



CITY OF ONTARIO  
**ZONING ADMINISTRATOR**  
AGENDA

April 4, 2022

Ontario City Council Chambers, 2 PM  
303 East "B" Street, Ontario

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All documents for public review are on file with the Planning Department located at City Hall, 303 East "B" Street, Ontario, CA 91764 and on the City website at [www.ontarioca.gov/agendas/zoning](http://www.ontarioca.gov/agendas/zoning)

**PUBLIC HEARINGS**

- A. **ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP21-017:** A Conditional Use Permit to establish a two-story 998 square foot Accessory Dwelling Unit (ADU), with a portion above a proposed 420 square foot two-car garage and exceeding 16 feet in height on 0.172-acres of land, located at 715 East Philadelphia Street, within the LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac) zoning district. 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 and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1050-531-02) **submitted by Xin Wang.**

If you wish to appeal a decision of the Zoning Administrator, you must do so within ten (10) days of the Zoning Administrator action. Please contact the Planning Department for information regarding the appeal process.

If you challenge any action of the Zoning Administrator 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 written correspondence delivered to the Zoning Administrator at, or prior to, the public hearing.

I, Gwen Berendsen, Administrative Assistant of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **March 31, 2022**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Administrative Assistant



# ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

April 4, 2022

303 East B Street, Ontario, California 91764 Phone: 909.395.2036 / Fax: 909.395.2420

**DECISION NO.:** [insert #]

**FILE NO.:** PCUP21-017

**DESCRIPTION:** A Conditional Use Permit to establish a second floor 998 square foot Accessory Dwelling Unit (ADU) with a portion above a proposed 420 square feet two-car garage and exceeding 16 feet in height, located at 715 East Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district APN: 1050-531-62; **submitted by Xin Wang.**

## PART 1: BACKGROUND & ANALYSIS

XIN WANG, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP21-017, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

**PROJECT SETTING:** The project site is comprised of 0.172 acres of land located at 715 East Philadelphia Street, and is depicted in *Exhibit A: Project Location*, attached. Existing land uses, General Plan and zoning designations, and specific plan land uses on and surrounding the project site are as follows:

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site:	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A
North:	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A
South:	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A
East:	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A
West:	Single Family Residential	Low Density Residential (2.1 – 5.0 du/ac)	LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac)	N/A

## PROJECT ANALYSIS:

(1) Background — On September 22, 2021, the Applicant submitted a Conditional Use Permit ("CUP") application requesting approval to establish a 998-square-foot Accessory Dwelling

Prepared: RM 3/23/22	Reviewed: KR 3/29/22	Decision: [enter initial/date]
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Unit ("ADU") that exceeds 16 feet in height. The proposed ADU will be ancillary to an existing single-family dwelling constructed in 1984 on a 0.172-acre lot, located at 715 Philadelphia Street. A portion of the ADU will be constructed on top of a proposed 420 square foot 2-car garage.

(2) Site Design/Building Layout — The proposed ADU will have an overall building height of 22.75 feet, contain 2 bedrooms, 3 bathrooms, a kitchen, and a living room (see Exhibit C: Floor Plan, attached). The proposed garage will be set back 5 feet from the rear north property line, 25 feet from the interior east property line, 120 feet from the south (front) property line, and 5 feet from the west property line (see Exhibit B: Site Plan, attached).

(3) Site Access/Circulation — Access to the unit will be taken from the south side of the proposed unit. Access to the site will be through the rear (north property line) via an existing 12-foot drive approach.

(4) Parking — The ADU is located within one-half mile walking distance of public transit and does not require an off-street parking space; however, the applicant is proposing to develop a new 2-car garage to accommodate parking.

(5) Architecture — The proposed ADU will be designed to complement the architectural style of the existing home (see Exhibit D: Elevations, attached) and will match the existing home's exterior colors, horizontal wood siding, stucco finish, roof, window style, and trim.

(6) Land Use Compatibility — The Conditional Use Permit review is required to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that the land use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties, or improvements in the vicinity. The existing single-family residential home and proposed ADU are located within an established single-family neighborhood, with a mix of single and two-story structures (see Exhibit F: Neighborhood Context). The proposed second floor ADU is setback 120 feet from the property line to the south. The overall height of the structure is well below the Development Code allowance of 35 feet for the neighborhood. The proposed use is consistent with the surrounding residential uses; therefore, no significant negative impacts are anticipated.

Staff believes that the recommended conditions of approval will sufficiently mitigate any potential impacts that may be associated with the proposed use. Additionally, the proposed use will not expose the surrounding residences to any impacts beyond those that would normally be associated with any other residential use similarly permitted within the LDR-5 (Low-Density Residential - 2.1 to 5.0 du/ac) zoning district.

**AIRPORT LAND USE COMPATIBILITY PLAN:** This 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 of the Ontario International Airport Land Use Compatibility Plan (ALUCP). Any special conditions of approval associated with uses in close proximity to the airport are attached to this report.

**DEPARTMENTAL REVIEW:** Each City department has been provided the opportunity to review and comment on the subject application and recommend conditions of approval to be imposed upon the application. At the time of the Decision preparation, recommended conditions of approval were provided and are attached to this report.

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

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

## **PART 2: RECITALS**

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

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

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

WHEREAS, Ontario Development Code Table 2.01-1 (Review Matrix) establishes that the Zoning Administrator has the responsibility and authority to review and act upon Conditional Use Permits for existing structures; and

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

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

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

WHEREAS, on April 4, 2022, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Assistant Planner Morales, presented the staff report on the proposed use, indicating the staff recommendation of approval of File PCUP21-017. Following staff's presentation, the Zoning Administrator opened the public hearing.

(2) [insert speaker's name], the applicant/representing the applicant, explained the business operation and spoke in favor of the application.

(3) [insert additional speaker info]

(4) [insert additional speaker info]

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

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

### **PART 3: THE DECISION**

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED AND DECIDED by the Zoning Administrator of the City of Ontario as follows:

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

(1) 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, which consists of additions to existing structures provided that the addition will 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; and

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

(3) The determination of CEQA exemption reflects the independent judgment of the Zoning Administrator.

SECTION 2: Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public-use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As a result, the Zoning Administrator,

therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon [1] the substantial evidence presented to the Zoning Administrator in the Background and Analysis of this Decision, [2] the oral information presented during the herein-referenced public hearing, and [3] the findings set forth in Sections 1 and 2, above, the Zoning Administrator hereby concludes as follows:

(a) *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.* The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the LDR-5 (Low Density Residential - 2.1 to 5.0 du/ac) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed Residential land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the LDR-5 (Low-Density Residential - 2.1 to 5.0 du/ac) zoning district; and

(b) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.* The proposed Residential land use will be located within the Low-Density Residential land use district of the Policy Plan Land Use Map, and the LDR-5 (Low-Density Residential - 2.1 to 5.0 du/ac) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan; and

(c) *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of the Development Code and any applicable specific plan or planned unit development.* The proposed Residential land use is located with the Low-Density Residential land use district, and the LDR-5 (Low-Density Residential - 2.1 to 5.0 du/ac) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code; and

(d) *The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.* The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 4: Zoning Administrator Action. Based on the findings and conclusions set forth in Sections 1 through 3, above, the Zoning Administrator hereby APPROVES the Application subject to each and every condition set forth in the Department reports included as "Attachment A" of this Decision, and incorporated herein by this reference.

-or-

DENIES the Application.

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

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

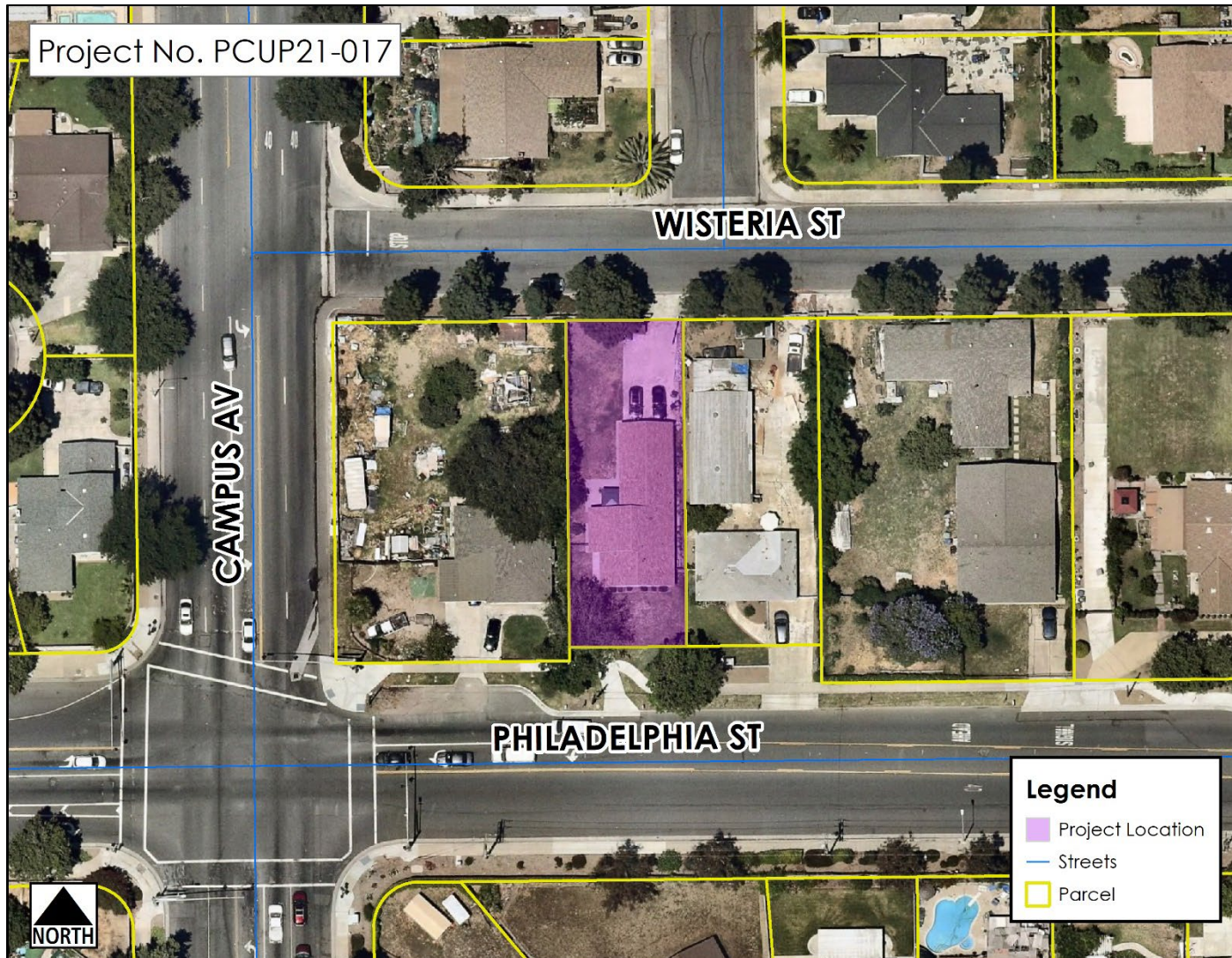
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APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

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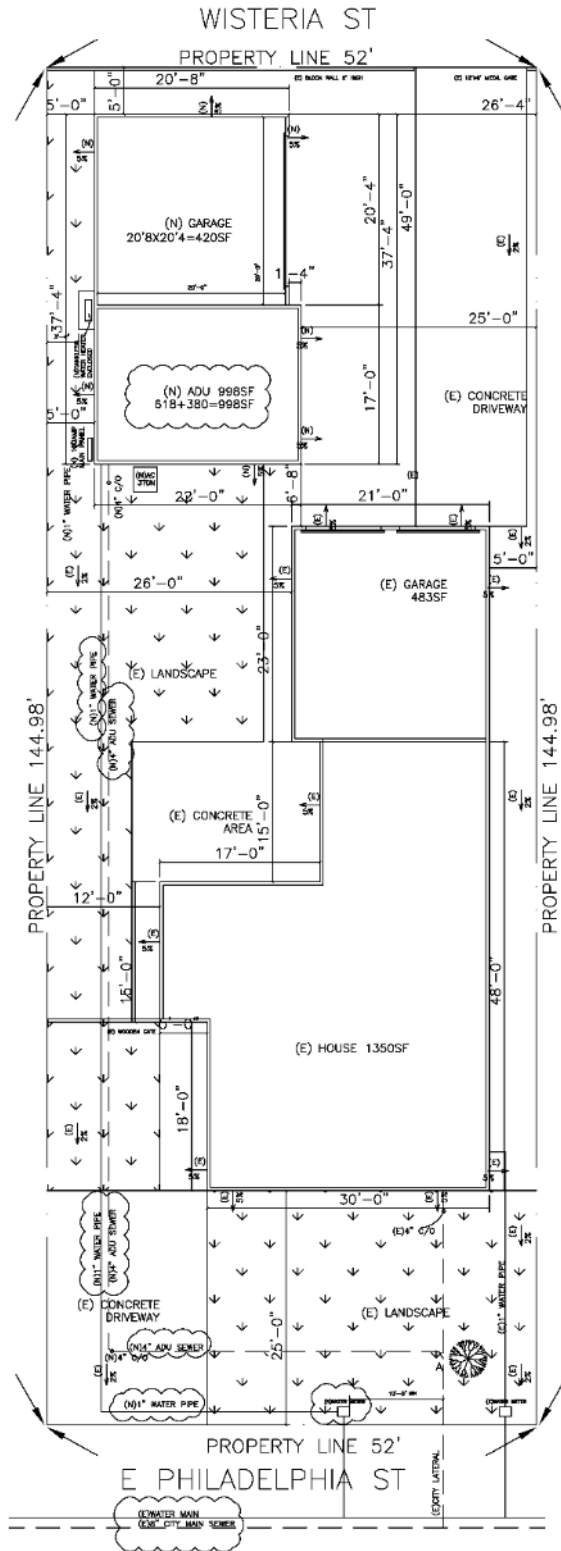
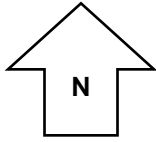
Rudy Zeledon  
Zoning Administrator

**Exhibit A: PROJECT LOCATION**

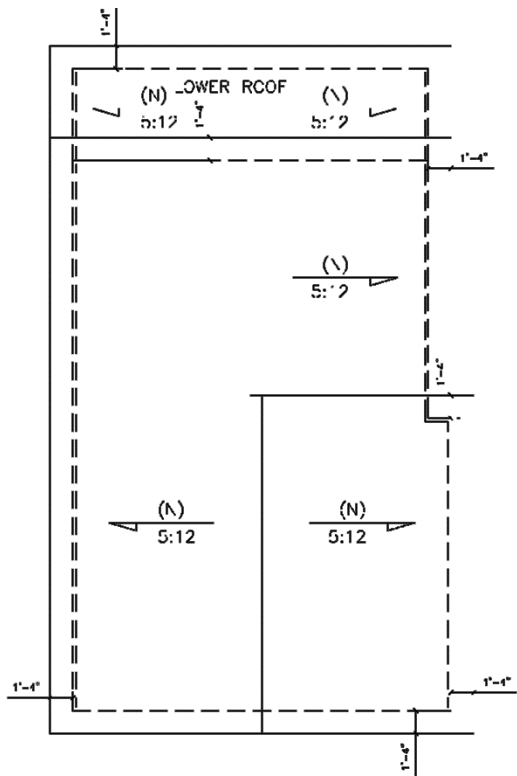




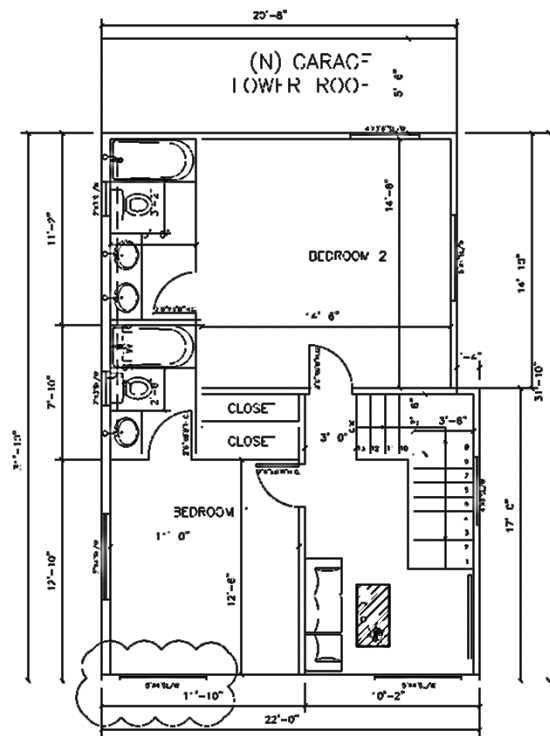
**Exhibit B: SITE PLAN**



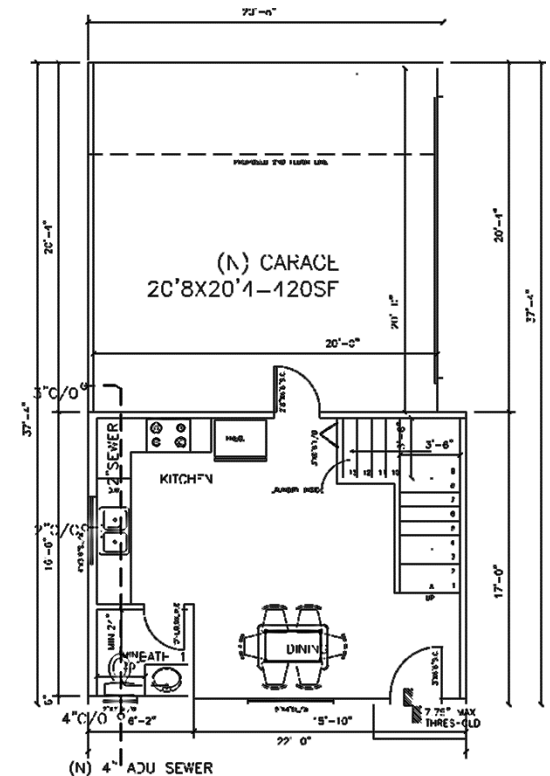
**Exhibit C: FLOOR PLAN**



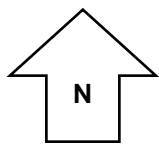
SCALE: 1/4" = 1'-0"  
 PROPOSED ADU ROOF PLAN



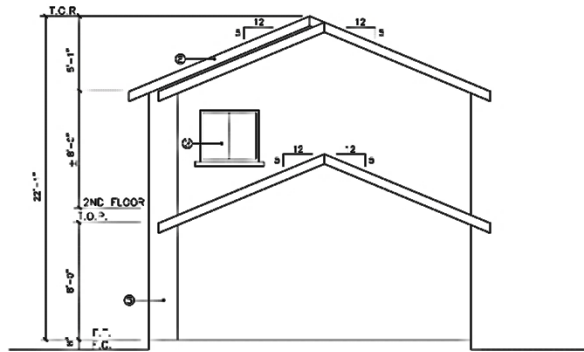
SCALE: 1/4" = 1'-0"  
 PROPOSED ADJ 2ND FLOOR PLAN



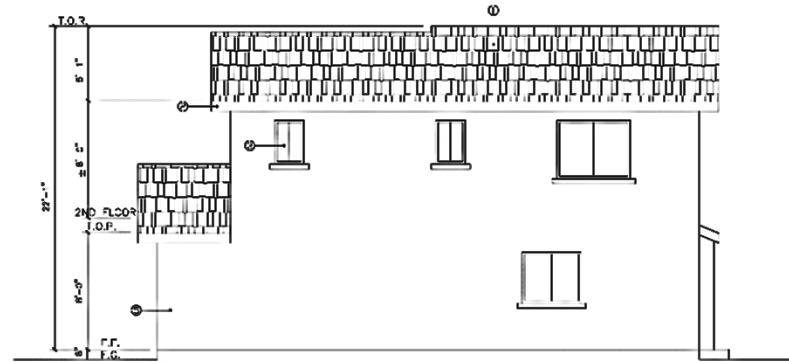
SCALE: 1/4" = 1'-0"  
 PROPOSED ADJ 1ST FLOOR PLAN



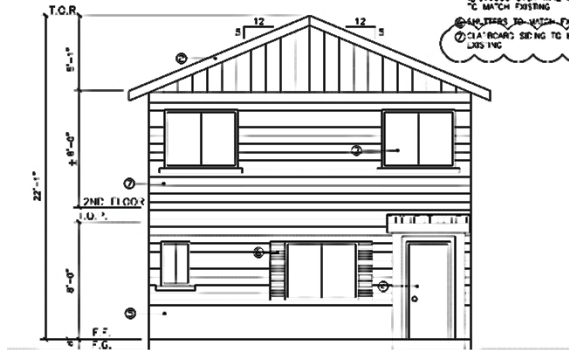
**Exhibit D: ELEVATIONS**



PROPOSED ADJ NORTH SIDE ELEVATION  
 SCALE: 1/4"=1'-0"

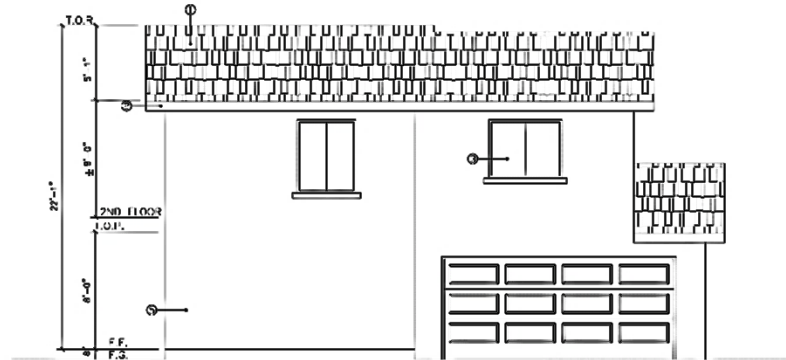


PROPOSED ADJ WEST SIDE ELEVATION  
 SCALE: 1/4"=1'-0"



PROPOSED ADJ SOUTH SIDE ELEVATION  
 SCALE: 1/4"=1'-0"

- ① COMPOSITE ROOF SHINGLES, CLASS A, CHEVY CRAVING ROOF LLC
  - ② CC ESP 3225, CONC NO 0800 0600
  - ③ SB 21 COOKLE FINAL COLOR
  - ④ W/BE FASCIA BOARD TO MATCH EXISTING
  - ⑤ SHUT VINT WINDOWS TO MATCH EXISTING
  - ⑥ 3" ENTRANCE DOOR SHED
  - ⑦ CC R
  - ⑧ A HARRA S'LOOD ASPEN X 23
  - ⑨ S'LOOD 2X4 HRL VLS-4
  - ⑩ MATCH EXISTING
  - ⑪ 2X4 STUDS TO MATCH EXISTING
  - ⑫ 2X4 BOARDS SENG TO MATCH EXISTING
- ST.LOOD WALL COVERAGE:
- A. 1/8" 1 KURLISS
  - B. 2 LAYERS OF GRADE D PAPER
  - C. 1 APPLIED OVER PLYWOOD/ORB TRADING
  - D. A CORROSION RESISTANT WEIP SCREED (28-MIN) IS HELD 1/2" BELOW THE ST.LOOD A MINIMUM 4"/2" ABOVE GRADE/SLAB
  - E. COLORS & MATERIALS TO MATCH MAIN HOUSE.



PROPOSED ADJ EAST SIDE ELEVATION  
 SCALE: 1/4"=1'-0"

**Exhibit E: SITE PHOTOS**





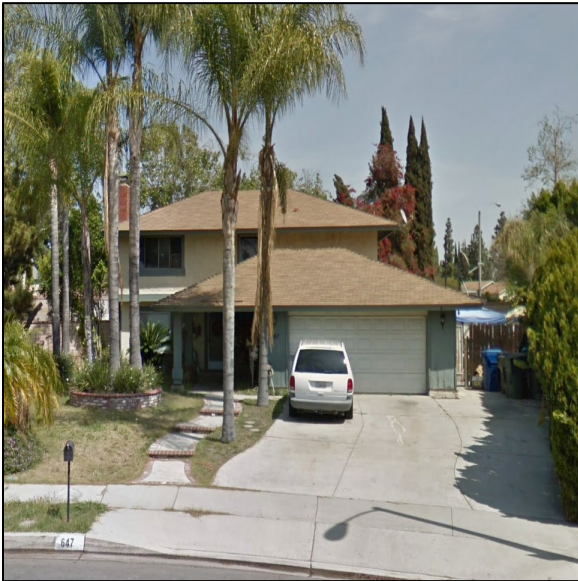
**Exhibit F: Neighborhood Context**



654 E Wisteria Court



719 E Sanderling Street



699 E Sanderling Street



637 E Sanderling Street

## **Attachment A: Department Reports (Conditions of Approval)**

*(Department Reports containing conditions of approval follow this page)*

**Date Prepared:** 3/21/2022

**File No:** PCUP21-017

**Project Description:** A Conditional Use Permit to establish a second floor 998 square foot Accessory Dwelling Unit (ADU) with a portion above a proposed 420 square feet two-car garage and exceeding 16 feet in height, located at 715 East Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district APN: 1050-531-62; **submitted by Xin Wang**

**Prepared By:** Robert Morales, Assistant Planner  
Phone: 909.395.2432 (direct)  
Email: Rmorales@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. 2017-027 on April 18, 2017. 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) Conditional Use Permit 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 Conditional Use Permit 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.

**2.4** Mechanical and Rooftop Equipment.

(a) 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.

**2.5** Security Standards. The Project shall comply with all applicable requirements of Ontario Municipal Code Title 4 (Public Safety), Chapter 11 (Security Standards for Buildings).

**2.6** 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).

**2.7** Environmental Review.

(a) The Project is categorically exempt from environmental review pursuant to **Section 15301 (Class 1, Existing Facilities)** of the CEQA Guidelines, which consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible (less than 10,000 square feet) or no expansion, and is consistent with all of the following conditions:

(i) The project is in an area where all public services and facilities are available to allow for maximum development permissible in the Policy Plan (General Plan) component of The Ontario Plan; and

(ii) The area in which the project is located is not environmentally sensitive.

(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.

**2.8** 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 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.

**2.9** Additional Fees.

**(a)** Within 5 days following final application approval, the Notice of Exemption ("NOE") 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"). The filing of an NOE is voluntary; however, failure to provide said fee within the time specified will result in the extension of the statute of limitations for the filing of a CEQA lawsuit from 30 days to 180 days.

**2.10** Additional Requirements.

**(a)** Prior to issuance of a building permit for an ADU or JADU, a deed restriction must be recorded against the title of the property in the office of the San Bernardino County Recorder and a recorded copy filed with the Planning Director of the City of Ontario, pursuant to the requirements of Development Code Section 5.03.010.E.7 (Deed Restriction). The deed restriction must run with the land and bind all future owners. The form of the deed restriction will be provided by the City. The deed restriction must be filled out and wet signed (notarized) by the property owner(s).



# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

**PROJECT ENGINEER:** Yesenia Lopez, Assistant Engineer (909) 395-2103 *yl*

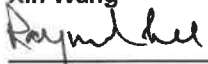
**PROJECT PLANNER:** Robert Morales, Assistant Planner (909) 395-2416


**ZA MEETING DATE:** April 4<sup>th</sup>, 2022

**PROJECT NAME/DESCRIPTION:** PCUP21-017, a Conditional Use Permit to establish a 992-square foot 2-story ADU that exceeds a height of 16 feet on 7,540 square feet of land located at 715 E Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district (APN(s): 1050-531-62).

**LOCATION:** 715 E Philadelphia Street (APN: 1050-531-62)

**APPLICANT:** Xin Wang

**REVIEWED BY:**   
Raymond Lee, P.E.  
Assistant City Engineer 3/24/22  
Date

**APPROVED BY:**   
Khoi Do, P.E.  
City Engineer 3-24-22  
Date

**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE LISTED BELOW. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT. SEE ATTACHED EXHIBIT 'A' FOR PLAN CHECK SUBMITTAL REQUIREMENTS.**

1. The applicant shall construct a new potable water service lateral per City Standard Drawing Number 4201. Location of the new service shall comply with Division of Drinking Water (CCR §64572) Separation Requirements and shall be at least 10 feet horizontally from the existing sewer lateral.
2. The applicant shall apply for a water meter and pay all applicable water meter fee(s).
3. The plumbing of each unit shall be designed and constructed in such a way that each unit's discharge is separate from the other unit's discharge as it leaves the units and connects to the shared onsite private sewer system. If the onsite private sewer system is designed and constructed consistent with the aforementioned statement, then the onsite shared system may connect to the public sewer main through a single public sewer lateral and be considered compliant with the current Ontario Development Code and other current related statutes or regulations for sewer utility services.
4. Parking restriction signs on Philadelphia Street shall remain in place.

5. Apply for an Encroachment Permit for all improvements within the public right-of-way. Fees are based on the latest Engineering Fee Schedule (available on the City's website).
6. Pay Plan Check Fees.
7. Pay all Development Impact Fees to the Building Department.
8. All remaining fees/deposits required by the Engineering Department must be paid in full prior to issuance of a Certificate of Occupancy.
9. Damage to the existing public improvements (within the public right-of-way) due to the construction of the project shall be replaced in accordance with City Standards. Improvements include, but are not limited to the following: parkway landscaping, irrigation, street trees, curb and gutter, driveway approaches, utilities, pull boxes, meters, etc.
10. Prior to final acceptance, the applicant shall:
  - a. Complete all Conditions of Approval listed herein.
  - b. Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited, plan check fees, inspection fees and Development Impact Fees.
  - c. Submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state all Conditions of Approval have been completed and shall be signed by the applicant. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.

**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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**Project Number: PCUP21-017**

**The following items are required to be included with the first plan check submittal:**

1.  **A copy of this check list**
2.  **Payment of fee for Plan Checking**
3.  **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp**
4.  **One (1) copy of project Conditions of Approval**
5.  **Include a PDF (electronic submittal) of each required improvement plan at every submittal**
6.  Two (2) sets of Domestic and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
7.  Three (3) sets of Public Street improvement plan with street cross-sections
8.  Three (3) sets of Public Street Light improvement plan
9.  Three (3) sets of Signing and Striping improvement plan
10.  **Two (2) sets of the Site plan with proposed water service improvements**
11.  Two (2) sets of Delta Revision Plans to Record Street, Street Light, and/or Signing & Striping Drawings which reflect the proposed public street improvements
12.  Two (2) sets of Delta Revision Plans to Record Domestic Water, Recycled Water, and/or Sewer Drawings which reflect the installation of the proposed service laterals, and/or abandonment of unused existing service laterals
13.  Three (3) sets of Wet Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
14.  Two (2) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include AutoCAD electronic submittal)
15.  Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP)
16.  One (1) copy of Hydrology/Drainage study
17.  One (1) copy of Soils/Geology report
18.  Other: \_\_\_\_\_



# CITY OF ONTARIO MEMORANDUM



**DATE:** February 18, 2022  
**TO:** Yesenia Lopez, Engineering  
**CC:** Robert Morales, Planning  
**FROM:** Heather Young, Utilities Engineering  
Peter Tran, Utilities Engineering  
**SUBJECT:** DPR #3 - Utilities Comments (**#8194**)  
**PROJECT NO.:** PCUP21-017 (ADU)  
**ATTACHMENTS:** Sheet A-1 electronically submitted 2/16/2022

## BRIEF DESCRIPTION

*A Conditional Use Permit to establish a 992-square foot 2-story ADU that exceeds a height of 16 feet on 7,540 square feet of land located at 715 E Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district (APN(s): 1050-531-62).*

## THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

**CONDITIONS OF APPROVAL:** *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

***Solid Waste Conditions will not be provided hereon. The Public Works Agency's Integrated Waste Department will provide comments/conditions separate from the Ontario Municipal Utilities Company's Utilities Engineering group going forward.***

### **General Conditions:**

1. **Standard Conditions of Approval:** Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:

### **Potable Water Conditions:**

2. **New Service and Meter:** Install a new potable water service and meter for the ADU. The location of the new service shall comply with Division of Drinking Water (CCR §64572) Separation Requirements and shall be at least 10 feet horizontally from the existing sewer lateral.

### **Sewer Conditions:**

3. **Onsite Sewer Plumbing of Accessory Dwelling Unit (ADU) and Primary Residential Dwelling Unit:** The plumbing of each unit shall be designed and constructed in such a way that each unit's discharge is separate from the other unit's discharge as it leaves the units and connects to the shared onsite private sewer system. If the onsite private sewer system is designed and constructed consistent with the previous sentence, then the onsite shared system may connect to the public sewer main through a single public sewer lateral service and be considered compliant with the current Ontario Development Code and other current related statues or regulations for sewer utility services.



# CITY OF ONTARIO MEMORANDUM

## Development Plan Review

Engineering Department  
Traffic & Transportation

Project: PCUP21-017

Date: October 26<sup>th</sup>, 2021

Location: 715 East Philadelphia Street

By: Nathan Kuan

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***The Transportation Division recommends the following to be incorporated into the Project's Conditions-of-Approval:***

Conditions:

1. Parking restriction signs on Philadelphia Street to remain in place.

nk;



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
Rudy Zeledon, Planning Director (Copy of memo only)  
Diane Ayala, Advanced Planning Division (Copy of memo only)  
Charity Hernandez, Economic Development  
Matt Montieth, Building Department  
Raymond Lee, Engineering Department  
Jamie Richardson, Landscape Planning Division  
Dennis Mejia, Municipal Utility Company  
Gabriel Gutierrez, Police Department  
Mike Gerken, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Eric Woosley, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department

FROM: Robert Morales, Assistant Planner

DATE: September 29, 2021

SUBJECT: FILE #: PCUP21-017 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:**
- Only DAB action is required
  - Both DAB and Planning Commission actions are required
  - Only Planning Commission action is required
  - DAB, Planning Commission and City Council actions are required
  - Only Zoning Administrator action is required

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish a 992-square foot 2-story ADU that exceeds a height of 16 feet on 7,540 square feet of land located at 715 E Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district (APN(s): 1050-531-62).

- The plan does adequately address the departmental concerns at this time.
  - No comments
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
  - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

env.eng.      *Celia Cole*      eng. asst.      10/19/21  
Department      Signature      Title      Date



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

<b>CONDITIONS OF APPROVAL</b>	
Sign Off	
	3/3/2022
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
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D.A.B. File No.: PCUP21-017	Related Files:	Case Planner: Robert Morales
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Project Name and Location: ADU – Proposed 992-square foot 2-story 715 E Philadelphia Street
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Applicant/Representative: Xin Wang (626) 321-3439 <a href="mailto:constructionzm@hotmail.com">constructionzm@hotmail.com</a> 385 S Lemon Ave. #E189 Walnut, CA 91789
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<input checked="" type="checkbox"/>	<b>A site plan (dated 2/2/2022) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.</b>
<input type="checkbox"/>	<b>A site plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.</b>

**CONDITIONS OF APPROVAL**

1. A plan check shall be submitted to the Landscape Division electronically with the tenant improvement; [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov).
2. A final inspection from the Landscape Division is required with the tenant improvement.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Robert Morales, Assistant Planner  
Planning Department

**FROM:** Michelle Starkey, Deputy Fire Marshal  
Bureau of Fire Prevention

**DATE:** February 9, 2022

**SUBJECT:** PCUP21-017 (REVISION) A Conditional Use Permit to establish a 992-square foot 2-story ADU that exceeds a height of 16 feet on 7,540 square feet of land located at 715 E Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district (APN(s): 1050-531-62).

- 
- The plan **does** adequately address the departmental concerns at this time.
- No comments
  - Report below.

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



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
Rudy Zeledon, Planning Director (Copy of memo only)  
Diane Ayala, Advanced Planning Division (Copy of memo only)  
Charity Hernandez, Economic Development  
Matt Montieth, Building Department  
Raymond Lee, Engineering Department  
Jamie Richardson, Landscape Planning Division  
Dennis Mejia, Municipal Utility Company  
Gabriel Gutierrez, Police Department  
Mike Gerken, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Eric Woosley, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department

FROM: Robert Morales, Assistant Planner

DATE: September 29, 2021

SUBJECT: FILE #: PCUP21-017 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

- Note:
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  - Both DAB and Planning Commission actions are required
  - Only Planning Commission action is required
  - DAB, Planning Commission and City Council actions are required
  - Only Zoning Administrator action is required

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish a 992-square foot 2-story ADU that exceeds a height of 16 feet on 7,540 square feet of land located at 715 E Philadelphia Street, within the LDR-5 (Low-Density Residential) zoning district (APN(s): 1050-531-62).

- The plan does adequately address the departmental concerns at this time.
  - No comments
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
  - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

ONTARIO PD  POLICE OFFICER  
Department Signature Title Date