avenue (APN: 1050-081-03).

PVER16-006:

Submitted by Christian Gastelum

Zoning Verification for 118 West H Street (APN: 1048-262-19).

City of Ontario Planning Department
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Month of: February 2016

DEVELOPMENT ADVISORY BOARD

February 1, 2016

Meeting Cancelled

ZONING ADMINISTRATOR

February 1, 2016

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP15-018: A Conditional Use Permit request to establish an alcohol beverage sales (Type 41 On-Sale Beer and Wine) ABC license, in conjunction with a 2,210-SF restaurant located at 4261 East Inland Empire Boulevard, Suite B, within the Garden Commercial land use district of the Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1—Existing Facilities) of the CEQA Guidelines. 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 ONT Airport Land Use Compatibility Plan (APN: 0210-501-27); **submitted by Mediterranean Cuisine Operating Company, LLC.**

Action: Continued indefinitely at the request of the Applicant

CITY COUNCIL

February 2, 2016

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NOS. PGPA15-002 AND PZC15-003: A request to: [1] Change the General Plan land use designation from Business Park to Industrial (Exhibit LU-01) and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes (File No. PGPA15-002) and [2] Rezone from IL (Light Industrial) with Emergency Shelter Overlay to IG (General Industrial) with Emergency Shelter Overlay (File No. PZC15-003) on sixteen properties generally located 260 to 625 feet north of Mission Boulevard between Benson and Magnolia Avenues in order to make the zoning consistent with The Ontario Plan land use designations of the properties. Staff is recommending the adoption of an Addendum to an Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010 in conjunction with File No. PGPA06-001. 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 ONT Airport Land Use Compatibility Plan (APNs: 1011-211-07, 1011-211-10, 1011-211-12 thru 21, 1011-221-01 thru 03, and 1011-221-20); **City Initiated.** On December 22, 2015, the Planning Commission voted unanimously (5 - 0) to recommend approval of this item.

Actions: [1] Approved File No. PGPA15-002 (General Plan Amendment); and [2] introduced and waived further reading of an ordinance approving File No. PZC15-003 (Zone Change)

City of Ontario Planning Department
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Month of: February 2016

DEVELOPMENT ADVISORY BOARD

February 17, 2016

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS.: PDEV15-018 & PCUP15-011:

A Development Plan by Verizon Wireless to construct a 54-foot tall stealth wireless telecommunication facility and a Conditional Use Permit to operate the wireless facility within 500-feet of residential zone property, located within an existing 2.68 acres site at 602 North Virginia Avenue, within the MDR-18 (Medium Density Residential—11.1 to 18.0 DU/Acres) zoning district. Staff has determined that 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 State CEQA Guidelines. 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 ONT Airport Land Use Compatibility Plan (APN: 1048-451-51); **submitted by Verizon Wireless.** Planning Commission action is required.

Actions: Recommended the Planning Commission: [1] approve File No. PDEV15-018 (Development Plan), subject to conditions; and [2] approve File No. PCUP15-011 (Conditional Use Permit), subject to conditions

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV15-025:

A Development Plan (File No. PDEV15-025) to construct a 147,452 square foot industrial building on a 51.05 acre site, located at 5171 East Francis Street, within the (IH) Heavy Industrial zone. Pursuant to the California Environmental Quality Act, staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. 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 ONT Airport Land Use Compatibility Plan (APNs: 238-132-24); **submitted by Schwarz Partners.**

Action: Approved, subject to conditions

ENVIRONMENTAL ASSESSMENT AND AN AMENDMENT TO THE RICH HAVEN SPECIFIC PLAN FILE NO. PSPA16-001:

An Amendment to the Rich Haven Specific Plan that includes affecting property generally located south of Riverside Drive and the Southern California Edison substation, west of Hamner Avenue, north and south sides of Edison Avenue and east of Haven Avenue, to include: [1] reconfiguration of the boundaries and circulation layout for the existing Planning Areas 1 through 21B; [2] change the existing Specific Plan Land Use Plan designation for 27 acres of land (Planning Areas 8 and 13) from Middle School and Low Density Residential (0 - 6 DU/Acres) to Public Park; 77.6 acres of land (Planning Areas 9 through 12) from Low Density Residential (0 to 6 DU/Acres) to Low-Medium Density Residential (6 to 12 DU/Acres); 36.1 acres of land (Planning Area 14) from Low Density Residential (0 - 6 DU/Acres) to Medium Density Residential (12 - 18 DU/Acres); and 78.5 acres of land (Planning Areas 15 through 19) from Low-Medium Density Residential (6 - 12 DU/Acres) and Medium Density Residential (12 - 18 DU/Acres) to Mixed-Use, consistent with The Ontario Plan (TOP) Policy Plan (General Plan) Land Use Plan; [3] increase the

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of: February 2016

number of residential units from 4,256 to 4,866; [4] increase the maximum square feet for commercial/office development from 889,200 SF to 1,039,200 SF; [5] incorporate a minimum square foot requirement for commercial/office development within Planning Areas 20, 21A and 21B; and [6] revise and update housing product types, development standards, design guidelines, exhibits and language to reflect the proposed changes and TOP Policy Plan consistency. An Addendum to the Rich Haven Specific Plan Environmental Impact Report (SCH# 2006051081) has been prepared for this project pursuant to the requirements of California Environmental Quality Act and the Guidelines established thereunder. 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 ONT Airport Land Use Compatibility Plan (APNs: 0218-161-01, 04, 05, 09, 10, 11, 13 & 14; and 0218-211-01, 02, 05, 08, 12, 15, 17, 21, 23, 24, 25 & 27); **submitted by GDCI-RCCD ZLP, Richland Communities and Brookfield Residential.** Planning Commission action is required.

Action: Recommended Planning Commission approval, subject to conditions

ZONING ADMINISTRATOR

February 17, 2016

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT FOR FILE NO. PCUP15-027: A Conditional Use Permit request to establish an approximate 5,100 square-foot bar/nightclub and live entertainment for Mix Champagne Bar Lounge, on approximately 3.44 acres of land, located at 4481 Ontario Mills Parkway, within the Commercial/Office land use district of the California Commerce Center North (The Mills) Specific Plan. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Section 15301 (Existing Facilities). 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 ONT Airport Land Use Compatibility Plan (APNs: 0238-014-10); **submitted by: Mix Champagne Bar Lounge.**

Action: Denied (Decision Date: 3/7/2016)

CITY COUNCIL

February 16, 2016

ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC15-003: A Zone Change from IL (Light Industrial), with Emergency Shelter Overlay, to IG (General Industrial), with Emergency Shelter Overlay, on 16 properties generally located 260 to 625 feet north of Mission Boulevard, between Benson and Magnolia Avenues, in order to make the zoning designation consistent with The Ontario Plan Policy Plan land use designations of the properties. An Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), adopted by City Council on January 27, 2010, was previously prepared in conjunction with File No. PGPA06-001. The proposed project is located

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of: February 2016

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 ONT Airport Land Use Compatibility Plan (APNs: 1011-211-07, 1011-211-10, 1011-211-12 thru 21, 1011-221-01 thru 03, and 1011-221-20); **City Initiated**. On December 22, 2015, the Planning Commission voted unanimously (5 - 0) to recommend approval of this item. On February 2, 2016, the City Council voted unanimously (5 - 0) to introduce and waive further reading of this item.

Action: Approved and waived further reading

PLANNING COMMISSION

February 23, 2016

ENVIRONMENTAL ASSESSMENT AND AN AMENDMENT TO THE RICH HAVEN SPECIFIC PLAN FILE

NO. PSPA16-001: An Amendment to the Rich Haven Specific Plan that includes affecting property generally located south of Riverside Drive and the Southern California Edison substation, west of Hamner Avenue, north and south sides of Edison Avenue and east of Haven Avenue, to include: [1] reconfiguration of the boundaries and circulation layout for the existing Planning Areas 1 through 21B; [2] change the existing Specific Plan Land Use Plan designation for 27 acres of land (Planning Areas 8 and 13) from Middle School and Low Density Residential (0 - 6 DU/Acres) to Public Park; 77.6 acres of land (Planning Areas 9 through 12) from Low Density Residential (0 to 6 DU/Acres) to Low-Medium Density Residential (6 to 12 DU/Acres); 36.1 acres of land (Planning Area 14) from Low Density Residential (0 - 6 DU/Acres) to Medium Density Residential (12 - 18 DU/Acres); and 78.5 acres of land (Planning Areas 15 through 19) from Low-Medium Density Residential (6 - 12 DU/Acres) and Medium Density Residential (12 - 18 DU/Acres) to Mixed-Use, consistent with The Ontario Plan (TOP) Policy Plan (General Plan) Land Use Plan; [3] increase the number of residential units from 4,256 to 4,866; [4] increase the maximum square feet for commercial/office development from 889,200 SF to 1,039,200 SF; [5] incorporate a minimum square foot requirement for commercial/office development within Planning Areas 20, 21A and 21B; and [6] revise and update housing product types, development standards, design guidelines, exhibits and language to reflect the proposed changes and TOP Policy Plan consistency. An Addendum to the Rich Haven Specific Plan Environmental Impact Report (SCH# 2006051081) has been prepared for this project pursuant to the requirements of California Environmental Quality Act and the Guidelines established thereunder. 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 ONT Airport Land Use Compatibility Plan (APNs: 0218-161-01, 04, 05, 09, 10, 11, 13 & 14; and 0218-211-01, 02, 05, 08, 12, 15, 17, 21, 23, 24, 25 & 27); **submitted by GDCI-RCCD 2LP, Richland Communities and Brookfield Residential**. City Council action is required.

Action: Recommended City Council approval.