

# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



## DECISION NO. 2012-15

**HEARING DATE:** September 17, 2012

**DECISION DATE:** September 18, 2012

**FILE NO.:** PCUP12-017

**SUBJECT:** A Conditional Use Permit to expand an existing electroplating facility (Danco), into the adjacent existing building, and include chemical processing tanks, hazardous chemical storage, and pollution control equipment, located at 1745 East Monticello Court, within the M2 (Industrial Park) zoning district.

### STAFF

**RECOMMENDATION:**  Approval  Approval, subject to conditions  Denial

### ***PART A: BACKGROUND & ANALYSIS***

DANCO, herein after referred to as "the applicant," has filed an application requesting Conditional Use Permit approval, described as follows:

(a) Project Description: A Conditional Use Permit to expand an existing electroplating and anodizing business (Danco) into the adjacent existing building to the north, located at 1745 East Monticello Court, within the M2 (Industrial Park) zoning district.

(b) TOP Policy Plan Land Use Map Designation: Industrial

(c) Zoning Designation: M2 (Industrial Park)

(d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	M2 (Industrial Park)	Industrial
South:	M2 (Industrial Park)	Industrial
East:	M2 (Industrial Park)	Industrial
West:	M2 (Industrial Park)	Industrial

(e) Site Area: 0.713 acres

(f) Assessor's Parcel No(s): 0113-581-08

(g) Project Analysis:

(1) Location & Operations: Danco is an existing metal surfacing company, specializing in electroplating and anodizing processing. They are located within a 12,000 square foot building, at 1750 East Monticello Court, and have been operating at the location for approximately 26 years. Danco is proposing to expand their operations into the adjacent building to the north, which is a 17,000 square foot building, located at 1745 East Monticello Court. The existing facility includes approximately 25 employees and 3 managers and is in operation from 7:30am to 12:30pm. Operations are split into two shifts, with approximately 17 employees working during the day and 8 employees working during the evening/night shift. The proposed operations within the new building will initially include a day shift from approximately 7:30am to 4:00pm with 10 employees. Danco is anticipating an increase in operations over the following year, which will include an evening shift with similar hours and number of employees as the existing operations.

There will be minor external building modifications, which include the addition of roof mounted equipment related to the exhaust / ventilation system. The existing office area within the proposed facility will remain unchanged. The warehouse area within the building, however, will be modified to include new walls, which will segregate the tankroom, chemical storage, and maintenance areas. All wet processing areas will include containment systems. A sprinkler system will be installed throughout the building, as well as an exhaust / ventilation system. There are multiple agencies which have oversight of the business and its ongoing operations. Danco will be required to obtain permits from the EPA, AQMD, OSHA, San Bernardino County Haz Mat Division, as well as the City of Ontario's Building and Fire Departments, prior to the start of operations in the new building.

Basic facility operations include the delivery of customer parts to Danco, where they are unpackaged, placed on processing racks (held in place with tension pins), dipped into several different tanks for cleaning, rinsing, plating, drying, and (some) baking. Parts are then removed from the racks, repackaged, and returned back to the customer. There will be approximately 70 "dip" tanks, each with a 250 gallon capacity, which will be setup for a variety of processing. Danco will operate as a job shop, processing parts for multiple customers, including those involved with aerospace, automotive, and medical industries.

The existing facility includes approximately 20 parking spaces and the proposed facility includes 29 parking spaces, which is sufficient to support the accompanying manufacturing use. Danco does not have a vehicle delivery fleet, but does have a single full-sized van, used on a regular basis, which is parked on site.

The Fire Department has reviewed the proposed expansion of Danco and has provided conditions of approval which address requirements for building modifications prior to the commencement of operations, as well as ongoing general operations, including the storage and disposal of hazardous materials. The Fire Department has further stated that they have not experienced any issues with the

business since it was established 26 years ago, and is in support of the proposed expansion.

(2) Land Use Compatibility: The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. The City of Ontario's Development Code describes a CUP as the following: § Sec. 9-1.0900: *Purposes and Authorization* – Conditional Use Permits are required for land use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Approval of a CUP first requires making certain findings, which show that the proposed use is consistent with all City of Ontario development codes, land uses, and other applicable requirements. Additionally, the use must be compatible with the other surrounding uses; therefore, approving a CUP is discretionary in nature.

The project site is located within the M2 (Industrial Park) zoning district. Within this district, electroplating and anodizing is a conditionally permitted use. It is staff's belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed expansion to the existing use. Additionally, businesses within the surrounding area will not be exposed to any impacts, beyond those that would normally be associated with any other use similarly allowed within the M2 (Industrial Park) zoning districts.

(h) Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(i) Department Review: Each City department has been provided the opportunity to review and comment on the subject application, as well as recommend conditions of approval. The Planning Department supports the proposed use and requests the Zoning Administrator impose each Department's recommended conditions of approval, which are designed to mitigate potential impacts related the project.

(j) Correspondence: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

#### **PART B: RECITALS**

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, On the 17<sup>th</sup> day of September, 2012, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) John Earle Hildebrand III, *Associate Planner*, presented the staff report on the proposed use, indicating the staff recommendation of approval, subject to the attached conditions. Upon questioning from the Zoning Administrator, Mr. Hildebrand indicated that there were no exterior building improvements as part of the project and there were no known issues generated from this facility on safety services in the 26 years of operation of the business. He also stated he was not aware of any condition of approval requiring the Applicant to submit the approved applications from other approving agencies. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) LaVaughn Daniel, the applicant, explained the business operation and spoke in favor of the application. She further explained in detail, each of the agencies requiring permit issuance in conjunction with the business operations. The Zoning Administrator, Jerry Blum, expressed some issues regarding the quantities and types of materials being used and stored on site, especially in relation to the Kaiser Hospital site to the east of the site. LaVaughn Daniel explained that the material used within the processing tanks is primarily water with low volumes of chemicals used for metal surfacing. The Fire Department is aware of all materials and quantities used at the site. The Zoning Administrator requested that copies of the approved permits from each of the outside agencies, be provided to the City for their records. He also expressed concerns regarding the potential for airborne chemicals to escape and mentioned the proximity of the Kaiser facility.

(c) Jim Pettigrew, City of Ontario Fire Department, explained how the Fire Department handles and evaluates business' which utilize potentially hazardous materials. They conduct regular inspections to ensure hazard mitigation compliance. He further stated that the Fire Department has standard operating procedures to handle chemical spills and airborne releases, in the event that an accident occurs.

(d) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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



**PART C: THE DECISION**

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The location of the proposed expansion of the existing metal surfacing company (Danco) lies within the M2 (Industrial Park) land use designation.

(2) Metal surfacing, including electroplating and anodizing, is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located. Metal surfacing is a use that meets the intent of its proposed location, as identified by the Policy Plan (General Plan) component of The Ontario Plan, as well as the accompanying zoning designation.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. The expansion of the existing Danco metal surfacing business will not produce a significant amount of new traffic or employees. As a result, the surrounding circulation system will not be impacted.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The metal surfacing business has been conditioned to ensure that operations will comply with all applicable, local, state, and federal provisions.

(c) The project site is located within the Airport Influence Area of Ontario International Airport and has been evaluated and is consistent with the policies and criteria set forth within the Airport Land Use Compatibility Plan.

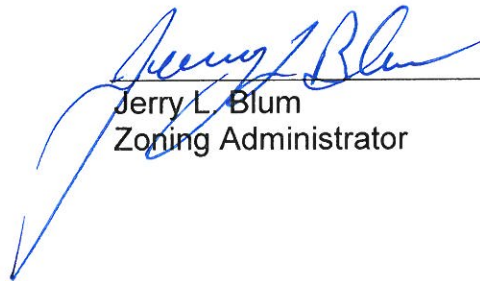
(d) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated

thereunder, pursuant to Section § 15301 (Existing Facilities) of the State CEQA Guidelines.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP12-017, subject to the conditions of approval attached hereto and incorporated herein by this reference.

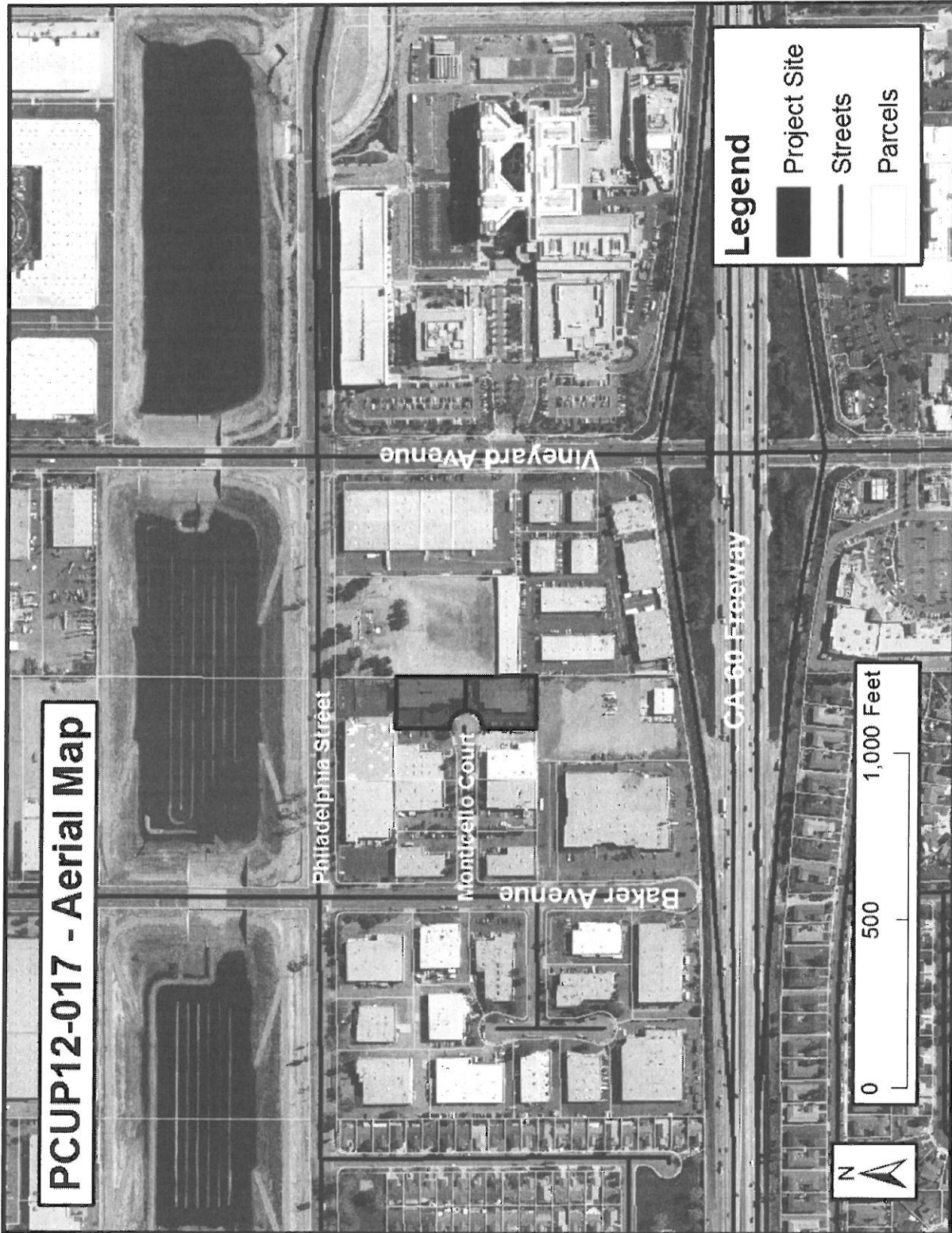


APPROVED by the Zoning Administrator of the City of Ontario on this 18th day of September, 2012.

  
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Jerry L. Blum  
Zoning Administrator

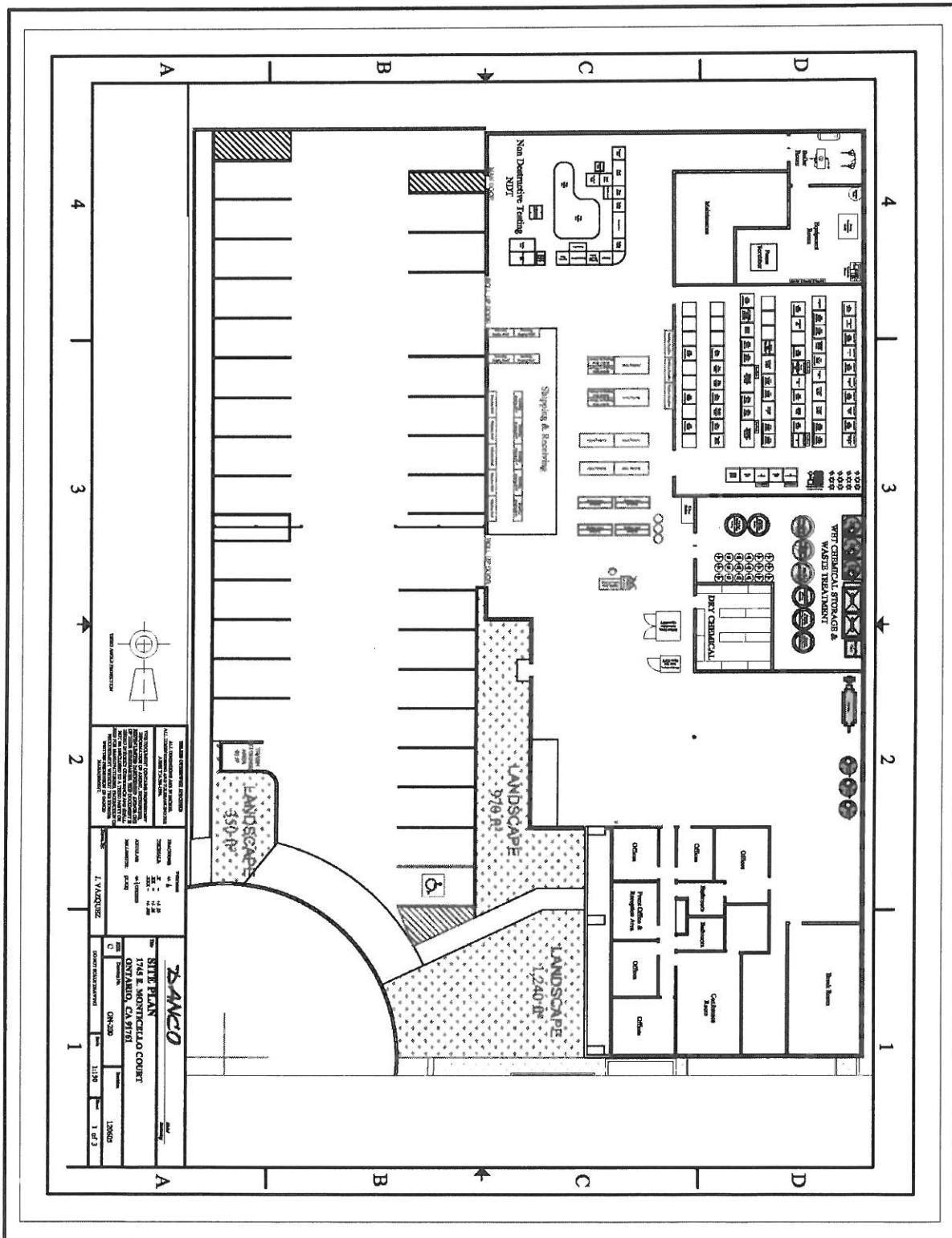
EXHIBITS

Exhibit A: Aerial Map

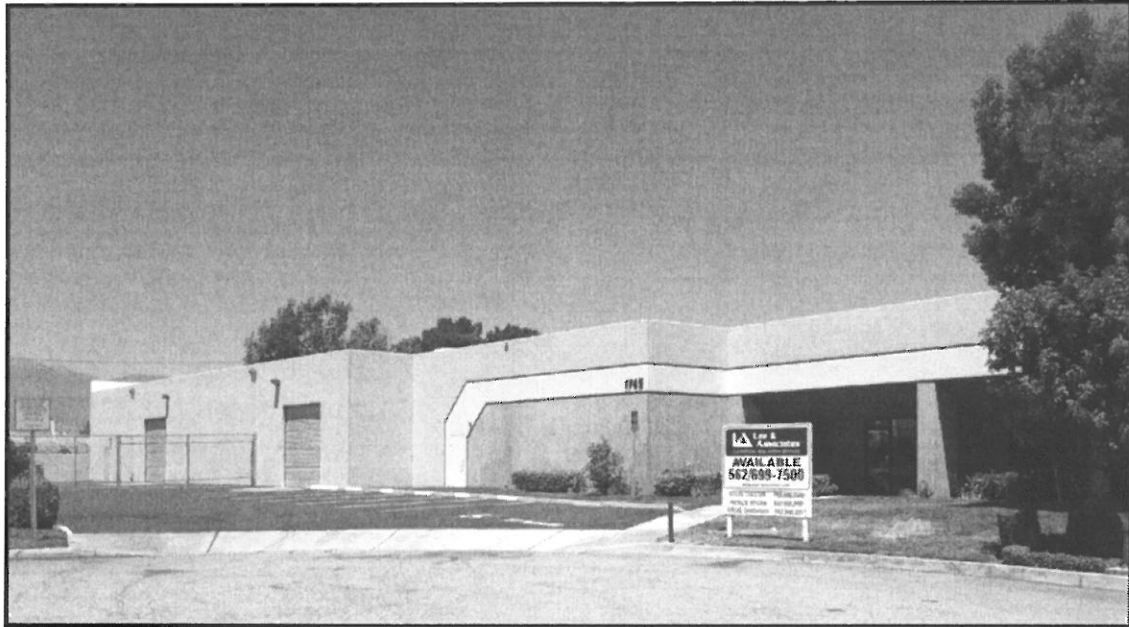


PCUP12-017 - Aerial Map

Exhibit B: Site Plan / Floor Plan



**Exhibit C: Site Photos**



Front Elevation



Front Elevation (Detail)



**DEPARTMENT ADVISORY BOARD  
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

**DATE:** 9-17-2012

**FILE NO.:** PCUP12-017

**SUBJECT:** A Conditional Use Permit to expand an existing electroplating facility (Danco), into the adjacent existing building, and include chemical processing tanks, hazardous chemical storage, and pollution control equipment, located at 1745 East Monticello Court, within the M2 (Industrial Park) zoning district.

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The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> PLANNING                     | <input type="checkbox"/> POLICE                                   |
| <input type="checkbox"/> ENGINEERING                             | <input checked="" type="checkbox"/> FIRE                          |
| <input checked="" type="checkbox"/> UTILITIES/SOLID WASTE (OMUC) | <input type="checkbox"/> REDEVELOPMENT AGENCY                     |
| <input type="checkbox"/> PUBLIC FACILITIES                       | <input type="checkbox"/> HOUSING & NEIGHBORHOOD<br>REVITALIZATION |
| <input type="checkbox"/> BUILDING                                | <input type="checkbox"/> OTHER: _____                             |



## CONDITIONS OF APPROVAL

**DATE:** 9-17-2012

**FILE NO.:** PCUP12-017

**SUBJECT:** A Conditional Use Permit to expand an existing electroplating facility (Danco), into the adjacent existing building, and include chemical processing tanks, hazardous chemical storage, and pollution control equipment, located at 1745 East Monticello Court, within the M2 (Industrial Park) zoning district.

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### 1.0 GENERAL REQUIREMENTS

- 1.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 1.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 1.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 1.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

### 2.0 GRAFFITI REMOVAL

- 2.1 Use of anti-graffiti material. Anti-graffiti material of a type and nature that is acceptable to the Director of Public Works, shall be applied to each of the publicly viewable surfaces on the improvements to be constructed on the site, which are deemed by the Director of Public Works to be likely to attract graffiti ("graffiti attracting surfaces").

- 2.2 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or “painting over” graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.
- 2.3 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

### **3.0 ENVIRONMENTAL REVIEW**

- 3.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section § 15301 (Existing Facilities) of the State CEQA Guidelines.
- 3.2 The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

### **4.0 ADDITIONAL REQUIREMENTS – OMUC**

- 4.1 Pursuant to the Ontario Municipal Utilities Company (OMUC), Danco is required to update their environmental permit. Contact Alisa Hasbrouck (909) 395-2661 at OMUC for more information.

### **5.0 ADDITIONAL REQUIREMENT – Public Hearing**

- 5.1 During the public hearing, which took place on 09/17/2012, the Zoning Administrator (Jerry Blum), added the additional condition that the applicant provide the City with a copy of all permits issued by outside agencies in conjunction with the business operation. Permits issued by the AQMD, County Haz Mat, EPA, and other oversight committees, need to be on file at the City as well as at the project site.



## CITY OF ONTARIO MEMORANDUM

**TO:** John Hildebrand, Associate Planner  
Planning Department

**FROM:** Kenna Leonard, Fire Safety Specialist  
Bureau of Fire Prevention

**DATE:** 8-9-12

**SUBJECT:** A Conditional Use Permit to expand an existing electroplating facility (Danco), into the adjacent existing building, and include chemical processing tanks, hazardous chemical storage, and pollution control equipment, located at 1745 East Monticello Court, within the M2 (Industrial Park) zoning district.

- The plan **does not** adequately address the departmental concerns at this time.
- No comments
- Report below.

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1. Required to meet CUPA requirements—contact Leslie Heaviside at (909) 225-8958
  2. Exceeds maximum allowable of hazardous materials including but not limited to storage and open use of corrosives and toxics and storage of Oxidizers per 2010 CFC—Submit plans for hazardous materials
  3. Submit request to building department for occupancy reclassification (if exempt amounts are exceeded)
  4. Fire Sprinklers shall comply with 2010 CFC
  5. Provide resolution on outstanding Hazardous Materials construction plans at your existing facility at 1750 E. Monticello.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us), click on Fire Department and then on forms.

# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



DECISION NO. 2012-16

HEARING DATE: 9-17-2012

DECISION DATE: 9-18-2012

FILE NO.: PCUP12-020

**SUBJECT:** A Conditional Use Permit to establish retail boat sales (Essex Boats) and repair, within an existing building, located near the southwest corner of Francis Street and Baker Avenue, at 1830 South Baker Avenue, within the M2 (Industrial Park) zoning district.

**STAFF**

**RECOMMENDATION:**  Approval  Approval, subject to conditions  Denial

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## PART A: BACKGROUND & ANALYSIS

ESSEX BOATS, herein after referred to as “the applicant,” has filed an application requesting Conditional Use Permit approval, described as follows:

(a) Project Description: A Conditional Use Permit to establish retail boat sales and repair within an existing building and fully improved lot, located near the southwest corner of Francis Street and Baker Avenue, at 1830 South Baker Avenue, within the M2 (Industrial Park) zoning district.

(b) TOP Policy Plan Land Use Map Designation: Industrial

(c) Zoning Designation: M2 (Industrial Park)

(d) Surrounding Zoning and Land Uses:

	<u>Zoning</u>	<u>Existing Land Use</u>
North:	M2 (Industrial Park)	Industrial
South:	M2 (Industrial Park)	Industrial
East:	M2 (Industrial Park)	Industrial
West:	M2 (Industrial Park)	Industrial

(e) Site Area: 0.45 acres

(f) Assessor's Parcel No(s): 0113-381-17



(g) Project Analysis:

(1) Location & Operations: Essex Boats is proposing to relocate their sales and service facility in the City of Ontario, from 1004 West Brooks Street to 1830 South Baker Avenue. The facility will function as a boat sales, part sales, and small repair facility for the line of Essex Boats. The site, to which the business is relocating is approximately 20,300 square-feet in area and the building is 7,750 square-feet in area. Hours of operation will be from 9:00am to 5:00pm, Tuesday to Saturday, and include 5 employees.

The warehouse portion of the building will be primarily used for boat maintenance and repair. Typical services will include jet drive repair, upholstery repair, patching, and general engine diagnostics. The site will include small amounts of parts inventory available for purchase. Additionally, boat sales will occur on site. Some new boats may be available for viewing, but generally, newly purchased boats will be shipped from the manufacturer, which is at another location.

Although the proposed site includes only 4 parking spaces at the front of the site, there is room for additional parking spaces at the rear for a total of 10 spaces. The Essex Boats business does not typically generate high parking demands; therefore, staff believes that the existing number of parking spaces will be sufficient. Access to the rear is available from a drive-aisle, running along the south-side of the site, which is approximately 17-feet wide. The Essex line of boats range from approximately 22-feet to 30-feet long and 6-feet to 8-feet in width. As a result of the boats being of smaller size, there is sufficient room to maneuver the boats down the drive-aisle, as well as in the rear and within the warehouse area.

Staff is in support of the proposed use and is recommending approval subject to the attached conditions, which include replacing the damaged drive-approach and adding additional plant material along the street frontage.

(2) Land Use Compatibility: The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure that the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. The City of Ontario's Development Code describes a CUP as the following: § Sec. 9-1.0900: *Purposes and Authorization* – Conditional Use Permits are required for land use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area. Approval of a CUP first requires making certain findings, which show that the proposed use is consistent with all City of Ontario development codes, land uses, and other applicable requirements. Additionally, the use must be compatible with the other surrounding uses; therefore, approving a CUP is discretionary in nature.

The project site is located within the M2 (Industrial Park) zoning district. Within this district, boat sales and repair is a conditionally permitted use. It is staff's belief that the

recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use. Additionally, businesses within the surrounding area will not be exposed to any impacts beyond those that would normally be associated with any other use similarly allowed within the M2 (Industrial Park) zoning district.

(h) Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.

(i) Department Review: Each City department has been provided the opportunity to review and comment on the subject application, as well as recommend conditions of approval. The Planning Department supports the proposed use and requests the Zoning Administrator impose each Department's recommended conditions of approval, which are designed to mitigate potential impacts related the project.

(j) Correspondence: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

### **PART B: RECITALS**

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, On the 17<sup>th</sup> day of September, 2012, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) John Earle Hildebrand III, *Associate Planner*, presented the staff report on the proposed use, indicating the staff recommendation of approval, subject to the attached conditions. Following staff's presentation, the Zoning Administrator opened the public hearing.

(b) Cindy Sanchez, the applicant, explained the business operation and spoke in favor of the application. She further explained the business operations, which includes boat sales, boat repair, and parts sales. A portion of the warehouse area will be



dedicated as a show room and include several new boats. The other portion of the warehouse will be used for boat repair and servicing. Upon questioning, she responded that she had read, understood, and agreed with the staff report and conditions of approval.

(c) Joyce McCardican, the property owner, expressed support for the proposed use. She further asked for clarification regarding the conditions to install a new backflow prevention system and add two (2) new street trees along the property frontage. Staff provided clarification with these items and directed her to contact the specific departments who could further assist with implementing the conditions. She said she understood the conditions and supported them and would comply.

(d) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

### **PART C: THE DECISION**

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The proposed boat sales and repair business lies within the Industrial land use designation and the M2 (Industrial Park) zoning district.

(2) Boat Sales and repair is allowed within the M2 (Industrial Park) zoning district upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located. Boat sales and repair meets the intent of the Development Code and zoning designation, as the use is allowed with Conditional Use Permit approval.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety. Boat sales and repair will not generate a new significant amount of vehicular traffic. As a result, the surrounding circulation system will not be impacted.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes. The project meets the applicable Development Code standards as specified in Article 9: *Conditional Use Permits*, Article 17: *Industrial Districts*, and Article 32: *General Development Requirements and Exceptions* of the Development Code.

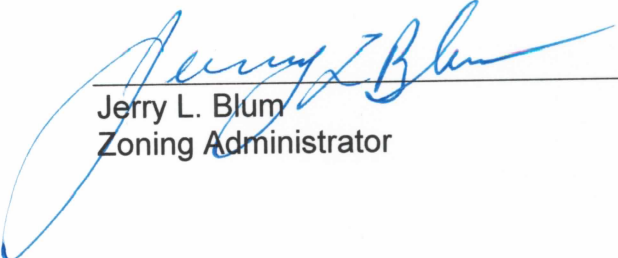
(c) The project site is located within the Airport Influence Area of Ontario International Airport and has been evaluated and is consistent with the policies and criteria set forth within the Airport Land Use Compatibility Plan.

(d) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § Section § 15301 (Existing Facilities) of the State CEQA Guidelines.

(e) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP12-020, subject to the conditions of approval attached hereto and incorporated herein by this reference.



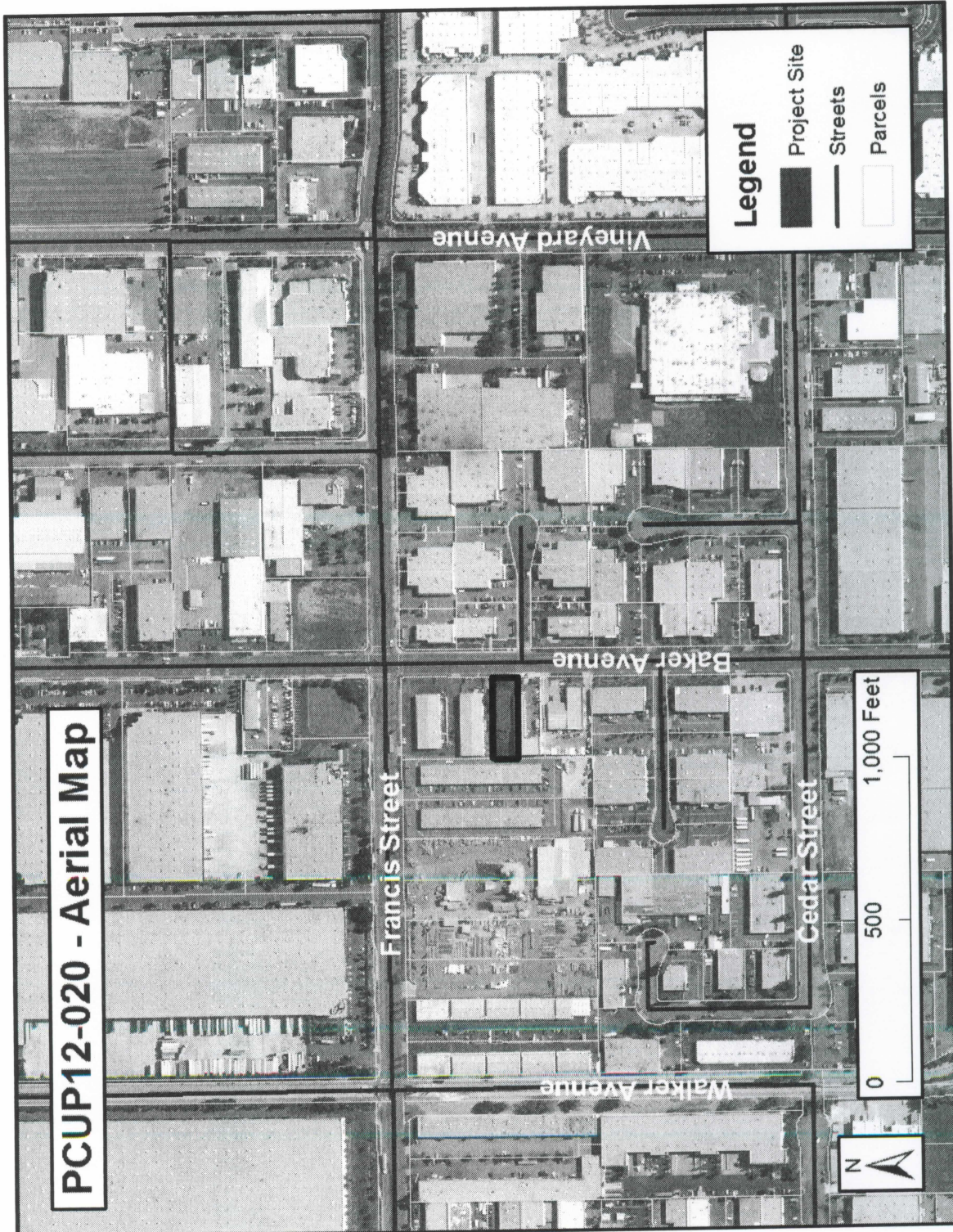
APPROVED by the Zoning Administrator of the City of Ontario on this 18<sup>th</sup> day of September, 2012.

  
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Jerry L. Blum  
Zoning Administrator



EXHIBITS

Exhibit A: Aerial Map



PCUP12-020 - Aerial Map



Exhibit B: Site Plan

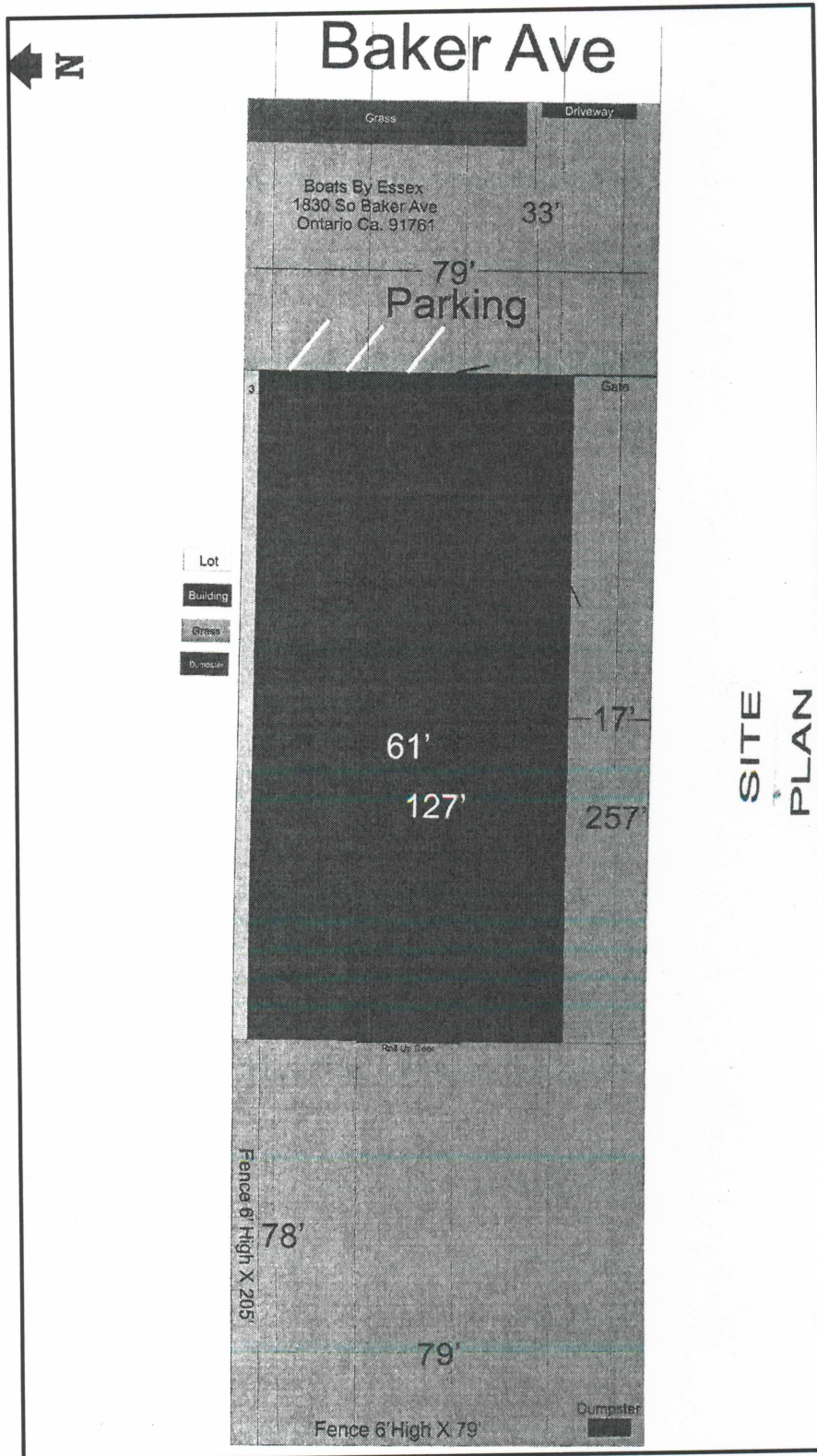
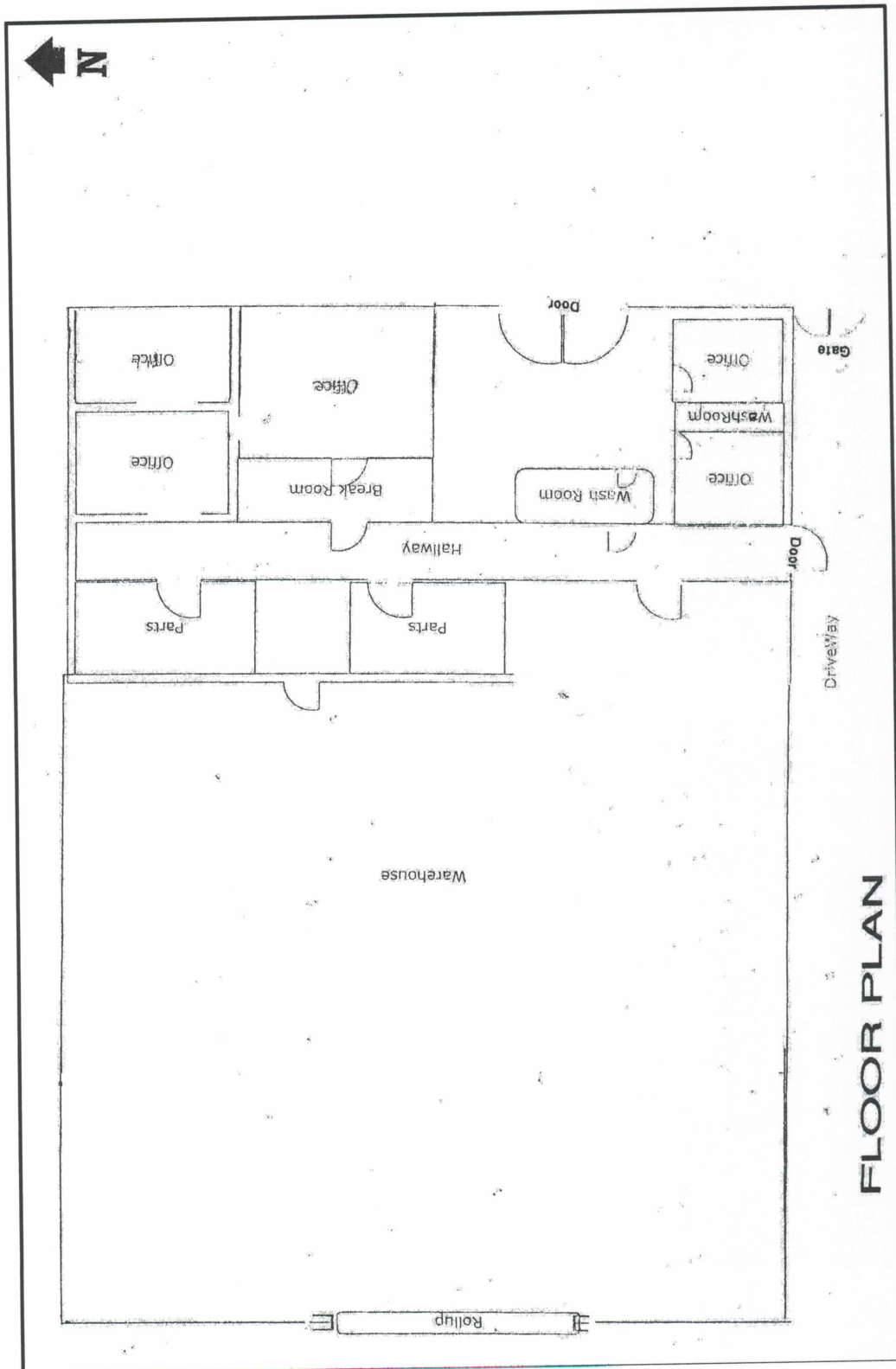


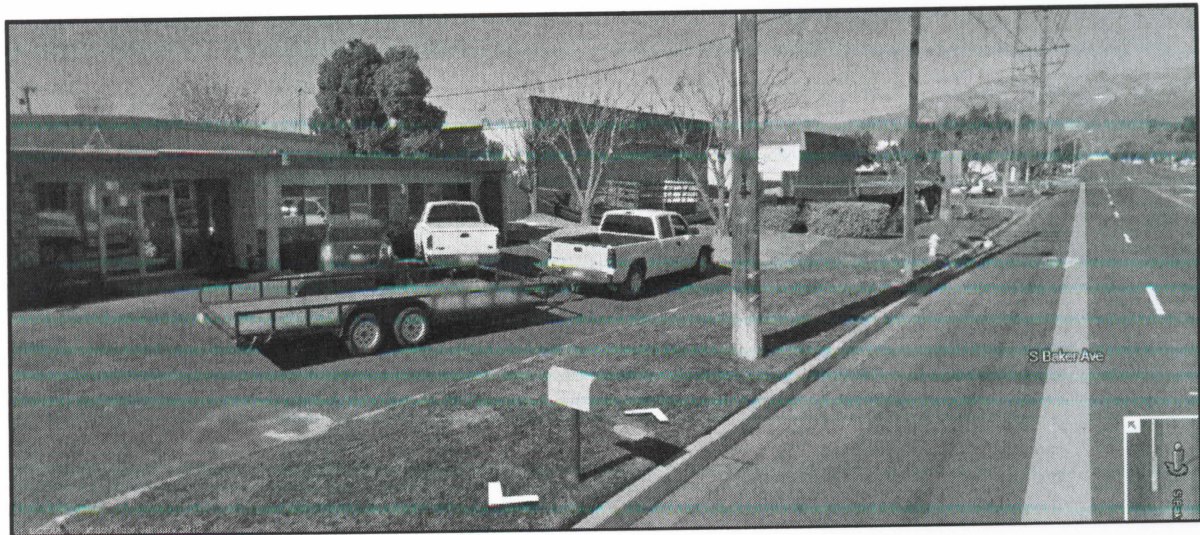
Exhibit C: Floor Plan



FLOOR PLAN



**Exhibit D: Site Photos**



**DEPARTMENT ADVISORY BOARD  
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

**DATE:** 9-17-2012

**FILE NO.:** PCUP12-020

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The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- PLANNING
- ENGINEERING
- UTILITIES/SOLID WASTE
- LANDSCAPING
  
- BUILDING

- POLICE
- FIRE
- REDEVELOPMENT AGENCY
- HOUSING & NEIGHBORHOOD  
REVITALIZATION
- OTHER: \_\_\_\_\_





## CONDITIONS OF APPROVAL

**DATE:** 9-17-2012

**FILE NO.:** PCUP12-020

**SUBJECT:** A Conditional Use Permit to establish retail boat sales (Essex Boats) and repair, within an existing building, located near the southwest corner of Francis Street and Baker Avenue, at 1830 South Baker Avenue, within the M2 (Industrial Park) zoning district.

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### 1.0 GENERAL REQUIREMENTS

- 1.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 1.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 1.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 1.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

### 2.0 GRAFFITI REMOVAL

- 2.1 Use of anti-graffiti material. Anti-graffiti material of a type and nature that is acceptable to the Director of Public Works, shall be applied to each of the publicly viewable surfaces on the improvements to be constructed on the site, which are deemed by the Director of Public Works to be likely to attract graffiti ("graffiti attracting surfaces").



- 2.2 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or "painting over" graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.
- 2.3 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

### **3.0 ENVIRONMENTAL REVIEW**

- 3.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to Section § 15301 (Existing Facilities) of the State CEQA Guidelines.
- 3.2 The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

### **4.0 ADDITIONAL REQUIREMENTS**

- 4.1 The display of boats shall be restricted to the rear of the property or within the warehouse. Development Code requires a minimum 20-foot front landscaped area (integrated with display pads). The site includes a 10-foot landscaped area. An additional 10-foot dedicated display area would encroach into the front parking area. There is insufficient space in the front for a boat display area.

### **5.0 ADDITIONAL REQUIREMENTS – Public Hearing**

- 5.1 During the public hearing, the Zoning Administrator, Jerry Blum, added the condition that the applicant properly stripe a minimum of five (5) additional parking spaces at the rear of the property.



## CITY OF ONTARIO MEMORANDUM

### ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

**DATE:** 08.30.2012 (1<sup>st</sup> review)

**PROJECT PLANNER:** John Hildebrand, Planning Department

**PROJECT:** PCUP12-020, a Conditional Use Permit to establish retail boat sales (Essex Boats) on 0.45 acres of developed land, generally located at the southwest corner of Francis Street and Baker Avenue, at 1830 South Baker Avenue, within the M2 (Industrial Park) zoning district.

**APN:** 0113-381-17

**LOCATION:** 1830 South Baker Avenue

**PROJECT ENGINEER:** Arij Baddour, Engineering Department

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#### ENGINEERING DEPARTMENT HAS CONDITIONS FOR THE MOST RECENT SUBMITTAL OF THE ABOVE REFERENCED SITE.

1. The developer/applicant is required to remove existing curb within City parkway area and existing damaged driveway approach and replace with commercial driveway approach along Baker Avenue per City of Ontario Standard #1204.
2. Developer is required to install a backflow prevention assembly to the existing domestic water service per City of Ontario standard # 4206 or 4207.

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

**DAB CONDITIONS OF APPROVAL**  
Sign Off

*Carolyn Bell*  
Carolyn Bell, Sr. Landscape Planner

8/23/12  
Date

Reviewer's Name:  
**Carolyn Bell, Sr. Landscape Planner**

Phone:  
**(909) 395-2237**

D.A.B. File No.:  
PCUP12-020

Related Files:

Case Planner:  
John Hildebrand

Project Name and Location:  
Essex Boats  
1830 South Baker Ave

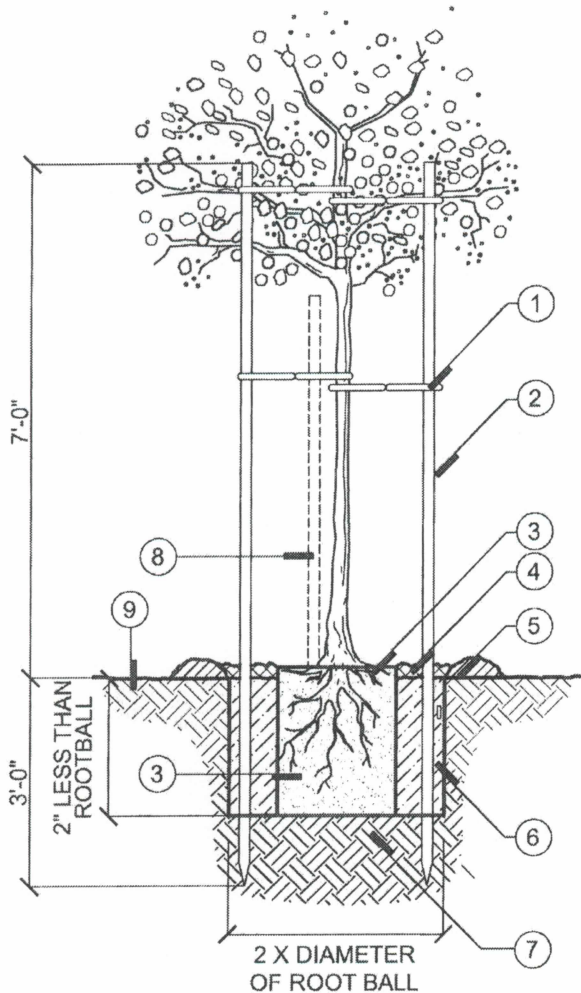
Applicant/Representative:  
Cindy Sanchez  
1830 South Baker Ave  
Ontario, CA 91761

<input checked="" type="checkbox"/>	A site plan (dated 8/6/12) has been approved with the consideration that the following conditions below be met.
<input type="checkbox"/>	A site plan (dated ) has not been approved. Corrections noted below are required prior to DAB approval.

**CONDITIONS OF APPROVAL**

1. Provide and install 2 missing street trees: Pistacia chinensis– Chinese Pistache – 24" box size centered in the parkway 10' clear of power poles and 5' clear of underground utility lines. Install according to the tree planting detail attached.
2. Call this department to set up a landscape inspection when work is completed prior to Zoning Administrator Hearing or within 30 days after CUP approval.





- ① FLEXIBLE TREE TIES (MIN. 4 REQUIRED) SECURE TO POLE W/GALV. NAIL. PLACE TOP TIE IN CANOPY PROTECT BRANCHES FROM DAMAGE.
- ② 2" DIA. X 10' MIN. TREATED LODGEPOLE PINE STAKE (3" DIA. OR GALVANIZED STAKES FOR 36" BOX TREES OR GREATER)
- ③ ROOTBALL - 2" ABOVE FINISHED GRADE, TOP ROOT/TRUNK FLARE SHALL BE VISIBLE.
- ④ 3' DIAMETER SHOVEL-CUT MULCH RING FOR TREES IN LAWNS.
- ⑤ TEMPORARY 3" WATERING BASIN
- ⑥ BACKFILL MIX: 15% COMPOSTED AMENDMENTS, 85% NATIVE SOIL. SEE AGRONOMICAL SOIL PERPORT FOR ADDITIONAL NUTRIENTS
- ⑦ UNDISTURBED NATIVE SOIL, FOOT TAMP ANY OVER EXCAVATION.
- ⑧ REMOVE NURSERY STAKE IMMEDIATELY AFTER PLANTING
- ⑨ FINISH GRADE

**NOTES:**

1. STAKES SHALL NOT PIERCE ROOTBALL & SHALL EXTEND INTO UNDISTURBED SOIL.
2. PLACE FLEXIBLE TREE TIES ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.

**TREE PLANTING**

# ZONING ADMINISTRATOR DECISION CONDITIONAL USE PERMIT



**DECISION NO. 2012-017**

**HEARING DATE:** September 17, 2012

**DECISION DATE:** September 18, 2012

**FILE NO.:** PCUP12-019

**SUBJECT:** A Conditional Use Permit to establish religious assembly (Iglesia de Cristo Camino de Santidad) within an existing 6,918 square foot building on 0.89 acres of land in the AR/C3 (Agricultural Residential/Commercial Service) zoning districts, located at 1335 West Mission Boulevard.

**STAFF**

**RECOMMENDATION:**  Approval     Approval, subject to conditions     Denial

***PART A: BACKGROUND & ANALYSIS***

IGLESIA DE CRISTO CAMINO DE SANTIDAD, herein after referred to as “the applicant,” has filed an application requesting Conditional Use Permit approval, described as follows:

- (a) Project Description: A Conditional Use Permit to establish religious assembly (Iglesia de Cristo Camino de Santidad) within an existing 6,918 square foot building on 0.89 acres of land in the AR/C3 (Agricultural Residential/Commercial Service) zoning districts, located at 1335 West Mission Boulevard
- (b) TOP Policy Plan Land Use Map Designation: Medium Density Residential
- (c) Zoning Designations: C3 (Commercial Service) and AR (Agricultural Residential)
- (d) Surrounding Zoning and Land Uses:

	<i>Zoning</i>	<i>Existing Land Use</i>
North:	C3/Commercial Service	Undeveloped/Strawberry Field
South:	AR/Agricultural Residential	Single family residential
East:	R2/Multi-family residential	Multi-family Residential
West:	C3/Commercial, R2/Multi-family residential AR/Agricultural Residential	Commercial and Vacant Multi-family Residential Single family Residential

- (e) Site Area: 0.89 acres

Approved By: \_\_\_\_\_  
Senior Planner



(f) Assessor's Parcel No(s): 1011-371-09

(g) Project Analysis:

- Proposed Use: The applicant proposes to utilize the existing 6,918 square foot building as a religious assembly facility. The building was previously used as a child day care facility. Iglesia de Cristo Camino de Santidad proposes to hold services on Sundays, from 10:00 to 11:30 am, followed by lunch, and from 6:00 to 7:30 pm, followed by dinner, as well as on Wednesday evenings, from 6:00 to 7:30 pm, followed by dinner. Various other meetings will occur throughout the week, such as: Youth group, Bible Study classes, Men's and Women's groups, etc. The facility will hold 156 fixed seats within the main assembly area and will also feature kitchen facilities and a children's area with an outdoor play area. Due to the location of the facility on a major thoroughfare, the outdoor play area will be completely fenced.
- Land Use Compatibility: Conditional Use Permit reviews are required to ensure the compatibility between adjacent uses, and limit exposure of nearby residents, businesses and property owners to potential nuisance activities. The subject property has split zoning. The existing building is located on a relatively narrow lot that is extremely deep. The front portion of the property is within the C3 (Commercial Service) zoning district, and the rear of the property is within the AR (Agricultural Residential) zoning district. The property on the east side of the project site is zoned R2 and is developed with a large multi-family residential complex. To the north is a large, undeveloped parcel that is zoned C3, which is used seasonally as a strawberry field. The properties on the west have a variety of zoning, with commercial zoning and uses adjacent to the front of the property, multi-family residential (R2) zoning and uses adjacent to the middle of the property, and AR zoning and uses toward the rear of the property, as well as AR zoning and uses to the south of the property.

The major potential impacts from a religious assembly use typically include parking and possibly noise, which have been addressed as follows:

- The facility provides on-site parking per the requirements of the Development Code.
- The project has been conditioned to allow regular assembly inside the building only, which will limit the potential noise impacts on the surrounding residential uses. Amplified music is allowed, but the sound must be contained within the building, and the exterior doors are to remain closed. Any special events to be held at the facility shall require a Temporary Use Permit and may be limited in duration.

Staff believes the proposed use of the property as a religious assembly facility to be consistent with the surrounding land uses and the potential adverse impacts have been adequately addressed/mitigated.

Information regarding the CUP request was mailed to the surrounding property owners within 300 feet of the project site offering them the opportunity to request a community meeting to discuss the project prior to hearing. None of the surrounding property owners requested a community meeting.

- Parking: For religious assembly uses, parking spaces are required at a rate of one space per four fixed seats in the main assembly area. The facility proposes to utilize twenty-six 10-foot pews. Each pew will hold approximately 5 to 6 people (18 inches per person). This provides a total of approximately 156 fixed seats. Thus, 39 parking spaces are required for the use per the Development Code parking requirements. A total of 40 parking spaces have been provided, which exceeds the minimum off-street parking requirement for the use.
  - Airport Land Use Compatibility Plan (ALUCP) Consistency: The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT. The project site is located outside of the Safety Zones and located within the 60 - 65 dB CNEL Noise Impact Zone. The proposed religious assembly use is consistent within the 60-65 db CNEL Noise Impact Zone. Airspace Protection and Overflight Notification policies do not apply to this project since the proposed project does not include any new construction that would affect Airspace Protection or require Overflight Notification.
  - Department Review: The Conditional Use Permit request to establish religious assembly was forwarded to the various City departments for comment. The Planning, Building, Landscape, Fire and Housing Departments/Divisions have requested that conditions of approval be imposed on the use, which are designed to mitigate anticipated adverse impacts.
- (h) Public Notification: The subject application was advertised as a public hearing in at least one newspaper of general circulation in the City of Ontario (the Inland Valley Daily Bulletin newspaper). In addition, notices were mailed to all owners of real property located within 300 feet of the exterior boundaries of the property that is the subject of the hearing, as shown on the records of the County Assessor.
- (i) Correspondence: As of the preparation of this Decision, Planning Department staff has not received any written or verbal communications from the owners of properties surrounding the project site or from the public in general, regarding the subject application.

**PART B: RECITALS**

WHEREAS, the City of Ontario has received a request for Conditional Use Permit approval as described in Part A, above; and

WHEREAS, Ontario Municipal Code § 9-1.0405(f) provides that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

WHEREAS, On the 17th day of September, 2012, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(a) Clarice Burden, Associate Planner, presented the staff report on the proposed use, indicating the staff recommendation of approval subject to conditions. Following staff's presentation, the Zoning Administrator asked staff about the timing for the tenant improvements to be made to the building. Staff indicated that the applicant has already submitted the plan check plans to construct the improvements at their own risk. The Zoning Administrator asked that the condition be modified to indicate that the improvements must be completed before the public can utilize the building. The Zoning Administrator then opened the public hearing.

(b) Don Nevins, representing the applicant, thanked staff (Clarice Burden) for her assistance with the project. He explained the religious assembly operation and spoke in favor of the application. The Zoning Administrator asked what kind of fencing would enclose the children's play area. Mr. Nevins indicated that it would be wrought iron. He also indicated that the applicant is very dedicated to getting the improvements to the building completed as soon as possible. He indicated that the church is using a temporary location and would like to make the move to this location quickly. He said that although the site is in bad shape now, that a lot of clean up has already taken place and that they will do the improvements as soon as they can get a permit.

(c) There being no one else to offer testimony regarding the application, the Zoning Administrator closed the public hearing.

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

**PART C: THE DECISION**

NOW, THEREFORE, it is hereby found, determined and resolved by the Zoning Administrator of the City of Ontario as follows:

(a) All facts set forth in this Zoning Administrator Report and Decision are true and correct.

(b) Based upon the evidence presented to the Zoning Administrator during the above-referenced public hearing, the Zoning Administrator hereby concludes as follows:

(1) The proposed location of the Conditional Use Permit and the proposed conditions under which it will be operated or maintained will be consistent with the General Plan and will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. The proposed religious assembly lies within the Medium Density Residential land use district.

(2) Religious assembly is allowed upon approval of a Conditional Use Permit. The project has been conditioned so that the facility and use are operated in a manner that will not be detrimental to the health and safety of the surrounding community.

(3) The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Ontario Development Code and zoning designation within which the site is located.

(4) Traffic generated by the proposed Conditional Use Permit will not overload the capacity of the surrounding street system and will not create a hazard to public safety.

(5) The proposed Conditional Use Permit will comply with each of the applicable provisions of the Ontario Development Code and applicable municipal codes.

(6) The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

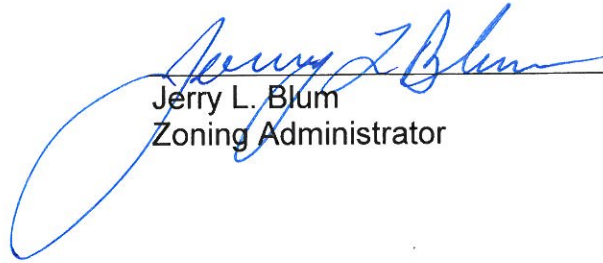
(c) The Zoning Administrator hereby finds and determines that the project identified in this Decision is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301(Existing Facilities of the State CEQA Guidelines).

(d) Based upon the findings and conclusions set forth in Parts A, B and C above, the Zoning Administrator hereby approves File No. PCUP12-019, subject to the conditions of approval attached hereto and incorporated herein by this reference and including the following: .

“No public occupancy of the building or premises shall occur until all work on the building and property has been complete pursuant to the Conditions of Approval and concurrence by appropriate staff.”



APPROVED by the Zoning Administrator of the City of Ontario on this 18<sup>th</sup> day of September, 2012.



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Jerry L. Blum  
Zoning Administrator



**EXHIBIT A – Project Site**



**Aerial photograph**



**Surrounding Land Uses**

**EXHIBIT B – Site Plan**

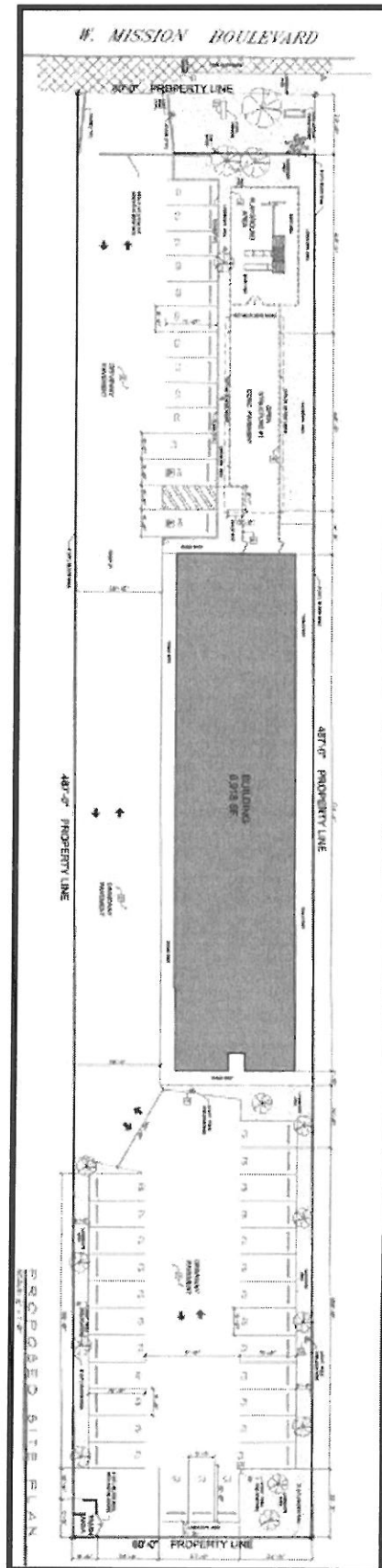
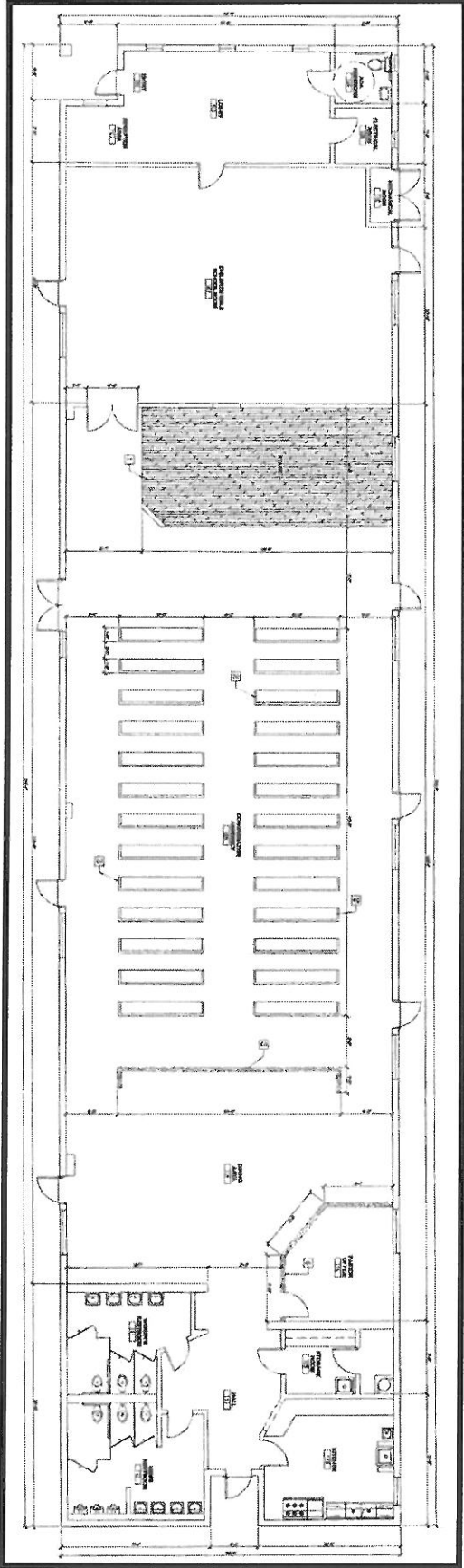
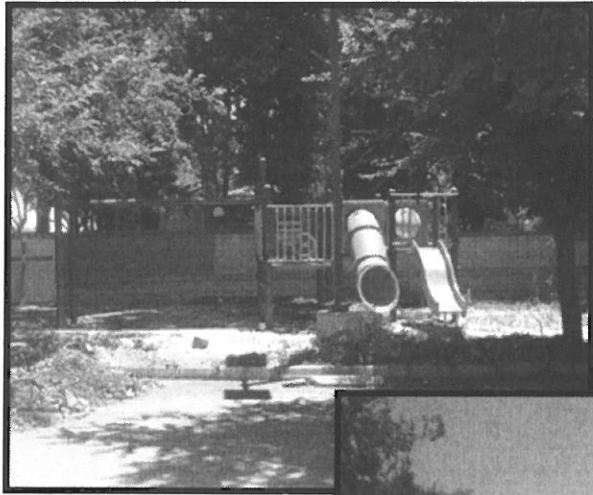


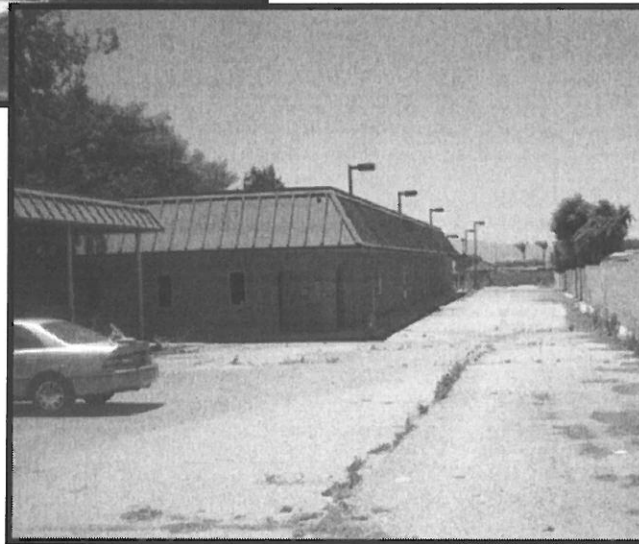
EXHIBIT C – Floor Plan



**EXHIBIT D – Site Photos**



Play Area



Front



Rear



**DEPARTMENT ADVISORY BOARD  
COMMENTS, CONDITIONS AND RECOMMENDATIONS**

**DATE:** September 17, 2012

**FILE NO.:** PCUP12-019

**SUBJECT:** A Conditional Use Permit to establish a religious assembly (Iglesia de Cristo Camino de Santidad) within an existing 6,918 square foot building on 0.89 acres of land in the AR/C3 (Agricultural Residential/Commercial Service) zoning districts, located at 1335 West Mission Boulevard.

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The subject application has been reviewed by each agency/department listed below. A copy of each agency/department recommendation and comments are available for review in the Planning Department project file. Conditions of approval have been recommended by those agencies/departments marked below and are attached.

- PLANNING
- ENGINEERING
- UTILITIES/SOLID WASTE
- LANDSCAPE
  
- BUILDING

- POLICE
- FIRE
- REDEVELOPMENT AGENCY
- HOUSING & NEIGHBORHOOD  
REVITALIZATION
- OTHER: \_\_\_\_\_



## CONDITIONS OF APPROVAL

**DATE:** September 17, 2012

**FILE NO.:** PCUP12-019

**SUBJECT:** A Conditional Use Permit to establish religious assembly (Iglesia de Cristo Camino de Santidad) within an existing 6,918 square foot building on 0.89 acres of land in the AR/C3 (Agricultural Residential/Commercial Service) zoning districts, located at 1335 West Mission Boulevard.

---

### 1.0 TIME LIMIT

- 1.1 Conditional Use Permit approval shall become null and void one (1) year following the effective date of application approval, unless the approved use has commenced. This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

### 2.0 GENERAL REQUIREMENTS

- 2.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.
- 2.2 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in hours/days of operation, expansion or intensification of use, etc.), must first be reviewed and approved by the Zoning Administrator prior to commencement of the change.
- 2.3 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.
- 2.4 A copy of the herein-listed conditions of approval shall be maintained on the subject premises at all times.
- 2.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

### 3.0 PARKING AND CIRCULATION

3.1 The project shall provide off-street parking spaces pursuant to the requirements of Ontario Municipal Code § 9-1.3010. Parking shall be calculated and continuously maintained in accordance with established standards, as follows:

<i>Use</i>	<i>Area (in SF)</i>	<i>Parking Ratio</i>	<i>Parking Spaces Required</i>
Religious Assembly		1 per 4 fixed seats (156 fixed seats) in the main assembly area	39
<b>TOTAL</b>			<b>39</b>

3.2 The parking lot and drive aisles shall have weeds removed and shall be completely sealed and restriped.

### 4.0 GRAFFITI REMOVAL

4.1 Use of anti-graffiti material. Anti-graffiti material of a type and nature that is acceptable to the Director of Public Works, shall be applied to each of the publicly viewable surfaces on the improvements to be constructed on the site, which are deemed by the Director of Public Works to be likely to attract graffiti (“graffiti attracting surfaces”).

4.2 Right of access to remove graffiti. The City shall be granted the right of entry over and access to parcels, upon 48-hours of posting of notice by authorized City employees or agents, for the purpose of removing or “painting over” graffiti from graffiti attracting surfaces previously designated by the Director of Public Works, and the right to remove such graffiti.

4.3 Supply City with graffiti removal material. The City shall be provided sufficient matching paint and/or anti-graffiti material on demand, for a period of two (2) years after imposing this condition, for use in the painting over or removal of designated graffiti attracting surfaces.

### 5.0 SITE LIGHTING

5.1 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building/electrical permits.

5.2 Exterior lighting shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on any adjoining site.

- 5.3 Along pedestrian movement corridors, the use of low mounted bollard light standards, which reinforce pedestrian scale, shall be encouraged. Steps, ramps and seatwalls should be illuminated wherever possible, with built-in light fixtures.

## **6.0 ENVIRONMENTAL REVIEW**

- 6.1 The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970, as amended, and the Guidelines promulgated thereunder, pursuant to § 15301 (Existing Facilities) of the State CEQA Guidelines.
- 6.2 The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

## **7.0 ADDITIONAL REQUIREMENTS**

- 7.1 In order to reduce potential noise impacts on the neighboring residential uses, assembly activities shall only take place inside the enclosed building, except for supervised children in the outdoor play/snack area. Any special events shall require approval of a Temporary Use Permit prior to the event.
- 7.2 Amplified music is permitted; however, the sound emitted from the facility shall not be audible outside the exterior walls of the facility. The doors shall be kept closed at all times during the operation of the facility, except for direct ingress and egress, or in case of emergency.
- 7.3 The building, paving, and landscaping shall be refurbished and repaired as necessary to bring the property up to the maintenance standards per the Property Maintenance Ordinance of the City. The outdoor play area is to be completely fenced. All improvements shall be completed prior to release of occupancy for the tenant improvements. The building shall not be utilized as a religious assembly until the improvements have been completed.
- 7.4 No parking shall be allowed adjacent to the trash enclosure on days of trash pick-up so that adequate access to the trash bins is provided to allow for disposal of the trash.



- 7.5 No more than 156 fixed seats shall be provided within the main assembly area. The interior layout shall not be altered so as to increase the seating capacity without prior City approval.
- 7.6 The applicant shall obtain a business license as a religious assembly facility prior to commencement of the use.
- 7.7 Sign permits shall be obtained for any signage prior to installation. Signage shall meet current Development Code requirements. The existing monument sign shall be modified to comply with current Development Code requirements or shall be removed.
- 7.8 The comments and conditions from all other departments shall be complied with.

# **CITY OF ONTARIO**

## **MEMORANDUM**

**TO:** PLANNING DEPARTMENT, Clarice Burden  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** August 9, 2012  
**SUBJECT:** PCUP12-009

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1. The plan does adequately address the departmental concerns at this time.  
Standard Conditions of Approval apply.

cc: File

KS:kb

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

<b>DAB CONDITIONS OF APPROVAL</b>	
<b>Sign Off</b>	
<i>Carolyn Bell</i> Carolyn Bell, Sr. Landscape Planner	8/27/12 Date

Reviewer's Name: <b>Carolyn Bell, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2237</b>
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D.A.B. File No.: <b>PCUP12-019</b>	Related Files:	Case Planner: <b>Clarice Burden</b>
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Project Name and Location:  
**Religious Assembly  
1335 West Mission blvd**

Applicant/Representative:  
**DDM Group LLC  
25 Edelman ste 100  
Irvine, CA 92618**

<input checked="" type="checkbox"/>	<b>A site plan (dated 8/8/12) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.</b>
<input type="checkbox"/>	<b>A site plan (dated ) has not been approved. Corrections noted below are required prior to DAB approval.</b>

**CONDITIONS OF APPROVAL**

1. Add callout for proposed trees in parking lot such as: Tristania conferta or magnolia 'Russet' in the 5' wide planters, (align trees with parking stall line to prevent car overhang damage) and Quercus agrifolia or Ulmus 'True Green' in the larger landscape planters in the parking lot corners.
2. Note for existing trees to remain and be protected in place.
3. Note to repair or install new irrigation to completely cover all landscape areas including new trees.
4. Call this department to set up a landscape inspection when work is completed prior to Zoning Administrator Hearing or within 30 days after CUP approval.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Clarice Burden, Associate Planner  
Planning Department

**FROM:** Shannon Sanders, Fire Safety Specialist  
Bureau of Fire Prevention

**DATE:** August 22, 2012

**SUBJECT: PCUP12-019 A Conditional Use Permit to establish a religious assembly (Iglesia de Cristo Camino de Santidad) within an existing 6,918 square foot building on 0.89 acres of land in the AR/C3 (Agricultural Residential/Commercial Service) zoning districts, located at 1335 West Mission Boulevard. APN:1011-371-09**

---

The plan **does** adequately address the departmental concerns at this time.

No comments

Report below.

- 
1. Follow Fire Lane Identification Standard #B-001, found on the City web site.
  2. Address shall be clearly visible from the street. The numbers shall contrast with their background.
  3. Knox key box is required
  4. Type I hood shall be installed at or above all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors.
  5. Drapes, hangings, curtains, drops and all other decorative material, including Christmas trees shall be made of nonflammable material, or shall be treated and maintained in a flame-retardant condition by means of a flame retardant solution or process approved by the State Fire Marshal.
  6. Post occupant load sign
  7. Emergency lights are required with battery back-up.
  8. Exits shall be marked by an approved exit sign readily visible from any direction of egress travel.

For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us), click on Fire Department and then on forms.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Clarice Burden

**FROM:** Brent Schultz, Housing and Neighborhood Revitalization Director

**DATE:** August 30, 2012

**SUBJECT:** FILE NO. PCUP12-019

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The Housing Department has the following conditions on the above mentioned project:

- Applicant is to remove dilapidated cabinet sign mounted to front block wall prior to occupancy.
- Applicant is required to repaint all flaked/chipped painted metal surfaces prior to occupancy.
- Applicant to remove sign brackets from existing light pole within the front set back area.