

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

March 28, 2017

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

6:30 PM

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

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

- *Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.*
- *Comments will be limited to 5 minutes. Speakers will be alerted when their time is up. Speakers are then to return to their seats and no further comments will be permitted.*
- *In accordance with State Law, remarks during public comment are to be limited to subjects within the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.*
- *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
- *The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.*
- *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*

ROLL CALL

DeDiemar __ Delman __ Downs __ Gage __ Gregorek __ Reyes __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

SPECIAL CEREMONIES

- 1) Presentation to Former Commissioner Nicola Ricci

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning/Historic Preservation Commission on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Planning/Historic Preservation Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of February 28, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND STANDARD CONDITIONS OF APPROVAL AMENDMENT REVIEW:

An amendment to the City of Ontario Standard Conditions for new development, to include updates consistent with the 2016 comprehensive update to the Ontario Development Code. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); **City Initiated. City Council action is required.**

PLANNING COMMISSION PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Planning Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to

summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PDEV16-051 & PVAR17-001: A Development Plan (PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (PVAR17-001) to deviate from minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5-Minor Alterations in Land Use Limitations) and Section 15301 (Class1- Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1015-131-23); **submitted by Sizzler Restaurant/BMW Management.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15305 and 15301

2. File No. PVAR17-001 (Variance)

Motion to Approve/Deny

3. File No. PDEV16-051 (Development Plan)

Motion to Approve/Deny

C. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-007: A Development Code Amendment revising provisions of Development Code Chapter 5.0 (Zoning and Land Use) pertaining to Accessory Dwelling Units (formerly referred to as Second Dwellings), to incorporate recent changes in the State's Accessory Dwelling Unit laws (as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required. Continued from February 28, 2017.**

1. CEQA Determination

No action necessary – Exempt: CEQA Guidelines Section § 15061(b)(3)

2. **File No. PDCA16-007** (Development Code Amendment)

Motion to recommend Approval/Denial

HISTORIC PRESERVATION ITEMS

D. **SEVENTEENTH ANNUAL MODEL COLONY AWARDS FOR FILE NO. PHP17-005**: A request for the Historic Preservation Commission to approve the Seventeenth Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**

1. **File No. PHP17-005** (Model Colony Awards)

Motion to Approve/Deny

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing):
- 2) New Business
- 3) Election of Officers
- 4) Nominations for Special Recognition

DIRECTOR'S REPORT

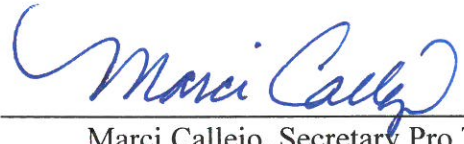
- 1) Monthly Activity Report

If you wish to appeal any decision of the Planning/Historic Preservation Commission, you must do so within ten (10) days of the Commission action. Please contact the Planning Department for information regarding the appeal process.


If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, or prior to, the public hearing.



I, Marci Callejo, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, March 24, 2017**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Marci Callejo, Secretary Pro Tempore



Scott Murphy, Planning Director
Planning/Historic Preservation
Commission Secretary

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

MINUTES

February 28, 2017

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

MINUTES

February 28, 2017

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

COMMISSIONERS

Present: Chairman Willoughby, DeDiemar, Delman, Gage, Gregorek, and Reyes

Absent: Vice-Chairman Downs

OTHERS PRESENT: Planning Director Murphy, City Attorney Rice, Senior Planner Noh, Senior Planner D. Ayala, Assistant Planner Antuna, Assistant City Engineer Do, and Planning Secretary Callejo

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Reyes.

ANNOUNCEMENTS

Mr. Murphy stated that item F has been requested to be continued to the Planning Commission meeting of March 28, 2017.

PUBLIC COMMENTS

No one responded from the audience.

CONSENT CALENDAR ITEMS

Commissioner Gage requested item A-03 be pulled for separate discussion.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of January 24, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-052: A Development Plan (File No. PDEV16-052) to construct a 163-unit multi-family townhome and rowtown project consisting of 5 two-story 14-unit townhome complexes and 16 two-story rowtown complexes (fifteen 6-unit complexes and one 3-unit complex) on 14.62 acres of land located within the Medium Density Residential (MDR) and Low Density Residential (LDR) districts of Planning

Area 11 of The Avenue Specific Plan, located at the southwest corner of Ontario Ranch Road and New Haven Drive. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APN: 0218-412-04); **submitted by Brookfield Residential.**

It was moved by DeDiemar, seconded by Delman, to approve the Planning Commission Minutes of January 24, 2017, as written. The motion was carried 5 to 0 for the Minutes, Commissioner Reyes Abstaining and File No. PDEV16-052 was approved with the motion of 6 to 0.

PUBLIC HEARING ITEMS

- A-03. ENVIRONMENTAL ASSESSMENT AND AGREEMENT FOR THE REMOVAL, RELOCATION, AND PLACEMENT OF BILLBOARD SIGNS (FILE NO. PSGN17-016):** An interagency billboard relocation agreement to remove six billboards and allowing the placement of a new billboard at 1550 N. Palmetto Avenue. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15662 (Class 32 - In-fill Development Projects). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 110-022-12, 110-131-19, 210-212-60, 1008-261-45, 1011-111-10, and 1011-182-10); **submitted by City of Ontario, San Bernardino County Transportation Authority, and Lamar Central Outdoor, LLC. City Council action is required.**

Planning Director, Scott Murphy, presented the staff report. Mr. Murphy stated that the Commission may remember a Development Code Amendment came forward in 2015 that would provide for a billboard relocation with the City of Ontario under certain circumstances. He said that those circumstances would be that a billboard would be removed with the relocation of a new billboard on a freeway frontage. He stated that in addition, the billboard could be placed in the City of Ontario if five additional billboards were removed within the community. Mr. Murphy gave some background on the billboard relocation and the roles of both San Bernardino County Transportation Authority and Lamar Central Outdoor. He stated that the proposed site would be just off the 10-FWY east of Mountain Avenue where discussions were made with the property owner. Since that time, an agreement has been brought forth with the locations of the five billboards to be removed. Mr. Murphy explained the relocation of the billboard at the I-10 and 215-FWY and named the five locations of the existing billboard within the City of Ontario which would be removed. He shared Lamar has discussed leasing the property, which is currently owned but a church, for the billboard which is located at the Palmetto address. He said the sign would be a double-faced LED sign which would be similar in size and look like the one off the 60-FWY next to the soccer complex. Mr. Murphy presented a photo simulation of the billboard sign coming onto the freeway ramp. He stated that staff is recommending the Planning Commission recommend City Council

approval of File No. PSGN17-016, pursuant to the facts and reasons contained in the staff report and attached resolution.

Mr. Gage asked about the sign hanging over to different sides presented in two different images. He wanted to know which image is correct and will the billboard sign hang over the freeway.

Mr. Murphy stated that what is depicted in the photo simulation is how the billboard would be constructed. He said the simple fact is the sign cannot overhang into the Caltrans right of way. He stated the pole or structure would be located on private property and the sign would extend into the private property.

Mr. Gage confirmed the location of the sign, asking if it is before the on-ramp where the cars merge onto the freeway. He asked if there was any consideration if [the sign] would hinder drivers' vision or be a traffic nuisance to people going up the on-ramp and seeing the large sign and immediately having to merge.

Mr. Murphy said that when they looked at the location and LED lighting, they realized how quickly the images are changing. He said Caltrans has very specific requirements about the amount of time or how quickly the images can change through. He stated that where individuals actually merge onto the freeway, they are past the actual sign location.

Mr. Gage asked if there might be a hazard for the cars stopped waiting at the signal light at the end of the on-ramp to get onto the freeway.

Mr. Murphy said that where the signal light is located, it's just about equal to where the sign is. He said if anything, someone waiting may be distracted watching the sign, but there should be no problem getting onto the freeway. There really should be no issue.

Mr. Gage asked how tall the sign is compared to others along the 10-FWY, like the Mercedes or "Arena" signs.

Mr. Murphy said if he remembered correctly, it is 52-feet from grade up, but there's about 11-feet difference between the sign and grade level, so what you'll roughly see is 41-feet above freeway level. He said to put that into comparison, the sign for the Auto Dealer out on the 15-FWY and Jurupa Street is about 85-feet tall. He said he thought the Mercedes Dealership sign was 63-feet tall and he said he did not recall the Arena sign, but would guess it was probably in the neighborhood of about 70-feet.

Mr. Gage stated the 85-foot one was in a gully advertising Citrus Motors.

Mr. Murphy stated no, he was speaking of the one on the east side of the 15-FWY between Jurupa Street and the 10-FWY, the newer one that was put in for the Auto Center about five years ago.

PUBLIC TESTIMONY

No one responded.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Reyes said he would normally be against billboards anywhere, but being the fact they are removing five existing, pretty ugly billboards throughout the city, it's a fair trade. He said, he would say to staff, to look at length and depth, not so much the height compared to the rear of the church. He stated it looked tight back there with parking, facing the freeway and possibly a fire lane. He asked to make sure it all fits there that the building department looked at it to make sure it doesn't impede on any fire lane which would be on the church building, which would determine the ultimate size of the sign.

Mr. Willoughby asked when the five billboards are eliminated, how many would be left on city streets.

Mr. Murphy stated he thought at last count there were 13 billboards in the community, so there should be about 8.

Mr. Gage stated that he has concerns and that it might be a hazard at the on-ramp, looking up at it, being so large and so much light. He said he was glad to hear it wasn't overhanging the on-ramp. He said he wasn't against billboards either, but he was lukewarm to have one that far west in the city because the other billboards are in the industrial area. He said this one is in a more commercial area and residential is a little ways away, but it's a start. He stated it is a good trade-off to get five other ones down so overall he will be voting yes.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Reyes, to adopt a resolution to approve File No. PSGN17-016, an Interagency Billboard Relocation Agreement pursuant to facts and reasons contained in the staff report. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried with 6 to 0 votes.

B. ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW

FOR FILE NO. PMTT16-010: A Tentative Parcel Map (File No. PMTT16-010; PM 19725) to subdivide 40.10 acres of land into 4 numbered lots and 1 lettered lot within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located at the southeast corner of Ontario Ranch Road and Mill Creek Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APNs: 0218-211-12 and 0218-211-25); **submitted by GDCI-RCCD2-L.P.**

C. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT16-011:**

A Tentative Parcel Map (File No. PMTT16-011; PM 19741) to subdivide 19.64 acres of land into 4 numbered lots within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located at the southwest corner of Ontario Ranch Road and Hamner Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APN: 0218-211-25); **submitted by GDCI-RCCD2-L.P.**

D. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA16-003:**

A Development Agreement between the City of Ontario and GDCI-RCC2-L.P., to establish the terms and conditions for the development of Tentative Parcel Maps 19725 (File No. PMTT16-010) and 19741 (File No. PMTT16-011) within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located on the south side of Ontario Ranch Road, between Mill Creek Avenue and Hamner Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APNs: 0218-211-12 and 0218-211-25); **submitted by GDCI-RCCD2-L.P.**
City Council action is required

Senior Planner, Henry Noh presented the three staff reports. Mr. Noh began by giving background on the two tentative parcel maps, stating their location and pointing out their surrounding areas. He then pointed out the lettered lots for Parcel Map 19725 and explained the relocation of “Street A” further south and reconfiguration of the lot sizes. Mr. Noh shared highlights of Parcel Map 19741 to subdivide the parcel into four lots. In addition, he explained the Applicant has requested the approval of a Development Agreement with the City due to the financial commitments required to construct within the Ontario Ranch area are very substantial. He stated that this assists in assuring the rules and regulations will stay in place of the agreement while forecasting development and is required between the Applicant and the City. He explained some of the terms of the Development Agreement which include, a ten-year term with a five-year option, infrastructure improvements, mainly along Ontario Ranch Road, Mill Creek and Hamner; park requirements, public service funding, as well as, facility and school district fees. He stated staff is recommending the Planning Commission approve File Nos. PMTT16-010 and PMTT16-011, pursuant to the facts and reasons contained in the staff report and attached resolutions and subject to the conditions of approval. Also, staff is recommending the Planning Commission recommend City Council approval of File No. PDA16-003, pursuant to the facts and reasons contained in the staff report and attached resolution.

PUBLIC TESTIMONY

Jason Lee, the Applicant from GDCI-RCCD2-L.P. appeared and spoke. Mr. Lee said he wanted to thank staff for working with him and it was a relatively simple process to get the projects approved, except for the slight hiccup last week to get the street moved to facilitate the potential buyer. He said they were excited to get the project moving forward and the area developed. He said Eastvale was just across the street with residential and they wanted to get commercial developed. He stated he would answer any questions the Commission might have.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Delman, seconded by Gregorek, to adopt a resolution to approve the Tentative Parcel Maps, File Nos. PMTT16-010 and PMTT16-011, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

It was moved by Gage, seconded by Reyes, to recommend adoption of a resolution to approve the Development Agreement, File No. PDA16-003. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

- E. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA16-004:** An Amendment to The Avenue Specific Plan (File No. PSPA16-004) to change the Land Use Designations for Planning Area 7 from Low Density Residential (2.1 to 5.0 DU/AC) to Low-Medium Density Residential (5.1 to 11.0 DU/AC) and to change Planning Area 11 from Medium Density Residential (11.1 to 25 DU/AC) to Low-Medium Density Residential (5.1 to 11.0 DU/AC) to allow for the transfer of 155 units from Planning Area 11 (225 DU) to Planning Area 7 (287 DU). The project sites are located at the northeast corner of Archibald Avenue and Ontario Ranch Road (Planning Area 7) and the southwest corner of Ontario Ranch Road and New Haven Drive (Planning Area 11). The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport. (APNs: 0218-201-18; 0218-201-39; 0218-201-42 and 0218-201-43); **submitted by Brookcal Ontario, LLC. City Council Action is required.**

Senior Planner, Henry Noh, presented the staff report. Mr. Noh gave the project sites of the Specific Plan which are being amended for rezoning. He explained what each Planning Area was currently zoned at and what they were proposing to rezone to along with the proposed transfer of units where applicable to which Planning Area. Mr. Noh stated that the amendment to the Specific Plan would continue this development pattern and allow for higher density multi-family units along the north side of Ontario Ranch Road. In addition, the higher density residential provides a buffer and transition between Ontario Ranch Road and the existing SCE substation, located at the northeast corner of Ontario Ranch Road and Archibald Avenue. He said there is also a change to the land-use matrix for Planning Area 7 transferring 155 units to Planning Area 11 which will allow 225 units. He stated that staff is recommending the Planning Commission recommend approval to City Council File No. PSPA16-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes asked about the buffer between Edison and the multi-family products. He wanted to know the width or depth.

Mr. Noh said he was going off of memory and the Applicant could correct him if he was wrong, but he thought it was a buffer of about 70-feet.

Mr. Reyes said that it's an important number to know so they have an idea if someone will be looking out their window at wires, some substation equipment or gear. He said knowing that distance is important and he hoped the Applicant would help out on the information.

PUBLIC TESTIMONY

Derek Barbour from Brookfield Residential, Brookcal Ontario appeared and spoke. He said it was a pleasure to be there and wanted to echo the sentiment of Jason [Lee] that the ease of the process of the specific plan amendment with staff, who have been a great help in getting them through it. He said New Haven being an active community, they react to the active environment and they see how things play out and moving the density over to Ontario Ranch Road made a lot of sense in the overall planning efforts. He stated in regards to Mr. Reyes question, they are equally concerned about the SCE substation and they are going to make sure that the buffer is going to be done very well to ensure that individuals will buy homes there. He said that being too close to it, or being on top of wires is something nobody wants and they will keep that in mind. He said the story for The Avenue amendment is the success of the entry level products like the Holiday and Solstice programs which are around the FHA limit that provide more affordability. He said he would entertain any questions from the Commission if they had any.

Mr. Reyes asked if they had projected setbacks for design and if they were two-story.

Mr. Barbour stated the concept is to continue with a two-story, single-family attached homes in a row-town product. He said they have been around these type of situations before with substation or electrical equipment and it's amazing what landscape can do, even if you only have a 30-foot buffer, which is not what is planned here, but one would be amazed how landscape can make things disappear.

Mr. Reyes asked if [the buffer] was around 30 feet.

Mr. Barbour stated it was more than 30-feet and the Commission would see the tentative map come in. He apologized he didn't have those stats, but would be prepared for them in the future.

Mr. Reyes said that was fine and that he has seen other projects in this area where that came about, whether it was towers or Edison, and they used landscape as a buffer. He shared a personal story about when he first moved to Ontario and lived next to a dairy farm.

Mr. Barbour said that SCE has their own standard for a buffer and they own the property outside of that area, so they should be able to screen it pretty well with their own property up against it. He said it might be tough to screen along Ontario Ranch Road and Archibald Avenue, but cars don't complain as much as people.

Mr. Reyes said, this comment may be addressed more towards staff, but they'll have to see about Edison and what kind of wall they might have. He said the concern is not only visual, but also that kids might be running towards that area and wanting to see what's over the fence. He said we'll want to make sure everything is safe and secure.

Mr. Barbour thanked Mr. Reyes for his comments.

Mr. Gage asked what the current FHA loan limits are.

Mr. Barbour stated \$379,000 and with 5% down, an individual can get up to about \$386,000. He said someone can get up to about \$420,000 on a conventional loan limit before the next range of financing. He said that's kind of the break point within their communities as well and things below that price point are selling twice as fast.

Mr. Willoughby stated that in other counties, like Riverside or Los Angeles, FHA's are a lot higher and that's unfortunate because it affects home sales.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by DeDiemar, seconded by Delman, to recommend adoption of a resolution to approve the Specific Plan Amendment, File No. PSPA16-004, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

- F. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-007**: A Development Code Amendment revising provisions of Development Code Chapter 5.0 (Zoning and Land

Use) pertaining to Accessory Dwelling Units (formerly referred to as Second Dwellings), to incorporate recent changes in the State's Accessory Dwelling Unit laws (as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required.**

The motion was carried 6 to 0 to continue the item to the March 28, 2017 Planning Commission Meeting with Downs absent.

HISTORIC PRESERVATION ITEMS

- G. ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP16-020:** A Certificate of Appropriateness to construct a 641 square foot addition and exterior improvements to an existing 917 square foot single family residence, a Contributor to the Rosewood Court Historic District, located at 319 East Rosewood Court, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre). The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation). (APN: 1048-063-20); **submitted by Grant Mackay**

Assistant Planner, Elly Antuna, presented the staff report. Ms. Antuna gave background on the home, stating it was named the John W. Feeney House and shared the architectural style and significance. She explained a condition has been added to the project to replace the existing slider windows with hung windows and two fixed windows are to be replaced with divided casement windows to represent the original French Doors. She stated that the addition is to the rear of the residence and will increase the structure by 70% and would continue the same architecture and would be seamless. Ms. Antuna said the Historic Preservation Subcommittee reviewed the project on February 9 and recommended approval and along with staff is recommending the Planning Commission approve File No. PHP16-020, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Gage asked where the access to the new addition is from the existing structure.

Ms. Antuna explained that a hallway has been created to give access to the new area.

PUBLIC TESTIMONY

No one responded.

As there was no one else wishing to speak, Chairman Willoughby closed the public testimony

Mr. Gage wanted to compliment the homeowner and staff for working together to make it happen and to get that far. He said it was good to the historic districts and that they are adding onto their homes. He stated that they were adding onto their homes in the right way and going through the proper steps and process.

PLANNING /HISTORIC PRESERVATION COMMISSION ACTION

Acting as the Historic Preservation Commission, it was moved by Gage, seconded by Gregorek, to adopt a resolution to approve the Certificate of Appropriateness, File No. PHP16-020, subject to conditions of approval. Roll call vote: AYES, DeDietmar, Delman, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on Thursday, February 9, 2017.

- *Recommended approval for Certificate of Appropriate, File No. PHP16-020.*
- *Removed a single family residence from the Ontario Registry, File No. PHP17-001, located 1023 E. Sixth Street. This item was approved.*

Development Code Review (Ad-hoc): This subcommittee did not meet.

Zoning General Plan Consistency (Ad-hoc): This subcommittee did not meet.

New Business

Mr. Delman shared that Ontario Heritage will be having two great events. The first is a Walking Tour on Saturday, March 11 from 10 AM to noon in the Villa District from 'H' Street, starting at Euclid to Vine. He said they would share the history about the homes and who lived there, but not going into the homes. Also, they are having their 1st Annual St. Paddy's Day Golf Tournament on Friday, March 17th at Whispering Lakes with registration at 7:30 AM and tee-time at 8 AM. He said he had fliers for both events stating what the cost was for members and non-members. He encouraged everyone to take the information and share it with others.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated that the Historic Preservation staff came up with postcards to be mailed to the individuals within the historic districts. The hope of the postcards are one, to keep them and show them off because they give a lot of facts and information about the districts of what makes them different and unique. Second, they remind the homeowners that if they want to make improvements to their property, that there's a

process that they have to go through. He said sometimes that slips through the cracks, especially if there is no building permit required, like changing out windows. This would still require review and approval from us [Planning Department]. He stated these cards are just a subtle reminder, as well as a way to provide information. It also continues the information about the historic program and the value it brings to the community. He stated the Commission may recall approving two homes for construction across from the Graber Olive House. He shared that one of the houses sold for \$485,000 and was just under 1,800 square feet. He said the value per square foot was more than in Ontario Ranch and it is a tribute to the historic preservation staff and the individuals who purchase with the district. He shared that homeowners help to maintain the properties within the historic district and maintain high property values within those districts.

Mr. Gage said the progressive homeowners in all the historic districts and Ontario Heritage, along with Petrina Delman as President, have done a great job, which has made Ontario great.

ADJOURNMENT

DeDiemar motioned to adjourn, seconded by Gage. The meeting was adjourned at 7:40 PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

March 28, 2017

SUBJECT: An amendment to the Standard Conditions of Approval for new development.
City Council action is required.

RECOMMENDED ACTION: That the Planning Commission recommend that the City Council approve the amendment to the Standard Conditions of Approval for new development pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT ANALYSIS: State law and existing City ordinances provide that the Approving Authority for a development project may impose certain conditions of approval to ensure that:

- The purposes of the Development Code are maintained;
- The project will not endanger the public health, safety or general welfare;
- The project will not result in any significant environmental impacts;
- The project will be in harmony with the area in which it is located; and
- The project will be in conformity with The Ontario Plan and any applicable specific and/or area plan.

The application of standard conditions of approval are further intended to [1] ensure consistency in the development review process, [2] provide for the consolidation of conditions imposed by the various reviewing disciplines, thereby helping to streamline the development review process, and [3] eliminate conflicting conditions between the reviewing various reviewing disciplines. To this end, in March 2010, the City Council, upon recommendation of the Planning Commission, approved Resolution No. 2010-021, adopting standard Conditions of Approval for new development, based on existing City standards and standard operating procedures of the various disciplines involved in the review of development applications, including planning, engineering, police, fire, utilities, building, code enforcement, etc.

In January 2016, a comprehensive update to the Ontario Development Code was enacted, which superseded the previous Development Code in its entirety. Furthermore, over the past year, several minor alterations and clarifications to the Development Code were enacted to adjust and clarify a number of its provisions. As a result of these Development Code Amendments, Staff is recommending changes to the Standard Conditions of Approval, which are necessary to bring the standard conditions into

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:		ZA			
Hearing Deadline:		PC	3/28/2017		Recommend
		CC	4/18/2017		Final

consistency with the Development Code, which include minor changes in wording and call-outs to specific Development Code provisions. Additionally, a condition has been added related to the disclosure of the South Archibald Trichloroethylene (TCE) Plume, generally located south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue, which is subject to cleanup under the supervision of the California Regional Water Quality Control Board. A draft copy of the City Council resolution, which includes all recommended changes, is included for review with the attached Planning Commission resolution.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy;
 - Maintain the Current High Level of Public Safety;
 - Operate in a Businesslike Manner;
 - Pursue City's Goals and Objectives by Working with Other Governmental Agencies;
 - Focus Resources in Ontario's Commercial and Residential Neighborhoods;
- and
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities).

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.
- Infrastructure.
 - Infrastructure systems that are properly sized to support approved land uses and their occupancy and are maintained in a timely fashion through funding by user groups.
 - A comprehensive water supply system that provides affordable and dependable volume and quality of water despite unprecedented pressures on the region's water sources.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

➤ H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Community Economics Element:

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

ENVIRONMENTAL REVIEW: The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE STANDARD CONDITIONS FOR NEW DEVELOPMENT, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City has initiated an update to the Standard Conditions of Approval for New Development, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, State law and existing City ordinances provide that the Approving Authority for a development project may impose certain conditions of approval to ensure that:

- The purposes of the Development Code are maintained;
- The project will not endanger the public health, safety or general welfare;
- The project will not result in any significant environmental impacts;
- The project will be in harmony with the area in which it is located; and
- The project will be in conformity with The Ontario Plan and any applicable specific and/or area plan; and

WHEREAS, in March 2010, the City Council, upon recommendation of the Planning Commission, approved Resolution No. 2010-021, adopting Standard Conditions of Approval for new development, based on existing City standards and standard operating procedures of the various disciplines involved in the review of development applications, including Planning, Engineering, Police, Fire, Utilities, Building, Code Enforcement, etc.; and

WHEREAS, in January 2016, a comprehensive update to the Ontario Development Code was enacted, which superseded the previous Development Code in its entirety. Furthermore, over the past year, several minor alterations and clarifications to the Development Code were enacted to adjust and clarify a number of its provisions; and

WHEREAS, as a result of recent changes to the Development Code, Staff has recommended changes to the Standard Conditions of Approval for new development, which are necessary to bring the Standard Conditions of Approval into consistency with the Development Code, including minor changes in wording and call-outs to specific Development Code provisions. Additionally, a condition of approval has been added related to the disclosure of the South Archibald Trichloroethylene (TCE) Plume, generally located south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue, which is subject to cleanup under the supervision of the California Regional Water Quality Control Board; and

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

WHEREAS, a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (CEQA Guidelines Section 15061(b)(3)); and

WHEREAS, on March 28, 2017, the Planning Commission of the City of Ontario conducted a public hearing to consider the proposed update to the Standard Conditions of Approval for New Development, and concluded the hearing on that date; and

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

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

SECTION 1. *Environmental Determination and Findings.* As the recommending body, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The administrative record have been completed in compliance with CEQA the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The Project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, as there is no possibility that the activity in question will have a significant effect on the environment; and

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

d. The determination of the CEQA exemption reflects the independent judgment of the City Council.

SECTION 2. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting

documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

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

- a. Standard Conditions of Approval provide consistency in the development review process; and
- b. Standard Conditions of Approval provide for the consolidation of conditions from various departments into one location, thus streamlining the development review process; and
- c. Standard Conditions of Approval eliminate conflicting conditions between City Departments.

SECTION 3. *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 and 3 above, the Planning Commission hereby recommends the City Council adopt the Standard Conditions of Approval for New Development included as Exhibits A and B of the attached draft City Council resolution.

SECTION 4. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 5. *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of March 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-### was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 28, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL APPROVING AN AMENDMENT TO THE STANDARD CONDITIONS FOR NEW DEVELOPMENT, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, the City has initiated an update to the Standard Conditions of Approval for New Development, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, State law and existing City ordinances provide that the Approving Authority for a development project may impose certain conditions of approval to ensure that:

- The purposes of the Development Code are maintained;
- The project will not endanger the public health, safety or general welfare;
- The project will not result in any significant environmental impacts;
- The project will be in harmony with the area in which it is located; and
- The project will be in conformity with The Ontario Plan and any applicable specific and/or area plan; and

WHEREAS, in March 2010, the City Council, upon recommendation of the Planning Commission, approved Resolution No. 2010-021, adopting Standard Conditions of Approval for New Development, based on existing City standards and standard operating procedures of the various disciplines involved in the review of development applications, including planning, engineering, police, fire, utilities, building, code enforcement, etc.; and

WHEREAS, in January 2016, a comprehensive update to the Ontario Development Code was enacted, which superseded the previous Development Code in its entirety. Furthermore, over the past year, several minor alterations and clarifications to the Development Code were enacted to adjust and clarify a number of its provisions; and

WHEREAS, as a result of recent changes to the Development Code, Staff has recommended changes to the Standard Conditions of Approval for New Development, which are necessary to bring the Standard Conditions of Approval into consistency with the Development Code, including minor changes in wording and call-outs to specific Development Code provisions. Additionally, a condition of approval has been added related to the disclosure of the South Archibald Trichloroethylene (TCE) Plume, generally located south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue, which is subject to cleanup under the supervision of the California Regional Water Quality Control Board; and

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

WHEREAS, a project is exempt from CEQA if the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (CEQA Guidelines Section 15061(b)(3)); and

WHEREAS, on March 28, 2017, the Planning Commission of the City of Ontario conducted a public hearing to consider the proposed update to the Standard Conditions of Approval for New Development, and concluded the hearing on that date. Upon conclusion of the hearing, the Planning Commission voted unanimously to approve Resolution No. PC17-###, recommending that the City Council approve the Application; and

WHEREAS, on ###, 2017, the City Council of the City of Ontario conducted a public hearing to consider the proposed Development Code Amendment, and concluded said hearing on that date.

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

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

SECTION 1. *Environmental Determination and Findings.* As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

a. The administrative record have been completed in compliance with CEQA the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The Project is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, as there is no possibility that the activity in question will have a significant effect on the environment; and

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

d. The determination of the CEQA exemption reflects the independent judgment of the City Council.

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

- a. Standard Conditions of Approval provide consistency in the development review process; and
- b. Standard Conditions of Approval provide for the consolidation of conditions from various departments into one location, thus streamlining the development review process; and
- c. Standard Conditions of Approval eliminate conflicting conditions between City Departments.

SECTION 3. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 and 2 above, the City Council hereby adopts the Standard Conditions of Approval for New Development attached hereto as Exhibits A and B.

SECTION 5. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 6. *Certification to Adoption.* The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED AND ADOPTED this [##] day of [Month] 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

DRAFT

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2017-### was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held (full date written out) by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2017-### duly passed and adopted by the Ontario City Council at their regular meeting held (full date written out).

SHEILA MAUTZ, CITY CLERK

(SEAL)

Exhibit “A” to Resolution No. 2017-###

**STANDARD CONDITIONS OF APPROVAL FOR NEW DEVELOPMENT;
APPLICABLE TO “OLD MODEL COLONY”**

Standard Conditions of Approval for New Development
 Applicable to "Old Model Colony"

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Standard Conditions of Approval for New Development Applicable to “Old Model Colony”

All new development projects are required to comply with the minimum standards set forth by the Ontario Municipal Code, Ontario Development Code, the requirements of applicable specific plans, California Building Code, California Fire Code, and applicable provisions of the California Code of Regulations, including, but not limited to, Title 19 (Public Safety), Title 21 (Public Works), Title 24 (Building Standards Code), Title 25 (Housing and Community Development, and Title 27 (Environmental Protection). The herein-listed conditions of approval have been reviewed and approved by the Planning Commission and City Council, and apply to all new development projects within the Old Model Colony area of the City (that portion of the City generally located north of Riverside Drive). Please note that additional standard conditions of approval pertaining to Tentative Subdivision Maps and/or Conditional Use Permits, may also apply, as well as special conditional conditions of approval, which specifically pertain to the Project in question, that may be imposed by the Approving Authority at the time of Project approval.

PART 1: GENERAL REQUIREMENTS

1.0 General Development Requirements

Construction Documents

1.1 All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility, traffic signal, street lighting, traffic signing, traffic striping, and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department. **(Planning)**

1.2 The project site shall be developed and maintained in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance, and may require review and approval by the Planning Commission and/or City Council. **(Planning)**

Property Maintenance

1.3 The Applicant shall be advised that they are required to maintain the buildings and grounds of the site in a manner consistent with Ontario Municipal Code Title 5, Chapter 22 (Property Appearance – Nuisance), commencing with Section 5-22.01, and the conditions of approval set forth herein, by all departments and agencies of the City of Ontario. **(Planning/Housing)**

Construction Noise Limitations

1.4 While engaged in construction, remodeling, digging, grading, demolition or any other related building activity, no person shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday, except between the hours of 7:00AM and 6:00PM, or on Saturday or Sunday, except between the hours of 9:00AM and 6:00PM, and no landowner, construction company owner, contractor, subcontractor, or employer shall permit or allow any person or persons working under their direction and control, to operate any tool, equipment, or machine, in violation of this condition of approval, except as follows:

(a) The provisions of this section shall not apply to emergency construction work performed by a private party when authorized by the City Manager;

(b) Any construction that complies with the noise limits specified in Ontario Municipal Code Section 5-29.04. **(Planning/Building)**

Time Limits and Extensions

1.5 Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced and diligently pursued toward completion, or a time extension has been approved by the Zoning Administrator pursuant to Ontario Development Code Section 2.02.025.B (Time Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements. **(Planning)**

Indemnification and Hold Harmless Agreement

1.6 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 of the City. 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. **(Planning)**

Graffiti Removal

1.7 Antigrffiti material, of a type and nature that is acceptable to the Director of Community and Public Services Agency (CPSA), shall be applied to each publicly viewed surface of the improvements to be constructed on the project site, which is deemed by the Director of CPSA to be likely to attract graffiti ("graffiti attracting surfaces"). **(Planning/CPSA)**

1.8 Any conditions, covenant and restriction, or separate covenant, which is recorded against an individual lot prior to resale of same, shall require the owner of such lot to remove any graffiti placed thereon within 7 days after notice thereof. The covenant shall run with the land and shall be for the benefit of the City, in a form satisfactory to the City. **(Planning)**

1.9 In an effort to quickly respond to graffiti vandals and to ensure proper color match during graffiti paint-over, the property owner shall apply graffiti retardant materials on graffiti attracting surfaces, provide vine treatment to screen walls, allow right of entry to city employees or agents for graffiti removal, and provide the City with sufficient matching paint upon demand, for a period of at least 2 years beyond the date of final building inspection. **(Housing/Planning)**

1.10 The City shall be granted right of site entry, and access to parcels, upon the prior 48-hour posting of a notice by authorized City employees or agents, for the purpose of removing or "painting over" graffiti applied to graffiti attracting surfaces, as previously designated by the Director of CPSA. **(Planning)**

1.11 Block walls and/or screen walls shall be provided with climbing plants with proper automatic irrigation, or other graffiti deterring elements, such as antigrffiti paint, to prevent walls from being vandalized. **(Police)**

Monuments

1.12 Set all monuments in accordance with the final map, and submit all centerline ties to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the satisfaction of the City. **(Engineering)**

1.13 All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. **(Engineering)**

2.0 Prior to Final Map Acceptance (for City Council Hearing)

2.1 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements. **(Engineering)**

2.2 Provide a monument bond (i.e., cash deposit) in an amount determined by the City's approved cost estimate spreadsheet, which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Engineering/forms/project_cost_estimate.xls), or as specified in writing by the Applicant's California Registered Professional Engineer or California Registered Land Surveyor of Record, and approved by the City Engineer, whichever is greater. **(Engineering)**

2.3 Provide a preliminary title report not older than 30 days, to the Engineering Department. **(Engineering)**

2.4 Show proof that all taxes and assessments related to the project site have been paid, or provide other adequate form of security assuring payments of all taxes. **(Engineering)**

3.0 Prior to Permitting (building, grading, encroachment, etc.)

General Requirements

3.1 A copy of the herein-listed conditions of approval shall be included in the construction documentation package for the Project, which shall be continuously maintained on site during Project construction. **(Planning)**

3.2 The Applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for the Project. **(Planning)**

3.3 All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval. **(Engineering)**

3.4 The Applicant shall obtain an Encroachment Permit and Traffic Control Permit, as required, for all work within the public right-of-way. Prior to issuance of the Encroachment Permit, all public improvement plans, which include but are not limited to, street, water, sewer, storm drain, recycled water, traffic signal, lighting, signing and striping, etc., shall be reviewed and approved by the City Engineer. **(Engineering)**

3.5 The Project shall comply with the adopted California Building Code (California Code of Regulations, Title 24, Part 2). **(Building)**

3.6 The Project shall comply with the adopted California Electrical Code (California Code of Regulations, Title 24, Part 3). **(Building)**

3.7 The Project shall comply with the adopted California Mechanical Code (California Code of Regulations, Title 24, Part 4). **(Building)**

3.8 The Project shall comply with the adopted California Plumbing Code (California Code of Regulations, Title 24, Part 5). **(Building)**

3.9 The Project shall comply with the adopted California Energy Code (California Code of Regulations, Title 24, Part 6). **(Building)**

3.10 The Project shall comply with the adopted California Historical Building Code (California Code of Regulations, Title 24, Part 8). **(Building)**

3.11 Structures within the special wind region of the City shall be designed in accordance with the applicable California Building Code sections. **(Building)**

Fees

3.12 After the Project's entitlement approval, the Applicant shall pay all applicable departmental fees. Fees shall be paid at the rate established by resolution of the City Council. **(All Departments)**

3.13 All required Development Impact Fees (DIF), as well as other applicable governmental impact fees (e.g., School District, Inland Empire Utilities Agency (IEUA), etc.) shall be paid to the City prior to building permit issuance. **(Engineering/Planning/Building)**

Architectural Treatment (Design Standards)

3.14 Exterior building elevations showing building wall materials, roof types, exterior colors, and appropriate vertical dimensions, shall be included in the development construction drawings. **(Planning)**

3.15 All roof access ladders shall be located on the inside of the building. **(Planning)**

3.16 All tower elements on the building(s) shall be fully walled and finished on all sides, and shall include detailing appropriate to the architectural style proposed, so as to appear as a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. "Tower elements" shall include architectural components of the building that are higher than the adjacent building parapet or roof. **(Planning)**

3.17 Where changes in parapet height occur, a return into the building shall be provided, for a distance of at least 6 feet, so that the thickness of the wall panel cannot be observed or easily discerned by the public. **(Planning)**

3.18 At building corners, where conditions exist that would allow public view of the rear (interior) side of parapet walls, as a result of changes in parapet heights, the raised parapet area shall be constructed to the satisfaction of the Planning Director, so as to be viewed as a fully three-dimensional, four-sided element of the building. **(Planning)**

3.19 Cultured, precast, or fabricated stone products, shall be constructed of an integral color material. **(Planning)**

Walls and Fences

3.20 Prior to the issuance of a building permit, a Wall and Fence Plan shall be reviewed and approved by the Planning and Building Departments. The plans shall indicate the materials, colors, and heights, of proposed and existing walls/fences, and shall include a cross-section of walls/fences, which indicates adjacent grades. Walls shall be designed as an integral part of the Project architecture, and shall be constructed of tilt-up concrete, brick, decorative masonry block (e.g., burnished, scored, slump, split-face, etc.) or other decorative materials approved by the Planning Director. **(Planning)**

Parking, Circulation and Access

3.21 All driveway approaches within the public right-of-way shall be kept clear of any decorative paving. **(Engineering)**

3.22 The site plan shall provide adequate turning radii for emergency apparatus, and access turns shall be designed to meet the minimum requirements/standards of Ontario Fire Department Standard No. B-005, which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/standards-forms/standard_b-005_minimum_turning_radius.pdf. **(Fire)**

3.23 The site plan shall provide adequate turning radii for Ontario Municipal Utilities Company solid waste service vehicles. Access turns shall be designed to meet the minimum requirements/standards of the "Solid Waste Department Refuse and Recycling Planning Manual," which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf (also reference: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>). **(Engineering)**

3.24 The site plan shall allow for adequate ingress and egress to and from the Project. Additional access points may be required. **(Fire)**

3.25 Any drive approaches or construction of other improvements in the Caltrans right-of-way, shall be approved by Caltrans as to type, size, and location of the proposed improvements. The Applicant shall provide the City with a copy of the Caltrans permit prior to issuance of Encroachment Permit. **(Engineering)**

3.26 All property corners at street intersections shall have angled corner cut-offs in accordance with City Standards. **(Engineering)**

Site Lighting

3.27 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building permits. **(Planning)**

3.28 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. **(Planning)**

3.29 Along pedestrian movement corridors, the use of decorative low mounted bollard light standards, which reinforce pedestrian scale, is highly encouraged. Steps, ramps and seatwalls shall be illuminated with built-in light fixtures. **(Planning)**

3.30 All off-street parking areas shall maintain a minimum lighting level of one-footcandle or greater. Lighting shall be on from sunset to sunrise, daily, and shall be operated by a photocell switch. The plan shall show all buildings, off-street parking areas, pedestrian walkways, and point by point photometric calculations showing that minimum required light levels will be maintained. **(Police)**

Mechanical Equipment

3.31 All exterior roof-top mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building. The construction plans shall include appropriate elevations and cross-section drawings demonstrating how such equipment is to be screened from view (include dimensions, materials, colors, etc.) **(Planning)**

3.32 All ground mounted utility structures such as transformers, HVAC equipment and back flow prevention valves shall be located out of view from a public street or adequately screened through the use of landscaping and/or masonry walls. **(Planning)**

Refuse Storage/Trash Enclosure

3.33 All refuse shall be stored in an appropriate container and maintained within a City approved enclosure, which shall be designed with a solid cover roof to prevent rainwater contact with waste materials, pursuant to the requirements of the "Solid Waste Department Refuse and Recycling Planning Manual," which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf. The trash enclosure and roof design shall be consistent with the design of the building architecture. A copy of the architectural detail of the roofed trash enclosure shall be provided with the Development Plan submittal, and as an exhibit in the Water Quality Management Plan. **(Planning/Engineering)**

3.34 Comply with City refuse collection standards, as follows:

(a) Commercial Projects: Comply with Ontario Municipal Code Section 6-3.314 (Commercial Storage Standards), and Section 6-3.601 (Business Recycling Plan).

(b) Multiple-Family Residential Projects (utilizing commercial collection bins): Comply with Municipal Code Section 6-3.314 (Commercial Storage Standards) and Section 6-3.601 (Business Recycling Plan).

(c) Single-Family Residential Projects (utilizing individual refuse, recycling, and green waste receptacles): Comply with Municipal Code Section 6-3.308 (Residential Receptacles, Placement).

(d) Recycling Requirements: Comply with Ontario Municipal Code Section 6-3.601 (Business Recycling Plan) and Section 6-3.602 (Construction and Demolition Recycling Plan).

(e) Site Improvement Plans: Comply with the City's refuse collections standards. **(Engineering)**

(Note: The City's refuse collection standards may be viewed online at [http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:ontario_ca](http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates$fn=default.htm$3.0$vid=amlegal:ontario_ca).)

3.35 Trash enclosure(s) shall be locked and secured at all times, to prevent transients from living in the enclosure, and prevent the pilfering trash and recyclable items. On the days of trash pickup, the enclosure shall be unlocked to facilitate the emptying of trash receptacles by the solid waste hauler, and shall once again be locked. **(Police)**

3.36 Large trash receptacles, commonly referred to as dumpsters, which are placed adjacent to structures, or have combustible coverings (i.e., vegetation, wood trellises, etc.), shall be protected by at least one automatic fire sprinkler head. This sprinkler head may be supplied by the domestic water line. **(Fire)**

Public Improvements

3.37 The design for public potable water, recycled water, sewer, and storm drain, within any private street, shall be reviewed and approved by the City Engineer. **(Engineering)**

3.38 Detailed on-site utility information shall be shown on the grading plan or relative utility plan, which includes, but is not limited to, location of monitoring manholes, backflow prevention devices, exact lateral locations, etc. (include low, average, and peak water demand in GPM for the proposed development and proposed water meter size). The grading plan will not be approved by the City Engineer until detailed utility information is provided on the plans. **(Engineering)**

3.39 Underground utility services shall be provided to each lot/parcel, including sanitary sewers, one-inch minimum potable and recycled water service, electric power, gas, telephone, and cable television. **(Engineering)**

3.40 In-lieu fees for the undergrounding of overhead utilities shall be paid prior to Building Permit issuance, and all costs associated with said improvements shall be solely borne by the Applicant. **(Engineering)**

3.41 All public improvements shall be designed per City standards and specifications, and in accordance with the City's Municipal Code, Development Code, and applicable Specific Plan (if any). **(Engineering)**

Sewer

3.42 Private sewer, domestic water, and storm drainage systems, shall be designed in accordance with CPC/UPC requirements, including but not limited to, the sizing of pipes. These systems must be reviewed, approved, and inspected by the Building Department. Design standards used by other departments for public sewer, water, and storm drainage systems shall not be used for such private systems. **(Building)**

3.43 The Project shall utilize existing laterals, whenever provided and possible, for connection to the public sewer system. **(Engineering)**

3.44 The Applicant shall abandon all existing unused laterals at the sewer main. **(Engineering)**

3.45 On-site monitoring facilities shall be installed for all commercial and industrial units in accordance with City standards, and shall be shown on the grading plans of the Project. **(Engineering)**

3.46 The on-site sewer system shall be private, and shall be designed pursuant to applicable Building Codes. The Applicant shall contact the Building Department for design requirements. **(Engineering)**

3.47 Sewer service shall be constructed outside of the proposed and/or existing driveway approaches, as well as on-site stormwater BMPs, unless otherwise approved by the City Engineer. **(Engineering)**

3.48 For non-residential developments, the project applicant shall complete the Industrial Wastewater Discharge Permit, and shall comply with all applicable regulatory requirements (Ontario Municipal Code Title 6 (Sanitation and Health) and applicable State and Federal regulations). The application may be viewed online at <http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>, and shall be submitted to, and approved by, Ontario Municipal Utilities Company. **(Engineering)**

Potable Water

3.49 Separate water services shall be provided for domestic water services, irrigation services and fire services. **(Engineering)**

3.50 The Applicant shall utilize existing service laterals, whenever provided and possible, for connection to the public water system. **(Engineering)**

3.51 The Applicant shall abandon all existing unused service laterals at the water main in accordance with City standards. **(Engineering)**

3.52 The on-site potable water system shall be private and designed pursuant to applicable building and plumbing codes. The Applicant shall contact the Building Department for design guidelines. **(Engineering/Building)**

3.53 Backflow prevention devices shall be required for:

- (a) All commercial and industrial service laterals.
- (b) All on-site fire systems.
- (c) Any business where any hazardous substances may be stored or used.
- (d) For all potable water connections where recycled water is utilized on-site.
- (e) Irrigation systems.

3.54 Appropriate water meter size(s) for the Project shall be determined based on the Project's peak water demand. The fee charged is based on meter size and quantity purchased. The Applicant shall contact the Engineering Department for current fees. **(Engineering)**

3.55 Potable water, recycled water, and sewer utilities located within public or private streets, may be designated as "public utilities" at the discretion of the City Engineer. Public utilities within private streets shall be designed pursuant to City standards, and shall be contained within easements sized at the discretion of the City's Engineering and Utilities Departments. Covenants, Conditions and Restrictions (CC&Rs) required for the Project (if any) shall contain language that requires all proposed work within such easements to be plan checked and inspected by the City, including the payment of all applicable fees. Generally, utilities will not be accepted as public within private streets and alleyways, parking areas, driveways, or drive aisles. Utilities within commercial and industrial parking lots and loading areas (except those located within established public utility easements) shall be designated as private. The extent to which such utilities will be accepted as public utilities shall be determined by the City Engineer. **(Engineering)**

3.56 During the course of maintenance of public utilities within private streets, the City will restore the streets pursuant to current City standards for trench backfill, pavement repair, and hardscaping or landscaping, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to decorative pavement, hardscape, and landscape enhancements, shall be the responsibility of the Home Owner Association or Property Owner Association (HOA/POA). Such language shall be included within the CC&Rs. This applies to all areas where public utilities are located, including, but not limited to, public and private streets, gated communities, and alleys. **(Engineering)**

3.57 Potable water service laterals shall be constructed outside of the proposed/existing driveway approach, unless otherwise approved by the City Engineer. **(Engineering)**

3.58 All water meters shall be installed within the public right-of-way or public easements, with easy access for meter reading and maintenance. **(Engineering)**

3.59 Grading plan submittals shall include a separate utility drawing showing, at minimum, on-site water lines, point of connection with the City's water system, location of proposed water meters, location of fire service, on-site fire sprinkler system, cross connection devices, etc. **(Engineering)**

3.60 Existing fire hydrants that front the property limits shall be upgraded to current City standards (e.g., correct hydrant body style, installation of break-off check valve, etc.). **(Engineering)**

3.61 All project sites that will be serviced by a common City master meter, are required to submeter downstream of the City's master meter within private property. For residential projects (each dwelling unit) and for nonresidential projects (each tenant) the submetering shall be in conformance with all applicable plumbing codes and be consistent with Building Department requirements. All submeters shall be privately owned and maintained. **(Engineering)**

Recycled Water (If available to the project site)

3.62 Onsite plumbing for all recycled water uses shall meet all applicable standards, including State Water Resources Control Board (Division of Drinking Water), and building and plumbing codes. On-

site plans will need to be reviewed and approved by both the Building Department and Ontario Municipal Utilities Company. **(Engineering)**

3.63 The Applicant shall submit an Engineering Report (ER) addressing recycled water usage, which shall be reviewed and approved by the City and the State Water Resources Control Board (Division of Drinking Water). **(Engineering)**

3.64 On-site public recycled water system sizing is subject to City recommendation and approval of the Hydraulic Analyses. **(Engineering)**

Drainage and Hydrology

3.65 A hydrology study and drainage analysis, prepared in accordance with the San Bernardino County Hydrology Manual and the City of Ontario's standards and guidelines, and signed by a Civil Engineer registered in the State of California, shall be submitted to the Engineering Department prior to Grading Plan approval. Additional drainage facilities may be required as a result of the findings of the study. **(Engineering)**

3.66 Any drainage above historic flows that is routed onto adjacent property, shall be directed to a recorded private drainage easement. The Applicant shall provide a copy of the recorded document (i.e., letter of acceptance of drainage) to the Engineering Department, in a form acceptable to the City, prior to Grading Plan approval. **(Engineering)**

Stormwater Quality (NPDES)

3.67 Prior to Grading Plan approval and the issuance of a grading permit, an Erosion and Sediment Control Plan shall be submitted to, and approved by, the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on the Project during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. The City's "Erosion and Sediment Control Plan Requirements" may be viewed online at http://www.ontarioca.gov/sites/default/files/erosion_and_sediment_control_plan_requirements.pdf. **(Engineering)**

3.68 Prior to Grading Plan approval and the issuance of a grading permit, a completed Water Quality Management Plan (WQMP) shall be submitted to, and approved by, the Engineering Department. The WQMP shall be submitted on the San Bernardino County Stormwater Program's model form, and shall identify all Post Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs), that will be incorporated into the Project, in order to minimize the adverse effects on receiving waters. **(Engineering)**

3.69 A development project consisting of one or more total acres of land, or that is part of a larger phased development that will disturb at least one acre of land, is required to obtain coverage under the State Water Resources Control Board (SWRCB) General Permit for Storm Water Discharges Associated with Construction Activity. Proof of filing a Notice of Intent (NOI) with the SWRCB for coverage under this permit is required prior to Grading Plan approval and issuance of a grading permit. The Applicant shall submit a copy of the Waste Dischargers Identification Number (WDID) for coverage under the General Construction Permit to the Engineering Department. More detailed information regarding the General Permit, applicable fee information, and the necessary forms to complete the NOI, may be viewed online at <http://www.swrcb.ca.gov>. An electronic copy of the NOI form and instructions is available upon request from the Engineering Department. **(Engineering)**

3.70 A development project consisting of one or more total acres of land, or that is part of a larger phased development that will disturb at least one acre of land, is required to prepare a Storm Water Pollution Prevention Plan (SWPPP) utilizing the model form contained in Appendix B of the 2013 CASQA

Stormwater Best Management Practices (BMP) Handbook for Construction, and submit a copy of the plan to the City of Ontario Engineering Department for review and approval. A copy of the approved SWPPP shall be maintained in the construction site office at all times during construction, and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site BMP, prior to commencing work on the site. **(Engineering)**

Landscape Design and Irrigation

3.71 Three sets of landscape and irrigation drawings addressing the entire project site, shall be submitted to the Planning Department, Landscape Planning Division, for review and approval prior to the issuance of a building permit. Four sets of plans shall be submitted for projects implementing recycled water. **(Planning/Landscape)**

3.72 Landscape and irrigation documents shall be prepared by a Landscape Architect registered with the State of California, if the total area of landscaping exceeds 2,500 square feet. All sheets shall be wet signed by the Landscape Architect, and shall include the license number and the expiration date. **(Landscape)**

3.73 All irrigation systems shall function properly and landscaping shall be maintained in a healthy and thriving condition. The maintenance of landscaping and the irrigation system shall be permanently provided for all areas of the project site, as well as walkways and the portion of public rights-of-way abutting the project site (parkways and medians). Furthermore, the plans shall identify responsibility for the continued maintenance (such as HOA, LMD, property owner, etc.). **(Landscape)**

3.74 Water conservation is a high priority in the City of Ontario. Landscapes shall be designed to use water efficiently, without waste, to the lowest practical amount, and comply with the landscape and irrigation requirements of Ontario Development Code Division 6.05 (Landscaping), which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/chapter_6.0_-_development_and_subdivision_regulations_20151201.pdf, and Ontario Development Code, and Ontario Development Code Reference G (Landscape Design and Construction Guidelines), which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/references_20151201.pdf. Also, please refer to the Landscape Planning Section's "Useful Links" on the City's web site, at <http://www.ontarioca.gov/landscape-planning/useful-links>. **(Landscape)**

3.75 Warm season turf is recommended for recreational use projects (such as parks and sports fields, where turf provides a playing surface) and residential projects, covering a maximum of 50 percent of the total landscape area. Turf areas irrigated by spray shall not cover an area less than 8 feet in width. Low water use groundcovers shall be used in traditional turf areas; parkways, etc. **(Landscape)**

3.76 Landscape areas shall be composed of living plant materials spaced approximately 2/3 to 3/4 of the mature diameter, or as found in the natural environment. Non-living ornamental features (boulders, gravel, dry stream beds, etc.) may comprise a maximum of 5 percent of the total landscape area, and shall be of a pervious material. **(Landscape)**

3.77 Concrete mowstrips, 6-inches x 6-inches or 4-inches x 6-inches, shall separate turf areas from landscape planters, and shall separate adjacent maintenance responsibility areas. The installation of redwood header boards shall only be used: **[i]** in conjunction with single-family, homeowner-installed, landscape projects; and **[ii]** to define the lot line adjacent to undeveloped property. **(Landscape)**

3.78 Backflow devices shall be screened by a minimum 5-foot wide planter and 3-foot high strappy leaf, non-hedge shrubs planted in masses, not to encircle the device. Device shall be painted green in color, similar to Frazee, Aeroplate "Forest Green," or equal. **(Landscape)**

3.79 Transformers shall be screened with shrubs of similar height on three sides, minimum 18-inches in height, with groundcovers in front. **(Landscape)**

3.80 Foundation planting (hedgerows or shrub masses in a hierarchy pattern) is required at major building perimeters and residential front yards, to break the horizontal ground plane from the vertical plane of buildings. **(Landscape)**

3.81 Plants at monument signs shall be a hierarchy of ornamental shrubs or perennials. **(Landscape)**

3.82 Trash enclosures shall be screened by adjacent planters containing a mix of trees, shrubs, and vines. **(Landscape)**

3.83 Landscape areas shall have a minimum dimension of 5 feet (Note: Landscaped areas having a dimension of less than 3 feet shall not be counted toward the minimum required landscape coverage), to include trees, except that a 6-foot minimum width is required for planting areas containing vegetated swales. **(Planning and Landscape)**

3.84 Landscape areas shall be delineated with a concrete curb, minimum 6 inches high (except at openings into infiltration basins or swales) by 6 inches wide, except where a landscape area is adjacent to the side of a parking stall, wherein the curb shall be 6 inches high by minimum 12 inches wide, to provide a step for entering/exiting motor vehicles. **(Planning and Landscape)**

3.85 Off-street parking areas visible from public streets or adjacent parcels shall be screened with landscaping, or a combination of landscaping and decorative masonry block walls, having a 3-foot minimum height, which shall be located to allow for 2 feet of vehicle overhang, unless wheel stops are provided. **(Planning and Landscape)**

3.86 Parking lots shall be provided with canopy shade trees in landscape islands, at a ratio of one tree for each 10 parking spaces for single parking rows (minimum of one tree), and one tree for each 5 parking spaces for double parking rows (minimum of 2 trees). Parking lot double rows shall have a center planter strip 5 feet wide which may include an infiltration trench, if required. Canopy shade trees shall have a minimum canopy diameter of 30 feet. **(Landscape)**

3.87 Undeveloped areas within the project site shall be seeded with wild flower or ornamental grass mix, and shall be automatically irrigated to prevent soil erosion from rain and strong winds. **(Landscape)**

3.88 Agronomical soil testing is required for each planting type, at each proposed plant type rootball depth. Soil tests for trees shall be taken at 24 inches to 30 inches deep; shrubs at 12 inches to 18 inches deep; and turf at 6 inches deep. One set of tests shall be performed at each 1,000 linear feet, or as approved by the Landscape Division. Soil test results and recommendations for amendments shall be listed on the landscape plan, noting the soil testing lab name, address, telephone number, and the date of testing. **(Landscape)**

3.89 Projects shall comply with the applicable provisions of Ontario Development Code Division 6.05 (Landscaping). Maximum Applied Water Allowance, MAWA, and Estimated Applied Water Use shall be calculated and submitted on all landscape construction documents pursuant to the requirements of the City's landscape development standards contained in Ontario Development Code Section 6.05.035 (Landscape Development Standards), which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/chapter_6.0_-_development_and_subdivision_regulations_20151201.pdf. **(Landscape)**

3.90 Plant selection and irrigation system design shall be appropriate with the City's regional climate (Zone 18), classified as Mediterranean, which is characterized by hot, dry summers and mild winters. **(Landscape)**

3.91 Irrigation systems shall be designed to be water efficient, with like plant material grouped together, and proper solar orientation. Turf shall be on a separate valve from shrub areas. Landscape areas in the shade (north or east sides of buildings) shall be controlled separately from areas in the sun (south or west). **(Landscape)**

3.92 For on-site landscaping (except single-family development), a separate irrigation service shall be required. **(Engineering)**

3.93 Irrigation systems shall be constantly maintained to eliminate wastewater due to heads that are improperly adjusted or lost, broken pipes, or improperly adjusted nozzles. **(Planning and Landscape)**

3.94 Water features and decorative fountains in conjunction with noncommercial development projects shall use recycled water, if available. Water features and decorative fountains in conjunction with residential development projects shall use potable water. **(Landscape)**

3.95 Show corner sight line distances on the landscape plan pursuant to Engineering Department Standard Drawings. **(Engineering)**

3.96 Accent trees (single or multi-trunk specimens) are required on all commercial or industrial corner statements, including vehicular entries and major corner intersections. All accent trees shall be minimum 36-inch box. Palms shall be minimum 17-foot brown trunk height (BTH) and minimum 4.5-foot cubed rootball. **(Landscape)**

3.97 The table below (*Minimum Tree Setbacks/Separations from Certain Permanent Improvements*) establishes the minimum setbacks/separations to be maintained between newly planted trees and certain permanent improvements: **(Landscape)**

<i>Minimum Tree Setbacks/Separations from Certain Permanent Improvements</i>	
<i>Permanent Improvements</i>	<i>Minimum Setback/Separation</i>
Beginning of curb returns at street intersections:	25 feet
Light standards, power poles and fire hydrants:	10 feet
Water and sewer lines:	7 feet
Sidewalks (except within parkway areas), driveways, and buildings:	5 feet

3.98 For cluster single-family, multiple-family, and nonresidential development projects, the table below (*Minimum Tree Quantity and Size Specifications (excluding palms)*) establishes the minimum mix of tree sizes and corresponding minimum dimensions, to be provided in conjunction with all new development projects. **(Landscape)**

<i>Minimum Tree Quantity and Size Specifications (excluding palms)</i>				
<i>Minimum Percent Mix of Required Trees</i>	<i>Size</i>	<i>Trunk Caliper</i>	<i>Height</i>	<i>Spread</i>
5%	48-inch box or larger	3.50 inches	14 to 16 feet	7 to 8 feet
10%	36-inch box	2.50 inches	12 to 14 feet	6 to 7 feet
30%	24-inch box	1.50 inches	9 to 11 feet	4 to 5 feet

<i>Minimum Tree Quantity and Size Specifications (excluding palms)</i>				
<i>Minimum Percent Mix of Required Trees</i>	<i>Size</i>	<i>Trunk Caliper</i>	<i>Height</i>	<i>Spread</i>
55%	15-gallon	1.0 inches	7 to 8 feet	2 to 3 feet
Palm Trees			17-foot Brown Trunk Height	

3.99 For cluster single-family, multiple-family, and nonresidential development projects, the table below (*Minimum Tree Species Mix (excluding palms)*) establishes the minimum mix of tree species to be provided, based on the number of new trees proposed to be planted. **(Landscape)**

<i>Minimum Tree Species Mix (excluding palms)</i>	
<i>Number of Trees Proposed</i>	<i>Minimum Number of Tree Species Required</i>
20 or Fewer	2
21 to 30	3
31 to 40	4
More than 40	5

3.100 Existing trees shall be protected in place wherever possible. Additionally, existing large canopy trees may be counted toward the 48-inch box size requirement established by condition of approval no. 3.97. **(Landscape)**

3.101 Trees proposed for removal shall require the submittal of an arborist's report, which identifies the genus, species, trunk diameter (dbh), health condition, and reason for removal, for each tree proposed to be removed. **(Landscape)**

3.102 It is recommended that existing trees are transplanted rather than demolished. Contact a tree broker or transplant specialist. Transplant trees when weather is suitable. **(Landscape)**

3.103 Trees to be removed from the project site shall be replaced at the rate of two 48-inch box trees for each removed tree, or as otherwise approved by the Planning Director. **(Landscape)**

3.104 Street trees shall be 24-inch box; however, replacement trees in established residential tracts may be 15 gallon in size. Street trees shall be spaced at 25 to 30 feet on center. **(Landscape)**

3.105 Tree wells (if required) shall be 4 feet wide by 6 feet long, as parkway space allows. Iron tree grates shall be Starburst by Ironsmith, or approved equal, with 3/8" max slot openings pursuant to ADA guidelines. Decomposed granite may also be used in tree wells. **(Landscape)**

3.106 Linear root barriers (if proposed) shall be maximum 12-inches deep for trees planted within 5 feet from the edge of a paved area. Root barriers shall not surround any tree, but shall run parallel to paving. **(Landscape)**

3.107 Shrubs shall be minimum 5 gallon container size, spaced equal to 2/3 of the mature plant size. One gallon container size may be used for perennials and groundcovers. **(Landscape)**

3.108 Shredded mulch within planter areas shall be a depth of 3 inches for shrubs and one-inch for groundcover. Shredded bark (not wood chips) with a tackifier shall be used on slopes of 3:1 or greater

(soil shall not be visible). Maintain mulch 3 inches clear of plant stems and 6 inches clear of tree trunks. **(Landscape)**

3.109 Slopes of 3:1 or greater require jute netting with groundcover, shrubs, or ornamental grasses. Turf grass is not allowed on slopes greater than 3:1. **(Landscape)**

3.110 Groundcovers from flats shall be spaced at 10 inches on center. Low groundcovers shall not exceed an 18-inch width in front of larger shrubs. One gallon containers shall be used for larger groundcover areas. Perennials or annual color shall be spaced at 8 inches apart. **(Landscape)**

3.111 Weeds shall be removed before 2 inches high or weed seeds develop. Note on plans for a pre-emergent to be applied before the mulch layer is installed, to prevent weeds. **(Landscape)**

3.112 Any plant materials utilized shall take into consideration the need for the users of the space to easily view their surroundings, as well as police patrols to monitor the area from adjacent streets. Trees shall be positioned to avoid interfering with required lighting levels and take into consideration the height of the tree canopies from the ground level, as it affects surveillance opportunities by users of the space and police patrols. No shrubs higher than 3 feet, and no tree canopy lower than 7 feet, shall be permitted, so as not to obstruct the view of police officers on patrol. Plants next to low-lying windows shall have thorns as a deterrent for suspects hiding and removing glass panes as a point of entry. **(Police)**

Security

3.113 Any building that requires special releasing, latching, or locking devices under the provisions of the City's Building Code or California Code of Regulation, Title 19, shall be exempt from the provisions of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings) relating to locking devices on interior and/or exterior doors. **(Police)**

3.114 Louvered windows shall not be used when a portion of the window is less than 12 feet vertically or 6 feet horizontally from an accessible surface, or any adjoining roof, balcony landing, stair, tread, platform, or similar structure. **(Police)**

3.115 Doors swinging out shall have non-removable hinge pins. **(Police)**

3.116 Doors utilizing a cylinder lock shall have a minimum 5 pin tumbler operation with the locking bar or bolt extending into the receiving guide, a minimum of one inch. **(Police)**

3.117 Double doors that exceed 16 feet in width, but do not exceed 19 feet in width, shall have one of the following locking devices:

- (a)** Two lock receiving points, one on each side of the door;
- (b)** A single bolt may be used if placed in the center of the door, with the locking point located either at the floor or door frame header. **(Police)**

3.118 If security gates are desired at any access points to the Project, the Police Department and Fire Department will be provided access by the Knox submaster system. If gates are not electrically operated, a Knox padlock may be substituted for electrically operated override systems. Contact the Police Department and/or Fire Department for specific requirements. **(Police/Fire)**

Fire Safety

3.119 The fire department connection (FDC) shall be located on the address side of the building, within 150 feet of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and FDCs pursuant to Fire Department standards. **(Fire)**

3.120 Provide identification for all hose connections pursuant to Fire Department standards. **(Fire)**

3.121 The Applicant shall transmit a copy of these requirements to their on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the Applicant and fire protection designer obtain a copy of the Fire Department's Fire Protection System Information Checklist to aid in the system design. The Fire Department conditions of approval shall be included on the construction drawing. **(Fire)**

3.122 Contact the Fire Department for approval of on-site fire hydrants and services, as required. **(Fire/Engineering)**

3.123 Off-site fire hydrant locations and appropriate main sizes shall be established and approved by Engineering and Fire Departments, pursuant to City Standards. **(Fire/Engineering)**

3.124 A separate fire service will be required for all development, except single-family. **(Engineering)**

3.125 All private on-site fire hydrants relative to the Project shall be constructed pursuant to Fire Department standards, and identified in accordance with Fire Department standards. Installation and locations are subject to approval by the Fire Department. (Standards are available upon request from the Fire Department). **(Fire)**

3.126 Fire Service will require cross connection protection based upon the degree of hazard. The minimum requirement is to install an above-ground Double Detector Check pursuant to the City's Standard Drawings. **(Engineering)**

4.0 Prior to Certificate of Occupancy

General Requirements

4.1 Complete all required public improvements to the satisfaction of the City Engineer. **(Engineering)**

4.2 Submit a set of Record Drawings, on mylar, of all Engineering Department required plans, for review and approval. **(Engineering)**

4.3 The Applicant/general contractor shall be responsible for reasonable periodic cleanup of the project site and surrounding area during construction, to avoid hazardous accumulations of combustible trash and debris, both on and off the project site. **(Fire)**

4.4 Utilities shall not be released for any building subject to these conditions, until a final inspection is completed, and the Project has been approved by each City department, as applicable. **(All Departments)**

Water Quality Management Plan

4.5 Record an approved "Water Quality Management Plan" with the San Bernardino County Recorder, on the City's standard form. An electronic copy of this document may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Engineering/plan-check-guidelines/sbcountywqmptemplateeditable-new_final.doc. **(Engineering)**

Chain Link Fencing

4.6 If temporary chain link fencing is to be erected during construction, all vertical poles shall be capped to avoid the installation of illegal signs. The Applicant/general contractor shall be responsible for the removal of all illegal signs from the chain link fence. **(Housing)**

4.7 Existing chain link fencing to remain shall incorporate vines for screening, and an automatic irrigation system. **(Housing)**

Fees

4.8 All unpaid fees/deposits required by the Engineering Department shall be paid in full prior to the issuance of a Certificate of Occupancy. **(Engineering)**

Addressing

4.9 The Applicant shall install illuminated address numbers, powered by photocell, on each unit, to provide for easy identification by emergency personnel. **(Police)**

4.10 Rear addressing, including street name, shall be installed on any multiple building development. Address numbering shall adhere to the requirements of Development Code Division 6.06 (Street Naming and Address Numbering). **(Police)**

4.11 Street address numbers and the backgrounds shall be of contrasting color, and shall be reflective for nighttime visibility. **(Police)**

4.12 Rooftop address numbers shall be installed on all new development projects consisting of apartments, condominiums, or any other multiple-building unit, and all new mixed-use, commercial, and industrial buildings, for which an alarm permit or other discretionary permit is requested. Rooftop address numbers shall be a minimum of 3 feet in length and one foot in width, and shall be painted in reflective white paint on a flat black painted background, located away from any rooftop obstacles. The rooftop address numbers shall be screened from public view, and shall be visible only from aircraft.

The rooftops of buildings with multiple units/suites shall also have the unit/suite number(s) or letter(s) painted, to the same specifications set forth above, on the rooftop, over the primary entrance to each suite, as follows:

Addresses

A B C D

This requirement to include unit/suite identification shall not apply wherein the opinion of the Police Chief, it is not feasible to do so. In determining where suite identification is feasible, the Police Chief shall consider the size of the building, the available space on the rooftop, and location of suites. **(Police)**

Mechanical Equipment

4.13 Rooftop equipment and ground-mounted screening shall be verified at occupancy. Additional screening may be required if determined necessary upon inspection by the Planning Department. **(Planning)**

Public Improvements

4.14 The raised curb adjacent to a fire department connection (FDC) shall be painted red for a distance of 5 feet on each side of the FDC, pursuant to City standards. **(Fire)**

4.15 Overhead utilities shall be undergrounded in accordance with Ontario Municipal Code Title 7 (Public Works) (Ordinance Nos. 2804 and 2892). **(Engineering)**

Landscape Design and Irrigation

4.16 Trees shall be planted 2 inches to 3 inches higher than the existing grade. The trunk flare and top root shall be visible. No soil or mulch shall be placed on top of the rootball. Trees with kinked or girdling roots shall be replaced. Shade trees shall have a single dominant leader. Refer to Landscape Planning's "Useful Links," which may be viewed online at <http://www.ontarioca.gov/landscape-planning/useful-links>. **(Landscape)**

4.17 Fifteen gallon and larger trees shall be double staked perpendicular to prevailing wind, or parallel to the street. Stakes shall be minimum 7 feet to 8 feet above grade, 3 feet to 4 feet below grade, and tied to the canopy for wind protection. Locate to prevent branch damage. **(Landscape)**

4.18 Box trees, 36 inches or larger, shall be triple guyed or triple staked. Rootball staking or guying (Duckbill system from Earth Anchor or equal) is also acceptable. **(Landscape)**

4.19 Tree ties shall be flexible such as VIT Wonder ties, Cinch ties, or approved equal. Wire and hose or metal rod type braces are not permitted. Nursery stakes shall be loosened if to remain during maintenance and removed by end of maintenance. **(Landscape)**

4.20 Prior to final City inspection, the Landscape Architect shall inspect the project site for compliance to approved landscape and irrigation plans. Following such inspection, the Landscape Architect shall file a Certificate of Completion with the City's Landscape Planning Division. **(Landscape)**

Security

4.21 Upon occupancy by the owner or proprietor, each single unit in the same residential project or commercial building development, constructed under the same development plan, shall have locks that are not interchangeable with locks used in all other separate dwellings, proprietorships, or similar distinct occupancies, within such residential project or commercial building development. **(Police)**

4.22 All sliding glass doors and windows shall be installed with secondary locking and anti-lift devices. Secondary locking devices may be waived if the doors successfully meet tests prescribed by the Police Department. Sliding glass doors shall be of the inside sliding door type. **(Police)**

4.23 An alarm permit shall be obtained from the Ontario Police Department prior to the installation of alarm system in any building type (residential, commercial or industrial). Subscribers should acquaint themselves with Ontario Municipal Code Title 4 (Public Safety), Chapter 9 (Burglary and Robbery Alarm Systems), which may be viewed online at [http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:ontario_ca](http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates$fn=default.htm$3.0$vid=amlegal:ontario_ca). **(Police)**

4.24 All new construction on a site exceeding one acre in size, shall comply with the below-listed security measures, until such time that the utilities have been released by the City. **(Police)**

(a) Perimeter lighting shall be installed at a minimum of 150-foot intervals and at a height not less than 15 feet from the ground. The light source used shall have a minimum light output of 2,000 lumens, be protected by a vandalism resistant cover, and be lighted during the hours of darkness.

(b) Additional lighting shall be required if the construction site exceeds 4 acres in area.
(c) In addition to perimeter lighting described in (a) above, one of the following shall be used:

(1) Fencing, not less than 6 feet in height, which is designed to preclude human intrusion, shall be installed along the perimeter boundaries of the construction site; or

(2) A uniformed security guard, licensed according to the California Business and Profession Code Chapter 11.5 (commencing with Section 7580), shall be utilized to continually patrol the construction site during the hours when construction work has ceased.

Fire Safety

4.25 Wood frame buildings that are required to be sprinklered shall have the system(s) in service (but not necessarily finaled) before the building is enclosed. **(Fire)**

5.0 Environmental Requirements

Cultural Resources

5.1 If human remains are found during Project grading, excavation, or construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed (if deemed applicable). **(Planning)**

5.2 If any archeological or paleontological resources are found during Project grading, excavation, or construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented. **(Planning)**

PART 2: RESIDENTIAL DEVELOPMENTS

1.0 General Development Requirements

Off-Site Directional Sign Program

1.1 The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. No other off-site signing is authorized. (For additional information, contact the Baldy View Chapter BIA at (909) 981-2997. **(Planning)**

Addressing

1.2 All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the number is easily visible to approaching emergency vehicles and adhere to Fire Department Standard No. H-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. The numerals shall be minimum 4 inches in height, and shall be finished with a reflective material that is contrasting in color to the background in which they are attached. Multiple-family residences shall also have rear addressing pursuant to Fire Department standards. **(Police)**

1.3 There shall be positioned at each entrance of a multiple building, multiple-family apartment complex, an illuminated diagrammatic representation of the complex, which shows the location of the viewer and the unit designations within the complex. In addition, each individual unit within the complex shall display a prominent identification number, not less than 4 inches in height, which is easily visible to approaching vehicular and/or pedestrian traffic. **(Police)**

1.4 Addressing of multiple-family residential complexes shall be consistent with Police Department standards, and is subject to Police Department review and approval. **(Police)**

1.5 Doors secured by electrical operation shall have a keyed switch to open the door when in a closed position, or shall have a signal locking device to open such door. **(Police)**

2.0 Development Plan Requirements

Architectural Treatment (Design Standards)

2.1 All rooftop coverings, flashings, skylights, vents and piping, roof access and smoke hatches, interior side of parapet walls, and all other such rooftop components, shall be completely screened from public view by the building's parapet walls and/or architectural elements, excepting roof coverings specifically designed as an architectural feature of the building. **(Planning)**

Parking, Circulation and Access

2.2 "No Parking/Fire Lane" signs and/or Red Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the not less than 20-foot clear width requirement pursuant to Fire Department Standard Nos. B-001 and B-004, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

2.3 Single-family cluster and multiple-family development projects shall provide enhanced paving at all Project points of vehicular ingress and egress which shall extend from the boundary street property line, to the first intersection parking space or drive aisle, for a minimum depth of 20 feet into the project site. The final enhanced paving material, design, color, and finish, shall be subject to review and approval by the Planning Director. **(Planning)**

2.4 Single-family cluster and multiple-family development projects shall provide decorative interlocking concrete pavers at all pedestrian crossings at private streets and drive aisles throughout the Project. The final walkway design, color, and finish, shall be subject to review and approval by the Planning Director. **(Planning)**

2.5 Driveways/alleyways throughout single-family cluster development projects shall be paved with decorative interlocking concrete pavers. The final driveway/alleyway paver design, color, and finish, shall be subject to review and approval by the Planning Director. **(Planning)**

Walls and Fences

2.6 Security shrubbery, with automatic irrigation system, shall be installed adjacent to all fences and walls that adjoin common and public access areas. **(Police)**

2.7 Barbed wire, razor wire, electrified fencing, and other similar security fencing, shall not be installed in residential zones. **(Police)**

Site Lighting

2.8 Areas outside apartments, duplexes, and condominiums, are to be provided with a photocell operated exterior lighting system, which switches on at sunset and switches off at sunrise. This is to include walkways, doorways, and other areas used by the public. Minimum 0.5 footcandle of light shall be maintained in all common areas. **(Police)**

2.9 During hours of darkness, all open parking lots and carports shall be provided with minimum one-footcandle of light, measured on the parking surface. Lighting devices shall be fully protected with weather and vandalism resistant covers. **(Police)**

2.10 Single-family dwellings shall be provided with exterior light fixtures at all exterior building entrances. **(Police)**

2.11 For all multiple-family and nonresidential development projects, the Applicant/developer shall submit exterior lighting plans for Police Department review and approval, which includes photometric plans covering all exterior areas of the project site (together with all areas of the site covered by carports), luminaire throw patterns, and luminaire cut sheets, prior to building permit issuance. **(Police)**

Landscape Design and Irrigation

2.12 For traditional single-family development projects, the table below (*Minimum On-Site Tree Requirement for Single-Family Projects (excluding palms)*) establishes the minimum number of trees required for each lot, based upon lot size(s). **(Landscape)**

Minimum On-Site Tree Requirement for Single-Family Projects (excluding Palms)		
Lot Sizes (In SF)	Minimum No. Trees Required	Minimum Percent Shade Trees Required
More than 40,000	7 per lot	50%
20,000 to 40,000	5 per lot	50%
15,000 to 19,999	4 per lot	50%
7,200 to 14,999	3 per lot	50%
Less than 7,200	2 per lot	50%

2.13 Each single-family dwelling/lot shall also be provided with front yard landscaping and a permanent automatic irrigation in the front yard of each lot. At a minimum, a seeded turf lawn, appropriate shrubs and trees and an automatic irrigation system shall be provided. Furthermore, a variety of typical landscape designs shall be provided for use on each lot within the subdivision. **(Planning)**

2.14 Multiple-family projects shall be provided with full landscape improvements throughout the development. At a minimum, a seeded turf lawn, appropriate trees, shrubs and groundcovers, and a permanent automatic irrigation system, shall be provided. **(Planning)**

3.0 Public and Private Utilities Requirements

Streets

3.1 Structures built in excess of 150 feet from of the public right-of-way shall provide an approved turnaround pursuant to Ontario Fire Department Standard B-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. The Chief may make an exception when the buildings are completely protected with an automatic fire sprinkler system. **(Fire)**

4.0 Public Safety Requirements

Security

4.1 All exterior swinging doors of any residential building or attached garage, including the door leading from the garage area into the dwelling unit, shall be equipped as follows: **(Police)**

(a) All wood doors shall be of solid core construction, with a minimum thickness of 1-3/4 inches, or with panels not less than 9/16 inch thick;

(b) A single or double door shall be equipped with a single cylinder deadbolt lock. The bolt shall have a minimum projection of one inch and be constructed so as to repel cutting tool attack. The deadbolt shall have an embedment of at least 3/4 inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard and shall be connected to the inner portion of the lock by connecting screws of at least 1/4 inch in diameter. A dual locking mechanism constructed so that both deadbolt and latch can be retracted by a single action of the inside door knob, or lever, may be substituted; provided, it meets all other specifications for locking devices;

(c) When not required for exiting purposes, the inactive leaf of double doors shall be equipped with metal flush bolts having a minimum embedment of 5/8-inch into the head and threshold of the door frame;

(d) Glazing in exterior doors or within 12 inches of any locking mechanism shall be of fully tempered glass or rated burglary resistance glazing;

(e) Except where clear vision panels are installed, all front exterior doors shall be equipped with a wide angle (180 degree) door viewer, not to be mounted more than 58 inches from the bottom of the door;

(f) Fully tempered glass or rated burglary resistance glazing shall be used if a window is within 40 inches of any locking mechanism;

(g) Garage doors without automatic openers installed will have two exterior slide locks, one on each side of the door. Garage doors with automatic garage door openers require one slide lock;

(h) Doorjamb shall be installed with solid backing in such a manner that no voids exist between the strike side of the jamb and the frame opening for a vertical distance of 6 inches each side of the strike plates;

(i) Jamb for all doors shall be constructed or protected so as to prevent violation of the strike plates;

(j) The strike plate for deadbolts on all wood framed doors shall be constructed of minimum 16 gauge steel, bronze, or brass and secured to the jamb by a minimum of 2 screws, which must penetrate at least 2 inches into solid backing beyond the surface to which the strike is attached; and

(k) Hinges for out-swinging doors shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins.

4.2 Apartments, condominiums, or any other multiple-unit building with a common attic, shall have a resident controlled locking device installed to each scuttle-hole or access-way. The locking device shall prevent entry to any one residence from another, and shall not lock behind a resident, trapping them in the attic. **(Police)**

Fire Safety

4.3 All residential-type chimneys shall be equipped with an approved spark arrester, which is constructed to meet the requirements of the California Building Code. **(Fire)**

4.4 Units located on a cul-de-sac street that exceeds 300 feet in length shall be sprinklered. **(Fire)**

4.5 All multiple-family dwelling units shall be sprinklered. **(Fire)**

4.6 Single station smoke detectors are required to be installed pursuant to California Building Code, and California Fire Code, requirements. **(Fire)**

4.7 The water supply, including mains and hydrants, shall be acceptably tested and approved by the Fire Departments prior to the framing stage of construction, to assure availability and reliability for fire-fighting purposes. **(Fire)**

5.0 Permitting/Construction Requirements

Building Permit Application Submittal

5.1 When submitting permit applications for new single-family dwellings within Ontario Ranch (formerly New Model Colony), a table summarizing all lots/tract, addresses, models, square footage, and number of plumbing fixtures shall be included on the construction drawings. **(Building)**

5.2 When submitting permit applications for production homes, include two sets of site plans showing the setback from property lines and the model number/type for the production homes. In addition, provide a plot plan on an 8-1/2 x 11 inch sheet for each production home, showing the building setbacks and the model number/type. **(Building)**

5.3 Provide to Ontario Municipal Utilities Company for review and approval, all applicable shop submittals for potable water, recycled water, and sewer improvements located in the public right-of-way, as shown on the approved improvement plans, including any grading plans with proposed work within the public right-of-way. All shop submittals shall be consistent with the approved Equivalent Materials List, City Standard Drawings, and Design Guidelines and Specifications. **(Engineering)**

PART 3: NONRESIDENTIAL DEVELOPMENTS

1.0 General Development Requirements

Addressing

1.1 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multiple tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Said numbers shall contrast with their background (see Fire Department Standard Nos. H-003 and H-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>). Multiple building complexes shall have building directories provided at the main entry(ies). Said directory(ies) shall be designed to the requirement of the Fire and Police Departments. **(Fire)**

1.2 Addresses for individual units should be clearly marked and well lit. Room directories shall be placed around the perimeter of the development (placement, size and lighting will be approved by Building, Police, Fire and Planning Departments). **(Police)**

1.3 Roof top numbers shall be maintained by the property owner and must be repainted every 3 years. **(Police)**

2.0 Development Plan Requirements

Architectural Treatment (Design Standards)

2.1 All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color. **(Planning)**

2.2 The vent pipes for underground fuel tanks for service stations shall be installed within the canopy columns to visually screen the pipes from public view. Details shall be submitted on the construction plans to reflect this requirement and shall be reviewed and approved by the Planning Department prior to building permit issuance. **(Planning)**

Parking, Circulation and Access

2.3 All driveways shall be provided with an enhanced pavement treatment. Generally, the enhanced pavement treatment shall extend from the property line (back of the approach apron), into the site, to the first intersecting drive aisle or parking space. **(Planning)**

2.4 Bumper guard or wheel stops shall be provided, where necessary, to protect a structure or parked vehicle. In lieu of wheel stops, 2 feet of additional area may be added to sidewalks or landscape areas to serve as an automobile overhang. **(Planning)**

2.5 Access roadways that exceed 150 feet in length shall have an approved turnaround designed pursuant to Fire Department Standard No. B-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

2.6 Any time prior to the commencement of on-site combustible construction and/or storage, a minimum 26-foot wide all weather access road shall be provided to within 150 feet of all portions of the exterior walls of the first story of any building, unless otherwise specifically approved by the Fire Marshal and other emergency services. **(Fire)**

Easements

2.7 Underground fire mains that cross property lines shall be provided with CC&Rs, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. **(Fire)**

2.8 Access drives that cross property lines shall be provided with CC&Rs, access easements, and/or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. **(Fire)**

Loading and Outdoor Storage Areas

2.9 Outdoor storage shall only be permitted within those areas shown on the approved site plan. Areas designated for off-street parking, loading, circulation, and maneuvering, shall not be used for the outdoor storage of materials or equipment. **(Planning)**

2.10 Outdoor loading and storage areas shall be screened from view of public and private streets, major drive aisles through the site, residential land uses, offices located on-site and on adjoining properties, public facilities, and institutional uses on adjoining properties, with a solid, view-obstructing wall. Chainlink fencing with slat material or tennis court windscreen material shall not be used as screening for storage areas. **(Planning)**

2.11 The height of screen walls shall be determined by a Sight-Line Analysis/Wall Section Plan, which shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. **(Planning)**

2.12 Prior to the commencement of construction, a "horizontal height mock up" shall be constructed for review and approval by Planning Department staff to verify the adequacy of screen wall heights from the freeway and streets. The mock up should be located at the lowest elevation on the site. **(Planning)**

2.13 No materials or equipment shall be stored to a height greater than adjacent screen walls. **(Planning)**

Site Lighting

2.14 The canopy lighting units for service stations shall be recessed to avoid the light bleeding from under the canopy. Details shall be submitted on the construction plans, which shall be reviewed and approved by the Planning Department prior to building permit issuance. **(Planning)**

2.15 The following standards shall apply to lighting, address identification, and parking areas:

- (a)** Lighting in exterior areas shall be in vandalism resistant fixtures;
- (b)** The developer shall submit certified exterior lighting plans showing luminaire throw pattern and cut sheets of luminaires to be used prior to building permits being issued; and
- (c)** Interior night lighting shall be constructed and maintained in those areas that are visible from the street (ground floor level only). **(Police)**

Signs

2.16 As a design feature of the building, structure, or business establishment, neon lighting shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed or installed. Neon lighting shall be limited to confined areas, such as building entries or special architectural features. **(Planning)**

2.17 Neon lighting incorporated into a sign or advertising structure shall be counted toward the total allowable signage for the establishment it serves. **(Planning)**

2.18 Temporary signs may be displayed for a maximum 7 days duration during the specified "holiday sale periods" (President's Day, Memorial Day, Independence Day, and Labor Day), and during the specified "additional periods" (four unspecified periods per calendar year) for which a Temporary Use Permit has been issued, not to exceed a total of 56 days per calendar year. Each "additional period" may be used consecutively with "holiday sale periods," not to exceed a total of 6 consecutive periods (42 consecutive days). **(Planning/Housing)**

2.19 Window signage, painted or otherwise, shall not exceed 25 percent of the total window area. **(Planning/Housing)**

3.0 Public and Private Utilities Requirements

Utilities

3.1 When booster fire pumps take suction from the public water supply, it must be demonstrated with hydraulic calculations at the time of plan review that the supply is capable of providing 150 percent of the rated capacity of the fire pump (Fire)

3.2 The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties, and shall not cross any public street. **(Fire)**

Streets

3.3 "No Parking/Fire Lane" signs and/or Red-Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the 26-foot clear width requirement pursuant to Fire Department Standard Nos. B-001 and B-004, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

Fire Hydrants

3.4 The water supply, including mains and hydrants, shall be acceptably tested and approved by the Fire Department prior to the framing stage of construction and/or onsite combustible storage, to assure availability and reliability for firefighting purposes. Phased construction shall ensure that the water systems are independently adequate to provide for the necessary fire flow from phase-to-phase in the construction planning. **(Fire)**

4.0 Public Safety Requirements

Security

4.1 An approved Key Box is required on this Project. The Ontario Fire Department requires that all industrial/ commercial buildings provide Fire Department access. Key boxes shall be applied per Fire Department Standard No. H-001, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. Master keying of building(s) may reduce the size and/or quantity of boxes required. **(Fire)**

4.2 Swinging exterior glass doors, wood or metal doors with glass panels, solid wood, or metal doors, shall be constructed or protected as follows:

(a) Wood doors shall be of solid core construction, with a minimum thickness of 1-3/4 inches. Wood pane doors with panels less than one inch thick shall be covered on the inside with a minimum 16 gauge sheet steel, or its equivalent, which is to be attached with screws, minimum 6 inches on center. Hollow steel doors shall be of a minimum 16 gauge, and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed; such reinforcement being able to restrict collapsing of the door around any locking device; and

(b) Except where double cylinder deadbolts are utilized, any glazing in exterior doors, or within 48 inches of any door locking mechanism, shall be constructed or protected as follows:

(1) Fully tempered glass or rated burglary resistance glazing;
(2) Iron or steel grills of at least one-eighth inch material, with a minimum 2 inch mesh secured on the inside of the glazing may be utilized; or

(3) The glazing shall be covered with iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel material, spaced not more than 5 inches apart, secured on the inside of the glazing;

(4) Subparagraphs 4.2(b)(2) and (3), above, shall not be implemented so as to interfere with the operation of opening windows if such windows are required to be opened by the Building Code. **(Police)**

4.3 All swinging exterior wood and steel doors shall be equipped as follows:

(a) A single or double door shall be equipped with a double cylinder deadbolt. The bolt shall have minimum projection of one inch, and shall be constructed so as to repel cutting tool attack. The

deadbolt shall have an embedment of at least 3/4-inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard, a minimum of 5 pin tumblers, and shall be connected to the inner portion of the lock by connecting screws at least 1/4-inch in diameter. The provisions of this subsection do not apply where:

- (1) Panic hardware is required; or
- (2) An equivalent device is approved by the enforcing authority.

(b) Double doors shall be equipped as follows:

(1) When not required for exiting purposes, the inactive leaf of a double door shall be equipped with metal flush bolts having a minimum embedment of 5/8-inch into the head and threshold of the door frame; and

(2) Double doors shall have an astragal constructed of steel a minimum of 0.125-inch thick, which will cover the opening between the doors. The astragal shall be a minimum of 2 inches wide, and extend a minimum of one-inch beyond the edge of the door to which it is attached. The astragal shall be attached to the outside of the active door by means of welding or with nonremovable bolts spaced not more than 10 inches on center. **(Police)**

4.4 Aluminum frame swinging doors shall be equipped as follows:

(a) The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand 1,600 pounds of pressure in both a vertical distance of 3 inches and a horizontal distance of one-inch, each side of the strike, so as to prevent violations of the strike;

(b) Except when panic hardware is required, a single or double door shall be equipped with a double cylinder deadbolt with a bolt projection exceeding one-inch, or a hook shaped or expanding dog bolt that engages the strike sufficiently to prevent spreading. The deadbolt lock shall have a minimum of 5 pin tumblers and a cylinder guard. **(Police)**

4.5 Panic hardware, whenever required by the California Building Code or California Code of Regulation Title 19 (Public Safety), shall be installed as follows:

(a) Panic hardware shall contain a minimum of 2 locking points on each door;

(b) On single doors, panic hardware may have one locking point which is not to be located at either the top or bottom of the door frame. The door shall have an astragal constructed of steel 0.125 inches thick which shall be attached with nonremovable bolts to the outside of the door. The astragal shall extend a minimum of 6 inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of 2 inches wide and extend a minimum of one-inch beyond the edge of the door to which it is attached;

(c) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them, but not interfere with the operation of either door. **(Police)**

4.6 Horizontal sliding doors shall be of the inside slider type and equipped with a metal guide track at top and bottom and a cylinder lock and/or padlock with a hardened steel shackle which locks at both heel and toe, and a minimum 5 pin tumbler operation with a nonremovable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position. **(Police)**

4.7 In office buildings with multiple occupancies, all entrance doors to individual office suites shall meet the construction and locking requirements for exterior doors. **(Police)**

4.8 Windows shall be deemed accessible if less than 12 feet above ground. Accessible windows and all exterior transoms having a pane exceeding 96 square inches in an area, with the smallest

dimension exceeding 6 inches and not visible from a public or private vehicular access-way, shall be protected in the following manner:

(a) Fully tempered glass or burglary resistant glazing;
(b) The following window barriers may be used, but shall be secured with nonremovable bolts:

(1) Inside or outside iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel material, spaced not more than 5 inches apart and securely fastened; or

(2) Inside or outside iron or steel grills of at least 1/8-inch material, with not more than a 2-inch mesh, and securely fastened.

(c) If a side or rear window is the type that can be opened, it shall, where applicable, be secured on the inside with either a slide bar, bolt, crossbar, auxiliary locking device, or padlock with hardened steel shackle and minimum 4 pin tumbler operation;

(d) The protective bars or grills shall not interfere with the operation of opening windows if such windows are required to be opened by the Uniform Building Code. **(Police)**

4.9 Roof openings shall be equipped as follows: **(Police)**

(a) All skylights on the roof of any building or premises used for business purposes shall be provided with:

(1) Rated burglary resistant glazing;

(2) Iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel material under the skylight, and securely fastened; or

(3) A steel grill of at least 1/8-inch material with a maximum 2-inch mesh under the skylight and securely fastened. Smoke and heat vents must have a minimum of one-inch mesh per Fire Department requirements.

(b) All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:

(1) If the hatchway is of wooden material, it shall be covered on the inside with at least 16 gauge sheet metal, or its equivalent, attached with screws;

(2) The hatchway shall be secured from the inside with a slide bar or slide bolts; and

(3) Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges;

(c) All air duct or air vent openings exceeding 96 square inches on the roof or exterior walls of any building or premises used for business purposes shall be secured by covering the same with either of the following:

(1) Iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel materials spaced no more than 5 inches apart and securely fastened; or

(2) Iron or steel grills of at least 1/8-inch material with a maximum 2-inch mesh and securely fastened;

(3) If the barrier is on the outside, it shall be secured with bolts which are nonremovable from the exterior;

(4) Subparagraphs (1) and (2), above, must not interfere with venting requirements creating a potentially hazardous condition to health and safety or conflict with the provisions of the California Building Code or California Code of Regulations Title 19 (Public Safety).

4.10 Permanently affixed ladders leading to roofs shall be fully enclosed with sheet metal to a height of 10 feet. This covering shall be locked against the ladder with a case hardened hasp, secured with nonremovable screws or bolts. Hinges on the cover will be provided with nonremovable pins when using pin-type hinges. If a padlock is used, it shall have a hardened steel shackle, locking at both heel and toe, and a minimum 5 pin tumbler operation, with nonremovable key when in an unlocked position. **(Police)**

Elevators

4.11 Passenger elevators, the interiors of which are not completely visible when the car door is open, shall have mirrors so placed as to make visible the whole of the elevator interior to prospective passengers outside the elevator; mirrors shall be framed and mounted to minimize the possibility of their accidentally falling or shattering. **(Police)**

4.12 The elevator emergency stop button shall be so installed and connected as to activate the elevator alarm. **(Police)**

Security Fencing

4.13 If wrought iron fencing is used, it shall be 6 feet high, open ended, and pickets shall be minimum 4 inches on center. If block wall fencing is used, it shall be minimum 6 feet high, with security shrubbery and antigraffiti measures (such as vines) will be used. **(Police)**

Helicopter Pads

4.14 Any building that is required by City law or ordinance to maintain a helicopter pad, shall allow access to Ontario Police Department helicopters, as needed. **(Police)**

Public Safety 800 MHZ Radio System Interference

4.15 No existing or future wireless telecommunications facility shall interfere with any public safety radio communications system including, but not limited to, the 800 MHz radio system operated by the West End Communication Authority (WECA), which provides public safety communications during emergencies and natural disasters. Pursuant to Government Code Section 38771, a violation of this standard constitutes a public nuisance. **(Police)**

4.16 If any wireless telecommunications facility is found to interfere with a public safety radio communications system, or any system facilitating the transmission or relay of voice or data information for public safety, the carrier and/or property owner shall immediately cease operation of the radio channel(s) causing system interference. Operation of an offending wireless telecommunications facility shall only be allowed to resume upon removal, or other resolution, of the interference, to the satisfaction of the City. **(Police)**

Burglar Alarm Systems

4.17 Burglar alarm systems are recommended for all businesses, and a robbery alarm should be considered for certain retail businesses. **(Police)**

4.18 If an alarm is installed in any commercial or industrial building, a blue flashing light shall be installed on the rooftop. This light shall be screened from public view but visible from the air. Such a blue flashing light is recommended for residential, but is optional. The blue flashing light shall meet the specifications approved by the Police Department. **(Police)**

5.0 Permitting/Construction Requirements

Hand-Portable Fire Extinguishers

5.1 Hand-portable fire extinguishers are required to be installed prior to occupancy. Contact the Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required pursuant to Fire Department Standard No. C-001, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

5.2 Provide to Ontario Municipal Utilities Company for review and approval, all applicable shop submittals for potable water, recycled water, and sewer improvements located within the public right-of-way as shown on the approved improvement plans, including any grading plans with proposed work within the public right-of-way. All shop submittals shall be consistent with the approved Equivalent Materials List, City Standard Drawings, and Design Guidelines and Specifications. **(Engineering)**

Exhibit “B” to Resolution No. 2017-###

**STANDARD CONDITIONS OF APPROVAL FOR NEW DEVELOPMENT;
“ONTARIO RANCH” PROJECTS**

Standard Conditions of Approval for New Development
Applicable to “Ontario Ranch”

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Standard Conditions of Approval for New Development

"Ontario Ranch" Projects

All new development projects are required to comply with the minimum standards set forth by the Ontario Municipal Code, Ontario Development Code, the requirements of applicable specific plans, California Building Code, California Fire Code, and applicable provisions of the California Code of Regulations, including, but not limited to, Title 19 (Public Safety), Title 21 (Public Works), Title 24 (Building Standards Code), Title 25 (Housing and Community Development), and Title 27 (Environmental Protection). The herein-listed conditions of approval have been reviewed and approved by the Planning Commission and City Council, and apply to all new development projects within the Ontario Ranch area of the City (that portion of the City generally located south of Riverside Drive). Please note that additional standard conditions of approval pertaining to Tentative Subdivision Maps and/or Conditional Use Permits, may also apply, as well as special conditional conditions of approval, which specifically pertain to the Project in question, that may be imposed by the Approving Authority at the time of Project approval.

PART 1: GENERAL REQUIREMENTS

1.0	General Development Requirements
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Construction Documents

1.1 All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility, traffic signal, street lighting, traffic signing, traffic striping, and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department. **(Planning)**

1.2 The project site shall be developed and maintained in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance, and may require review and approval by the Planning Commission and/or City Council. **(Planning)**

Property Maintenance

1.3 The Applicant shall be advised that they are required to maintain the buildings and grounds of the site in a manner consistent with Ontario Municipal Code Title 5, Chapter 22 (Property Appearance – Nuisance), commencing with Section 5-22.01, and the conditions of approval set forth herein, by all departments and agencies of the City of Ontario. **(Planning/Housing)**

Construction Noise Limitations

1.4 While engaged in construction, remodeling, digging, grading, demolition or any other related building activity, no person shall operate any tool, equipment or machine in a manner that produces loud noise that disturbs a person of normal sensitivity who works or resides in the vicinity, or a Police or Code Enforcement Officer, on any weekday, except between the hours of 7:00AM and 6:00PM, or on Saturday or Sunday, except between the hours of 9:00AM and 6:00PM, and no landowner, construction company owner, contractor, subcontractor, or employer shall permit or allow any person or persons working under their direction and control, to operate any tool, equipment, or machine, in violation of this condition of approval, except as follows:

(a) The provisions of this section shall not apply to emergency construction work performed by a private party when authorized by the City Manager;

(b) Any construction that complies with the noise limits specified in Ontario Municipal Code Section 5-29.04. **(Planning/Building)**

Time Limits and Extensions

1.5 Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced and diligently pursued toward completion, or a time extension has been approved by the Zoning Administrator pursuant to Ontario Development Code Section 2.02.025.B (Time Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements. **(Planning)**

Indemnification and Hold Harmless Agreement

1.6 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 of the City. 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. **(Planning)**

Graffiti Removal

1.7 Antigrffiti material, of a type and nature that is acceptable to the Director of Community and Public Services Agency (CPSA), shall be applied to each publicly viewed surface of the improvements to be constructed on the project site, which is deemed by the Director of CPSA to be likely to attract graffiti ("graffiti attracting surfaces"). **(Planning/CPSA)**

1.8 Any conditions, covenant and restriction, or separate covenant, which is recorded against an individual lot prior to resale of same, shall require the owner of such lot to remove any graffiti placed thereon within 7 days after notice thereof. The covenant shall run with the land and shall be for the benefit of the City, in a form satisfactory to the City. **(Planning)**

1.9 In an effort to quickly respond to graffiti vandals and to ensure proper color match during graffiti paint-over, the property owner shall apply graffiti retardant materials on graffiti attracting surfaces, provide vine treatment to screen walls, allow right of entry to city employees or agents for graffiti removal, and provide the City with sufficient matching paint upon demand, for a period of at least 2 years beyond the date of final building inspection. **(Housing/Planning)**

1.10 The City shall be granted right of site entry, and access to parcels, upon the prior 48-hour posting of a notice by authorized City employees or agents, for the purpose of removing or "painting over" graffiti applied to graffiti attracting surfaces, as previously designated by the Director of CPSA. **(Planning)**

1.11 Block walls and/or screen walls shall be provided with climbing plants with proper automatic irrigation, or other graffiti deterring elements, such as antigrffiti paint, to prevent walls from being vandalized. **(Police)**

Monuments

1.12 Set all monuments in accordance with the final map, and submit all centerline ties to the Engineering Department. Any monuments damaged as a result of construction, shall be reset to the satisfaction of the City. **(Engineering)**

1.13 All existing street and property monuments within or abutting this project site shall be preserved consistent with AB1414. **(Engineering)**

Disclosures

1.14 For all development occurring south of the Pomona Freeway (60-Freeway), within the specified boundary limits of the "South Archibald Trichloroethylene (TCE) Plume" (attached hereto as *EXHIBIT A: SOUTH ARCHIBALD TCE PLUME BOUNDARY MAP*), the property owner/developer is hereby made aware of the "South Archibald TCE Plume Sample Disclosure Letter" (attached hereto as *EXHIBIT B: SOUTH ARCHIBALD TCE PLUME SAMPLE DISCLOSURE LETTER*). Property owner/developer may wish to provide said Disclosure Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs), or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board (http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000004658). **(Engineering)**

2.0 Prior to Final Map Acceptance (for City Council Hearing)

2.1 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements. **(Engineering)**

2.2 Provide a monument bond (i.e., cash deposit) in an amount determined by the City's approved cost estimate spreadsheet, which may be viewed at (http://www.ontarioca.gov/sites/default/files/Ontario-Files/Engineering/forms/project_cost_estimate.xls), or as specified in writing by the Applicant's California Registered Professional Engineer or California Registered Land Surveyor of Record, and approved by the City Engineer, whichever is greater. **(Engineering)**

2.3 Provide a preliminary title report not older than 30 days, to the Engineering Department. **(Engineering)**

2.4 Show proof that all taxes and assessments related to the project site have been paid, or provide other adequate form of security assuring payments of all taxes. **(Engineering)**

3.0 Prior to Permitting (building, grading, encroachment, etc.)

General Requirements

3.1 A copy of the herein-listed conditions of approval shall be included in the construction documentation package for the Project, which shall be continuously maintained on site during Project construction. **(Planning)**

3.2 The Applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for the Project. **(Planning)**

3.3 All required plans and studies shall be prepared by a Registered Professional Engineer in the State of California, and submitted to the City Engineer for review and approval. **(Engineering)**

3.4 The Applicant shall obtain an Encroachment Permit and Traffic Control Permit, as required, for all work within the public right-of-way. Prior to issuance of the Encroachment Permit, all public improvement plans, which include but are not limited to, street, water, sewer, storm drain, recycled water, traffic signal, lighting, signing and striping, etc., shall be reviewed and approved by the City Engineer. **(Engineering)**

3.5 Projects located within Ontario Ranch (formerly New Model Colony) must comply with the "Methane Assessment for Projects in Ontario Ranch" guidelines, which may be viewed online at <http://www.ontarioca.gov/building/general-requirements/submittal-requirements>. **(Building)**

3.6 The Project shall comply with the adopted California Building Code (California Code of Regulations, Title 24, Part 2). **(Building)**

3.7 The Project shall comply with the adopted California Electrical Code (California Code of Regulations, Title 24, Part 3). **(Building)**

3.8 The Project shall comply with the adopted California Mechanical Code (California Code of Regulations, Title 24, Part 4). **(Building)**

3.9 The Project shall comply with the adopted California Plumbing Code (California Code of Regulations, Title 24, Part 5). **(Building)**

3.10 The Project shall comply with the adopted California Energy Code (California Code of Regulations, Title 24, Part 6). **(Building)**

3.11 The Project shall comply with the adopted California Historical Building Code (California Code of Regulations, Title 24, Part 8). **(Building)**

3.12 Structures within the special wind region of the City shall be designed in accordance with the applicable California Building Code sections. **(Building)**

Fees

3.13 After the Project's entitlement approval, the Applicant shall pay all applicable departmental fees. Fees shall be paid at the rate established by resolution of the City Council. **(All Departments)**

3.14 All required Development Impact Fees (DIF), as well as other applicable governmental impact fees (e.g., School District, Inland Empire Utilities Agency (IEUA), etc.), shall be paid to the City prior to building permit issuance. **(Engineering/Planning/Building)**

Architectural Treatment (Design Standards)

3.15 Exterior building elevations showing building wall materials, roof types, exterior colors, and appropriate vertical dimensions, shall be included in the development construction drawings. **(Planning)**

3.16 All roof access ladders shall be located on the inside of the building. **(Planning)**

3.17 All tower elements on the building(s) shall be fully walled and finished on all sides, and shall include detailing appropriate to the architectural style proposed, so as to appear as a fully three-dimensional, four-sided element of the building, to the satisfaction of the Planning Director. "Tower elements" shall include architectural components of the building that are higher than the adjacent building parapet or roof. **(Planning)**

3.18 Where changes in parapet height occur, a return into the building shall be provided, for a distance of at least 6 feet, so that the thickness of the wall panel cannot be observed or easily discerned by the public. **(Planning)**

3.19 At building corners, where conditions exist that would allow public view of the rear (interior) side of parapet walls, as a result of changes in parapet heights, the raised parapet area shall be constructed to the satisfaction of the Planning Director, so as to be viewed as a fully three-dimensional, four-sided element of the building. **(Planning)**

3.20 Cultured, precast, or fabricated stone products, shall be constructed of an integral color material. **(Planning)**

Walls and Fences

3.21 Prior to the issuance of a building permit, a Wall and Fence Plan shall be reviewed and approved by the Planning and Building Departments. The plans shall indicate the materials, colors, and heights, of proposed and existing walls/fences, and shall include a cross-section of walls/fences, which indicates adjacent grades. Walls shall be designed as an integral part of the Project architecture, and shall be constructed of tilt-up concrete, brick, decorative masonry block (e.g., burnished, scored, slump, split-face, etc.) or other decorative materials approved by the Planning Director. **(Planning)**

Parking, Circulation and Access

3.22 All driveway approaches within the public right-of-way shall be kept clear of any decorative paving. **(Engineering)**

3.23 The site plan shall provide adequate turning radii for emergency apparatus, and access turns shall be designed to meet the minimum requirements/standards of Ontario Fire Department Standard No. B-005, which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Fire/standards-forms/standard_b-005_minimum_turning_radius.pdf. **(Fire)**

3.24 The site plan shall provide adequate turning radii for Ontario Municipal Utilities Company solid waste service vehicles. Access turns shall be designed to meet the minimum requirements/standards of the "Solid Waste Department Refuse and Recycling Planning Manual," which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf (also reference: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>). **(Engineering)**

3.25 The site plan shall allow for adequate ingress and egress to and from the Project. Additional access points may be required. **(Fire)**

3.26 Any drive approaches or construction of other improvements in the Caltrans right-of-way shall be approved by Caltrans as to type, size, and location of the proposed improvements. The Applicant shall provide the City with a copy of the Caltrans permit prior to issuance of Encroachment Permit. **(Engineering)**

3.27 All property corners at street intersections shall have angled corner cut-offs in accordance with City Standards. **(Engineering)**

Site Lighting

3.28 Site lighting shall be reviewed and approved by the Planning Department and Police Department prior to the issuance of building permits. **(Planning)**

3.29 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. **(Planning)**

3.30 Along pedestrian movement corridors, the use of decorative low mounted bollard light standards, which reinforce pedestrian scale, is highly encouraged. Steps, ramps and seatwalls shall be illuminated with built-in light fixtures. **(Planning)**

3.31 All off-street parking areas shall maintain a minimum lighting level of one-footcandle or greater. Lighting shall be on from sunset to sunrise, daily, and shall be operated by a photocell switch. The

plan shall show all buildings, off-street parking areas, pedestrian walkways, and point by point photometric calculations showing that minimum required light levels will be maintained. **(Police)**

Mechanical Equipment

3.32 All exterior roof-top mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building. The construction plans shall include appropriate elevations and cross-section drawings demonstrating how such equipment is to be screened from view (include dimensions, materials, colors, etc.) **(Planning)**

3.33 All ground mounted utility structures such as transformers, HVAC equipment and back flow prevention valves shall be located out of view from a public street or adequately screened through the use of landscaping and/or masonry walls. **(Planning)**

Refuse Storage/Trash Enclosure

3.34 All refuse shall be stored in an appropriate container and maintained within a City approved enclosure, which shall be designed with a solid cover roof to prevent rainwater contact with waste materials. Reference the "Solid Waste Department Refuse and Recycling Planning Manual," which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update.pdf for additional design requirements. The trash enclosure and roof design shall be consistent with the design of the building architecture. A copy of the architectural detail of the roofed trash enclosure shall be provided with the Development Plan submittal, and as an exhibit in the Water Quality Management Plan. **(Planning/Engineering)**

3.35 Comply with City refuse collection standards, as follows: **(Engineering)**

(a) Commercial Projects: Comply with Ontario Municipal Code Section 6-3.314 (Commercial Storage Standards), and Section 6-3.601 (Business Recycling Plan).

(b) Multiple-Family Residential Projects (utilizing commercial collection bins): Comply with Municipal Code Section 6-3.314 (Commercial Storage Standards) and Section 6-3.601 (Business Recycling Plan).

(c) Single-Family Residential Projects (utilizing individual refuse, recycling, and green waste receptacles): Comply with Municipal Code Section 6-3.308 (Residential Receptacles, Placement).

(d) Recycling Requirements: Comply with Ontario Municipal Code Section 6-3.601 (Business Recycling Plan) and Section 6-3.602 (Construction and Demolition Recycling Plan).

(e) Site Improvement Plans: Comply with the City's refuse collections standards.

(Note: The City's refuse collection standards may be viewed online at [http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:ontario_ca.](http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates$fn=default.htm$3.0$vid=amlegal:ontario_ca.))

3.36 Trash enclosure(s) shall be locked and secured at all times, to prevent transients from living in the enclosure, and prevent the pilfering trash and recyclable items. On the days of trash pickup, the enclosure shall be unlocked to facilitate the emptying of trash receptacles by the solid waste hauler, and shall once again be locked. **(Police)**

3.37 Large trash receptacles, commonly referred to as dumpsters, which are placed adjacent to structures, or have combustible coverings (i.e., vegetation, wood trellises, etc.), shall be protected by at least one automatic fire sprinkler head. This sprinkler head may be supplied by the domestic water line. **(Fire)**

Public Improvements

3.38 The design for public potable water, recycled water, sewer, and storm drain, within any private street, shall be reviewed and approved by the City Engineer. **(Engineering)**

3.39 Detailed on-site utility information shall be shown on the grading plan or relative utility plan, which includes, but is not limited to, location of monitoring manholes, backflow prevention devices, exact lateral locations, etc. (include low, average, and peak water demand in GPM for the proposed development and proposed water meter size). The grading plan will not be approved by the City Engineer until detailed utility information is provided on the plans. **(Engineering)**

3.40 Underground utility services shall be provided to each lot/parcel, including sanitary sewers, one-inch minimum water service, electric power, gas, and OntarioNet fiber optic conduit. In addition, the Applicant shall incorporate OntarioNet fiber optic conduit system design into the Project dry utility plans, or other utility plans as applicable. **(Engineering)**

3.41 In-lieu fees for the undergrounding of overhead utilities shall be paid prior to Building Permit issuance, and all costs associated with said improvements shall be solely borne by the Applicant. **(Engineering)**

3.42 All public improvements shall be designed per City standards and specifications, and in accordance with the City's Municipal Code, Development Code, and applicable Specific Plan (if any). **(Engineering)**

Sewer

3.43 Private sewer, domestic water, and storm drainage systems, shall be designed in accordance with CPC/UPC requirements, including but not limited to, the sizing of pipes. These systems must be reviewed, approved, and inspected by the Building Department. Design standards used by other departments for public sewer, water, and storm drainage systems shall not be used for such private systems. **(Building)**

3.44 The Project shall utilize existing laterals, whenever provided and possible, for connection to the public sewer system. **(Engineering)**

3.45 The Applicant shall abandon all existing unused laterals at the sewer main. **(Engineering)**

3.46 On-site monitoring facilities shall be installed for all commercial and industrial units in accordance with City standards, and shall be shown on the grading plans of the Project. **(Engineering)**

3.47 The on-site sewer system shall be private, and shall be designed pursuant to applicable Building Codes. The Applicant shall contact the Building Department for design requirements. **(Engineering)**

3.48 Sewer service shall be constructed outside of the proposed and/or existing driveway approaches, as well as on-site stormwater BMPs, unless otherwise approved by the City Engineer. **(Engineering)**

3.49 For non-residential developments, the project applicant shall complete the Industrial Wastewater Discharge Permit, and shall comply with all applicable regulatory requirements (Ontario Municipal Code Title 6 (Sanitation and Health) and applicable State and Federal regulations). The application may be viewed online at <http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit>, and shall be submitted to, and approved by, Ontario Municipal Utilities Company. **(Engineering)**

Potable Water

3.50 Separate water services shall be provided for domestic water services, irrigation services and fire services. **(Engineering)**

3.51 The Applicant shall utilize existing service laterals, whenever provided and possible, for connection to the public water system. **(Engineering)**

3.52 The Applicant shall abandon all existing unused service laterals at the water main in accordance with City standards. **(Engineering)**

3.53 The on-site potable water system shall be private and designed pursuant to applicable building and plumbing codes. The Applicant shall contact the Building Department for design guidelines. **(Engineering/Building)**

3.54 Backflow prevention devices shall be required for:

- (a)** All commercial and industrial service laterals.
- (b)** All on-site fire systems.
- (c)** Any business where any hazardous substances may be stored or used.
- (d)** For all potable water connections where recycled water is utilized on-site.
- (e)** Irrigation systems. **(Engineering)**

3.55 Appropriate water meter size(s) for the Project shall be determined based on the Project's peak water demand. The fee charged is based on meter size and quantity purchased. The Applicant shall contact the Engineering Department for current fees. **(Engineering)**

3.56 Potable water, recycled water, and sewer utilities located within public or private streets, may be designated as "public utilities" at the discretion of the City Engineer. Public utilities within private streets shall be designed pursuant to City standards, and shall be contained within easements sized at the discretion of the City's Engineering and Utilities Departments. Covenants, Conditions and Restrictions (CC&Rs) required for the Project (if any) shall contain language that requires all proposed work within such easements to be plan checked and inspected by the City, including the payment of all applicable fees. Generally, utilities will not be accepted as public within private streets and alleyways, parking areas, driveways, or drive aisles. Utilities within commercial and industrial parking lots and loading areas (except those located within established public utility easements) shall be designated as private. The extent to which such utilities will be accepted as public utilities shall be determined by the City Engineer. **(Engineering)**

3.57 During the course of maintenance of public utilities within private streets, the City will restore the streets pursuant to current City standards for trench backfill, pavement repair, and hardscaping or landscaping, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to decorative pavement, hardscape, and landscape enhancements, shall be the responsibility of the Home Owner Association or Property Owner Association (HOA/POA). Such language shall be included within the CC&Rs. This applies to all areas where public utilities are located, including, but not limited to, public and private streets, gated communities, and alleys. **(Engineering)**

3.58 Potable water service laterals shall be constructed outside of the proposed/existing driveway approach, unless otherwise approved by the City Engineer. **(Engineering)**

3.59 All water meters shall be installed within the public right-of-way or public easements, with easy access for meter reading and maintenance. **(Engineering)**

3.60 Grading plan submittals shall include a separate utility drawing showing, at minimum, on-site water lines, point of connection with the City's water system, location of proposed water meters, location of fire service, on-site fire sprinkler system, cross connection devices, etc. **(Engineering)**

3.61 Existing fire hydrants that front the property limits shall be upgraded to current City standards (e.g., correct hydrant body style, installation of break-off check valve, etc.). **(Engineering)**

3.62 All project sites that will be serviced by a common City master meter, are required to sub-meter downstream of the City's master meter within private property. For residential projects (each dwelling unit) and for nonresidential projects (each tenant) the submetering shall be in conformance with all applicable plumbing codes and be consistent with Building Department requirements. All submeters shall be privately owned and maintained. **(Engineering)**

Recycled Water (if available to the project site)

3.63 Onsite plumbing for all recycled water uses shall meet all applicable standards, including State Water Resources Control Board (Division of Drinking Water), and building and plumbing codes. On-site plans will need to be reviewed and approved by both the Building Department and Ontario Municipal Utilities Company. **(Engineering)**

3.64 The Applicant shall submit an Engineering Report (ER) addressing recycled water usage, which shall be reviewed and approved by the City and the State Water Resources Control Board (Division of Drinking Water). **(Engineering)**

3.65 On-site public recycled water system sizing is subject to City recommendation and approval of the Hydraulic Analyses. **(Engineering)**

Drainage and Hydrology

3.66 A hydrology study and drainage analysis, prepared in accordance with the San Bernardino County Hydrology Manual and the City of Ontario's Standards and Guidelines, and signed by a Civil Engineer registered in the State of California, shall be submitted to the Engineering Department prior to Grading Plan approval. Additional drainage facilities may be required as a result of the findings of the study. **(Engineering)**

3.67 Any drainage above historic flows that is routed onto adjacent property, shall be directed to a recorded private drainage easement. The Applicant shall provide a copy of the recorded document (i.e., letter of acceptance of drainage) to the Engineering Department, in a form acceptable to the City, prior to Grading Plan approval. **(Engineering)**

Stormwater Quality (NPDES)

3.68 Prior to Grading Plan approval and the issuance of a grading permit, an Erosion and Sediment Control Plan shall be submitted to, and approved by, the Engineering Department. The Erosion and Sediment Control Plan shall specifically identify the Best Management Practices (BMPs) that will be implemented on the Project during construction, to reduce the discharge of sediment and other pollutants into the City's storm drain system. The City's "Erosion and Sediment Control Plan Requirements" may be viewed online at http://www.ontarioca.gov/sites/default/files/erosion_and_sediment_control_plan_requirements.pdf. **(Engineering)**

3.69 Prior to Grading Plan approval and the issuance of a grading permit, a completed Water Quality Management Plan (WQMP) shall be submitted to, and approved by, the Engineering Department. The WQMP shall be submitted on the San Bernardino County Stormwater Program's model form, and shall identify all Post Construction, Site Design, Source Control, and Treatment Control Best Management

Practices (BMPs), that will be incorporated into the Project, in order to minimize the adverse effects on receiving waters. **(Engineering)**

3.70 A development project consisting of one or more total acres of land, or that is part of a larger phased development that will disturb at least one acre of land, is required to obtain coverage under the State Water Resources Control Board (SWRCB) General Permit for Storm Water Discharges Associated with Construction Activity. Proof of filing a Notice of Intent (NOI) with the SWRCB for coverage under this permit is required prior to Grading Plan approval and issuance of a grading permit. The Applicant shall submit a copy of the Waste Dischargers Identification Number (WDID) for coverage under the General Construction Permit to the Engineering Department. More detailed information regarding the General Permit, applicable fee information, and the necessary forms to complete the NOI, may be viewed online at <http://www.swrcb.ca.gov>. An electronic copy of the NOI form and instructions is available upon request. **(Engineering)**

3.71 A development project consisting of one or more total acres of land, or that is part of a larger phased development that will disturb at least one acre of land, is required to prepare a Storm Water Pollution Prevention Plan (SWPPP) utilizing the model form contained in Appendix B of the 2013 CASQA Stormwater Best Management Practices (BMP) Handbook for Construction, and submit a copy of the plan to the City of Ontario Engineering Department for review and approval. A copy of the approved SWPPP shall be maintained in the construction site office at all times during construction, and the Site Superintendent shall use the plan to train all construction site contractors and supervisory personnel in construction site BMP, prior to commencing work on the site. **(Engineering)**

Landscape Design and Irrigation

3.72 Three sets of landscape and irrigation drawings addressing the entire project site, shall be submitted to the Planning Department, Landscape Planning Division, for review and approval prior to the issuance of a building permit. Four sets of plans shall be submitted for projects implementing recycled water. **(Planning/Landscape)**

3.73 Landscape and irrigation documents shall be prepared by a Landscape Architect registered with the State of California, if the total area of landscaping exceeds 2,500 square feet. All sheets shall be wet signed by the Landscape Architect, and shall include the license number and the expiration date. **(Landscape)**

3.74 All irrigation systems shall function properly and landscaping shall be maintained in a healthy and thriving condition. The maintenance of landscaping and the irrigation system shall be permanently provided for all areas of the project site, as well as walkways and the portion of public rights-of-way abutting the project site (parkways and medians). Furthermore, the plans shall identify responsibility for the continued maintenance (such as HOA, LMD, property owner, etc.). **(Landscape)**

3.75 Water conservation is a high priority in the City of Ontario. Landscapes shall be designed to use water efficiently, without waste, to the lowest practical amount, and comply with the landscape and irrigation requirements of Ontario Development Code Division 6.05 (Landscaping), which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/chapter_6.0_-_development_and_subdivision_regulations_20151201.pdf, and Ontario Development Code Reference G (Landscape Design and Construction Guidelines), which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/references_20151201.pdf. Also, please refer to the Landscape Planning Section's "Useful Links" on the City's web site, at <http://www.ontarioca.gov/landscape-planning/useful-links>. **(Landscape)**

3.76 Warm season turf is recommended for recreational use projects (such as parks and sports fields, where turf provides a playing surface) and residential projects, covering a maximum of 50 percent of the total landscape area. Turf areas irrigated by spray shall not cover an area less than 8 feet in width. Low water use groundcovers shall be used in traditional turf areas; parkways, etc. **(Landscape)**

3.77 Landscape areas shall be composed of living plant materials spaced approximately 2/3 to 3/4 of the mature diameter, or as found in the natural environment. Non-living ornamental features (boulders, gravel, dry stream beds, etc.) may comprise a maximum of 5 percent of the total landscape area, and shall be of a pervious material. **(Landscape)**

3.78 Concrete mowstrips, 6-inches x 6-inches or 4-inches x 6-inches, shall separate turf areas from landscape planters, and shall separate adjacent maintenance responsibility areas. The installation of redwood header boards shall only be used: **[i]** in conjunction with single-family, homeowner-installed, landscape projects; and **[ii]** to define the lot line adjacent to undeveloped property. **(Landscape)**

3.79 Backflow devices shall be screened by a minimum 5-foot wide planter and 3-foot high strappy leaf, non-hedge shrubs planted in masses, not to encircle the device. Device shall be painted green in color, similar to Frazee, Aeroplate "Forest Green," or equal. **(Landscape)**

3.80 Transformers shall be screened with shrubs of similar height on three sides, minimum 18-inches in height, with groundcovers in front. **(Landscape)**

3.81 Foundation planting (hedgerows or shrub masses in a hierarchy pattern) is required at major building perimeters and residential front yards, to break the horizontal ground plane from the vertical plane of buildings. **(Landscape)**

3.82 Plants at monument signs shall be a hierarchy of ornamental shrubs or perennials. **(Landscape)**

3.83 Trash enclosures shall be screened by adjacent planters containing a mix of trees, shrubs, and vines. **(Landscape)**

3.84 Landscape areas shall have a minimum dimension of 5 feet (Note! Landscaped areas having a dimension of less than 3 feet shall not be counted toward the minimum required landscape coverage), to include trees, except that a 6-foot minimum width is required for planting areas containing vegetated swales. **(Planning/Landscape)**

3.85 Landscape areas shall be delineated with a concrete curb, minimum 6 inches high (except at openings into infiltration basins or swales) by 6 inches wide, except where a landscape area is adjacent to the side of a parking stall, wherein the curb shall be 6 inches high by minimum 12 inches wide, to provide a step for entering/exiting motor vehicles. **(Planning/Landscape)**

3.86 Off-street parking areas visible from public streets or adjacent parcels shall be screened with landscaping, or a combination of landscaping and decorative masonry block walls, having a 3-foot minimum height, which shall be located to allow for 2 feet of vehicle overhang, unless wheel stops are provided. **(Planning/Landscape)**

3.87 Parking lots shall be provided with canopy shade trees in landscape islands, at a ratio of one tree for each 10 parking spaces for single parking rows (minimum of one tree), and one tree for each 5 parking spaces for double parking rows (minimum of 2 trees). Parking lot double rows shall have a center planter strip 5 feet wide which may include an infiltration trench, if required. Canopy shade trees shall have a minimum canopy diameter of 30 feet. **(Landscape)**

3.88 Undeveloped areas within the project site shall be seeded with wild flower or ornamental grass mix, and shall be automatically irrigated to prevent soil erosion from rain and strong winds. **(Landscape)**

3.89 Agronomical soil testing is required for each planting type, at each proposed plant type rootball depth. Soil tests for trees shall be taken at 24 inches to 30 inches deep; shrubs at 12 inches to 18

inches deep; and turf at 6 inches deep. One set of tests shall be performed at each 1,000 linear feet, or as approved by the Landscape Division. Soil test results and recommendations for amendments shall be listed on the landscape plan, noting the soil testing lab name, address, telephone number, and the date of testing. **(Landscape)**

3.90 Projects shall comply with the applicable provisions of Ontario Development Code Division 6.05 (Landscaping). Maximum Applied Water Allowance, MAWA, and Estimated Applied Water Use shall be calculated and submitted on all landscape construction documents pursuant to the requirements of the City's landscape development standards contained in Ontario Development Code Section 6.05.035 (Landscape Development Standards), which may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Planning/Documents/chapter_6.0_-_development_and_subdivision_regulations_20151201.pdf. **(Landscape)**

3.91 Plant selection and irrigation system design shall be appropriate with the City's regional climate (Zone 18), classified as Mediterranean, which is characterized by hot, dry summers and mild winters. **(Landscape)**

3.92 Irrigation systems shall be designed to be water efficient, with like plant material grouped together, and proper solar orientation. Turf shall be on a separate valve from shrub areas. Landscape areas in the shade (north or east sides of buildings) shall be controlled separately from areas in the sun (south or west). **(Landscape)**

3.93 For on-site landscaping (except single-family development), a separate irrigation service shall be required. **(Engineering)**

3.94 Irrigation systems shall be constantly maintained to eliminate wastewater due to heads that are improperly adjusted or lost, broken pipes, or improperly adjusted nozzles. **(Planning/Landscape)**

3.95 Water features and decorative fountains in conjunction with noncommercial development projects shall use recycled water, if available. Water features and decorative fountains in conjunction with residential development projects shall use potable water. **(Landscape)**

3.96 Show corner sight line distances on the landscape plan pursuant to Engineering Department Standard Drawings. **(Engineering)**

3.97 Accent trees (single or multi-trunk specimens) are required on all commercial or industrial corner statements, including vehicular entries and major corner intersections. All accent trees shall be minimum 36-inch box. Palms shall be minimum 17-foot brown trunk height (BTH) and minimum 4.5-foot cubed rootball. **(Landscape)**

3.98 The table below (*Minimum Tree Setbacks/Separations from Certain Permanent Improvements*) establishes the minimum setbacks/separations to be maintained between newly planted trees and certain permanent improvements: **(Landscape)**

<i>Minimum Tree Setbacks/Separations from Certain Permanent Improvements</i>	
<i>Permanent Improvements</i>	<i>Minimum Setback/Separation</i>
Beginning of curb returns at street intersections:	25 feet
Light standards, power poles and fire hydrants:	10 feet
Water and sewer lines:	7 feet
Sidewalks (except within parkway areas), driveways, and buildings:	5 feet

3.99 For cluster single-family, multiple-family, and nonresidential development projects, the table below (*Minimum Tree Quantity and Size Specifications (excluding palms)*) establishes the minimum mix of tree sizes and corresponding minimum dimensions, to be provided in conjunction with all new development projects. (**Landscape**)

<i>Minimum Tree Quantity and Size Specifications (excluding palms)</i>				
<i>Minimum Percent Mix of Required Trees</i>	<i>Size</i>	<i>Trunk Caliper</i>	<i>Height</i>	<i>Spread</i>
5%	48-inch box or larger	3.50 inches	14 to 16 feet	7 to 8 feet
10%	36-inch box	2.50 inches	12 to 14 feet	6 to 7 feet
30%	24-inch box	1.50 inches	9 to 11 feet	4 to 5 feet
55%	15-gallon	1.0 inches	7 to 8 feet	2 to 3 feet
Palm Trees			17-foot Brown Trunk Height	

3.100 For cluster single-family, multiple-family, and nonresidential development projects, the table below (*Minimum Tree Species Mix (excluding palms)*) establishes the minimum mix of tree species to be provided, based on the number of new trees proposed to be planted. (**Landscape**)

<i>Minimum Tree Species Mix (excluding palms)</i>	
<i>Number of Trees Proposed</i>	<i>Minimum Number of Tree Species Required</i>
20 or Fewer	2
21 to 30	3
31 to 40	4
More than 40	5

3.101 Existing trees shall be protected in place wherever possible. Additionally, existing large canopy trees may be counted toward the 48-inch box size requirement established by condition of approval no. 3.97. (**Landscape**)

3.102 Trees proposed for removal shall require the submittal of an arborist's report, which identifies the genus, species, trunk diameter (dbh), health condition, and reason for removal, for each tree proposed to be removed. (**Landscape**)

3.103 It is recommended that existing trees are transplanted rather than demolished. Contact a tree broker or transplant specialist. Transplant trees when weather is suitable. (**Landscape**)

3.104 Trees to be removed from the project site shall be replaced at the rate of two 48-inch box trees for each removed tree, or as otherwise approved by the Planning Director. (**Landscape**)

3.105 Street trees shall be 24-inch box; however, replacement trees in established residential tracts may be 15 gallon in size. Street trees shall be spaced at 25 to 30 feet on center. (**Landscape**)

3.106 Tree wells (if required) shall be 4 feet wide by 6 feet long, as parkway space allows. Iron tree grates shall be Starburst by Ironsmith, or approved equal, with 3/8" max slot openings pursuant to ADA guidelines. Decomposed granite may also be used in tree wells. **(Landscape)**

3.107 Linear root barriers (if proposed) shall be maximum 12-inches deep for trees planted within 5 feet from the edge of a paved area. Root barriers shall not surround any tree, but shall run parallel to paving. **(Landscape)**

3.108 Shrubs shall be minimum 5 gallon container size, spaced equal to 2/3 of the mature plant size. One gallon container size may be used for perennials and groundcovers. **(Landscape)**

3.109 Shredded mulch within planter areas shall be a depth of 3 inches for shrubs and one-inch for groundcover. Shredded bark (not wood chips) with a tackifier shall be used on slopes of 3:1 or greater (soil shall not be visible). Maintain mulch 3 inches clear of plant stems and 6 inches clear of tree trunks. **(Landscape)**

3.110 Slopes of 3:1 or greater require jute netting with groundcover, shrubs, or ornamental grasses. Turf grass is not allowed on slopes greater than 3:1. **(Landscape)**

3.111 Groundcovers from flats shall be spaced at 10 inches on center. Low groundcovers shall not exceed an 18-inch width in front of larger shrubs. One gallon containers shall be used for larger groundcover areas. Perennials or annual color shall be spaced at 8 inches apart. **(Landscape)**

3.112 Weeds shall be removed before 2 inches high or weed seeds develop. Note on plans for a pre-emergent to be applied before the mulch layer is installed, to prevent weeds. **(Landscape)**

3.113 Any plant materials utilized shall take into consideration the need for the users of the space to easily view their surroundings, as well as police patrols to monitor the area from adjacent streets. Trees shall be positioned to avoid interfering with required lighting levels and take into consideration the height of the tree canopies from the ground level, as it affects surveillance opportunities by users of the space and police patrols. No shrubs higher than 3 feet, and no tree canopy lower than 7 feet, shall be permitted, so as not to obstruct the view of police officers on patrol. Plants next to low-lying windows shall have thorns as a deterrent for suspects hiding and removing glass panes as a point of entry. **(Police)**

Security

3.114 Any building that requires special releasing, latching, or locking devices under the provisions of the City's Building Code or California Code of Regulation, Title 19, shall be exempt from the provisions of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings) relating to locking devices on interior and/or exterior doors. **(Police)**

3.115 Louvered windows shall not be used when a portion of the window is less than 12 feet vertically or 6 feet horizontally from an accessible surface, or any adjoining roof, balcony landing, stair, tread, platform, or similar structure. **(Police)**

3.116 Doors swinging out shall have non-removable hinge pins. **(Police)**

3.117 Doors utilizing a cylinder lock shall have a minimum 5 pin tumbler operation with the locking bar or bolt extending into the receiving guide, a minimum of one inch. **(Police)**

3.118 Double doors that exceed 16 feet in width, but do not exceed 19 feet in width, shall have one of the following locking devices:

- (a) Two lock receiving points, one on each side of the door;

(b) A single bolt may be used if placed in the center of the door, with the locking point located either at the floor or door frame header. **(Police)**

3.119 If security gates are desired at any access points to the Project, the Police Department and Fire Department will be provided access by the Knox submaster system. If gates are not electrically operated, a Knox padlock may be substituted for electrically operated override systems. Contact the Police Department and/or Fire Department for specific requirements. **(Police/Fire)**

Fire Safety

3.120 The fire department connection (FDC) shall be located on the address side of the building, within 150 feet of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and FDCs pursuant to Fire Department standards. **(Fire)**

3.121 Provide identification for all hose connections pursuant to Fire Department standards. **(Fire)**

3.122 The Applicant shall transmit a copy of these requirements to their on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the Applicant and fire protection designer obtain a copy of the Fire Department's Fire Protection System Information Checklist to aid in the system design. The Fire Department conditions of approval shall be included on the construction drawing. **(Fire)**

3.123 Contact the Fire Department for approval of on-site fire hydrants and services, as required. **(Fire/Engineering)**

3.124 Off-site fire hydrant locations and appropriate main sizes shall be established and approved by Engineering and Fire Departments, pursuant to City Standards. **(Fire/Engineering)**

3.125 A separate fire service will be required for all development, except single-family. **(Engineering)**

3.126 All private on-site fire hydrants relative to the Project shall be constructed pursuant to Fire Department standards, and identified in accordance with Fire Department standards. Installation and locations are subject to approval by the Fire Department. (Standards are available upon request from the Fire Department). **(Fire)**

3.127 Fire Service will require cross connection protection based upon the degree of hazard. The minimum requirement is to install an above-ground Double Detector Check pursuant to the City's Standard Drawings. **(Engineering)**

4.0 Prior to Certificate of Occupancy

General Requirements

4.1 Complete all required public improvements to the satisfaction of the City Engineer. **(Engineering)**

4.2 Submit a set of Record Drawings, on mylar, of all Engineering Department required plans, for review and approval. **(Engineering)**

4.3 The Applicant/general contractor shall be responsible for reasonable periodic cleanup of the project site and surrounding area during construction, to avoid hazardous accumulations of combustible trash and debris, both on and off the project site. **(Fire)**

4.4 Utilities shall not be released for any building subject to these conditions, until a final inspection is completed, and the Project has been approved by each City department, as applicable. **(All Departments)**

Water Quality Management Plan

4.5 Record an approved "Water Quality Management Plan" with the San Bernardino County Recorder, on the City's standard form. An electronic copy of this document may be viewed online at http://www.ontarioca.gov/sites/default/files/Ontario-Files/Engineering/plan-check-guidelines/sbcountywgqemplateeditable-new_final.doc. **(Engineering)**

Chain Link Fencing

4.6 If temporary chain link fencing is to be erected during construction, all vertical poles shall be capped to avoid the installation of illegal signs. The Applicant/general contractor shall be responsible for the removal of all illegal signs from the chain link fence. **(Housing)**

4.7 Existing chain link fencing to remain shall incorporate vines for screening, and an automatic irrigation system. **(Housing)**

Fees

4.8 All unpaid fees/deposits required by the Engineering Department shall be paid in full prior to the issuance of a Certificate of Occupancy. **(Engineering)**

Addressing

4.9 The Applicant shall install illuminated address numbers, powered by photocell, on each unit, to provide for easy identification by emergency personnel. **(Police)**

4.10 Rear addressing, including street name, shall be installed on any multiple building development. Address numbering shall adhere to the requirements of Development Code Division 6.06 (Street Naming and Address Numbering). **(Police)**

4.11 Street address numbers and the backgrounds shall be of contrasting color, and shall be reflective for nighttime visibility. **(Police)**

4.12 Rooftop address numbers shall be installed on all new development projects consisting of apartments, condominiums, or any other multiple-building unit, and all new mixed-use, commercial, and industrial buildings, for which an alarm permit or other discretionary permit is requested. Rooftop address numbers shall be a minimum of 3 feet in length and one foot in width, and shall be painted in reflective white paint on a flat black painted background, located away from any rooftop obstacles. The rooftop address numbers shall be screened from public view, and shall be visible only from aircraft.

The rooftops of buildings with multiple units/suites shall also have the unit/suite number(s) or letter(s) painted, to the same specifications set forth above, on the rooftop, over the primary entrance to each suite, as follows:

Addresses

A B C D

This requirement to include unit/suite identification shall not apply wherein the opinion of the Police Chief, it is not feasible to do so. In determining where suite identification is feasible, the Police

Chief shall consider the size of the building, the available space on the rooftop, and location of suites. **(Police)**

Mechanical Equipment

4.13 Rooftop equipment and ground-mounted screening shall be verified at occupancy. Additional screening may be required if determined necessary upon inspection by the Planning Department. **(Planning)**

Public Improvements

4.14 The raised curb adjacent to a fire department connection (FDC) shall be painted red for a distance of 5 feet on each side of the FDC, pursuant to City standards. **(Fire)**

4.15 Overhead utilities shall be undergrounded in accordance with Ontario Municipal Code Title 7 (Public Works) (Ordinance Nos. 2804 and 2892). **(Engineering)**

Landscape Design and Irrigation

4.16 Trees shall be planted 2 inches to 3 inches higher than the existing grade. The trunk flare and top root shall be visible. No soil or mulch shall be placed on top of the rootball. Trees with kinked or girdling roots shall be replaced. Shade trees shall have a single dominant leader. Refer to Landscape Planning's "Useful Links," which may be viewed online at <http://www.ontarioca.gov/landscape-planning/useful-links>. **(Landscape)**

4.17 Fifteen gallon and larger trees shall be double staked perpendicular to prevailing wind, or parallel to the street. Stakes shall be minimum 7 feet to 8 feet above grade, 3 feet to 4 feet below grade, and tied to the canopy for wind protection. Locate to prevent branch damage. **(Landscape)**

4.18 Box trees, 36 inches or larger, shall be triple guyed or triple staked. Rootball staking or guying (Duckbill system from Earth Anchor or equal) is also acceptable. **(Landscape)**

4.19 Tree ties shall be flexible such as VIT Wonder ties, Cinch ties, or approved equal. Wire and hose or metal rod type braces are not permitted. Nursery stakes shall be loosened if to remain during maintenance and removed by end of maintenance. **(Landscape)**

4.20 Prior to final City inspection, the Landscape Architect shall inspect the project site for compliance to approved landscape and irrigation plans. Following such inspection, the Landscape Architect shall file a Certificate of Completion with the City's Landscape Planning Division. **(Landscape)**

Security

4.21 Upon occupancy by the owner or proprietor, each single unit in the same residential project or commercial building development, constructed under the same development plan, shall have locks that are not interchangeable with locks used in all other separate dwellings, proprietorships, or similar distinct occupancies, within such residential project or commercial building development. **(Police)**

4.22 All sliding glass doors and windows shall be installed with secondary locking and anti-lift devices. Secondary locking devices may be waived if the doors successfully meet tests prescribed by the Police Department. Sliding glass doors shall be of the inside sliding door type. **(Police)**

4.23 An alarm permit shall be obtained from the Ontario Police Department prior to the installation of alarm system in any building type (residential, commercial or industrial). Subscribers should acquaint themselves with Ontario Municipal Code Title 4 (Public Safety), Chapter 9 (Burglary and Robbery Alarm Systems), which may be viewed online at

[http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates\\$fn=default.htm\\$3.0\\$vid=amlegal:ontario_ca](http://library.amlegal.com/nxt/gateway.dll/California/ontario/cityofontariocaliforniamunicipalcodevolu?f=templates$fn=default.htm$3.0$vid=amlegal:ontario_ca). **(Police)**

4.24 All new construction on a site exceeding one acre in size, shall comply with the below-listed security measures, until such time that the utilities have been released by the City. **(Police)**

(a) Perimeter lighting shall be installed at a minimum of 150-foot intervals and at a height not less than 15 feet from the ground. The light source used shall have a minimum light output of 2,000 lumens, be protected by a vandalism resistant cover, and be lighted during the hours of darkness.

(b) Additional lighting shall be required if the construction site exceeds 4 acres in area.

(c) In addition to perimeter lighting described in (a) above, one of the following shall be used:

(1) Fencing, not less than 6 feet in height, which is designed to preclude human intrusion, shall be installed along the perimeter boundaries of the construction site; or

(2) A uniformed security guard, licensed according to the California Business and Profession Code Chapter 11.5 (commencing with Section 7580), shall be utilized to continually patrol the construction site during the hours when construction work has ceased.

Fire Safety

4.25 Wood frame buildings that are required to be sprinklered shall have the system(s) in service (but not necessarily finaled) before the building is enclosed. **(Fire)**

5.0 Environmental Requirements

Cultural Resources

5.1 If human remains are found during Project grading, excavation, or construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed (if deemed applicable). **(Planning)**

5.2 If any archeological or paleontological resources are found during Project grading, excavation, or construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented. **(Planning)**

PART 2: RESIDENTIAL DEVELOPMENTS

1.0 General Development Requirements

Off-Site Directional Sign Program

1.1 The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. No other off-site signing is authorized. (For additional information, contact the Baldy View Chapter BIA at (909) 981-2997. **(Planning)**

Addressing

1.2 All residential dwellings shall display street numbers in a prominent location on the street side of the residence in such a position that the number is easily visible to approaching emergency vehicles and adhere to Fire Department Standard No. H-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. The numerals shall be minimum 4 inches in height, and shall be finished with a reflective material that is contrasting in color to the background in which they are attached. Multiple-family residences shall also have rear addressing pursuant to Fire Department standards. **(Police)**

1.3 There shall be positioned at each entrance of a multiple building, multiple-family apartment complex, an illuminated diagrammatic representation of the complex, which shows the location of the viewer and the unit designations within the complex. In addition, each individual unit within the complex shall display a prominent identification number, not less than 4 inches in height, which is easily visible to approaching vehicular and/or pedestrian traffic. **(Police)**

1.4 Addressing of multiple-family residential complexes shall be consistent with Police Department standards, and is subject to Police Department review and approval. **(Police)**

1.5 Doors secured by electrical operation shall have a keyed switch to open the door when in a closed position, or shall have a signal locking device to open such door. **(Police)**

2.0 Development Plan Requirements

Architectural Treatment (Design Standards)

2.1 All rooftop coverings, flashings, skylights, vents and piping, roof access and smoke hatches, interior side of parapet walls, and all other such rooftop components, shall be completely screened from public view by the building's parapet walls and/or architectural elements, excepting roof coverings specifically designed as an architectural feature of the building. **(Planning)**

Parking, Circulation and Access

2.2 "No Parking/Fire Lane" signs and/or Red Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the not less than 20-foot clear width requirement pursuant to Fire Department Standard Nos. B-001 and B-004, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

2.3 Single-family cluster and multiple-family development projects shall provide enhanced paving at all Project points of vehicular ingress and egress, which shall extend from the boundary street property line, to the first intersecting parking space or drive aisle, for a minimum depth of 20 feet into the project site. The final enhanced paving material, design, color, and finish, shall be subject to review and approval by the Planning Director. **(Planning)**

2.4 Single-family cluster and multiple-family development projects shall provide decorative interlocking concrete pavers at all pedestrian crossings at private streets and drive aisles throughout the Project. The final walkway design, color, and finish, shall be subject to review and approval by the Planning Director. **(Planning)**

2.5 Driveways/alleyways throughout single-family cluster development projects shall be paved with decorative interlocking concrete pavers. The final driveway/alleyway paver design, color, and finish, shall be subject to review and approval by the Planning Director. **(Planning)**

Walls and Fences

2.6 Security shrubbery, with automatic irrigation system, shall be installed adjacent to all fences and walls that adjoin common and public access areas. **(Police)**

2.7 Barbed wire, razor wire, electrified fencing, and other similar security fencing, shall not be installed in residential zones. **(Police)**

Site Lighting

2.8 Areas outside apartments, duplexes, and condominiums, are to be provided with a photocell operated exterior lighting system, which switches on at sunset and switches off at sunrise. This is to include walkways, doorways, and other areas used by the public. Minimum 0.5 footcandle of light shall be maintained in all common areas. **(Police)**

2.9 During hours of darkness, all open parking lots and carports shall be provided with minimum one-footcandle of light, measured on the parking surface. Lighting devices shall be fully protected with weather and vandalism resistant covers. **(Police)**

2.10 Single-family dwellings shall be provided with exterior light fixtures at all exterior building entrances. **(Police)**

2.11 For all multiple-family and nonresidential development projects, the Applicant/developer shall submit exterior lighting plans for Police Department review and approval, which includes photometric plans covering all exterior areas of the project site (together with all areas of the site covered by carports), luminaire throw patterns, and luminaire cut sheets, prior to building permit issuance. **(Police)**

Landscape Design and Irrigation

2.12 For traditional single-family development projects, the table below (*Minimum On-Site Tree Requirement for Single-Family Projects (excluding palms)*) establishes the minimum number of trees required for each lot, based upon lot size(s). **(Landscape)**

Minimum On-Site Tree Requirement for Single-Family Projects (excluding Palms)		
Lot Sizes (In SF)	Minimum No. Trees Required	Minimum Percent Shade Trees Required
More than 40,000	7 per lot	50%
20,000 to 40,000	5 per lot	50%
15,000 to 19,999	4 per lot	50%
7,200 to 14,999	3 per lot	50%
Less than 7,200	2 per lot	50%

2.13 Each single-family dwelling/lot shall also be provided with front yard landscaping and a permanent automatic irrigation in the front yard of each lot. At a minimum, a seeded turf lawn, appropriate shrubs and trees and an automatic irrigation system shall be provided. Furthermore, a variety of typical landscape designs shall be provided for use on each lot within the subdivision. **(Planning)**

2.14 Multiple-family projects shall be provided with full landscape improvements throughout the development. At a minimum, a seeded turf lawn, appropriate trees, shrubs and groundcovers, and a permanent automatic irrigation system, shall be provided. **(Planning)**

3.0 Public and Private Utilities Requirements

Streets

3.1 Structures built in excess of 150 feet from of the public right-of-way shall provide an approved turnaround pursuant to Ontario Fire Department Standard B-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. The Chief may make an exception when the buildings are completely protected with an automatic fire sprinkler system. **(Fire)**

4.0 Public Safety Requirements

Security

4.1 All exterior swinging doors of any residential building or attached garage, including the door leading from the garage area into the dwelling unit, shall be equipped as follows:

(a) All wood doors shall be of solid core construction, with a minimum thickness of 1-3/4 inches, or with panels not less than 9/16 inch thick;

(b) A single or double door shall be equipped with a single cylinder deadbolt lock. The bolt shall have a minimum projection of one inch and be constructed so as to repel cutting tool attack. The deadbolt shall have an embedment of at least 3/4 inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard and shall be connected to the inner portion of the lock by connecting screws of at least 1/4 inch in diameter. A dual locking mechanism constructed so that both deadbolt and latch can be retracted by a single action of the inside door knob, or lever, may be substituted; provided, it meets all other specifications for locking devices;

(c) When not required for exiting purposes, the inactive leaf of double doors shall be equipped with metal flush bolts having a minimum embedment of 5/8 inch into the head and threshold of the door frame;

(d) Glazing in exterior doors or within 12 inches of any locking mechanism shall be of fully tempered glass or rated burglary resistance glazing;

(e) Except where clear vision panels are installed, all front exterior doors shall be equipped with a wide angle (180 degree) door viewer, not to be mounted more than 58 inches from the bottom of the door;

(f) Fully tempered glass or rated burglary resistance glazing shall be used if a window is within 40 inches of any locking mechanism;

(g) Garage doors without automatic openers installed will have two exterior slide locks, one on each side of the door. Garage doors with automatic garage door openers require one slide lock;

(h) Doorjamb shall be installed with solid backing in such a manner that no voids exist between the strike side of the jamb and the frame opening for a vertical distance of 6 inches each side of the strike plates;

(i) Jamb for all doors shall be constructed or protected so as to prevent violation of the strike plates;

(j) The strike plate for deadbolts on all wood framed doors shall be constructed of minimum 16 gauge steel, bronze, or brass and secured to the jamb by a minimum of 2 screws, which must penetrate at least 2 inches into solid backing beyond the surface to which the strike is attached; and

(k) Hinges for out-swinging doors shall be equipped with nonremovable hinge pins or a mechanical interlock to preclude removal of the door from the exterior by removing the hinge pins. **(Police)**

4.2 Apartments, condominiums, or any other multiple-unit building with a common attic, shall have a resident controlled locking device installed to each scuttle-hole or access-way. The locking device shall prevent entry to any one residence from another, and shall not lock behind a resident, trapping them in the attic. **(Police)**

Fire Safety

- 4.3** All residential-type chimneys shall be equipped with an approved spark arrester, which is constructed to meet the requirements of the California Building Code. **(Fire)**
- 4.4** Units located on a cul-de-sac street that exceeds 300 feet in length shall be sprinklered. **(Fire)**
- 4.5** All multiple-family dwelling units shall be sprinklered. **(Fire)**
- 4.6** Single station smoke detectors are required to be installed pursuant to California Building Code, and California Fire Code, requirements. **(Fire)**
- 4.7** The water supply, including mains and hydrants, shall be acceptably tested and approved by the Fire Departments prior to the framing stage of construction, to assure availability and reliability for fire-fighting purposes. **(Fire)**

5.0 Permitting/Construction Requirements

Building Permit Application Submittal

- 1.1** When submitting permit applications for new single-family dwellings within Ontario Ranch (formerly New Model Colony), a table summarizing all lots/tract, addresses, models, square footage, and number of plumbing fixtures shall be included on the construction drawings. **(Building)**
- 1.2** When submitting permit applications for production homes, include two sets of site plans showing the setback from property lines and the model number/type for the production homes. In addition, provide a plot plan on an 8-1/2 x 11 inch sheet for each production home, showing the building setbacks and the model number/type. **(Building)**
- 1.3** Provide to OMUC for review and approval, all applicable shop submittals for potable water, recycled water, and sewer improvements located in the public right-of-way, as shown on the approved improvement plans, including any grading plans with proposed work within the public right-of-way. All shop submittals shall be consistent with the approved Equivalent Materials List, City Standard Drawings, and Design Guidelines and Specifications. **(Engineering)**

PART 3: NONRESIDENTIAL DEVELOPMENTS

1.0 General Development Requirements

Addressing

- 1.1** Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multiple tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Said numbers shall contrast with their background (see Fire Department Standard Nos. H-003 and H-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>). Multiple building complexes shall have building directories provided at the main entry(ies). Said directory(ies) shall be designed to the requirement of the Fire and Police Departments. **(Fire)**

1.2 Addresses for individual units should be clearly marked and well lit. Room directories shall be placed around the perimeter of the development (placement, size and lighting will be approved by Building, Police, Fire and Planning Departments). **(Police)**

1.3 Roof top numbers shall be maintained by the property owner and must be repainted every 3 years. **(Police)**

2.0 Development Plan Requirements

Architectural Treatment (Design Standards)

2.1 All building drainage gutters, down spouts, vents, etc., shall be completely concealed from public view or shall be architecturally compatible (decorative) with the exterior building design and color. **(Planning)**

2.2 The vent pipes for underground fuel tanks for service stations shall be installed within the canopy columns to visually screen the pipes from public view. Details shall be submitted on the construction plans to reflect this requirement and shall be reviewed and approved by the Planning Department prior to building permit issuance. **(Planning)**

Parking, Circulation and Access

2.3 All driveways shall be provided with an enhanced pavement treatment. Generally, the enhanced pavement treatment shall extend from the property line (back of the approach apron), into the site, to the first intersecting drive aisle or parking space. **(Planning)**

2.4 Bumper guard or wheel stops shall be provided, where necessary, to protect a structure or parked vehicle. In lieu of wheel stops, 2 feet of additional area may be added to sidewalks or landscape areas to serve as an automobile overhang. **(Planning)**

2.5 Access roadways that exceed 150 feet in length shall have an approved turnaround designed pursuant to Fire Department Standard No. B-002, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

2.6 Any time prior to the commencement of on-site combustible construction and/or storage, a minimum 26-foot wide all weather access road shall be provided to within 150 feet of all portions of the exterior walls of the first story of any building, unless otherwise specifically approved by the Fire Marshal and other emergency services. **(Fire)**

Easements

2.7 Underground fire mains that cross property lines shall be provided with CC&Rs, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. **(Fire)**

2.8 Access drives that cross property lines shall be provided with CC&Rs, access easements, and/or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. **(Fire)**

Loading and Outdoor Storage Areas

2.9 Outdoor storage shall only be permitted within those areas shown on the approved site plan. Areas designated for off-street parking, loading, circulation, and maneuvering, shall not be used for the outdoor storage of materials or equipment. **(Planning)**

2.10 Outdoor loading and storage areas shall be screened from view of public and private streets, major drive aisles through the site, residential land uses, offices located on-site and on adjoining properties, public facilities, and institutional uses on adjoining properties, with a solid, view-obstructing wall. Chainlink fencing with slat material or tennis court windscreen material shall not be used as screening for storage areas. **(Planning)**

2.11 The height of screen walls shall be determined by a Sight-Line Analysis/Wall Section Plan, which shall show that all roll-up doors will be screened from view from adjoining parcels and public streets. **(Planning)**

2.12 Prior to the commencement of construction, a "horizontal height mock up" shall be constructed for review and approval by Planning Department staff to verify the adequacy of screen wall heights from the freeway and streets. The mock up should be located at the lowest elevation on the site. **(Planning)**

2.13 No materials or equipment shall be stored to a height greater than adjacent screen walls. **(Planning)**

Site Lighting

2.14 The canopy lighting units for service stations shall be recessed to avoid the light bleeding from under the canopy. Details shall be submitted on the construction plans, which shall be reviewed and approved by the Planning Department prior to building permit issuance. **(Planning)**

2.15 The following standards shall apply to lighting, address identification, and parking areas:

- (a)** Lighting in exterior areas shall be in vandalism resistant fixtures;
- (b)** The developer shall submit certified exterior lighting plans showing luminaire throw pattern and cut sheets of luminaires to be used prior to building permits being issued; and
- (c)** Interior night lighting shall be constructed and maintained in those areas that are visible from the street (ground floor level only). **(Police)**

Signs

2.16 As a design feature of the building, structure, or business establishment, neon lighting shall be reviewed in the same manner as a sign, ensuring enhancement of the building or structure in which it is placed or installed. Neon lighting shall be limited to confined areas, such as building entries or special architectural features. **(Planning)**

2.17 Neon lighting incorporated into a sign or advertising structure shall be counted toward the total allowable signage for the establishment it serves. **(Planning)**

2.18 Temporary signs may be displayed for a maximum 7 days duration during the specified "holiday sale periods" (President's Day, Memorial Day, Independence Day, and Labor Day), and during the specified "additional periods" (four unspecified periods per calendar year) for which a Temporary Use Permit has been issued, not to exceed a total of 56 days per calendar year. Each "additional period" may be used consecutively with "holiday sale periods," not to exceed a total of 6 consecutive periods (42 consecutive days). **(Planning/Housing)**

2.19 Window signage, painted or otherwise, shall not exceed 25 percent of the total window area. **(Planning/Housing)**

3.0 Public and Private Utilities Requirements

Utilities

3.1 When booster fire pumps take suction from the public water supply, it must be demonstrated with hydraulic calculations at the time of plan review that the supply is capable of providing 150 percent of the rated capacity of the fire pump **(Fire)**

3.2 The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties, and shall not cross any public street. **(Fire)**

Streets

3.3 "No Parking/Fire Lane" signs and/or Red-Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the 26-foot clear width requirement pursuant to Fire Department Standard Nos. B-001 and B-004, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

Fire Hydrants

3.4 The water supply, including mains and hydrants, shall be acceptably tested and approved by the Fire Department prior to the framing stage of construction and/or onsite combustible storage, to assure availability and reliability for firefighting purposes. Phased construction shall ensure that the water systems are independently adequate to provide for the necessary fire flow from phase-to-phase in the construction planning. **(Fire)**

4.0 Public Safety Requirements

Security

4.1 An approved Key Box is required on this Project. The Ontario Fire Department requires that all industrial/ commercial buildings provide Fire Department access. Key boxes shall be applied per Fire Department Standard No. H-001, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. Master keying of building(s) may reduce the size and/or quantity of boxes required. **(Fire)**

4.2 Swinging exterior glass doors, wood or metal doors with glass panels, solid wood, or metal doors, shall be constructed or protected as follows:

(a) Wood doors shall be of solid core construction, with a minimum thickness of 1-3/4 inches. Wood pane doors with panels less than one inch thick shall be covered on the inside with a minimum 16 gauge sheet steel, or its equivalent, which is to be attached with screws, minimum 6 inches on center. Hollow steel doors shall be of a minimum 16 gauge, and have sufficient reinforcement to maintain the designed thickness of the door when any locking device is installed; such reinforcement being able to restrict collapsing of the door around any locking device; and

(b) Except where double cylinder deadbolts are utilized, any glazing in exterior doors, or within 48 inches of any door locking mechanism, shall be constructed or protected as follows:

- (1)** Fully tempered glass or rated burglary resistance glazing;
- (2)** Iron or steel grills of at least one-eighth inch material, with a minimum 2 inch mesh secured on the inside of the glazing may be utilized; or

(3) The glazing shall be covered with iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel material, spaced not more than 5 inches apart, secured on the inside of the glazing;

(4) Conditions 4.2(b)(2) and (3), above, shall not be implemented so as to interfere with the operation of opening windows if such windows are required to be opened by the Building Code. **(Police)**

4.3 All swinging exterior wood and steel doors shall be equipped as follows:

(a) A single or double door shall be equipped with a double cylinder deadbolt. The bolt shall have minimum projection of one inch, and shall be constructed so as to repel cutting tool attack. The deadbolt shall have an embedment of at least 3/4-inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard, a minimum of 5 pin tumblers, and shall be connected to the inner portion of the lock by connecting screws at least 1/4-inch in diameter. The provisions of this subsection do not apply where:

- (1) Panic hardware is required; or
- (2) An equivalent device is approved by the enforcing authority.

(b) Double doors shall be equipped as follows:

(1) When not required for exiting purposes, the inactive leaf of a double door shall be equipped with metal flush bolts having a minimum embedment of 5/8-inch into the head and threshold of the door frame; and

(2) Double doors shall have an astragal constructed of steel a minimum of 0.125-inch thick, which will cover the opening between the doors. The astragal shall be a minimum of 2 inches wide, and extend a minimum of one-inch beyond the edge of the door to which it is attached. The astragal shall be attached to the outside of the active door by means of welding or with nonremovable bolts spaced not more than 10 inches on center. **(Police)**

4.4 Aluminum frame swinging doors shall be equipped as follows:

(a) The jamb on all aluminum frame swinging doors shall be so constructed or protected to withstand 1,600 pounds of pressure in both a vertical distance of 3 inches and a horizontal distance of one-inch, each side of the strike, so as to prevent violations of the strike;

(b) Except when panic hardware is required, a single or double door shall be equipped with a double cylinder deadbolt with a bolt projection exceeding one-inch, or a hook shaped or expanding dog bolt that engages the strike sufficiently to prevent spreading. The deadbolt lock shall have a minimum of 5 pin tumblers and a cylinder guard. **(Police)**

4.5 Panic hardware, whenever required by the California Building Code or California Code of Regulation Title 19 (Public Safety), shall be installed as follows:

(a) Panic hardware shall contain a minimum of 2 locking points on each door;

(b) On single doors, panic hardware may have one locking point which is not to be located at either the top or bottom of the door frame. The door shall have an astragal constructed of steel 0.125 inches thick which shall be attached with nonremovable bolts to the outside of the door. The astragal shall extend a minimum of 6 inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of 2 inches wide and extend a minimum of one-inch beyond the edge of the door to which it is attached;

(c) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point which will close the opening between them, but not interfere with the operation of either door. **(Police)**

4.6 Horizontal sliding doors shall be of the inside slider type and equipped with a metal guide track at top and bottom and a cylinder lock and/or padlock with a hardened steel shackle which locks at both heel and toe, and a minimum 5 pin tumbler operation with a nonremovable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position. **(Police)**

4.7 In office buildings with multiple occupancies, all entrance doors to individual office suites shall meet the construction and locking requirements for exterior doors. **(Police)**

4.8 Windows shall be deemed accessible if less than 12 feet above ground. Accessible windows and all exterior transoms having a pane exceeding 96 square inches in an area, with the smallest dimension exceeding 6 inches and not visible from a public or private vehicular access-way, shall be protected in the following manner:

(a) Fully tempered glass or burglary resistant glazing;
(b) The following window barriers may be used, but shall be secured with nonremovable bolts:

(1) Inside or outside iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel material, spaced not more than 5 inches apart and securely fastened; or

(2) Inside or outside iron or steel grills of at least 1/8-inch material, with not more than a 2-inch mesh, and securely fastened.

(c) If a side or rear window is the type that can be opened, it shall, where applicable, be secured on the inside with either a slide bar, bolt, crossbar, auxiliary locking device, or padlock with hardened steel shackle and minimum 4 pin tumbler operation;

(d) The protective bars or grills shall not interfere with the operation of opening windows if such windows are required to be opened by the Uniform Building Code. **(Police)**

4.9 Roof openings shall be equipped as follows:

(a) All skylights on the roof of any building or premises used for business purposes shall be provided with:

(1) Rated burglary resistant glazing;
(2) Iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel material under the skylight, and securely fastened; or
(3) A steel grill of at least 1/8-inch material with a maximum 2-inch mesh under the skylight and securely fastened. Smoke and heat vents must have a minimum of one-inch mesh per Fire Department requirements.

(b) All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:

(1) If the hatchway is of wooden material, it shall be covered on the inside with at least 16 gauge sheet metal, or its equivalent, attached with screws;

(2) The hatchway shall be secured from the inside with a slide bar or slide bolts; and

(3) Outside hinges on all hatchway openings shall be provided with nonremovable pins when using pin-type hinges;

(c) All air duct or air vent openings exceeding 96 square inches on the roof or exterior walls of any building or premises used for business purposes shall be secured by covering the same with either of the following:

- (1) Iron bars of at least 1/2-inch round or one-inch by 1/4-inch flat steel materials spaced no more than 5 inches apart and securely fastened; or
- (2) Iron or steel grills of at least 1/8-inch material with a maximum 2-inch mesh and securely fastened;
- (3) If the barrier is on the outside, it shall be secured with bolts which are nonremovable from the exterior;
- (4) Conditions (1) and (2), above, must not interfere with venting requirements creating a potentially hazardous condition to health and safety or conflict with the provisions of the California Building Code or California Code of Regulations Title 19 (Public Safety). **(Police)**

4.10 Permanently affixed ladders leading to roofs shall be fully enclosed with sheet metal to a height of 10 feet. This covering shall be locked against the ladder with a case hardened hasp, secured with nonremovable screws or bolts. Hinges on the cover will be provided with nonremovable pins when using pin-type hinges. If a padlock is used, it shall have a hardened steel shackle, locking at both heel and toe, and a minimum 5 pin tumbler operation, with nonremovable key when in an unlocked position. **(Police)**

Elevators

4.11 Passenger elevators, the interiors of which are not completely visible when the car door is open, shall have mirrors so placed as to make visible the whole of the elevator interior to prospective passengers outside the elevator; mirrors shall be framed and mounted to minimize the possibility of their accidentally falling or shattering. **(Police)**

4.12 The elevator emergency stop button shall be so installed and connected as to activate the elevator alarm. **(Police)**

Security Fencing

4.13 If wrought iron fencing is used, it shall be 6 feet high, open ended, and pickets shall be minimum 4 inches on center. If block wall fencing is used, it shall be minimum 6 feet high, with security shrubbery and antigraffiti measures (such as vines) will be used. **(Police)**

Helicopter Pads

4.14 Any building that is required by City law or ordinance to maintain a helicopter pad, shall allow access to Ontario Police Department helicopters, as needed. **(Police)**

Public Safety 800 MHZ Radio System Interference

4.15 No existing or future wireless telecommunications facility shall interfere with any public safety radio communications system including, but not limited to, the 800 MHz radio system operated by the West End Communication Authority (WECA), which provides public safety communications during emergencies and natural disasters. Pursuant to Government Code Section 38771, a violation of this standard constitutes a public nuisance. **(Police)**

4.16 If any wireless telecommunications facility is found to interfere with a public safety radio communications system, or any system facilitating the transmission or relay of voice or data information for public safety, the carrier and/or property owner shall immediately cease operation of the radio channel(s) causing system interference. Operation of an offending wireless telecommunications facility shall only be allowed to resume upon removal, or other resolution, of the interference, to the satisfaction of the City. **(Police)**

Burglar Alarm Systems

4.17 Burglar alarm systems are recommended for all businesses, and a robbery alarm should be considered for certain retail businesses. **(Police)**

4.18 If an alarm is installed in any commercial or industrial building, a blue flashing light shall be installed on the rooftop. This light shall be screened from public view but visible from the air. Such a blue flashing light is recommended for residential, but is optional. The blue flashing light shall meet the specifications approved by the Police Department. **(Police)**

5.0 Permitting/Construction Requirements

Hand-Portable Fire Extinguishers

5.1 Hand-portable fire extinguishers are required to be installed prior to occupancy. Contact the Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required pursuant to Fire Department Standard No. C-001, which may be viewed online at <http://www.ontarioca.gov/fire/fire-prevention/standards-forms>. **(Fire)**

5.2 Provide to OMUC for review and approval, all applicable shop submittals for potable water, recycled water and sewer improvements in public right-of-way per the approved improvement plans; including, any grading plans with proposed work within the public right-of-way. All shop submittals shall be consistent with the approved Equivalent Materials List, City Standard Drawings and Design Guidelines and Specifications. **(Engineering)**

EXHIBIT A: SOUTH ARCHIBALD TCE PLUME BOUNDARY MAP

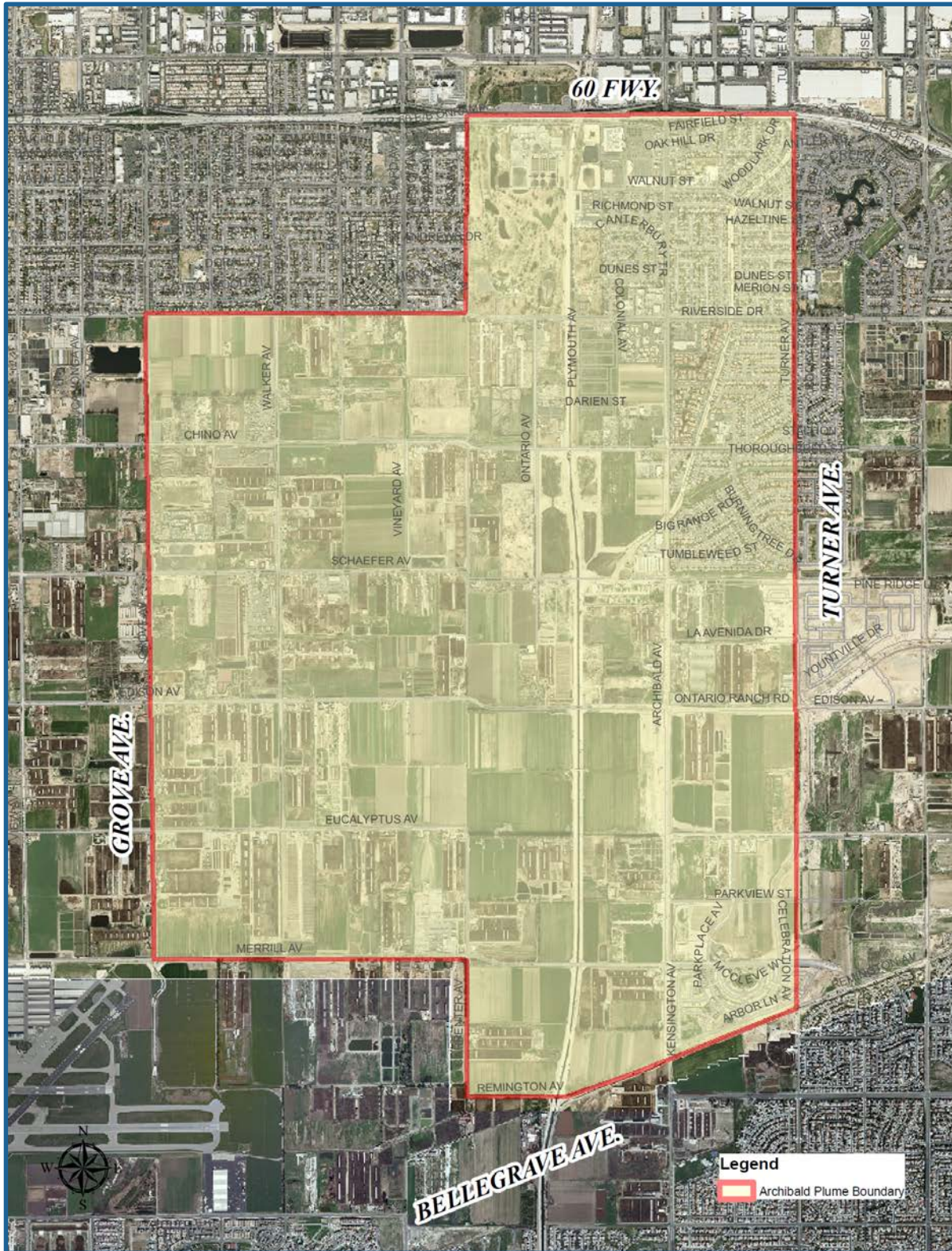


EXHIBIT B: SOUTH ARCHIBALD TCE PLUME SAMPLE DISCLOSURE LETTER

[Insert Date]

[Insert Name]

[Insert Business Name]

[Insert Address]

[Insert City State Zip]

RE: South Archibald Trichloroethylene (TCE) Plume Disclosure

To Whom It May Concern,

The City of Ontario ("City") has approved/will be approving, development in the [insert description] area, within the next few years, subject to the appropriate and required statutory process. This letter is intended to serve as notice to all potential property owners of the existence of contaminants, as well as a toxic plume, which may exist in, under, or near the owner's property.

The toxic plume is in the groundwater, within an area in the central Chino Basin, generally located south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue. The plume primarily consists of trichloroethylene, a discontinued industrial solvent, and is subject to a clean-up under the supervision of the California Regional Water Quality Control Board ("Regional Board").

The Regional Board's approved clean-up procedure involves the removal of trichloroethylene via groundwater wells, and treatment of the contaminated water to diminish the plume and minimize its migration. In addition, a domestic water supply of potable water from the City's municipal water will be served to residences with affected private domestic wells. Finally, the Regional Board will continue to monitor all impacted areas and private domestic wells, to ensure that residents' health and the environment are properly safeguarded. These remedial actions were explained to the public in two City public meetings held in September 2015.

Further and more recent information may be found on the City of Ontario website, at www.ontarioca.gov. Information may also be found at www.tceplumecleanup.com, including a fact sheet about the plume, remedial reports, and a list of frequently asked questions, along with specific milestones related to the Regional Board's clean-up procedure.

Respectfully,

CITY OF ONTARIO



**PLANNING COMMISSION
STAFF REPORT**
March 28, 2017

SUBJECT: A Development Plan (File No. PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (File No. PVAR17-001) to deviate from the minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. (APN: 1015-131-23); **submitted by Sizzler Restaurant/BMW Management.**

PROPERTY OWNER: Vista Paint Plaza Ontario Investment

RECOMMENDED ACTION: That the Planning Commission approve File Nos. PDEV16-051 and PVAR17-001, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 1.15 acres of land located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district, and is depicted in **Figure 1: Project Location**, to the right. The irregular shaped parcel is developed with a 5,412 square foot Sizzler restaurant, located on the northeast corner of the parcel. Access to the site is provided from Mountain Avenue via a 40-foot driveway that is also shared with the property directly south of the project site, which is also owned by Vista Paint. The property is developed with two multi-tenant commercial buildings that shares access and parking with the project site. The properties to the north, south, east, and west are all located within the CN (Neighborhood Commercial) zoning district and are developed with multi-



Figure 1: Project Location

Case Planner:	Randy Baez	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	03/20/2017		Recommend
Submittal Date:	12/12/2016	ZA			
Hearing Deadline:	n/a	PC	03/28/2017		Final
		CC			

tenant commercial buildings.

PROJECT ANALYSIS:

[1] Background —The applicant has been working towards rebranding and updating Sizzler Restaurants throughout the Southern California region by modernizing the exterior façades, the restaurant interiors and updating the menu. Sizzler locations that have been recently renovated include Murrieta, Moreno Valley, and Lake Forest. In efforts to renovate the Ontario Sizzler location, the applicant submitted a Development Plan (PDEV16-051) on December 12, 2016, to construct the proposed addition, and subsequently applied for a Variance on February 7, 2017, to deviate from the minimum arterial street setback on Mountain Avenue from 20 feet to 13 feet and 2 inches.

The existing square-shaped building was built in 1979, at which time the project site was located within the C1 (Shopping Center Commercial) zoning district and buildings were required to have a minimum 10 foot street setback. Since the project site was developed, the zoning district has changed to CN (Neighborhood Commercial) and, in 1998, the



Figure 2: Existing Setback Conditions

Development Code was updated requiring a 20 foot building street setback, resulting in the existing building having a legal non-conforming setback of 9 feet along the Mountain Avenue frontage. Furthermore, Mountain Avenue curves easterly adjacent to the project site, creating an irregularly shaped parcel that widens from north to south by approximately 75 feet. As a result, the building setback varies from 9 feet at the northeast corner of the building to 40 feet at the southeast corner of the building (**see above Figure 2: Existing Setback Conditions**).

On March 20, 2016, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project subject to the departmental conditions of approval included with this report.

[2] Development Plan /Building Addition — The project is proposing additions to the north, south and east elevations of the existing restaurant (**see Exhibit B: Site Plan**) for a total of 1,291 square feet. The building additions will provide additional seating for the restaurant and a new front entrance. The main entrance to the restaurant is currently located on the south side of the building and oriented towards the parking lot. The proposed addition to the east elevation totals 343 square feet and will accommodate additional seating and a new entrance that will be oriented towards Mountain Avenue. The south and west additions to the building total 948 square feet and will also accommodate additional seating and bathroom and maintenance/mechanical rooms improvements. There are also minor site improvements being proposed that include additional handicap parking spaces, a new trash enclosure located adjacent to the northwest portion of the existing building, and new landscaping along Mountain Avenue frontage (**see Exhibit C: Floor Plan**).

[3] Site Access/Circulation — The proposed addition will not alter vehicular access to or on the project site – the existing 40 foot driveway along Mountain Avenue will continue to serve the project site and the multi-tenant commercial site to the south.

[4] Parking — The project site is currently developed with 86 parking spaces. The proposed site improvements include the addition of a trash enclosure adjacent to the west elevation of the existing building, eliminating five parking spaces and resulting in 81 parking spaces. The Development Code requires restaurant uses to provide 1 parking space per 100 square feet of gross floor area. The proposed addition would increase the building's square footage to 6,703 and require a minimum of 67 parking spaces to be provided. The 81 parking spaces being provided is sufficient to serve the project site and exceeds the minimum parking requirements by 14 parking stalls (**see Exhibit B: Site Plan**).

[5] Architecture — The existing building has a mansard roof and the exterior walls are treated with a combination of vertical wood siding and stucco. The proposed addition and façade improvements will eliminate the existing mansard roof, extend the walls vertically, and incorporate a tower with a curved metal canopy at the southeast corner of the building. The proposed exterior will incorporate a cultured stone veneer, metal paneling, a metal roof canopy, canvas awnings, new windows with a bronze tint, and a new color scheme. Additionally, the building will incorporate sconce lighting and will be accentuated by red LED strip accent lighting along all parapets (**see Exhibit D: Existing & Proposed Elevations**). The new mechanical equipment for the building will be roof-mounted and obscured from public view by the new parapet walls.

Staff believes that the proposed project, implemented in conjunction with the recommended conditions of approval, illustrates the type of high quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating vertical and horizontal changes, including a tower element with a stepped design, which provides movement to the building along Mountain Avenue.
- A mix of exterior finishes, such as stone veneer finishes, bronze tinted glass, an arched metal canopy and canvas awnings.

[6] Landscaping — The project site improvements include renovated landscaping surrounding the existing building and new landscape planter areas around the proposed trash enclosure (**See Exhibit E: Landscape Plan**). The proposed plant palette includes:

- Four Canary Island Pines (24-inch box standard) planted along Mountain Avenue;
- Three California Sycamores (24-inch box standard) located within the planters surrounding the trash enclosure;
- Six different species of foundation shrubs will be planted within the landscape areas surrounding the building; and
- Vines and groundcover will also be incorporated in the landscape plan eliminating the existing lawn areas.

[7] Signage — The Sizzler rebranding effort also includes updated signs and murals with an Americana design. Two signs are being proposed on the south and east elevations and two murals are proposed on the south and east elevations of the new tower of the building addition. The photograph in **Figure 3: Sizzler Moreno Valley**, to the right is of a recently remodeled Sizzler Restaurant in Moreno Valley that feature similar signs and murals as proposed for this project. The American themed murals depict cowboy boots and hat, with an American flag in the background.



[8] Variance — In conjunction with the Development Plan application, the applicant has submitted a Variance request to deviate from the minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches. The existing Sizzler Restaurant was constructed in 1979 and met the Development Code standards in place that required a 10-foot building setback from Mountain Avenue. In 1998, the Development Code was updated changing the building street setback requirement from 10 to 20 feet, creating a legal non-conforming building setback condition for the Sizzler restaurant along the Mountain Avenue project frontage. The placement of the Sizzler

restaurant, point of access, drive aisles, parking area and irregular shaped lot impacts the size and location of additions to the building. The proposed addition, to the east elevation, encroaches 6 feet and 8 inches into the required 20 foot building setback. The addition to the east elevation is requested to provide additional seating for the restaurant and orient the building entrance towards Mountain Avenue for better visibility. In addition, the elevation has been designed to lessen the impact into the required setback, by offsetting the building plane in three places along the Mountain Avenue frontage. Staff believes, that the Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances in order to achieve the Vision.

In acting on a Variance request, the Planning Commission must consider and clearly establish certain findings of fact, which are prescribed by State law and the City's Development Code. The following facts and findings have been provided as basis for approval of the requested Variance:

(1) **The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.** Requiring a 20-foot setback, along the Mountain Avenue frontage, for the proposed addition would create unnecessary physical hardship due to the existing legal non-conforming building setback of 9 feet. The northeast corner of the existing square shaped building currently has a 9-foot setback from Mountain Avenue and the southeast corner of the existing building has a 40-foot setback from Mountain Avenue. In addition, the parcel is located within a larger commercial center with shared access and parking that limits the ability to add additional square footage to the building along the north, south and west elevations. The setback deviation from 20 feet to 13 feet – 2 inches is necessary in order to provide an adequate level of development within the project area without impacting other development standards (e.g. parking).

(2) **There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.** The existing commercial building is located along a section of south Mountain Avenue that curves out easterly from north to south creating an irregular shaped parcel condition. Due to the parcel layout, the property line runs 9 feet away from the building on the north and 40 feet away on the south, which limits additions to the building in a way that does not apply to the majority of properties in the vicinity or in the same zoning district. The applicant is thus proposing the addition to the southeast corner of the building at a setback of 13 feet and 2 inches, designed with a building plane offsets at three locations that will minimize the encroachment into the required setback.

(3) **The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of**

other properties in the same zoning district. The existing commercial building is located along a section of south Mountain Avenue that curves out easterly from north to south creating an irregular shaped parcel condition. The existing legal non-conforming building setback, irregular shaped lot, existing parking, site access and drive aisles, limit the amount of development on the site and the strict interpretation of the code would deprive the applicant of privileges enjoyed by other property owners in the same zoning district.

(4) **The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.** Staff has analyzed the potential impacts resulting from the construction of the proposed building addition. Through certain design requirements, such as landscaping and a stepped pattern design of the addition that will minimize the encroachment into the required setback, the impacts are less than significant, particularly because the encroachment of the proposed variance is less than the existing 9-foot legal non-conforming setback. Therefore, the addition to the existing commercial building will not have negative impacts to the surrounding neighborhood, or be materially injurious to properties in the vicinity, nor will it be detrimental to the public health, safety, or welfare.

(5) **The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.** The proposed project has been reviewed for consistency with the development standards contained in the City of Ontario Development Code, which are applicable to the Project, including those related to the particular land use being proposed, as well as building intensity, building and parking setbacks, building height, amount of off-street parking and design and landscaping. As a result of such review, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code requirements.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.
- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.
 - CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
 - CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.
 - CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1—Existing Facilities), which includes additions to existing structures provided that the additions do not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project is proposing an increase of 1,291 square feet to an existing 5,412 square foot building, resulting in a 24% increase, which is less than the 50 percent allowed. In addition, the project is also categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5—Minor Alterations of Land Use Limitations) of the CEQA Guidelines. Minor alterations in land use limitations are allowed for setback variances provided that a new parcel is not created, the average slope is less than 20% and the project will not result in any changes in land use or density.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Restaurant	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A
<i>North</i>	Multi-tenant Commercial	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A
<i>South</i>	Multi-tenant Commercial	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A
<i>East</i>	Restaurant/Multi-tenant Commercial	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A
<i>West</i>	Multi-tenant Commercial	NC (Neighborhood Commercial)	CN (Neighborhood Commercial)	N/A

General Site & Building Statistics

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Lot/Parcel Size:</i>	1.15 acres	0.23 acres (Min.)	Y
<i>Building Area:</i>	6,703 SF	N/A	Y
<i>Floor Area Ratio:</i>	0.15	0.4 (Max.)	Y
<i>Building Height:</i>	27 ft.	ONT ALUCP Height (200 ft. Max.)	Y

Off-Street Parking:

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Restaurant</i>	6,703	1/100	67	81
<i>TOTAL</i>			67	81

Exhibit A: Project Location Map



Exhibit B: Site Plan

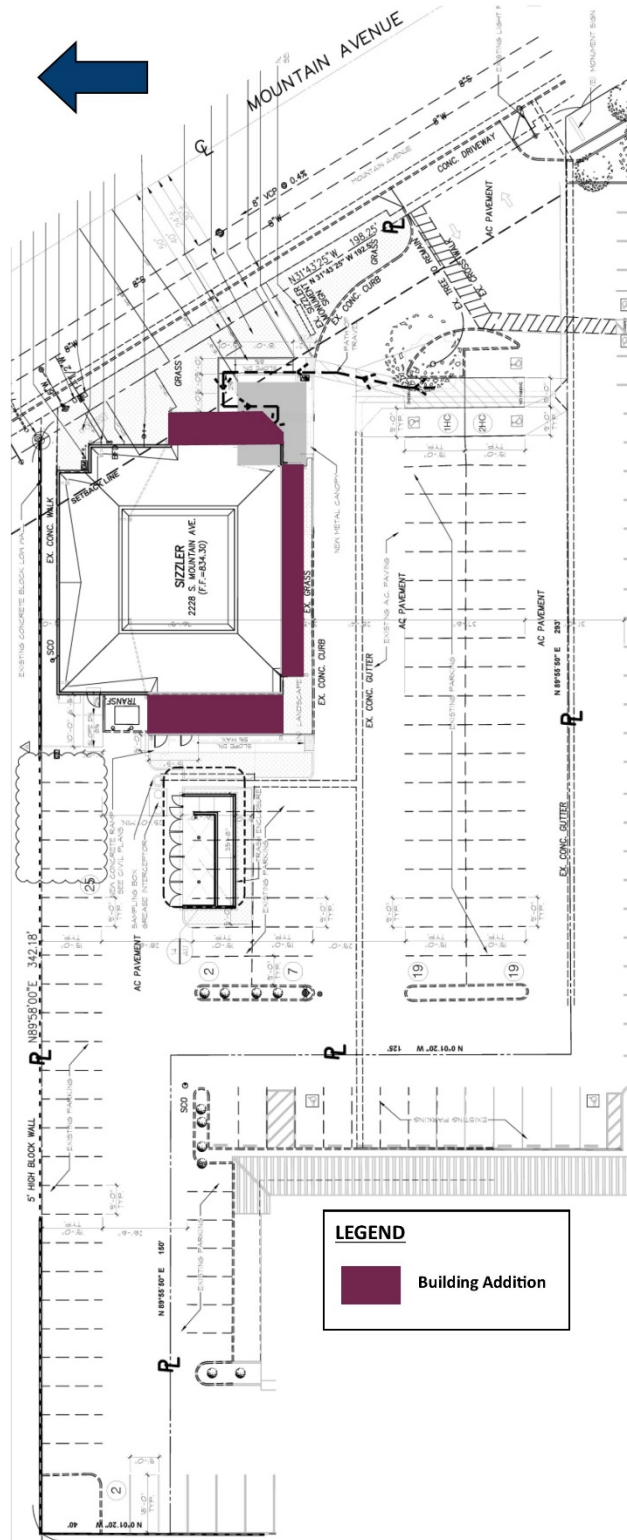


Exhibit C: Floor Plan

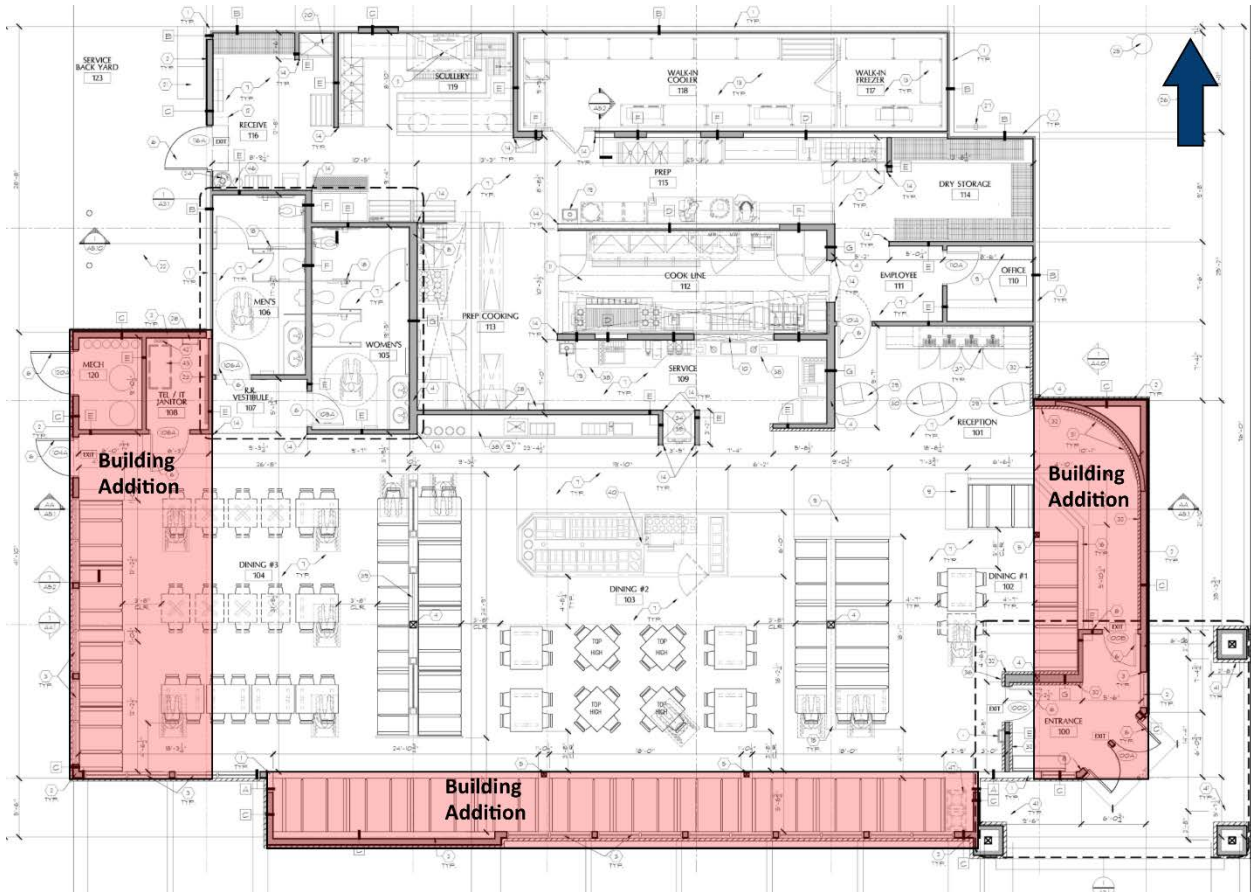


Exhibit D: Existing & Proposed Elevations



Existing South Elevation



Proposed South Elevation



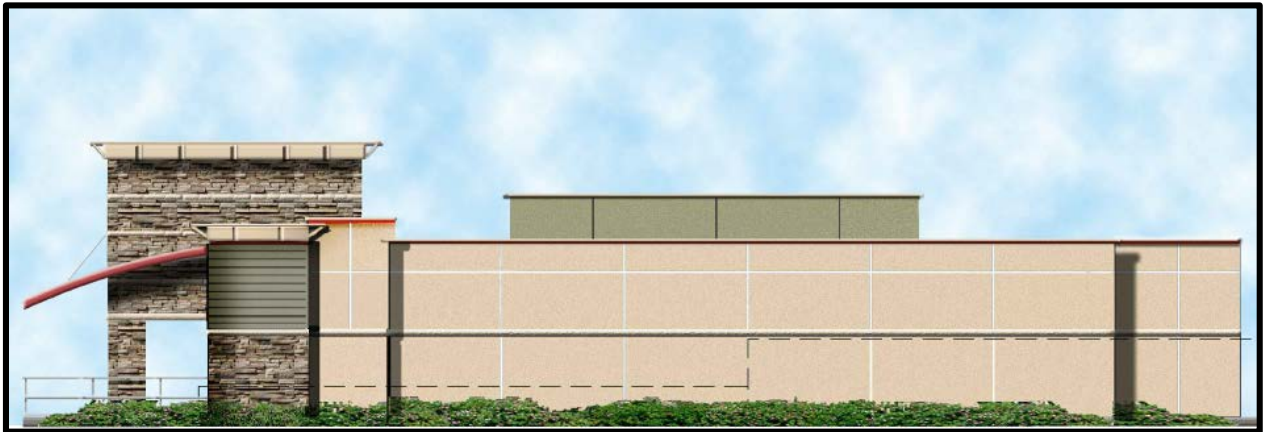
Existing East Elevation



Proposed East Elevation



Existing North Elevation



Proposed North Elevation



Existing West Elevation



Proposed West Elevation

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR17-001, A VARIANCE REQUEST TO DEVIATE FROM THE MINIMUM BUILDING ARTERIAL STREET SETBACK (MOUNTAIN AVENUE) FROM 20 FEET TO 13 FEET AND 2 INCHES, IN CONJUNCTION WITH THE CONSTRUCTION OF A 1,291 SQUARE FOOT ADDITION TO AN EXISTING 5,412 SQUARE FOOT COMMERCIAL BUILDING, ON APPROXIMATELY 1.15 ACRES OF LAND LOCATED AT 2228 SOUTH MOUNTAIN AVENUE, WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1015-131-23.

WHEREAS, Sizzler Restaurant/BMW Management ("Applicant") has filed an Application for the approval of a Variance Request, File No. PVAR17-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.15 acres of land located at 2228 South Mountain Avenue within the CN (Neighborhood Commercial) zoning district, and is presently developed with an existing restaurant (Sizzler); and

WHEREAS, the property to the north of the Project site is within the CN zoning district and is developed with a multi-tenant commercial shopping center. The property to the east is within the CN zoning district and is developed with a drive-thru restaurant (In-N-Out). The property to the south is within the CN zoning district and is developed with a multi-tenant commercial shopping center. The property to the west is within the CN zoning district and is developed with a multi-tenant commercial shopping center; and

WHEREAS, the Variance request is to deviate from the minimum 20-foot building arterial street setback to a 13-foot and 2-inch building setback along Mountain Avenue. The existing Sizzler Restaurant was constructed in 1979 and met the Development Code standards in place that required a 10-foot building setback from Mountain Avenue; and

WHEREAS, in 1998, the Development Code was updated changing the building street setback requirement from 10 to 20 feet, creating a legal non-conforming building setback condition for the Sizzler restaurant along the Mountain Avenue project frontage; and

WHEREAS, the Variance was submitted in conjunction with a Development Plan (File No. PDEV16-051) that proposes a 1,291 square foot addition to the existing 5,412 square foot Sizzler restaurant on 1.15 acres of developed land; and

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

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

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

WHEREAS, on March 20, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date, voting to issue Decision No. DAB17-011 recommending the Planning Commission approve the Application; and

WHEREAS, on March 28, 2017, the Planning Commission of the City of Ontario conducted a public hearing to consider the Project and concluded said hearing on that date; and

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

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

SECTION 1. Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

b. The Project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Sections 15301 (Class 1—Existing Facilities) and 15305 (Class 5—Minor Alterations of Land Use Limitations) which includes additions to

existing structures provided that the additions do not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project is proposing an increase of 1,291 square feet to an existing 5,412 square foot building, resulting in a 24% increase, which is less than the 50 percent allowed. Minor alterations in land use limitations are allowed for setback variances provided that a new parcel is not created, the average slope is less than 20% and the project will not result in any changes in land use or density.

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

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

SECTION 3. Airport Land Use Compatibility Plan (ALUCP) Consistency. As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 4. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3 above, the Planning Commission hereby concludes as follows:

a. **The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.** Requiring a 20-foot setback, along the Mountain Avenue frontage, for the proposed addition would create unnecessary physical hardship due to the existing legal non-conforming building setback of 9 feet. The northeast corner of the existing square shaped building currently has a 9-foot setback from Mountain Avenue and the southeast corner of the existing building has a 40-foot setback from Mountain Avenue. In addition, the parcel is located within a larger commercial center with shared access and parking that limits the ability to add additional square footage to the building along the north, south and west elevations. The setback deviation from 20 feet to 13 feet – 2 inches is necessary in order to provide adequate level of development within the project area.

b. **There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.** The existing commercial building is located along a section of South Mountain Avenue that curves out easterly from north to south creating an irregular

shaped parcel condition. Due to the parcel layout, the property line runs 9 feet away from the building on the north and 40 feet away on the south, which limits additions to the building in a way that does not apply to the majority of properties in the vicinity or in the same zoning district. The applicant is thus proposing the addition to the southeast corner of the building at a setback of 13 feet and 2 inches, designed with a building plane offsets at three locations that will minimize the encroachment into the required setback.

c. **The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.** The existing commercial building is located along a section of South Mountain Avenue that curves out easterly from north to south creating an irregular shaped parcel condition. The existing legal non-conforming building setback, irregular shaped lot, existing parking, site access and drive aisles, limits the amount of development on the site and the strict interpretation of the code would deprive the applicant of privileges enjoyed by other property owners in the same zoning district.

d. **The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.** Staff has analyzed the potential impacts resulting from the construction of the proposed building addition. Through certain design requirements, such as landscaping and a stepped pattern design of the addition that will minimize the encroachment into the required setback, the impacts are less than significant, particularly because the encroachment of the proposed variance is less than the existing 9-foot legal non-conforming setback. Therefore, the addition to the existing commercial building will not have negative impacts to the surrounding neighborhood, or be materially injurious to properties in the vicinity, nor will it be detrimental to the public health, safety, or welfare.

e. **The proposed Variance is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan, and the purposes of any applicable specific plan or planned unit development, and the purposes of this Development Code.** The proposed project has been reviewed for consistency with the development standards contained in the City of Ontario Development Code, which are applicable to the Project, including those related to the particular land use being proposed, as well as building intensity, building and parking setbacks, building height, amount of off-street parking and design and landscaping. As a result of such review, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code requirements.

SECTION 5. Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set

forth in the Department reports, attached hereto and incorporated herein by this reference.

SECTION 6. Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8. Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of March, 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PVAR17-001
March 28, 2017
Page 6

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 28, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: March 20, 2017

File No: PDEV16-051 and PVAR17-001

Related Files:

Project Description: A Development Plan (PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (PVAR17-001) to deviate from minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1015-131-23); **submitted by Sizzler Restaurant/ BMW Management**

Prepared By: Randy Baez
Phone: 909.395.2427 (direct)
Email: rbaez@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

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

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

(b) Variance approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(c) All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking

areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.12 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) All applicable Conditions of Approval from other City departments shall be required to be met and followed.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV16-051, A DEVELOPMENT PLAN TO CONSTRUCT A 1,291 SQUARE FOOT COMMERCIAL BUILDING (SIZZLER RESTAURANT) ON 1.15 ACRES OF LAND LOCATED AT 2228 SOUTH MOUNTAIN AVENUE, WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1015-131-23.

WHEREAS, Sizzler Restaurant/BMW Management ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV16-051, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.15 acres of land located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district, and is presently improved with a restaurant; and

WHEREAS, the property to the north of the Project site is within the CN zoning district, and is developed with a multi-tenant commercial shopping center. The property to the east is within the CN zoning district, and is developed with a drive-thru restaurant (In-N-Out). The property to the south is within the CN zoning district, and is developed with a multi-tenant commercial shopping center. The property to the west is within the CN zoning district, and is developed with a multi-tenant commercial shopping center; and

WHEREAS, the project is proposing additions to the north, south and east elevations of the existing Sizzler restaurant for a total of 1,291 square feet. The building additions will provide additional seating for the restaurant and a new front entrance. The main entrance to the restaurant is currently located on the south side of the building and oriented towards the parking lot. The proposed addition to the east elevation totals 343 square feet and will accommodate additional seating and a new entrance that will be oriented towards Mountain Avenue. The south and west additions to the building total 948 square feet and will also accommodate additional seating and bathroom and maintenance/mechanical rooms improvements. There are minor site improvements that are also being proposed, that include additional handicap parking spaces, a new trash enclosure located adjacent to the northwest portion of the existing building, and new landscaping along Mountain Avenue frontage; and

WHEREAS, the proposed addition to the east elevation totals 343 square feet and will accommodate additional seating and a new entrance that will be oriented towards Mountain Avenue. The south and west additions to the building total 948 square feet and will also accommodate additional seating and bathroom and maintenance/mechanical rooms improvements; and

WHEREAS, the proposed addition would increase the building's square footage to 6,703 and require a minimum of 67 parking spaces to be provided. There are 81 parking spaces being provided and is sufficient to serve the project site and exceeds the minimum parking requirements by 14 parking stalls; and

WHEREAS, the Development Plan was submitted in conjunction with a Variance (File No. PVAR17-001) to deviate from the minimum 20-foot building arterial street setback to a 13-foot and 2-inch building setback along Mountain Avenue; and

WHEREAS, the proposed addition to the east elevation encroaches 6 feet and 8 inches into the required 20 foot building setback and is requested to create additional seating and a new building entrance towards Mountain Avenue for improved visibility; and

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

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

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

WHEREAS, on March 20, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-012 recommending the Planning Commission approve the Application; and

WHEREAS, on March 28, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

SECTION 1. *Environmental Determination and Findings.* As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

b. The Project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Sections 15301 (Class 1—Existing Facilities) and 15305 (Class 5—Minor Alterations of Land Use Limitations) which includes additions to existing structures provided that the additions do not result in an increase of more than 50 percent of the floor area of the structures before the addition, or 2,500 square feet, whichever is less. The project is proposing an increase of 1,291 square feet to an existing 5,412 square foot building, resulting in a 24% increase, which is less than the 50 percent allowed. Minor alterations in land use limitations are allowed for setback variances provided that a new parcel is not created, the average slope is less than 20% and the project will not result in any changes in land use or density; and

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

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

SECTION 3. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the decision-making body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

SECTION 4. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3 above, the Planning Commission hereby concludes as follows:

a. The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

b. The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located. The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Neighborhood Commercial zoning district, including standards relative to the particular land use proposed (Full-Service Restaurant), as well as building intensity, building height, number of off-street parking spaces and on-site landscaping.

c. The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project. The proposed location of the Project, and the proposed conditions under which it will be constructed and maintained, is consistent with the Policy Plan component of The Ontario Plan and the City's Development Code, and, therefore, will not be detrimental to the public health, safety, and general welfare.

d. The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development. The proposed project has been reviewed for consistency with the development standards contained in the City of Ontario Development Code, which are applicable to the Project, including those related to the particular land use being proposed (Full-Service Restaurant), as well as building intensity, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping. As a result of such review, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code requirements.

SECTION 5. Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

SECTION 6. Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8. Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of March 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

Planning Commission Resolution
File No. PDEV16-051
March 28, 2017
Page 6

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 28, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: March 20, 2017

File No: PDEV16-051 and PVAR17-001

Related Files:

Project Description: A Development Plan (PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (PVAR17-001) to deviate from minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1015-131-23); **submitted by Sizzler Restaurant/ BMW Management**

Prepared By: Randy Baez
Phone: 909.395.2427 (direct)
Email: rbaez@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

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

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

(b) Variance approval shall become null and void one year following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(c) All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(d) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.6 Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking

areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

(b) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

2.8 Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.10 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.11 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.12 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15305 (Class 5, Minor Alterations in Land Use Limitations) and Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) All applicable Conditions of Approval from other City departments shall be required to be met and followed.



CITY OF ONTARIO

MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Environmental Section, Information Technology & Management Services Department, Ontario Municipal Utilities Company and Traffic & Transportation Division Conditions incorporated)

DATE: 03/02/2017

PROJECT: PDEV16-051, a Development Plan to construct a 1,291 sq-ft addition to an existing 6,703 sq-ft commercial building. Related File: PVAR17-001

APN: 1015-131-23

LOCATION: 2228 South Mountain Avenue

PROJECT ENGINEER: Antonio Alejos *A.A.*

PROJECT PLANNER: Lorena Mejia

The following items are the Conditions of Approval for the subject project:

1. Project shall comply with the requirements as set forth in the Standard Conditions of Approval adopted by the City Council (Resolution No. 2010-021) on March 16, 2010; as well as project-specific conditions/requirements as outlined below.
2. The applicant/developer shall equip the existing domestic water meter with a backflow device per City Standard Drawing Number 4206.
3. The applicant/developer shall construct a separate water service for irrigation purposes only with a meter and backflow device in accordance with City Standard Drawing Numbers 4201 and 4206.
4. The applicant/developer shall construct a proposed sewer lateral per City Standard Drawing Number 2003.
5. The applicant/developer shall apply for a Wastewater Discharge Permit and comply with all the requirements of their Wastewater Discharge Permit. Requirements are to equip a monitoring manhole station and/or other pretreatment devices (e.g. grease interceptor, clarifier, etc.) to the on-site sewer system as occupant establishment use requires. Please contact Virginia Lopez (vclopez@ontarioca.gov), Environmental Technician, at (909) 395-2671 for more information about the permit and how to apply.

6. The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.
7. The applicant/developer shall pay a Storm Drain Development Impact Fee, approximately \$1,363.30, to the Building Department. Final fee shall be determined based on the approved building plan.
8. Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of March 4th, 1972.
9. Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, parking areas, and drive approaches, as applicable to the project.



3-14-17

Khoi Do, P.E.
Assistant City Engineer

Date

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Lorena Mejia
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: December 20, 2016
SUBJECT: PDEV16-051

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

KS:lm

**CITY OF ONTARIO
BROADBAND OPERATIONS
303 East "B" Street, Ontario, CA 91764**

PLAN CHECK SHEET	
Sign Off	
Fiber Team	1/18/2017

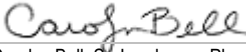
Reviewer's Name Anna Vaca	Phone 909-395-2349
File # PDEV16-051	Project Engineer: Unknown
Project Name and Location: Sizzler Restaurant 228 South Mountain Avenue, Ontario CA 91761	
Sent to: Antonio Alejos	

<input checked="" type="checkbox"/>	Plans dated 10-10-16 accepted. No comments. It appears that they are not doing any construction in the public right of way therefore there are no conditions
<input type="checkbox"/>	Plans dated _____ accepted for construction with corrections required checked below. The Building Department has been notified. Any changes to approved plans require a re-submittal for review and written approval by the Fiber Team.
<input type="checkbox"/>	Plans and/or application received {xx-xx-xxxx} not accepted. Correct plans or application as noted. Resubmit <u>2 sets</u> to the {Planner} Department for routing to the Ontario Fiber Team.

Notes Req'd on Plans	CORRECTIONS REQUIRED - {ENTER FILE# AND ANY OTHER IDENTIFYING NUMBER HERE}		
<input type="checkbox"/>	<input type="checkbox"/>	1.	Project shall be designed and constructed to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole in the Right-of-Way (ROW) and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.
<input type="checkbox"/>	<input type="checkbox"/>	2.	Contractor is responsible for locating and connecting conduit to existing OntarioNet hand holes on adjacent properties. There should be no "Gaps" in conduit between the contractor's development and the adjacent property. OntarioNet hand holes are typically located in the ROW at the extreme edge of a property.
<input type="checkbox"/>	<input type="checkbox"/>	3.	Hand holes - Design and install OntarioNet fiber optic hand hole HH-2 (17x30x24), HH-2A (24x36x30), HH-3 (30x48x36) and/or HH-4 (36x60x36) as needed. Respectively Newbasis Part # PCA-173024-90116, PCA-243630-90064, PCA-304836-90244 and PCA-366036-90146 per City Standard 1316. Conduits sweeping into hand holes shall enter in flush with the cut-out mouse holes aligned parallel to the bottom of the box and come in perpendicular to the wall of the box. Conduits shall not enter at any angle other than parallel. Provide 5 foot minimum clearance from existing/proposed utilities.
<input type="checkbox"/>	<input type="checkbox"/>	4.	ROW Conduit – Design and install fiber optic conduit at a minimum depth of 36-inch. Trenching shall be per City Standard 1306. Install (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct and (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange with Black Stripe) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.
<input type="checkbox"/>	<input type="checkbox"/>	5.	ROW Conduit - Design and Install all Fiber Optic Conduit at a Minimum Depth of 36". Trenching Shall be Per City Standard 1306. (1) 7-way Microduct (Duraline - Orange) 13/16mm tubes and (1) 2" HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Conduit(s) between ROW hand holes and hand holes on private property shall be 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct.

Notes Req'd on Plans	CORRECTIONS REQUIRED - {ENTER FILE# AND ANY OTHER IDENTIFYING NUMBER HERE}		
<input type="checkbox"/>	<input type="checkbox"/>	6.	Building Entrance (Multi-family and Commercial) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 10AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
<input type="checkbox"/>	<input type="checkbox"/>	7.	Building Entrance (Single Family) – Design and install 0.75-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct from hand holes on property or hand holes in the ROW. Consult City's Fiber Team for design assistance.
<input type="checkbox"/>	<input type="checkbox"/>	8.	Warning Tape - Contractor shall supply and install an approved non-detectable warning tape 18-inch above the uppermost conduit when backfilling trenches, pits or excavations greater than 10' in length. Warning Tape shall be non-detectable, Orange in color, 4-inch minimum width, 4 mil, 500% minimum elongation, with bold printed black letters "CAUTION - BURIED FIBER OPTIC CABLE BELOW" printed in bold black lettering no less than 2-inch high.
<input type="checkbox"/>	<input type="checkbox"/>	9.	All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
<input type="checkbox"/>	<input type="checkbox"/>	10.	All unused conduits/ducts/microducts shall be protected with duct plugs that provide a positive seal. Ducts that are occupied shall be protected with industry accepted duct seal compound.
<input type="checkbox"/>	<input type="checkbox"/>	11.	Locate/Tracer Wire - Conduit bank requires (1) 10AWG high strength (minimum break load 600#) copper-clad steel with 30mil HDPE orange insulation for locate/tracer wire. Contact City's Fiber Team for tracer wire specifications and see note 8.
<input type="checkbox"/>	<input type="checkbox"/>	12.	Multi-family and commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"
<input type="checkbox"/>	<input type="checkbox"/>	13.	A minimum 1.5-inch joint use telecommunications conduit with pull-rope from the multi-family or commercial building communal telecomm/electrical room/closet to each multi-family or commercial building unit shall be installed. See Structured Wiring Checklist on City's website for additional details.
<input type="checkbox"/>	<input type="checkbox"/>	14.	Developer to install 3 inch SCE conduit stub for future City fiber optic meter pedestal within an 8-foot wide, 5-foot deep reserved area for City fiber optic network cabinet. A 3-foot clearance must be maintained around the cabinet and the meter. HH4 shall be placed near the reserved area for cable entrance to network cabinet. The pedestal and network cabinet will be supplied and installed by the City. The service submittal to SCE will be coordinated by the City.
<input type="checkbox"/>	<input type="checkbox"/>	15.	All hand holes, conduits and ducts shall be placed in the public right of way.
<input type="checkbox"/>	<input type="checkbox"/>	16.	Multi-family dwellings are considered commercial property.
<input type="checkbox"/>	<input type="checkbox"/>	17.	Refer to the In-tract Fiber Network Design guideline on the City's website for additional in-tract conduit guidelines.
<input type="checkbox"/>	<input type="checkbox"/>	18.	Please contact City's Fiber Team at OntarioNet@ontarioca.gov for conduit design assistance.
<input type="checkbox"/>	<input type="checkbox"/>	19.	For additional information please refer to the City's Fiber Optic Master Plan.
<input type="checkbox"/>	<input type="checkbox"/>	20.	Please provide plans in digital format (PDF) on future revisions.

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

CONDITIONS OF APPROVAL	
Sign Off	
	2/12/17
Carolyn Bell, Sr. Landscape Planner	Date

Reviewer's Name: Carolyn Bell, Sr. Landscape Planner	Phone: (909) 395-2237
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D.A.B. File No.: PDEV16-051 Rev 1	Case Planner: Lorena Mejia
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Project Name and Location: Sizzler Restaurant 2228 S Mountain Ave

Applicant/Representative: Architectonix, inc – John M. Rix 150 N Golden Circle Dr Ste 204 Santa Ana, CA 92705
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<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 2/8/17) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input type="checkbox"/>	A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

Civil Plans

- Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
- Show or note backflow devices and DCDA to be set 5' from adjacent hardscape.
- Add tree protection notes on construction and demo plans.

Landscape Plans

- Show curb and utilities (water and sewer) on the landscape plans. Adjust tree locations.
- Show street trees in the parkway spaced 30' apart: Pinus canariensis – 24" box size. Evenly space trees. Show 3 parkway trees. Can remove 1 tree in front of building sign.
- Show on-site ornamental trees triangularly spaced between street trees – or add small accent trees to north planter and large southwest planter. (dwarf Crepe Myrtle, Cercis occidentalis, etc.).
- Provide clearance for signs, change Diestes to a smaller shrub at sign.
- Use larger shrub, Nandina etc. at blank wall on south, at north planters and at ramp behind roses.
- Use small- medium shrubs under windows, verify heights, see elevations. Teucrium is too low.
- Provide preliminary MAWA calculation. Show calculation not just results. Check WUCOLS and use low water shrubs and groundcovers or separate systems. Some listed medium are low.
- Replace Bougainvillea vine. Use a small tree at trash enclosure (Tristania laurina, etc.).
- Add a concrete mow strip to separate the kurapia from shrubs and groundcovers.
- Add landscape in the entry patio planters by east columns.
- Change large Platanus to trees for a 5' planter such as Pistache, Koelreuteria panniculata. tc.
- Show 25% of trees as California native (Cercis occidentalis, etc.) in appropriate locations.
- Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
- After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres	\$2,326.00
Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections)	\$278.00
Inspection—Field - additional.....	\$83.00

Electronic plan check sets may be sent to: landscapeplancheck@ontarioca.gov

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV16-051
 Address: 2228 South Mountain Avenue
 APN: 1015-131-23
 Existing Land Use: Restaurant 6,703 SF
 Proposed Land Use: Restaurant Addition - 1,291 SF
 Site Acreage: 1.11 Proposed Structure Height: 27 ft
 ONT-IAC Project Review: N/A
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Randy Baez
 Date: 2/2/2016
 CD No.: 2016-080
 PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 ft +	
<input type="radio"/> Zone 5			

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

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 ● Consistent
 Consistent with Conditions
 Inconsistent

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

Airport Planner Signature:



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Senior Planner
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Fire Department

DATE: January 23, 2017

SUBJECT: PDEV16-051 A DEVELOPMENT PLAN TO CONSTRUCT A 1,291-SQUARE FOOT ADDITION TO AN EXISTING 6,703-SQUARE FEET COMMERCIAL BUILDING, FOR A TOTAL OF 7,994 SQUARE FEET, ON APPROXIMATELY 1.11 ACRES OF LAND LOCATED AT 2228 SOUTH MOUNTAIN AVENUE, WITHIN THE CN (NEIGHBORHOOD COMMERCIAL) ZONING DISTRICT (APNS: 1015-131-23).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: **V-B**
- B. Type of Roof Materials:
- C. Ground Floor Area(s): **6703 Sq. Ft.**
- D. Number of Stories: **One Story**
- E. Total Square Footage: **6703 Sq. Ft.**
- F. 2013 CBC Occupancy Classification(s): **A-2**

CONDITIONS OF APPROVAL:

1.0 GENERAL

- ☒ 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- ☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- ☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

3.0 WATER SUPPLY

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- ☒ 3.2 Off-site (public) fire hydrants are existing on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- ☒ 4.1 On-site private fire hydrants are existing, and identified in accordance with Standard #D-002.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.4 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.
- ☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- ☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- ☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



CITY OF ONTARIO

MEMORANDUM

TO: Lorena Mejia, Planning Department

FROM: Douglas Sorel, Police Department

DATE: January 18, 2017

SUBJECT: PDEV16-051: A DEVELOPMENT PLAN TO CONSTRUCT AN
ADDITION TO THE COMMERCIAL BUILDING LOCATED AT 2228 S.
MOUNTAIN AVENUE

The “Standard Conditions of Approval” contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below:

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided operate on photosensor. Photometrics shall be provided to the Building and Police Departments. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding an questions or concerns.



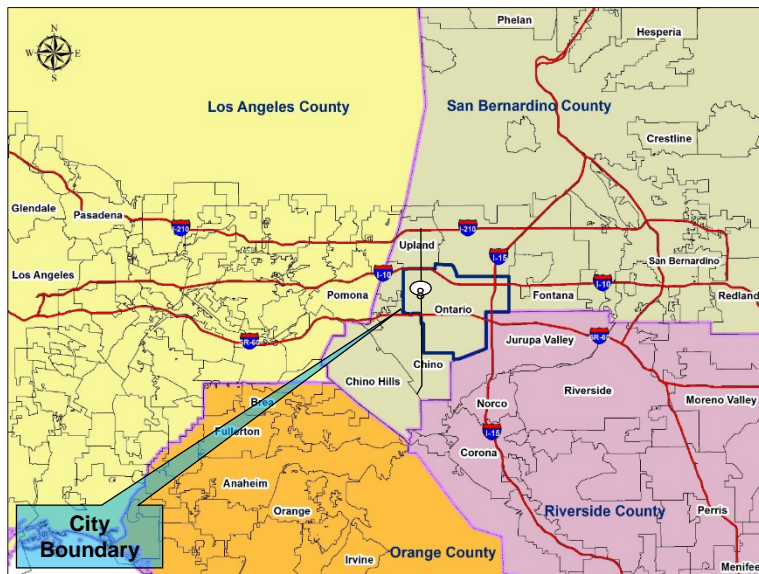
PLANNING COMMISSION STAFF REPORT

March 28, 2017

SUBJECT: A Development Code Amendment (File No. PDCA16-007) revising provisions of Development Code Chapter 5.0 (Zoning and Land Use) and Chapter 6.0 (Development and Subdivision Regulations) pertaining to Accessory Dwelling Units (formerly referred to as Second Dwellings), to incorporate recent changes in the State's Accessory Dwelling Unit laws (as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406); **City Initiated.**

RECOMMENDED ACTION: That the Planning Commission recommend that the City Council approve the proposed Development Code Amendment, File No. PDCA16-007, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The proposed Development Code Amendment is of Citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south (see map below). The City of Ontario is substantially built-out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. According to the California Department of Finance, the City of Ontario's 2015 estimated population is 168,777 persons, and it is ranked the 29th largest city in the State.



Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	12/16/2016	PC	3/28/2017		Recommend
Hearing Deadline:	N/A	CC-1	4/18/2017		Introduction
		CC-2	5/2/2017		Final

PROJECT ANALYSIS: On September 27, 2016, the Governor signed SB 1069 and AB 2299 into law, which amended the State's Accessory Dwelling Unit law (formerly referred to as "granny flats" or "secondary units"), which took effect on January 1, 2017. Furthermore, on September 28, 2016, the Governor signed AB 2406 into law, which added provisions governing Junior Accessory Dwelling Units, which expands the unit types allowed under the Accessory Dwelling Unit ("ADU") laws. The enactment of these three bills necessitates changes to the City's current Second Dwelling provisions of the Development Code (Section 5.03.355), which is discussed below.

[1] Current Second Dwelling Regulations. Pursuant to State law, the City's current second unit regulations allow for the construction of a second unit in conjunction with an existing single-family dwelling, which is located within a single-family or multiple-family residential zoning district within the City. Furthermore, the regulations impose standards on second units that control parking, height, setbacks, lot coverage, architectural review, and size and provides that second units are acted on ministerially, without the need for discretionary review or a hearing. More specifically, second units are subject to the following development standards:

[a] A Second Dwelling must be located on the same lot as an existing single-family dwelling, and may be [i] an independent unit attached to the existing dwelling, [ii] an attached unit sharing living area with the existing dwelling, or [iii] an independent unit that is detached from the existing dwelling;

[b] A Second Dwelling cannot be sold separate from the primary residence, and may be rented;

[c] The total floor area of a Second Dwelling cannot exceed 650 square feet;

[d] Requirements relating to height, setback, lot coverage, architectural review, site plan review, fees, charges, and other zoning requirements applicable to residential construction, is subject to the requirements of the zone in which the Second Dwelling is located;

[e] The property on which a Second Dwelling is located must be owner-occupied;

[f] A Second Dwelling is consistent with the maximum allowed density for the lot on which it is located, and is consistent with the existing General Plan land use designation for the lot; and

[g] A Second Dwelling requires one parking space, which may be in a tandem configuration, on an existing driveway.

[2] Senate Bill 1069. SB 1069 made several changes in State law, which addressed barriers to the development of ADUs, and expanded the capacity for their development. The following is a brief summary of the SB 1069 provisions that went into effect on January 1, 2017:

[a] *Parking*. SB 1069 requires the application of off-street parking requirements at the rate of one space per bedroom or one space per unit, as determined by the local agency. Furthermore, the legislation authorizes off street parking to be tandem and located within setback areas, unless specific findings, such as fire and life safety conditions, are established by the local agency. SB 1069 also prohibits the application of parking requirements if the ADU meets any of the following circumstances:

- The ADU is located within one-half mile from public transit;
- The ADU is architecturally or historically significant and is located within an historic district;
- The ADU is attached to an existing primary residence or accessory structure and shares living area with the existing residence;
 - The ADU is located within an area where on-street parking permits are required, but is not offered to the occupant of the ADU; or
 - The ADU is located within one block of a car share area.

[c] *Fire Protection*. SB 1069 provides that fire sprinklers shall not be required in an accessory unit if they are not required in the primary residence.

[d] *ADUs within Existing Space*. Local governments must ministerially approve an ADU application if:

- The unit is contained within an existing residence or accessory structure;
- The unit has independent exterior access from the existing residence; and
- The unit has side and rear setbacks that are sufficient for fire safety.

Furthermore, no additional parking can be required, or other development standards applied, excepting building code requirements.

[e] *No Prohibition of ADUs*. SB 1069 prohibits a local government from adopting an ordinance that prohibits the development of ADUs.

[3] Assembly Bill 2299. Like SB 1069, AB 2299 makes several changes to State laws addressing the development of ADUs. The following is a brief summary of the provisions that went into effect on January 1, 2017:

[a] *General Requirements*. AB 2299 requires that an ADU shall be ministerially approved if the unit complies with certain parking and setback requirements and does not exceed the maximum allowable size as follows:

- The ADU is not intended for sale separate from the primary residence and may be rented;
 - The lot is zoned for single-family or multiple-family use and contains an existing, single-family dwelling;
 - The ADU is either [i] attached to an existing primary dwelling, [ii] located within the living area of the existing primary dwelling, or [iii] detached from the existing primary dwelling and on the same lot;
 - The increased floor area of an attached ADU does not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet;
 - The total floor area of a detached ADU unit may not exceed 1,200 square feet;
 - No passageway may be required (the term “passageway” means a pathway that is unobstructed clear to the sky, and extends from a street to the entrance of an ADU);
 - No new setback can be required for an existing garage that is converted to an ADU;
 - The ADU must comply with local building codes; and
 - Approval by the local health officer is required when a private sewage disposal system is being used.

[b] *Impact on Existing Accessory Dwelling Unit Ordinances.* AB 2299 provides that any existing ADU ordinance that does not meet the bill’s requirements, is deemed null and void. In such cases, a jurisdiction must approve ADUs based on the requirements of State law (Government Code Section 65852.2) until the jurisdiction adopts a compliant ordinance.

[4] Assembly Bill 2406. AB 2406 authorizes local governments to allow Junior Accessory Dwelling Units (JADU). The bill defines JADUs to be a unit that cannot exceed 500 square feet, and must be completely contained within the footprint of an existing single-family dwelling. In addition, the bill requires specified components for a local JADU ordinance. The following is a brief summary of provisions that went into effect on September 28, 2016:

[a] *Required Ordinance Components.* AB 2406 provides that a local JADU ordinance include the following:

- One JADU is allowed per lot zoned for single-family residences and a single-family residence must be existing on the lot;
- The property owner must reside in either the single-family residence in which the JADU is created or in the newly created JADU; however, owner-occupancy is not required if the owner is a governmental agency, land trust, or housing organization;

- The owner must record a restrictive covenant stating that the JADU cannot be sold separately from the single-family residence, and restricting the JADU to the size limitations and other requirements of the JADU ordinance;
- The JADU must be located entirely within the existing structure of the single-family residence and must have its own separate entrance;
- The JADU must include an efficiency kitchen that includes a sink, cooking appliance, counter surface, and storage cabinets that meet minimum Building Code standards. No gas or 220V circuits are allowed; and
- The JADU may share a bathroom with the primary residence, or have a separate bathroom.

[b] Prohibited Ordinance Components. AB 2406 prohibits a local JADU ordinance from requiring the following:

- Additional parking cannot be required as a condition to grant a permit; and
- Additional water, sewer and power connection fees cannot be applied, as these utilities were previously accounted for in the original permit for the home.

[c] Fire Safety Requirements. AB 2406 clarifies that a JADU is to be considered part of the single-family residence for the purposes of fire and life safety ordinances and regulations, such as sprinklers and smoke detectors. The bill also requires life and protection ordinances that affect single-family residences to be applied uniformly to all single-family residences, regardless of the presence of a JADU.

[5] Conclusion. In compliance with the changes in State law required by SB 1069, AB 2299 and AB 2406, staff has prepared an Ordinance that will delete the current “Second Dwellings” provisions contained in Development Code Section 5.03.355, leaving the section to be designated “Reserved.” Furthermore, new development standards for “Accessory Dwelling Units” will be included pursuant to State law, which are contained with the existing development standards for “Accessory Residential Structures,” in Development Code Section 5.03.010.

A draft copy of the ordinance that will amend the Development Code is included as an attachment to the Planning Commission resolution provided with this staff report. Additionally, the changes recommended by this Development Code Amendment are summarized below:

[a] Definitions have been added, as follows:

- Accessory Dwelling Unit (ADU) – An attached or detached dwelling unit with complete independent living facilities for one or more persons, and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot in which an existing principal single-family dwelling is situated. An ADU also includes Efficiency

Dwelling Units, and a Manufactured Homes as defined by Health and Safety Code Section 18007. The Classifications of ADU are as follows:

➤ *Standard ADU.* An ADU that is an independent unit attached to, or detached from, the principal single-family dwelling.

➤ *Integrated ADU.* An ADU that **[i]** is on a lot zoned for single-family residential uses which contains one legally established single-family dwelling unit; **[ii]** is contained within the principal dwelling or contained within a legally established accessory structure; **[iii]** has independent exterior access from the primary residence; and **[iv]** has side and rear setbacks sufficient for fire safety.

▪ Efficiency Dwelling Unit (EDU) – An ADU having a minimum living area of 150 SF, which is for occupancy by no more than two persons. Furthermore, an EDU shall contain a separate bathroom and an area containing an efficiency kitchen, which, at a minimum, includes a sink, cooking appliance, refrigeration facility, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the EDU.

[b] An ADU is deemed a single-family residential land use that is consistent with the existing Policy Plan Land Use Plan and zoning designations for the lot on which the ADU is located and is not considered to exceed the allowable density for the lot on which the ADU is located.

[c] The following development standards have been added:

▪ A lease or rental term for Standard or Integrated ADUs must be no less than 30 days (to preclude Airbnb-type rentals);

▪ No setback is required for an existing garage, or existing space above an existing garage, that is converted to a Standard ADU;

▪ A 5 FT setback is required from side and rear property lines for new floor area constructed above a garage;

▪ When an existing garage, carport, or covered parking structure is demolished in conjunction with the construction of a Standard ADU, required replacement parking is required on the property; however, it may be located in any configuration, including, covered or uncovered spaces, tandem spaces, or by use of mechanical lifts;

▪ Standard ADUs must provide off-street parking at the rate of one space per bedroom, with a minimum of one space being required;

▪ Off-street parking for a Standard ADU is not required if:

➤ The ADU is located within one-half mile of City-approved public transit;

➤ The ADU is located within an historic district or architectural conservation area;

➤ The ADU is attached to the principal single-family dwelling or an existing accessory structure and shares living area with the principal dwelling;

- An on-street parking permit is required but is not offered to the ADU occupant; or
- A City-approved car share vehicle is stationed within one block of the ADU.
 - A Standard ADU is not required to provide fire sprinklers if they are not required for the primary dwelling;
 - Not more than one Standard ADU is allowed on a lot and a Standard ADU cannot be constructed if an Integrated ADU or guesthouse already exists on a lot;
 - An Integrated ADU is only permitted in conjunction with an existing single-family dwelling located within a single-family zoning district and one dwelling on the lot must be owner occupied;
 - Only one Integrated ADU is allowed on a lot and an Integrated ADU cannot be constructed if a Standard ADU or guesthouse already exists on a lot;
 - An Integrated ADU must comply with the setback requirements applicable to the principal single-family dwelling or accessory structure in which it is integrated;
 - No passageway (a pathway that is unobstructed clear to the sky, and extends from a street to an entrance of an ADU) shall be required in conjunction with the construction of an Integrated ADU; and
 - Prior to the issuance of a building permit for a Standard or Integrated ADU, a restrictive covenant running with the land must be recorded with the office of the San Bernardino County Recorder, which prohibits the sale of the ADU separate from the sale of the primary dwelling and includes restrictions to ensure on-going compliance with applicable Development Code requirements.

In addition to revising Development Code Section 5.03.010 (Accessory Residential Structures) to include the proposed Accessory Dwellings development standards, the Accessory Residential Structures land use category in Development Code Table 5.02-1 (Land Use Matrix) will be similarly restructured, adding Accessory Dwellings as a land use subcategory, and permitting the land use within all residential zoning districts, and within the MU-1 (Downtown Mixed-Use) and AG (Agricultural Overlay) zoning districts.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Operate in a Businesslike Manner

[2] Policy Plan (General Plan).

[a] *Land Use Element – Balance:*

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-1: Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.

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

- LU1-6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.

[b] *Land Use – Compatibility*

- Goal LU2: Compatibility between wide ranges of uses.

- LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.

[c] *Community Design Element – Design Quality*

- Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

- CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;

- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

[d] Housing Element – Housing Supply & Diversity:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

➤ H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

[e] Community Economics Element – Place-Making:

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PDCA16-007, A DEVELOPMENT CODE AMENDMENT REVISING VARIOUS PROVISIONS OF DEVELOPMENT CODE CHAPTER 5.0 (ZONING AND LAND USE) AND CHAPTER 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS) PERTAINING TO ACCESSORY DWELLING UNITS (FORMERLY REFERRED TO AS SECOND DWELLINGS), TO INCORPORATE RECENT CHANGES IN THE STATE'S ACCESSORY DWELLING UNIT LAWS, AS PRESCRIBED IN SENATE BILL 1069, AND ASSEMBLY BILLS 2299 AND 2406, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA16-007, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, on December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016; and

WHEREAS, the City has initiated alterations to the Development Code to incorporate recent changes in the State of California's Accessory Dwelling Unit laws, as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406; and

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

WHEREAS, on March 28, 2017, the Planning Commission of the City of Ontario conducted a public hearing to consider the Application, and concluded the hearing on that date; and

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

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

SECTION 1. *Environmental Determination and Findings.* As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The administrative record have been completed in compliance with CEQA the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

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

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

SECTION 2. *Housing Element Consistency.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the Planning Commission finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not specifically affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 3. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the Ontario International Airport ALUCP.

SECTION 4. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3 above, the Planning Commission hereby concludes as follows:

a. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

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

SECTION 5. *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4 above, the Planning Commission hereby **RECOMMENDS THE CITY COUNCIL APPROVE** the subject Development Code Amendment, File No. PDCA16-007, attached to this Resolution.

SECTION 6. *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7. *Custodian of Records.* The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8. *Certification.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of March 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Scott Murphy
Planning Director/Secretary of Planning
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on March 28, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Marci Callejo
Secretary Pro Tempore

DRAFT

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA16-007, A DEVELOPMENT CODE AMENDMENT REVISING VARIOUS PROVISIONS OF DEVELOPMENT CODE CHAPTER 5.0 (ZONING AND LAND USE) AND CHAPTER 6.0 (DEVELOPMENT AND SUBDIVISION REGULATIONS) PERTAINING TO ACCESSORY DWELLING UNITS (FORMERLY REFERRED TO AS SECOND DWELLINGS), INCORPORATING RECENT CHANGES IN THE STATE'S ACCESSORY DWELLING UNIT LAWS (AS PRESCRIBED BY SENATE BILL 1069, AND ASSEMBLY BILLS 2299 AND 2406), AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA16-007, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens; and

WHEREAS, on December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016.

WHEREAS, the Ontario Planning Department has initiated alterations to the Development Code to incorporate recent changes in the State of California's Accessory Dwelling Unit laws (formerly referred to as Secondary Dwellings), as prescribed in Senate Bill 1069 and Assembly Bill 2299, which were signed into law on September 27, 2016, and Assembly Bill 2406, which was signed into law on September 28, 2016; and

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

WHEREAS, on March 28, 2017, the Planning Commission of the City of Ontario conducted a public hearing to consider the proposed Development Code Amendment and concluded the hearing on that date. Upon conclusion of the public hearing, the

DRAFT

Planning Commission voted unanimously (7-0) to approve Resolution No. PC17- , recommending that the City Council approve the Application; and

WHEREAS, on , 2017, the City Council of the City of Ontario conducted a public hearing to consider the proposed Development Code Amendment and concluded said hearing on that date; and

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

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

SECTION 1. *Development Code Amendment - Chapter 5.0 (Zoning and Land Use).* Chapter 5.0 (Zoning and Land Use) of the Ontario Development Code is hereby amended as follows:

a. Development Code Division 5.02 (General Land Use Provisions) shall be amended, revising the “Accessory Residential Structures” land use category of Table 5.02-1 (Land Use Matrix), and subsequent land use subcategories, including “Accessory Dwellings,” and “Accessory Residential Structures,” shall read as shown in Exhibit A, attached;

b. Development Code Division 5.03 (Standards for Certain Land Uses, Activities and Facilities) shall be amended as follows:

1. The title prescribed for Development Code Section 5.03.010 shall be revised to read “Accessory Residential Structures,” and the prescribed standards shall be revised to read as shown in Exhibit B, attached; and

2. The title and standards prescribed by Development Code Section 5.03.355 shall be deleted in whole, and said Section shall be “reserved” for future use.

c. The “Second Dwellings” off-street parking requirement prescribed in (row A.6) Table 6.03-1 (Off-Street Parking Requirements) of Development Code Division 6.03 (Off-Street Parking and Loading), shall be deleted and the table shall be renumbered in correct alphanumeric order.

SECTION 2. *Development Code Amendment - Chapter 6.0 (Development and Subdivision Regulations).* Chapter 6.0 (Development and Subdivision Regulations) of the Ontario Development Code is hereby amended as follows:

a. Development Code Division 6.01 (District Standards and Guidelines) shall be amended as follows:

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1. Table 6.01-1 (Traditional Single-Family Residential Development Standards) shall be amended, deleting all “Detached Accessory Structure and Second Dwelling Requirements;”

2. Table 6.01-2A (Small Lot Single-Family Residential Development Standards – Traditional Subdivisions) shall be amended, deleting all “Detached Accessory Structure and Second Dwelling Requirements;”

3. Table 6.01-2B (Small Lot Single-Family Residential Development Standards – Alley-Loaded Subdivisions) shall be amended, deleting all “Detached Accessory Structure and Second Dwelling Requirements;” and

4. Table 6.01-2C (Small Lot Single-Family Residential Development Standards – Cluster Subdivisions) shall be amended, deleting all “Detached Accessory Structure and Second Dwelling Requirements.”

b. Development Code Division 6.03 (Off-Street Parking and Loading) shall be amended, revising Table 6.03-1 (Off-Street Parking Requirements) to add “Accessory Dwelling Units” in correct alphanumeric order, as a Single-Family Dwellings sub group, which shall read as follows:

<i>Land Uses, Activities and Facilities</i>	<i>No. of Parking Spaces Required</i>
A. Residential	
6. Single-Family Dwellings	
c. Accessory Dwelling Units	One space per bedroom, minimum one space, except as may be otherwise provided by Subsection A (Accessory Dwelling Units) of Section 5.03.010 of this Development Code

SECTION 3. Environmental Determination and Findings. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

a. The administrative record have been completed in compliance with CEQA the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

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

d. The determination of the CEQA exemption reflects the independent judgment of the City Council.

SECTION 4. *Housing Element Consistency.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not specifically affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

SECTION 5. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the Ontario International Airport ALUCP.

SECTION 6. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 through 4 above, the City Council hereby concludes as follows:

a. The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

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

SECTION 7. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 through 6 above, the City Council hereby APPROVES the subject Development Code Amendment, File No. PDCA16-007.

SECTION 8. *Indemnification.* The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

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SECTION 9. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 10. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 11. Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 12. Publication and Posting. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

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PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2017.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2017 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

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

SHEILA MAUTZ, CITY CLERK

(SEAL)

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EXHIBIT B — Proposed Amendment to Development Code Division 5.03 (Standards for Certain Land Uses, Activities and Facilities)

5.03.010: Accessory Residential Structures

This Section shall govern the development and use of buildings and structures that are accessory to single-family dwellings, and are attached to, or detached from, the main dwelling, such as accessory dwelling units, carports, garages, garden and tool sheds, guesthouses, and other similar ancillary buildings and structures.

A. Accessory Dwelling Units.

1. Purpose. The purpose of this Subsection A is to establish standards for the construction and use of Accessory Dwelling Units in conjunction with existing single-family dwellings located within single-family or multiple-family zoning districts. These standards have been established in compliance with GC 65852.2, which governs Accessory Dwelling Units.

2. Applicability. In compliance with the provisions of State Accessory Dwelling Unit law, the provisions of this Subsection A shall govern the establishment and use of Accessory Dwelling Units within the City of Ontario. An Accessory Dwelling Unit is either **[i]** an independent dwelling attached to an existing single-family dwelling, **[ii]** a dwelling attached to the primary single-family dwelling, and shares living space; or **[iii]** an independent unit that is detached from the primary single-family dwelling.

3. Definitions. As used in this Subsection A, the words or phrases listed below shall have the meanings thereafter specified:

a. Accessory Dwelling Unit (ADU). An attached or detached dwelling unit with complete independent living facilities for one or more persons, and includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same lot in which an existing principal single-family dwelling is situated. An ADU also includes Efficiency Dwelling Units, and a Manufactured Homes as defined by Health and Safety Code Section 18007. The Classifications of ADU are as follows:

(1) Standard ADU. An ADU that is an independent unit attached to, or detached from, the principal single-family dwelling. A Standard ADU shall comply with the requirements of Paragraph A.5 of this Section.

(2) Integrated ADU. An ADU that **[i]** is on a lot zoned for single-family residential uses, which contains one legally established single-family dwelling unit; **[ii]** is contained within the principal dwelling or contained within a legally established accessory structure; **[iii]** has independent exterior access from the primary residence; and **[iv]** has side and rear setbacks sufficient for fire safety.

b. Efficiency Dwelling Unit (EDU). As provided in HSC Section 17958.1, an ADU having a minimum living area of 150 SF, which is for occupancy by no more than two persons. Furthermore, an EDU shall contain a separate bathroom and an area containing an efficiency kitchen, which, at a minimum, includes a sink, cooking appliance, refrigeration facility, and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the EDU.

4. Policy Plan (General Plan) and Zoning Consistency. An ADU that conforms to this Subsection A shall:

- a.** Be deemed an accessory use or an accessory building;
- b.** Be deemed a single-family residential land use that is consistent with the existing Policy Plan Land Use Plan and zoning designations for the lot on which the ADU is located;

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c. Not be considered to exceed the allowable density for the lot on which the ADU is located; and

d. Not be considered in the application of any ordinance, policy or program to limit residential growth.

5. Development Standards for Standard ADUs. Standard ADUs shall comply with the following development standards:

a. A Standard ADU shall only be allowed in conjunction with an existing single-family dwelling located within a single-family or multiple-family zoning district. The Standard ADU may continue as a living space only if one dwelling on the lot is owner occupied.

b. A Standard ADU that is attached to the principal residential structure shall comply with the development standards applicable to the primary dwelling (refer to Section 6.01.010 (Residential Zoning Districts) of this Development Code), except as otherwise provided by this Section.

c. A Standard ADU that is attached to the principal residential structure shall contain no more than 50 percent of the gross floor area of the principal single-family dwelling, not to exceed 850 SF.

d. A Standard ADU that is detached from the principal residential structure shall comply with the development standards contained in Table 5.03-1 (Development Standards for Detached Accessory Dwelling Units), below:

Table 5.03-1: Development Standards for Detached Accessory Dwelling Units

<i>Requirements</i>	<i>Residential Zoning Districts</i>				<i>Additional Regulations</i>
	<i>AR-2 & RE-2</i>	<i>RE-4 & LDR-5</i>	<i>MDR-11, 18 & 25</i>	<i>HDR-45</i>	
A. Maximum Height					
1. Conditional Use Permit Required	35 FT				Note 1
2. Permitted by Right	14 FT				
B. Maximum Area	850 SF				
C. Minimum Setbacks					
1. From Street Side Property Line	10 FT				Notes 2 and 3
2. From Interior Side Property Line	10 FT	5 FT			Notes 2 and 3
3. From Rear Property Line					
SF a. Width of Structure ≤ 25	5 FT				Note 2
SF b. Width of Structure > 25	10 FT				Notes 2 and 3
4. Minimum Separation Between Structures	6 FT				Note 4
5. Minimum Separation from Major Pipelines	50 FT				Note 5
D. Off-Street Parking	[1] Comply with the minimum off-street parking requirements for ADUs contained in Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.				Notes 6 and 7

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Table 5.03-1: Development Standards for Detached Accessory Dwelling Units

Requirements	Residential Zoning Districts				Additional Regulations
	AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	
	[2] Required parking spaces for ADUs may be provided as tandem parking on an existing driveway pursuant to the requirements for ADUs in Section 6.03.025 (Tandem Parking) of this Development Code, and may be permitted within setback areas, unless it is determined by the Planning Director to not be feasible based upon specific site, fire, and life safety conditions.				

Notes:

1. Detached Accessory Residential Structures in excess of 14 FT in height shall require Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) approval.
2. No additional setback is required for an existing garage, or existing space above an existing garage, that is converted to an ADU.
3. New floor area constructed above an existing garage shall not be required a side and/or rear property line setback of more than 5 FT.
4. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures, provided:
 - a. The accessory structure is located within a side or rear yard area;
 - b. The accessory structure does not exceed 5 FT in length and/or width, and 6 FT in height; and
 - c. The accessory structure is screened from view of public or private streets.
5. Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:
 - a. Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and
 - b. Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.
6. No off-street parking is required in any of the following situations:
 - a. The ADU is located within one-half mile of City and/or local transit authority-approved public transit;
 - b. The ADU is located within an historic district or architectural conservation area established pursuant to Section 4.02.040 (Historic Preservation—Local Historic Landmark and Local Historic District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of this Development Code;
 - c. The ADU is built within the existing primary single-family dwelling or an existing accessory structure;
 - d. An on-street parking permit is required, but is not offered to the occupant of the ADU; or
 - e. A City-approved car share vehicle is stationed within one block of the ADU.
7. When off-street parking required pursuant to this Development Code, which is located in a garage, carport, or covered parking structure, is demolished in conjunction with the construction of an ADU, the required off-street parking spaces must be replaced on the property. The replacement parking spaces may be located in any configuration on the same lot, including, but not limited to, covered spaces, uncovered spaces, tandem spaces, or by use of mechanical automobile parking lifts. However, if no additional parking is required for the ADU, then the replacement parking spaces must be replaced as required by this Development Code.

e. A Standard ADU shall not be sold separate from the principal residential dwelling, and may be leased or rented for a term of less than 30 days.

f. A Standard ADU is not required to provide fire sprinklers if they are not required for the primary single-family dwelling.

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g. A Standard ADU may be metered separately from the primary dwelling for gas, electricity and water services. A sewer connection separate from the primary dwelling may also be provided.

h. If an entrance to a Standard ADU is provided separate from the primary dwelling, the entrance shall not be on the same street exterior elevation as the main dwelling.

i. No passageway (a pathway that is unobstructed clear to the sky, and extends from a street to an entrance of an accessory dwelling unit) shall be required in conjunction with the construction of a Standard ADU.

j. A Standard ADU shall comply with the requirements of OMC Title 8 (Building Regulations).

k. Prior to issuance of a building permit, the owner must record a restrictive covenant pursuant to Paragraph 7 (Restrictive Covenant) of this Subsection A.

l. A lot developed with a Standard ADU shall maintain a useable rear yard that is equal to a minimum of 10 percent of the net lot area. In addition, a traditional single-family dwelling shall maintain a useable rear yard having minimum dimension of 20 FT in any direction, and a small lot single-family dwelling shall maintain a useable rear yard having a minimum dimension of 10 FT in any direction.

6. Development Standards for Integrated ADUs. Integrated ADUs shall comply with the following development standards:

a. An Integrated ADU shall only be permitted in conjunction with an existing single-family dwelling located within a single-family. The use of the Integrated ADU as an independent living space may continue only if one dwelling on the lot is owner occupied.

b. Not more than one Integrated ADU is allowed on a lot, and an Integrated ADU shall not be constructed if an ADU or guesthouse already exists on the lot; however, this provision does not preclude the conversion of one existing accessory residential structure to another.

c. An Integrated ADU shall comply with the setback requirements applicable to the principal dwelling or legally established accessory structure in which it is integrated, as prescribed by this Section.

d. An Integrated ADU is not intended for sale separate from the primary single-family residence, but may be leased or rented for a term of no less than 30 days.

e. An Integrated ADU is not required to provide fire sprinklers if they are not required for the primary single-family dwelling.

f. No passageway (a pathway that is unobstructed clear to the sky, and extends from a street to an entrance of an ADU) shall be required in conjunction with the construction of an Integrated ADU.

g. An Integrated ADU shall comply with the requirements of OMC Title 8 (Building Regulations).

h. Prior to issuance of a building permit, the owner must record a restrictive covenant pursuant to Paragraph 7 (Restrictive Covenant) of this Subsection A.

7. Restrictive Covenant. Prior to the issuance of a building permit for an ADU, a restrictive covenant running with the land, which is binding on the property owner and their successors in interest, shall be recorded with the office of the San Bernardino County Recorder, which specifies that the use of

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the ADU as an independent living space may continue only if one dwelling on the lot is occupied by the property owner, and a prohibition on the separate sale of the ADU. Furthermore, restrictions may be included that are intended to ensure on-going compliance with the provisions of this Subsection B.

B. Other Accessory Residential Structures.

1. Purpose. The purposes of this Subsection B is to establish standards for the construction and use of Accessory Residential Structures other than Accessory Dwelling Units allowed pursuant to Subsection A of this Section, which are developed in conjunction with a principal single-family dwelling. (*Note: The construction and use of Accessory Residential Structures in conjunction with multiple-family dwellings shall be subject to the development standards applicable to the principal multiple-family dwellings.*)

2. Applicability. For purposes of this Subsection B, the herein established development standards shall apply to Other Accessory Residential Structures such as garages, carports, guesthouses, storage sheds, pool houses, recreation rooms, etc., which are incidental or subordinate to the principal single-family dwelling or use.

3. Definitions. As used in this Section, the words or phrases listed below shall have the meanings thereafter specified:

a. Accessory Residential Structure. A structure that is incidental or subordinate to the principal single-family residential dwelling on the same site, or the use of which is incidental or subordinate to the use of the principal residential dwelling of the site.

b. Attached Accessory Residential Structure. An Accessory Residential Structure that is joined to the principal residential dwelling by means of a shared common wall, or is joined by a roof that extends the full width of the smaller of two connecting structures, creating a covered breezeway. An Attached Accessory Residential Structure is deemed to be attached to, and a part of, the principal residential dwelling.

c. Breezeway. A fully roofed, open passage that connects two buildings, such as a house and garage.

4. General Requirements. Accessory detached residential structures, and shall be developed pursuant to the following standards:

a. Other Accessory Residential Structures shall only be allowed on a lot containing a single-family dwelling, and may be attached to the principal single-family dwelling, or may be an independent structure that is detached from the principal single-family dwelling.

b. An Other Accessory Residential Structure that is attached to the principal single-family dwelling shall be subject to the development standards applicable to the principal single-family dwelling (refer to Section 6.01.010 (Residential Zoning Districts) of this Development Code).

c. An Other Accessory Residential Structure that is detached from the principal single-family dwelling shall comply with the development standards contained in Table 5.03-2 (Development Standards for Accessory Residential Structures), below:

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Table 5.03-2: Development Standards for Detached Accessory Residential Structures

Requirements	Residential Zoning Districts				Additional Regulations
	AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	
E. Maximum Height					
1. Conditional Use Permit Required	35 FT				Note 1
2. Permitted by Right	14 FT				
F. Maximum Area					
1. Conditional Use Permit Required	As deemed appropriate by the Approving Authority, not to exceed 50% of the gross floor area of the principal single-family dwelling, excepting structures within the AR-2 and RE-2 zoning districts, which are used for animal keeping.				Note 2
2. Permitted by Right	650 SF/1,050 SF				Note 2
3. Guesthouses	650 SF				
G. Minimum Setbacks					
1. From Street Side Property Line	10 FT				Notes 3 and 4
2. From Interior Side Property Line	10 FT		0 FT/5 FT		Notes 3 and 5
3. From Rear Property Line					
SF a. Width of Structure ≤25	5 FT				Note 3
SF b. Width of Structure >25	10 FT				Note 3
4. From Alley Property Line (alley-facing garages only)	6 FT				Note 6
H. Minimum Separation Between Structures	6 FT				Note 3
I. Minimum Separation from Major Pipelines	50 FT				Note 7

Notes:

1. Detached Accessory Residential Structures in excess of 14 FT in height shall require Conditional Use Permit (or Certificate of Appropriateness for structures on the Ontario Register of Historic Places) approval.
2. Detached accessory structures in excess of 650 SF in area shall require Conditional Use Permit or Certificate of Appropriateness approval, as applicable, except that the maximum area allowed without benefit of Conditional Use Permit or Certificate of Appropriateness approval may be increased to 1,050 SF for detached accessory structures containing parking spaces required pursuant to Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.
3. For child play structures, doghouses, and other similar accessory structures, there shall be no minimum required setback or separation between buildings/structures, provided:
 - a. The accessory structure is located within a side or rear yard area;
 - b. The accessory structure does not exceed 5 FT in length and/or width, and 6 FT in height; and
 - c. The accessory structure is screened from view of public or private streets.
4. Garages with vehicle doors facing a public street shall be setback a minimum of 20 FT behind the street property line (minimum 18 FT behind the street property line if an overhead rollup garage door is provided).
5. Within the MDR-11, MDR-18, MDR-25, and HDR-45 zoning districts, the interior side setback shall be 5 FT for structures located 75 FT or less from the front property line, and 0 FT for structures located more than 75 FT from the front property line. For a setback less than 3 FT, the Zoning Administrator may require that an easement be provided on the contiguous lot to ensure access to all sides of the structure for the purpose of building maintenance.

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6. *A detached garage that takes access from a public alley shall be setback a minimum of 6 FT from the property line that is common to the public alley, measured from the wall containing the vehicle access door.*
7. *Includes major high pressure pipelines for fuel oil, gasoline, and diesel and aviation fuels within the City. Existing pipelines include:*
 - a. *Two parallel pipelines (a 16-inch and a 20-inch) that enter the City at Benson Avenue, traveling parallel to the northerly side of the Southern Pacific right-of-way to Ontario International Airport, then parallel to the southerly side of the Southern Pacific right-of-way, then parallel to the northerly side of the right-of-way beyond Ontario International Airport, then exiting the City at Etiwanda Avenue; and*
 - b. *Two parallel pipelines that traverse the easterly portion of the City, entering the City at the southerly portion of Milliken Avenue, then traveling north under Milliken Avenue to Inland Empire Boulevard, then east to Rochester Avenue, then north to the City Limits.*

d. An Other Accessory Residential Structure that is detached from the principal single-family dwelling shall be located on the rear one-half of the lot on which it is constructed.

e. The sum total of the area of all Accessory Residential Structures on a lot, excepting ADUs conforming to Subsection A (Accessory Dwelling Units) of this Section, shall be equal to no more than 50 percent of the gross floor area of the principal single-family dwelling.

f. An Accessory Residential Structure shall not contain a kitchen or cooking facilities (excluding outdoor kitchens and cooking facilities).

g. The size, footprint, height, bulk, and scale of an Other Accessory Residential Structure shall be compatible with the principal single-family dwelling, and other Accessory Residential Structures in the surrounding neighborhood.

h. The area of an Other Accessory Residential Structure shall be the minimum necessary to house, shelter, or secure the use proposed within the structure; however, in no case shall the total gross floor area of all Accessory Detached Residential Structures on a lot exceed the area contained in the main dwelling, excepting those accessory structures used for animal keeping purposes. In calculating the area of all Accessory Residential Structures on a lot, required parking within a garage shall be excluded from the calculation, up to a maximum of 3 covered parking stalls (maximum 651 SF).

i. Other Accessory Residential Structures shall match the principal single-family dwelling with respect to architectural design and detailing, roof material and design, exterior color, exterior finish materials, window and door design, and design and placement of attic vents, excepting those Accessory Detached Residential Structures less than 120 SF in area, and those used solely for animal keeping purposes within the AR-2 and RE-2 zoning districts, and the AG Overlay district. For the purposes of this Section, Accessory Residential Structures intended solely for animal keeping purposes may also be used for the storage of vehicles, machinery, and equipment used in animal keeping.

j. Other Accessory Residential Structures shall not be located within front yards, street side yards of corner lots, or in front of the main dwelling.

k. An Other Accessory Residential Structure containing mechanical or other fixed equipment capable of creating a noise that is audible beyond the property line shall be placed a minimum of 5 FT from an interior side or rear property line.

l. An Accessory Residential Structure shall only be placed within the interior side or rear yard area of a lot.

m. A lot developed with an Other Accessory Residential Structure shall maintain a useable rear yard that is equal to a minimum of 10 percent of the net lot area. In addition, a traditional single-family dwelling shall maintain a useable rear yard having minimum dimension of 20 FT in any

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direction, and a small lot single-family dwelling shall maintain a useable rear yard having a minimum dimension of 10 FT in any direction.

n. On a reversed corner lot, an Other Accessory Residential Structure shall comply with the following:

(1) The Other Accessory Residential Structure located within the rear yard area shall not project beyond the minimum required front yard setback of the adjoining key lot, and shall be located no closer than 5 FT from the side property line of the key lot (rear property line of the reverse corner lot); and

(2) The Other Accessory Residential Structure shall be no closer to the rear property line than the minimum required side yard setback on the adjoining key lot.

5. Guesthouses. In addition to the standards applicable to Other Accessory Residential Structures contained in this Subsection B, guesthouses shall comply with the following additional standards:

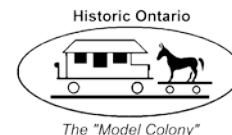
a. Not more than one Guesthouse shall be permitted per lot containing a principal single-family dwelling, and a Guesthouse shall not be constructed if an Accessory Dwelling Unit exists on the lot.

b. A Guesthouse shall be for the sole use of the family of the occupants of the main dwelling and persons employed on the premises, or for temporary use by non-paying guests for a period not to exceed 90 days within any 120-day period. In addition, Guesthouses shall not be rented or otherwise used as a separate, independent residence.

6. Carports. In addition to the standards applicable to Other Accessory Residential Structures contained in this Subsection B, no Carport shall be allowed within a front or street side yard setback area. Furthermore, Carports shall not be permitted in lieu of a garage required pursuant to the provisions of Table 6.03-1 (Off-Street Parking Requirements) of this Development Code.

7. Restrictive Covenant. Prior to the issuance of a building permit for an Other Accessory Residential Structures, the Planning Director may require that a restrictive covenant running with the land, which is binding on the property owner and their successors in interest, be recorded with the office of the San Bernardino County Recorder, which specifies that the Other Accessory Residential Structure shall not be used as an independent dwelling unit. Furthermore, restrictions may be included that are intended to ensure on-going compliance with the provisions of this Subsection B.

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: March 28, 2017
FILE NO: PHP17-005
SUBJECT: 2017 "Model Colony" Awards
LOCATION: Citywide
APPLICANT: City Initiated
PROPERTY OWNER: N/A

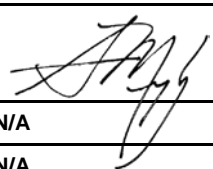
RECOMMENDATION:

That the Planning/Historic Preservation Commission approve the 2017 "Model Colony" Awards.

BACKGROUND:

In 2000, the City Council adopted the Model Colony Awards to recognize outstanding efforts to restore, rehabilitate, and preserve Ontario's historic places. This is the seventeenth consecutive year that the City has conducted the awards program. The award categories include: Restoration, Rehabilitation, John S. Armstrong Landscape, Founder's Heritage Award, George Chaffey Memorial, and Merit. Past Model Colony Award recipients included Ontario's schools, churches, single-family residences, historic multi-family properties, and joint public/private preservation projects.

There are five nominations this year which include two single-family residences, one neighborhood district infill project, a cemetery and a water tower. On March 9, 2017, the Historic Preservation Subcommittee (HPSC) reviewed the nominations and recommended approval to the Planning/Historic Preservation Commission. The nominees represent excellence in preservation of the community's heritage. The 2017 Model Colony Awards will be presented to award recipients by the City Council during a special ceremony and reception on May 2, 2017.

Case Planner:	Elly Antuna, Assistant Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		HPSC:	03/09/2017		Recommend
Submittal Date:	N/A	PC / HPC:	03/28/2017		Final
Hearing Deadline:	N/A	CC:	05/02/2017		Presentation

2017 AWARD NOMINEES:

For their outstanding efforts in the field of historic preservation, the candidates are:

George Chaffey Memorial Award: Bellevue Memorial Park
Award Recipient: René Biane, Bellevue Board of Directors

Bellevue Memorial Park was established in 1892 and is celebrating its 125th anniversary this year. In 1891, the townspeople of Ontario set aside 10 acres of land at the northwest corner of Mountain Avenue and G Street for the cemetery. The original Bellevue Mausoleum, constructed in 1915 contained 300 crypts. It has since expanded to its current size of 22,000 crypts. Many of Ontario's early history-makers are laid to rest at Bellevue, including Archie Mitchell, the man deemed responsible for bringing the international airport to Ontario; Helen Line, a documentary film editor; George Chaffey, one of the founders of the original township of Ontario; and, many other locally significant people.



The non-sectarian cemetery is a significant historic cultural resource that consists of 80 acres of beautifully manicured grounds and almost 600 trees, all irrigated using reclaimed water. Since 2013, Bellevue has utilized a major solar power system with 16 large panels on the mausoleum roof, significantly reducing electrical costs. The reclaimed water irrigation and solar power systems are great examples of utilizing modern technology to increase energy efficiency in historic places. Bellevue Memorial Park operates as a non-profit organization, has a staff and crew of 17 and is managed by a 5-member board of directors from local communities.

Bellevue Memorial Park has continuously supported the local community and heritage through a variety of activities and sponsorships. Bellevue Memorial Park partners with Ontario Heritage, a non-profit preservation advocacy group, to host the Annual Cemetery Tour where actors portray famous people interred at Bellevue. Bellevue staff has even participated in the Cemetery Tour as actors. In January 2017, Bellevue hosted the first Marker Cleaning project. The event was organized by a local Boy Scout troop as an Eagle Scout project. More than 50 upright markers that were more than 75 years old were cleaned by over 40 participants from the troop. Bellevue has also hosted a special Memorial Day celebration, open houses and a holiday remembrance celebration.

Bellevue Memorial Park remains an integral part of the community and, through their continuing community involvement, has proven to be a distinguished leader in the preservation of Ontario's cultural heritage.

Award of Merit: 127 East Fourth Street
Award Recipient: Angela Scott

The Harry W. Fredrickson House was built in 1928 and is an excellent example of the Tudor Revival architectural style. Fredrickson was a local optometrist and lived in the house until at least 1951. The house is irregular in plan with an impressive high-pitched, wood shake, multi-gabled roof. The home features exposed eaves, stucco siding, and half-timbering decoration. The home retains all of the original multi-paned wood windows, including an exceptional multi-paned arched window on the primary facade. Cement steps lead to a small uncovered cement porch and to a deeply recessed arched entry door surrounded by a unique concrete trim.



The current property owner purchased the Harry W. Fredrickson House in 2007 and inherited the Mills Act contract that was recorded on the property in 2004. Work listed on the improvement schedule included exterior painting, landscaping, fencing, front yard porch gates, refinishing of the homes hardwood floors and repair of exterior windows and screens. All of the Mills Act improvements were completed in 2016. Additionally, the home has had the HVAC system replaced, new rain gutters installed, and the plumbing replaced.

The property owner has worked to keep the character of this residence by preserving and maintaining many of the homes unique features. Through the property owner's outstanding stewardship, this home remains as an excellent example of the Tudor Revival architectural style and a significant Contributor to the College Park Historic District.

Award of Merit: 326 and 330 East Fourth Street
Award Recipient: Kirk Wallace

The College Park Historic District is a well-established, single-family neighborhood that consists of many styles of homes, including Mediterranean, Craftsman Bungalow, Ranch, and French Eclectic Revival. The lots at 326 and 330 East Fourth Street originally contained irrigation standpipes, a remnant of the irrigation system for the orchards that the Graber family once installed and maintained. Clifford "CC" Graber moved to Ontario for health reasons in 1892. CC Graber and his brother Charles purchased land in Ontario and began cultivating olives, establishing the Graber Olive House in 1894. The Graber Olive House still operates to this day in the College Park Historic District.



In January 2016, the property owner applied for a Certificate of Appropriateness to allow for the infill construction of two single-family residences on vacant lots at 326 and 330 East Fourth Street. The Secretary of the Interior's Standards for Rehabilitation provide guidelines for additions to historic resources - the residential infill project in the Historic District meets or exceeds those guidelines. The property owner had to address several lot constraints, including the removal of the existing irrigation standpipes and vacation of an existing dedication along the north sides of the properties. The property owner took special care throughout the project to ensure that the residential infill was appropriate in scale, massing, architecture and design to ensure the new construction was compatible with the historic context of the existing neighborhood.

The two single-family residences were constructed in the Mediterranean and French Eclectic Revival architectural styles, both of which are represented in the District. Additionally, the residences were constructed with features and materials authentic to the respective architectural styles. The Mediterranean Revival residence features a cement s-shaped tile roof, true divided-lite recessed windows, stucco siding and a small porch with a low pony wall. The French Eclectic Revival residence features a steeply pitched roof covered in composition shingles, smooth stucco siding, and recessed true divided-lite windows with wood trim. Both residences were constructed with raised foundations and detached garages accessed via Hollywood style driveways.

The successful infill project is an excellent example of appropriate infill in a Historic District and ensures that the College Park Historic District remains one of the City's premier neighborhoods.

Award of Merit for: 214 East Fourth Street
Award Recipient: Carolyn Sue Damaske

The S. Earl Blakeslee House was built in 1925 and is an excellent example of the Mediterranean Revival bungalow architectural style. S. Earl Blakeslee was the longtime head of the Music Department at Chaffey High School and Chaffey College. The house is U-shaped in plan and features a cross gabled, low-pitch roof with raked eaves that is covered with red clay tiles. The S. Earl Blakeslee House is clad in stucco and features an arcade entry way that leads

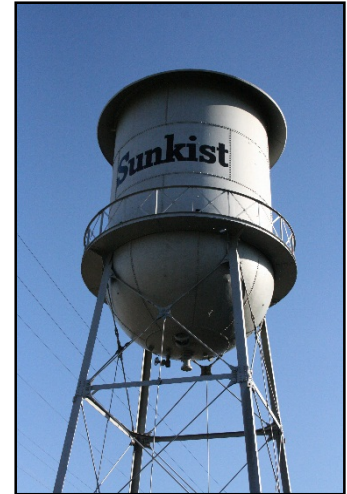


to a small front porch with a low pony wall. The front yard is landscaped with a well-manicured lawn, succulents, decorative boulders and a curved brick walkway. The interior of the home contains many original features including the original hardwood floors and a fireplace with Batchelder tiles. Additionally, the home still has the unique barrel ceiling that Mr. Blakeslee built specifically for the acoustic properties.

The current property owner purchased this home in 1996 and in 2002 entered into a Mills Act contract with the City. The completed work listed on the Mills Act improvement schedule includes restoration of original windows that had damaged trim and sills, landscaping of the front and rear yards, painting, reroofing and repair of the lath and plaster ceiling. The last of the Mills Act improvements were completed by the property owner in 2016. In addition to the Mills Act improvements, the property owner has replaced the plumbing, electrical and HVAC systems and has repaired the chimney. The property owner has worked diligently to restore the home to its original condition.

Rehabilitation Award: Sunkist Water Tower
Award Recipient: Majestic Realty

The former Sunkist Growers processing plant was constructed in 1926 and was the largest packing plant in Ontario. The facility, at one point, covered 22 acres and employed nearly 1,000 workers at its peak production. In October 2008, the City entered into an Agreement with Sunkist Growers, Inc. for the acquisition of the remaining 11.09 acre site. At the close of escrow in October 2012, the iconic Sunkist nonoperational water tower was the only remaining remnant of the Sunkist Growers plant. The Sunkist Water Tower is a familiar focal point and an iconic symbol to the local community of an agricultural business and industry that was an integral component to the early years of development and the success of Ontario.



In 2013, the City issued a Request for Proposal for the redevelopment of the former Sunkist site and Majestic Realty Co. was identified as the preferred developer. In late 2015, a Certificate of Appropriateness, along with a Development Plan, was approved to facilitate the relocation of the water tower to accommodate the construction of a 239,400 square foot industrial building. The 110-foot tall steel water tower was relocated approximately 120 feet northeast to the corner of the site from its original location. In February 2016, a modification to the Certificate of Appropriateness was approved to allow for a reduction in height of the water tower and tank from 110 feet to 62 feet in order to meet Federal Aviation Administration (FAA) regulations.

As part of the relocation project, Majestic Realty Co. fully documented and catalogued the water tower, preserved the shape, size, and design of the tower and preserved the Sunkist logo signs. In July 2016, a comprehensive analysis of the Sunkist Water Tank logos was completed to allow for an authentic restoration. Stencils were made of the existing 'Sunkist' logo to assist in the repainting. The new 'Exchange X' logo was created by combining a ghost logo discovered on the tower, a historic nighttime photo, an orange crate label, and a trademark registration logo found online. An analysis of the paint was completed that determined the original paint colors of the tower and logos, resulting in an authentic restoration of the original water tank logos. To convey the historic significance of the site, an interpretive sign program is being installed on the site adjacent to the water tower. The interpretive signage will follow National Park Service standards and will describe the history of the citrus industry in Ontario. As part of the relocation project, the area adjacent to the water tower was landscaped in a design featuring citrus trees that helps to create a meaningful connection to the citrus industry and the Sunkist processing plant. The relocation and rehabilitation of the tower ensures that this iconic structure and the history it represents remains for future generations to enjoy.

COMPLIANCE WITH THE ONTARIO PLAN:

The Model Colony Awards Program is consistent with the principles, goals and policies contained in the following components of The Ontario Plan (TOP), including: (1) Vision, (2) Governance, and (3) Policy Plan (General Plan):

[1] City Council Priorities

Goals:

- Invest in the Growth and Evolution of the City's Economy
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

[2] Vision

Distinctive Development

- Development Quality: A community that is so well maintained and litter-free that its properties uniformly convey a sense of prosperity that is readily apparent and a symbol of community pride.

Dynamic Balance

- An appreciation for the “personality and charm” of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

[3] Governance

Governance – Decision Making

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices
 - G1-1 Consistency with Policies. We require that staff recommendations to the City Council be consistent with adopted City Council Priorities (Goals and Objectives) and the Policy Plan.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

[4] Policy Plan (General Plan)

Community Design – Image & Identity

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses
 - CD1-3: Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

Community Design – Historic Preservation

- Goal CD4: Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.
 - CD4-6: Promotion of Public Involvement in Preservation. We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.
 - CD4-7: Public Outreach. We provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario and the Robert E. Ellingwood Model Colony History Room.

Community Design – Protection of Investment

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.
 - CD5-4: Neighborhood Involvement. We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, Planning Director *SM*

DATE: March 28, 2017

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF FEBRUARY 2017

Attached, you will find the Planning Department Monthly Activity Report for the month of February 2017. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

Monthly Activity Report—New Applications

Month of February 2017

PCUP17-006: Submitted by Ruthless Vapor Corporation, a California Corporation

A Conditional Use Permit to establish vape manufacturing within a 20,344-square foot industrial building on 5.41 acres of land located at 2040 South Lynx Place, within the IG (General Industrial) zoning district (APN: 0113-491-66).

PCUP17-007: Submitted by Harris Group LP

A Conditional Use Permit to establish a 4-story, 43 room hotel (Harris Hotel) totaling 13,720 square feet on 1.15 acres of land, located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Mixed Use (MU) land use district of the Ontario Mills (California Commerce Center North) Specific Plan (APN: 0238-041-028). Related Files: PDEV17-007 and PVAR17-002.

PCUP17-008: Submitted by Errol Brown

A Conditional Use Permit to establish alcoholic beverage sales, including beer, wine, and distilled spirits, for consumption on the premises (Type 47: On Sale General - Eating Place) in conjunction with a proposed 2400-square foot restaurant and bar (Flairs Martinis & Wings) on 3.44 acres of land located at 4451 East Ontario Mills Parkway, within the Mixed Use (MU) land use district of the Ontario Mills (California Commerce Center North) Specific Plan (APN: 0238-014-10).

PCUP17-009: Submitted by K1 Speed

A modification to a previously approved Conditional Use Permit (File No. PCUP07-004) to establish alcoholic beverage sales, limited to beer and wine, for consumption on the premises (Type 41 ABC License), in conjunction with an existing 267,022 square foot indoor karting center (K1 Speed) on 6.73 acres of land located 5350 Ontario Mills Parkway, within the Light Industrial land use district of the Rancon Specific Plan (APN: 0238-051-39).

PCUP17-010: Submitted by Dick Evitt

A Conditional Use Permit to upgrade an existing Type 20 ABC License (Off-Sale Beer and Wine) to a Type 21 ABC License (Off-Sale General) in conjunction with an existing 3,200 square foot convenience store and gas station (Anthem Oil) on 0.72 acres of land located at 2963 South Archibald Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1083-211-01).

PDA-17-001: Submitted by RCCD, Inc.

A Development Agreement by and between the City of Ontario and RCCD, Inc., to facilitate the subdivision of approximately 76.68 acres of land into 4 parcels, located at the southeast corner of Ontario Ranch Road and Archibald Avenue, within Planning Areas 8 and 9 of the Grand Park Specific Plan (APN: 0218-241-31).

Monthly Activity Report—New Applications

Month of February 2017

PDA-17-002: **Submitted by Brookcal Ontario, LLC**

A Development Agreement by and between the City of Ontario and Brookcal Ontario, LLC, to facilitate the subdivision of approximately 45 acres of land into 70 numbered lots and 24 lettered lots (File No. PMTT17-003/TT 20081) generally located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the Rich Haven Specific Plan (APNs: 0218-211-02 & 05).

PMTT17-003 **Submitted by Brookcal Ontario, LLC**

A Tentative Tract Map (TT 20081) to subdivide approximately 45 acres of land into 70 numbered lots and 24 lettered lots located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the Rich Haven Specific Plan (APNs: 0218-211-02 & 05. Related File: PDA-17-001.

PDCA17-001: **Submitted by City of Ontario**

A Development Code Amendment proposing various modifications, clarifications and updates to certain provisions of the Ontario Development Code, including Chapter 4.0 (Permits, Actions and Decisions), Chapter 5.0 (Zoning and Land Use), Chapter 6.0 (Development and Subdivision Regulations), Chapter 7.0 (Historic Preservation), and Chapter 9.0 (Definitions and Glossary).

PDEV17-004: **Submitted by Eukon Group**

Telecom Facility Plan Check - B201603311 - no previous PDEV associated with this facility. Modifications to cell site at 410 North Sequoia Avenue.

PDEV17-005: **Submitted by Mobilitie, LLC**

A Development Plan to construct telecommunications facilities (small cell sites) to replace existing utility poles within the public right-of-way, located at various locations throughout the City (APN: 1048-542-16).

PDEV17-006: **Submitted by Mobilitie, LLC**

A Development Plan to construct a telecommunications facility (small cell site) for Mobilitie to replace an existing utility pole generally located at the southeast corner of Milliken Avenue and Concours Street, within the public right-of-way (APN: 1048-542-16).

PDEV17-007: **Submitted by Harris Group, LP**

A Development Plan to construct a 4-story, 43 room hotel (Harris Hotel) totaling 13,720 square feet on 1.15 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Mixed Use (MU) land use district of the Ontario Mills (California Commerce Center North) Specific Plan (APN: 0238-041-028). Related Files: PCUP17-007 and PVAR17-002

Monthly Activity Report—New Applications

Month of February 2017

PDEV17-008: **Submitted by Clarkson Properties, LP**

A Development Plan to construct a 10,504 square foot multi-tenant commercial building on 0.8 acres of land within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district, located at the northwest corner of Francis Street and Euclid Avenue (APN: 1050-281-01, 02 and 03). Related File: PVAR17-003.

PHP-17-004: **Submitted by City of Ontario**

Rescind a Tier Determination and remove two single-story commercial buildings, Tier III Eligible Historic Resources, from the Ontario Register, located at 813 East Holt Boulevard and 817 East Holt Boulevard (APN: 1048-512-13).

PMTT17-002: **Submitted by Brookcal Ontario, LLC**

A Tentative Tract Map (TT 18937) to subdivide approximately 24 acres of land into 55 numbered lots and 41 lettered lots located at the northeast corner of Ontario Ranch Road and Archibald Avenue, within the Avenue Specific Plan (APN: 0218-201-18).

PMTT17-003: **Submitted by Brookcal Ontario, LLC**

A Tentative Tract Map to subdivide approximately 45 acres of land into 70 numbered lots and 24 lettered lots located at the northeast corner of Haven Avenue and Ontario Ranch Road, within the Mixed Use land use district of the Rich Haven Specific Plan (APN(s): 0218-211-02 and 05).

PSGN17-014: **Submitted by Jessica Arriaga**

A Sign Plan for the installation of one monument sign for CALIBER COLLISION, located at 200 S Wineville Avenue, within the IH (Heavy Industrial) zoning district (APN: 0238-081-99).

PSGN17-015: **Submitted by Alejandro Medina**

A Sign Plan for the installation of two wall signs for LA BUFADORA (front and rear elevations), located at 4880 E Motor Lane, Suite D, within the Light Industrial land use district of the California Commerce Center Specific Plan (APN: 0238-121-71).

PSGN17-016: **Submitted by Lamar Central Outdoor, LLC**

An interagency Billboard Relocation Agreement to remove six billboards and allowing the placement of a new billboard, located at 1550 North Palmetto Avenue (APNs: 0110-022-12, 0110-131-19, 0210-212-60, 1008-261-45, 1011-111-10, and 1011-182-10).

PSGN17-017: **Submitted by PS Service, Inc.**

A Sign Plan to reface an existing monument entry sign for PROLOGIS CROSSROADS BUSINESS PARK, located at 5655 East Ontario Mills Parkway (APN: 0238-021-76).

Monthly Activity Report—New Applications

Month of February 2017

PSGN17-018: **Submitted by Gerard Signs and Graphics, Inc.**

A Sign Plan for the installation of a wall sign, and refurbishment of an existing monument sign for NELSON, located at 1000 South Etiwanda Avenue (APN: 0238-101-64).

PSGN17-019:

A Sign Plan for the installation of two wall signs (front and rear elevations) to read "LAPG//LA POLICE GEAR// Tactical * Outdoors * Open to the Public," located at 4440 East Ontario Mills Parkway (APN: 0238-041-30).

PSGN17-020: **Submitted by Carey Sign Corp.**

A Sign Plan for the installation of one wall sign (west elevation), one monument sign reface (north entrance), and plaque sign for metal door, for SITE ONE LANDSCAPE SUPPLY, located at 4280 East Lowell Street (APN: 0211-232-37).

PSGN17-021: **Submitted by Johnny Estrada**

A Sign Plan for the installation of a wall sign for WORKFORCE ENTERPRISES, located at 1525 South Grove Avenue (per Sign Program #PSGP05-006, Grove Business Park).

PSGN17-022: **Submitted by PS Services, Inc.**

A Sign Plan to reface existing directional signs and install two wall signs (150 SF and 225 SF) for AMC THEATERS (per sign program number PSGP10-009), located at 4549 East Mills Circle.

PSGN17-023:

A Sign Plan for the installation of two wall signs for SMART & FINAL - EXTRA (16.5 SF & 31 SF) per Sign Program #PSGP10-002, located at 1337 East Fourth Street.

PSPA17-001: **Submitted by Architecture Design Collaborative**

A Specific Plan Amendment to add "drive thru" facilities as a permitted land use within the Mixed Use land use district of the Ontario Gateway Specific Plan, located at the southeast corner of Guasti Road and Haven Avenue (APN: 0210-212-57).

PTUP17-004: **Submitted by RM El Torito, LLC**

A Temporary Use Permit for the Tip the Firefighter fundraiser, located at 3680 East Inland Empire Boulevard. Event to be held on March 17, 2017.

PTUP17-005: **Submitted by Brookfield Residential**

A Temporary Use Permit for a temporary sales office and model home complex for the Shutters development within Edenglen SP.

Monthly Activity Report—New Applications

Month of February 2017

PTUP17-006: **Submitted by Tabaree Entertainment**

A Temporary Use Permit for a circus event at Ontario Mills, located at 1 East Mills Circle. Event to be held 4/6/2017 through 4/17/2017.

PVAR17-001: **Submitted by Sizzler Restaurant ~ BMW Management ~ Bob Christoff**

A Variance to deviate from the minimum street building setback requirement, from 20 feet to 13.17 feet, in conjunction with the construction of a 1,291 square foot addition to an existing commercial building totaling 6,703 square feet on approximately 1.11 acres of land located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN(s): 1015-131-23). Related File: PDEV16-051).

PVAR17-002: **Submitted by Harris Group, LP**

A Variance to deviate from the minimum street setback, from 35 FT to 25 FT, in conjunction with the construction of a 4-story, 43 room hotel (Harris Hotel) totaling 13,720 square feet on 1.15 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Mixed Use (MU) land use district of the Ontario Mills (California Commerce Center North) Specific Plan (APN: 0238-041-028). Related File(s): PDEV17-007 and PCUP17-007.

PVAR17-003: **Submitted by Clarkson Properties, LP**

A Variance to deviate from the minimum street parking setback, from 20 feet to 9 feet, and a reduction in the minimum off-street parking requirement, by two parking spaces, to facilitate the construction of a 10,504 square foot multi-tenant commercial building on 0.8 acres of land located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and the EA (Euclid Avenue) Overlay district (APN: 1050-281-01, 02 & 03). Related File: PDEV17-008.

PVER17-007: **Submitted by B & C Zoning**

Zoning Verification for 5490 East Francis Street (APN: 0238-161-49).

PVER17-008: **Submitted by B & C Zoning**

Zoning Verification for 1950 South Vintage Avenue (APN: 0238-161-50).

PVER17-009: **Submitted by Bock and Clark**

Zoning Verification for 5490 East Francis Street

PVER17-010: **Submitted by Janie Carlton**

Zoning Verification for 1800 South Archibald Avenue (APN: 0211-242-40).

PVER17-011: **Submitted by Janie Carlton**

Zoning Verification for 2600 East Francis Street (APN: 0211-242-39).

City of Ontario Planning Department
Monthly Activity Report—New Applications
Month of February 2017

PVER17-012:

Submitted by Janie Carlton

Zoning Verification for 2500 East Francis Street (APN: 0211-242-38).

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of February 2017

DEVELOPMENT ADVISORY BOARD MEETING

February 6, 2017

Meeting Cancelled

ZONING ADMINISTRATOR MEETING

February 6, 2017

Meeting Cancelled

CITY COUNCIL MEETING

February 7, 2017

No Planning Department items were scheduled on the 2/7/2017 agenda

CITY COUNCIL MEETING

February 21, 2017

ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE FOR FILE NO. PZC16-005: A Zone Change on 51 properties in order to make the zoning consistent with the Policy Plan land use designations for the properties, as follows: [1] on 34 properties, from MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) to HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre), [2] on 16 properties, from MDR-25 (Medium-High Density Residential – 11.1 to 25.0 DU/Acre) to HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre), and [3] One property, from CN (Neighborhood Commercial) to HDR-45 (High Density Residential – 25.1 to 45.0 DU/Acre) with an ICC (Interim Community Commercial) Overlay district. The affected properties are generally located south of D Street, west of Vine Avenue, north of Vesta Street, and east of San Antonio Avenue. The environmental impacts of this project were previously analyzed in The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was certified by the City Council on January 27, 2010. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP) for ONT Airport; (APNs: 1048-581-01 thru 09, 11-12, 17, 33, 35-36, 39-45, 48-59, 62, and 67-82) **City Initiated**. The Planning Commission unanimously (7 to 0) recommended approval of this item on January 24, 2017.

Action: The City Council introduced and waived further reading of an ordinance approving the Project.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-043:

A Development Plan to construct a 2,920-square foot building addition to the existing Walmart Supercenter on approximately 15.24 acres of land, located at 1333 North Mountain Avenue, within the Main Street District of the Mountain Village Specific Plan. The proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP) for ONT Airport; (APN: 1008-431-27) **submitted by Kimley-Horn and Associates, Inc.**

Action: The Development Advisory Board approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-046:

A Development Plan to construct a Wendy’s drive-thru restaurant totaling 3,425 square feet on 1.2 acres of land, located at the southwest corner of Holt Boulevard and Melrose Avenue, at 590 East Holt Boulevard, within the Commercial land use district of the Melrose Plaza Planned Unit Development. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP) for ONT Airport; (APN: 1049-092-13) **submitted by Holt Melrose, LLC.**

Action: The Development Advisory Board approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-052:

A Development Plan to construct a 163-unit multi-family townhome and rowtown project consisting of 5 two-story 14-unit townhome complexes and 16 two-story rowtown complexes (fifteen 6-unit complexes and one 3-unit complex) on 14.62 acres of land located within the Medium Density Residential (MDR) and Low Density Residential (LDR) districts of Planning Area 11 of The Avenue Specific Plan, located at the southwest corner of Ontario Ranch Road and New Haven Drive. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APN: 0218-412-04) **submitted by Brookfield Residential.** Planning Commission action is required.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of February 2017

Action: The Development Advisory Board recommended the Planning Commission approve the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT16-

010: A Tentative Parcel Map (PM 19725) to subdivide 40.10 acres of land into 4 numbered lots and 1 lettered lot within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located at the southeast corner of Ontario Ranch Road and Mill Creek Avenue. The environmental impacts of this project were previously analyzed in an addendum to Rich- Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APNs: 0218-211-12 and 0218-211-25) **submitted by GDIC-RCCD2-L.P.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT16-

011: A Tentative Parcel Map (PM 19741) to subdivide 19.64 acres of land into 4 numbered lots within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located at the southwest corner of Ontario Ranch Road and Hamner Avenue. The environmental impacts of this project were previously analyzed in an addendum to Rich- Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APN: 0218-211-25) **submitted by GDIC-RCCD2-L.P.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the Project subject to conditions.

ZONING ADMINISTRATOR MEETING

February 22, 2017

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP16-020: A request for a modification to a previously approved Conditional Use Permit (File No. PCUP11-016) to: [1] increase the sanctuary area from 1,200 square feet to 2,355 square feet, and; [2] expand the parking lot area, within an existing 6,200 square foot building for a religious

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assembly on 0.47 acres of land, located at 1101 East Holt Boulevard, within the MU-2 (East Holt Mixed-Use) zoning district. The project is categorically exempt from environmental review pursuant to State CEQA Guidelines Sections 15301 (Existing Facilities). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport; (APNs 1048-471-22 and 1048-471-23) **submitted by Joyful Nations Ministries.**

Action: The Zoning Administrator approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP16-024: A Conditional Use Permit request to establish a 1,848 square foot educational training center for individuals seeking to obtain state life, health, and liability licenses, within an existing multi-tenant office building on 6.37 acres of land, located at 3286 East Guasti Road, Suite 120, within the Office/Research & Development land use designation of the Centrelake Specific Plan. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1 - Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport; (APN: 0210-551-30) **submitted by Mr. Carlos Basurto.**

Action: The Zoning Administrator approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP16-025: A Conditional Use Permit to establish alcoholic beverage sales, including beer, wine, and distilled spirits, for consumption on the premises (Type 47 ABC License On-Sale General Eating Place), in conjunction with an existing 2,592 square-foot restaurant (5 Star Pizza) on 2.03 acres of land, located at 951 North Haven Avenue, within the Garden Commercial land use designation of the Ontario Center Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport; (APN: 0210-182-69) **submitted by Five Star Pizza Bar, Inc.**

Action: The Zoning Administrator approved the Project subject to conditions.

PLANNING COMMISSION MEETING

February 28, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-052:

A Development Plan to construct a 163-unit multiple-family townhome and rowtown

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development project consisting of 5 two-story, 14-unit townhome complexes, and 16 two-story rowtown complexes (fifteen 6-unit complexes and one 3-unit complex) on 14.62 acres of land located within the Medium Density Residential (MDR) and Low Density Residential (LDR) districts of Planning Area 11 of The Avenue Specific Plan, located at the southwest corner of Ontario Ranch Road and New Haven Drive. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APN: 0218-412-04) **submitted by Brookfield Residential.**

Action: The Planning Commission approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND AGREEMENT FOR THE REMOVAL, RELOCATION, AND PLACEMENT OF BILLBOARD SIGNS FOR FILE NO. PSGN17-016: An interagency billboard relocation agreement to remove six billboards and allowing the placement of a new billboard at 1550 N. Palmetto Avenue. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15662 (Class 32 - In-fill Development Projects). 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 Plans (ALUCP) for ONT Airport; (APNs: 110-022-12, 110-131-19, 210-212-60, 1008-261-45, 1011-111-10, and 1011-182-10) **submitted by City of Ontario, San Bernardino County Transportation Authority, and Lamar Central Outdoor, LLC.** City Council action is required.

Action: The Planning Commission recommended the City Council approve the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT16-010: A Tentative Parcel Map (File No. PMTT16-010; PM 19725) to subdivide 40.10 acres of land into 4 numbered lots and 1 lettered lot within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located at the southeast corner of Ontario Ranch Road and Mill Creek Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APNs: 0218-211-12 and 0218-211-25) **submitted by GDIC-RCCD2-L.P.**

Action: The Planning Commission approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT16-011: A Tentative Parcel Map (File No. PMTT16-011; PM 19741) to subdivide 19.64 acres of land into 4 numbered lots within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located at the southwest corner of Ontario Ranch Road and Hamner Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APN: 0218-211-25) **submitted by GDIC-RCCD2-L.P.**
Action: The Planning Commission approved the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA16-003: A Development Agreement between the City of Ontario and GDIC-RCC2-L.P., to establish the terms and conditions for the development of Tentative Parcel Maps 19725 (File No. PMTT16-010) and 19741 (File No. PMTT16-011) within the Regional Commercial/Mixed Use district (Planning Area 8A) of the Rich-Haven Specific Plan, located on the south side of Ontario Ranch Road, between Mill Creek Avenue and Hamner Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081) that was adopted by the City Council on March 15, 2016. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APNs: 0218-211-12 and 0218-211-25) **submitted by GDIC-RCCD2-L.P.** City Council action is required
Action: The Planning Commission recommended the City Council approve the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA16-004: An Amendment to The Avenue Specific Plan (File No. PSPA16-004) to change the Land Use Designations for Planning Area 7 from Low Density Residential (2.1 to 5.0 DU/AC) to Low-Medium Density Residential (5.1 to 11.0 DU/AC) and to change Planning Area 11 from Medium Density Residential (11.1 to 25 DU/AC) to Low Medium-Density Residential (5.1 to 11.0 DU/AC) to allow for the transfer of 155 units from Planning Area 11 (225 DU) to Planning Area 7 (287 DU). The project sites are located at the northeast corner of Archibald Avenue and Ontario Ranch Road (Planning Area 7) and the southwest corner of Ontario Ranch Road and New Haven Drive (Planning Area 11). The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition

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of approval for the project and are incorporated herein by reference. 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 Plans (ALUCP) for ONT Airport; (APNs: 0218-201-18; 0218-201-39; 0218-201-42 and 0218-201-43) **submitted by Brookcal Ontario, LLC**. City Council Action is required.

Action: The Planning Commission recommended the City Council approve the Project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE

NO. PDCA16-007: A Development Code Amendment revising provisions of Development Code Chapter 5.0 (Zoning and Land Use) pertaining to Accessory Dwelling Units (formerly referred to as Second Dwellings), to incorporate recent changes in the State's Accessory Dwelling Unit laws (as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport; **City Initiated**. City Council action is required.

Action: Continued to the next regular Planning Commission meeting on 3/28/2017.

ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO.

PHP16-020: A Certificate of Appropriateness to construct a 641 square foot addition and exterior improvements to an existing 917 square foot single family residence, a Contributor to the Rosewood Court Historic District, located at 319 East Rosewood Court, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/Acre). The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation). 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 Plans (ALUCP) for ONT Airport; (APN: 1048-063-20) **submitted by Grant Mackay**.

Action: The Planning Commission approved the Project subject to conditions.