

Section 5 - Development Regulations

5.1 General Provisions

- A. Development proposals within The Avenue Specific Plan shall be subject to the implementation procedures established herein. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of The Avenue Specific Plan shall take precedence. On issues where the Specific Plan is silent the City of Ontario Development Code shall prevail.
- B. Severability - If any portion of these regulations is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.
- C. Unless otherwise provided, any ambiguity concerning the content or application of The Avenue Specific Plan shall be resolved by the Planning Director or his/her designee, hereinafter referred to as Director, in a manner consistent with the goals, policies, purpose and intent established in The Avenue Specific Plan.
- D. Any major deviation from the Design Guidelines (Section 6) within The Avenue Specific Plan shall require a Specific Plan Amendment. The Director shall determine whether a proposed change constitutes a major deviation.
- E. The meaning and construction of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code Article 2, "Definitions", unless otherwise specifically provided herein.

5.2 Applicability

The development regulations contained herein provide specific standards for land use development within the proposed The Avenue Specific Plan. Regulations address residential, retail and commercial and open space land uses. General landscaping regulations are also provided. Application of the following regulations is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare. The adoption of The Avenue Specific Plan by ordinance will supercede otherwise applicable City of Ontario zoning regulations unless stated herein to the contrary. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of The Avenue Specific Plan shall take precedence. Where The Avenue Specific Plan is silent, City codes shall apply.

5.3 Development Review Process

All development projects within the proposed The Avenue Specific Plan shall be subject to the Development Plan Review Process as established in Article 8 of the City's Development Code. Adoption of The Avenue Specific Plan by the City includes adoption of the Design Guidelines contained within Section 6 of The Avenue Specific Plan and which provide direction for the design of development projects within the plan area. Where the Design Guidelines are silent, the applicable design guidelines contained within the City's Development Code shall apply. The Design Guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review by the City of developer projects during design review.

Pursuant to these provisions, the Development Permit process constitutes a design review of project architecture, site plans, and landscape plans. All development project applications shall include a landscape and irrigation plan describing plant materials and their growth habits, plant size and spacing, methods of irrigation and landscaping maintenance, site plans, architectural elevations, floor plans, grading plans and other requirements as specified by the City. Development permits are approved with conditions of approval.

As the Specific Plan is Phased, the following minimum criteria shall be met for each Subdivision and Development of each Phase:

- For Domestic Water, all the Master Plan, Regional and Local Infrastructure identified in Section 4 and the Conceptual Domestic Water Plan for the Water Pressure Zone that the Phase is within shall be completed as part of the Phase's infrastructure requirements. Also, any domestic water infrastructure necessary to provide primary looping, secondary looping, and meet all hydraulic criteria and fire flow shall be completed as part of the Phase's infrastructure requirements.
- For Recycled Water, all the Master Plan, Regional and Local Infrastructure identified in Section 4 and the Conceptual Recycled Water Plan for the Recycled Water Pressure Zone that the Phase is within shall be completed as part of the Phase's infrastructure requirements. Also, any recycled water infrastructure necessary to provide primary looping, secondary looping, and meet all hydraulic criteria shall be completed as part of the Phase's infrastructure requirements.
- For Sewer, all the Master Plan, Regional and Local Infrastructure identified in Section 4 and the Conceptual Sewer Plan for the Master Plan Sewer Tributary Area that the Phase is within and upstream of shall be completed as part of the Phase's infrastructure requirements. Also, any sewer infrastructure necessary to meet all hydraulic criteria shall be completed as part of the Phase's infrastructure requirements.

5.3.1 Additional Entitlement Requirements

In order to ensure orderly expansion of the City Utility Systems and other City Infrastructure, the following Additional Entitlement Requirements are imposed upon all Subdivision Maps and Developments within the Specific Plan area.

5.3.1.1 Conceptual Design Report:

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.), a conceptual design report shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval for the established extent of all public improvements required for the project. The study shall identify existing and future rights-of-ways (ROW) and infrastructure improvements and establish all vertical and horizontal alignments for each utility. The report shall include cross-sections, profiles, and any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW. The study shall account for all utility conflicts, right-of-way variations, existing obstructions, and the timing of utility installation. This shall also include Water Sub-Area Master Plans (WSAMP) and Sewer Sub-Area Master Plans (SSAMP) to assure compliance with all Master Plan Design Criteria, including Hydraulic Design Criteria. Utilities cannot be located along an alignment that conflicts with existing conditions (e.g. electrical poles, private property, etc.) unless that applicant is accepting the responsibility of modifying the existing conditions (e.g. undergrounding, relocation, ROW acquisition, etc.).

5.3.1.2 Preliminary Design Report:

As a condition of entitlements (subdivision maps, Development Plan Reviews, etc.) within the Specific Plan and prior to submittal of Infrastructure Improvements Plans, a Preliminary Design Report (PDR) for all public infrastructure shall be submitted and approved by the Development Agency Engineering Department and the Utilities Engineering Department. The PDR shall include the following:

Conceptual Design Compliance: A discussion modifying or confirming the conceptual design established with the Project's Conceptual Design Report. The study shall confirm all rights-of-ways (ROW), infrastructure improvements, and vertical and horizontal alignments for each utility.

Street Cross Sections and Profiles: Street Cross Sections and Profiles shall be provided for each public street, private street and Public Utility Easement (PUE) containing a public utility and at any points along the alignments where the ROW varies. The cross sections shall show the location and size of each utility and shall annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).

Constructability Review: The report shall include a discussion of the constructability issues along the proposed alignment and identify the recommended construction methods that may be utilized. The study shall perform field investigation (field survey and potholing) in order to identify potential utility conflicts, right-of-way variations, existing obstructions, and constructability issues created by the timing of utility installation.

Supporting Details: The PDR shall include any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW, including the placement of large appurtenances, clearance from existing obstructions, etc.

30% Design Drawings: The PDR findings shall be incorporated into a 30% design plan set and included in the PDR.

5.3.1.3 Utilities Systems Map (USM):

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.), as part of the entitlement application a Conceptual Utilities Systems Map (USM) shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval. The USM is a summary plan sheet exhibit that shows all the public off-site infrastructure requirements and demands for the Development Project (and/or Subdivision), the on-site private infrastructure improvements, and the interaction between the public and private utilities systems. As a Condition of Approval for the Development Project (and/or Subdivision), the Conceptual Utilities Systems Map shall be updated into a Final Utilities Systems Map to reflect the changes that occur between entitlement and Final Plan and Permit Approval. Reference the Ontario Municipal Utilities Company Utilities Engineering Department's Utilities Systems Map (USM) Requirements for details.

5.3.1.4 Integrated Waste Management Report (IWMR) and Solid Waste Handling Plan (SWHP):

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.), as part of the entitlement application a Conceptual Integrated Waste Management Report (IWMR) and a Conceptual Solid Waste Handling Plan (SWHP) shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval. The SWHP summary plan sheet exhibit that demonstrates the project site's design conformance with the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Areas, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types. The IWMR is a report that presents project specific information that is not able to be demonstrated within the Solid Waste Handling Plan, including discussions on: project solid waste operations; project compliance with all applicable laws, statues, policies, and requirements; and, conformance with all the Integrated Waste Department's requirements, including the requirements for Sizing of Storage, Location of Collection Areas, Accessibility for Collection Vehicles, and Collection of Sorted/Diverted Waste Types. As a Condition of Approval for the Development Project (and/or Subdivision), the Conceptual SWHP and the a Conceptual IWMR shall be updated into a Final SWHP and Final IWMR to reflect the changes that occur between entitlement and Final Plan and Permit Approval. The SWHP and IWMR may be required to be updated from whenever there are new occupants, new uses or changes to existing uses, Tenant Improvements, Business Licenses, and Certificates of Occupancy. Reference the Ontario Municipal Utilities Company Utilities Engineering Department's Integrated Waste Management Report (IWMR) and Solid Waste Handling Plan (SWHP) Requirements for details.

5.4 Development Regulations

The Avenue Specific Plan is adopted by ordinance and will serve as the implementation tool for the General Plan as well as the zoning for the Project Site. The Avenue Specific Plan Development Regulations address general provisions, permitted uses, and development standards for the plan area.

5.4.1 General Site Development Standards

The following general site development criteria shall apply to all land development proposed in The Avenue Specific Plan.

- A. Gross Acres - Except as otherwise indicated, gross acres for all development areas are measured to the centerline of streets.
- B. Grading - Development within the plan area shall utilize grading techniques as approved by the City of Ontario. Grading concepts shall respond to the Design Guidelines included in The Avenue Specific Plan which guide the development of land use toward the goal of providing for a livable community with streets and entries designed for walking and resident interaction. Additionally, the grading concepts should adhere to the following:
 1. Where slope conditions are present, the property shall be located at the top of a slope
 2. In areas adjacent to a ridge line or in moderate slope areas, dwelling units and structures should be sited to:
 - a. Use the natural ridge line as a backdrop for structures
 - b. Use landscape plant materials as a backdrop
 - c. Use structure to maximize concealment of cut slope
- C. Building Modification - Additions and/or projections into setback areas permitted by The Avenue Specific Plan shall match the architectural style of the primary unit and shall be constructed of the same materials and colors as the primary unit.
- D. Utilities - All new and existing public utility distribution lines of 34.5 kV or less shall be subsurface throughout the plan area.
- E. Technology - All homes and businesses shall accommodate the most modern technology for computer internet access, phone, fax, and television. Broadband fiber optics cable will be installed on all peripheral streets per the approved Master Plan.
- F. Density - The Avenue Specific Plan Land Use Plan establishes a maximum gross density average for each residential land use designation as indicated in Table 2 "Statistical Analysis". These densities are 4.6 dwelling units per gross acres for the Low Density Residential designation, 10.25 dwelling units per gross acres for the Low Medium Density Residential designation and 12.0 dwelling units per gross acre for the Medium Density Residential designation.

G. Maximum Number of Dwelling Units - The maximum number of residential dwelling units permitted within The Avenue Specific Plan shall be 2,875 dwelling units.

H. Retaining walls - Exposed walls and fences facing roadways shall be no greater than six feet in height, except as necessary for acoustical purposes to satisfy the intent of the noise ordinance. Where retaining walls or fences face roadways, they shall be built, when feasible, of decorative materials consistent with the wall theme of the neighborhood.



Northerly Site Boundary along Schaefer Avenue, looking east

I. Temporary Uses - Temporary Uses shall be consistent with the Development Code requirements of Article 13 (page 13-46).

J. Satellite Dishes - Freestanding satellite dish antennas shall be in compliance with Article 32, Section 9.1.3289 of the Development Code.

K. Recreational Vehicle Storage - No recreational vehicle (RV) storage in front or corner side yards and no RV street parking for a period of more than 72 hours.

L. Dairy Separation Requirement for Residential District Development Standards Section – The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots. A minimum 100' separation shall be required between new residential, commercial, or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.



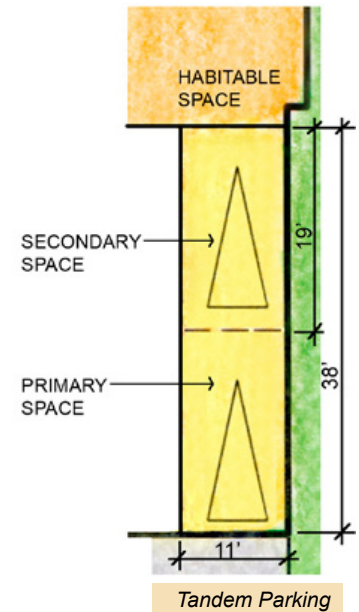
Typical single family detached residences

M. Product distribution requirements within Zones 1-5 (as shown on Exhibit 25, “Conceptual Product Distribution”) - Minimum number of product types per zone: 2. The following details the limitations on unit counts for products within a single zone or in a contiguous area of the same product(1). A contiguous area of one product type can not continue into an adjacent zone unless the unit count for that contiguous area conforms to the following limitations.

1. Single Family Detached (SFD):
 - a. Minimum number of dwelling units per product: 25
 - b. Maximum number of dwelling units per Product: 125
2. Single Family Attached (SFA):
 - a. Minimum number of dwelling units per product: 36
 - b. Maximum number of dwelling units per Product: 250
3. Multi-Family:
 - a. Minimum number of dwelling units: 200(2)
 - b. Maximum number of dwelling units: 400

N. Tandem Parking:

1. All vehicles must be registered with the HOA or management company. A copy of the registration for each vehicle showing the address, make model, vehicle year and color will be required upon registration.
2. No garage may be separately sold or assigned by an owner. A garage may be rented or leased to a non-owner solely in connection with the rental or lease of the respective unit.
3. All residents are required to use their garage space for parking their vehicles. Residents with more than two vehicles must register two vehicles for the garage spaces before a parking permit will be considered allowing parking on the private streets or parking bays within the project.
4. Anyone requesting a parking permit must also demonstrate that his/her garage is not being used for storage, or being used as a workshop or for any other purpose which would prevent the garage from being used to park two vehicles.



5. The secondary space (adjacent to habitable space) will be given 25% credit towards parking requirement.
6. Minimum size of tandem parking: 11'x38'.

O. Multi-family projects proposed within a gated neighborhood, may be subject to the following open space requirement, subject to review and approval of the Planning Department:

1. Ground Floor: A minimum contiguous area of 150 sq. ft. in area with no dimension less than 10 feet in any direction.
2. Balconies and Decks: Must have a minimum contiguous area of 50 sq. ft. in area with no dimension less than 5 feet in any direction.
3. Common Open Space: A minimum of 250 sq. ft. of common open space shall be provided per each unit. Common open space shall require a minimum contiguous area of 300 sq. ft. with no dimension less than 15 feet in any direction.

5.4.2 Residential Development Standards Tables

The development standards for proposed residential products at The Avenue are shown on the following pages (Table 3a-3n).

(2) Units of less than 200 may be approved with the review and approval of the Planning Director.

The Avenue

Table 3a - Product Type 1A Development Standards

Typical lot sizes: 55'x105', 60'x100', 60'x110' (5,500+ SF Lots)

Lot Criteria

Min. Lot Width at Front PL for Standard Lot	55'
Min. Lot Width on Corner	65'
Min. Lot Depth on Standard Lot	100'
Min. Lot Depth on Corner Lot	100'
Min. Lot Size	5,500 S.F.

NOTE: Lots within cul-de-sacs, standard knuckles or modified knuckle configurations shall provide a minimum 35-foot lot width at front property line and shall meet the minimum lot width established for the Planning Area at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.

Minimum Setbacks

All front and corner side setbacks are measured from the property line at back of sidewalk.
All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

Living Area	20'
Porch with Single Story Plate Line (2)	12'
Front Entry Garage (3)	18'
Turn In Garage with Single Story Plate Line	10' (Street Facing 18')

Side Setbacks (4)

From Interior PL (1)	5'
From Residential Street - First Story (6)	10'
From Residential Street - Porch	8'
Side for Garages (Min. 10' Between Garages)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'

Rear Setbacks

Main Structure	15'
Garage (Single Story Plate Line)	5'
Patio Cover	5'
Second Story Deck	10'
Accessory Structure	3'

Lot Coverage

Maximum Coverage	55%
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Maximum Building Height

Main Structure	35'
Accessory Structures	14'

Walls, Fences and Hedges

Maximum Height in "The Avenue" and/or front or corner side yard areas	3'
Maximum Height at all other Locations	6'
Maximum Height of Retaining Walls	3'
Maximum Height Solid Rear Yard Property Walls adjacent to Pocket Parks	3'

Parking

Minimum Number of Parking Spaces Required 2 Garage Spaces
Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.

Table 3b - Product Type 1B Development Standards

Typical lot sizes: 60'x85', 50'x110', 55'x90', 50'/55'x100', 55'x105' (4,250 - 5,775 SF Lots)

Lot Criteria

Min. Lot Width at Front PL for Standard Lot	50'
Min. Lot Width on Corner	55'
Min. Lot Depth on Standard Lot	85'
Min. Lot Depth on Corner Lot	85'
Min. Lot Size	4,250 S.F.

NOTE: Lots within cul-de-sacs, standard knuckles or modified knuckle configurations shall provide a minimum 35-foot lot width at front property line and shall meet the minimum lot width established for the Planning Area at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.

Minimum Setbacks

All front and corner side setbacks are measured from the property line at back of sidewalk.
All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

Living Area	12'
Porch with Single Story Plate Line (2)	8'
Front Entry Garage (3)	18'
Turn In Garage with Single Story Plate Line	10' (Street Facing 18')

Side Setbacks (4)

From Interior PL (1)	5'
From Residential Street - First Story (6), (7)	10'
From Residential Street - Porch	8'
Side for Garages (Min. 10' Between Garages)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'

Rear Setbacks

Main Structure	10'-15'	Max. 50% of the facade may be at 10'
Garage (Single Story Plate Line)	5'	
Patio Cover	5'	
Second Story Deck	10'	
Accessory Structure	3'	

Lot Coverage

Maximum Coverage	55%
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Maximum Building Height

Main Structure	35'
Accessory Structures	14'

Walls, Fences and Hedges

Maximum Height in "The Avenue" and/or front or corner side yard areas	3'
Maximum Height at all other Locations	6'
Maximum Height of Retaining Walls	3'
Maximum Height Solid Rear Yard Property Walls adjacent to Pocket Parks	3'

Parking Minimum Number of Parking Spaces Required 2 Garage Spaces
Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking over 72 hours is prohibited.

Table 3c - Product Type 1C Development Standards

Typical lot sizes: 40'x80', 45'x80', 50'/70'x80', 50'x85', 45'/50'x90', 40x100' (3,200 - 5,600 SF Lots)

Lot Criteria

Min. Lot Width at Front PL for Standard Lot	40'
Min. Lot Width on Corner	45'
Min. Lot Depth on Standard Lot	80'
Min. Lot Depth on Corner Lot	80'
Min. Lot Size	3,200 S.F.

NOTE: Lots within cul-de-sacs, standard knuckles or modified knuckle configurations shall provide a minimum 35-foot lot width at front property line and shall meet the minimum lot width established for the Planning Area at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.

Minimum Setbacks

All front and corner side setbacks are measured from the property line at back of sidewalk.
All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

Living Area	12'
Porch with Single Story Plate Line ⁽²⁾	8'
Front Entry Garage ⁽³⁾	18'
Turn In Garage with Single Story Plate Line	10'

Side Setbacks ⁽⁴⁾

From Interior PL ⁽¹⁾	5'
From Residential Street - First Story ^{(6), (7)}	10'
From Residential Street - Porch	8'
Side for Garages (Min. 10' Between Garages)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'

Rear Setbacks

Main Structure	10'-15'	Max. 50% of the facade may be at 10',
Garage (Single Story Plate Line)	5'	
Patio Cover	5'	
Second Story Deck	10'	
Accessory Structure	3'	

Lot Coverage

Maximum Coverage	55%
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Maximum Building Height

Main Structure	35'
Accessory Structures	14'

Walls, Fences and Hedges

Maximum Height in "The Avenue" and/or front or corner side yard areas	3'
Maximum Height at all other Locations	6'
Maximum Height of Retaining Walls	3'
Maximum Height Solid Rear Yard Property Walls adjacent to Pocket Parks	3'

Parking

Minimum Number of Parking Spaces Required 2 Garage Spaces
Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.

Table 3d - Product Type 1D Development Standards

Typical lot sizes: 45'/50'x60'/70' (2,700 - 3,500 S.F. Lots)

Lot Criteria

Min. Lot Width at Front PL for Standard Lot	45'
Min. Lot Width on Corner	50'
Min. Lot Depth on Standard Lot	60'
Min. Lot Depth on Corner Lot	60'
Min. Lot Size	2,700 S.F.

NOTE: Lots within cul-de-sacs, standard knuckles or modified knuckle configurations shall provide a minimum 35-foot lot width at front property line and shall meet the minimum lot width established for the Planning Area at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.

Minimum Setbacks ⁽¹⁾

All front and corner side setbacks are measured from the property line at back of sidewalk.
 All other setbacks are measured from property line unless otherwise noted.

Front Setbacks ⁽¹⁾

Living Area	10'
Porch with Single Plate Line	8'
Front Entry Garage	18'
Turn in Garage with Single Story Plate Line	10'

Side Setbacks ⁽¹⁾

From Interior PL ⁽¹⁾	5'
From Residential Street ⁽⁶⁾	10'
From Residential Street - Porch	8'
Side for Garage (Min. 10' Between Garages)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'

Rear Setbacks ⁽¹⁾

Main Structure	5'
Garage (Single Story Plate Line)	5'
Patio Cover	5'
Second Story Deck	5'
Accessory Structure	3'

Lot Coverage

Maximum Coverage	65%
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Maximum Building Height

Main Structure	35'
Accessory Structure	14'

Walls, Fences and Hedges

Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas	3'
Maximum Height at all other Locations	6'
Maximum Height of Retaining Walls	3'
Maximum Height of Solid Rear Yard Property Walls adjacent to Pocket Parks	3'

Parking

Minimum Resident Parking Required 2 Garage Spaces
 Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street Parking, over 72 hours, is prohibited.

Table 3e - Product Type 2 Development Standards

Typical lot sizes: 40'x70', 35'/40'x75', 34'x78' (2,380 - 3,600 SF alley loaded lots)

Lot Criteria

Min. Lot Width at Front PL for Standard Lot	34'
Min. Lot Width on Corner	39'
Min. Lot Depth on Standard Lot	70'
Min. Lot Depth on Corner Lot	70'
Min. Lot Size	2,380 S.F.

NOTE: Lots within cul-de-sacs, standard knuckles or modified knuckles configurations shall provide a minimum 35-foot lot width at front property line. Lots shall meet the minimum lot width established for the Planning Area at the building setback. All minimum side and rear yard setbacks shall be maintained at all times.

Minimum Setbacks (1)

All front and corner side setbacks are measured from the property line at back of sidewalk.
All other setbacks are measured from property line unless otherwise noted.

Front Setbacks

Living Area	10'
Porch with Single Story Plate Line (2)	8'
Front Entry Garage (3)	NA for Alley, 18' other
Turn In Garage with Single Story Plate Line	NA

Side Setbacks (4)

From Interior PL (1)	5'
From Residential Street (5), (6)	10'
Side for Garages	5'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'

Rear Setbacks (8)

Main Structure (from Alley R/W)	3'
Garage (single story plate line, from alley R/W)	3'
Patio Cover	5'
Accessory Structures	3'
Garage Door to Garage Door	30'

Lot Coverage

Maximum Coverage	55%
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Maximum Building Height

Main Structure	35'
Accessory Structure	14'

Walls, Fences and Hedges

Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas	3'
Maximum Height at all other Locations on Lot	6'
Maximum Height of Retaining Walls	3'

Parking

Minimum No. of Parking Spaces Required 2 Garage Spaces
Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.

Table 3g - Product Type 4 Development Standards

Typical product type: Duplex	
Lot Criteria	
Min. Lot Size	5,000 S.F.
Minimum Setbacks (1)	
All front and corner side setbacks are measured from the property line at back of sidewalk.	
All other setbacks are measured from property line unless otherwise noted.	
Front Setbacks	
Living Area	10'
Porch with Single Story Plate Line (2)	8'
Front Entry Garage	NA
Turn In Garage with Single Story Plate Line	NA
Side Setbacks (4)	
From Interior PL (1)	5'
From Residential Street (6)	10'
Side for Garages (9)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'
Rear Setbacks (8)	
Main Structure (from Alley R/W)	5'
Garage (single story plate line, from alley R/W)	5'
Patio Cover	3'
Accessory Structures	3'
Garage Door to Garage Door	30'
Lot Coverage	
Maximum Coverage	60%
Maximum Building Height	
Main Structure	35'
Accessory Structure	14'
Walls, Fences and Hedges	
Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas	3'
Maximum Height at all other Locations on Lot	6'
Maximum Height of Retaining Walls	3'
Parking	
Minimum No. of Resident Parking Spaces Required	
1.75 spaces per one-bedroom unit including 1 in a garage, 2 spaces per two-bedroom unit, including 1 in a garage and 2.5 spaces per 3 or more bedroom unit, including 1 in a garage.	
Minimum Guest Parking Requirement is 1 space for each 4 units under 50 on a building lot. 1 space for every 5 units between 51-100 units on a building lot. Public on-street parking may be counted toward the guest parking requirement. Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.	

Table 3h - Product Type 5 Development Standards

Typical product type: Triplex	
Lot Criteria	
Min. Lot Size	5,700 S.F.
Minimum Setbacks (1)	
All front and corner side setbacks are measured from the property line at back of sidewalk.	
All other setbacks are measured from property line unless otherwise noted.	
Front Setbacks	
Living Area	12'
Porch with Single Story Plate Line (2)	8'
Front Entry Garage	NA
Turn In Garage with Single Story Plate Line	NA
Side Setbacks (4)	
From Interior PL (1)	5'
From Residential Street (6)	13'
Side for Garages (9)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'
Rear Setbacks (8)	
Main Structure (from Alley R/W)	3'
Garage (single story plate line, from alley R/W)	5'
Patio Cover	3'
Accessory Structures	3'
Garage Door to Garage Door	30'
Lot Coverage	
Maximum Coverage	65%
Maximum Building Height	
Main Structure	35'
Accessory Structure	14'
Walls, Fences and Hedges	
Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas	3'
Maximum Height at all other Locations on Lot	6'
Maximum Height of Retaining Walls	3'
Parking	
Minimum No. of Resident Parking Spaces Required	
1.75 spaces per one-bedroom unit including 1 in a garage, 2 spaces per two-bedroom unit, including 1 in a garage and 2.5 spaces per 3 or more bedroom unit, including 1 in a garage.	
Minimum Guest Parking Requirement is 1 space for each 4 units under 50 on a building lot. 1 space for every 5 units between 51-100 units on a building lot. Public on-street parking may be counted toward the guest parking requirement. Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.	

Table 3i - Product Type 6 Development Standards

Typical product type: Rowtown	
Lot Criteria	
Min. Lot Size	1,300 S.F./unit
Minimum Setbacks (1)	
All front and corner side setbacks are measured from the property line at back of sidewalk.	
All other setbacks are measured from property line unless otherwise noted.	
Front Setbacks	
Living Area	10'
Porch with Single Story Plate Line (2)	8'
Front Entry Garage	NA
Turn In Garage with Single Story Plate Line	NA
Side Setbacks (4)	
From Interior PL (1)	5'
From Residential Street (6)	10'
Side for Garages (9)	3'
Garage to Back-of-Sidewalk	18'
Patio Cover	3'
Rear Setbacks (8)	
Main Structure (from Alley R/W)	5'
Garage (single story plate line, from alley R/W)	5'
Patio Cover	3'
Accessory Structures	3'
Garage Door to Garage Door	30'
Lot Coverage	
Maximum Coverage	60%
Maximum Building Height	
Main Structure	35'
Accessory Structure	14'
Walls, Fences and Hedges	
Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas	3'
Maximum Height at all other Locations on Lot	6'
Maximum Height of Retaining Walls	3'
Parking	
Minimum No. of resident Parking Spaces Required	
1.75 spaces per one-bedroom unit including 1 in a garage, 2 spaces per two-bedroom unit, including 1 in a garage and 2.5 spaces per 3 or more bedroom unit, including 1 in a garage.	
Minimum Guest Parking Requirement is 1 space for each 4 units under 50 on a building lot. 1 space for every 5 units between 51-100 units on a building lot. Public on-street parking may be counted toward the guest parking requirement. Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.	

Table 3j - Product Type 7 Development Standards

Typical product type: Autocourt 20 Du/Ac and under	
Lot Criteria	
Min. Lot Size	14,000 S.F. (7,000 S.F. for half courts)
Minimum Setbacks ⁽¹⁾	
All front and corner setbacks are measured from the property line at back of sidewalk. All other setbacks are measured from property line unless otherwise noted.	
Front Setbacks	
Living Area	10'
Porch with Single Story Plate Line ⁽²⁾	8'
Side Setbacks	
From Residential Street	10'
From Any Exterior Property Line	10'
Rear Setbacks	
From Alley R/W	5'
Minimum Building Separation	
	20'
Lot Coverage	
Maximum Coverage	60%
Maximum Dwelling Units Per Building	10
Maximum Building Height	
Main Structure	35'
Walls, Fences and Hedges	
Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas 3'	
Maximum Height at all other Locations	6'
Maximum Height at Retaining Walls ⁽¹⁰⁾	3'
Parking	
Minimum Resident Parking Required:	
1.75 spaces per one-bedroom unit including 1 in a garage, 2 spaces per two-bedroom unit including 1 in a garage and 2.5 spaces per three or more bedroom unit including 1 in a garage.	
Minimum Guest Parking Required:	
1 Space for each 4 units under 50 on the building lot.	
1 Space for every 5 units between 51-100 units on the building lot. Public on-street parking may be counted toward guest requirement. Recreational Vehicle (RV) storage is prohibited in front or corner side yards. RV Street parking, over 72 hours, is prohibited.	

Footnotes:

- (1) Architectural projections may encroach a maximum of 3' into setbacks
- (2) The minimum depth of a porch shall be 7 feet with a minimum area of 70 S.F.
- (3) If front entry garages are adjacent there shall be a minimum of 3' garage face offset with the adjacent garage
- (4) Side yard slopes may not encroach more than 50% into side yard setback areas
- (5) Minimum 8' setback from the back of the sidewalk
- (6) Side setback measured from the property line at back of sidewalk excluding corner intersection cutoffs
- (7) Second story on corner lots is 15' average
- (8) Articulation on rear elevations of alley loaded projects to be City approved
- (9) Except at corner lot
- (10) Stepped walls allowed

Table 3k - Product Type 8 Development Standards

Typical product type: Autocourt-Greater than 20 Du/Ac

Lot Criteria

Min. Project Area 3 acres

Minimum Perimeter Setbacks

From Neighborhood Edge 15'

Internal Setbacks

From Residential Street R.O.W. or parking area 10'
 Building to sidewalk 3'

Driveway Apron

3' min.

Minimum Building Separation

Front to Front 25'
 Front to Side 25'
 Side to Side 15'
 Porch to Porch 15'
 Rear to Rear 30'
 Side to Drive Aisle 15'
 Front to parking stall 10'

Lot Coverage

Maximum Coverage 55%

Dwelling Units Per Building

10 min.-55 max.

Maximum Building Height

Main Structure 45'

Walls, Fences and Hedges

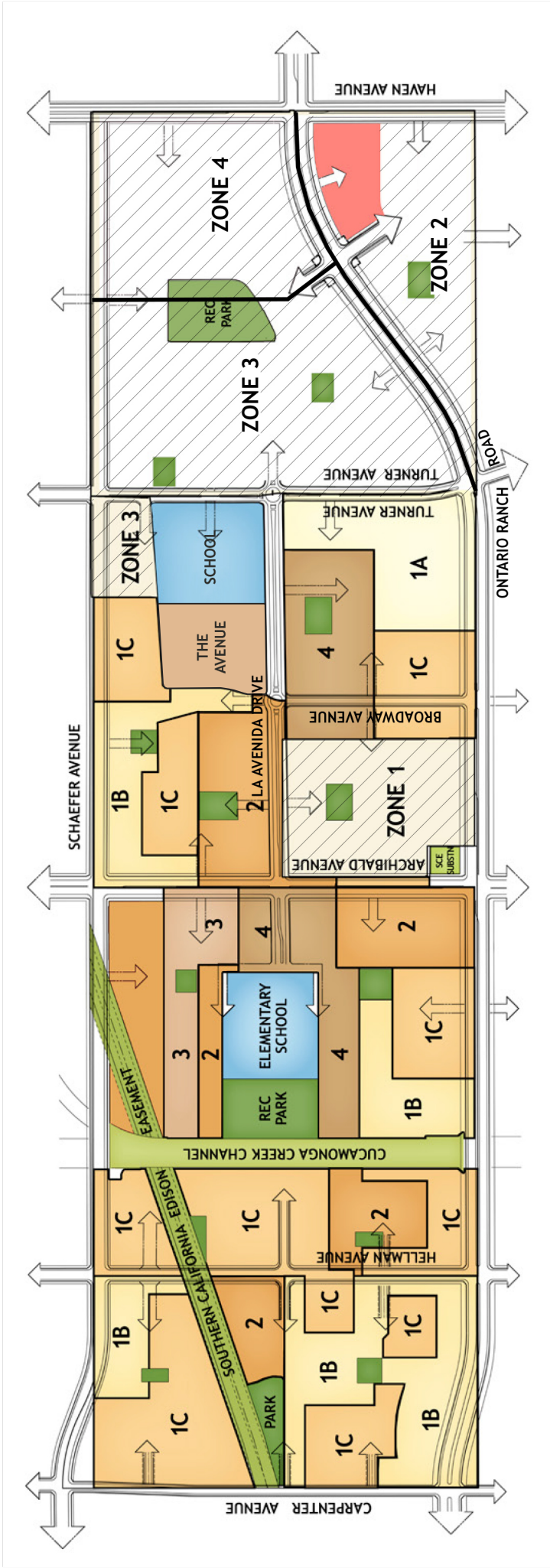
Maximum Height in Traffic Safety-Site Areas and/or front or corner side yard areas 3'
 Maximum Height at all other Locations 6'
 Maximum Height at Retaining Walls (10) 3'

Parking

Minimum Resident Parking Required:
 1.75 Spaces per one-bedroom unit including 1 in a garage or carport, 2 spaces per two-bedroom unit including 1 in a garage or carport and 2.5 spaces per three or more bedroom unit including 2 in a garage and/or carport.
 Minimum Guest Parking Required:
 A parking study shall be completed and approved by the city to determine the minimum guest parking requirement for each community.
 Any public street parking can not be counted towards meeting the parking requirement.
 See Section 5.4.1.N. for Tandem Parking.

Open Space

Private open space per unit in balcony or patio- ground floor 150 S.F. with min. 8' dimension and all other floors 50 S.F. with min. 5' dimension.
 Common open space per unit -250 S.F. with min. 15' dimension.
 See Section 5.4.1.O. for open space requirement for a gated multi-family projects.



LEGEND

- P PARK
- C COMMERCIAL
- D DAYCARE
- PRODUCT 1A 5,500+ SF LOT
- PRODUCT 1B 4,250 - 5,775 SF LOT
- PRODUCT 1C 3,200 - 4,500 SF LOT
- PRODUCT 2 2,380 - 3,600 SF LOT
- PRODUCT 3 SFD 4/8 CLUSTER
- PRODUCT 4 DUPLEX

- PRODUCT 5 TRIPLEX
- PRODUCT 6 ROWTOWN
- PRODUCT 7 AUTOCOURT (20 Du/Ac and under)
- PRODUCT 8 AUTOCOURT (Greater than 20 Du/Ac)
- ZONES 1-4 (Product Distribution Regulations in Section 5.4.1 M.)

NOTE: Subject to change by each individual builder.

The Avenue
SPECIFIC PLAN

Conceptual Product Distribution

5.4.3 Low Density Residential Permitted and Conditional Uses

This category includes the development of single family detached dwelling units. The purpose of the residential standards for single family detached housing is to establish the minimum criteria for the development of these product types on individual lots within the neighborhoods specified within the plan area.

A. Permitted Uses

1. Single family detached dwellings including live/work units and their accessory uses
2. Single family attached dwellings
3. Public or private parks
4. Recreational buildings including swimming pool
5. Child day care facilities serving up to seven (7) children (per State guidelines)
6. Schools
7. Accessory uses to include the following:
 - a. Garages
 - b. Granny Flats (i.e. Second Dwelling Units, in accordance the City's Zoning Code)
 - c. Home occupations
 - d. Swimming pools, spas, sports courts, and other similar outdoor recreational amenities
 - e. Patios and patio covers
 - f. Storage, garden structures, cabanas, and greenhouses
 - g. Monument signs
 - h. Temporary uses such as model home and subdivision sales trailers, temporary construction parking, offices, and facilities, real estate signs, signage indicating future development and directional signage
 - i. Second story additions to single family dwelling units

B. Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues
2. Child day care facilities serving eight (8) to 14 children (per State guidelines)

5.4.4 Low Medium Density Residential Permitted and Conditional Uses

This category includes the development of single-family and multi-family attached type dwelling units.

A. Permitted Uses

1. Single family detached dwellings including Cluster SFD and Mews SFD, single-family attached and multi-family attached dwellings
2. Public or private parks
3. Recreational buildings including swimming pool
4. Child day care facilities serving up to seven (7) children (per State guidelines)
5. Schools
6. Accessory uses to include the following:
 - a. Garages
 - b. Granny Flats (i.e. Second Dwelling Units, in accordance with City Zoning Code)
 - c. Home occupations
 - d. Swimming pools, spas, tennis courts, sports courts, and other similar outdoor recreational amenities
 - e. Patios and patio covers
 - f. Mailboxes
 - g. Community center buildings
 - h. Maintenance storage buildings
 - i. Monument signage
 - j. Temporary uses such as model units, sales offices, and subdivision sales trailers, temporary construction offices and facilities, real estate signs, signage indicating future
 - k. Second story additions to single dwelling units

B. Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues
2. Child day care facilities serving eight (8) to 14 children (per State guidelines)

5.4.5 Medium Density Residential Permitted and Conditional Uses

This category includes the development of single-family and multi-family attached type dwelling units.

C. Permitted Uses

1. Single family attached and multi-family attached dwellings
2. Public or private parks
3. Recreational buildings including swimming pool
4. Child day care facilities serving up to seven (7) children (per State guidelines)
5. Schools
6. Accessory uses to include the following:
 - a. Garages
 - b. Home occupations
 - c. Swimming pools, spas, tennis courts, sports courts, and other similar outdoor recreational amenities
 - d. Patios and patio covers
 - e. Mailboxes
 - f. Community center buildings
 - g. Maintenance storage buildings
 - h. Monument signage
 - i. Temporary uses such as model units, sales offices, and subdivision sales trailers, temporary construction offices and facilities, real estate signs, signage indicating future

B. Conditionally Permitted Uses

1. Places of worship including but not limited to churches and synagogues
2. Child day care facilities serving eight (8) to 14 children (per State guidelines)
3. Age-restricted/Senior Housing and apartments (MDR only)

5.4.6 Commercial Development Standards

Minimum Lot Area

Minimum lot size shall be large enough to accommodate the proposed use and meet all Development Standards as specified within the Specific Plan. Minimum site area shall be 4 acres; however, the site area may be less when developed as part of an integrated commercial center.

Building Setbacks

Building setbacks shall be determined by the hierarchy of streets (major arterial and local streets) and measured from PL for local streets and RW for Major Arterials. All setback areas are to be landscaped. These landscape area setbacks are:

From Ontario Ranch Road Right-Of-Way	35 feet
From Haven Avenue Right-Of-Way	14 feet
Archibald Avenue Right-Of-Way	19 feet
From Private or Local Street (from required 5' min. sidewalk)	10 feet
From Interior Property Line	0 feet
From Interior Property Line Adjacent to Residential District	25 feet (if adjacent to loading areas)

Maximum Development Floor Area Ratio (FAR) shall be 0.35.

Maximum Height shall be 35 feet, excluding architectural projections and focal elements such as towers and cupolas.

Loading Areas

All loading areas shall be screened from adjacent public streets, residential and open space use through the use of landscaping, earthen berms, and/or decorative walls or fencing. All storage including cartons, containers, materials, or trash shall be shielded from view within a building or area enclosed by a solid fence or wall not less than six feet in height.

Parking Setbacks

All parking setback areas are to be landscaped as follows:

From Ontario Ranch Road Right-Of-Way	35 feet
From Haven Avenue Right-Of-Way	14 feet
Archibald Avenue Right-Of-Way	19 feet
From Private or Local Street	10 feet
From Interior Property Line	5 feet
From Interior Property Line Adjacent to Residential District	5 feet

Wall and Fences

When a non-residential use adjoins a residential district, a 6-foot high decorative masonry wall shall be required at the interior side and/or rear property lines. Proposed walls in excess of 6 feet in height shall be designed to retain up to a maximum of 3 feet of earth. In no case, however shall a wall exceed an overall height of 9 feet (maximum 6-foot high wall on top of a maximum 3-foot height retaining wall).

5.4.7 Commercial Permitted and Conditional Uses

List of Permitted uses in the Commercial Zone:

Administrative, Professional, and Other Offices

Advertising Agency

Animal Hospital/Veterinarian

Antique Stores

Art Galleries and Art Supply Store

Auditoriums and Other Public Assembly Facilities

Automotive Parts and Accessories Stores (Retail Sales Only)

Automotive Services (i.e. tune-up, emission tests, batteries, etc. — no use of impact wrenches or other equipment that could create noise impacts)

Bakery

Banks, Credit Unions and other Depository Institutions

Barber Shop and Beauty/Nail Salon

Beauty Supply Store

Book Stores

Camera and Photographic Supply Store

Catering establishments

Charitable, Philanthropic, Service and other Non-Profit Organization Offices

Cigar and other Tobacco Products Store

Clothing and Accessory Stores

Communications equipment — Refer to Development Code Section 9-1.3289

Computer and Home Electronic Stores

Computer, Home Electronics, and Small Home Appliances (when ancillary to another use)



Convenience Market (per Development Code Section 9-1.1305)

Dance/Studio (Instructional)

Delicatessen

Discount Variety Store

Dry Cleaners

Fast Food

Florist

General Merchandise Stores

Grocery Store/Supermarket

Hardware Store

Health Club/Gymnasium — less than 2,000 square feet

Hobby, Toy and Game Store

Jewelry and Watches/Clocks

Jewelry Store

Laundry Self Serve

Library Locksmith/Key Shop

Luggage and Leather Goods

Medical Office

Minor Auto Repair (i.e. brakes, tires, radiators, electrical, etc)

Money Transmitting

Music and Video Stores

Office Supply, Stationery and Gift Stores

Other Financial Services

Pet and Pet Supply Store

Pet Grooming — Commercial

Pharmacies and Drug Stores w/o drive thru facilities

Photocopying and Duplicating Services

Photography Studio

Police Storefront/Substation

Police/Fire Station



Restaurants (sit down/full service)
Shoe Repair or Shoe Store
Specialty Food Stores
Sporting Goods Store
Tailor
Thrift and Second Hand Store
Travel Agency
Alcoholic Beverage Sales
Ambulance Service (Office Only — No Storage of Vehicles)
Assisted Living/Congregate Care
Banks, Credit Unions and other Depository Institutions (with drive thru, see Development Ordinance Section 9-101305 D)
Banquet Facilities
Bar/Cocktail Lounge
Billiard Parlor/Pool Hall
Bowling Alley
Building Materials and Garden Supply
Car Wash — Full
Car Wash Self Service (Ancillary)
Charitable Distribution Services (i.e. food banks, etc.)
Check Cashing, Check/Payday Advance
Church
Commercial Day care
Convalescent Care Facility (w/continuous skilled nursing care)
Exterminating Service per Development Ordinance Section 9-1.1305 E
Fast Food with Drive-through (per Development Code, Section 9-10305D)
Funeral Parlor, Mortuary
Gas Stations (per Section 9-1.1305 G)
Health Club Gymnasium — over 2,000 square feet
Home Appliance Store

Liquor Store
Live Entertainment
Pawnshop/Pawnbroker
Pharmacies and Drug Stores with drive thru facilities
Simulated Shooting Games (Indoor)
Skating Rink
Substance Abuse Clinics/Facilities
Theater
Tire Stores
Video/Electronic Game Arcades (per Development Code Section 9-101305V)
Vocational/Trade Schools



5.5 Maintenance

The public and private improvements constructed within The Avenue Specific Plan will be maintained through a combination of public and private entities as described below and in Table 4, “Maintenance Responsibility Matrix”.

5.5.1 Public Maintenance

1. All residential development areas will be dedicated as public streets (excluding private drive ways) to the City of Ontario and will be maintained by the City.
2. The SCE Corridor Trail within the SCE owned property will be constructed by the developers of the Specific Plan Area and maintained by the City.
3. The City will maintain landscaping of master-planned arterial streets and “curb-to-curb” on internal streets through the creation of an Operations and Maintenance Community Facilities District. Parkway improvements within the right-of-way of residential areas along interior streets and private drives shall be maintained by Homeowners Associations. Parkway improvements along interior streets and driveways within the retail and commercial center shall be maintained by the property owners of each respective center.
4. Public storm drain, sewer, and water easements shall be dedicated to the City as deemed necessary by the City.
5. All on-site water, sewer, and storm drains within public streets or easements dedicated to the City shall be constructed by the developer and, upon acceptance, shall be maintained by the City.
6. Off-site infrastructure improvements such as water, sewer and storm drain facilities, will be constructed/installed by the developer and maintained by the City.
7. During the course of maintenance of public utilities (including storm drain) within private and public streets, the City will pave the streets and restore landscaping per City standards. Restoration of any enhancements above and beyond City standards, including but not limited to architectural, hardscaping and landscaping enhancements shall be the responsibility of the HOA or other entity maintaining those enhancements. This applies to all areas where public utilities are located including but not limited to public and private streets, gated communities, private drives, etc.



8. Project Financing – The financing of construction, operation, and maintenance of public improvements and facilities (“the facilities”), and public services will include funding through a combination of financing mechanisms. Final determination as to the facilities to be constructed and as maintenance responsibilities, whether publicly or privately maintained, will be made prior to recordation of the final maps. In order for the project to be fiscally self-sufficient, the following financing options can be considered for implementation:

Facilities and Services

- Private capital investment for the construction of facilities.
- Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of a variety of public facilities and the provision of public services.

Operation and Maintenance

- By individual private property owner.
- By private, Property Owners or Home Owners Association.
- By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district.

5.5.2 Private Maintenance

A Master Homeowner association will be established for the maintenance of common area landscape improvements within the residential portion of The Avenue Specific Plan. Private improvements to be maintained by the homeowner association include:

- Private alleys and adjacent landscaping within the residential development areas
- Courts, parkways and landscaping within the residential areas
- Streets and Landscape areas that have architectural enhancements
- Walkways and common areas distinct to individual residential types and neighborhoods
- Recreational facilities including the country market
- Internal slopes fronting streets and slope areas in the rear of homes
- All internal open spaces, parks, and common areas at neighborhood entries
- Drives and on-site circulation within the retail and commercial areas

5.5.3 Maintenance Responsibility

Table 4 - Maintenance Responsibility Matrix

	City and/or Special District	Private Homeowners Association or Property Owners Association	Private Homeowners	Utility Entity
Master Plan Roadways (Ontario Ranch Road, Haven, Schaefer, Hellman)	X			
Interior Public Streets - Curb to Curb (Primary Entry St., Secondary Entry Streets, Neighborhood Streets)	X			
Traffic Signals and Street Lights in the public street right-of-way	X			
Traffic Control Signs	X			
Alleys including pavement area improvements between curb improvements		X		
Interior public streets-behind the curb improvements (sidewalk, parkway and monument signs)		X		
Parkways and Neighborhood Edges of Master Plan Roadways	X			
Off-site and on-site public water, sewer and storm drain improvements (excluding laterals) (Only those facilities in public roads and those in private streets within public utilities easements that meet public improvement design criteria) ⁽¹⁾	X			
On-site water, sewer, and storm drain improvements (improvements that are: private, laterals, and lines behind meters and/or DCDAs, improvements serving only one lot/parcel, not within public or private roads, not within public utility easements, or not meeting public improvement design criteria)		X	X	
Private Recreation Areas		X		
Pocket Parks		X		
Linear Parks		X		
Community Trail (SCE Corridor Trail)	X			
Front Yard/Corner Streetside Landscaping Areas (LDR)			X	
Front Yard/Corner Streetside Landscaping Areas (MDR)		X		
Private Interior Yard Walls		X	X	
Community Theme Wall (Outside Face for Graffiti Removal and Paint)	X			

Table 4 - Maintenance Responsibility Matrix (continued)

	City and/or Special District	Private Homeowners Association or Property Owners Association	Private Homeowners	Utility Entity
Community Theme Wall on Master Planned Roadways: Surface (interior) opposite streetside (Structural Integrity and Face Repair)		X		
Interior Tract Graffiti Removal		X		
Community/Neighborhood Entries (within the right-of-way)	X			
Parkways and Neighborhood Edge of all Master Plan Roadways	X			
Neighborhood Edge on all non-Master Plan Roadways		X		
Parkways of all Interior Project Streets (Including Landscaping, Medians, and Sidewalks) ⁽²⁾		X		
Alley Landscaping and Lighting		X		
Monument Signs (within Neighborhood edges on Master Plan Roadways)		X		
Monument Signs within tract entry		X		
Electricity and Natural Gas				X
Communications Systems	X			X
Police and Fire	X			
Fiber Optic Conduit (in NMC streets)	X			
Fiber Optic Conduit (in-tract streets)	X			
NPDES Facilities (off-site)/W.Q.M.P ⁽¹⁾	X			

⁽¹⁾ Only those facilities in public roads or easements

⁽²⁾ Only those facilities on private property

⁽³⁾ Including restoration work following public street repairs

5.6 Modifications and Plan Amendment Process

5.6.1 Minor Modifications

The following constitute minor modifications to The Avenue Specific Plan, not requiring a Specific Plan Amendment, and are subject to review and approval by the Zoning Administrator. The Zoning Administrator shall have the discretion to refer any such request for modification to the Planning Commission or the City Council.

- A. Change in utility and/or public service provider
- B. Adjustment of a neighborhood boundary provided the total acreage of the affected area does not increase or decrease by more than 15% the total acreage stated in the approved The Avenue Specific Plan
- C. Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the conceptual design set forth in the design guidelines contained within The Avenue Specific Plan
- D. Minor changes to the Design Guidelines, which are intended to be conceptual in nature only, and are intended to be flexible in implementation
- E. Other modifications of a similar nature to those listed above, which are deemed minor by the Director, which are in keeping with the purpose and intent of the approved The Avenue Specific Plan and which are in conformance with the General Plan
- F. The Avenue Specific Plan land use plan allocates density to each Planning Area. Variations in allocation of density between the Planning Areas of The Avenue Specific Plan is permitted provided the variation does not exceed a net of 15% and the maximum dwelling unit count of 2,875 units established for the Specific Plan is not exceeded.

5.6.2 Specific Plan Amendments

Amendments to The Avenue Specific Plan may be requested by the applicant or by the City at any time pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments. In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) will be responsible for preparing the necessary CEQA documentation.

5.7 Airport Land Use Compatibility Planning Consistency

All development proposals or Specific Plan Amendments are required to be consistent with the Airport Land Use Compatibility Plans of Chino Airport and Ontario International Airport. The Project Site is located within the Airport Influence Areas of Chino Airport and Ontario International Airport (ONT). The ALUCP for ONT was adopted in April of 2011 and the project site is located outside noise and safety impact zones but is located within the Real Estate Transaction Disclosure zone due to overflight and does not place development restrictions on the property but does require disclosure to new property owners.

The Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353 require that, as part of many residential real estate transactions, information be disclosed regarding whether the property is situated within an AIA. The Business and Professions Code applies the disclosure requirement to the sale or lease of newly subdivided lands and condominium conversions and to the sale of certain existing residential property. The Civil Code applies the disclosure requirement to existing residential property transfers only when certain natural conditions (earthquake, fire, or flood hazards) warrant disclosure. State Law provides the following disclosure language:

“NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors).

Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.”