

CHAPTER 3.0
LAND USE AND DEVELOPMENT CRITERIA

3.0 LAND USE AND DEVELOPMENT CRITERIA

3.1 INTRODUCTION

Specific Plans are typically prepared for sites that are much larger than the JURUPA HAVEN AIRPORT CENTRE property. These Specific Plans reflect the ability to support an internal street system, several different categories of land uses, and multi-phase development scenarios. Since the subject site does not warrant the preparation of a separate circulation, infrastructure, phasing, and community facilities component, the only Specific Plan component required for the JURUPA HAVEN AIRPORT CENTRE site is the Land Use and Development Criteria.

3.2 LAND USE

Land uses for the site are divided into three categories based upon the degree of review necessary to ensure a proposed project's compatibility to surrounding uses. The selection of the permitted and conditional land uses is based upon the criteria that they have a relationship in function or service to the airport and/or the surrounding land use that are anticipated to evolve over time. The three categories are Permitted Uses, Conditional Uses, and Prohibited Uses, and are defined below.

- *Permitted* uses - uses determined to be beneficial to the community and require administrative level review only, including the Design Advisory Board (DAB).
- *Conditional* uses - uses determined to be of a nature that have the potential to benefit the community; however, certain elements associated with the use need further study. These applications will be reviewed by the City staff (DAB) who will forward the application with a recommendation of approval or denial to Planning Commission for public hearing.
- *Uses not Listed* - proposed uses that are not listed may be submitted to the City of Ontario Planning Director for consideration. Should the proposed, unlisted use be found to be similar in nature and scale to the permitted uses, the Planning Director may make a positive finding, allowing this proposed use to be added to the list of permitted uses. However, the Planning Director reserves the right to submit the proposed use request for consideration by the City Planning Commission. All use decisions by the Planning Director or Planning Commission are appealable to the Planning Commission and City Council, respectively.

3.2.1 Permitted Uses

The following uses have been determined as permitted by right. Other than obtaining a business license, no further review is required.

- Administrative and Professional Offices
- Automotive Service Station
- Automotive Service Station/Food and Beverage Sales
- Automotive Rental Agency (10 fleet cars or less on premises)
- Business Support Services
- Convenience Sales and Services
- Communication Services¹
- Durable Goods Sales, Retail
- Eating and Drinking Establishments
- Fast Food Sales
- Financial Institutions
- Food and Beverage Sales
- Health Clubs and Spas
- Laundry Services
- Medical and Health Care Services
- Parking Structures
- Personal Services
- Storage
- Vocational and Trade Schools

3.2.2 *Conditional Uses*

The following uses have been determined as conditional by the City of Ontario. In order to develop the following uses, a Conditional Use Permit (CUP) must first be granted by the City in accordance with the provisions of the City of Ontario Municipal Code:

- Assembly
- Automotive Rental Agency (11 fleet cars or more on premises)
- Drive-thru Restaurants¹
- Hotels
- Eating and Drinking Establishments with Alcoholic Beverage Sales
- Light Wholesale, Distribution, and Storage
- Durable Goods Sales, Wholesale
- Repair Services¹
- Research and Development
- Retail Sales of Goods Produced Onsite
- Any Permitted or Conditional Use which is greater than 65 feet in height.

¹ Uses with special standards; see Permitted Use Table.

Permitted Uses

Use	Permitted	CUP Required
Administrative and Professional Offices	X	
Assembly		X
Automotive Service Station	X	
Automotive Rental Agency (11 fleet cars or more on premises)		X
Automotive Rental Agency (10 fleet cars or less on premises)	X	
Automotive Service Station/Food and Beverage Sales	X	
Business Support Services	X	
Communication Services ¹	X	
Convenience Sales and Services	X	
Drive-thru Restaurants ²		X
Durable Goods Sales, Retail	X	
Durable Goods Sales, Wholesale		X
Eating and Drinking Establishments	X	
Fast Food Sales	X	
Financial Institutions	X	
Food and Beverage Sales	X	
Health Clubs and Spas		
Hotels		X

¹ Communication Services: This is a permitted use; however, telecommunications facilities must use "stealth designs" that blend into the overall project.

² Drive-thru Restaurants: Drive-thru Restaurants must maintain an adequate setback from public rights-of-way in order to 1) avoid potential vehicular and pedestrian traffic conflicts associated with the public rights-of-way; and 2) to shield potentially objectionable architectural components from public view. Final design of drive-through restaurants located on a corner should incorporate a reverse corner lot design or other design acceptable to the Planning Department.

Use	Permitted	CUP Required
Laundry Services	X	
Light Wholesale, Distribution, and Storage		X
Medical and Health Care Services	X	
Parking Structures	X	
Personal Services	X	
Repair Services	X	
Research and Development	X	
Retail Sales of Goods Produced Onsite	X	
Storage	X	
Vocational and Trade Schools	X	
Any Permitted or Conditional Use which is greater than 65 feet in height.		X

3.2.3 *Prohibited Uses*

All other uses not listed as “permitted” or “conditional” are prohibited unless a finding is made by the Planning Director or Planning Commission that the use is similar to, and no more objectionable than, a permitted or conditional use.

3.3 *DEFINITIONS OF USES*

Administrative and Professional Offices: Activities typically include, but are not limited to, management, administrative, or clerical uses of private and public firms. Additional activities include the provision of advice, design, information, or consultation of a professional nature. Uses typically include, but are not limited to, corporate headquarters, branch offices, data storage centers, offices of architects, lawyers, insurance sales, financial planners, and accountants.

Assembly: Activities typically include, but are not limited to, labor intensive manufacturing, assembly of pre-manufactured items, or repair processes that do not involve frequent truck trips (more than 10 truck trips between 7:00 am and 6:00 p.m. on week-days) or the transport of large-scale products. The activities do not produce odors, noise, vibration, or particulates that would adversely affect uses within the same structure or on the same site.

Automotive Fleet Storage: Activities typically include, but are not limited to, the storage of vehicles used regularly in business operations and not available for sale on site. Such uses typically include, but are not limited to, overnight storage of rental cars.

Automotive Rental Agency: Activities typically include, but are not limited to, the rental from the premises of automobiles with the provision of incidental maintenance service.

Automotive Service Station: Activities typically include, but are not limited to, the sale from the premises of goods and the provision of services normally required in the daily operation of motor vehicles, including the principal sale of petroleum products and the incidental sale of replacement items.

Automotive Service Station/Food and Beverage Sales: Activities typically include, but are not limited to, the sale from the premises of goods and the provision of services associated with an automotive fueling station, in combination with the sale of goods associated with food and beverage sales.

Communication Services: Activities typically include, but are not limited to, broadcasting and other information relay services accomplished primarily through use of electronic and telephonic mechanisms. Uses typically include, but are not limited to, television and radio studios, fax services, and telegraph offices. Telecommunications facilities must utilize a “stealth” design, either blending the facilities in with the design, or screening facilities from public view, or both, as appropriate. Uses proposing to

utilize transmitting equipment must gain approval from the approving agent prior to City review.

Convenience Sales and Services: Activities typically include, but are not limited to, the retail sales from the premises of frequently needed small personal convenience items and professional services. Uses typically include, but are not limited to, drug stores, beauty and barber shops, florist shops, and apparel laundering and dry cleaning agencies.

Eating and Drinking Establishments: Activities typically include, but are not limited to, the retail sale from the premises of food or beverages prepared for on premises consumption. Uses typically include, but are not limited to, restaurants and exclude fast food type services. Outdoor eating, drinking, and food preparation is permitted as ancillary to a permitted eating and drinking establishment. Outdoor areas where alcohol is served shall be physically separate from public areas by a barrier such as a fence or wall. Zoning Administrator approval of a Conditional Use Permit will be required for all alcohol sales.

Fast Food Sales: Activities that may include, but are not limited to, the retail sale from the premises of easily prepared foods and beverages such as, hamburgers, hotdogs, chicken, and tacos for either on-site or off-site consumption. Uses may include, but are not limited to, drive-thru type restaurants. Outdoor dining and drinking are permitted as ancillary to a permitted fast food establishment.

Financial Institutions: Uses typically include, but are not limited to, banks, savings and loans, and credit unions. This use does not include check cashing only facilities.

Food and Beverages Sales: Activities include, but are not limited to, the retail sale from the premises of food and beverages for off premises consumption. Uses typically include, but are not limited to, small food markets and retail bakeries.

Business Support Services: Activities typically include, but are not limited to, retail sales, rental or repair from the premises of office equipment, office supplies, and similar office goods primarily to firms and other organizations utilizing the goods rather than to individuals. Postal facilities, package express, and shipping services are included in this category.

Durable Goods Sales, Retail: Retail sales or leasing of products that are purchased/leased infrequently (i.e., designed to last more than three years) that typically include, but are limited to: appliances, furniture, electronics, recreational/landscaping maintenance equipment, and wall and floor coverings. This category specifically excludes heavy equipment and automobiles.

Durable Goods Sales, Wholesale: Sales of products that are purchased infrequently (i.e., designed to last more than three years) on a wholesale basis, which typically include, but are not limited to: appliances (e.g., refrigerators, clothes dryers, water heaters, vacuum cleaners), furniture, electronics (e.g., televisions, computers, stereos), equipment (e.g., recreational, lawnmowers, power tools), and wall and floor covering.

Generally, items are displayed in a showroom. This category excludes heavy equipment and automobiles.

Health Clubs and Spas: Activities typically include, but are not limited to, sport and health related activities performed either indoors or outdoors. Uses typically include health clubs, spas, gyms, and racquet clubs.

Hotels: Activities include, but are not limited to, lodging services to guests on a less than monthly basis. Hotels typically have interior hallways to rooms, a central lobby, accessory personal services, and centralized parking.

Laundry Services: Activities typically include, but are not limited to, commercial linen supply and laundry services and dry cleaning plants.

Light Wholesale, Storage, and Distribution: Activities typically include, but are not limited to: wholesaling, storage, and warehousing services within enclosed buildings; storage and wholesale to retailers from the premises of finished goods. Excluded are trucking services and terminals; storage and wholesaling from the premises of unfinished, raw, semi-refined products requiring further processing, fabrication, or manufacturing; and outdoor storage. Typically buildings of 100,000 square feet or less can be expected in this category of use; no building in this use shall exceed 100,000 square feet.

Medical and Health Care Services: Activities typically include, but are not limited to, therapeutic, preventive, or correctional personal treatment by physicians, dentists, and other medical practitioners, as well as the provision of medical testing and analysis services. Health care uses typically include those performed at medical clinics, in-patient health care facilities, and hospitals.

Medical Clinics
In-Patient Health Care Facilities
Hospitals

Parking Structures: A parking structure is any structure elevated aboveground level for the purpose of parking or storing motor vehicles.

Personal Services: Activities typically include, but are not limited to, information, instruction, and similar services of a personal nature. Uses typically include, but are not limited to, day care facilities, travel agencies, and photography studios.

Repair Services: Repair activities must be conducted entirely within an enclosed structure(s). Items may include, but are not limited to, cultured, cultivated, manufactured, assembled and durable goods. Repair services may be conducted as a planned development of related businesses such as in an auto-center.

Research and Development: Activities typically include, but are not limited to, research, development and testing of permitted materials and devices, including laboratories and offices, provided these uses do not produce odors, noise, vibration, or

particulates that would adversely affect uses in the same structure or the same site. Although components or processes may be manufactured or tested on site, this land use is not intended to allow manufacturing or distribution on a production basis.

Retail Sales of Goods Produced Onsite: Sale of goods produced or assembled by the permitted uses of this specific plan. These sales are permitted in a limited capacity. Sales may be conducted as a planned development of related businesses such as a factory outlet mall. Sales may include discounted items or factory "seconds."

Storage, Warehousing: Activities typically include, but are not limited to, storage and warehousing of non-perishable, finished products and goods.

Vocational and Trade Schools: Activities typically include, but are not limited to, organized instruction of work related skills by private institutions and firms.

Any Permitted or Conditional Use that is Greater than Sixty-Five Feet (65') in Height: Height shall be as measured according to the City of Ontario Development Code.

3.4 DEVELOPMENT REGULATIONS

3.4.1 Parcel Configuration

Minimum size:	0.5 acre (21,780 square feet)
Minimum frontage:	160 feet on a public right-of-way

3.4.2 Building Height/Mass

Building heights and massing are important components for development of the subject site. The site's ultimate building arrangement will be somewhat predicated by its existing configuration and alignment. Buildings will be aligned in a north to south direction and within a relatively small development envelope (approximately 4 to 4.8 acres).

Building heights and setbacks should vary. Long, linear wall planes and continuous roof lines should be avoided. Other means to create interests, including architectural articulations, windows, arcades, corner elements and other similar components are encouraged in the design of the buildings. It is envisioned that this site will relate in terms of pedestrian activity with the uses to the south and west. Therefore, elements (e.g., walls, landscape screens, etc.) that may isolate the site from these uses should be avoided in order to facilitate pedestrian movement among the different properties.

The Planning Commission may allow height increases with a variance, above the thirty-five foot (35') height limit, of one additional foot (1') in height for every additional one foot (1') of setback from the building setback line, up to a maximum of one hundred and twenty feet (120').

Development Advisory Board (DAB) Review

The Development Advisory Board will review the development site plans for the project in accordance with the following general criteria:

- Variation should be provided in building mass and roof forms, particularly with larger buildings
- Variations in heights should be used to communicate different uses, with lower height and smaller scale buildings serving customer-oriented retail and service uses
- Design features such as bay windows, stepped building setbacks and other architectural details should be used to create added visual interest and to reinforce the pedestrian scale of first story development
- Higher tower elements or similar features should be considered for focal points such as major entrances, plazas, and where walkways meet streets (Section 9-1.1630 of the Ontario Development Code).

FAA Part 77

The Specific Plan are falls under the jurisdiction of Part 77 of the Federal Aviation Administration regulations related to the runway approach surface of Ontario International Airport. FAA Part 77 as applied to the site permits a maximum building height of 150 feet above the 952 foot elevation contour.

Under this regulation, maximum building heights ranging from 142 feet to 172 feet, or from 12 to 14 stories, would be allowed, depending on the building location within the project site.

3.4.3 *Setbacks and Site Coverage*

Parking Setback from Property Line - Jurupa Street and Haven Avenue

Frontages:

Jurupa	Twenty feet (20'), measured from property line.
Haven	Twelve feet (12'), measured from property line.
Interior	Zero feet (0').
Exterior Side (South)	Ten feet (10').
Rear (West)	Ten feet (10').
Corner Radius	One hundred and twenty foot (120') radius. Landscape measured from the intersection of the Jurupa Street and Haven Avenue curb lines.

Building Setbacks from Property Line - Jurupa Street and Haven Avenue

Frontages:	
Jurupa	Forty feet (40'), measured from property line.
Haven	Twenty-five feet (25'), measured from property line.
Interior	Zero feet (0').
Exterior Side (South)	Fifteen feet (15') plus one foot (1') exterior side setback per one foot (1') in height for structures over 35' in height.
Rear (West)	Fifteen feet (15') plus one foot (1') of rear per one foot (1') in height for structures over 35' in height.
Corner Radius	One hundred and twenty foot (120') radius. Landscape measured from the intersection of the Jurupa Street and Haven Avenue property lines.

Site Coverage

The building coverage on the overall project site shall not exceed 55 percent.

Table 3.A depicts these setback requirements in a tabular format. Ground mounted monument signs pursuant to Section 4.4 of this plan shall be the only permitted structures within these setback areas. Figure 5 illustrates these general setback requirements.

3.4.4 *Parking and Loading Standards*

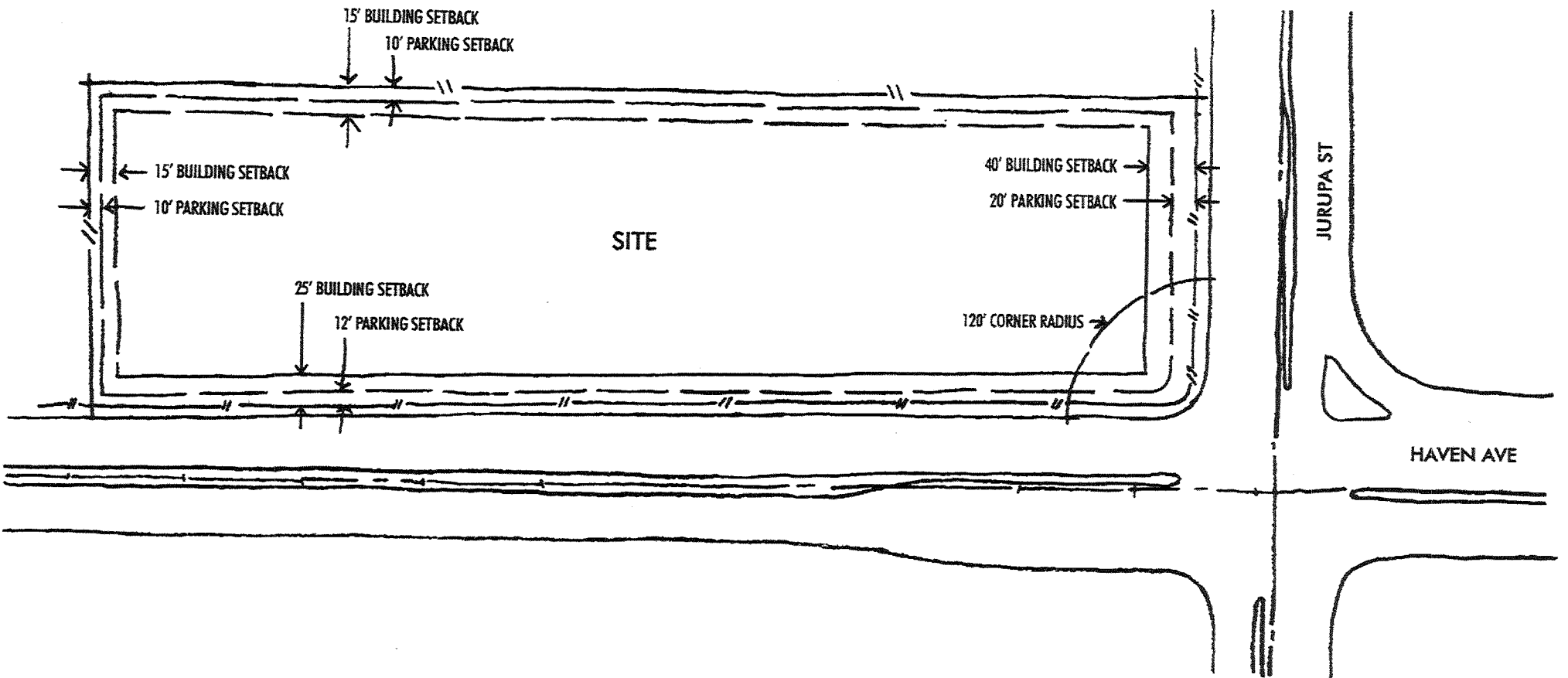
3.4.4.1 *Reciprocal Parking, Access, and Circulation*

Due to the size and configuration of the parcel, all uses within the Specific Plan area shall employ access, parking, and circulation designs that ensure reciprocal vehicular access, parking, and circulation among the eventual individual projects and properties. In addition, pedestrian movement shall not be restricted within the project area except in areas necessarily restricted for security or safety.

Prior to recordation of a final tract map, conditions, covenants and restrictions (CC&Rs) will be prepared and submitted to the City attorney for approval. Once approved these CC&Rs will be recorded against the property. Included in these CC&Rs will be a section addressing reciprocal vehicular access, parking and general circulation.

Table 3.A - Setbacks From Property Lines

	Parking Setbacks	Building Setbacks
Jurupa Frontage	20 Feet	40 Feet
Haven Frontage	12 Feet	25 Feet
Exterior Side/South	10 Feet	15 Feet, plus one foot for every foot in height over 35 feet
Rear/West	10 Feet	15 Feet, plus one foot for every foot in height over 35 feet



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Figure 5

General Setback Requirements

3.4.4.2 Vehicular Parking and Loading Requirements

All parking and loading shall be in compliance with Article 30 of the City Municipal Code. Loading areas shall be located to the rear of the structures, away from public view as much as possible. Loading areas shall be screened from public view with landscape/screen wall materials as determined appropriate by the Planning Department.

3.4.5 Exterior Storage and Equipment Criteria

3.4.5.1 Exterior Storage

No exterior storage shall be permitted within the project area.

3.4.5.2 Exterior Equipment

Roof and ground equipment shall be located away from public view. Screening of roof and ground mounted equipment shall be reviewed by the Planning Department prior to and after installation. Examples of screening are as follows:

- Physically screening the equipment with an architectural extension of the structure (e.g., parapet wall, etc.).
- Physically screening the equipment with a combination of architecturally complementary materials and landscape materials.
- Physically screening the equipment with appropriate landscape materials that will effectively screen the equipment from public view within 12 months of installation. Equipment that is screened by landscaping shall be painted a color that will blend with the plant materials and not draw attention to it.
- Landscape materials used for screening purposes shall be consistent with and part of the site's landscape design.

3.4.6 Phasing

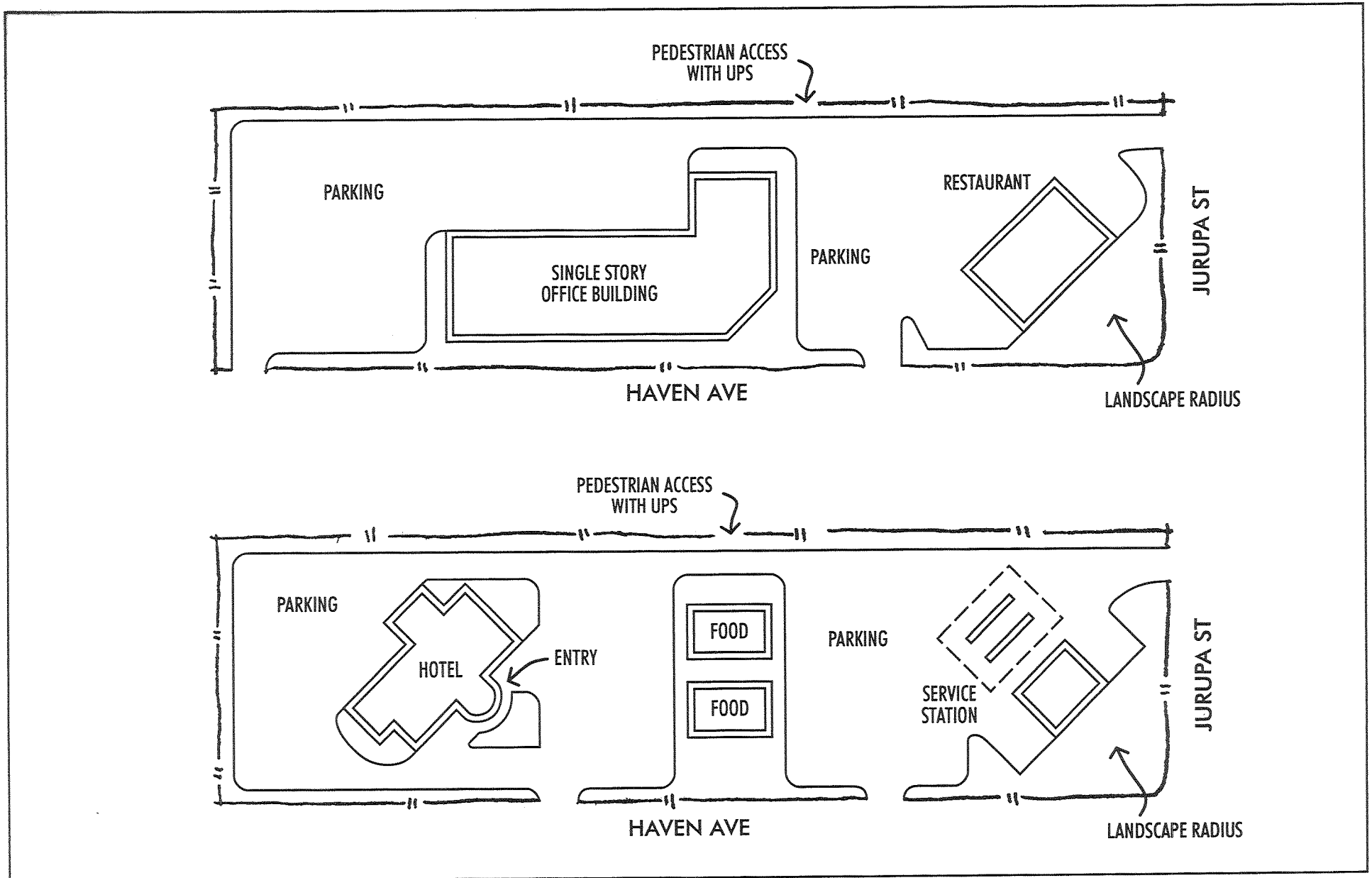
Due to the small size and narrow configuration of the project area, all utilities are available for use within the project area via Haven Avenue and Jurupa Street improvements. All utilities in Jurupa Street and Haven Avenue have been provided by an assessment district, and the landowner of the subject site will not be responsible for these utilities beyond their previously agreed upon role as participants of the assessment district. Circulation, parking, and access within the project area shall be reviewed with each subsequent project submittal to ensure a proposal's individual design will allow for connection and association with circulation, parking, and access with the

remaining project area. Construction of structures within the project area will proceed according to market demand.

3.4.7 Concept Use and Site Layout

Figures 6 and 7 depict several preliminary site plan concepts reflecting the permitted uses and development standards. These concepts are for illustration only, and do not represent the intended site layout by the Jurupa-Haven Limited Partnership or any other entity or individual at this time.

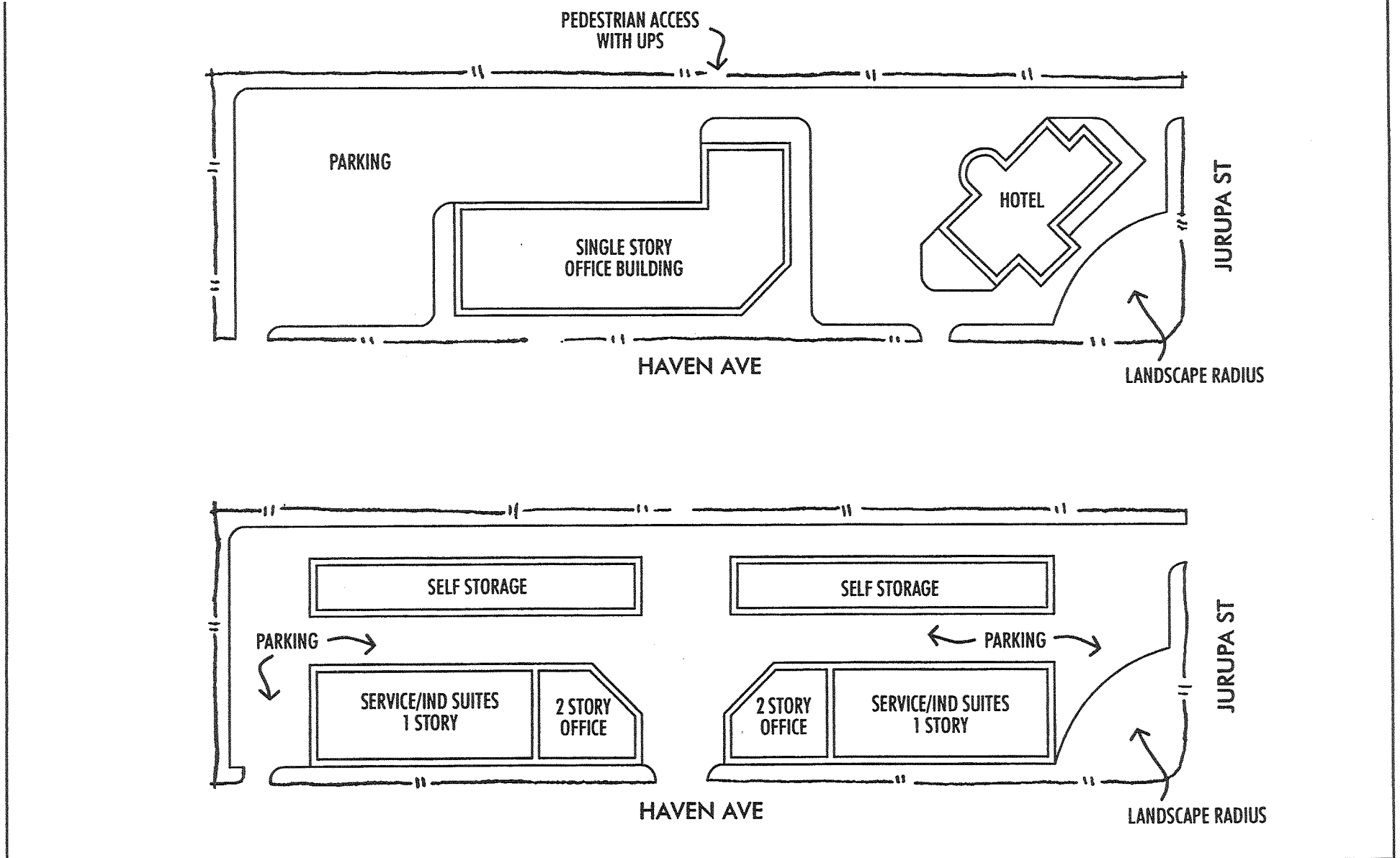
A large (120' radius) landscape element is required to be installed at the corner of Jurupa Street and Haven Avenue. This corner element will be similar to the existing landscaped treatment at the northwest corner of Jurupa and Haven in terms of plant type, number and size (area). This corner element will have a significant influence on the remainder of the site's design.



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Figure 6

N →



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Figure 7

N →



Not to Scale

Conceptual Site Plans