| *CITY OF ONTARIO*<br>*Agenda Report*<br>**August 18, 2026** | **SECTION:**<br>**CONSENT CALENDAR** |
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| Department: Planning<br>Prepared By: Alexis Vaughn<br>Staff Member Presenting: Rudy Zeledon, Executive Director Community Development<br>Reviewed By: Thomas Grahn<br>Approved By: | Submitted To: Council/OHA<br>Approved: _____<br>Continued To: _____<br>Denied: _____<br>Item No: 8 |

**SUBJECT:** **A DEVELOPMENT CODE AMENDMENT FILE NO. PDCA26-002 REVISING AND CLARIFYING CERTAIN PROVISIONS OF THE CITY OF ONTARIO DEVELOPMENT CODE PURSUANT TO AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

**RECOMMENDATION:** That the City Council adopt an Ordinance approving File No. PDCA26-002, a Development Code Amendment revising and clarifying certain provisions of Chapters 2.0 (Administration and Procedures), 4.0 (Permits, Actions, and Decisions), 5.0 (Zoning and Land Use), 6.0 (Development and Subdivision Regulations), and 8.0 (Sign Regulations) of the City of Ontario Development Code.

**THE FOLLOWING COUNCIL GOALS ARE BEING ACHIEVED:**
**Invest in the Growth and Evolution of the City's Economy**
**Operate in a Businesslike Manner**

**FISCAL IMPACT:** There is not a direct fiscal impact associated with this action.

**BACKGROUND & ANALYSIS:** On July 21, 2026, the City Council introduced and waived further reading of an Ordinance approving the Development Code Amendment, File No. PDCA26-002.

**PROJECT SETTING:** The proposed Development Code Amendment is of citywide impact, affecting approximately 50 square miles (32,022 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. The City of Ontario is substantially built-out with a mix of residential, commercial, industrial, agricultural, airport, recreational, and institutional/public land uses. According to the latest US Census forecast, the City of Ontario's 2022 estimated population is 179,516 persons and in terms of population, is ranked the 26th largest city in the State and the 146th largest in the nation. Ontario's population has increased by 3.46 percent since the most recent census, which recorded a population of 175,265 in 2020.

**PROJECT ANALYSIS:** The proposed Development Code Amendment is comprised of certain

clarifications and revisions to the City of Ontario Development Code, as follows:

(1) Revise Chapter 2.0 (Administration and Procedures), Section 2.03.010.C.1.b (2) – Public Hearing Notification, such that discretionary and legislative projects have the same 600-foot public noticing boundary; and, Table 2.02-1: Review Matrix, to clarify the Approval Authority for Electric Truck Vehicle Charging Facilities (for equipment and for ancillary construction), and for Semi-Trailer Storage Yard Facilities.

(2) Revise Chapter 4.0 (Permits, Actions, and Decisions), Section 4.02.025.B.2 – Development Plans, to provide clarification regarding the development of an Electric Vehicle Charging Facility or a Semi-Trailer Storage Yard Facility.

(3) Revise Chapter 5.0 (Zoning and Land Use), Section 5.02.010 – Allowed Land Uses, Activities and Facilities, to modify Table 5.02-1: Land Use Matrix to: 1) include bowling centers and simulated racing facilities (limited to go-carts, radio-controlled vehicles, and other similar facilities) as conditionally-permitted land uses within the Open Space – Recreation (OS-R) zoning district when privately operated on publicly-owned land; and 2) prohibit massage services ancillary to day spas and wellness centers within the MU-1 Zoning District.

(4) Revise Chapter 5.0 (Zoning and Land Use), Section 5.02.010 – Allowed Land Uses, Activities and Facilities, to modify Table 5.02-1: Land Use Matrix to introduce electric truck vehicle charging facilities as a conditionally-permitted land use; and introduce Section 5.03.163: Electric Truck Vehicle Charging Facilities to the Development Code to establish regulations for the land use.

(5) Revise Chapter 5.0 (Zoning and Land Use), Section 5.02.010 – Allowed Land Uses, Activities and Facilities, to modify Table 5.02-1: Land Use Matrix to introduce semi-trailer storage yard facilities as a conditionally-permitted land use; and introduce Section 5.03.357: Semi-Trailer Storage Yard Facilities to the Development Code to establish regulations for the land use.

(6) Revise Chapter 5.0 (Zoning and Land Use), Section 5.03.025.H.3 - Alcoholic Beverage Sales, to: 1) update the name of the Ontario Toyota Arena Entertainment Zone (OTAEZ) to the Capital City Entertainment Zone; and, 2) add a new subsection to support the Ontario Sports Empire Entertainment Zone, including new standards and Figure 5.03-2: Ontario Sports Empire Entertainment Zone.

(7) Revise Chapter 6.0 (Development and Subdivision Regulations), Table 6.01-8: Commercial Zoning District Development Standards, to increase the maximum height within the Light Office (OL) zoning district from 35 feet to 55 feet.

(8) Revise Chapter 6.0 (Development and Subdivision Regulations), Section 6.02.025.A.3 – Design Standards for Nonresidential Zoning Districts, to include standards for the screening of Semi-Trailer Storage Yard Facilities and Electric Truck Vehicle Charging Facilities.

(9) Revise Chapter 8.0 (Sign Regulations), Section 8.01.020 – Sign Standards, Table 8.01-1: Sign Regulation Matrix to clarify the maximum height of freeway signs.

The proposed provisions of the Development Code Amendment are shown in Attachment A

(Development Code Amendment) of the appended Resolution. Any provisions proposed for deletion are shown in red strikeout text (Abcdefg) and all additions are shown in blue underlined text (Abcdefg).

**AIRPORT LAND USE COMPATIBILITY PLAN COMPLIANCE:** The California State Aeronautics Act (Public Utilities Code Section 21670, et seq.) requires that an Airport Land Use Compatibility Plan (ALUCP) 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 ALUCP.

(1) Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) — 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 recommending body for the project, the Planning Commission 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, Planning Commission has concluded that the proposed Development Code Amendment is consistent with the policies and criteria set forth within the ONT ALUCP.

(2) Chino Airport Land Use Compatibility Plan (CNO ALUCP) — On August 2, 2022, the City Council of the City of Ontario approved and adopted a Development Code Amendment to establish the Chino Airport (CNO) Overlay Zoning District (OZD) and Reference I, CNO ALUCP. The CNO OZD and CNO ALUCP established the Airport Influence Area for Chino Airport, solely within the City of Ontario, and limits future land uses and development within the Airport Influence Area, as they relate to safety, airspace protection, and overflight impacts of current and future airport activity. The CNO ALUCP is consistent with policies and criteria set forth within the Caltrans 2011 California Airport Land Use Planning Handbook. The proposed Development Code Amendment may affect certain land development criteria on certain properties located within the Airport Influence Area of Chino Airport, which have been evaluated and found to be consistent with the California Airport Land Use Planning Handbook and the CNO ALUCP. As a result, the Planning Commission has concluded that the proposed Development Code Amendment is consistent with the policies and criteria set forth within the CNO ALUCP.

**HOUSING ELEMENT COMPLIANCE:** The Project is consistent with the Housing Element of the Policy Plan (general plan) component of The Ontario Plan, as the project furthers the purposes, principals, goals, and policies of the Housing Element.

**PLANNING COMMISSION REVIEW:** On June 23, 2026, the Planning Commission held a public hearing on the proposed amendments to the City of Ontario Development Code and voted (6-0) recommending that City Council adopt an Ordinance approving File No. PDCA26-002, a Development Code Amendment revising and clarifying certain provisions of Chapters 2.0

(Administration and Procedures), 4.0 (Permits, Actions, and Decisions), 5.0 (Zoning and Land Use), 6.0 (Development and Subdivision Regulations), and 8.0 (Sign Regulations) of the City of Ontario Development Code pursuant to an exemption under the California Environmental Quality Act.

**ENVIRONMENTAL REVIEW:** The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the Guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the commonsense exemption (general rule) that CEQA applies only to projects that have the potential for causing a significant effect on the environment. (Muzzy Ranch Co. v. Solano County Airport Land Use Comm'n (2007) 41 Cal.4th 372, 380.) Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. Per the Supreme Court's ruling in Muzzy Ranch, the application of the commonsense exemption is decided based on whether record evidence supports the exemption, and no further evaluation by the City is required. The City need not engage in detailed or extensive fact-finding to make this determination as long as there is substantial evidence "appropriate to the CEQA stage in issue." (Muzzy Ranch, 41 Cal.4th at 388.) Specifically:

(1) The proposed amendments to Chapter 2.0 (Administration and Procedures), Section 2.03.010.C.1.b (2) - Public Hearing Notification, such that discretionary and legislative projects have the same 600-foot public noticing boundary, and providing additional clarity regarding the Approving Authority and Appeal Authority for Table 2.01-2: Review Matrix are procedural in nature and are intended to establish consistency in noticing requirements across application types and provide clarification for public hearing pathways. The modifications have no potential for resulting in a significant effect on the environment.

(2) The proposed amendment to Chapter 4.0 (Permits, Actions, and Decisions), Section 4.02.025.B.2 – Development Plans, to provide clarification regarding the development of an Electric Vehicle Charging Facility or a Semi-Trailer Storage Yard Facility is procedural in nature and has no potential, by itself, to result in a significant effect on the environment.

(3) The proposed amendments to Chapter 5.0 (Zoning and Land Use), Section 5.02.010 – Allowed Land Uses, Activities and Facilities, to: 1) include bowling centers and simulated racing facilities (limited to go-carts, radio-controlled vehicles, and other similar facilities) as conditionally-permitted land uses within the Open Space – Recreation (OS-R) zoning district when privately operated on publicly-owned land; and 2) prohibit massage services ancillary to day spas and wellness centers within the MU-1 Zoning District are procedural in nature. The modification establishes the requirement for Conditional Use Permit review for recreational facilities. Any future development projects would be subject to environmental review prior to approval, as part of a Development Plan application, and would be appealable. The modification also provides clarification regarding the prohibition of ancillary massage services in the MU-1 Zoning District. As such, the proposed amendments have no potential, by themselves, to result in a significant effect on the environment.

(4) The proposed amendment to Chapter 5.0 (Zoning and Land Use), Section 5.02.010 – Allowed Land Uses, Activities and Facilities, to modify Table 5.02-1: Land Use Matrix to introduce electric truck vehicle charging facilities as a conditionally-permitted land use; and introduce Section 5.03.163: Electric Truck Vehicle Charging Facilities to the Development Code to establish regulations

for the land use is procedural in nature. The modification brings this Development Code into compliance with Government Code 65850.7, which stipulates that EV charging equipment shall be reviewed administratively. Further, it establishes the requirement for Conditional Use Permit review for all applicable site improvements and establishes development and operational regulations. Any future development projects would be subject to environmental review prior to approval, as part of a Development Plan application, and would be appealable. As such, this amendment has no potential, by itself, to result in a significant effect on the environment.

(5) The proposed amendments to Chapter 5.0 (Zoning and Land Use), Section 5.02.010 – Allowed Land Uses, Activities and Facilities, to modify Table 5.02-1: Land Use Matrix to introduce semi-trailer storage yard facilities as a conditionally-permitted land use; and introduce Section 5.03.357: Semi-Trailer Storage Yard Facilities to the Development Code to establish regulations for the land use is procedural in nature, as the modification establishes the requirement for Conditional Use Permit review and establishes development and operational regulations. Any future development projects would be subject to environmental review prior to approval, as part of a Development Plan application, and would be appealable. As such, this amendment has no potential, by itself, to result in a significant effect on the environment.

(6) The proposed amendments to Chapter 5.0 (Zoning and Land Use), Section 5.03.025.H.3 - Alcoholic Beverage Sales, to: 1) update the name of the Ontario Toyota Arena Entertainment Zone (OTAEZ) to the Capital City Entertainment Zone; and, 2) add a new subsection to support the Ontario Sports Empire Entertainment Zone, including new standards and Figure 5.03-2: Ontario Sports Empire Entertainment Zone, are administrative and procedural in nature. Updating the name of the Entertainment Zone is administrative in nature and has no potential for causing a significant effect on the environment. Introduction of a new subsection to support the Ontario Sports Empire Entertainment Zone is similarly administrative and procedural, as it clarifies further the regulations previously established within the Development Code regarding sales and service of alcoholic beverages within Entertainment Zones. Further, the amendment would not in and of itself permit development of any kind nor reduce any existing limitations on development. Therefore, this amendment has no potential for causing a significant effect on the environment.

(7) The proposed amendment to Chapter 6.0 (Development and Subdivision Regulations), Table 6.01-8 – Commercial Zoning District Development Standards, to increase the maximum height within the Light Office (OL) zoning district from 35 feet to 55 feet is procedural in nature, as it allows a higher height for buildings within the affected zone. It does not propose to increase the development intensity, and any future development projects would be subject to environmental review prior to approval, as part of a Development Plan application, and would be appealable. As such, this amendment has no potential, by itself, to result in a significant effect on the environment.

(8) The proposed amendment to Chapter 6.0 (Development and Subdivision Regulations), Section 6.02.025.A.3 – Design Standards for Nonresidential Zoning Districts, to include standards for the screening of Semi-Trailer Storage Yard Facilities and Electric Truck Vehicle Charging Facilities, is procedural in nature and introduces requirements intended to reduce potential nuisances associated with the land uses. As such, this amendment has no potential for causing a significant effect on the environment.

(9) The proposed amendment to Chapter 8.0 (Sign Regulations), Section 8.01.020 – Sign Standards, Table 8.01-1: Sign Regulation Matrix to clarify the maximum height of freeway signs, is administrative in nature, as it clarifies the existing height provision for consistency with the built environment, when the adjacent freeway grade is different than that of the project site. Therefore, this amendment has no potential for causing a significant effect on the environment.