

**CITY OF ONTARIO
CITY COUNCIL AND HOUSING AUTHORITY
AGENDA
DECEMBER 4, 2018**

Paul S. Leon
Mayor

Alan D. Wapner
Mayor pro Tem

Jim W. Bowman
Council Member

Debra Dorst-Porada
Council Member

Ruben Valencia
Council Member



Scott Ochoa
City Manager

John E. Brown
City Attorney

Sheila Mautz
City Clerk

James R. Milhiser
Treasurer

WELCOME to a meeting of the Ontario City Council.

- All documents for public review are on file with the Records Management/City Clerk's Department located at 303 East B Street, Ontario, CA 91764.
- Anyone wishing to speak during public comment or on a particular item will be required to fill out a blue slip. Blue slips must be turned in prior to public comment beginning or before an agenda item is taken up. The Clerk will not accept blue slips after that time.
- Comments will be limited to 3 minutes. Speakers will be alerted when they have 1 minute remaining and when their time is up. Speakers are then to return to their seats and no further comments will be permitted.
- In accordance with State Law, remarks during public comment are to be limited to subjects within Council's jurisdiction. Remarks on other agenda items will be limited to those items.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council and Staff need to be recognized by the Chair before speaking.

ORDER OF BUSINESS The regular City Council and Housing Authority meeting begins with Public Comment at 6:30 p.m. immediately followed by the Regular Meeting and Public Hearings. No agenda item will be introduced for consideration after 10:00 p.m. except by majority vote of the City Council.

(EQUIPMENT FOR THE HEARING IMPAIRED AVAILABLE IN THE RECORDS MANAGEMENT OFFICE)

CALL TO ORDER (*OPEN SESSION*)

6:30 p.m.

ROLL CALL

Wapner, Bowman, Dorst-Porada, Valencia, Mayor/Chairman Leon

PLEDGE OF ALLEGIANCE

Mayor pro Tem Wapner

INVOCATION

Pastor Francisco Juarez, Ontario Brethren Church

PUBLIC COMMENTS

6:30 p.m.

The Public Comment portion of the Council/Housing Authority meeting is limited to 30 minutes with each speaker given a maximum of 3 minutes. An opportunity for further Public Comment may be given at the end of the meeting. Under provisions of the Brown Act, Council is prohibited from taking action on oral requests.

As previously noted -- if you wish to address the Council, fill out one of the blue slips at the rear of the chambers and give it to the City Clerk.

AGENDA REVIEW/ANNOUNCEMENTS The City Manager will go over all updated materials and correspondence received after the Agenda was distributed to ensure Council Members have received them. He will also make any necessary recommendations regarding Agenda modifications or announcements regarding Agenda items to be considered.

SPECIAL CEREMONIES

RECOGNITION OF ONTARIO CHRISTIAN HIGH SCHOOL - CIF STATE DIVISION 3 GIRLS VOLLEYBALL CHAMPIONSHIP

ARTS & CULTURE UPDATE AND SPECIAL RECOGNITION

CONSENT CALENDAR

All matters listed under **CONSENT CALENDAR** will be enacted by one motion in the form listed below – there will be no separate discussion on these items prior to the time Council votes on them, unless a member of the Council requests a specific item be removed from the Consent Calendar for a separate vote.

Each member of the public wishing to address the City Council on items listed on the Consent Calendar will be given a total of 3 minutes.

1. APPROVAL OF MINUTES

Minutes for the regular meeting of the City Council and Housing Authority of November 6, 2018, approving same as on file in the Records Management Department.

2. BILLS/PAYROLL

Bills October 7, 2018 through October 20, 2018 and **Payroll** October 7, 2018 through October 20, 2018, when audited by the Finance Committee.

3. A RESOLUTION ADOPTING THE CITY OF ONTARIO'S 2018 HAZARD MITIGATION PLAN

That the City Council adopt a resolution approving the City of Ontario's 2018 Hazard Mitigation Plan (on file in the Records Management Department) in accordance with California Office of Emergency Services (Cal OES) and Federal Emergency Management Agency (FEMA) requirements.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE HAZARD MITIGATION PLAN 2018 IN ACCORDANCE WITH CALIFORNIA OFFICE OF EMERGENCY SERVICES (CAL OES) AND FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REQUIREMENTS.

4. AUTHORIZE THE PURCHASE OF REPLACEMENT FLEET VEHICLES

That the City Council take the following actions:

- (A) Award Bid No. 1021 and authorize the purchase and delivery of one CNG Tree Trimmer Truck in the amount of \$300,658 for the Parks & Maintenance Department from Los Angeles Freightliner of Whittier, California;
- (B) Authorize the cooperative purchase and delivery of one Ford F150 truck in the amount of \$43,771 for the Fire Department, from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (C) Authorize the cooperative purchase and delivery of three Chevrolet Silverado 1500 trucks in the amount of \$95,381 (one for the Fire Department, one for the Recreation Department and one for the Fleet Services Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (D) Authorize the cooperative purchase and delivery of three Ford F350 SD trucks in the amount of \$156,514 (one for the Fire Department and two for the Facilities Maintenance Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (E) Authorize the cooperative purchase and delivery of one Ford F250 SD truck in the amount of \$34,949 for the Parks and Maintenance Department, from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF; and
- (F) Authorize the cooperative purchase and delivery of five Patrol BMW Motorcycles in the amount of \$156,280 for the Police Department, from Long Beach BMW Motorcycles of Long Beach, California, consistent with the terms and conditions of the City of Sacramento contract Bid Number B17153311004.

5. MAINTENANCE SERVICE AGREEMENT FOR CITYWIDE STORM DRAIN MAINTENANCE SERVICES/UNITED STORM WATER, INC.

That the City Council authorize the City Manager to execute a one-year Maintenance Service Agreement (on file with the Records Management Department) for Contract No. SM1819-1 with United Storm Water, Inc., located in Industry, California, for an annual estimated cost of \$145,478 plus a contingency of \$7,274; and authorize the addition of future service areas consistent with City Council approved budgets.

6. APPROVAL OF A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA18-004, TO INCREASE THE ALLOWABLE BUILDING/STRUCTURE HEIGHT WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT

That the City Council consider and adopt a City-initiated ordinance approving File No. PDCA18-004, amending the Development Code to increase the allowable building/structure height from 55 feet to 80 feet within the IH (Heavy Industrial) zoning district.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA18-004, A DEVELOPMENT CODE AMENDMENT TO INCREASE THE ALLOWABLE BUILDING/STRUCTURE HEIGHT FROM 55 FEET TO 80 FEET WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF.

7. EVERY 15 MINUTES GRANT PROGRAM FROM THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

That the City Council authorize the acceptance of grant funds in the amount of up to \$6,000 for the Every 15 Minutes Grant Program from the Department of California Highway Patrol.

PUBLIC HEARINGS

Pursuant to Government Code Section 65009, if you challenge the City's zoning, planning or any other decision in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to the public hearing.

8. A PUBLIC HEARING TO CONSIDER A CITY INITIATED GENERAL PLAN (POLICY PLAN) AMENDMENT (FILE NO. PGPA18-005) AND ZONE CHANGE (FILE NO. PZC18-002) FOR 2.4 ACRES OF LAND TO: [1] MODIFY THE ONTARIO PLAN (TOP) EXHIBIT LU-01 – LAND USE PLAN, TO ESTABLISH A LAND USE DESIGNATION OF INDUSTRIAL (0.55 FAR); [2] MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND [3] ESTABLISH A ZONING DESIGNATION OF IG (GENERAL INDUSTRIAL) TO BRING THE PROPERTY ZONING INTO CONSISTENCY WITH THE POLICY PLAN. THE PROJECT SITE IS LOCATED WITHIN NORTH LOOP DRIVE, GENERALLY WEST OF ETIWANDA AVENUE AND SOUTH OF THE INTERSTATE 10 FREEWAY. THE PROPERTY CURRENTLY DOES NOT HAVE A LAND USE DESIGNATION, ZONING DESIGNATION, OR APN ASSIGNED TO THE PARCEL

That the City Council:

- (A) Consider and adopt a resolution approving an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010; and
- (B) Consider and adopt a resolution approving General Plan Amendment File No. PGPA18-005; and
- (C) Introduce and waive further reading of an ordinance approving File No. PZC18-002.

Notice of public hearing has been duly given and affidavits of compliance are on file in the Records Management Department.

Written communication.

Oral presentation.

Public hearing closed.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH# 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA18-005 AND PZC18-002.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-005, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTY LOCATED WITHIN NORTH LOOP CIRCLE, GENERALLY WEST OF ETIWANDA AVENUE AND SOUTH OF THE INTERSTATE 10 FREEWAY, TO ESTABLISH A LAND USE DESIGNATION OF INDUSTRIAL, AS THE SITE CURRENTLY HAS NO LAND USE DESIGNATION OR APN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: N/A. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 4 FOR THE 2018 CALENDAR YEAR).

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCZ18-002, A ZONE CHANGE TO ESTABLISH A ZONE OF IG (GENERAL INDUSTRIAL) ON A LOT TOTALING 2.4 ACRES OF LAND THAT CURRENTLY DOES NOT HAVE A ZONING DESIGNATION OR AN APN, TO BRING PROPERTY ZONING INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN, AFFECTING PROPERTY LOCATED WITHIN NORTH LOOP DRIVE, GENERALLY WEST OF ETIWANDA AVENUE AND SOUTH OF THE INTERSTATE 10 FREEWAY, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: N/A. (SEE ATTACHMENT A) (PART OF CYCLE 4 FOR THE 2018 CALENDAR YEAR).

9. CONSIDERATION OF A SPENDING PLAN FOR CITIZEN'S OPTION FOR PUBLIC SAFETY / ENHANCING LAW ENFORCEMENT ACTIVITIES SUBACCOUNT GRANT PROGRAM

That the City Council receive public comment for the Fiscal Year 2018-19 Citizen's Option for Public Safety (COPS) / Enhancing Law Enforcement Activities Subaccount (ELEAS) Grant; and approve the proposed spending plan.

Notice of public hearing has been duly given and affidavits of compliance are on file in the Records Management Department.

Written communication.
Oral presentation.
Public hearing closed.

STAFF MATTERS

City Manager Ochoa

COUNCIL MATTERS

Mayor Leon
Mayor pro Tem Wapner
Council Member Bowman
Council Member Dorst-Porada
Council Member Valencia

ADJOURNMENT

CITY OF ONTARIO

Agenda Report
December 4, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: A RESOLUTION ADOPTING THE CITY OF ONTARIO'S 2018 HAZARD MITIGATION PLAN

RECOMMENDATION: That the City Council adopt a resolution approving the City of Ontario's 2018 Hazard Mitigation Plan (on file in the Records Management Department) in accordance with California Office of Emergency Services (Cal OES) and Federal Emergency Management Agency (FEMA) requirements.


COUNCIL GOALS: Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: The City's Hazard Mitigation Plan must be adopted by City Council in order for the City to receive Federal (FEMA) grant funding.

BACKGROUND: City staff from multiple departments along with community partners, working through the Ontario Emergency Management Working Committee and coordinated by the Office of Emergency Management, reviewed the previous Plan, gathered statistical and reference information, and confirmed that state and federal requirements were met in order to complete this updated version of the Plan. The Plan represents the City's commitment to reduce risks from natural, technological and human-caused emergencies and disasters, and serves as a guide for decision-makers as they commit resources to reducing the effects of natural, technological and man-made emergencies and disasters.

The draft Hazard Mitigation Plan 2018 was submitted to the Cal OES and FEMA for evaluation and was found to be in compliance. The Plan is now ready for approval by City Council.

STAFF MEMBER PRESENTING: Rob Elwell, Fire Chief

Prepared by: Raymond Cheung
Department: Fire
City Manager
Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, ADOPTING THE HAZARD MITIGATION PLAN 2018 IN ACCORDANCE WITH CALIFORNIA OFFICE OF EMERGENCY SERVICES (CAL OES) AND FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REQUIREMENTS.

WHEREAS, the Disaster Mitigation Act of 2000 requires local governments to develop and submit hazard mitigation plans; and

WHEREAS, the City of Ontario Hazard Mitigation Plan 2018 (HMP) is considered the representation of the jurisdiction's commitment to reduce risks from natural, technological and human-caused emergencies and disasters, and serves as a guide for decision-makers as they commit resources to reducing the effects of natural, technological and man-made emergencies and disasters; and

WHEREAS, the mitigation planning encourages agencies and departments at all levels, employees, officials, residents, businesses, non-profits, public and private organizations and other stakeholders, individually, and collectively, to do their share in furthering hazard mitigation and participation in the mitigation planning and implementation process; and

WHEREAS, the Ontario Emergency Management Working Committee, serving as the HMP Planning Team, with representatives from City agencies and departments, such as Administrative Services, Housing and Neighborhood Preservation, Community Life and Culture, Public Works, Development, Police, Fire, Information Technology, Ontario Municipal Utilities Company, Risk Management, and the Office of Emergency Management, together with many outside planning partners and input from the public, developed the HMP; and

WHEREAS, the HMP includes an evaluation of the hazards and risks for earthquakes, flooding, high winds, wildfires, water shortage and other hazards; and

WHEREAS, the HMP also includes mitigation measures to lessen the severity of the hazards noted above and an approval by the elected officials signifies that the mitigation measures are accepted and will be incorporated into future grant funding requests and future budget year programming as funding becomes available; and

WHEREAS, the HMP is adopted into the safety element of the general plan; and

WHEREAS, the City of Ontario promotes and supports the goal of a prepared, disaster-resilient community; and

WHEREAS, the City Council has carefully considered the matter at their regularly scheduled meeting on December 4, 2018.

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Ontario does find and determine as follows:

SECTION 1. The City Council adopts the City of Ontario Hazard Mitigation Plan 2018.

SECTION 2. The City Council hereby authorizes that a copy of the City Council approved City of Ontario Hazard Mitigation Plan 2018 be forwarded to the San Bernardino County Operational Area (OA), California Office of Emergency Services (Cal OES) and Federal Emergency Management Agency (FEMA).

SECTION 3. The City Clerk of the City of Ontario shall certify as to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 4th day of December 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO LEGAL FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held December 4, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held December 4, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

CITY OF ONTARIO

Agenda Report
December 4, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: AUTHORIZE THE PURCHASE OF REPLACEMENT FLEET VEHICLES

RECOMMENDATION: That the City Council take the following actions:

- (A) Award Bid No. 1021 and authorize the purchase and delivery of one CNG Tree Trimmer Truck in the amount of \$300,658 for the Parks & Maintenance Department from Los Angeles Freightliner of Whittier, California;
- (B) Authorize the cooperative purchase and delivery of one Ford F150 truck in the amount of \$43,771 for the Fire Department, from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (C) Authorize the cooperative purchase and delivery of three Chevrolet Silverado 1500 trucks in the amount of \$95,381 (one for the Fire Department, one for the Recreation Department and one for the Fleet Services Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (D) Authorize the cooperative purchase and delivery of three Ford F350 SD trucks in the amount of \$156,514 (one for the Fire Department and two for the Facilities Maintenance Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF;
- (E) Authorize the cooperative purchase and delivery of one Ford F250 SD truck in the amount of \$34,949 for the Parks and Maintenance Department, from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF; and

STAFF MEMBER PRESENTING: Al C. Boling, Assistant City Manager

Prepared by: Manuel Rebolledo
Department: Fleet Services
City Manager Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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- (F) Authorize the cooperative purchase and delivery of five Patrol BMW Motorcycles in the amount of \$156,280 for the Police Department, from Long Beach BMW Motorcycles of Long Beach, California, consistent with the terms and conditions of the City of Sacramento contract Bid Number B17153311004.

COUNCIL GOALS: Maintain the Current High Level of Public Safety
Operate in a Businesslike Manner

FISCAL IMPACT: The Fiscal Year 2018-19 Adopted Operating Budget includes appropriations in the amount of \$790,000 for the purchase of the replacement vehicles listed above. The total cost of the vehicles recommended for purchase is \$787,553.

BACKGROUND: The vehicles recommended for replacement in this action have outlived their useful lives, and it is no longer cost effective to maintain them. They are scheduled for replacement pursuant to ongoing efforts to reduce expenses, maximize useful life expectancy and extend replacement cycles of fleet equipment, while ensuring safe and reliable operations. This procurement action will result in the replaced vehicles being available to surplus, with any auction sale proceeds returning to the Equipment Services Fund.

In general conformation with the provisions of Government Code Section 54201 through 54204, Ontario Municipal Code Section 2-6.29, allows for the purchase of supplies and equipment through cooperative purchasing programs (also known as “piggybacking”) pursuant to California Government Code Section 6502 and the City of Ontario Resolution No. 91-141. Cooperative purchasing allows the city to pool its procurement power with other public agencies to obtain pricing lower than otherwise might be possible.

(A) Bid No. 1021: One CNG Tree Trimmer Truck

In September 2018, the City solicited bids for One CNG Tree Trimmer Truck. Los Angeles Freightliner of Whittier, California was the only bidder.

Staff recommends award Bid No. 1021 to Los Angeles Freightliner of Whittier, California in the amount of \$300,658.

- (B) Staff recommends the cooperative purchase and delivery of one Ford F150 truck in the amount of \$43,771 for the Fire Department, from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.
- (C) Staff recommends the cooperative purchase and delivery of three Chevrolet Silverado 1500 trucks in the amount of \$95,381 (one for the Fire Department, one for the Recreation Department and one for the Fleet Services Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.
- (D) Staff recommends the cooperative purchase and delivery of three Ford F350 SD trucks in the amount of \$156,514 (one for the Fire Department and two for the Facilities Maintenance

Department) from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.

- (E) Staff recommends the cooperative purchase and delivery of one Ford SD F250 truck in the amount of \$34,949 for the Parks and Maintenance Department, from National Auto Fleet Group of Watsonville, California, consistent with the terms and conditions of the Sourcewell (formerly known as NJPA) Cooperative Contract 120716-NAF.
- (F) Staff recommends the cooperative purchase and delivery of five Patrol BMW Motorcycles in the amount of \$156,280 for the Police Department from Long Beach BMW Motorcycles of Long Beach, California, consistent with the terms and conditions of the City of Sacramento Bid contract Number B17153311004.

CITY OF ONTARIO

Agenda Report
December 4, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: MAINTENANCE SERVICE AGREEMENT FOR CITYWIDE STORM DRAIN MAINTENANCE SERVICES

RECOMMENDATION: That the City Council authorize the City Manager to execute a one-year Maintenance Service Agreement (on file with the Records Management Department) for Contract No. SM1819-1 with United Storm Water, Inc., located in Industry, California, for an annual estimated cost of \$145,478 plus a contingency of \$7,274; and authorize the addition of future service areas consistent with City Council approved budgets.

COUNCIL GOALS: Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
Ensure the Development of a Well Planned, Balanced and Self-Sustaining Community in Ontario Ranch

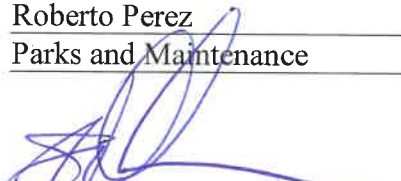
FISCAL IMPACT: The proposed base amount of the Maintenance Service Agreement is \$145,478 plus a \$7,274 contingency for urgency services, for a total estimated amount of \$152,752. Appropriations of \$218,000 are included in the Fiscal Year 2018-19 Adopted Operating Budget within the Storm Drain Maintenance Fund. The actual service costs will be dependent upon the actual service levels required and will be limited to the appropriation levels approved by the City Council.

BACKGROUND: In October 2018, the City solicited proposals for routine storm drain maintenance services throughout the City. Two proposals were received that met the criteria and standards necessary to perform this work.

<u>Vendor</u>	<u>Location</u>	<u>Base Amount</u>
United Storm Water, Inc.	Industry, CA	\$145,478
Pipe Tech, Inc.	Baldwin Park, CA	\$207,325

United Storm Water, Inc. located in Industry, California, submitted a proposal that met all the required specifications with a base cost of \$145,478. Based upon United's proposal, credentials, pricing and

STAFF MEMBER PRESENTING: Al C. Boling, Assistant City Manager

Prepared by: Roberto Perez
Department: Parks and Maintenance
City Manager Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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favorable reference checks, staff recommends award of a Maintenance Service Agreement to United Storm Water, Inc.

CITY OF ONTARIO

Agenda Report
December 4, 2018

SECTION:
CONSENT CALENDAR

SUBJECT: APPROVAL OF A DEVELOPMENT CODE AMENDMENT, FILE NO. PDCA18-004, TO INCREASE THE ALLOWABLE BUILDING/STRUCTURE HEIGHT WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT

RECOMMENDATION: That the City Council consider and adopt a City-initiated ordinance approving File No. PDCA18-004, amending the Development Code to increase the allowable building/structure height from 55 feet to 80 feet within the IH (Heavy Industrial) zoning district.

COUNCIL GOALS: Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

FISCAL IMPACT: None.

BACKGROUND: On November 20, 2018, the City Council introduced and waived further reading of an ordinance approving a Development Code Amendment. On December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028). Ordinance No. 3028 created five new industrial zoning districts that included the BP (Business Park), IP (Industrial Park), IL (Light Industrial), IG (General Industrial) and IH (Heavy Industrial) zoning districts. Each industrial zone is unique, creating a hierarchy of industrial uses from light to heavy and acting as transition/buffer zones between sensitive uses (such as residential, schools, parks, etc.) and heavier nuisance uses. The Development Code update established building development standards (buildings setbacks, lot/landscape coverage, floor area ratios and allowable building heights) for the five industrial zones. Staff periodically reviews the Development Code, to adjust or clarify provisions within the code that are deemed necessary.

DEVELOPMENT CODE AMENDMENT: The proposed Amendment will increase the allowable building/structure height from 55 feet to 80 feet within the IH zoning district of the Development Code, specifically *Chapter 6.0 – Development and Subdivision Regulations, Table 6.01-10: Industrial Zoning District Development Standards* (see Exhibit A: Revised Table 6.01-10).

STAFF MEMBER PRESENTING: Scott Murphy, AICP, Executive Director, Development Agency

Prepared by: Lorena Mejia
Department: Planning
City Manager Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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The Development Code established the IH zoning district to accommodate heavier manufacturing, assembly, storage, warehousing industrial uses. Land uses that are normally permitted within the IH zone typically incorporate taller facilities within their operations such as silos, smokestacks and tanks as part of their back of house operations. The 55 feet maximum building height for the IH zone was established in the 2015 comprehensive Development Code update. However, staff’s periodic reviews of the Development Code, examined building heights in various zones and found that the IH zone building/structure height did not reflect the existing built environment. Permitted structures currently exist within the IH zone that exceed the 55 feet maximum height. In addition, building heights within specific plans in the immediate area of the IH zone have allowable building heights that are greater than what is currently permitted within the IH zone. The table below lists the specific plans in the immediate area of the IH zone and their maximum allowable heights for reference.

Specific Plan	Maximum Building Height
Shea Business Center	100 FT
Pacific Gate-East Gate	70 FT
California Commerce Center	FAA (Federal Aviation Administrative) Regulations
Entratter	75 FT

Furthermore, staff has seen an increased need for taller buildings within the IH Industrial zone since warehouse distribution facilities are requiring higher interior building clearances for higher racking/stacking of goods/inventory in addition to accommodating additional heights for equipment/forklift clearances. Therefore, the Amendment will allow for the flexibility of meeting current industry needs for taller buildings (see Exhibit A) and eliminating legal non-conforming structures within the IH zone that currently exceed the 55 feet height limit.

On October 23, 2018, the Planning Commission conducted a public hearing to consider the proposed Development Code Amendment, and voted unanimously (6-0) to recommend City Council approval of the Development Code Amendment.

AIRPORT LAND USE COMPATIBILITY PLAN COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan.

ENVIRONMENTAL REVIEW: The environmental impacts of the above-described applications were reviewed in conjunction with an addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The addendum was prepared pursuant to CEQA, the State CEQA Guidelines and the City’s “Guidelines for the Implementation of the California Environmental Quality Act (CEQA)” which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts that were not previously analyzed in the Environmental Impact Report. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference.

Exhibit A: Revised Table 6.01-10

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
A. SITE DEVELOPMENT STANDARDS						
1. Minimum Lot Area	1.0 AC		10,000 SF			Note 1
2. Maximum Floor Area Ratio (FAR)	0.60		0.55			Note 7
3. Minimum Lot Dimensions						
a. Lot Width	100 FT					Note 1
b. Lot Depth	100 FT					Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.F.6 (Landscaping) for additional standards					
a. Interior Lots	15%	10%				Notes 2 and 3
b. Corner Lots	20%	15%				Notes 2 and 3
c. Off-Street Parking Areas	7%					See Section 6.05.030.D (Landscaping of Off-Street Parking Facilities)
5. Minimum Parking Space and Drive Aisle Separations						
a. Parking Space or Drive Aisle to Street Property Line	20 FT		10 FT			
b. Parking Space or Drive Aisle to Interior Property Line	5 FT					Notes 4 and 5
Exception: From property line common with residential district	10 FT (area shall be densely landscaped)			n/a		
c. Parking Space to Buildings, Walls, and Fences	[1] Areas adjacent to public entries and office areas: 10 FT; and [2] Areas adjacent to other building areas: 5 FT.					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
d. Drive Aisles to Buildings, Walls, and Fences	10 FT					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
6. Minimum Screened Loading and Storage Yard Separations						
a. Enclosed Loading and Storage Yard to Street Property Line						
(1) Freeway	20 FT					
(2) Arterial Street	20 FT					

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
(3) Collector/Local Street	10 FT					
b. Screened Loading and Storage Yard to Interior Property Line	0 FT					
<u>Exception:</u> From interior property line common with residential district	10 FT (area shall be densely landscaped)				n/a	
c. Screened Loading and Storage Yard to Buildings, Walls, and Fences	0 FT					
7. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).					
8. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					
13. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Maximum Building Area	Single-Tenant: Multi-Tenant:	45,000 SF 60,000 SF	n/a			Note 9
2. Minimum Street Setback						
a. From Freeway Property Line	20 FT					
b. From Arterial Street Property Line						
(1) Holt Boulevard	10 FT					
(2) All Other Arterial Streets	20 FT					
c. From Collector and Local Street Property Line	10 FT					
3. Minimum Interior Property Line Setback	0 FT					Note 6

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
Exception: Property line common with residential districts	30 FT					
4. Maximum Height	45 FT		55 FT		80 FT	Note 7
5. Minimum Setback From Major Pipelines (to habitable structures)	50 FT					Note 8

Note 7: The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA18-004, A DEVELOPMENT CODE AMENDMENT TO INCREASE THE ALLOWABLE BUILDING/STRUCTURE HEIGHT FROM 55 FEET TO 80 FEET WITHIN THE IH (HEAVY INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF.

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA18-004, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for guiding the growth and development of the City in a manner that achieves Ontario's vision and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its; and

WHEREAS, on December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016; and

WHEREAS, the City of Ontario has initiated alterations to the Development Code for the purpose of increasing the allowable building/structure height from 55 feet to 80 feet within the IH (Heavy Industrial) zoning district listed in Chapter 6.0 – Development and Subdivision Regulations, Table 6.01-10: Industrial Zoning District Development Standards (Attachment A - Table 6.01-10: Industrial Zoning District Development Standards Revisions); and

WHEREAS, the IH zoning district is located within the eastern portion of the City generally located south of the I-10 Freeway and east of the I-15 Freeway and is bounded by the Southern Pacific Railroad Company on the north, Etiwanda Avenue to the east, Philadelphia Street to the south and Wineville Avenue to the west; and

WHEREAS, the Development Code established the IH zoning district to accommodate heavier manufacturing, assembly, storage and warehousing uses; and

WHEREAS, land uses normally permitted within the IH zone typically incorporate taller facilities within their operations such as silos, smokestacks and tanks as part of their operations; and

WHEREAS, the 55 foot building height established in the 2015 comprehensive Development Code update did not reflect the existing built environment of the IH zone, resulting in legal non-conforming structures that exceed the 55 foot height limit throughout the zone; and

WHEREAS, the specific plans that surround the IH Zone generally have allowable heights that range from 70 feet to over 100 Feet; and

WHEREAS, on October 23, 2018, the Planning Commission conducted a public hearing and approved Resolution No. 18-097 recommending the City Council approve a Resolution adopting an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), certified by the City Council on January 27, 2010, in conjunction with File No. PGP06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts. Furthermore, all mitigation measures previously adopted with the Certified Environmental Impact Report are incorporated into the Project by reference; and

WHEREAS, the City's "Local Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, on October 23, 2018, the Planning Commission of the City of Ontario conducted a public hearing to consider the Initial Study/Addendum and the Project, and concluded said hearing on that date, voting 6-0 to issue Resolution No. 18-098 recommending the City Council approve the Application; and

WHEREAS, on November 20, 2018, the City Council of the City of Ontario conducted a public hearing to consider the Initial Study/Addendum and the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on November 20, 2018, the City Council approved a resolution adopting an Initial Study/Addendum to a previous "Certified EIR" prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario

Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

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

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

SECTION 1. *Environmental Determination and Findings.* As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the previous "Certified EIR" and supporting documentation. Based upon the facts and information contained in the previous "Certified EIR" and supporting documentation, the City Council finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report, certified by the City of Ontario City Council on January 27, 2018, in conjunction with File No. PGPA16-001.

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the DAB; and

(5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

(6) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the "Certified EIR", and all mitigation measures previously adopted by the "Certified EIR", are incorporated herein by this reference.

SECTION 2. *Additional Environmental Review Not Required.* Based on the Addendum, all related information presented to the City Council, and the specific findings set forth in Section 1, above, the City Council finds that the preparation of a subsequent or supplemental "Certified EIR" is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the "Certified EIR" that will require major revisions to the "Certified EIR" due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the “Certified EIR” was prepared, that will require major revisions to the “Certified EIR” due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the “Certified EIR” was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the “Certified EIR”; or

(b) Significant effects previously examined will be substantially more severe than shown in the “Certified EIR”; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the “Certified EIR” would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

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

SECTION 4. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed Development Code Amendment is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) The proposed Development Code Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

SECTION 5. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described Development Code amendment, attached hereto as "Attachment A," and incorporated herein by this reference.

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.

SECTION 7. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 9. Publication and Posting. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this 4th day of December 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. 3121 was duly introduced at a regular meeting of the City Council of the City of Ontario held November 20, 2018 and adopted at the regular meeting held December 4, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. 3121 duly passed and adopted by the Ontario City Council at their regular meeting held December 4, 2018 and that Summaries of the Ordinance were published on November 27, 2018 and December 11, 2018, in the Inland Valley Daily Bulletin newspaper.

SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A:

**File No. PDCA18-004;
Proposed Development Code Amendment
Table 6.01-10: Industrial Zoning District Development
Standards Revisions**

(Document follows this page)

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
A. SITE DEVELOPMENT STANDARDS						
1. Minimum Lot Area	1.0 AC		10,000 SF			Note 1
2. Maximum Floor Area Ratio (FAR)	0.60		0.55			Note 7
3. Minimum Lot Dimensions						
a. Lot Width	100 FT					Note 1
b. Lot Depth	100 FT					Note 1
4. Minimum Landscape Coverage	Refer to Division 6.05 (Landscaping) and Paragraph 6.01.010.F.6 (Landscaping) for additional standards					
a. Interior Lots	15%	10%				Notes 2 and 3
b. Corner Lots	20%	15%				Notes 2 and 3
c. Off-Street Parking Areas	7%					See Section 6.05.030.D (Landscaping of Off-Street Parking Facilities)
5. Minimum Parking Space and Drive Aisle Separations						
a. Parking Space or Drive Aisle to Street Property Line	20 FT		10 FT			
b. Parking Space or Drive Aisle to Interior Property Line	5 FT					Notes 4 and 5
Exception: From property line common with residential district	10 FT (area shall be densely landscaped)			n/a		
c. Parking Space to Buildings, Walls, and Fences	[1] Areas adjacent to public entries and office areas: 10 FT; and [2] Areas adjacent to other building areas: 5 FT.					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
d. Drive Aisles to Buildings, Walls, and Fences	10 FT					Note 5
Exception: Within screened loading and storage yard areas	0 FT					
6. Minimum Screened Loading and Storage Yard Separations						
a. Enclosed Loading and Storage Yard to Street Property Line						
(1) Freeway	20 FT					

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
(2) Arterial Street	20 FT					
(3) Collector/Local Street	10 FT					
b. Screened Loading and Storage Yard to Interior Property Line	0 FT					
Exception: From interior property line common with residential district	10 FT (area shall be densely landscaped)				n/a	
c. Screened Loading and Storage Yard to Buildings, Walls, and Fences	0 FT					
7. Walls, Fences and Obstructions	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts).					
8. Off Street Parking	Refer to Division 6.03 (Off-Street Parking and Loading).					
9. Property Appearance and Maintenance	Refer to Division 6.10 (Property Appearance and Maintenance).					
10. Historic Preservation	Certain portions of commercial zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.					
11. Signs	Refer to Division 8.1 (Sign Regulations).					
12. Security Standards	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).					
13. Noise	Buildings shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).					
14. Airport Safety Zones	Properties within the Airport Influence Area (AIA) established by the LA/Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.					
B. BUILDING DEVELOPMENT STANDARDS						
1. Maximum Building Area	Single-Tenant:	45,000 SF	n/a			Note 9
	Multi-Tenant:	60,000 SF				
2. Minimum Street Setback						
a. From Freeway Property Line	20 FT					
b. From Arterial Street Property Line						
(1) Holt Boulevard	10 FT					

Table 6.01-10: Industrial Zoning District Development Standards

Requirements	Industrial Zoning Districts					Additional Regulations
	BP	IP	IL	IG	IH	
(2) All Other Arterial Streets	20 FT					
c. From Collector and Local Street Property Line	10 FT					
3. Minimum Interior Property Line Setback	0 FT					Note 6
Exception: Property line common with residential districts	30 FT					
4. Maximum Height	45 FT		55 FT		80 FT	Note 7
5. Minimum Setback From Major Pipelines (to habitable structures)	50 FT					Note 8

CITY OF ONTARIO

Agenda Report
December 4, 2018

**SECTION:
CONSENT CALENDAR**

SUBJECT: EVERY 15 MINUTES GRANT PROGRAM FROM THE DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

RECOMMENDATION: That the City Council authorize the acceptance of grant funds in the amount of up to \$6,000 for the Every 15 Minutes Grant Program from the Department of California Highway Patrol.

COUNCIL GOALS: Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies

FISCAL IMPACT: In October 2018, the Department of California Highway Patrol (CHP) invited the Ontario Police Department to apply for participation in the Every 15 Minutes Program. CHP will provide reimbursement of materials, supplies, motivational speakers, lodging costs and transportation as needed to implement a successful program. The approximate grant funding reimbursement is \$6,000. If approved, appropriations and corresponding revenue for this program will be presented in the next quarterly budget report to the City Council. The City is not required to provide matching funds for the grants.

BACKGROUND: The Every 15 Minutes Program is a nationwide program dedicated to raising the awareness of high school students about the dangers of drinking and driving. The program's name was derived from the fact that every fifteen minutes someone in the United States dies in an alcohol-related traffic collision.

This program has been successful over the past twelve years in Ontario's public high schools. Using these grant funds, the Every 15 Minutes Program will be conducted at Colony High School on April 2-3, 2019.

The two-day event will include demonstrations of automobile extrication, rescue, and victim medical treatment. The program challenges high school juniors and seniors to think about the consequences of drinking/distracted driving, personal safety, and the responsibility of making mature decisions. The

STAFF MEMBER PRESENTING: Derek Williams, Chief of Police

Prepared by: Douglas Sorel
Department: Police
City Manager Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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Police Department on one of many agencies participating in this event. Other agencies invited include the Ontario Fire Department, American Medical Response, CHP, Coroner's Office, District Attorney's Office, local hospitals, and various civic and business entities.

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CITY OF ONTARIO

Agenda Report
December 4, 2018

SECTION:
PUBLIC HEARINGS

SUBJECT: A PUBLIC HEARING TO CONSIDER A CITY INITIATED GENERAL PLAN (POLICY PLAN) AMENDMENT (FILE NO. PGPA18-005) AND ZONE CHANGE (FILE NO. PZC18-002) FOR 2.4 ACRES OF LAND TO: [1] MODIFY THE ONTARIO PLAN (TOP) EXHIBIT LU-01 – LAND USE PLAN, TO ESTABLISH A LAND USE DESIGNATION OF INDUSTRIAL (0.55 FAR); [2] MODIFY THE FUTURE BUILDOUT TABLE (EXHIBIT LU-03) TO BE CONSISTENT WITH THE LAND USE DESIGNATION CHANGES; AND [3] ESTABLISH A ZONING DESIGNATION OF IG (GENERAL INDUSTRIAL) TO BRING THE PROPERTY ZONING INTO CONSISTENCY WITH THE POLICY PLAN. THE PROJECT SITE IS LOCATED WITHIN NORTH LOOP DRIVE, GENERALLY WEST OF ETIWANDA AVENUE AND SOUTH OF THE INTERSTATE 10 FREEWAY. THE PROPERTY CURRENTLY DOES NOT HAVE A LAND USE DESIGNATION, ZONING DESIGNATION, OR APN ASSIGNED TO THE PARCEL

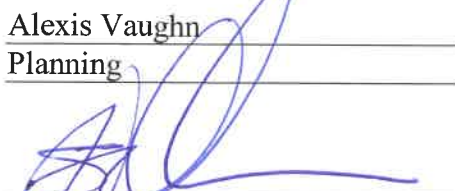
RECOMMENDATION: That the City Council:

- (A) Consider and adopt a resolution approving an Addendum to The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010; and
- (B) Consider and adopt a resolution approving General Plan Amendment File No. PGPA18-005; and
- (C) Introduce and waive further reading of an ordinance approving File No. PZC18-002.

COUNCIL GOALS: Invest in the Growth and Evolution of the City's Economy
Operate in a Businesslike Manner

FISCAL IMPACT: None.

STAFF MEMBER PRESENTING: Scott Murphy, AICP, Executive Director, Development Agency

Prepared by: Alexis Vaughn
Department: Planning
City Manager Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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BACKGROUND: In 2010, The Ontario Plan (“TOP”) was adopted which sets forth the land use pattern for the City to achieve its Vision. Subsequently, zoning districts with appropriate land uses were adopted to implement the Vision and create consistency between TOP land use designations and zoning.

The project site is a remnant Caltrans right-of-way property, which was relinquished to the City of Ontario in 1973. The City currently has the property in escrow to be sold to a developer for the future development of a 43,200 square-foot industrial building. The 2.4-acre property does not have an assessor parcel number (APN) and, therefore, the future owner of the property will be required to submit a Certificate of Compliance to create a legal parcel.

Currently, the project site is identified as right-of-way, with no General Plan land use or zoning designation. Therefore, a General Plan Amendment and Zone Change are required to establish a land use designation of Industrial (0.55 FAR) and a zoning designation of IG (General Industrial) to facilitate the future development of the subject property and provide land use and zoning consistency with the surrounding parcels (see Exhibit A: Proposed General Plan Amendment and Exhibit B: Proposed Zone Change).

On October 23, 2018, the Planning Commission conducted a public hearing to consider the proposed General Plan Amendment and Zone Change, and voted unanimously (6-0) to recommend that the City Council adopt an Addendum to The Ontario Plan Environmental Impact Report and approve the General Plan Amendment and Zone Change.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport, and has been found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan. Further, the project site is not located within any safety or noise impact zones for either the Ontario or Chino airports, is not a high terrain zone, and has a maximum allowable building height of 200 feet.

ENVIRONMENTAL REVIEW: The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan (PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by the City Council on January 27, 2010. The Addendum was prepared pursuant to CEQA, the State CEQA Guidelines, and The City’s “Guidelines for the Implementation of the California Environmental Quality Act (CEQA)” which provides for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts not previously analyzed in the Environmental Impact Report. All previously-adopted mitigation measures are a condition of project approval and are incorporated herein by reference.

Exhibit A: Proposed General Plan Amendment

TOP:

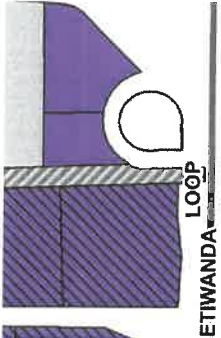
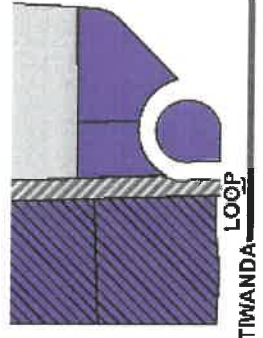


Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
<p>No Designation</p>	<p><i>The property does not currently have a parcel number (APN).</i></p> <p><i>(1 of 1 properties)</i></p> <p>Surrounded by North Loop Circle, west of Etiwanda Avenue and south of the I-10 Freeway</p>	<p>Industrial (0.55 FAR)</p>

Exhibit B: Proposed Zone Change

CURRENT ZONING:

	AR-2, Residential-Agricultural		PUD, Planned Development Unit		BP, Business Park		OS-R, Open Space Recreation
	RE-2, Rural Estate		MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid		IP, Industrial Park		OS-C, Open Space Cemetery
	RE-4, Residential Estate		CS, Corner Store		IL, Light Industrial		UC, Utilities Corridor
	LDR-5, Low Density Residential		CN, Neighborhood Commercial		IG, General Industrial		SP, Specific Plan
	MDR-11, Low-Medium Density Residential		CC, Community Commercial		IH, Heavy Industrial		SP(AG), Specific Plan w Agricultural Overlay
	MDR-18, Medium Density Residential		CCS, Convention Center Support		ONT, Ontario Int'l Airport		ES, Emergency Shelter Overlay
	MDR-25, Medium-High Density Residential		OL, Low Intensity Office		CIV, Civic		MTC, Multimodal Tran Center Overlay
	HDR-45, High Density Residential		OH, High Intensity Office		RC, Rail Corridor		ICC, Interim Communal Commercial Overlay
	MHP, Mobile Home Park						

Existing Zoning	Assessor Parcel Number(s) Involved	Proposed Zoning
 <p style="text-align: center;">Undesignated</p>	<p style="text-align: center;"><i>The parcel currently does not have a zoning designation or an APN</i></p> <p style="text-align: center;"><i>(1 of 1 properties)</i></p> <p style="text-align: center;">Located within North Loop Circle, west of Etiwanda Avenue and south of the I-10 Freeway</p>	 <p style="text-align: center;">IG (General Industrial)</p>

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING AN ADDENDUM TO THE ONTARIO PLAN (TOP) CERTIFIED ENVIRONMENTAL IMPACT REPORT (SCH# 2008101140), FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PGPA18-005 AND PZC18-002.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan (TOP) Environmental Impact Report (SCH# 2008101140) for File No. PGPA18-005 and PZC18-002 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File Nos. PGPA18-005 and PZC18-002 analyzed under the Initial Study/Environmental Impact Report Addendum, consist of an Amendment to the Policy Plan (General Plan) component of The Ontario Plan (TOP) to: [1] modify TOP Exhibit LU-01 (Land Use Plan) to establish a Land Use Designation of Industrial (0.55 FAR); [2] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and [3] establish a zoning designation if IG (General Industrial) to bring the property zoning into consistency with the policy plan; for 2.4 acres of land, located within North Loop Drive, generally west of Etiwanda Avenue and south of the Interstate 10 Freeway, in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the property currently does not have a land use designation, zoning designation, or APN assigned to the parcel; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, The Ontario Plan Environmental Impact Report was certified on January 27, 2010, in which development and use of the Project site was discussed; and

WHEREAS, pursuant to California Environmental Quality Act ("CEQA") Guidelines Section 15164(a), a lead agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary to a project, but the preparation of a subsequent or supplemental EIR is not required; and

WHEREAS, the City determined that none of the conditions requiring preparation of a subsequent or supplemental EIR would occur from the Project, and that preparation of an addendum to the EIR was appropriate; and

WHEREAS, the City of Ontario is the lead agency on the Project, and the City Council is the approving authority for the proposed approval to construct and otherwise undertake the Project; and

WHEREAS, the City Council has reviewed and considered the Initial Study/Environmental Impact Report Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent of supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the Initial Study/Environmental Impact Report Addendum for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein; and

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

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

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

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report, certified by the City of Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (hereinafter referred to as "Certified EIR").

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts.

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

SECTION 2. *Additional Environmental Review Not Required.* Based on the Addendum, all related information presented to the City Council, and the specific findings set forth in Section 1, above, the City Council finds that the preparation of a subsequent or supplemental Environmental Impact Report is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. *City Council Action.* Based upon the findings and conclusions set forth in Sections 1 and 2, above, the City Council hereby finds that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will constitute substantial changes to the Certified EIR, and does hereby approve the Addendum to the Certified EIR, incorporated herein by this reference.

SECTION 4. 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 5. Custodian of Records. The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

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

PASSED, APPROVED, AND ADOPTED this 4th day of December 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held December 4, 2018, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held December 4, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PGPA18-005, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTY LOCATED WITHIN NORTH LOOP CIRCLE, GENERALLY WEST OF ETIWANDA AVENUE AND SOUTH OF THE INTERSTATE 10 FREEWAY, TO ESTABLISH A LAND USE DESIGNATION OF INDUSTRIAL, AS THE SITE CURRENTLY HAS NO LAND USE DESIGNATION OR APN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: N/A. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 4 FOR THE 2018 CALENDAR YEAR).

WHEREAS, the City of Ontario has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-005, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City of Ontario adopted the Policy Plan (General Plan) as part of The Ontario Plan in January 2010. Since the adoption of The Ontario Plan, the City has evaluated Exhibits LU-01: Official Land Use Plan and LU-03: Future Buildout further and is proposing modifications; and

WHEREAS, the Application applies to 2.4 acres of land surrounded by North Loop Drive, generally located west of Etiwanda Avenue and south of the I-10 Freeway; and

WHEREAS, the proposed change to Exhibit LU-01 Official Land Use Plan includes a change to the land use designation of a certain property shown on Exhibit A to provide a land use designations on this property where one does not exist in order to facilitate the development of the site; and

WHEREAS, Policy Plan Exhibit LU-03 (Future Buildout) specifies the expected buildout for the City of Ontario, incorporating the adopted land use designations. The proposed changes to Exhibit LU-01 (Official Land Use Plan) will require that Exhibit LU-03 (Future Buildout) is modified to be consistent with Exhibit LU-01 (Official Land Use Plan), as depicted on Exhibits A and B, attached; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

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

WHEREAS, on October 23, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Initial Study/Addendum, and concluded said hearing on that date, voting (6-0) to issue Resolution No. PC18-094 recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on December 4, 2018, the City Council approved a Resolution adopting an Initial Study/Addendum to the Environmental Impact Report (SCH #2008101140) certified by City Council on January 27, 2010, for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously-adopted mitigation measures were incorporated into the Project by reference; and

WHEREAS, on December 4, 2018, the City Council of the City of Ontario conducted a public hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — SCH# 2008101140 ("Certified EIR"), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and.

(5) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and

(6) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the Certified EIR, and all mitigation measures previously adopted by the Certified EIR, are incorporated herein by this reference.

SECTION 2. Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the City Council, and the specific findings set forth in Section 1, above, the City Council finds that the preparation of a subsequent or supplemental environmental impact report is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

(d) Mitigation measures or alternatives considerably different from those analyzed in the Certified EIR would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance. The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As the project site is not located within any safety or noise impact zones for either the Ontario or Chino airports, is not a high terrain zone, and has a maximum allowable building height of 200 feet, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4. Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed General Plan Amendment is consistent with the goals and policies of The Ontario Plan as follows:

Policy LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests. The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

Goal LU3. Staff, regulations, and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision. The proposed land use designation and zone change applications will provide consistency between the project site and the surrounding area, while maintaining a logical land use pattern in and around the affected area. Further, the applications will allow for the development of the site to occur.

(2) The proposed General Plan Amendment would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City;

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the third amendment to the Land Use Element of the 2018 calendar year consistent with Government Code Section 65358;

(4) The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. Changing the land use designation of the subject property from undesignated to Industrial (0.55 FAR) will not impact the City's Regional Housing Needs Allocation obligations or the City's ability to satisfy its share of the region's future housing need.

(5) During the amendment of the General Plan, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with Government Code Section 65351.

SECTION 5. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the proposed General Plan Amendment, as depicted in Exhibit A (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Exhibit B (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

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.

SECTION 7. Certification to Adoption. The City Clerk shall certify to the adoption of the Resolution.

PASSED, APPROVED, AND ADOPTED this 4th day of December 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. 2018- was duly passed and adopted by the City Council of the City of Ontario at their regular meeting held December 4, 2018, by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

The foregoing is the original of Resolution No. 2018- duly passed and adopted by the Ontario City Council at their regular meeting held December 4, 2018.

SHEILA MAUTZ, CITY CLERK

(SEAL)

EXHIBIT A: Policy Plan Land Use Plan (Exhibit LU-01) Revision

TOP:



Existing Policy Plan Land Use	Assessor Parcel Number(s) Involved	Proposed Policy Plan Land Use
<p style="text-align: center;">No Designation</p>	<p style="text-align: center;"><i>The property does not currently have a parcel number (APN).</i></p> <p style="text-align: center;"><i>(1 of 1 properties)</i></p> <p style="text-align: center;">Surrounded by North Loop Circle, west of Etiwanda Avenue and south of the I-10 Freeway</p>	<p style="text-align: center;">Industrial (0.55 FAR)</p>

EXHIBIT B: Future Buildout (Exhibit LU-03) Revision



LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density ⁶	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium ⁶ Density	999	8.5 du/ac	8,492	33,941		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	10,864		84,750	315,679		
Mixed Use						
• Downtown	113	<ul style="list-style-type: none"> • 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail 	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	<ul style="list-style-type: none"> • 25% of the area at 30 du/ac • 50% of the area at 1.0 FAR office • 25% of area at 0.80 FAR retail 	428	856	1,740,483	3,913
• Meredith	93	<ul style="list-style-type: none"> • 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging 	800	1,600	1,172,788	1,462
• Transit Center	76	<ul style="list-style-type: none"> • 10% of the area at 60 du/ac • 90% of the area at 1.0 FAR office and retail 	457	913	2,983,424	5,337
• Inland Empire Corridor	37	<ul style="list-style-type: none"> • 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area at 0.35 FAR retail 	368	736	352,662	768
• Guasti	77	<ul style="list-style-type: none"> • 20% of the area at 30 du/ac • 30% of area at 1.0 FAR retail • 50% of area at .70 FAR office 	465	929	2,192,636	4,103
• Ontario Center	345	<ul style="list-style-type: none"> • 30% of area at 40 du/ac • 50% of area at 1.0 FAR office • 20% of area at 0.5 FAR retail 	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	<ul style="list-style-type: none"> • 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.5 FAR retail 	479	958	5,477,126	7,285
• NMC West/South	315	<ul style="list-style-type: none"> • 30% of area at 35 du/ac • 70% of area at 0.7 FAR office and retail 	3,311	6,621	6,729,889	17,188
• NMC East	264	<ul style="list-style-type: none"> • 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses 	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	<ul style="list-style-type: none"> • 50% of the area at 30 du/ac • 50% of area at 0.8 FAR retail 	156	312	181,210	419
• SR-60/ Hammer Tuscan Village	41	<ul style="list-style-type: none"> • 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.5 FAR office 	185	369	924,234	2,098
Subtotal	1,668		15,129	30,257	34,922,836	72,383

LU-03 Future Buildout¹

Land Use	Acres ²	Assumed Density/Intensity ³	Units	Population ⁴	Non-Residential Square Feet	Jobs ⁵
Retail/ Service						
Neighborhood ⁶ Commercial	281	0.30 FAR			3,671,585	8,884
General Commercial	533	0.30 FAR			6,964,199	6,470
Office/ Commercial	514	0.75 FAR			16,805,775	37,269
Hospitality	141	1.00 FAR			6,157,642	7,060
Subtotal	1,470				33,599,200	59,682
Employment						
Business Park	1,507	0.40 FAR			26,261,610	46,075
Industrial	6,379 6,372	0.55 FAR			152,554,889 152,661,502	134,036 134,132
Subtotal	7,877 7,879				170,816,499	180,113
Other						
Open Space- Non-Recreation	1,232	Not applicable				
Open Space- Parkland ⁶	950	Not applicable				
Open Space- Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	9,906					
Total	31,794 31,786		99,878	345,936	247,465,508 247,445,148	312,221 312,272

Notes

- Historically, citywide buildout levels do not achieve the maximum allowable density/intensity on every parcel and are, on average, lower than allowed by the Policy Plan. Accordingly, the buildout projections in this Policy Plan do not assume buildout at the maximum density or intensity and instead are adjusted downward. To view the buildout assumptions, access the Methodology report.
- Acres are given as adjusted gross acreages, which do not include the right-of-way for roadways, flood control facilities, or railroads.
- Assumed Density/Intensity includes both residential density, expressed as units per acre, and non-residential intensity, expressed as floor area ratio (FAR), which is the amount of building square feet in relation to the size of the lot.
- Projections of population by residential designation are based on a persons-per-household factor that varies by housing type. For more information, access the Methodology report.
- To view the factors used to generate the number of employees by land use category, access the Methodology report.
- Acreages and corresponding buildout estimates for these designations do not reflect underlying land uses within the Business Park, Industrial and Commercial Overlays. Estimates for these areas are included within the corresponding Business Park, Industrial and General Commercial categories.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCZ18-002, A ZONE CHANGE TO ESTABLISH A ZONE OF IG (GENERAL INDUSTRIAL) ON A LOT TOTALING 2.4 ACRES OF LAND THAT CURRENTLY DOES NOT HAVE A ZONING DESIGNATION OR AN APN, TO BRING PROPERTY ZONING INTO CONSISTENCY WITH THE POLICY PLAN (GENERAL PLAN) LAND USE PLAN, AFFECTING PROPERTY LOCATED WITHIN NORTH LOOP DRIVE, GENERALLY WEST OF ETIWANDA AVENUE AND SOUTH OF THE INTERSTATE 10 FREEWAY, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: N/A. (SEE ATTACHMENT A) (PART OF CYCLE 4 FOR THE 2018 CALENDAR YEAR).

WHEREAS, the City of Ontario ("Applicant") has filed an Application for the approval of a Zone Change, File No. PZC18-002, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.4 acres of land surrounded by North Loop Drive, generally located west of Etiwanda Avenue and south of the I-10 Freeway, and is presently vacant; and

WHEREAS, the property to the north of the Project site is the Interstate 10 Freeway. The property to the east is within the City of Fontana, and is currently vacant. The property to the south is the Southern Pacific Rail Line. The property to the west is within the IG (General Industrial) zoning district, and is developed with industrial buildings; and

WHEREAS, the Project was filed in conjunction with a General Plan Amendment (PGPA18-005), and that the proposed Zone Change will bring the parcel into consistency with the Vision of The Ontario Plan (TOP) and the Policy Plan (General Plan) component of TOP; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts; and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the City Council the responsibility and authority to review and act on the subject Application; and

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

WHEREAS, 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 October 23, 2018, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting unanimously (6-0) to issue Resolution No. PC18-095 recommending the City Council approve the Application; and

WHEREAS, as the first action on the Project, on December 4, 2018, the City Council approved a Resolution adopting an Initial Study/Addendum to the Environmental Impact Report (SCH #2008101140) certified by City Council on January 27, 2010, for File No. PGPA06-001. The Addendum finds that the proposed project introduces no new significant environmental impacts, and all previously-adopted mitigation measures were incorporated into the Project by reference; and

WHEREAS, on December 4, 2018, the City Council of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report — SCH# 2008101140 (“Certified EIR”), certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001; and

(2) The Addendum and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

(3) The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. This Application introduces no new significant environmental impacts; and

(4) All previously adopted mitigation measures shall be a condition of project approval, as they are applicable to the Project, and are incorporated herein by this reference; and

(5) The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the City Council; and

(6) There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts.

SECTION 2. *Subsequent or Supplemental Environmental Review Not Required.* Based on the information presented to the City Council, and the specific findings set forth in Section 1, above, the City Council finds that the preparation of a subsequent or supplemental environmental impact report is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the Certified EIR that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

(2) Does not constitute substantial changes with respect to the circumstances under which the Certified EIR was prepared, that will require major revisions to the Certified EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and

(3) Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Certified EIR was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Certified EIR; or

(b) Significant effects previously examined will be substantially more severe than shown in the Certified EIR; or

(c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the Project, but the City declined to adopt such measures; or

SECTION 3. *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts

of current and future airport activity. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation against the ALUCP compatibility factors, including [1] Safety Criteria (ALUCP Table 2-2) and Safety Zones (ALUCP Map 2-2), [2] Noise Criteria (ALUCP Table 2-3) and Noise Impact Zones (ALUCP Map 2-3), [3] Airspace protection Zones (ALUCP Map 2-4), and [4] Overflight Notification Zones (ALUCP Map 2-5). As the project site is not located within any safety or noise impact zones for either the Ontario or Chino airports, is not a high terrain zone, and has a maximum allowable building height of 200 feet, the City Council, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 4. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing, and upon the specific findings set forth in Sections 1 through 3, above, the City Council hereby concludes as follows:

(1) The proposed Zone Change is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities:

Policy LU2-1 Land Use Decisions. We minimize adverse impacts on adjacent properties when considering land use and zoning requests. The proposed Zone Change closely coordinates with, land uses, zoning designations and land use designations in the surrounding area which will not increase adverse impacts on adjacent properties.

Goal LU3. Staff, regulations, and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision. The proposed land use designation and zone change applications will provide consistency between the project site and the surrounding area, while maintaining a logical land use pattern in and around the affected area. Further, the applications will allow for the development of the site to occur.

(2) The proposed Zone Change would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The proposed Zone Change will be closely coordinated with the surrounding area. Further, future development will be required to meet Ontario Development Code and Municipal Code standards.

(3) The proposed Zone Change will not adversely affect the harmonious relationship with adjacent properties and land uses, in that it has been coordinated. The proposed Zone Change will be closely coordinated to allow development to occur which shall be consistent with the surrounding neighborhood in terms of scale, massing, and industrial land uses. Further, future development will be required to meet Ontario Development Code and Municipal Code standards.

(4) The subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development. The subject site is surrounded by developed land, including industrial uses

and transportation routes. The project site is large enough to be developed with a building suitable for general industrial purposes, and will be developed to be consistent with existing industrial buildings within the project vicinity.

SECTION 5. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the City Council hereby APPROVES the herein described Zone Change, as depicted in Attachment A of this Ordinance.

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.

SECTION 7. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 8. Effective Date. This Ordinance shall become effective 30 days following its adoption.

SECTION 9. Publication and Posting. The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

PASSED, APPROVED, AND ADOPTED this ____ day of _____ 2018.

PAUL S. LEON, MAYOR

ATTEST:

SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

BEST BEST & KRIEGER LLP
CITY ATTORNEY

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. _____ was duly introduced at a regular meeting of the City Council of the City of Ontario held _____ and adopted at the regular meeting held _____, 2018 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

SHEILA MAUTZ, CITY CLERK

(SEAL)

I hereby certify that the foregoing is the original of Ordinance No. _____ duly passed and adopted by the Ontario City Council at their regular meeting held _____, 2018 and that Summaries of the Ordinance were published on _____ and _____, in the Inland Valley Daily Bulletin newspaper.

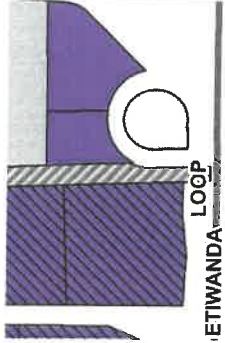
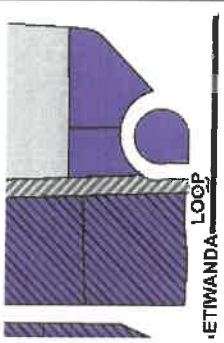
SHEILA MAUTZ, CITY CLERK

(SEAL)

ATTACHMENT A: Proposed Zone Change

CURRENT ZONING:

 AR-2, Residential-Agricultural	 PUD, Planned Unit Development	 BP, Business Park	 OS-R, Open Space Recreation
 RE-2, Rural Estate	 MU, Mixed Use 1 - Downtown, 2-East Holt, 11-Francis&Euclid	 IP, Industrial Park	 OS-C, Open Space Cemetery
 RE-4, Residential Estate	 CS, Corner Store	 IL, Light Industrial	 UC, Utilities Corridor
 LDR-5, Low Density Residential	 CN, Neighborhood Commercial	 IG, General Industrial	 SP, Specific Plan
 MDR-11, Low-Medium Density Residential	 CC, Community Commercial	 IH, Heavy Industrial	 SP(AG), Specific Plan w Agricultural Overlay
 MDR-18, Medium Density Residential	 CCS, Convention Center Support	 ONT, Ontario Int'l Airport	 ES, Emergency Shell Overlay
 MDR-25, Medium-High Density Residential	 OL, Low Intensity Office	 CIV, Civic	 MTC, Multimodal Tran Center Overlay
 HDR-45, High Density Residential	 OH, High Intensity Office	 RC, Rail Corridor	 ICC, Interim Commun Commercial Overlay
 MHP, Mobile Home Park			

Existing Zoning	Assessor Parcel Number(s) Involved	Proposed Zoning
 <p style="text-align: center;">Undesignated</p>	<p style="text-align: center;"><i>The parcel currently does not have a zoning designation or an APN</i></p> <p style="text-align: center;"><i>(1 of 1 properties)</i></p> <p style="text-align: center;">Located within North Loop Circle, west of Etiwanda Avenue and south of the I-10 Freeway</p>	 <p style="text-align: center;">IG (General Industrial)</p>

CITY OF ONTARIO

Agenda Report
December 4, 2018

SECTION:
PUBLIC HEARINGS

SUBJECT: CONSIDERATION OF A SPENDING PLAN FOR CITIZEN'S OPTION FOR PUBLIC SAFETY / ENHANCING LAW ENFORCEMENT ACTIVITIES SUBACCOUNT GRANT PROGRAM

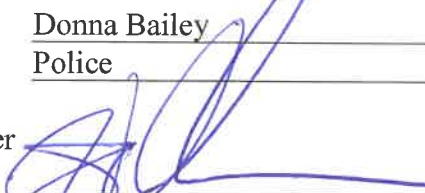
RECOMMENDATION: That the City Council receive public comment for the Fiscal Year 2018-19 Citizen's Option for Public Safety (COPS) / Enhancing Law Enforcement Activities Subaccount (ELEAS) Grant; and approve the proposed spending plan.

**COUNCIL GOALS: Maintain the Current High Level of Public Safety
Pursue City's Goals and Objectives by Working with Other Governmental Agencies**

FISCAL IMPACT: On September 11, 2018, the California State Department of Finance announced the estimated funding allocation amounts to be awarded to each participating agency under the COPS/ELEAS grant program. The City of Ontario is eligible to receive a maximum grant award of \$269,905. Since this amount is based on an estimation of the FY2018-19 State of California's Vehicle License Fee (VLF) revenues, the allocation may be re-calculated and adjusted by the State Controller's Office. The grant funds will be distributed to the City in monthly installments. The City is not required to provide matching funds for this grant. If approved, the associated revenue and expenditure adjustments will be presented in the next quarterly budget report to the City Council.

BACKGROUND: Beginning in FY2002-03, the State of California allocated grant monies (COPS/ELEAS), formerly known as Supplemental Law Enforcement Services Fund/Citizen's Option for Public Safety, to counties who in turn granted those monies to cities for the purpose of supporting front-line law enforcement needs. A public hearing is required for public input before the grant funds can be utilized.

STAFF MEMBER PRESENTING: Derek Williams, Chief of Police

Prepared by: Donna Bailey
Department: Police
City Manager Approval: 

Submitted to Council/O.H.A. 12/04/2018
Approved: _____
Continued to: _____
Denied: _____

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Based on current front-line operational needs, the Police Department proposes the following grant spending plan:

- Frontline law enforcement equipment \$269,905

TOTAL **\$269,905**