

ORDINANCE NO. 3273

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PUD22-006, THE WATERMARKE ONTARIO PLANNED UNIT DEVELOPMENT, ESTABLISHING DEVELOPMENT STANDARDS AND DESIGN GUIDELINES FOR A 5.81 ACRE PROJECT SITE LOCATED AT THE NORTHEAST CORNER OF MOUNTAIN AVENUE AND FOURTH STREET, AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 1008-513-16, 1008-522-01, 1008-522-02, AND 1008-522-03.

WHEREAS, JAT LAND DEVELOPMENT LLC (hereinafter referred to as "Applicant") has filed an Application for the approval of the Watermarke Ontario Planned Unit Development ("PUD"), File No. PUD22-006, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 5.81 acres of land located at the northeast corner of Mountain Avenue and Fourth Street, within the Mixed Use – Neighborhood Hub 8b – Mountain and Fourth (MU-NH 8b) zoning district, and is presently improved with commercial development and post office; and

WHEREAS, the properties to the north of the Project site are within the MU-8b (Mountain/Fourth Mixed Use) and Low-Density Residential (LDR-5) zoning districts and are developed with a church (currently under construction) and existing single-family land uses, the property to the south is within the Neighborhood Commercial (CN) zoning district and is developed with commercial land uses, the properties to the east are within the Low-Density Residential (LDR-5) zoning district and is developed with single-family land uses, and the property to the west is within the Neighborhood Commercial (CN) zoning district and is developed with commercial land uses; and

WHEREAS, the Project was submitted in conjunction with a Development Plan (File No. PDEV22-042) which proposes the construction of a mixed-use building containing residential and commercial floor area, for a total of 357 apartment units and 3,800 square feet of commercial space, at a density of 61.4 dwelling units per acre and a commercial Floor Area Ratio (FAR) of 0.015; and

WHEREAS, the PUD outlines the Project's (a) objectives, including its consistency with The Ontario Plan; (b) land use plan, including zoning, phasing and build-out, and permitted land uses; (c) development regulations, including intensity and density, building envelope, vehicle access and parking facilities, parking supply and design, residential open space and common amenities, service facilities, signs, landscape and hardscape, fences and walls, public right-of-way improvements, infrastructure, and overall development standards; (d) design criteria, including those for building orientation, access and parking facilities, service facilities, pedestrian linkages, architectural character, massing and scale, articulation and fenestration, architectural details, storefronts, materials and colors, roofs and rooftop equipment, non-residential outdoor dining areas, residential outdoor space and common recreation amenities, and landscape/hardscape

elements; and (e) administration, including items not addressed in the PUD, requirements for Development Plans and other applications, and administrative exceptions; and

WHEREAS, Project approval is contingent on Planning Commission approval of the related Development Plan application and City Council approval of the Watermark Ontario PUD; and

WHEREAS, The Ontario Plan 2050 Supplemental Environmental Impact Report (State Clearinghouse No. 2021070364) was certified on August 16, 2022, (hereinafter referred to as "Certified SEIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the Certified SEIR, an Addendum to the Certified SEIR (hereinafter referred to as "SEIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the SEIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified SEIR, and that the Certified SEIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; 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, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an SEIR Addendum has been prepared to determine possible environmental impacts; and

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan

(hereinafter referred to as "ALUCP"), which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on January 23, 2024, the Planning Commission voted to continue the Project to the February 27, 2024, hearing date; and

WHEREAS, as the first action on the Project, on February 27, 2024, the Planning Commission voted to issue Resolution No. PC24-003 recommending the City Council adopt the SEIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on February 27, 2024, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, voting to issue Resolution No. PC24-004 recommending the City Council approve the Application and concluded said hearing on that date; and

WHEREAS, on March 19, 2024, the City Council of the City of Ontario conducted a hearing to consider the Addendum and the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on March 19, 2024, the City Council approved a resolution adopting an Addendum to a previous Certified SEIR 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 significance; and

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

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

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

- (1) The environmental impacts of the Project were reviewed in conjunction with an Addendum to The Ontario Plan 2050 Supplemental Environmental Impact Report (State Clearinghouse No. 2021070364), certified by the Ontario City Council on August 16, 2022, in conjunction with File No. PGPA20-002; and
- (2) The SEIR Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- (3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and
- (4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and
- (5) The SEIR Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and
- (6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

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

- (1) Does not constitute substantial changes to the Certified SEIR that will require major revisions to the Certified SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and
- (2) Does not constitute substantial changes with respect to the circumstances under which the Certified SEIR was prepared, that will require major revisions to the Certified SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and
- (3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified SEIR was certified/adopted, that shows any of the following:

- (a) The Project will have one or more significant effects not discussed in the Certified SEIR; or
- (b) Significant effects previously examined will be substantially more severe than shown in the Certified SEIR; or
- (c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or
- (d) Mitigation measures or alternatives considerably different from those analyzed in the Certified SEIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Housing Element Sites Inventory contained in Tables B-1 and B-2 of the Housing Element Technical Report.

SECTION 4: *Airport Land Use Compatibility Plan ("ALUCP") Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan.

On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan, 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 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 5: 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 Sections 1 through 4, 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 the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan in that the mixed-use standards and guidelines specified in the PUD align with The Ontario Plan. The Watermarke Ontario Planned Unit Development (“PUD”) Objectives section titled “Consistency with The Ontario Plan”, describes how the PUD complies with the Policy Plan goals, policies, and plans.
- (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 City Council 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 adjacent neighborhoods consist of existing single-family dwellings and commercial development. The Watermarke Ontario Planned Unit Development was prepared to ensure that on-site development is sensitive to and complementary of the surrounding development, and the surrounding development is compatible with the proposed residential and commercial mixed-use development. Therefore, the Project does not affect the harmonious relationship with adjacent properties and land uses.
- (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 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 and shape, intensity of development, building height and setbacks, site access, site landscaping and drainage, fences and walls, vehicle and pedestrian circulation, availability of mass transit, necessary street dedication and easements, public right-of-way improvements, availability of utilities and

other infrastructure needs, off-street parking, building orientation and streetscapes, architectural character, building materials and character, 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 PUD and 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 PUD will establish minimum building setbacks, parking and open space requirements, private storage provisions, a planting palette, allowable land uses preferable to support the proposed development and the surrounding community, and more. These standards will facilitate the development of up to 357 dwelling units and 3,800 square feet of commercial space and accompanying improvements. The proposed PUD will allow for subsequent development that is superior to that which could be obtained through the application of the Development Code by itself, by means of facilitating the development of high-density apartments, restaurants, retail shops, and other commercial services that will serve to achieve the City's goals of economic revitalization of an underutilized commercial center. Lastly, the PUD will further serve to implement the vision of the Mixed Use – Neighborhood Hub 8b – Mountain and Fourth (MU-NH 8b) zoning district, and the Mixed Use - Neighborhood Activity Hub: 20.0 to 75.0 du/ac; 1.0 FAR office/retail (MU-NH) land use district of the Policy Plan by allowing for this vibrant and well-designed mixed-use development.

SECTION 6: ***City Council Action.*** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the City Council hereby APPROVES the herein described Watermarke Ontario Planned Unit Development, attached hereto as "Attachment B", subject to each and every condition set forth in the Department reports attached hereto and incorporated herein by this reference.

SECTION 7: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: ***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 10: *Effective Date.* This Ordinance shall become effective 30 days following its adoption.

SECTION 11: *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 2nd day of April 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. 3273 was duly introduced at a regular meeting of the City Council of the City of Ontario held March 19, 2024 and adopted at the regular meeting held April 2, 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. 3273 duly passed and adopted by the Ontario City Council at their regular meeting held April 2, 2024 and that Summaries of the Ordinance were published on March 26, 2024 and April 9, 2024, in the Inland Valley Daily Bulletin newspaper.


SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

**File No. PUD22-006
Watermarke Ontario Planned Unit Development**

(Document to follow this page)

WATERMARKE ONTARIO

PLANNED UNIT
DEVELOPMENT



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INTRODUCTION

This document is intended to function as a set of planning and design principles, development regulations and performance standards to guide and govern the development of a 5.81-acre land area located on the northeast corner of Mountain Avenue and Fourth Street.

The project site is located within The Ontario Plan (TOP) Mixed Use – Neighborhood Activity Hubs (MU- NH), which requires the establishment of a Planned Unit Development (PUD) prior to development. This PUD fulfills the requirements of Mountain/Fourth Avenue Mixed Use (MU-8b) zoning district, as set forth in Ontario Development Code Section 4.01.030 (Planned Unit Developments (PUD) and Amendments). The Watermarke Ontario Planned Unit Development (PUD) will establish development standards that apply to the affected property. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply. City staff and private developers will rely on this PUD to determine whether precise plans for development (“Development Plans”) will adequately meet the City’s land use and design objectives.

LOCATION

The Project is located in the City of Ontario in the County of San Bernardino. The PUD area occupies 5.81 acres of the northeast corner of Mountain Avenue and Fourth Street and includes four parcels (APNs 1008-513-16, 1008-522-01, 1008-522-02, and 1008-522-03). Regional access to the Project area would be facilitated through Interstate 10 (I-10) approximately 0.6 miles north of the site, and State Route 83 (SR- 83) approximately 0.9 miles east of the site.



OBJECTIVES

Consistency with the Ontario Plan

The Ontario Plan (TOP) is the primary planning document for the City and is intended to guide City growth for the next 20 years. The Ontario Plan includes six components:

1. The **Vision** component summarizes the City's major goals for the foreseeable future as well as the preferred character to be reinforced throughout the future growth.
2. The **Governance Manual** summarizes the City's guidelines regarding decision-making authorities and actions for City leadership in order to reinforce the City's intended character.
3. The **Policy Plan** acts as the City's General Plan and includes the City's goals and policies meant to guide growth through the general plan planning period.
4. The **City Council Priorities** outlines the Council's goals for a given year.
5. The **Implementation** component summarizes the methods with which the City will execute goals and policies included in the general plan.
6. The **Tracking and Feedback** component, once updated, will catalogue the City's progress in implementing the goals and policies of the Policy Plan and Vision component.

The City's Policy Plan's goals and policies are intended to guide the City's continued growth. These goals extend to the Project's proposed residential and commercial uses and the Project area's Mixed Use – Neighborhood Activity Hub (MU-NH) land use designation. The MU-NH land use designations are intended to allow for the development of low-rise mixtures of retail and residential uses which may serve the surrounding residents.

This PUD is designed to achieve the purpose of this land use designation and comply with applicable goals and policies such as the following:



Land Use Element

Goal LU-1: A community 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.

- ▲ **Policy LU-1.1: Strategic Growth.** We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, foster the development of transit, and support the expansion of the active and multimodal transportation networks throughout the City.
- ▲ **PUD Consistency.** Mountain Avenue is classified as an arterial road as well as a Class I multipurpose trail, these classifications lend themselves to high volumes of pedestrian and vehicular traffic. Additionally, mass transit bus stops are located at the southwest and northeast corners of the Mountain Avenue and Fourth Street intersection. The PUD would enable the development of multifamily residential uses adjacent to higher capacity roadways as well as available mass transit stops.
- ▲ **Policy LU-1.6: 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.
- ▲ **PUD Consistency.** The PUD would allow for the development of residential and retail uses within the PUD site. The requirements presented in the PUD encourage the development of neighborhood scale commercial opportunities which would serve residents within the PUD as well as surrounding areas.

Goal LU-2: Compatibility between a wide range of uses and resultant urban patterns and forms.

- ▲ **Policy LU-2.1: Land Use Decisions.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.
- ▲ **PUD Consistency.** The PUD area's MU-8b zoning designation requires that a PUD be implemented for to establish specific development standards, land use regulations and design guidelines. The permitted uses within PUD have been established to provide residential and commercial uses to serve internal residents and surrounding residential area.

Goal LU-3: Staff, regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision.

- ▲ **Policy LU-3.2: Design Incentives.** We offer design incentives to help projects achieve the Vision.
- ▲ **PUD Consistency.** MU-8b zones require the creation of a PUD to establish specific development standards for a given area. Standards within a PUD may vary from the established development standards of the City's development code to achieve the City's vision more adequately or efficiently. This PUD includes design standards which strive to maintain the City's vision for stable, dynamic growth while maintaining overall quality throughout all components of the development.

Goal LU-4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.

- ▲ **Policy LU-4.4: Shared Infrastructure.** We encourage and facilitate the use of shared infrastructure (including shared or managed parking) in urban, mixed use, and transit-oriented Place Types.
- ▲ **PUD Consistency.** The PUD area encourages the integration of residential and nonresidential uses through mixed use development. Development standards within this PUD, therefore, encourage shared infrastructure such as parking and utility facilities. The Project includes a single central parking garage which contains all parking spaces for both the residential and retail uses in the PUD area. Additionally, the Project would provide for shared garbage collection between residential and retail uses.

Housing Element

Goal H-1: Stable neighborhoods of quality housing, ample community services and public facilities, well-maintained infrastructure, and public safety that foster a positive sense of identity.

- ▲ **Policy H-1.2: Neighborhood Conditions.** We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provision of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.
- ▲ **PUD Consistency.** The PUD describes standards which can be used to develop a mixed-use residential community with attached retail uses. These standards include open space requirements which include the creation of recreational amenities. While the PUD includes designs for a specific project, this document allows for the development of other developments if the proposed Project is removed or redeveloped. The standards within this PUD would ensure that high-quality mixed-use developments can continue to be developed within the PUD area.
- ▲ **Policy H-1.3: 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.
- ▲ **PUD Consistency.** The PUD includes parameters which require the development of private and community open space areas and recreational uses. The PUD also encourages the creation of a shared parking structure to serve both residents and retail customers and employees. The PUD also presents parking standards for passenger vehicles and bicycles that meet or exceed the City's current standards. Development standards specifically focused on site security and emergency access are included in this PUD.

Goal H-2: 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.

- ▲ **Policy H-2.5: Housing Design.** We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices, and other best practices.
- ▲ **PUD Consistency.** The PUD includes development standards which allow for a variety of multi-family residential units near community scale retail uses. Standards presented in this PUD are designed to enable development which remains consistent with the character of the City while maintaining a modern, visually appealing aesthetic.

Community Economics Element

Goal CE-1: A complete community that provides for all incomes and stages of life.

- ▲ **Policy CE-1.6: 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 encourage the development of housing supportive of our efforts to attract business in growing sectors of the community while being respectful of existing viable uses.
- ▲ **PUD Consistency.** The PUD would provide for the development of a multi-family mixed use development in an area of the City which currently contains single family residential uses and commercial uses. This would increase the variety of housing in the area and promote neighborhood retail uses near residents as well as mass transit bus stops and higher capacity arterial roadways.

Goal CE-2: A City of distinctive neighborhoods, districts, corridors, and centers where people choose to be.

- ▲ **Policy CE-2.1: Development Projects.** We require new development and redevelopment to create unique, high-quality places that add value to the community.
- ▲ **PUD Consistency.** The PUD will seek to ensure a mix of residential and retail uses that will provide a variety of goods and services for both the internal residents and the surrounding area. The PUD provides standards which require the development of distinctive, visually appealing structures.

Safety Element

Goal S-3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.

- ▲ **Policy S-3.8: Fire Prevention through Environmental Design.** We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces, and buildings.
- ▲ **PUD Consistency.** The PUD would incorporate fire prevention infrastructure such as fire extinguishers and smoke alarms. Additionally, the Project would provide additional fire hydrants and fire access points for fire abatement.

Goal S-7: Residential neighborhoods, commercial areas, and industrial districts that are kept safe through a multi-faceted approach of prevention, suppression, and community involvement in public safety.

- ▲ **Policy S-7.4: Crime Prevention through Environmental Design (CPTED).** We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces, and buildings.
- ▲ **PUD Consistency.** The PUD requires the use of security lighting as well as the placement of a gated perimeter between existing developments bordering the Project area. Additionally, the PUD restricts access to residential neighborhoods from all entities except emergency personnel.

Community Design Element

Goal CD-1: A dynamic, progressive city containing distinct and complete places that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- ▲ **Policy CD-1.2: Place Types.** We establish 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.
- ▲ **PUD Consistency.** The PUD presents development standards which require the creation of well designed, community centric mixed-use developments. The PUD establishes standards within the PUD area which would establish quality architectural and visual consistency.

Goal CD-2: A high level of design quality resulting in neighborhoods, commercial areas, public spaces, parks, and streetscapes that are attractive, safe, functional, human- scale, and distinct.

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- ▲ **Policy CD-2.1: Quality Building Design and Architecture.** We encourage all development projects to convey visual interest and character through:
1. Building volume, massing, and height to provide context-appropriate scale and proportion;
 2. 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
 3. Exterior building materials that are articulated, high quality, durable, and appropriate for the architectural style.
- ▲ **PUD Consistency.** The PUD will seek to accommodate the City's residential growth and enhance its economic growth by creating residential and retail opportunities within a mixed-use zone. The PUD area will be distinctive through the requirement of well-designed project(s) through standards focused on:
- Appropriate scale and massing
 - Architectural style and design that are complementary and appropriate to for its setting.
 - The use of high-quality materials that will create visual interest, high quality, durable and appropriate for the architectural style.
 - Appropriate site planning to ensure building orientation visibility from the street, adequate number of driveways and sidewalks, building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.
- ▲ **Policy CD-2.2: Neighborhood Design.** We create distinct residential neighborhoods that promote a sense of community and identity by emphasizing access, connectivity, livability, and social interaction through such elements as:
1. A pattern of smaller, walkable blocks that promote activity, safety, and access to nearby amenities and services;
 2. Varied parcel sizes and lot configurations to accommodate a diversity of housing types;
 3. Traffic calming measures to slow traffic and promote walkability while maintaining acceptable traffic flows and emergency evacuation access;
 4. 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
 5. Landscaped parkways, with sidewalks separated from the curb and designed to maximize safety, comfort, and aesthetics for all users.
- ▲ **PUD Consistency.** The PUD allows for the development of mixed-use residential structures at a human scale through the use of pedestrian walkways and minimal internal roadways. The PUD also requires the orientation of buildings to form along the public roadway. The PUD also includes standards which require appropriate site planning to ensure building orientation visibility from the street, an adequate number of driveways and sidewalks, building setbacks, parking lot orientation, adequate refuse storage areas and well-designed street frontages.
- ▲ **Policy CD-2.4: Urban, Mixed Use, and Transit-oriented Areas.** We establish Place Types to require mixed use, urban, and transit-oriented areas to be designed and developed as pedestrian oriented areas that are integrated with adjacent neighborhoods and promote a vibrant, comfortable, and functional environment, as defined for each Place Type.
- ▲ **PUD Consistency.** The permitted uses within PUD have been established to provide residential and retail uses to serve the City's neighborhood activity hub and surrounding residential area. The PUD will ensure a mix of residential and retail uses that can be easily accessed by internal residents as well as surrounding residents.
- ▲ **Policy CD-2.8: 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, maintaining visibility and accessibility, and using lighting.
- ▲ **PUD Consistency.** The PUD provides for secure development through the placement of walls and fences between the PUD area, public roadways, and adjacent residential communities. Additionally, the PUD encourages the placement of pedestrian walkways in highly visible areas as well as the use of shielded exterior lighting fixtures. PUD standards allow for the visibility of access points from public vantage points while using secure barriers to prevent unauthorized entry.
- ▲ **Policy CD-2.9: Landscape Design.** We encourage durable, sustainable, and drought-tolerant landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.
- ▲ **PUD Consistency.** The PUD requires the creation of a Landscape Plan which would be consistent with City regulations and would provide for the usage of native and drought-resistant foliage.
-

- ▲ **Policy CD-2.10: Parking Areas.** We require all development, including single-family residential, to minimize the visual impact of surface, structured, and garage parking areas visible from the public realm in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include:
 1. Surface parking: Shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.
 2. Structured parking: facade articulation, screening, appropriate lighting, and landscaping.
 3. Garage parking: providing access to single-family residential garages through alley access, recessing garages from the frontage to emphasize front doors or active living spaces.
- ▲ **PUD Consistency.** The PUD would require parking areas to be shielded from public view through the placement of parking away from public roadways and behind buildings. PUD standards require adequate lighting for all common areas, including parking areas, and the landscaping of all areas which do not have improvements. The Project proposes a central parking structure inset within the PUD area.
- ▲ **Policy CD-2.11: 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.
- ▲ **PUD Consistency.** The PUD would require the development of private open space amenities for residents of the PUD area as well as a clearly noted and unique frontage along Fourth Street.

Goal CD-3: 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.

- ▲ **Policy CD-3.1: Unique Identity.** We promote development that heightens the unique character and identity of each Place Type by requiring compatible land uses and land planning, site design, and building design that promotes an active public realm.
- ▲ **PUD Consistency.** The PUD would encourage a sense of place by implementing design standards which provide for consistent building orientation and architectural guidelines. Additionally, the PUD provides for the creation of pedestrian accessways that allow for human scale development.
- ▲ **Policy CD-3.4: Context-Aware and Appropriate Design.** We require appropriate building and site design that complements existing development, respects the intent and identity of the Place Type, and provides appropriate transitions and connections between adjacent uses to ensure compatibility of scale, maintain an appropriate level of privacy for each use, and minimize potential conflicts.
- ▲ **PUD Consistency.** The PUD establishes standards which would encourage a sense of place within the PUD area through the use of consistent landscaping and architectural design. Buffer areas are required between the PUD area and surrounding residential uses as well as walls which further limit visibility between internal and external residents.
- ▲ **Policy CD-3.5: Active Frontages.** We create lively pedestrian streetscapes by requiring primary building, business, and residential entrances, outdoor dining, and storefronts be located on ground floors adjacent to sidewalks or public spaces and designed to maximize safety, comfort, aesthetics, and the intended functionality (as defined by the Place Type).
- ▲ **PUD Consistency.** The PUD requires the enhancement of building frontages along Fourth Street frontage through the use of visually interesting architectural features and materials as well as landscaping and pedestrian accessways. Specifically, retail uses are required to present visually appealing storefronts which complement the surrounding architecture and create a distinct entryway.

City Council Priorities

- Invest in the Growth and Evolution of the City's Economy
- Focus Resource in Ontario's Commercial and residential Neighborhoods
- Maintain the Current High Level of Public Safety





Watermarke Ontario Objectives

This PUD establishes the architectural and development standards which will be applied to the Project. Implementation of these standards will ensure a consistent quality in design throughout the planned community.

The objectives of the PUD are to:

- Create a pedestrian-scale walkable community within the City,
- Provide additional retail uses in close proximity to residential uses,
- Expand retail opportunities within the City,
- Provide a variety of high-quality residential units nearby commercial uses,
- Provide for flexible design and development standards to allow for the development of more urban walkable mixed-use development,
- Promote the redevelopment of an underutilized site and provide additional housing opportunities,
- Facilitate high-density residential development within the City for families and individuals, and
- Provide housing at different price points to accommodate multiple income levels.

LAND USE PLAN

Land Use Designation

The Project is located on parcels within the City which have been categorized with a MU-NH land use designation. This land use designation allows the Project to develop multifamily residential units as well as multiple retail and neighborhood commercial uses. The Project area is zoned with a MU-8B zoning designation.

Permitted Uses

Permitted and conditionally permitted uses shall be allowed as identified in the City of Ontario Development Code, Chapter 5.0, Table 5.02-1: Land Use Matrix.



DEVELOPMENT STANDARDS

This section sets forth the standards to govern the placement, height, and bulk of permitted buildings and structures; to establish locational criteria for vehicular access to site, parking and loading requirements, landscape, sign standards; and identify historic preservation features to be incorporated and/or considered for development plans. Unless otherwise stated herein, all development within the Project area shall meet the applicable standards and requirements of the City's Development Code for MU-8b developments.

The purpose of these standards is to encourage a high-quality residential/mixed-use development. These standards establish flexible guidelines to encourage such development, ensure that it is of a minimum standard of appearance, and compatible with the neighborhoods.

Table 1: Applicable Development Standards on the next page summarizes the City' development standards present within the entire Watermarke Ontario Project area as well as the surrounding uses. These development standards are based on those found in the Ontario Development Code. However, in the event of discrepancies between the development standards presented in this document and those in the Ontario Development Code, this document will act as the primary regulatory document.

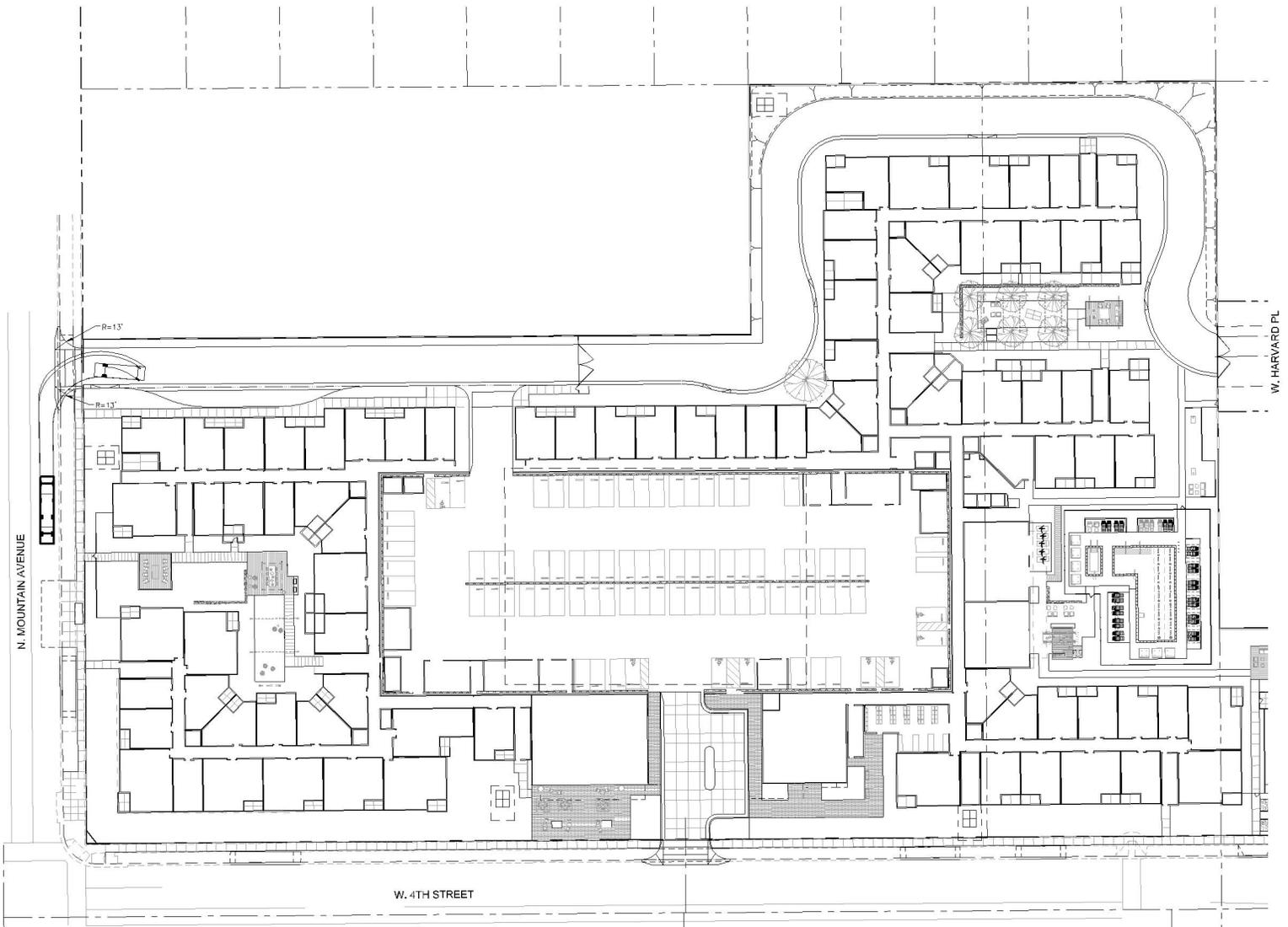


Table 1: Applicable Development Standards

| Development Standard | Requirement | Consistency Discussion |
|---------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|
| Residential Density | 20 – 75 du/ac | Development Strategy |
| Maximum Retail/Office (Nonresidential floor area) | 1.0 FAR | Development Strategy |
| Max Building Height | 5 Stories | Design Standards |
| Setbacks | None Specified | Design Guidelines |
| Min Multiple-Family Residential Parking Ratio. | 1.2 spaces per bedroom 1.2 spaces per unit for studio units | Circulation |
| Min Retail Trade Parking Ratio | 1 space per 250 sf | Circulation |
| Min Bicycle Parking Ratio | <u>Residential</u> 1 rack per 30 stalls <u>Retail (short term)</u> 5% of stalls (2 minimum) | Circulation |
| Min Landscaping | The entirety of the project site (excluding areas devoted to building area, paving, and/or outdoor loading and storage areas that are screened from public view) | Landscape Standards |

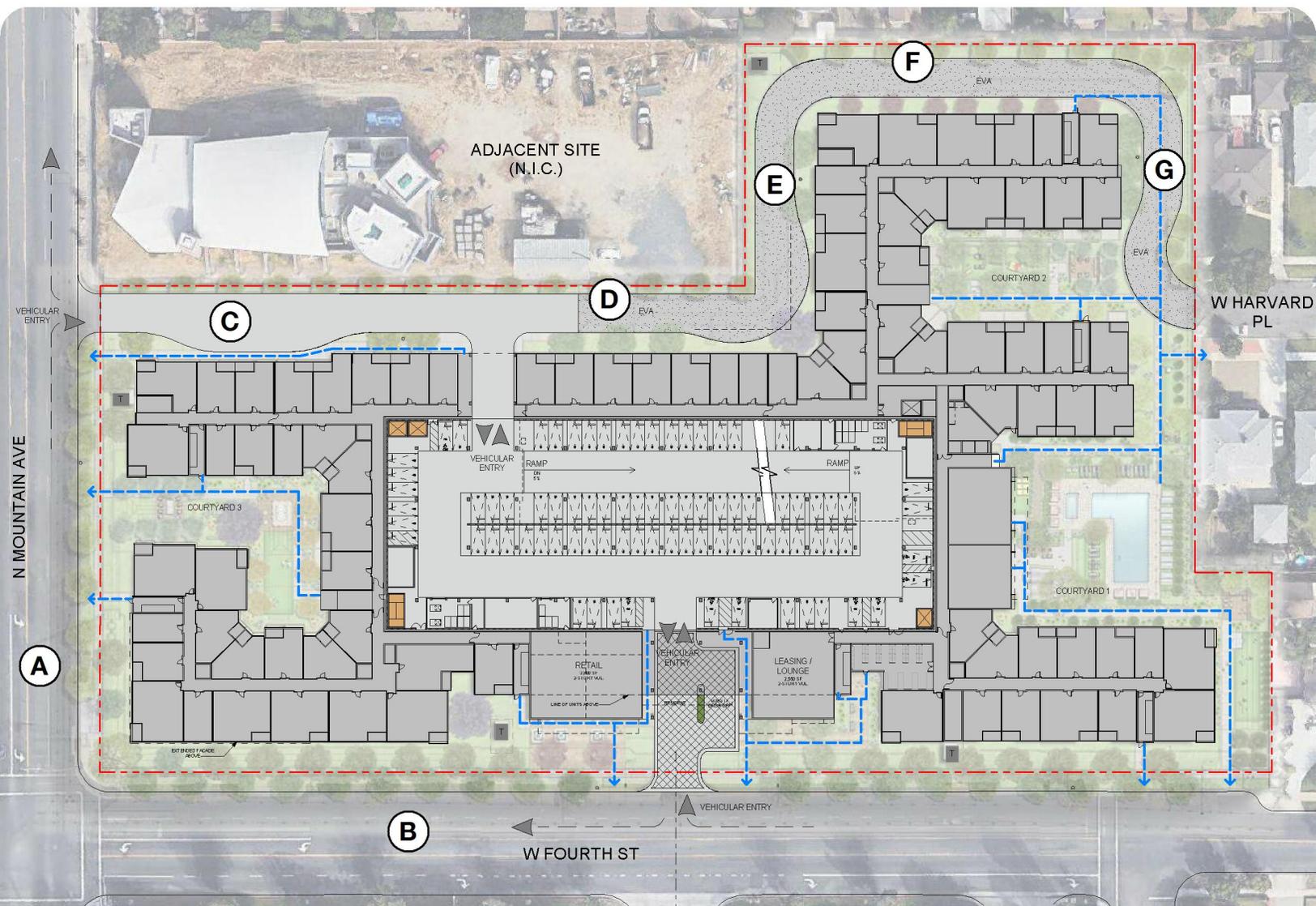
du = dwelling unit
 ac = acre
 FAR = Floor Area Ratio
 sf = square feet

CIRCULATION

Circulation improvements within the PUD area should include adequate vehicular and pedestrian accessways throughout the PUD area. Improvements within the PUD area shall include points of access to Fourth Street and Mountain Avenue. Proposed improvements to roadways and pedestrian accessways shall be approved by the City Engineer.

The Project provides circulation improvements within the PUD area, including a primary and secondary driveway along Fourth Street and Mountain Avenue, respectively. The primary driveway consists of a two-lane gated entry along Fourth Street which leads to the southern entrance of the central parking structure. A secondary driveway connects to Mountain Avenue in the northwestern portion of the Project site and continues east toward the eastern boundary of the Project site. The secondary driveway includes a connection to the northern entrance of the central parking structure. Once past the northern entrance of the central parking structure, the secondary driveway continues east, transitioning into an Emergency Vehicle Access (EVA) lane which terminates at the eastern boundary of the Project site.

Internal circulation improvements also include a series of ramps within the central parking structure to allow vehicular access to each of the six parking levels. The ramps will allow for a bidirectional flow of traffic. The first and sixth level of the central parking structure will include a turnaround space for vehicles to change direction to either continue upwards or downwards on the ramp.



ROADWAY INFRASTRUCTURE

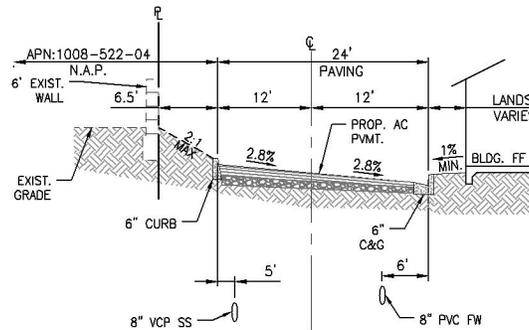
Internal Roadway Improvements

Access to the PUD site is provided through roadway connections to both Mountain Avenue and Fourth Street. External roadway access points (e.g., driveways) shall be developed at a minimum width of 24 feet. This not only allows for a bidirectional flow of passenger vehicle traffic, but also provides adequate space for the bidirectional travel for larger service vehicles (e.g., fire engines and garbage trucks).

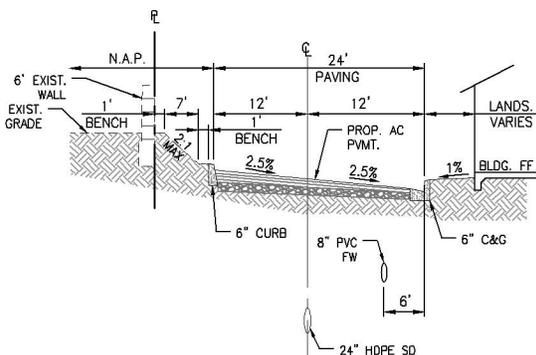
Access to the PUD site via Harvard Place shall be limited to EVA connections. EVA lane access to the PUD site shall be prohibited for non-emergency vehicles and pedestrians. EVA connections to Harvard Place shall be secured via a gated entry which shall remain closed and locked except when in use by emergency personnel.

The Project's proposed internal roadway improvements include two driveways, multiple ramps connecting the different levels of the central parking structure, and an EVA lane.

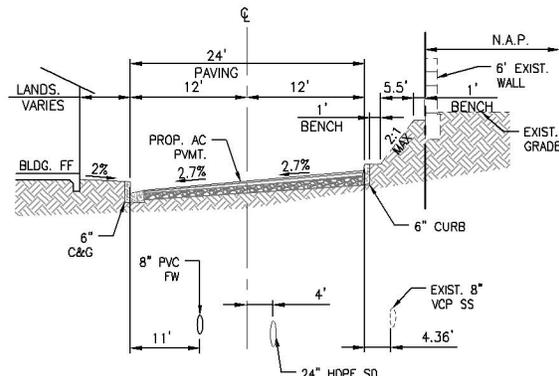
- The main entryway connects to Fourth Street via a 28.5-ft wide driveway, which continues into a 26-ft wide gated entry for the central parking structure. A 20-ft wide guest drop-off lane is attached to the main entryway. These driveways are separated by a 6-ft wide landscape island.
- The secondary entryway connects to Mountain Avenue via a 24-ft wide driveway leading to a 90-degree connection to a 24-ft wide entry into the central parking structure.
- An EVA lane will connect to the secondary entryway, continuing the 24-ft wide driveway east to Harvard Place. The EVA lane will consist of paved portions of the northeast perimeter of the Project area. The EVA lane will terminate at a 6-foot-tall gate placed at the EVA lane's point of connection to Harvard Place.
- The 6 levels of the parking structure will be connected by 24-ft wide ramps that connect each of the parking levels to the surrounding residential structure.



E TYPICAL SECTION
 N.T.S.



F TYPICAL SECTION
 N.T.S.

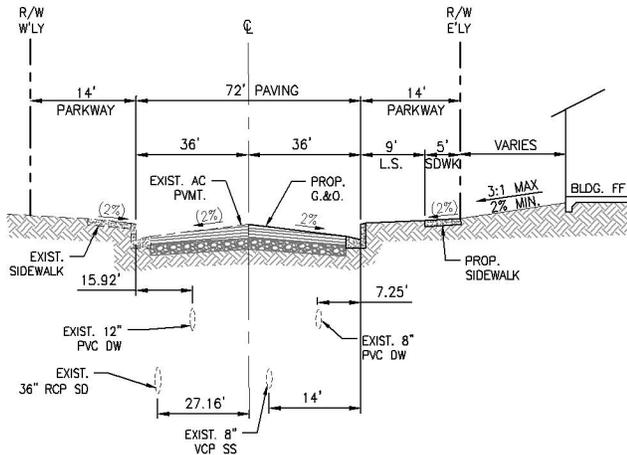


G TYPICAL SECTION
 N.T.S.

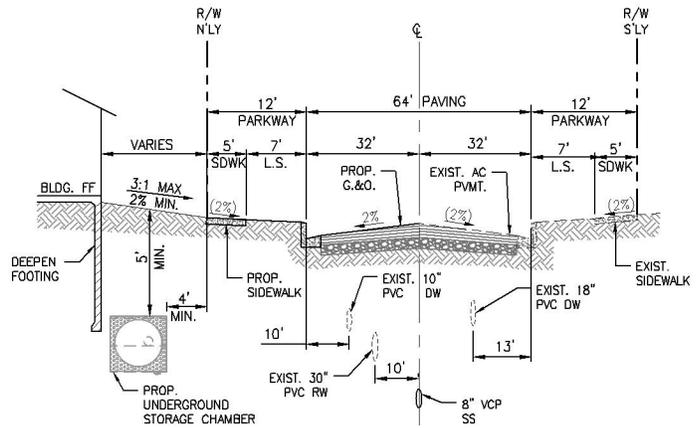
Public Right of Way Improvements

The public right-of-way improvements required are to include but are not limited to the following: street paving, curb and gutter, parkway landscaping, parkway irrigation, public sidewalk, traffic signing and striping, streetlights, bus stop, bus shelters, and amenities.

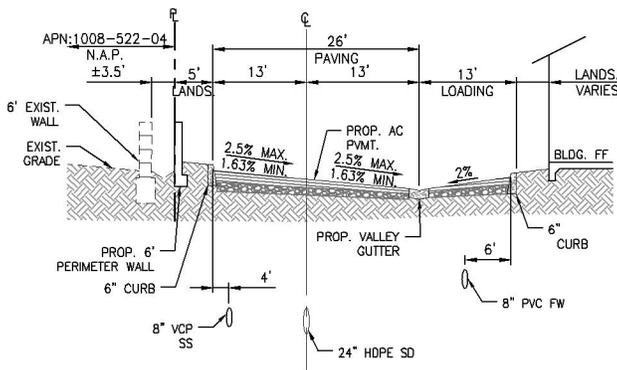
Development along public rights-of-way must be approved by the City.



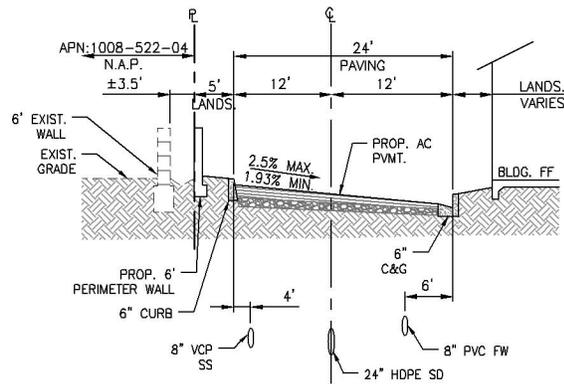
A N. MOUNTAIN AVENUE
 N.T.S.



B W. FOURTH STREET
 N.T.S.



C TYPICAL SECTION
 N.T.S.



D TYPICAL SECTION
 N.T.S.

Parking

Parking should be provided within the PUD area for residential and retail uses. Residential parking shall be provided at a rate of at least 1.2 spaces per bedroom (includes guest parking). Studio unit parking shall also be provided at a rate of 1.2 spaces per unit. Retail uses parking shall be provided at a rate of 1 parking space for each 250 sf of commercial floor area.

Parking space dimensions, drive aisles, etc. shall conform to the design standards set forth in Division 6.03 (Off-Street Parking and Loading) of the Ontario Development Code. On-street vehicular parking along Fourth Street and Mountain Avenue shall be prohibited. Fourth Street and Mountain Avenue are both public streets and may not be designated for guest parking. On-street parking may not be used to meet the requirements for on-site parking as indicated in Division 6.03 of the Ontario Development Code.

Parking requirements for each unit type are summarized in **Table 1: Applicable Development Standards**.

The Project will provide 643 residential parking spaces and 16 retail parking spaces within the central parking structure for a total of 659 parking spaces. Retail parking spaces will be located on the ground floor of the parking structure with the remaining spaces utilized for residential parking. Twenty-four bicycle parking stations will be provided based on a ratio of 1 bicycle rack per 30 parking stalls. The amount of residential provided bicycle racks will exceed the required 22 stalls based on the 643 provided residential parking stalls. **Table 2: Project Parking Consistency** summarizes the Project's proposed parking counts compared to the standards established for the PUD.

Table 2: Project Parking Consistency

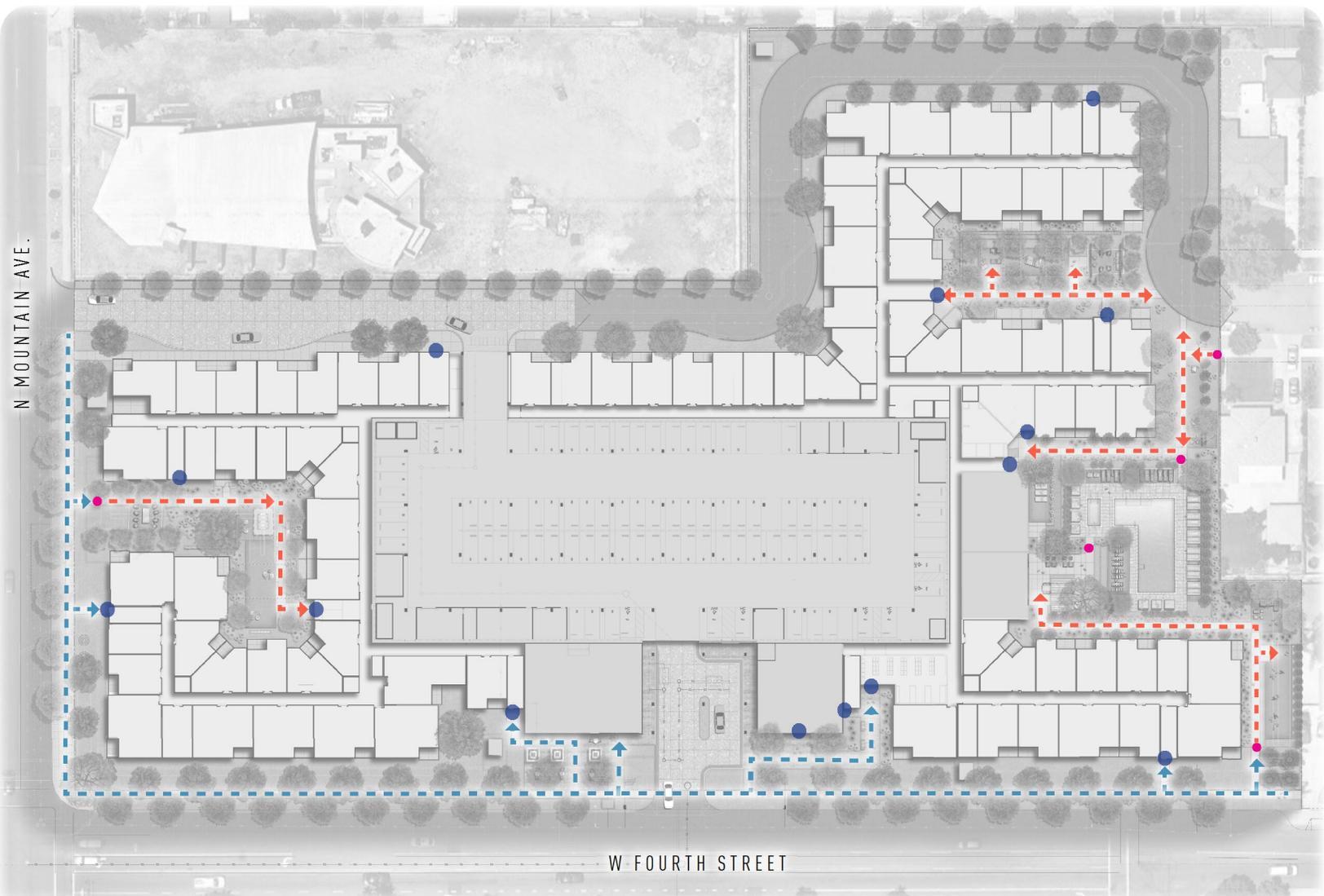
| Standard | PUD Requirement | Project Consistency |
|--------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------------|
| Residential Parking Ratio | 1.2 spaces per bedroom (1.2 spaces per studio unit) | 1.4 spaces per bedroom (including studio units) |
| Minimum Residential Spaces | 555 Spaces | 643 Spaces |
| Minimum Retail/Office Parking Ratio | 1 space per 250 sf | |
| Minimum Retail/Office Parking Spaces | 16 Spaces | 16 Spaces |
| Minimum Bicycle Parking Ratio | Residential: 1 rack per 30 stalls Retail (short term): 5% of stalls (2 minimum) | |
| Minimum Residential Bicycle Racks | <u>22 Racks</u> | 22 Racks |
| Minimum Bicycle Racks | 2 Racks | 2 Racks |

Pedestrian Connections

Pedestrian connections shall be provided to the PUD site from Mountain Avenue and Fourth Street. Private pedestrian accessways shall be developed between each building and dwelling unit within the PUD site. The PUD area shall be developed such that internal vehicular traffic is limited to parking areas and main driveways. Pedestrian accessways within the PUD area outside of parking structures should be landscaped and be made of complimentary materials to the building theme.

The Project will connect to existing pedestrian sidewalks along Fourth Street and Mountain Avenue. Internal pedestrian circulation will include pathways between buildings and dwelling units and the parking structure. Residents will be able to access all areas of Watermarke Ontario, including amenity areas, through walking paths and paved sidewalks. Vehicular traffic will be limited to the central parking structure, its entryways, and external roadways.

Pathways within the Project which are adjacent to amenities and open space areas will be created with various materials, including stone, concrete, and wood paneling to give each area of the Project site its own unique character.



INFRASTRUCTURE AND UTILITIES

Utility infrastructure within the PUD area such as water, sewer, recycled water, and electricity facilities shall connect to existing City infrastructure systems along Mountain Avenue and Fourth Street and propose new facilities within existing utility easements and rights of way. Each utility shall be buried at varying depths, based on City standard, to create a separated, identifiable system.

Telecommunications

Residential developments within the PUD shall include connections to telecommunications services either through existing overhead cable and telephone lines, through the placement of fiber optic cable, or undergrounding based on site conditions and the City's discretion.

The Project includes the placement of new fiber optic cable along the northern, southern, and western portions of the Project site with multiple connections made to each building.

Water, Sewer, and Stormwater

Domestic water connections shall be made via the existing domestic water main running below Fourth Street along the southern portion of the PUD area.

The Project includes the placement of one domestic water meter, one domestic water master meter, and one domestic water backflow in the southern portion of the Project site. The Project includes a new recycled water meter connection along the southern portion of the site which would connect to the existing recycled water main below Fourth Street.

The Project proposes a new fire water line connection to the existing domestic water line beneath Mountain Avenue via a double check detector assembly (DCDA). The Project fire water line will follow the path of the secondary driveway and EVA lane to the PUD area's eastern perimeter where it will continue south along the Project site perimeter. The Project fire water line will then connect to the existing domestic water main below Fourth Street via a DCDA. Multiple points of connection from the fire water line to Project structures will be made within the northern portion of the Project site. Additional fire hydrants will be placed along the southern and western portions of the Project site.

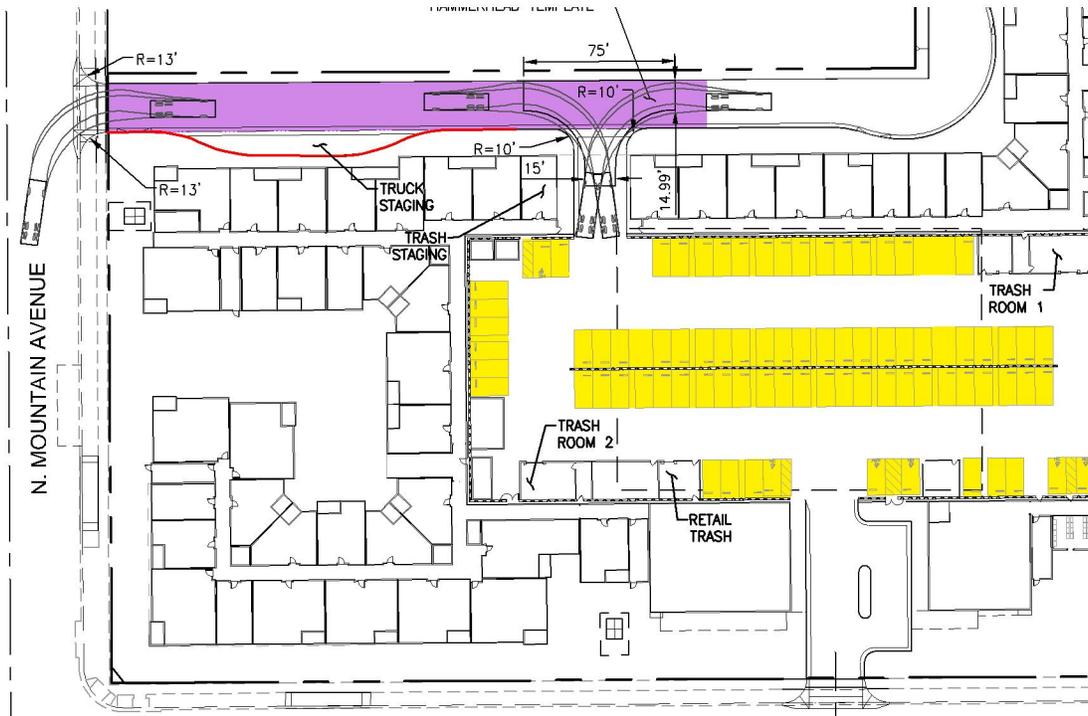
Sewer infrastructure proposed for the Project site will run along the secondary northern driveway and continue along the EVA lane before terminating at a sewer lateral on the northwestern portion of the EVA lane. An additional sewer line will branch from the northern line at the secondary entrance of the central parking structure and cross the site from north to south, connecting to a proposed line below Fourth Street. The Project proposed public sewer main below Fourth Street connecting to an existing sewer main below the intersection of Mountain Avenue and Fourth Street. Multiple sewer lateral connections will be made to the existing sewer main within the sanitary sewer easement adjacent to the eastern border of the Project site. The existing sewer main runs north-south along the Project site before transitioning east between Harvard Place and Fourth Street. Multiple laterals placed along the proposed and existing sewer facilities will form connections to each unit and retail use.

Developments within the PUD area shall provide on-site stormwater drainage facilities which comply with the San Bernardino County Stormwater Program's Water Quality Management Plan (WQMP) requirements. These facilities may include vegetated swales, depressed landscaped basins, pervious concrete pavement, and underground stormwater retention/infiltration vaults. All proposed Development Plans must prepare a Preliminary Water Quality Management Plan to ensure water quality management.

One underground retarding basin and one underground infiltration chamber will be placed on the western and southwestern portions of the Project site, respectively. A dry well will be placed in the southeastern portion of the site and will connect to the proposed onsite storm drain system.

New storm drainage lines will connect to existing storm drain facilities below Mountain Avenue. The Project storm drain lines will run along the inner perimeter of the PUD area. An underground infiltration chamber will be placed below the southwestern corner of the Project site. Additionally, an underground retarding basin will be placed below Courtyard 3. A modular wetland, a pump, and a flow control structure will be placed along the southeastern portion of the PUD area.

Solid Waste

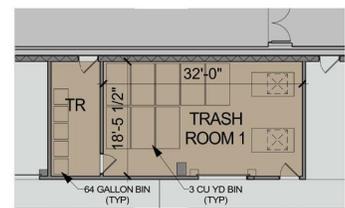


Individual refuse containers should be provided for each residential unit and collected in group waste bins within trash enclosures for pickup by City Integrated Waste Department. Refuse and recyclable materials collection facilities shall be designed consistent with the City's Building and Development Code and shall be designed to be consistent with the overall theme of the surrounding PUD area, including materials and aesthetic elements of both the specific area and the overall PUD area. Trash enclosures should be placed throughout the site to allow for waste collection and shall be shielded from pedestrian view. The PUD roadways shall be designed to allow for utility service vehicles (such as waste collection vehicles) to enter and exit the site via Mountain Avenue.

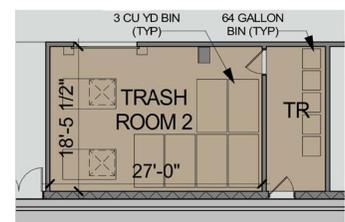
All refuse enclosures shall be located on major drives aisles within developments to achieve adequate circulation for refuse vehicles. Enclosures must be designed so that refuse and recycling containers may be accessed by the generator and serviced by the service provider without moving other bins. To encourage recycling, enclosures designed for a maximum of one (1) bin are prohibited.

All Priority Land Use (PLU) areas (areas which include mixed uses containing residential densities of at least 10 dwelling units per acre) within this Development Plan shall comply with the statewide Trash Provisions adopted by the State Water Resources Control Board (SWRCB) and trash requirements in the most current San Bernardino County Area-Wide MS4 Permit.

Individual refuse and recyclable materials collection pick up and storage locations have been designed for the project. Trash and recycling bins shall be provided for each unit. Two residential trash rooms will be placed in the northeast and southwest corner of the parking structure. First floor residents are able to dispose of their trash in either of these rooms. Each subsequent floor of the residential structure will have access to garbage chutes also located in the northeast and southwest corner of the parking structure. These chutes deposit refuse directly into the first-floor trash rooms. A retail trash enclosure is also provided in the southwest corner of the central parking structure.



ENLARGED TRASH ROOM 1
 N.T.S.



ENLARGED TRASH ROOM 2
 N.T.S.

Scout trucks will be used to consistently monitor trash levels and transfer full containers to the main trash enclosure on the north side of the PUD area. The bins within the trash enclosure will be picked up by the City's Integrated Waste Department. The City's Integrated Waste Department will utilize the secondary northern driveway as site access. This process of trash retrieval will be shielded from view will be made efficient through the creation of a truck access lane attached to the secondary entrance driveway.

Utility Screening

All ground mounted equipment within the PUD area shall be screened and designed to not detract from the architecture of the Project site. Air conditioners, and other utilities, shall be screened from adjoining properties and public rights of way by a visual barrier. Water, sewer, telecommunication, and electricity utility lines shall be buried underneath roadways to not only shield them from public view, but also to ensure their protection from hazards such as precipitous weather and rodents.

Utility buildings shall be installed/designed to incorporate architectural elements or screening or to be placed in a manner to reduce visual impacts to the community. Roof mounted equipment, including ladders and antenna devices, shall be located and/or screened so that it is not visible from streets and adjacent buildings; or shall be designed to be integrated to the building's form where possible. Roof decks and rooftop mechanical units may be visible from adjacent developments and therefore shall be screened and painted to match the finish of the roofing material in order to be as unobtrusive as possible. Rooftop levels shall therefore be developed with parapets which encircle the rooftop area which contains rooftop mechanical equipment in order to further shield them from view. Rooftop parapets should be designed to match the materials and color scheme of the adjacent portion of the building. Roof decks should be designed to match or complement materials and colors used in the adjacent portions of the building and create a sense of consistency between building components.

DEVELOPMENT STRATEGY

Nonresidential uses (i.e., retail and office), within the PUD area shall be developed at a maximum intensity of 1.0 FAR. Residential density within the PUD area shall range from a minimum of 25 du/ac to a maximum of 75 du/ac. These densities are consistent with development standards established for City's MU-8b zones.

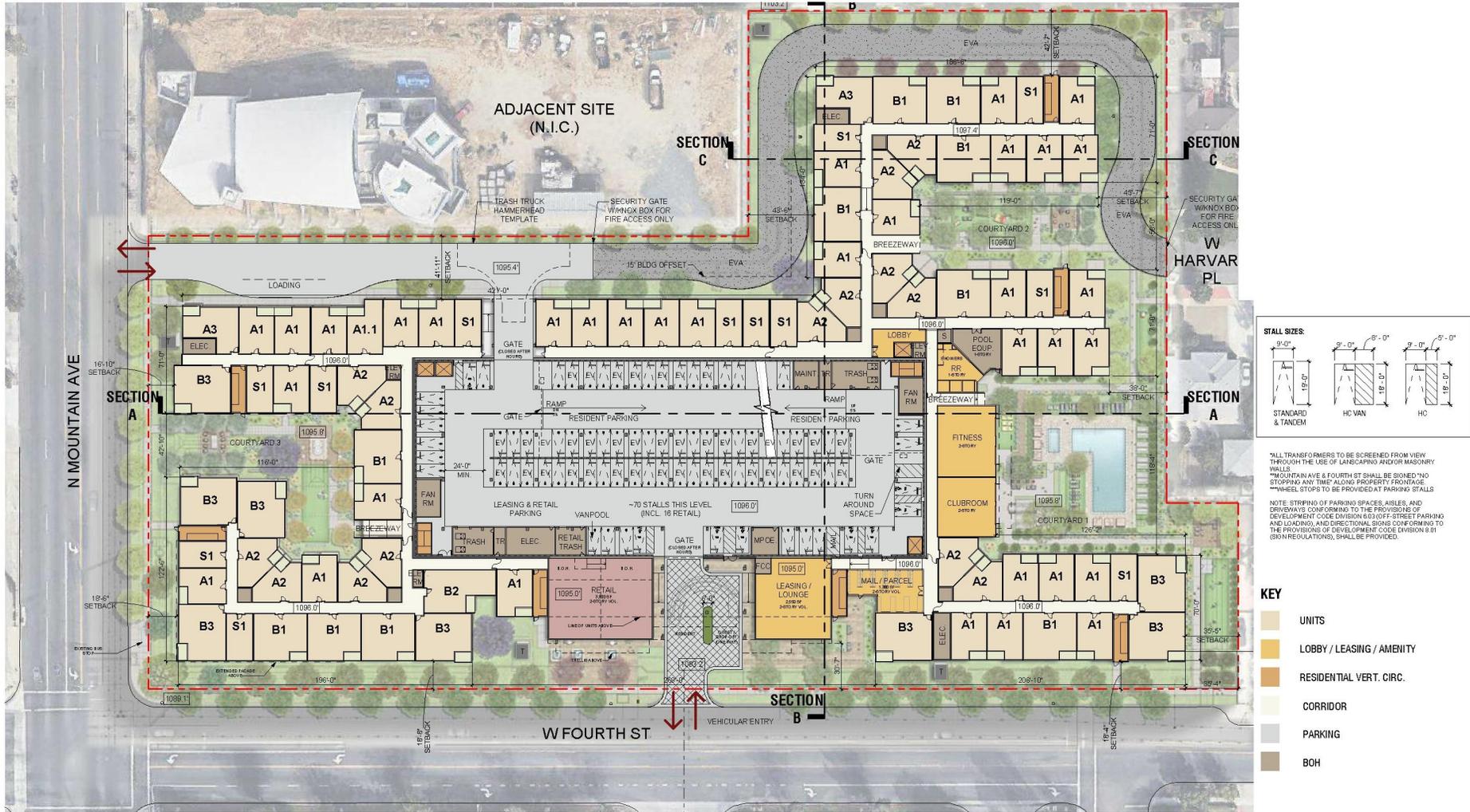
The Project proposes the creation of 3,800 square feet of retail/office space along the PUD area's Fourth Street frontage. Project retail/office uses are proposed at an intensity of 0.02 FAR. The Watermarke Ontario Project proposes the creation of 357 multifamily residential units with an overall density of 61.5 du/ac.

The Project's 357 residential units would consist of studio, 1-bedroom, and 2-bedroom apartment units. The studio units are available in one floorplan and the 1- and 2-bedroom units are available in three floorplans. The PUD floorplans range in size from 576 square feet to 1,172 square feet. **Table 3: Floor Plan Standards** details the dimensions and development standard of each of the three available floor plans.

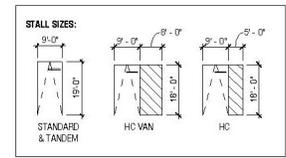
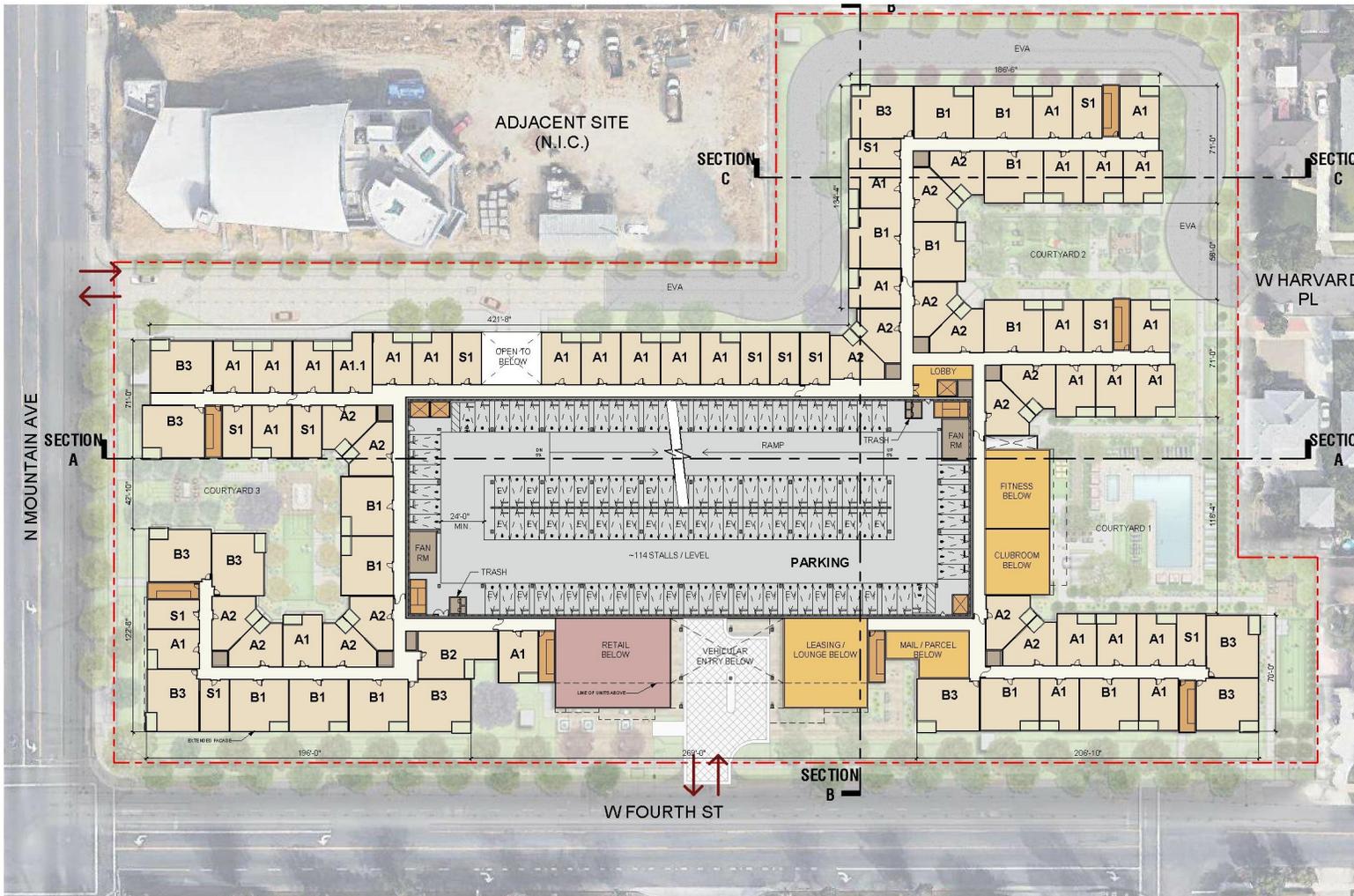
Table 3: Floor Plan Standards

| Floor Plan # | | Bedrooms | Bathrooms | Square Feet | Unit Count |
|--------------|----------|----------|-----------|-------------|------------|
| 5 | 1 | Studio | 1 | 576 | 50 |
| | 1 | 1 | 1 | 696 | 138 |
| A | 2 | | | 707 | 62 |
| 3 | 891 | | | 2 | |
| B | 1 | 2 | 2 | 1,080 | 62 |
| | 2 | | | 1,172 | 6 |
| | 3 | | | 1,138 | 37 |

Ground-Level Building Plan



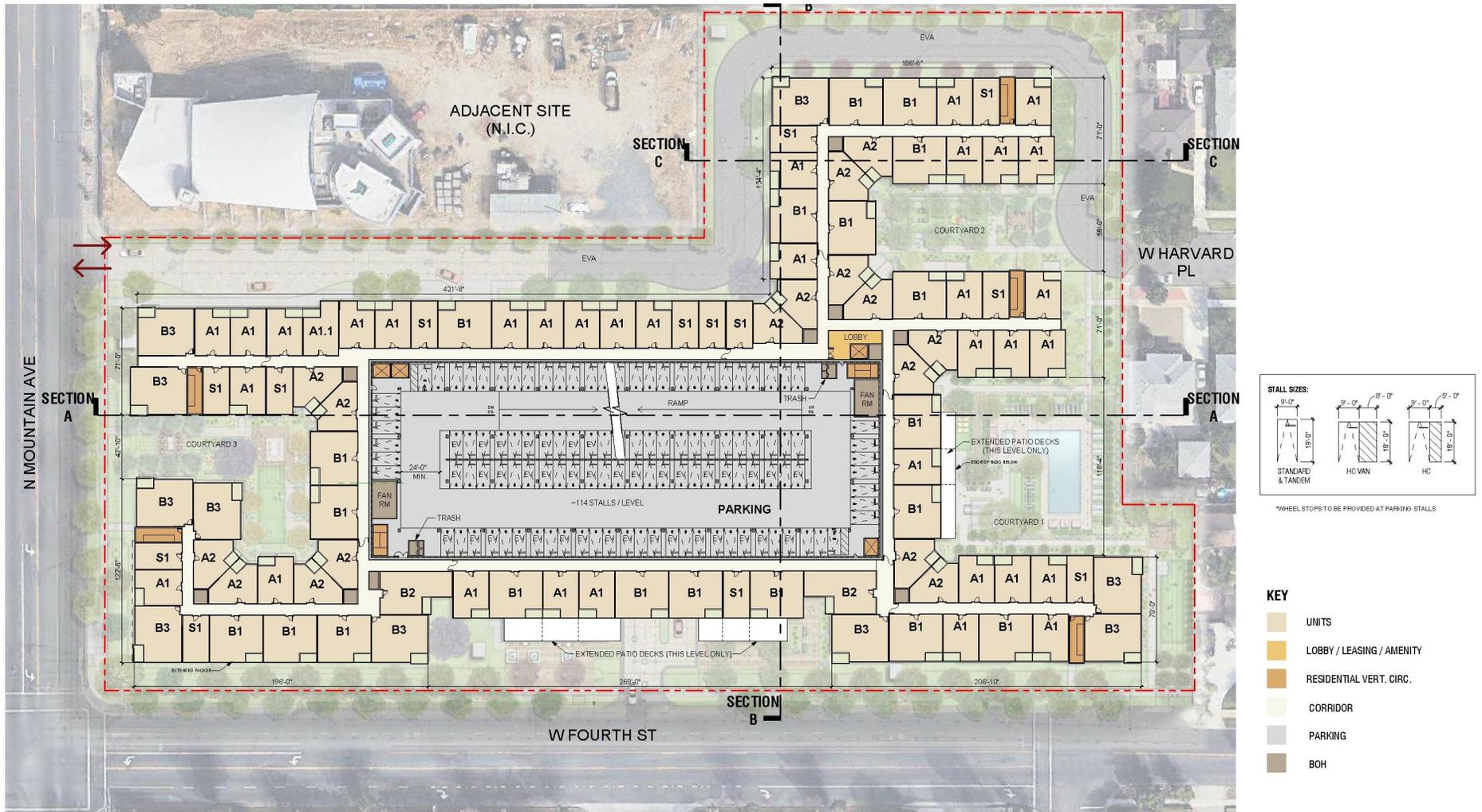
2nd Level Building Plan



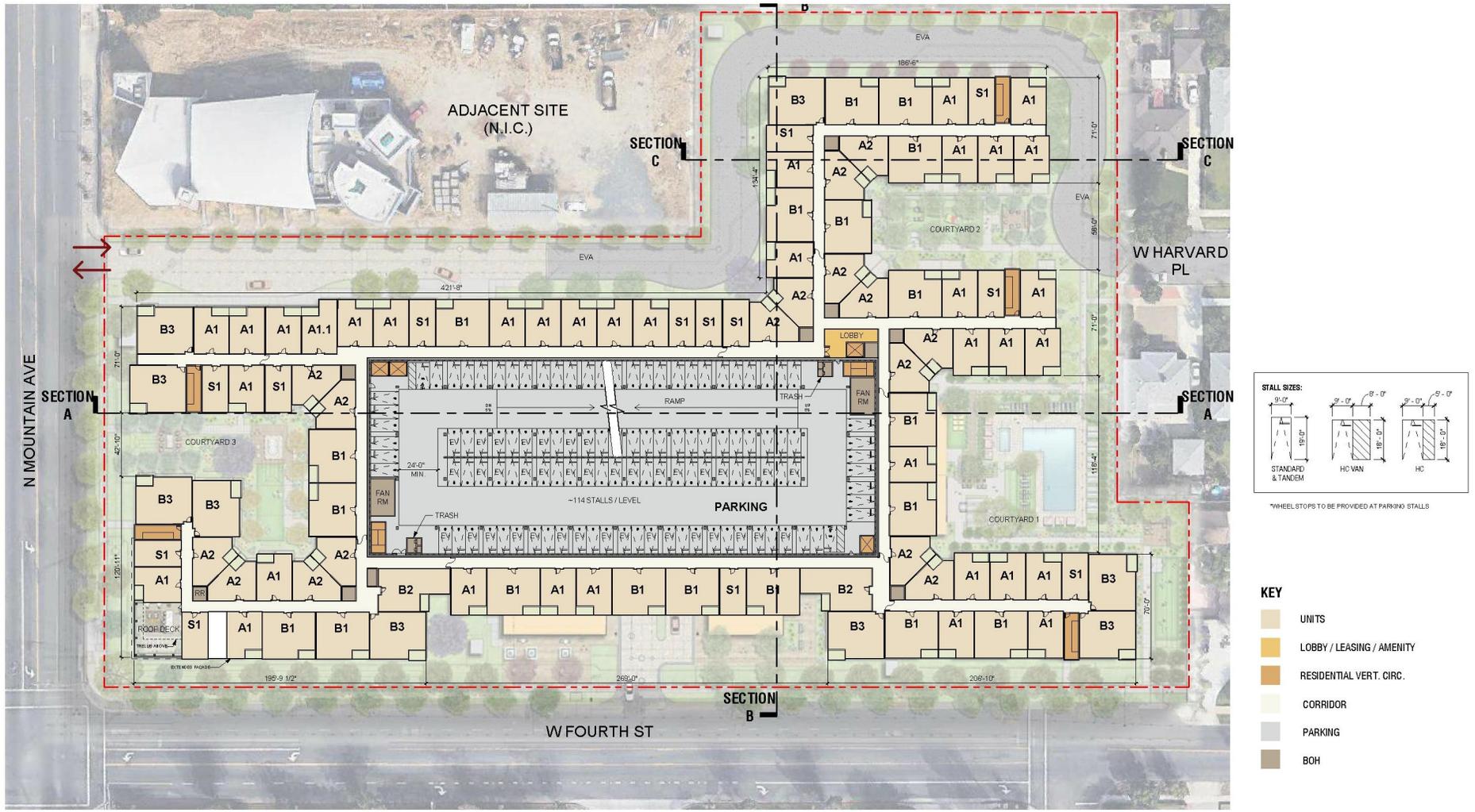
*WHEEL STOPS TO BE PROVIDED AT PARKING STALLS

- KEY**
- UNITS
 - LOBBY / LEASING / AMENITY
 - RESIDENTIAL VERT. CIRC.
 - CORRIDOR
 - PARKING
 - BOH

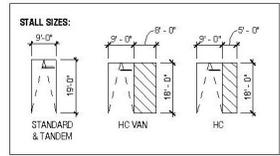
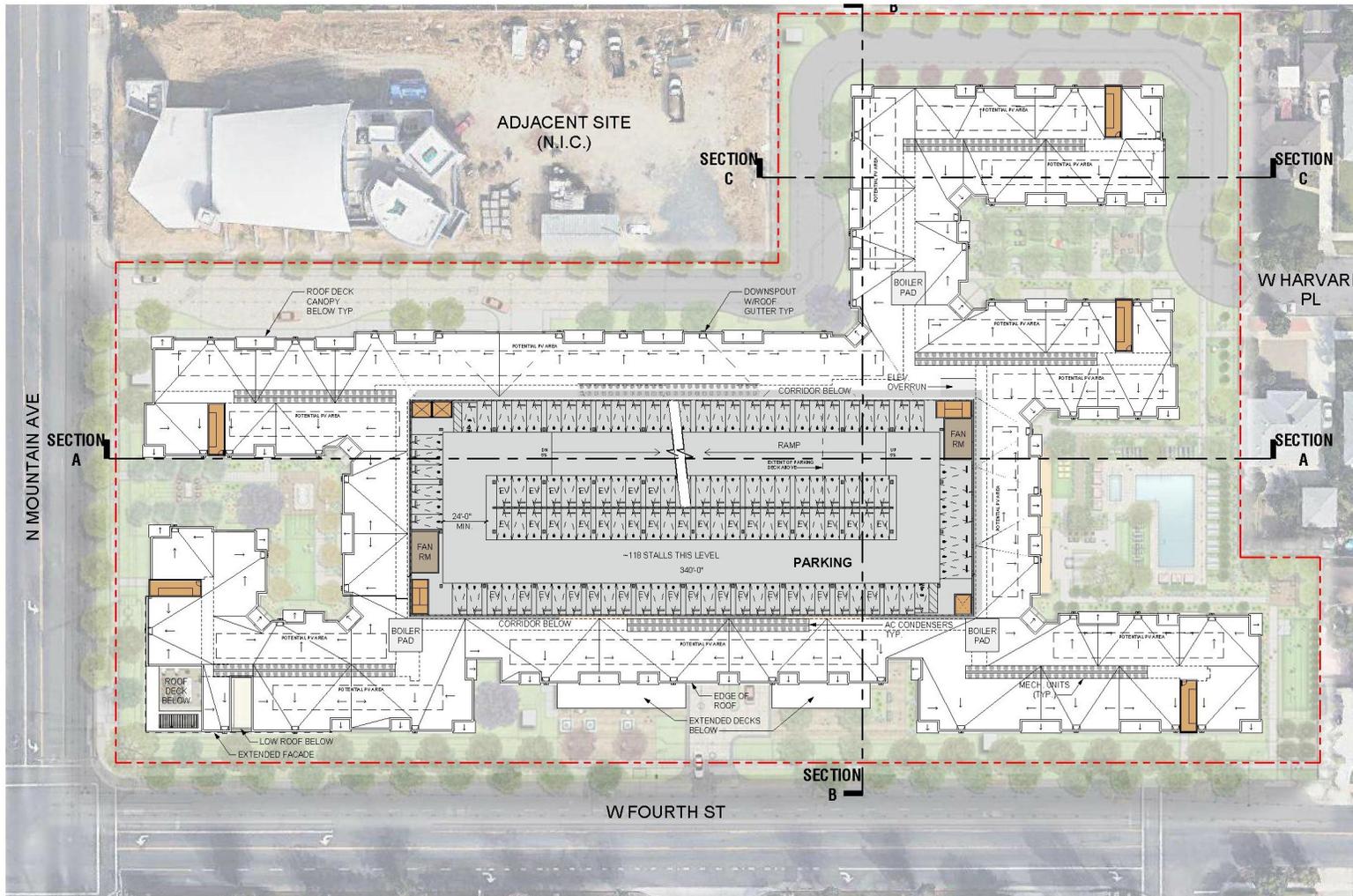
3rd Level Building Plan



4th Level Building Plan



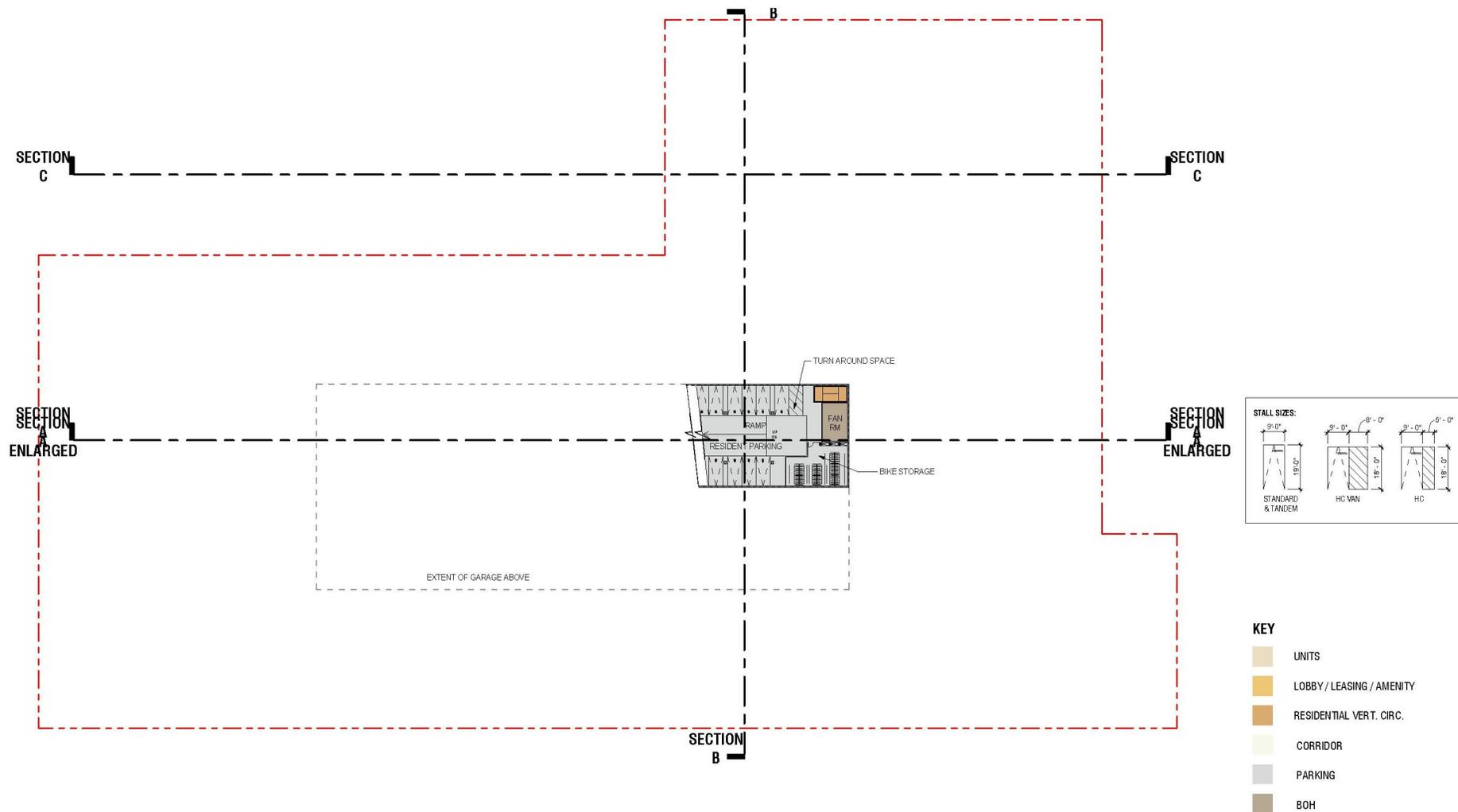
5th Level Building Plan



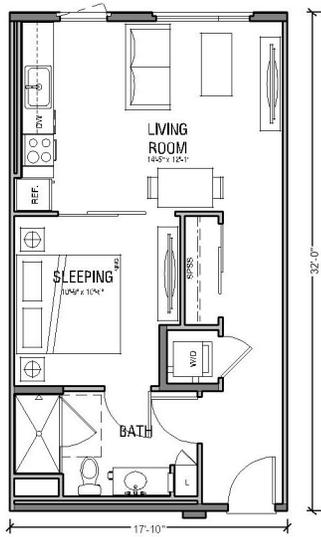
*WHEEL STOPS TO BE PROVIDED AT PARKING STALLS
 (NOTE: ROOF RISE SHALL BE 1/8" PER FOOT)

- KEY**
- UNITS
 - LOBBY / LEASING / AMENITY
 - RESIDENTIAL VERT. CIRC.
 - CORRIDOR
 - PARKING
 - BOH

B1 Basement Level



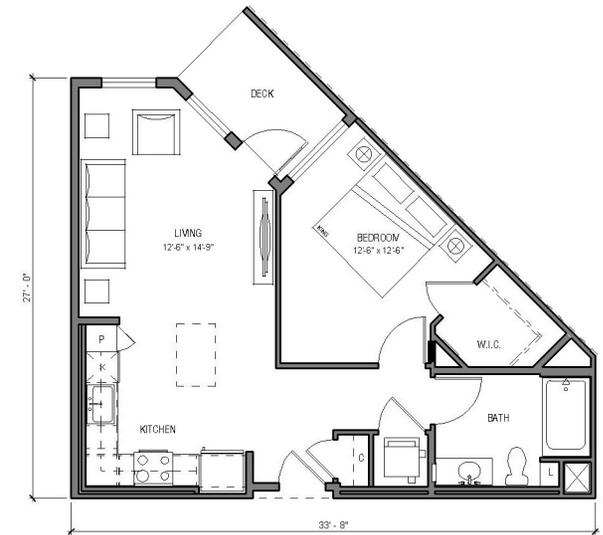
Typical Unit Plans | Studio & 1 Bed



UNIT S1
STUDIO / 1 BATH

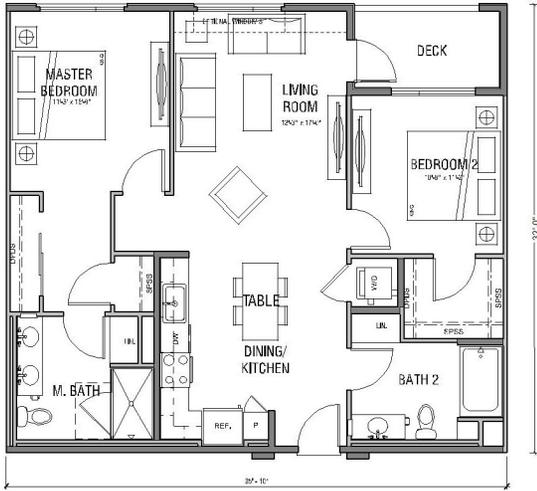


UNIT A1
1 BEDROOM / 1 BATH

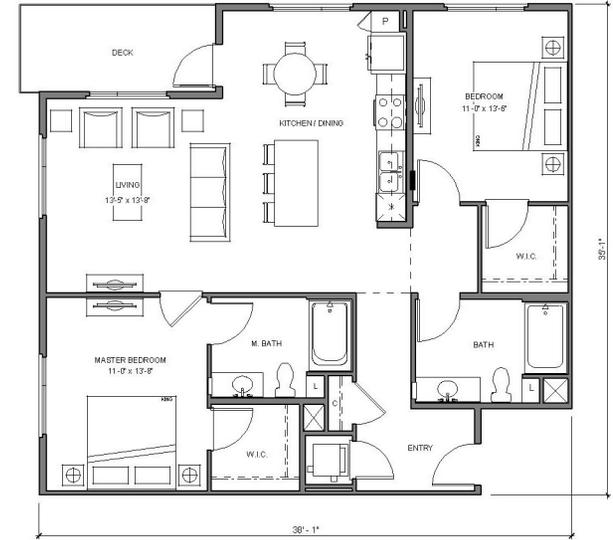


UNIT A2
1 BEDROOM / 1 BATH

Typical Unit Plans | 2 Beds



JNIT B1
2 BEDROOM / 2 BATH



UNIT B3
2 BEDROOM / 2 BATH



UNIT B2
2 BEDROOM / 2 BATH

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 contained here are consistent with the standards presented in **Table 1: Applicable Development Standards** above.

The design guidelines provided in this section are designed to be compatible with the vision of the Mixed-Use Neighborhood Activity Hub and provide site specific guidance for the development of the project area. The design guidelines in this PUD are intended to provide direction to developments within the PUD area. 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).



Building Orientation

Building frontages shall be oriented towards Fourth Street. Frontages should be enhanced with entry elements, interesting architecture, enhanced materials, and pedestrian scale to provide connection between the development and the street. Fourth Street shall provide primary access to the site with Mountain Avenue acting as a secondary access point. Retail uses developed within the PUD area shall have entrances oriented toward Fourth Street. Indoor residential amenities (e.g., gyms and common areas) may be oriented towards interior pedestrian open spaces.

The Project will consist of one large multifamily building with integrated retail and parking uses. The Project will be developed as a wrapped style development with one central multilevel parking structure surrounded on all sides by residential units, retail uses, and amenities. The building will be developed with inset amenity spaces, courtyards, and additional pedestrian accessways. This will allow a natural, organic buffer to occur between the building and any surrounding roadway or development. Each side of the building will be designed to be aesthetically pleasing to any passersby; however, the main side will be oriented toward Fourth Street. The rear entry, adjacent to Mountain Avenue, will be a secondary elevation/frontage. Residential units will have their entryways oriented toward the inside of the complex with balconies and windows facing the exterior of the complex. Pathways to each unit will also be placed within the complex and connect with separate pedestrian pathways that lead to external portions of the complex.

North Elevation



Setbacks

Buildings within the PUD area shall maintain a minimum setback of 10 feet from the front and interior side PUD area boundaries. Additionally, buildings within the PUD area shall maintain a minimum setback of 10 feet from adjacent arterial, collector, and local streets.

Landscaping shall be used within each setback to soften each building's appearance as well as designed with windows or design elements. The use of a 10-foot setback for the sides of buildings adjacent to adjacent residentially zoned parcels would allow for a softer transition to nearby residential uses.

The Project will maintain a minimum setback of 10 feet for front, side, and all street setbacks. All unimproved setback areas within the Project area will be landscaped.

Architectural Character/Details

Building frontages along Fourth Street must be developed to be visually appealing with enhanced materials and landscaping. Building signage and addresses should be clearly visible from the street. Residential and Non-Residential land uses should be visually distinguishable from each other while maintaining an overall theme with the building frontage through the use of similar materials and color palette.

Buildings within the PUD area should be designed so that each side of the building is visually consistent within itself while not needing to be consistent with other sides. However, the complimentary usage of materials and color pallets should be implemented to ensure unity among each side of the building.

The Project's main building will include a break in design between the first floor and the remaining floors to create a natural separation between the mixed uses present on the ground floor and the residential uses in subsequent floors. The overall building will be designed in a contemporary modern style with aesthetically pleasing geometric symmetry between features and units as well a mixture of materials and colors.

Architectural variety will also be used in each façade through a blending of materials including cement board tiles and stone veneer and balconies with metal panel railings. Each level beyond the first story will be expanded beyond the footprint of the first level.

Important or unique portions of the building (such as the retail use or leasing office) will be emphasized through an expanded footprint and large glass frontages. The extended footprint will terminate at the third story and provide differentiation of the points of interest from the remaining residential units. The retail and leasing office will also act as the building frontage, with both on either side of the main entryway.

South Elevation



Massing and Scale

Parking areas should be inset within the PUD area and placed behind buildings. Parking areas within the PUD area shall be a maximum of two stories higher than the nearest residential building.

Taller structures should be centered within the PUD area, with shorter structures developed along the perimeter of the PUD area and the tallest structure at the center of the PUD area. Shorter structures shall not be placed behind taller structures along roadway adjacent portions of the site. This will allow for adequate shielding from views along public roadways. No buildings shall exceed a maximum height of 65 feet, inclusive of rooftop utility facilities and attachments.

Buildings shall not be placed continuously along the entirety of the PUD perimeter. The PUD perimeter shall be broken up with buildings, landscaping, courtyards, and other pedestrian features in order to encourage visual dynamism.

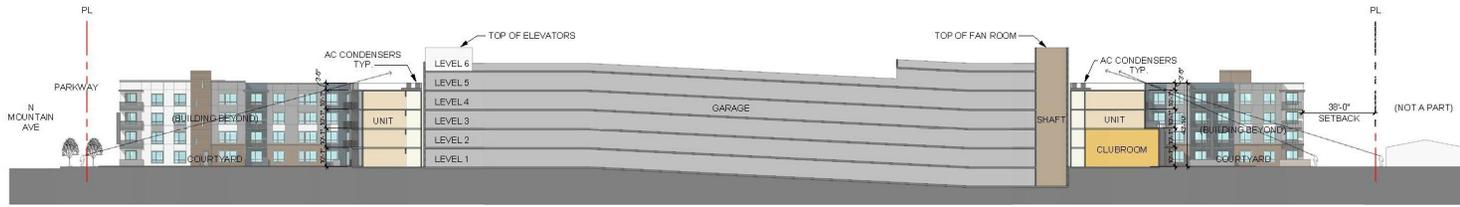
Material and/or color variations should be applied to building facades based on internal architecture. For example, balconies and stairwells should vary in design from the outer walls of residential or retail uses. These variations should be implemented through the use of complimentary materials and colors.

First story developments should be distinguishable from subsequent stories along each building through the use of separate, but complimentary design features such as materials and colors.

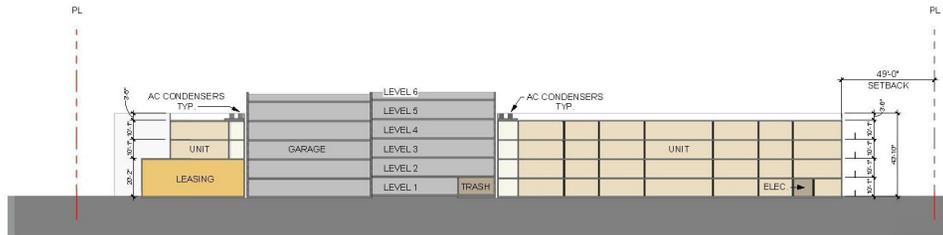
The Project will be developed as a wrapped mixed use apartment complex with a single building encircling a central multi-level parking structure. All unit entries will be accessed within a central hallway and around internal courtyards within the site and around centralized amenity spaces within the lot. All four levels of the mixed use building will present the same footprint, with the only variance being a reduced footprint for third and fourth floor units directly above the leasing office and retail use. Third floor balconies will be extended to create overhangs adjacent to the western portion of Courtyard 1 and above the leasing office and retail use.

The central parking structure will be six stories in the center of the apartment complex. The parking structure will extend beyond the overall height of the residential structures but will not expand the overall footprint. The Project's proposed central parking structure will be the tallest building on the Project site with an approximate 63-foot elevation. Ground level amenities will be within interior courtyards and along the outer perimeter of the main building. These amenities are intended to be accessed with minimal walls/structures blocking access to the facilities. Each building and amenity is designed to be accessed via pedestrian travel with vehicular access capability limited to the entry driveways and the central parking structure. Emergency vehicles may also utilize the EVA running between the Mountain Avenue entrance to Harvard Place.

Building Sections



1 SECTION A
1" = 30'-0"

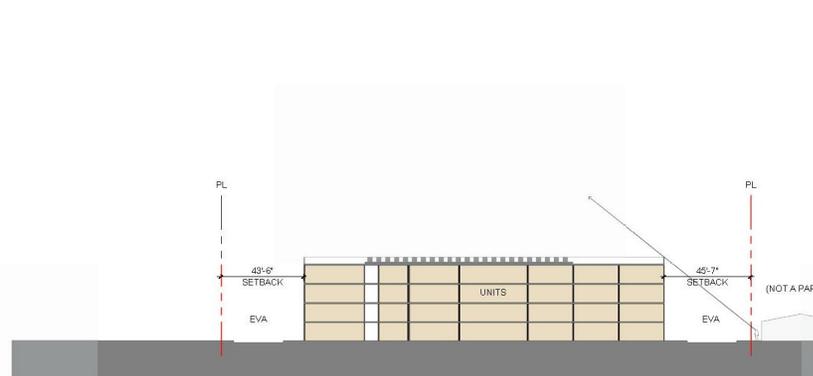


2 SECTION B
1" = 30'-0"

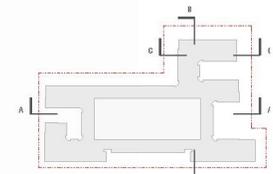
- KEY**
- UNITS
 - LOBBY / LEASING / AMENITY
 - RESIDENTIAL VERT. CIRC.
 - CORRIDOR
 - PARKING
 - BOH



4 SECTION A ENLARGED
1/16" = 1'-0"



3 SECTION C
1" = 30'-0"



KEY MAP

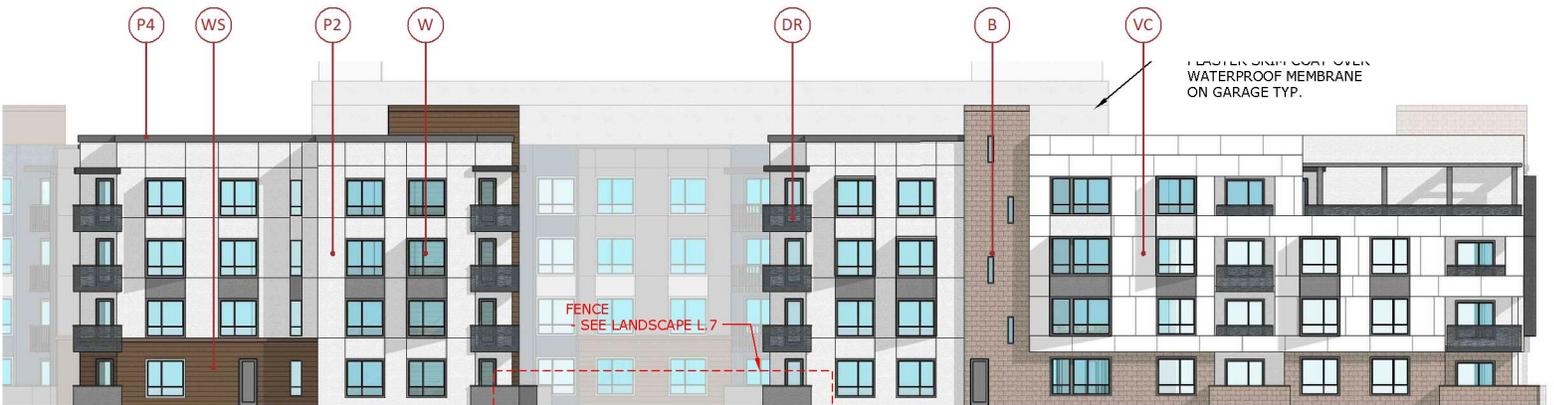
Materials and Color

Materials used within the PUD area should exhibit permanence and quality, thematically unifying 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, wood, stone veneers, metal grating, or stucco are preferred.

Multiple materials and colors should be used on each building façade to create a sense of visual dynamism and interest.

Materials and colors present in the Project will consist of a blending of naturally occurring colors found in organic landscaping components as well as complimentary earth tones to create a bright, visually appealing and modern structure. **Table 4: Material Palette** and **Table 5: Color Palette** and summarize both the non-landscape colors and materials present within the Project.

Partial West Elevation



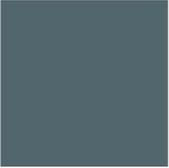
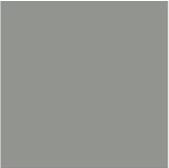
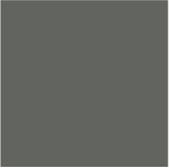
Partial North Elevation



Table 4: Material Palette

| | Material | Location |
|-------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------|
|  | (P) Plaster | Main material; north, south, east, and west façade. |
|  | (B) Block Veneer | Accent material; north, south, east, and west façade. |
|  | (WS) Wood-Like Siding Accent | Accent material; west façade. |
|  | (VC) Vertical Cement Board Tiles | Main material; south and west façade. |
|  | (SF) Storefront | Retail use; north façade. |
|  | (DR) Decorative Metal Panel Railing | Main material; south, east, and west units. Accent material; north façade. |
|  | (MR) Metal Picket Railing | Main material; north, east, and west façade. |

Table 5: Color Palette

| | Color | Location |
|-------------------------------------------------------------------------------------|------------------|----------------------------------------------------------------------------|
|  | (1) Needlepoint | Accent color; north and south façade. |
|  | (2) Snowberry | Accent color; north and south façade. Main color, east and west façade. |
|  | (3) Tin Lizzie | Accent color; east façade. Main color; north and south façade. |
|  | (4) Grizzle Gray | Trim color; north, south, east, and west façade. |
|  | (5) Umber Rust | Accent color; north, east, and west façade. |

LANDSCAPE STANDARDS

A conceptual landscape plan shall be submitted along with the Development Plan for any project within the PUD area for review by the City Landscape Planning Division. The plan shall specify all landscaping and hardscape for the entire project site. Detailed Landscape and Irrigation Plans shall be required prior to the 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 irrigation system shall be designed to utilize recycled water pursuant to State and local codes, ordinances, and laws, and applicable building and plumbing codes.

The Landscape Plan should support and enhance the mixture of retail and residential uses within the PUD area. Landscaping within the PUD area should be used to accentuate transitions from adjacent uses, define circulation patterns within the PUD area, screen parking areas from the street, highlight entries, provide shade for parking areas and outdoor seating areas, and to soften the appearance of any buildings.

Landscaping shall be completed for any setback areas from public roadways and internal communal or gathering spaces, excluding areas devoted to building area, paving, and/or outdoor loading and storage areas that are screened from public view.

The Project's building design creates a series of open courtyards between each wing of the building providing a private, attractive open space area for the tenants use. These spaces are further enhanced with distinctive planting, landscape and amenity features, making them unique and enjoyable to the residents. The planting palette for the Project was chosen to establish a strong, memorable landscape while also providing a buffer between the PUD area and external uses. Exciting recreational structures and well landscaped pathways lead and invite residents to enjoy the central open space amenities or create a convenient walking path for evening exercise.



Open Space Areas

Private open space shall be provided for each dwelling consistent with development code standards and may include balconies or ground level patios. When located on the ground level, private open space shall be screened from public view by landscaping, courtyard walls or privacy fences. Common open space shall be provided to allow for passive and active types of recreation, along with site landscaping amenities for residents and their guests.

The Watermarke Ontario Project includes the following open space areas:

- Three courtyards,
- One pocket park,
- Intimate seating areas,
- A lounge deck,
- And retail frontage.



West Courtyard

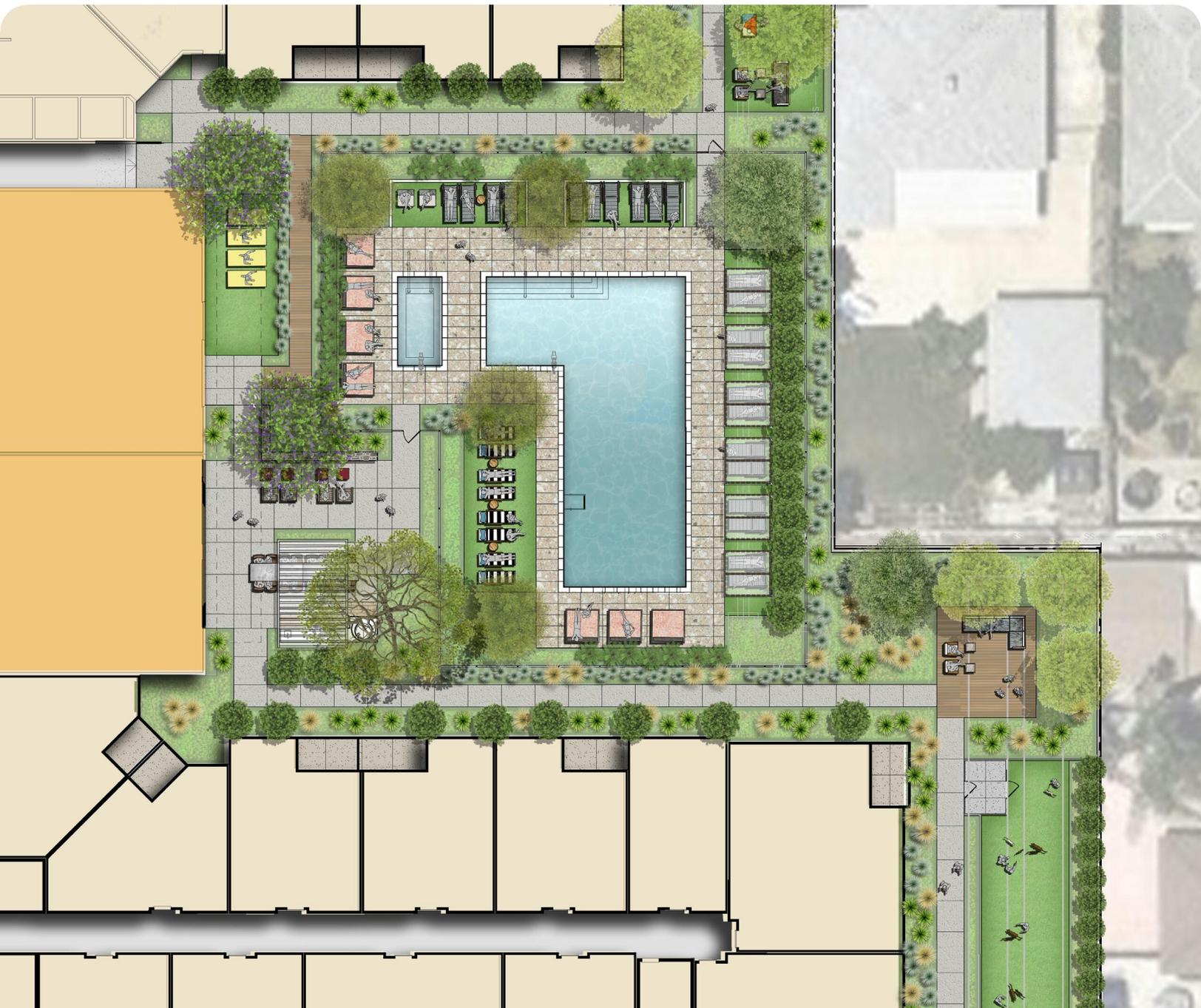
The West Courtyard functions as a communal outdoor dining space for residents. This outdoor space includes a built-in barbecue grill structure and large communal dining table. An attached yard provides multipurpose uses with lounge seating and an open lawn area that can be used for a variety of purposes. The West Courtyard is located on the western portion of the PUD area.



Pool Courtyard

The Pool Courtyard provides a private, resort style pool experience for residents to. The courtyard's pool deck includes one 60'x18' resort pool and an 8'x16' spa. The surrounding areas include lounge chairs, chaise lounges, and pool chairs. Additional amenities within the Pool Courtyard include an outdoor fitness area directly outside of the indoor fitness room, and shaded dining areas.

The pool courtyard includes an adjacent seating area for residents to sit and relax along internal pathways leading from the pool area to Fourth Street.



The Hangout Courtyard

The Hangout Courtyard provides a casual recreational setting for Project residents. This courtyard allows for recreational activity within a multi-activity game lawn. Residents may rest beneath the specimen tree grove or on other benches provided within this courtyard. Nighttime activity is encouraged through the use of festival lighting throughout this courtyard.

Pocket Parks

One pocket park will be provided adjacent to the eastern boundary of the PUD area. The pocket park provides small open spaces for the community to access. The Game Court pocket park open space area includes a corn hole play area, a tree allee, and lounge seating. Pocket parks within the PUD are private and for resident use only.

Fourth Level Lounge

The southwest corner of the main building's fourth level will include a lounge and dining area for residents. The lounge area will include larger and smaller group seating areas. The lounge also features a built-in barbecue for meal preparation and a large banquet style island table. The outer perimeter of the lounge will be landscaped to provide a more natural aesthetic and create a sense of privacy within the lounge area. The lounge will provide residents with scenic views of the western and southern portions of the City and surrounding area.

Residents may access the lounge via a private door on the southwest corner of the fourth-floor hallway.



Retail Frontage

The retail use will include the development of an outdoor seating area with café tables and umbrellas. Retail frontage will be required to employ enhanced landscaping and decorative accents. These may include pottery decorations, and unique foliage. The retail entryway should have a unique character that remains thematically consistent with the overall development within the PUD. Seating may be provided within the retail frontage. Landscaping along the retail frontage may include potted or in-ground flowers and in-ground shrubs. Trees may not be used as a part of retail frontage, this area is intended to provide amenity space for residents and commercial visitors. Retail stores shall comply with the sign requirements as set forth in the City of Ontario Development Code.

Vegetation

Vegetation within the Watermarke Ontario PUD includes a mixture of ornamental trees, shrubs, and fruiting, edible plant species. A total of 188 trees will be utilized for open space within the PUD area. A mixture of 50 (27%) native and 138 (73%) non-native trees will be planted in the PUD area. Additionally, a mixture of large and medium shrubs will be utilized throughout the PUD site. Vegetation plans must be reviewed by the Landscape Planning Division.

Fruiting trees and shrubs are placed around the community and recreational areas to create a more natural environment for residents.

Lighting

All lighting of facades, decorative fixtures, store window interiors, awnings, and signs shall be designed in accordance with the criteria set forth in Ontario's Development Code. Exterior lighting fixtures should be decorative and reinforce the architectural style of the building. Outdoor lighting within the PUD area should consist of warm color temperatures except for security or emergency lighting in order to remain unobtrusive to surrounding residential developments and internal residential developments. Colder color temperatures would be more obtrusive to residents and would create a less organic lighting effect.

On-site lighting shall be directed away and shielded from adjacent streets and adjacent properties. All exterior lighting shall be of an indirect nature, placed/situated/etc. under eaves and canopies, or ground level within landscaped areas.

Light within the PUD's communal areas should be warm colored and unobtrusive. Light sources for the Project should be LED or metal halide.

Walls and Fencing

Walls and fencing should be used to define private and communal spaces within the PUD site. Walls can be used to enhance design, create privacy, and help maintain boundaries within the open space areas. Fences and walls within the project area shall be made of decorative materials compatible with the overall architectural character of the development. All fences and walls shall be in scale with the development to fulfill such needs as screening and security.

Fences, walls and hedges within the project area shall comply with Engineering Corner Sight Distance Standards and other applicable standards. Decorative walls, monuments and/or other similar features shall not encroach into the public street right-of-way. Walls should be an integrated design of the building architecture and feature similar finished material, reveal lines, trim, etc.

Walls shall be limited to a maximum height of 6 feet in height.

The eastern boundary of the PUD area shall be walled entirely from adjacent properties. Gated EVA access to Harvard Place shall be constructed to be 6 feet in height and shall be designed with styles and materials which completely obstruct views through the gate. Gated EVA access to Harvard Place shall always remain locked except when in use by authorized emergency personnel. Access controls for the EVA gates shall be limited to property managers and emergency responders, exclusively.

Signs

All signs for the project shall be subject to the requirements of the City Development Code....

ADMINISTRATION

Items not Addressed in this PUD

Any terms, requirements, or regulations not addressed within the PUD document shall be governed by the City of Ontario Development Code and City Standards.

Development Applications

Development Plans for the development of each individual parcel within the PUD area, along with fees and other required items, shall be submitted for review and approval per the requirements contained in Chapter 2, Administration and Procedures, of the City of Ontario Development Code and the General Application.

Administrative Exceptions

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

Severability

If any portion of this Planned Unit Development is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, the determination shall not affect the validity of the remaining portions of this Planned Unit Development. Moreover, the decision shall not affect, impair, or nullify this Planned Unit Development, either in whole or in part, and the remainder of this Planned Unit Development shall continue in full force and effect.