



CITY OF ONTARIO
ZONING ADMINISTRATOR
AGENDA

November 4, 2024

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

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

PUBLIC HEARINGS

- A. ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP24-015:** A public hearing to consider a Conditional Use Permit request to develop a 1335-square-foot horse stable on 0.95 acres of land, located at 1542 West Phillips Street, within the AR-2 (Residential-Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) 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; (APN: 1011-591-16) **submitted by German Cortez.**

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, Angie Alvarez Cruz, Office Specialist of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on or before **October 31, 2024**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

(Office Specialist)



ZONING ADMINISTRATOR DECISION: CONDITIONAL USE PERMIT

November 4, 2024

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

DECISION NO.: [insert #]

FILE NO.: PCUP24-015

DESCRIPTION: A public hearing to consider a Conditional Use Permit request to develop a 1335 square-foot horse stable on 0.95 acres of land, located at 1542 West Phillips Street, within the AR-2 (Residential-Agricultural – 0 to 2.0 DU/Acre) zoning district; (APN: 1011-591-16) **submitted by German Cortez.**

PART 1: BACKGROUND & ANALYSIS

GERMAN CORTEZ, (herein after referred to as "Applicant") has filed an application requesting approval of a Conditional Use Permit, File No. PCUP24-015, as described in the subject of this Decision (herein after referred to as "Application" or "Project").

PROJECT SETTING: The Project site is comprised of 0.96 acres of land located at 1542 West Phillips Street, within the AR-2 (Residential-Agricultural - 0 to 2.0 du/acre) zoning district, as depicted in *Exhibit A: Aerial Photograph*, attached. The Project site is located east of Benson Avenue and north of Phillips Street. The Project site is surrounded by residential uses in all directions. 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:	Residential	Rural Residential (0 to 2 du/acre)	Residential-Agricultural (AR-2) (0 to 2.0 du/acre)	N/A
North:	Residential	Rural Residential (0 to 2 du/acre)	Residential-Agricultural (AR-2) (0 to 2.0 du/acre)	N/A
South:	Residential	Rural Residential (0 to 2 du/acre)	Residential-Agricultural (AR-2) (0 to 2.0 du/acre)	N/A
East:	Residential	Rural Residential (0 to 2 du/acre)	Residential-Agricultural (AR-2) (0 to 2.0 du/acre)	N/A
West:	Residential	Rural Residential (0 to 2 du/acre)	Residential-Agricultural (AR-2) (0 to 2.0 du/acre)	N/A

Prepared: DH 10/22/24

Reviewed: DE 10/28/24

PROJECT ANALYSIS:

(1) Background— On June 1977, the project site was developed with a single-story home with a detached garage. The site also includes other non-habitable accessory residential structures and a swimming pool. The adjacent single-family development to the north currently houses several horse stables and a horse rink, see Exhibit A: Site Plan, attached. The property to the east contains a single-story home located toward the front of the property with multiple accessory structures situated at the rear of the lot. Along the west side of the subject property, there are single-story residential homes.

On July 24, 2024, the Applicant submitted a Conditional Use Permit application (File No. PCUP24-015) to construct a 1335 square-foot horse stable at 1542 West Phillips Street in Ontario. According to Chapter 5.03.011 of the Development Code, detached accessory residential structures up to 650 square-feet in size and up to 16-feet in height are permitted in the AR-2 zone, while accessory structures exceeding those standards require approval of a Conditional Use Permit. The proposed structure consists of 1,335 square feet with a height of 17-feet 8-inches in height (see Exhibit C: Floor Plan, attached), which requires approval of a Conditional Use Permit.

(2) Proposed Use—The proposed accessory structure (horse stable) will be located towards the rear of the residential property and will include two large horse stalls to house the property owner's personal horses (see Exhibit B: Site Plan, attached). The horse stable will measure 56 feet wide by approximately 23 feet long. The primary entrance will be located along the south elevation. The horse stable will also include a 382 square-foot open patio structure along the front and a 391 square-foot open patio between the horse stalls (see Exhibit C: Floor Plan, attached). The horse stable will be setback over 177 feet from the existing single-family home and approximately 29 feet from the east and west property lines and 20-feet from the rear property line. The location of the proposed horse stable complies with the required setbacks for the AR-2 zone.

(3) Architecture— The horse stable is proposed at approximately 18 feet in height, which is less than the maximum allowed height of 35 feet with a Conditional Use Permit within the AR-2 zone. Additionally, the horse stable structure is less than the height of the existing single-family house, which minimizes concerns of any visual impacts. The existing single-family home is a single-story structure that utilizes stucco and brick veneer materials for the exterior, and composition shingle for the roof. The proposed accessory structure will be composed of exterior stucco walls, stone veneer and composite shingle roofing to complement the existing house. The proposed structure will be compatible with the existing single-story home in terms of the height and exterior finishes being used.

(4) Land Use Compatibility— Conditional Use Permit review is required to ensure the proposed accessory structure will be built to meet the size, height and setback requirements set forth in the Ontario Development Code, and to ensure that the use will not be detrimental to the health, safety, or general welfare of the public, or improvements in the surrounding vicinity. Pursuant to the Ontario Development Code, a Conditional Use Permit is required to construct a detached accessory structure that exceeds 650 square feet and is taller than 16 feet in height, within the AR-2 (Residential Agricultural – 0 to 2.0 du/ac) zoning district. The Project site and surrounding properties are located within the AR-2 (Residential Agricultural – 0 to 2.0 du/ac) zoning district, which consists of large lots and allows for limited agricultural activities, large accessory structures, and animal keeping in a rural environment. The size, height, and location of the proposed horse stable does not jeopardize the aesthetics of the existing neighborhood, as the proposed structure will be located at the rear of the property and the overall height is consistent

with the height of existing single-story homes located within the immediate vicinity. Furthermore, the adjacent property to the north currently houses several horse stables and horse rinks, therefore, the proposed use will be compatible with the surrounding area.

Staff believes that the recommended conditions of approval will sufficiently mitigate any potential impacts that may be associated with the proposed horse stable. Additionally, the proposed use will not expose the surrounding residences to any impacts beyond those that would normally be associated with any other residential or accessory use similarly permitted within the AR-2 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 ("ONT 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, Planning Department staff have 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 with 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 ONT 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 November 4, 2024, the Zoning Administrator of the City of Ontario conducted a duly noticed public hearing on the application, as follows:

(1) Dora Harville, Administrative Planning Intern, presented the staff report on the proposed use, indicating the staff recommendation of approval. 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 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures which include: accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

(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: ONT 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 ONT ALUCP, establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the Zoning Administrator has reviewed and considered the facts and information contained in the Application and supporting documentation against the ONT ALUCP compatibility factors, including [1] Safety Criteria (ONT ALUCP Table 2-2) and Safety Zones (ONT ALUCP Map 2-2), [2] Noise Criteria (ONT ALUCP Table 2-3) and Noise Impact Zones (ONT ALUCP Map 2-3), [3] Airspace protection Zones (ONT ALUCP Map 2-4), and [4] Overflight Notification Zones (ONT ALUCP Map 2-5). As a result, the 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 ONT 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 AR-2 (Residential Agricultural – 0 to 2.0 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 accessory structure land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the AR-2 (Residential Agricultural – 0 to 2.0 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 accessory structure land use will be located within the Rural Residential (RR) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential Agricultural – 0 to 2.0 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 1,335 square-foot horse stable is located with the Rural Residential (RR) land use district of the Policy Plan Land Use Map, and the AR-2 (Residential Agricultural – 0 to 2.0 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 Ontario 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 Ontario 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.

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.

APPROVED AND ADOPTED this 4th day of November 2024.

Henry K. Noh
Zoning Administrator

Exhibit A: PROJECT LOCATION MAP

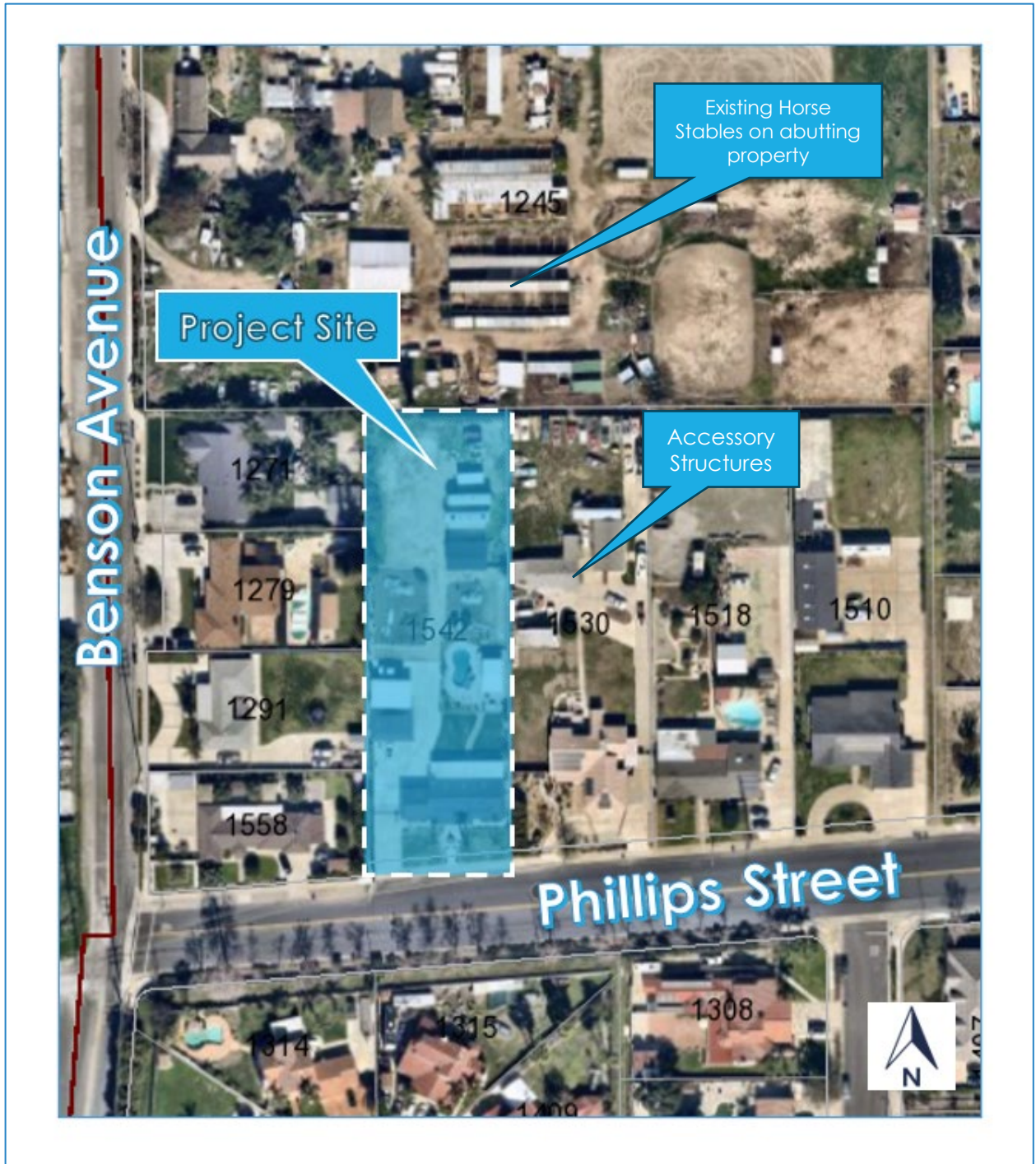


Exhibit B: SITE PLAN

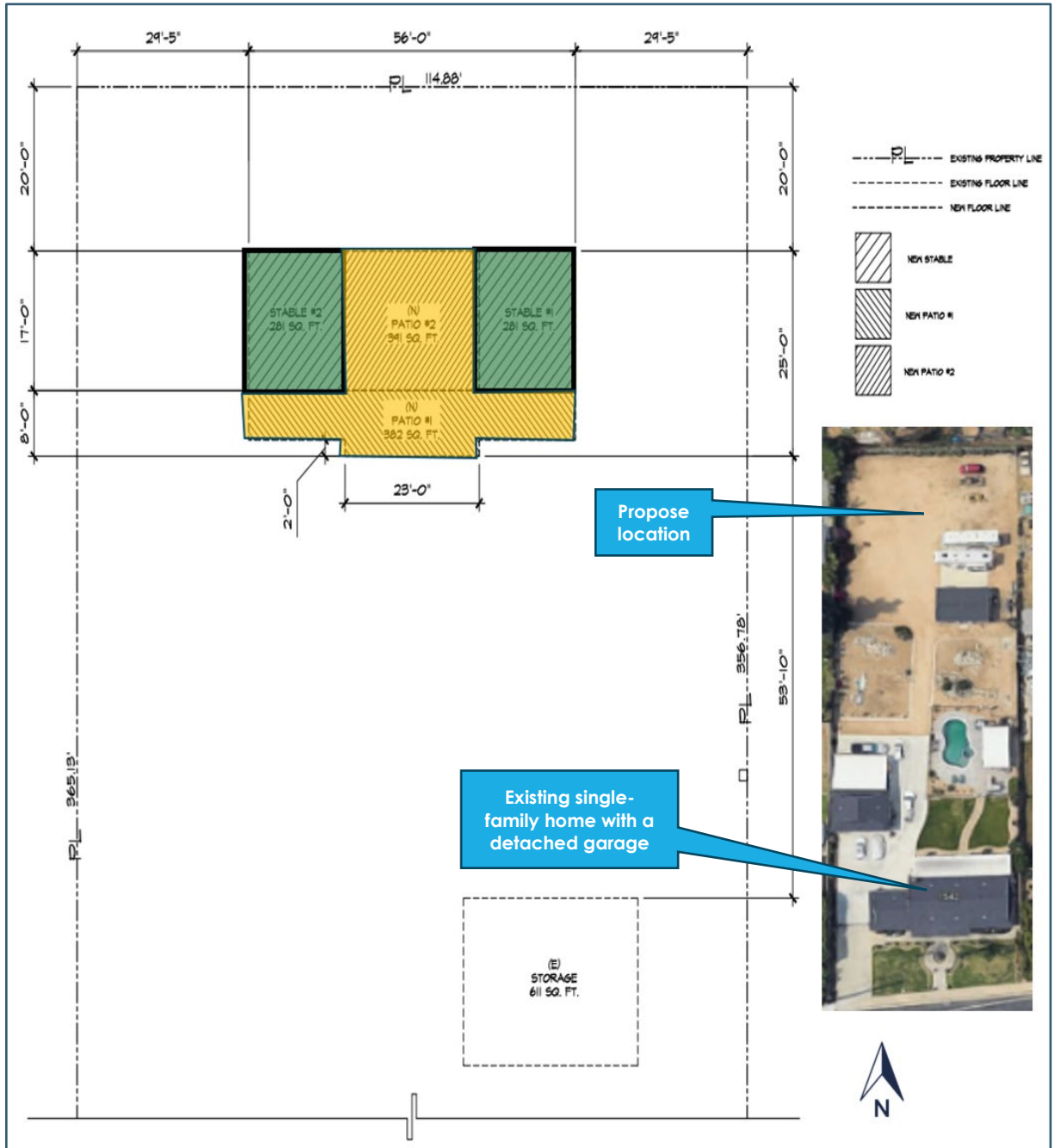


Exhibit C: FLOOR PLAN

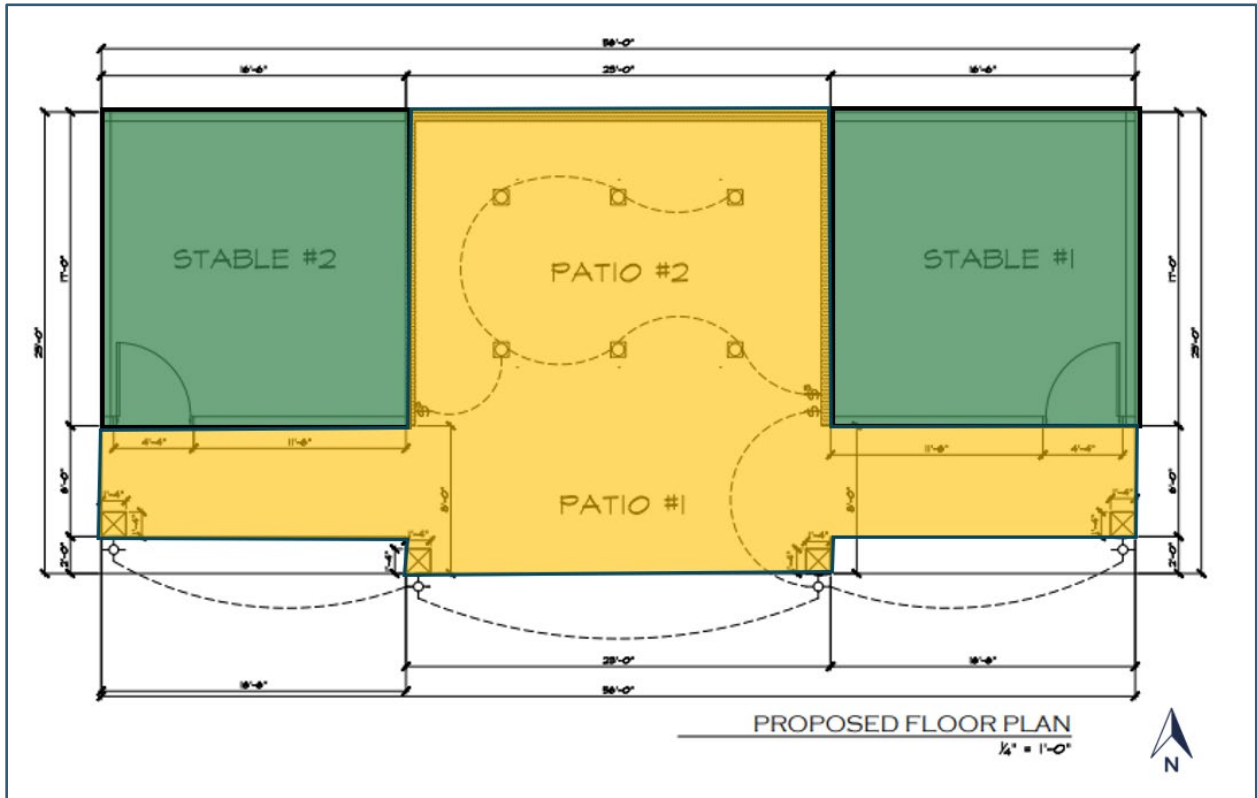
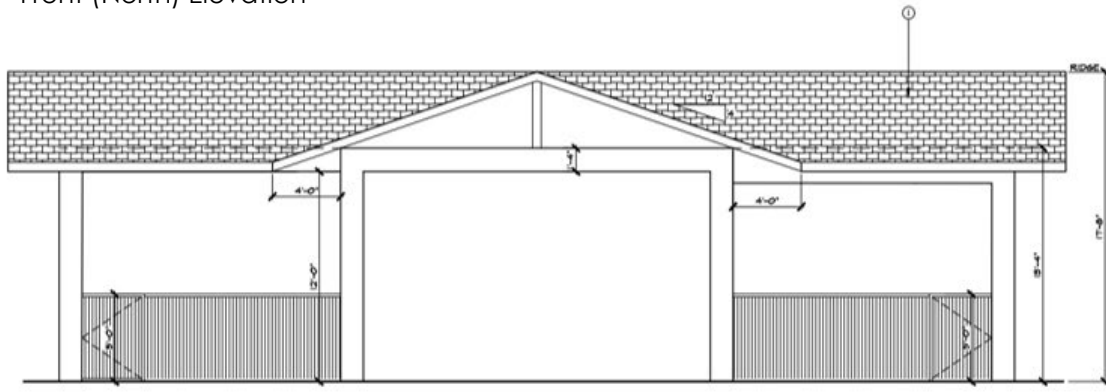


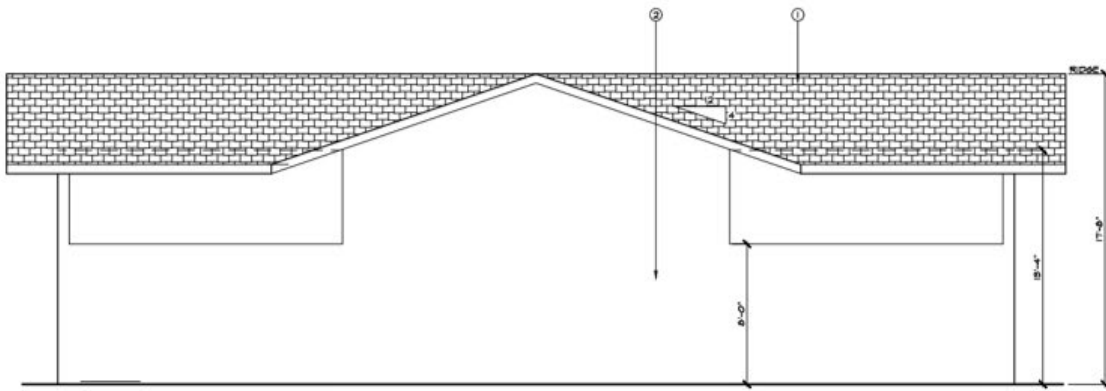
Exhibit D: ELEVATIONS



Front (North) Elevation



NORTH/REAR ELEVATION
1/4" = 1'-0"



SOUTH/FRONT ELEVATION
1/4" = 1'-0"

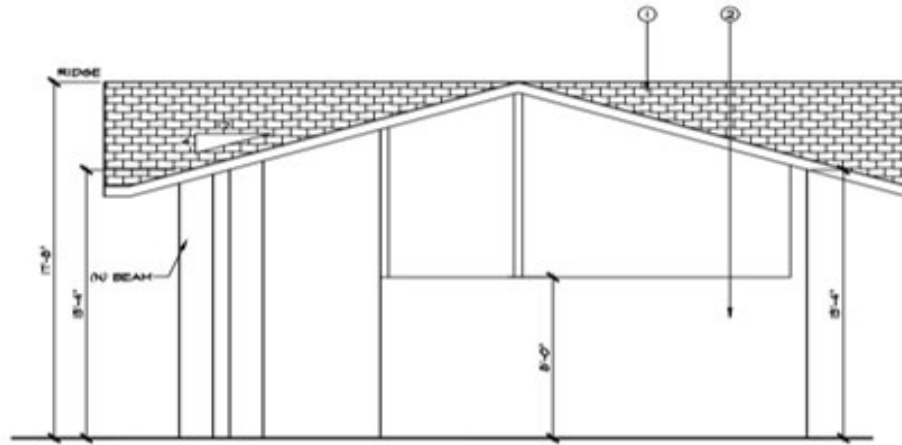
Exhibit D: ELEVATIONS



SIDE VIEW

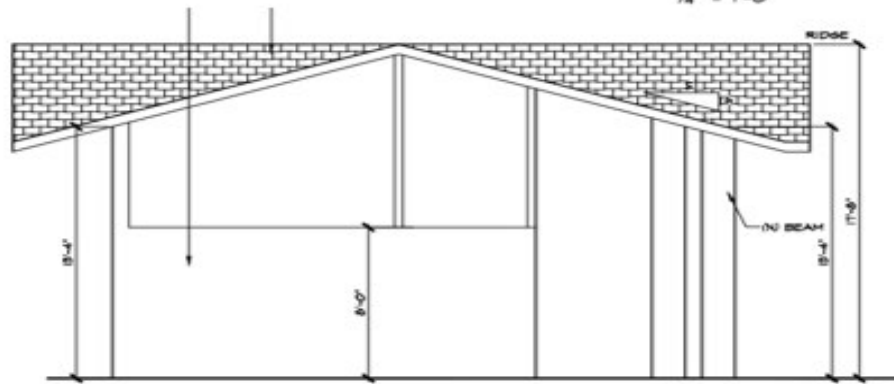


STALL VIEW



EAST/RIGHT ELEVATION

1/4" = 1'-0"



WEST /LEFT ELEVATION

1/4" = 1'-0"

Exhibit E: SITE PHOTOS



North View

View looking where the proposed accessory structure will be.



South View

Aerial view from the north property line.

Attachment A:

**Department Reports
(Conditions of Approval)**

(Department Reports containing conditions of approval follow this page)



LAND DEVELOPMENT DIVISION CONDITIONS OF APPROVAL

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

Date Prepared: 11/4/2024

File No: PCUP24-015

Project Description: A public hearing to consider a Conditional Use Permit request to develop a 1335-square-foot horse stable on 0.95 acres of land, located at 1542 West Phillips Street, within the AR-2 (Residential-Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) 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; (APN: 1011-591-16) **submitted by German Cortez.**

Prepared By: Dora Harville, Administrative Intern
Phone: 909.395.2426 (direct)
Email: dharville@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 the project, which shall be maintained on site during project construction.

2.3 Walls and Fences.

(a) Gates, fences and walls for each horse stall shall be at least 5-feet in height and must follow the additional requirements in section 2.9.

(b) Additionally, animals shall be secured by a fence or wall at least 5-feet in height when out of the proposed horse stalls. The fencing at the property line may serve as an additional perimeter wall for the subject property provided that it is at least 5-feet in height, and provided that all other animal keeping requirements are being met.

(c) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

2.4 Site Lighting.

(a) Unless intended as part of a master lighting program, no operation, activity, or lighting fixture shall create illumination on any adjacent property.

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 noise levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.7 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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.

2.8 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 a 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.

2.9 Additional Requirements.

(a) Allowed Activities / Facilities - Per Chapter 5.03.410: Urban Agriculture (C. Animal Keeping and Production): Residential animal keeping shall be maintained only as an ancillary use to single-family dwellings, and shall be maintained only for non-commercial hobby or show purposes, or for the personal enrichment of City residents, as follows:

(b) Land Use Standards:

(i) Animals At Large - Animals shall be secured by a fence or wall at least 5-feet in height when out of the proposed horse stalls. It shall be unlawful for any person within the City having the care, charge, control, or possession of any animal to permit it to be, remain, go, or run at large upon any public street, alley, or unenclosed lot or land in the City, except dogs on leashes, cats, racing homing pigeons during runs, an animal in a vehicle, or a horse mounted or led by a responsible person.

(ii) Sanitation of Premises - The property owner(s) shall maintain the property and any stable, barn, stall, pen, building, or place thereon in which animals are kept, in a clean and sanitary condition so as not to be detrimental to the public health.

(iii) Proximity of Animals to Yards - It shall be unlawful in residential zones of the City to keep any animal, except household pets, within 20 FT of any property line.

(iv) It shall be unlawful for any person to keep any hobby, show or game bird, fowl, or rabbit, other than a household pet, within 30 FT of any structure, other than that of the owner, which is used for human habitation, or for educational, health care, social assistance, religious assembly, food service, or governmental purposes.

(v) No animal is to be stabled, kept, or maintained in any front or street-side yard area.

(c) Maximum Animal Density - Shall not exceed one horse per every 6,000 square-foot of lot area. Based on the lot size of 0.956 acres, the property may house up to 6 horses provided they follow all animal keeping rules.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Dora Harville, Administrative Intern

DATE: July 24, 2024

SUBJECT: FILE #: PCUP24-015

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 952 square-foot accessory residential horse stable on 0.956 acres of land located at 1542 West Phillips Street, within the AR-2 zoning district (APN(s): 1011-591-16).

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.

Engineering /Environmental Section
Department

Arij Baddour
Signature

Assistant Engineer
Title

08/08/2024
Date



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Dora Harville, Administrative Intern

DATE: July 24, 2024

SUBJECT: FILE #: PCUP24-015 Finance Acct#:

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ENG. Land Development

Trevor Rivero

Administrative Intern - Engineering

08/12/2024

Department

Signature

Title

Date



CITY OF ONTARIO

MEMORANDUM

TO: Dora Harville, Administrative Intern
Planning Department

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

DATE: August 14, 2024

SUBJECT: PCUP24-015 A Conditional Use Permit to establish a 952 square-foot accessory residential horse stable on 0.956 acres of land located at 1542 West Phillips Street, within the AR-2 zoning district (APN(s): 1011-591-16).

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

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 forms.



CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Community Development Director (Copy of memo only)
Henry Noh, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
James Caro, Building Department
Raymond Lee, Engineering Department
Jamie Richardson, Landscape Planning Division
Dennis Mejia, Municipal Utility Company
Heather Lugo, Police Department
Paul Erhman, Deputy Fire Chief/Fire Marshal
Jay Bautista, Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Nathan Pino, Engineering
Angela Magana, Community Improvement (Copy of memo only)
Jimmy Chang, IPA Department
Blaine Ishii, Integrated Waste

FROM: Dora Harville, Administrative Intern

DATE: August 29, 2024

SUBJECT: FILE #: PCUP24-015

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 952 square-foot accessory residential horse stable on 0.956 acres of land located at 1542 West Phillips Street, within the AR-2 zoning district (APN(s): 1011-591-16).

- 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.

Planning - Landscape Division
Department

Ricardo Diaz
Signature

Associate Landscape Planner
Title

8/29/24
Date

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

CONDITIONS OF APPROVAL

Sign Off

 Ricardo Diaz Gutierrez, Associate Landscape Planner	08/29/24 Date
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Reviewer's Name: Ricardo Diaz, Associate Landscape Planner	Phone: (909) 395-2237
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D.A.B. File No.: PCUP24-015	Related Files:	Case Planner: Dora Harville
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Project Name and Location:
Accessory Residential Horse Stable
1542 W Phillips St

Applicant/Representative:
CB Home Desing – cbhome626@gmail.com
1346 W. Philadelphia St., Suite A
Ontario, CA 91762

- | | |
|-------------------------------------|---|
| <input checked="" type="checkbox"/> | A site plan (07/29/2024) meets the Standard Conditions for New Development and has been approved considering that the following conditions below be met. |
| <input type="checkbox"/> | A site plan () has not been approved. Corrections noted below are required before DAB approval. |

PROJECT REVIEW BOARD COMMENTS
***** BUILDING DEPARTMENT *****

Planning Case File No(s): PCUP24-015

Case Planner: Dora Harville

Applicant: German Cortez

Location: 1542 West Phillips Street

Project: A Conditional Use Permit to establish a 952 square-foot accessory residential horse stable on 0.956 acres of land located at 1542 West Phillips Street, within the AR-2 zoning district

APN(s): 1011-591-16

Reviewed By: Jesse Sanchez

Date: 8/19/24

Following Standard Building Department Conditions of Approval
Are Applicable to This Project:

See checked boxes below

Specific Conditions:

A)

Specific Comments (NOTE: THESE COMMENTS ARE NOT CONDITIONS!):

A) Plans will require a building permit from the Building Department. Please submit complete plans prepared by a licensed / registered design professional. If property is served by a private sewage disposal system, full conformance with CPC Appendix H shall be met for building setback to tank and disposal system.

BUILDING DEPARTMENT**GENERAL CONDITIONS**

1. Shall comply with the latest adopted edition of the following codes as applicable:
- A. California Building Code
 - B. California Residential Code
 - C. California Existing Building Code
 - D. California Electrical Code
 - E. California Mechanical Code
 - F. California Plumbing Code
 - G. California Energy Code.
 - H. California Fire Code
 - I. California Green Building Standards Code.
2. The property owner/business operator shall comply with all applicable City of Ontario Municipal Codes and Ordinances.
3. The requirements of the Department of Environmental Health Services and the Air Quality Management District shall be satisfied prior to the issuance of any permit if hazardous materials are stored and/or used.
4. Pursuant to the California Business and Professions Code Section 6737, most projects are required to be designed by a California Licensed Architect or Engineer. The project owner or developer should review the section of the California Codes and comply with the regulation
5. All perimeter / boundary walls shall be designed and constructed so that the outer/exterior face of the wall is as close as possible to the lot line. In any case, the outer/exterior face of the wall shall be within two (2) inches of the lot line. Distances greater than two (2) inches may be approved prior to construction by the Building Official on a case-by-case basis for extenuating circumstances.
6. All lot lines, easement lines, etc. shall be located and/or relocated in such a manner as to not cause any existing structure to become non-conforming with the requirements of the latest adopted edition of the Building Code, or any other applicable law, ordinance, or code.
7. The Developer/Owner is responsible for the coordination of the final occupancy. The Developer/Owner shall obtain clearances from each department and division prior to requesting a final building inspection from the Building Department. Each department shall sign the Building Department Job Card
8. All signs shall be Underwriters Laboratories, or equal, approved.

9. Permits are required prior to the removal and/or demolition of structures.
10. In addition to approval from Building Department, approval is required from the County of San Bernardino, Department of Public Health and the California Regional Water Quality Control Board, Santa Ana Region for the Private Sewage Disposal System.
11. The existing private sewage system will have to be modified as required to accommodate the new use. Plans and/or supporting data will have to be submitted to, and approved by, the Building Department regarding the new use and necessary modifications. Additionally, approval from the Regional Water Quality Control Board, Santa Ana Region, is required for the new use.
12. The coach shall bear a State of California, Department of Housing and Community Development (HCD) insignia indicating the occupancy group and design loads that the coach conforms to, and other relevant information regarding exiting, fire safety, electrical, plumbing and mechanical. The foundation system, porch and awning shall comply with plans that bear the HCD "Standard Plan Approval" stamp. The coach, foundation system, porch and awning shall comply with the City of Ontario's design loads and site-specific conditions.
13. The conversion of the existing single-family dwelling(s) into a commercial use changes the occupancy group classification, and therefore the existing buildings must be made to comply with the requirements of all applicable codes for the new occupancy classification. Complete plans, calculations and other specifications shall be submitted to the Building Department for review, approval and subsequent permit issuance. The plans, calculations and other specifications shall be prepared by an Architect or Registered Civil/Structural Engineer licensed by the State of California who is qualified to perform said work.
14. The site, or a portion of the site, is in a flood hazard area. Justification that the proposed development does not adversely affect the location or carrying capacity of the floodway, nor does it adversely affect upstream or downstream sites shall be provided to Building Department. Additionally, all provisions must be taken to protect the site from flood damage.
15. All exterior lighting shall be orientated, directed, and/or shielded as much as possible so that direct illumination does not infringe onto adjoining properties.
16. Site facilities such as parking open or covered, recreation facilities, and trash dumpster areas, and common use areas shall be accessible per the CBC, Chapter 11.
17. Trash Enclosure shall be covered, and the interior clearances shall be designed to accommodate the following:
- 4' min. side access entrance

- 3' min. wide clear pathway along rear of enclosure between trash bins and back wall.
 - Trash bins must be oriented sideways to allow access from the narrow dimension.
 - Use of curbs or wheel stops shall be provided within the enclosure to maintain access clearances and bin orientations.
18. The applicant/developer shall include the conditions of approval of this resolution on the construction plans.
19. Site development and grading shall be designed to provide access to all entrances and exterior ground floors exits and access to normal paths of travel, and where necessary to provide access. Paths of travel shall incorporate (but not limited to) exterior stairs, landings, walks and sidewalks, pedestrian ramps, curb ramps, warning curbs, detectable warning, signage, gates, lifts and walking surface materials. The accessible route(s) of travel shall be the most practical direct route between accessible building entrances, site facilities, accessible parking, public sidewalks, and the accessible entrance(s) to the site, California Building Code, (CBC) Chapter 11, Sec. 11A and 11B.
20. Commercial/Industrial gated site must have at least one pedestrian emergency gate, 3'-0' x 6'-8" min. gate size, equipped with panel hardware on the inside, and gate must swing out. Pedestrian emergency gates can be installed integrated with vehicular gates.
21. New residential single-family dwelling (SFD's):
- The side yard gate must swing out toward the street.
 - The gas meter shall not obstruct side yard access gates.
 - Air Conditioning unit located at side yard shall maintain 3' min. clearance from property line wall to AC unit.
 - Provide a continuous concrete walk between garage side door to driveway or sidewalk.
22. New development projects located in the Ontario Ranch specific plan are required to submit a **methane assessment report**. This report shall be submitted to the Building Department for review and approval at grading plan submittal.
23. If hazardous substances are used and/or stored, a technical opinion and report, identifying and developing methods of protection from the hazards presented by the hazardous materials may be required. This report shall be prepared by a qualified person, firm, or corporation and submitted to Building Department. This report shall also explain the proposed facility's intended methods of operation and list all of the proposed materials, their quantities, classifications, and the effects of any chemical (material) intermixing in the event of an accident or spill.
24. The property owner/business operator shall provide a grease interceptor at a location where it shall be easily accessible for inspection, cleaning, and removal of accumulated grease. The sizing and installation shall conform to the current California Plumbing Code. The grease interceptor shall be constructed in accordance with plans approved by the Director of Public

Works and the Building Official. The property owner/business operator shall contract with a maintenance company for maintenance and cleaning of the grease interceptor.

SITE CONSTRUCTION REQUIREMENTS

25. All construction sites must be protected by a security fence and screening. The fencing and screening shall always maintained to protect pedestrians
26. Temporary toilet facilities shall be provided for construction workers. The toilet facilities shall be maintained in a sanitary condition. Construction toilet facilities of the non-sewer type shall conform to ANSI ZA.3
27. Construction projects which require temporary electrical power shall obtain an Electrical Permit from Building Department. No temporary electrical power will be granted to a project unless one of the following items is in place and approved by Building Department and the Planning Department.
 (A) Installation of a construction trailer, or
 (B) Security fenced area where the electrical power will be located
28. Installation of construction/sales trailers must be located on private property. No trailers can be in the public street right of way
29. Any temporary building, trailer, commercial coach, etc. installed and/or used in connection with a construction project shall comply with City Code.
30. Prior to issuance of a Building Permit all of the following must be in place: portable toilet with hand wash station, all BMP's, fencing and signage on each adjacent street saying "If there is any dust or debris coming from this site please contact (superintendent number here) or the AQMD if the problem is not being resolved" or something similar to this.

PRIOR TO ISSUANCE OF BUILDING/CONSTRUCTION PERMITS

31. The following grading items shall be completed and/or submitted – as applicable – prior to the issuance of building permits for this project:
- A. Precise grading plans shall be approved
 - B. Rough grading completed
 - C. Compaction certification completed
 - D. Pad elevation certification completed
 - E. Rough grade inspection signed off by a City's Building Inspector
32. Prior to the issuance of a Building Permit, the applicant shall pay all Development

Improvement Fees to the City. Copies of receipts shall be provided to the Building Department prior to permit issuance.

- 33. The Tract or Parcel map shall record prior to the issuance of any permits.
- 34. The existing parcels shall be combined into a single parcel, or a lot line adjustment shall be done so that the proposed structure(s) does not cross any lot line and complies with all requirements of the California Building Code, prior to any building permits being issued.
- 35. Fire sprinklers, fire alarm systems and fire hydrant plans shall be submitted for plan review concurrently with building plans and shall be approved prior to permit issuance
- 36. Prior to issuance of Building Permits, school fees need to be paid to school district where project is located