

ORDINANCE NO. 3269

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD21-002, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT AND PERFORMANCE STANDARDS AND DESIGN GUIDELINES FOR 0.48-ACRES OF LAND LOCATED AT 413 WEST EMPORIA STREET WITHIN THE LUA-2N (ARTS DISTRICT- NORTH) OF THE MU-1 (DOWNTOWN MIXED USE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—
APN: 1049-059-03.

WHEREAS, JWDS-MS Architects ("Applicant") has filed an Application for the approval of a Planned Unit Development ("PUD"), File No. PUD21-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.48 acres of land located at 413 West Emporia Avenue within the LUA-2N (Arts District- North) of the MU-1 (Downtown Mixed Use) zoning district, and is presently vacant and unimproved; and

WHEREAS, surrounding the project site are characterized by a mixture of single-family and multiple-family residential, light industrial, and commercial to the east, west, and north and are located within the LUA-2N (Arts District- North) of the MU-1 (Downtown Mixed Use) zoning district; and the Southern Pacific Railroad Corridor is located to the south of the project site; and

WHEREAS, Omnitrans Route 61, also identified as the future West Valley Connector Bus Rapid Transit (BRT), has existing eastbound bus stops on West Holt Boulevard near South Vine Avenue and South Palm Avenue, and a westbound bus stop on West Holt Boulevard near South Vine Avenue which is less than one quarter of a mile from the project site; and

WHEREAS, the MU-1 (Downtown Mixed Use) zoning district allows for joint work live quarters. Consistent with the MU-1 zoning district and TOP Downtown District Place Type, the proposed Emporia Work Live Lofts Planned Unit Development (PUD) allows for 9 work/live units with the ground floor dedicated to a commercial work studio and the upper 2 floors are for living. Additionally, the PUD requires the operator to reside within the unit and limits the residential occupancy to 4 residents; and

WHEREAS, the PUD requires a minimum of 1 resident parking space per bedroom and 1 visitor/employee parking space per 1000 square feet of gross floor area to be provided off street; and

WHEREAS, the PUD requires the work/live units to be occupied by artists, artisans, professionals, and similarly situated individuals subject to Chapter 5, Zoning and Land Use of the Development Code and shall require a Conditional Use Permit (CUP) pursuant to Section 4.02.025 (Conditional Use Permits) to operate; and

WHEREAS, the PUD includes architectural design guidelines, specific to the downtown location and mixed-use building type, and establishes the following design principles:

(a) Create an architectural character that reflects the various styles within the historic downtown by using similar proportions, building details and building material;

(b) Create compatibility between the mixed-use architecture and the residential architecture within the downtown area; the introduction of unifying elements such as similar materials and colors should be considered; however, "sameness" is discouraged;

(c) Use materials that exhibit permanence and quality, and that unify a building's appearance on all sides; materials and colors should accentuate the architectural details of the building and promote visual harmony. Brick, tile, pre-cast architectural concrete, stone veneers, and stucco are preferred;

(d) Employ simple massing with wall openings that create shadow line and provide visual relief;

(e) Provide highly visible public entrances, preferably oriented to streets and outdoor spaces; shop entrances may be clearly expressed with recesses, overhangs, special materials and/or detailing;

(f) Storefronts shall incorporate high quality building materials. A durable base material (18 inches high min.) such as brick, tile, exterior cement plaster, or pre-cast architectural concrete shall be used. Storefront glazing and exterior plaster should not terminate at the ground plane;

(g) Storefront glazing shall be clear glass to permit clear views into the interior space. The amount of such glass shall provide a balance between high visibility into the store interior and architectural character/quality;

(h) Entrance doors shall be of a traditional style and transparent as possible; however, an all glass door is prohibited; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA"); and

WHEREAS, the Project is exempt from CEQA pursuant to a categorical exemption (listed in CEQA Guidelines Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

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

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

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

WHEREAS, on December 18, 2023, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Resolution No. PC23-102, recommending the City Council approve the Application; and

WHEREAS, on January 16, 2024, the City Council 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 Ordinance have occurred.

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND ORDAINED by the City Council of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the decision-making body for the Project, the City Council 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 City Council, the City Council finds as follows:

(1) The administrative record has been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(2) The Project is categorically exempt from environmental review pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions:

(a) The proposed Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed Project is located within the Downtown Mixed- Use land use designation of the Policy Plan (general plan) Land Use Map, and the MU-1/LUA-2N (Downtown Mixed Use/Arts District- North) zoning district. The proposed Project is consistent with all applicable Policy Plan policies, as well as with the requirements of the MU-1/LUA-2N (Downtown Mixed Use/Arts District- North) zoning district and the related proposed Emporia Work Live Lofts Planned Unit Development, which, at the Project location, intends to accommodate 9 work/live units.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The Project is proposed within the established boundaries of the City of Ontario, on a project site totaling 0.48-acres of land, which is surrounded by established development on all sides and consists of a mix of single-family and multiple-family, light industrial, and commercial land uses.

(c) The Project site has no value as habitat for endangered, rare, or threatened species. The site is located in an urbanized area that has been fully paved, and as such is not suitable habitat for any endangered, rare, or threatened species. Additionally, the site is not identified on federal or state designation map.

(d) Approval of the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality. The proposed residential development is similar to, and of no greater impact than other allowed uses and development projects within the MU-1/LUA-2N (Downtown Mixed Use/Arts District- North) zoning district. The Project would not result in any significant impacts through implementation of required state, regional, and local development and performance standards, and as demonstrated in the Air Quality and Health Risk Assessment, Noise Analysis, and the Preliminary Water Quality Management Plan ("PWQMP") prepared for the Project.

(e) The site is adequately served by all required utilities and public services. All necessary wet and dry utilities are within the public street and are readily available for connection; and

(3) The application of the categorical exemption is not barred by one of the exceptions set forth in CEQA Guidelines Section 15300.2; and

(4) The determination of CEQA exemption reflects the independent judgment of the City Council.

SECTION 2: Airport Land Use Compatibility Plan ("ALUCP") Compliance.

The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

(1) On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT

ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ONT ALUCP; and

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 and 2, above, the City Council hereby concludes as follows:

(1) ***The proposed PUD, or amendment thereto, is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The Project is consistent with Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. Described within the PUD are The Ontario Plan objectives in which the Project complies with the Policy Plan goals and policies.

(2) ***The proposed PUD, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The Planning Commission has required certain safeguards through conditions of approval, which have been established to ensure that: [i] the purposes of the Planned Unit Development are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan.

(3) ***In the case of an application affecting specific property(ies), the proposed PUD, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The Emporia Work Live Lofts PUD area is situated in the heart of Ontario's downtown and is adjacent to residential, light industrial, and commercial land uses and development. The surrounding development supports the objective of the PUD for joint work live quarters development. The Project does not affect the harmonious relationship with adjacent properties and land use.

(4) ***In the case of an application affecting specific property(ies), the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** In preparing the proposed Emporia Work Live Lofts PUD, a thorough review and analysis of the proposed Project and the subject site's physical suitability for the Project was completed, including analysis of the project size, shape, intensity of development, building height, building setbacks, site access, site landscaping and drainage, fences and walls, vehicle circulation, pedestrian connections, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and other infrastructure needs, off-street parking and circulation, building orientation and streetscapes, architectural character, building materials and color, and site signage. Based upon this review and analysis, the subject site has been deemed physically

suitable, including but not limited to parcel size, shape, access, and availability of utilities, for the proposed Planned Unit Development and the proposed development.

(5) ***The proposed PUD is superior to that which could be obtained through the application of the Development Code or a specific plan.*** The Emporia Work Live Lofts PUD will establish minimum building setbacks, parking requirements, architectural design guidelines and establish occupant requirements. These standards will facilitate the mixed-use development of 9 work/live units. The proposed Emporia Work Live Lofts PUD will allow for subsequent development that is superior to that which could be obtained through the application of the Development Code by itself.

SECTION 4: ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the City Council hereby APPROVES the herein described Application, attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 5: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Severability.*** If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8: ***Effective Date.*** This Ordinance shall become effective 30 days following its adoption.

SECTION 9: ***Publication and Posting.*** The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 6th day of February 2024.



PAUL S. LEON, MAYOR

ATTEST:



SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:



BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3269 was duly introduced at a regular meeting of the City Council of the City of Ontario held January 16, 2024 and adopted at the regular meeting held February 6, 2024 by the following roll call vote, to wit:

AYES: MAYOR/COUNCIL MEMBERS: LEON, DORST-PORADA, WAPNER,
BOWMAN AND VALENCIA
NOES: COUNCIL MEMBERS: NONE
ABSENT: COUNCIL MEMBERS: NONE


SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3269 duly passed and adopted by the Ontario City Council at their regular meeting held February 6, 2024 and that Summaries of the Ordinance were published on January 23, 2024 and February 13, 2024, in the Inland Valley Daily Bulletin newspaper.

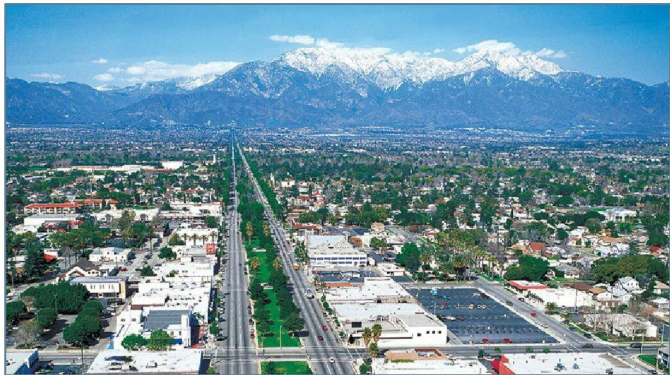

SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

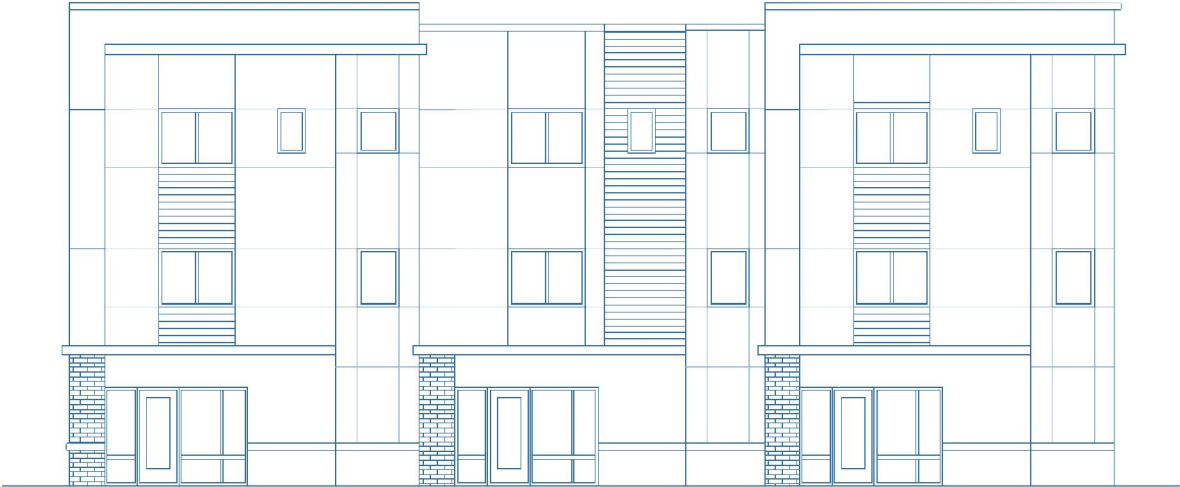
**File No. PUD21-002;
Emporia Work/Live Lofts PUD**

(Document follows this page)



EMPORIA WORK/LIVE LOFTS PLANNED UNIT DEVELOPMENT

413 W. Emporia Street
Ontario, California



EMPORIA LIVE/WORK PLANNED UNIT DEVELOPMENT

413 W. Emporia Street
Ontario, California

Prepared for:

CITY OF ONTARIO
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SECTION 1 INTRODUCTION

This Planned Unit Development (“PUD”) Plan for the Emporia Live/Work Project (“Project”) in the City of Ontario (“City”) provides an overview and description of the proposed live/work project located at 413 West Emporia Street. The nine-unit Project is situated on a 0.46-acre vacant property (“Property”) located on the south side of West Emporia Street between South Vine and South Fern Avenues (see Exhibit 1.1 Project Location Map). The Project site is located in the Ontario Plan Downtown Mixed Use District (MU-1) Zone, Land Use Area 2N District (LUA-2N, Arts District - North), which requires the establishment of a Planned Unit Development and Conditional Use Permit (“CUP”) prior to the development of the property as set forth in the Ontario Development Code Sections 4.01.030 (Planned Unit Developments (PUD) and Amendments) and 5.02.010 (Allowed Land Uses, Activities, and Facilities). This PUD Plan (“Plan”) describes the City’s vision for the Downtown Mixed Use District, explains how the Project promotes the City’s land use goals and revitalization objectives, aligns with the City’s planning and design principles, and establishes the land use and development standards for the Project site. Unless otherwise defined herein, the definitions and interpretations contained in the City’s Development Code shall apply to this Plan.

City staff and private developers shall rely on this Plan to determine whether proposed development plans for the Property are adequate and meet the City’s land use and design objectives.

EXHIBIT 1.1: PROJECT LOCATION MAP

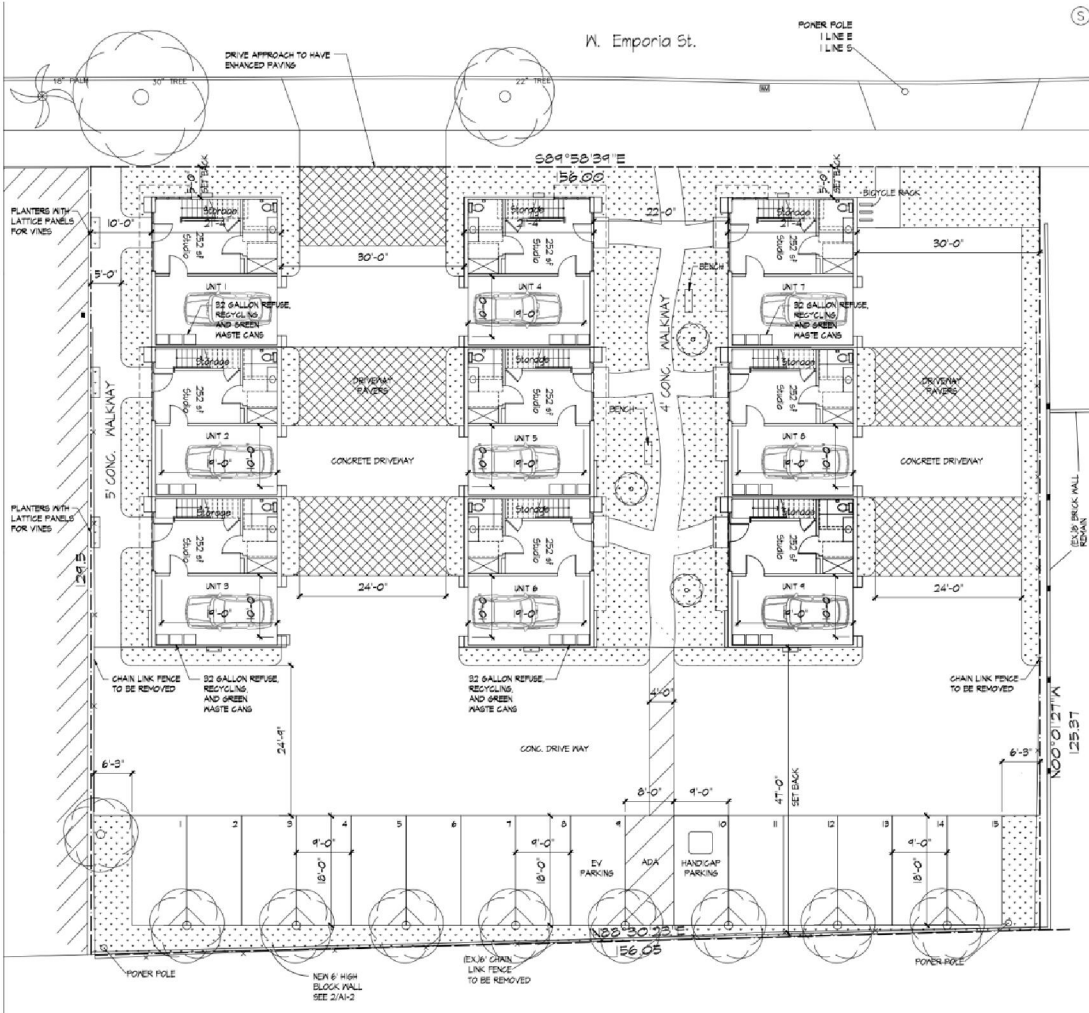


1.1 Project Overview

The proposed Project consists of three detached three-story buildings with a total of nine live/work units. Each building is situated directly on Emporia Street with uncovered parking spaces at the rear of the property (see Exhibit

1.2 Project Site Plan). There are two unit types (garage configurations swapped), both 1,198 square feet in size and include an attached one-car garage. The “work” portion is located on the ground floor while the “live” portion is on the second and third floors.

EXHIBIT 1.2: PROJECT SITE PLAN



SECTION 2 PROJECT OBJECTIVES

The Ontario Plan 2050 (“TOP”, also referred to as the General Plan) designates the Property for Mixed Use (MU-1 (Downtown)) land uses (see Exhibit 2.1). The MU land use category provides for “an intense mixture of uses that, when concentrated, create focal points for community activity and identity and facilitate the use of transit.” The Mixed Use land use category accommodates a horizontal and/or vertical mixture of retail, service, office, restaurant, entertainment, cultural, and residential uses. The Mixed Use designation requires approval of an Area Plan or Planned Unit Development prior to the development of the property. Additionally, the designation specifies a residential density range of 25 to 75 dwelling units per acre and a maximum floor area ratio (FAR) of 2.0.



The Project is consistent with the principles, goals, and policies set forth in The Ontario Plan, including: (1) Vision; (2) Policy Plan; (3) Implementation Programs; and (4) City Council Priorities.

2.1 Vision

On August 16, 2022, the Ontario City Council adopted The Ontario Vision 2050. The central theme that motivates the Vision is: “A sustained, community-wide prosperity which continuously adds value and yields benefits... Everything the City does and every action the City takes is done with the simple yet comprehensive theme in mind, from the design quality of the built environment, to the intent of designing socio-economic programs, to the way in which its leaders govern as a community. In discussing a Vision that would endure for the lifetime of The Ontario Plan (30 years or more), the City Council recognized that there are four components that serve as the basic building blocks that set the foundation for a unified and prosperous community. These foundational blocks must be expressed and widely accepted throughout The Ontario Plan’s lifetime.” They are:

1. A **Dynamic Balance** that enables the community to confront the continued dynamic growth of the region and technological change with confidence and a sense of opportunity.
2. A **Prosperous Economy** that sustains the perception and reality of prosperity across our entire community that positively impacts all the people of Ontario and is broadly – though not uniformly – shared.
3. **Distinctive Development** that integrates our varied and diverse focal points, districts, villages, and neighborhoods to provide a feeling of coherence without sacrificing uniqueness.
4. **Recognized Leadership** in local governance that stimulates excellence and serves to unify the people of Ontario in support of best practices in conducting public endeavors.

The Emporia Live/Work Project would implement the Ontario Vision by:

- Developing live/work units on a site intended to recognize Ontario’s historic downtown as the arts and entertainment center for the surrounding region.
- Preserving the integrity and character of the Downtown Mixed Use Zoning District while implementing the vision of an artist area in the Downtown.
- Incorporating high-quality materials that are complementary of the existing neighborhood and consistent with the design guidelines established for the Downtown Mixed-Use District.
- Implementing the TOP’s vision by creating a live/work development that provides a location for artists and galleries to strengthen the economic base of the area.

2.2 Ontario Plan – Policy Plan

2.2.1 LAND USE ELEMENT

Relevant The Ontario Plan Land Use Element (“LUE”) Goals and Policies are described below.

Goal/Policy	General Plan Land Use Goal/Policy	Discussion
LUE Goal 1	Balance. 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.	The development of a live/work project implements the vision of providing people a place where they can live where they work.
LUE Policy 1-1	Strategic Growth. Concentration of growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster development of transit.	The Project site is an infill parcel identified in the “Downtown District Place Type (Figure CD-023) of The Ontario Plan. It is in close proximity to transit nodes and a variety of land uses.
LUE Goal 2	Compatibility. Compatibility between a wide range of uses and resultant urban patterns and forms.	The PUD takes into account the existing uses surrounding the property and buffers new development through setbacks.
LUE Policy 2-2	Buffers. Mitigation or buffers between existing uses where potential adverse impacts could occur.	The PUD provides privacy buffers with decorative masonry walls, landscaping and setbacks.

2.2.2 HOUSING ELEMENT

Relevant The Ontario Plan Housing Element (“HE”) Goals & Policies are described below.

Goal/Policy	Housing Element Goal/Policy	Discussion
HE Goal 1	<i>Neighborhoods & Housing Development Standards.</i> Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.	The PUD will ensure that adequate public services, infrastructure, open space, parking and traffic management, pedestrian and bicycle routes, and public safety are provided consistent with the City master plans and neighborhood plans.
HE Goal 2	<i>Housing Supply & Diversity.</i> 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.	The PUD will allow for the development of nine 2-bedroom live/work units.
HE Policy 2-5	<i>Housing Design.</i> Architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.	The PUD will ensure the Project’s architectural enhancements contribute to creating an urban environment that promotes pedestrian traffic to the envisioned ground-floor artist studios.
HE Policy 2-6	<i>Infill Development.</i> Revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.	The PUD would permit the redevelopment of a vacant site in the heart of the City’s downtown.

2.2.3 COMMUNITY DESIGN ELEMENT

Relevant The Ontario Plan Community Design Element (“CDE”) Goals & Policies are described below.

Goal/Policy	General Plan Community Design Element Policy	Discussion
CDE Goal 1	<i>Image & Identify.</i> A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.	The PUD will preserve the integrity and character of the Downtown area.
CDE Policy 1-2	<i>Place Types.</i> Place Types in urban, mixed use, and transit-oriented areas to foster the City’s identity as a premier community and require new development within each Place Type to incorporate prescribed urban patterns, forms, and placemaking priorities.	The PUD adds to the cultural “heart” of the City by expanding the City’s housing opportunities through a Live/Work development and a creative space for artisans.
CDE Policy 1-3	<i>Existing Neighborhoods.</i> <i>The existing character of viable residential and non-residential neighborhoods be preserved, protected, and enhanced.</i>	The PUD provides landscaping and building setbacks to be sensitive to adjacent land uses.
CDE Goal 2	<i>Design Quality.</i> A high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, and distinct.	The PUD provides an architectural design and landscaping that are consistent with, and promote walkability of, the neighborhood.

Goal/Policy	General Plan Community Design Element Policy	Discussion
CDE Policy 2-1	<p>Quality Architecture. Convey visual interest and character through:</p> <ul style="list-style-type: none"> • 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 • Exterior building materials that are visually interesting, high quality, durable, and appropriate for architectural style. 	The PUD is architecturally consistent with the Downtown Ontario Design Guidelines, incorporating a variety of materials and articulation throughout the live/work development, and further enhanced with landscaping.

2.2.4 CENTER CITY REDEVELOPMENT PLAN OBJECTIVES

The Project is located within the former Center City Redevelopment Project Area. Although the redevelopment project area no longer exists, the City continues to recognize the goals and objectives of the Center City Redevelopment Plan and supports projects that achieve its vision. The following objectives have been identified from the Redevelopment Plan pertaining to the Planned Unit Development:

- Create a healthy and exciting urban variety, the ability to work, live, shop and play within a small area, combine daytime and nighttime use, and conserve energy and resources through mixed-use land development;
- Create an attractive and pleasant environment in the Project Area through the use of proper design, open space, and other amenities to enhance the aesthetic quality;
- Encourage and facilitate medium and high-density development, including, but not limited to, condominiums, townhouses, apartments, and similar compatible uses;
- Provide improvements necessary for the elimination of blight, and provide for the orderly development of commercial, industrial, and residential areas within the redevelopment project area.

The Center City Redevelopment Project Area Plan envisioned revitalization of the City's downtown area, in part, by infusing high-density residential and mixed-use developments into the downtown core. The Ontario Plan was established to further this vision and is intended to create an intensive mixture of retail, office, and residential uses in a pedestrian-friendly atmosphere, ensure the historic character of the district is enhanced, and concentrate the most intense/dense development along Euclid Avenue and Holt Boulevard.

2.3 City Council Goals

The PUD is consistent with the City Council's goals to:

- Invest in the growth and evolution of the City's economy; and
- Focus resources in Ontario's commercial and residential neighborhoods.

2.4 Implementation & Objectives

The PUD implements the Ontario Plan through the development of nine live/work units in an area identified within the City's Housing Element as growth area for development. The PUD's objectives are to:

- Develop quality live/work development;
- Establish a livable project that is sensitive to the surrounding land uses, including the adjacent railroad corridor, by orienting buildings away from the corridor;
- Promote expanded housing opportunities in Ontario's Art District;
- Promote work-from-home and small business growth; and
- Encourage development of projects that will increase the daytime and nighttime population; and
- Establish and maintain a harmonious use of land with the downtown area accommodating residential, commercial, retail, artisan co-ops, and cultural activities

SECTION 3 LAND USE PLAN

3.1 Land Use Designation

The Project site is located within the Downtown Mixed Use land use area of the Ontario Plan Policy Plan (general plan) land use district, and the LUA-2N (Arts District – North) of the MU-1 (Downtown Mixed-Use) zoning district, which implements the Downtown Mixed Use. The MU-1 zoning district is established to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and the Arts District is intended to create a dynamic destination energized by artistic, educational, and commercial participants.

The Arts District North accommodates a mix of single and multiple-family residential, work/live lofts, artisan co-ops, restaurants, galleries, breweries, and other commercial uses intended to strengthen the economic base of the area. Specific to the project location and site, permitted land uses are restricted to work/live units and light industrial uses, and/or a mix of commercial and light industrial uses in the same building specifically or on the same site.

3.2 Permitted and Conditionally Permitted Uses

Work/live units may only be occupied by artists, artisans, professionals, and similarly situated individuals subject to Chapter 5, Zoning and Land Use of the Development Code and shall require a Conditional Use Permit (CUP) pursuant to Section 4.02.025 (Conditional Use Permits) to operate.

Occupants and land uses may include:

Artist includes a person who creates art, such as painting, sculpture, music, and performances using conscious skill and creative imagination.

Boutique/Artisan Small-Scale and Micro Manufacturing Facilities includes all types of small-scale businesses that produce tangible goods, such as but not limited to: textiles, hardware and hardware prototyping, woodworking, metal working, 3D printing, consumer product design and prototyping, nonalcoholic beverage production, local food production and packaging, soaps, perfumes and lotions. Businesses may provide products directly to the consumer and/or to other businesses.

Similarly situated individuals include, but are not limited to, professionals that are engaged in accounting, legal, architecture, engineering, planning, bookkeeping, academic, and payroll professions. Similarly situated individuals shall conduct their activities in a manner that preserves the residential character of the neighborhood, safeguards the privacy, safety, and health of all residents.

SECTION 4 DEVELOPMENT REGULATIONS

4.1 Development Intensity

The “workspace” area of the Work/Live Lofts, as described in Section 3.2, Permitted and Conditionally Permitted Uses, shall be limited to the ground floor. Upper levels shall be restricted to residential land use only. Each Work/Live unit shall be a minimum of 1,100 square feet with a minimum of 160 square feet designated, reserved and used as workspace for commercial purposes.

4.2 Building Height

Buildings shall be constructed with three levels not to exceed 35 feet in height, except roof-mounted equipment, architectural projections, chimneys, elevator towers, parapet walls, and any other roof top structures, may exceed maximum by up to 10% of the allowed building height. No rooftop equipment shall be visible from anywhere on the project site, public streets, or adjacent properties, and shall be fully screened with appropriate architectural parapet walls or appropriate roof treatments. Roof-mounted equipment shall not exceed the height of the structures and appurtenances used to screen the equipment.

4.3 Building Setbacks

Minimum building setbacks shall be set forth in Table 4-1 (Building Setbacks) and shall comply with Table 4.1.

TABLE 4.1: MINIMUM BUILDING SETBACKS

Setback	
Emporia Street	5 feet
Interior Side	5 feet
Rear	10 feet
Structure	6 feet
Garage to garage	30 feet

All setbacks shall be measured from the ultimate property lines. Placement of buildings, structures, fences, walls, utility facilities, yards, etc. will be based on the street right-of-way and property line dimensions. Allowable encroachments in yards include (maximum 6-foot high) property line fences and gates, landscaping, paving, and public utilities. Architectural features, balconies may encroach a maximum of 3 feet.

4.4 Landscaping & Irrigation Plan

A conceptual landscape plan and preliminary drainage plan shall be submitted with the development plan for the Project. The plan shall specify all landscape and hardscape elements for the development plan site and shall provide a minimum site coverage of 15 percent. Detailed landscape and irrigation plans shall be required prior to issuance of building permits. The detailed plans shall show location of ground-mounted utility boxes and equipment, along with the methods of screening for these items from the public right-of-way and adjacent residences where possible.

The landscape and irrigation plan shall be designed with water conservation in mind, utilizing “California friendly” species and drought tolerant planting materials. The landscaping and irrigation shall comply with AB 1881 and all other laws the regulations related to planting materials.

4.5 Equipment Screening

All roof-mounted and ground-mounted equipment shall be fully screened from view of the public street and adjacent developments. The location of equipment shall be designed to allow screening with landscape materials, walls, architectural features, parapet walls, etc. Screening shall be designed to be integrated into the design of the Project.

4.6 Fences & Walls

Fences and walls for the Project shall be made of decorative materials which are compatible with the overall architectural character of the Project. All fences and walls shall be in scale with the Project to fulfill screening and security needs. The existing 8-foot tall block wall on the eastern property line will remain. Planters with latticed vines will be planted along the western property line to provide a buffer from the adjacent building. A 6-foot tall block wall shall be constructed to replace an existing chain link fence along the southern property line. Although the Project’s Noise Study concluded the cumulative noise levels of adjacent train and airport activities comply with the maximum City of Ontario Noise standards of 65 dBA CNEL for residential and outdoor useable areas, a block wall would help reduce onsite noise levels. All walls shall be constructed consistent with the Ontario Development Code requirements for walls and fences.

4.7 Signs

A Master Sign Program shall be submitted for approval by the Planning Department, prior to issuance of a building permit. The sign program shall be consistent with the Downtown Ontario Design Guidelines, and shall include tenant signs, pedestrian signs, directional signs, etc.

4.8 Public Right-of-Way Improvements

The Project shall also improve the public right-of-way to be consistent with the City’s General Plan and Municipal Code. Public right-of-way improvements include, but are not limited to, the following: street pavement, curb and gutter, public sidewalks, streetlights, and fire hydrant. At a minimum, the improvements shall incorporate all items along the street frontage to be developed with proper transitioning if the entire block frontage is not being installed simultaneously. All off-site improvements shall be installed in accordance with City standards, and to the satisfaction of the City Engineering Department.

4.9 Infrastructure

Water service for this PUD site will be provided by utilizing the existing water lines under Emporia Street. Sewer connections from the PUD project site will also connect to existing lines in Emporia Street. On-site storm water drainage facilities shall be provided to capture and infiltrate a 2-year, 1-hour storm event, consistent with the San Bernardino County Stormwater Program’s Water Quality Management Plan (WQMP) requirements for new development projects. Stormwater capture and infiltration facilities may include the utilization of vegetated swales, depressed landscaped basins, pervious concrete pavement, or underground stormwater retention/infiltration vaults. All building roof and paved area runoff shall be directed into depressed landscaped swales, trenches or basins, within the development in order to comply with the requirement to capture and infiltrate the 2-year, 1-hour storm event runoff. All proposed Development Plans are required to prepare a Preliminary Water Quality Management Plan.

SECTION 5 PARKING AND CIRCULATION

5.1 Site Accessibility and Circulation

The site shall be designed to promote the safety of patrons and residents. This can be achieved through building orientation and placement to minimize the use of gates and fencing and provide multiple points of access. Primary vehicular access to the site is from a 2-way driveway, located on Emporia Street, that leads to a 24-foot-wide drive aisle providing access to private garages and surface parking spaces. The location of the drive aisle on Emporia Street shall be approved by the City Engineer.

Site design must provide for safe pedestrian circulation across the project site by separating the pedestrian areas from the vehicular access. This includes, but is not limited to, accessibility from the parking lot to unit entries, site amenities, and perimeter sidewalk areas. Pedestrian pathways will include enhanced paving treatments and textured and/or color pigmented concrete. Fencing and gates may be used to limit public access to resident-only areas.

5.2 Access to Mass Transit

Omnitrans Route 61, also identified as the future West Valley Connector Bus Rapid Transit (BRT), has existing eastbound bus stops on West Holt Boulevard near South Vine Avenue and South Palm Avenue, and a westbound bus stop on West Holt Boulevard near South Vine Avenue which is less than one quarter of a mile from the project site.

5.3 Parking Requirements

Off-street parking requirements for the Project requires a minimum of 1 parking space per bedroom and 3 spaces per 1,000 GFA (Gross Floor Area) of workspace area. All parking space size and location requirements shall conform to the standards set forth in Section 6.03.045 (Off-street Parking Standards) of the Ontario Development Code.

SECTION 6 DESIGN GUIDELINES

6.1 Building Orientation & Streetscapes

Building orientation shall be designed to minimize noise impacts, aid in providing site safety, create proper accessibility to unit entries and parking areas, and maximize views from each of the units. Buildings shall be located adjacent to the north property line (Emporia Avenue) and oriented east-west away from the railroad corridor on the southern border of the Project site.

6.2 Architecture and Design

The architectural character establishes the following design principles:

(i) Create an architectural character that reflects the various styles within the historic downtown by using similar proportions, building details and building material.

(ii) Create compatibility between the mixed-use architecture and the residential architecture within the downtown area; the introduction of unifying elements such as similar materials and colors should be considered; however, "sameness" is discouraged.

(iii) Use materials that exhibit permanence and quality, and that unify a building's appearance on all sides; materials and colors should accentuate the architectural details of the building and promote visual harmony. Brick, tile, pre-cast architectural concrete, stone veneers, and stucco are preferred.

(iv) Employ simple massing with wall openings that create shadow line and provide visual relief.

(v) Provide highly visible public entrances, preferably oriented to streets and outdoor spaces; shop entrances may be clearly expressed with recesses, overhangs, special materials and/or detailing.

(vi) Storefronts shall incorporate high quality building materials. A durable base material (18 inches high min.) such as brick, tile, exterior cement plaster, or pre-cast architectural concrete shall be used. Storefront glazing and exterior plaster should not terminate at the ground plane.

(vii) Storefront glazing shall be clear glass to permit clear views into the interior space. The amount of such glass shall provide a balance between high visibility into the store interior and architectural character/quality.

(viii) Entrance doors shall be of a traditional style and transparent as possible; however, an all glass door is prohibited.

6.3 On-site Lighting

Decorative light fixtures attached to the buildings shall be compatible with the architectural style of the buildings. All lighting of facades, decorative fixtures, store window interiors, awnings, and signs shall be designed in accordance with the criteria set forth in Section 2D of the Downtown Ontario Design Guidelines. The use of building lighting and recessed wall mounted step lights to light pathways are encouraged. Decorative pole lights and fixtures shall be used which compliments the architectural design theme throughout the project area. All other on-site lighting shall meet the development standards of the Ontario Development Code.

SECTION 7 ADMINISTRATION

7.1 Environmental Performance Standards

All land uses shall adhere to the environmental performance standards set forth in the Ontario Development Code, to avoid and minimize impacts involving noise, vibration, dust and paint, smoke, light, glare and heat, odors and gasses, hazardous and radioactive materials, and electromagnetic interference.

Architectural plans for all work/live units shall be submitted to the City of Ontario Building Department for an acoustical plan check, prior to the issuance of building permits, to assure that construction methods use standard materials that will attenuate 20 dBA of sound from outside to inside, or such that indoor noise does not exceed 45 dBA.

7.2 Items Not Addressed in the PUD

Any terms, requirements, or regulations not addressed within this Planned Unit Development document shall be governed by the City of Ontario Development Code, the regulations of the General Mixed Use zones, and City standards.

7.3 Development Applications

Development Plan approval, pursuant to the requirements of Ontario Development Code Section 4.02.025 (Development Plans), shall be required for the physical alteration of lots, the construction of a building, or the addition or significant alteration of an existing building. A development plan application shall be submitted to the Planning Department on a City application form pursuant to the requirements of Ontario Development Code Division 2.02 (Application Filing and Processing), commencing with Subsection B (Discretionary Permits and Actions) of Section 2.02.015 (Application Processing Procedures).

7.4 Administrative Exceptions

Deviation from the development standards set forth in this document may be granted up to a maximum of 10 percent by the Zoning Administrator. Any deviation that is greater than 10 percent shall require variance approval.



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APPENDIX A: ORDINANCE ADOPTING PUD
(Appendix A follows this page- to be updated)