

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

October 24, 2017

Ontario City Hall
303 East "B" Street, Ontario, California 91764

6:30 PM

WELCOME to a meeting of the Ontario Planning/Historic Preservation Commission.

All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

- *Anyone wishing to speak during public comment or on a particular item should fill out a green slip and submit it to the Secretary.*
- *Comments will be limited to 5 minutes. Speakers will be alerted 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 the Commission's jurisdiction. Remarks on other agenda items will be limited to those items.*
- *Remarks from those seated or standing in the back of the chambers will not be permitted. All those wishing to speak including Commissioners and Staff need to be recognized by the Chair before speaking.*
- *The City of Ontario will gladly accommodate disabled persons wishing to communicate at a public meeting. Should you need any type of special equipment or assistance in order to communicate at a public meeting, please inform the Planning Department at (909) 395-2036, a minimum of 72 hours prior to the scheduled meeting.*
- *Please turn off all communication devices (phones and beepers) or put them on non-audible mode (vibrate) so as not to cause a disruption in the Commission proceedings.*

ROLL CALL

DeDiemar __ Delman __ Downs __ Gage __ Gregorek __ Reyes __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

- 1) Agenda Items
- 2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning/Historic Preservation Commission on any matter that is not on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the Planning/Historic Preservation Commission values your comments, the Commission cannot respond nor take action until such time as the matter may appear on the forthcoming agenda.

CONSENT CALENDAR ITEMS

All matters listed under CONSENT CALENDAR will be enacted by one summary motion in the order listed below. There will be no separate discussion on these items prior to the time the Commission votes on them, unless a member of the Commission or public requests a specific item be removed from the Consent Calendar for a separate vote. In that case, the balance of the items on the Consent Calendar will be voted on in summary motion and then those items removed for separate vote will be heard.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of September 26, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-035: A Development Plan to construct 97 single-family homes on approximately 13.53 acres, within the Conventional Small Lot Residential District of Planning Areas 16 and 17 of the Subarea 29 Specific Plan, located at the southeast corner of Parkview Street and Parkplace Avenue. The environmental impacts of this project were previously analyzed in an Addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-022-01 & 0218-022-03) **submitted by Woodside Homes.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-030: A Development Plan (File No. PDEV17-030) to construct 102 single-family dwellings on 8.76 acres of land located at the southeast corner of Parkview Street and Celebration Avenue, within the Cluster Homes Residential district of Planning Area 25 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan

EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT; (APNs: 0218-033-02, 0218-033-04) **submitted by Taylor Morrison of California, LLC.**

- A-04. ENVIRONMENTAL ASSESSMENT AND SIGN PERMIT REVIEW FOR FILE NO. PSGN17-108:** Review of the proposed revisions to an existing LED freeway sign within the view corridor of The Ontario Center Specific Plan, located on the north side of Interstate 10 Freeway between Haven and Milliken Avenues. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Class 1-Existing Facilities) and 15302 (Class 2- Replacement or Reconstruction) of the CEQA guidelines. The project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs:0210-211-23) **submitted by YESCO.**

PUBLIC HEARING ITEMS

For each of the items listed under PUBLIC HEARING ITEMS, the public will be provided an opportunity to speak. After a staff report is provided, the chairperson will open the public hearing. At that time the applicant will be allowed five (5) minutes to make a presentation on the case. Members of the public will then be allowed five (5) minutes each to speak. The Planning Commission may ask the speakers questions relative to the case and the testimony provided. The question period will not count against your time limit. After all persons have spoken, the applicant will be allowed three minutes to summarize or rebut any public testimony. The chairperson will then close the public hearing portion of the hearing and deliberate the matter.

HISTORIC PRESERVATION ITEMS

- B. MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-013:** A Mills Act Contract for a 2,612 square foot Colonial Revival style residential building, located at 206 West Armsley Square, within the Armsley Square Historic District and RE-4 (Residential Estate-2.1 to 4.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1047-343-08); **submitted by Jason Smith. City Council action is required.**

1. CEQA Determination

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. File No. PHP17-013 (Mills Act Contract)

Motion to recommend Approval/Denial

- C. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-015:** A Mills Act Contract for a 1,275 square foot Craftsman Bungalow style residential building, located at 227 East G Street, within the El Morado Court Historic District and LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-243-20); **submitted by Eelische Taylor and Gregory Delfante. City Council action is required.**

1. **CEQA Determination**

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. **File No. PHP17-015** (Mills Act Contract)

Motion to recommend Approval/Denial

- D. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-016:** A Mills Act Contract for a 2,244 square foot Craftsman style residential building, located at 128 East El Morado Court, within the El Morado Court Historic District and LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-242-03); **submitted by Daniel and Jared Garcia. City Council action is required.**

1. **CEQA Determination**

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. **File No. PHP17-016** (Mills Act Contract)

Motion to recommend Approval/Denial

- E. **MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-019:** A Mills Act Contract for a 1,218 square foot California Ranch style residential building, located at 318 East Princeton Street, within the College Park Historic District and LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-543-33); **submitted by Mark Rivas. City Council action is required.**

1. **CEQA Determination**

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. **File No. PHP17-019** (Mills Act Contract)

Motion to recommend Approval/Denial

F. MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-022: A Mills Act Contract for a 2,076 square foot Mediterranean Revival Bungalow style residential building, located at 123 East H Street, within the El Morado Court Historic District and LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-252-40); **submitted by Angel and Paige Hernandez. City Council action is required.**

1. CEQA Determination

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. File No. PHP17-022 (Mills Act Contract)

Motion to recommend Approval/Denial

G. MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-023: A Mills Act Contract for a 2,339 square foot French Eclectic Revival style residential building, located at 205 East Princeton Street, within the College Park Historic District and LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1048-543-33); **submitted by Vincent Postovoit and Rosemary Salces. City Council action is required.**

1. CEQA Determination

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. File No. PHP17-023 (Mills Act Contract)

Motion to recommend Approval/Denial

H. MILLS ACT CONTRACT REVIEW FOR FILE NO. PHP17-032: A Mills Act Contract for a 2,664 square foot Modern style residential building, located at 426 West Armsley Square, within the Armsley Square Historic District and RE-4 (Residential Estate-2.1 to 4.0 DU/Acre) Zoning District. The Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APNs: 1047-341-12); **submitted by Jim W. Bowman. City Council action is required.**

1. CEQA Determination

No action necessary – Not a project pursuant to CEQA Guidelines Section § 21065

2. File No. PHP17-032 (Mills Act Contract)

Motion to recommend Approval/Denial

PLANNING COMMISSION ITEMS

- I. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-002**: A public hearing to consider certification of the Environmental Impact Report, including the adoption of a Statement of Overriding Considerations and a Mitigation Monitoring Program, for File No. PSP15-002, a Specific Plan (Armstrong Ranch) request to establish land use designations, development standards, and design guidelines for 189.8 acres, which includes the potential development of 891 dwelling units and a 10-acre elementary school site. The project site is bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Channel to the east, and Vineyard Avenue to the west. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs:0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50); **submitted by CVRC Ontario Investments, LLC. City Council action is required. (Continued from September 26, 2017)**

1. CEQA Determination

Motion to recommend Approval/Denial of Certification of an EIR including the adoption of a Statement of Overriding Considerations

2. File No. PSP15-002 (Specific Plan)

Motion to recommend Approval/Denial

- J. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT17-002/TT 18937**: A Tentative Tract Map (File No. PMTT17-002/TT 18937) to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes, for property located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APN: 0218-201-18); **submitted by Brookcal Ontario, LLC.**

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

2. **File No. PMTT17-002** (Tract Map)

Motion to Approve/Deny

- K. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA15-003**: A Development Agreement between the City of Ontario and Brookcal Ontario, LLC, for the development of up to 48 single family and 217 multi-family residential units (File No. PMTT17-002/TT18937) on 23.66 acres of land for property generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that was adopted by the City Council on June 17, 2014. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APN: 0218-201-18); **submitted by Brookcal Ontario, LLC. City Council Action is required.**

1. **CEQA Determination**

No action necessary – use of previous addendum to an EIR

2. **File No. PDA15-003** (Development Agreement)

Motion to recommend Approval/Denial

- L. **ENVIRONMENTAL ASSESSMENT AND TENTATIVE PARCEL MAP REVIEW FOR FILE NO. PMTT16-021 (TPM 19787)**: A Tentative Parcel Map (File No. PMTT16-021) to subdivide 76.68 acres of land into 4 parcels and 2 letter lots for public road purposes within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. The environmental impacts of this project were previously analyzed in the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by City Council on January 21, 2014. This project introduces no new significant environmental impacts. All adopted mitigation measures of the EIR shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-241-32) **submitted by Loyola Properties 1, LP.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PMTT16-021 (Parcel Map)

Motion to Approve/Deny

M. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR

FILE NO. PDA17-001: A Development Agreement between the City of Ontario and Loyola Properties 1, LP, for the potential development of up to 587 residential units (File No. PMTT16-021/TPM 19787) on 76.68 acres of land within High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. The environmental impacts of this project were previously analyzed in the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by City Council on January 21, 2014. This project introduces no new significant environmental impacts. All adopted mitigation measures of the EIR shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-241-32) **submitted by Loyola Properties 1, LP. City Council Action Required.**

1. CEQA Determination

No action necessary – use of previous EIR

2. File No. PDA17-001 (Development Agreement)

Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

- 1) Old Business
 - Reports From Subcommittees
 - Historic Preservation (Standing):
- 2) New Business
- 3) Nominations for Special Recognition

DIRECTOR'S REPORT

- 1) Monthly Activity Report

If you wish to appeal any decision of the Planning/Historic Preservation Commission, you must do so within ten (10) days of the Commission action. Please contact the Planning Department for information regarding the appeal process.

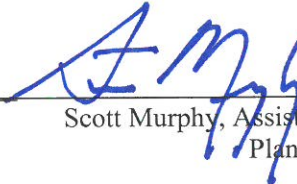
If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, or prior to, the public hearing.



I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, October 20, 2017**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



Gwen Berendsen, Secretary Pro Tempore



Scott Murphy, Assistant Development Director
Planning/Historic Preservation
Commission Secretary

**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

September 26, 2017

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**CITY OF ONTARIO PLANNING COMMISSION/
HISTORIC PRESERVATION MEETING**

MINUTES

September 26, 2017

REGULAR MEETING: City Hall, 303 East B Street
Called to order by Chairman Delman at 6:30 PM

COMMISSIONERS

Present: Chairman Delman, Vice-Chairman Willoughby, Downs, Gage, Gregorek, and Reyes

Absent: DeDiemar

OTHERS PRESENT: Planning Director Murphy, City Attorney Pierucci, Senior Planner Batres, Senior Planner Noh, Senior Planner Mercier, Senior Planner D. Ayala, Assistant Planner Antuna, Assistant City Engineer Do, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gregorek.

ANNOUNCEMENTS

Mr. Murphy stated there are two items of note. Item D is being requested to be continued to next month's meeting and Item E is being requested to be continued indefinitely, and will be re-notified when the applicant is ready to move forward.

Mr. Gage made an announcement regarding Ontario Heritage having the 8th Annual Historic Cemetery Tour at the Bellevue Memorial Park, on October 14 at 10 AM., where historical characters are being depicted. He stated this is a great historic event and encouraged everyone to attend.

PUBLIC COMMENTS

Mr. Gary Reitsman came forward regarding Item D, which is being continued. He stated that he has lived in the dairy portion of Ontario for the last 45 years and he was happy to hear that something is happening on the west side of the flood channel and wanted to give his support to the Armstrong Ranch project.

CONSENT CALENDAR ITEMS

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of August 22, 2017, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV16-044: A Development Plan (File No. PDEV16-044) to construct a residential apartment complex consisting of 6-units on 0.3 acres of land located at 1444 W. Stoneridge Court, within the MDR-25 (Medium Density Residential - 18.1 to 25.0 DUs/Acre) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1010-551-06); **submitted by Brother Home Trading Corp.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-023: A Development Plan (File No. PDEV17-023) approval to construct 75 single-family residential dwellings on 10.87 acres of land located within the Conventional Small Lot Residential district of Planning Area 24 of the Subarea 29 Specific Plan, located at the southeast corner of Celebration Avenue and Parkview Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. All adopted mitigation measures of the addendum shall be a condition of approval for the project and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT and Chino Airports. (APNs: 0218-033-01, 0218-033-02, 0218-033-03(POR) & 0218-033-04(POR)); **submitted by The New Home Company Southern California, LLC.**

A-04. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW

FOR FILE NO. PDEV17-025: A Development Plan to construct 102 single-family dwellings on 10.39 acres of land, located at the northeast corner of Merrill and Celebration Avenues, within Planning Area 26 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan EIR (SCH #2004011009), which was prepared in conjunction with File No. PSPA14-002, and was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-033-03, 0218-033-04, 0218-033-05, and 0218-033-06) **submitted by Christopher Homes**

PLANNING COMMISSION ACTION

It was moved by Downs, seconded by Gregorek, to approve the Planning Commission Minutes of August 22, 2017, as written and the Development Plans for File Nos., PDEV16-044, PDEV17-023, and PDEV17-025, subject to conditions of approval. The motion was carried 6 to 0.

PUBLIC HEARING ITEMS

HISTORIC PRESERVATION ITEMS

- B. LOCAL LANDMARK DESIGNATION FOR FILE NO. PHP17-018:** A request for a Local Landmark designation for a 1,218 square foot, one story, California Ranch style single-family residential building, a Non-Contributor to the College Park Historic District within the LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) Zoning District located at 318 East Princeton Street. The designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APN: 1047-543-33); **submitted by Mark Rivas. City Council action is required.**

Assistant Planner, Elly Antuna, presented the staff report. She stated that the property has been designated as a Non-Contributor to the College Park Historic District because there is no street frontage. Ms. Antuna stated the residence is likely one of the first California Ranch style houses in the city, being built in 1920 (est.). She described the architectural character-defining features, including the horizontal orientation, cross-gable roof, single-story, board and batten siding, full width front porch and wood framed multi-pane casement windows features and expressed the integrity that remains on this site. The landscaping is tranquil and remains the same as in the 1920s, including mature Redwood and Olive trees. She described some of the changes that have been made like windows, additions, and doors, but that they do not detract from the value of the historic resource. She described the past owners of the property. Ms. Antuna stated the Historic Preservation Subcommittee met on September 14, 2017 and determined the property was eligible for individual listing on the Ontario Register of Historic Resources, was a Tier II Historic Resource, and recommended the historic resource be designated as Local Landmark No. 97. She stated that staff is recommending the Planning Commission recommend approval to the City Council of File No. PHP17-018, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

No one responded.

As there was no one else wishing to speak, Chairman Delman closed the public testimony

Mr. Gage stated it is wonderful that they want to designate this property. The historic designation will help the house, owners and neighborhood. Being over 50 years old makes it eligible and that it is a good depiction of a California Ranch style. Mr. Gage

stated we definitely don't want these type of structures taken down from our neighborhoods. He stated that any time you get a feeling of being transported into another time and era, that is what historic structures are all about and he will be in support of this.

Mr. Willoughby stated he echoed Mr. Gage's comments and that this is a beautiful example of a historic property, and he loves the trees and setting. He stated this is one of the hidden gems of Ontario.

PLANNING /HISTORIC PRESERVATION COMMISSION ACTION

Acting as the Historic Preservation Commission, it was moved by Willoughby, seconded by Gage, to recommend adoption of a resolution to approve the Landmark Designation, File No., PHP17-018, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, DeDiemar. The motion was carried 6 to 0.

C. ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP17-021:

A request for a Certificate of Appropriateness to allow for a façade and storefront replacement of an existing 28,635 square foot, single-tenant, commercial building, a Non-Contributor to the Euclid Avenue Historic District, on approximately 1.74 acres of land located at the northwest corner of G Street and Euclid Avenue, within the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1048-271-19); **submitted by Dillway Associates, LLC.**

Assistant Planner, Elly Antuna, presented the staff report. She described the surrounding area and businesses and stated that the commercial building was a Non-Contributor to the Euclid Avenue Historic District. She stated that the Ontario Development Code requires a Certificate of Appropriateness for any exterior work done to a non-contributor in a Historic District. Ms. Antuna described what the proposed new, more contemporary commercial towered façade would look like. She stated that staff received calls from three adjacent property owners regarding the project, but once the details of project were explained, those owners did not oppose the project. The Historic Preservation Subcommittee met on September 14, 2017 and reviewed this project and recommended it to the Planning Commission. She stated that staff is recommending the Planning Commission approve File No. PHP17-021, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby asked if there has been any discussion regarding dividing the building.

Ms. Antuna referred this question to the applicant.

Mr. Reyes asked about upgrades to immediate sidewalk areas, benches, trash cans, or

other site amenities.

Ms. Antuna stated no, that those were not proposed with this project.

PUBLIC TESTIMONY

Mr. Eddy Sutiono representing Dillway Associates, appeared and spoke. He stated they have been working diligently with Planning to work on all the requirements. He stated they have no tenants at this time to take the space. However, once the project is complete then they will find tenants. He stated that three tenant spaces would be the maximum if they divided the building, but ideally one is what they are looking for.

Mr. Gage asked if there were any plans to improve landscaping on the parkway and parking areas.

Mr. Sutiono stated no that for now just the facade improvements to help attract a tenant and then they will look at the other items when they do a tenant improvements plan.

Mr. Gage asked if they are planning on doing continued maintenance to keep it clean and nice.

Mr. Sutiono stated they plan to restripe the parking lot and improve the accessibility to parking and public right-of-way.

Mr. Downs asked if the improvements were only for their properties parking lot area or all together with other tenants in the complex, to improve the property as a whole.

Mr. Sutiono stated they are planning on working together with property owners, but the parking for this site is very limited and getting all owners to agree can be difficult.

As there was no one else wishing to speak, Chairman Delman closed the public testimony

Mr. Reyes made some comments regarding when the tenant improvement plan is submitted can we add some street trees or tree wells and encouraged the Planning Department to suggest amenity improvements like benches or trash cans, to make it an area people can utilize when they visit.

Mr. Gage stated he was happy that some improvements are being done to attract tenants. He stated this is good being that this strip mall is at the entrance to our downtown and it is important to have it done nicely. He wondered if our Economic Development Department could help by working with downtown businesses to help find tenants.

Mr. Murphy stated that Economic Development is very active in trying to attract businesses and we can definitely contact them to add this property to their available inventory.

Mr. Downs expressed that he liked the unique design and architecture and is hoping the fallout would be that the other tenants will want to make improvements as well.

PLANNING /HISTORIC PRESERVATION COMMISSION ACTION

Acting as the Historic Preservation Commission, it was moved by Downs, seconded by Gregorek, to adopt a resolution to approve the Certificate of Appropriateness, File No., PHP17-021, subject to conditions of approval. Roll call vote: AYES, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, DeDiemar. The motion was carried 6 to 0.

PLANNING COMMISSION ITEMS

- D. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-002:** A public hearing to consider certification of the Environmental Impact Report, including the adoption of a Statement of Overriding Considerations and a Mitigation Monitoring Program, for File No. PSP15-002, a Specific Plan (Armstrong Ranch) request to establish land use designations, development standards, and design guidelines for 189.8 acres, which includes the potential development of 891 dwelling units and a 10-acre elementary school site. The project site is bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Channel to the east, and Vineyard Avenue to the west. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APNs:0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50); **submitted by CVRC Ontario Investments, LLC. City Council action is required.**

Mr. Murphy stated that Item D is being requested to be continued to the October 24, 2017 meeting.

No one responded.

PUBLIC TESTIMONY

No one responded.

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

A motion was made by Delman, to continue File No., PSP15-002. The motion was carried 6 to 0.

- E. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CERTIFICATE OF APPROPRIATENESS AND VARIANCE REVIEW FOR FILE NOS. PDEV17-008, PHP17-014 & PVAR17-003:** A Development Plan (File No. PDEV17-008) and a Certificate of Appropriateness (File No. PHP17-014) to allow for construction a 10,487 square foot commercial building on 0.88 acres of land and a Variance (File No. PVAR17-

003) request to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5-Minor Alterations of Land Use Limitations), 15332 (Class 32, In-Fill Development Projects) and 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1050-281-01, 1050-281-02 and 1050-281-03); **submitted by Clarkson Properties, LP.**

Mr. Murphy stated that Item E is being requested to be continued indefinitely.

PUBLIC TESTIMONY

No one responded.

As there was no one else wishing to speak, Chairman Delman closed the public testimony

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

A motion was made by Delman, to continue File Nos. PPDEV17-008, PHP17-014 & PVAR17-003. The motion was carried 6 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on September 14, 2017, and the items were already discussed.

New Business

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Mr. Murphy stated Monthly Reports are available

ADJOURNMENT

Mr. Delman motioned to adjourn. The meeting was adjourned at 7:06 PM.

Secretary Pro Tempore

Chairman, Planning Commission



PLANNING COMMISSION STAFF REPORT

October 24, 2017

SUBJECT: A Development Plan (File No. PDEV17-035) to construct 97 single-family homes on approximately 13.53 acres of land located at the southeast corner of Parkview Street and Parkplace Avenue, within the Conventional Small Lot Residential District of Planning Areas 16 and 17 of the Subarea 29 Specific Plan. (APNs: 0218-022-01 & 0218-022-03); **submitted by Woodside Homes.**

PROPERTY OWNER: Woodside OSS, LP

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV17-035, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

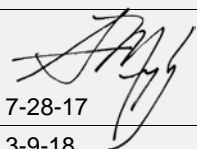
PROJECT SETTING: The project site is comprised of approximately 13.53 acres of land located at the southeast corner of Parkview Street and Parkplace Avenue, within the Conventional Small Lot Residential District of Planning Areas 16 and 17 of the Subarea 29 Specific Plan, and is depicted in **Figure 1: Project Location**, below. The site slopes gently from north to south and is currently vacant. The project site is bordered to the north by vacant land zoned for residential development, to the south by a Club House and neighborhood park, to the east by vacant land designated for a public school and neighborhood park, and to the west by single family homes.



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Subarea 29 Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on October 17, 2006. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 540 gross acres of land, which included

Case Planner:	Luis E. Batres	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	10-16-17	Approved	Recommend
Submittal Date:	7-28-17	ZA			
Hearing Deadline:	3-9-18	PC	10-24-17		Final
		CC			

the potential development of 2,293 single-family units and 87,000 square feet of commercial. The Specific Plan is comprised of twenty-five (25) land use districts incorporating twelve (12) distinctive neighborhoods, offering a variety of residential products.

On August 19, 2013, the Planning Commission approved Tentative Tract Map 18913 (“A” Map). The approved “A” Map facilitated the backbone infrastructure improvements (major streets, sewer, water and storm drain facilities) along Archibald Avenue and Merrill Avenue and the construction of Celebration Park, a clubhouse/recreational center, and residential neighborhoods within the southern portion of the Specific Plan area.

On July 28, 2015, the Planning Commission approved Tentative Tract Maps 18978 (File No. PMTT14-006) and 18977 (File No. PMTT14-007) to subdivide the project area (13.53 acres) into 97 single-family lots and 6 letter lots.

The applicant, Woodside Homes, has submitted a Development Plan (File No. PDEV17-035) to construct 97 single-family homes within the Conventional Small Lot Residential District of Planning Areas 16 and 17 of the Subarea 29 Specific Plan (see **Figure 2: Specific Plan Land Use Map**).

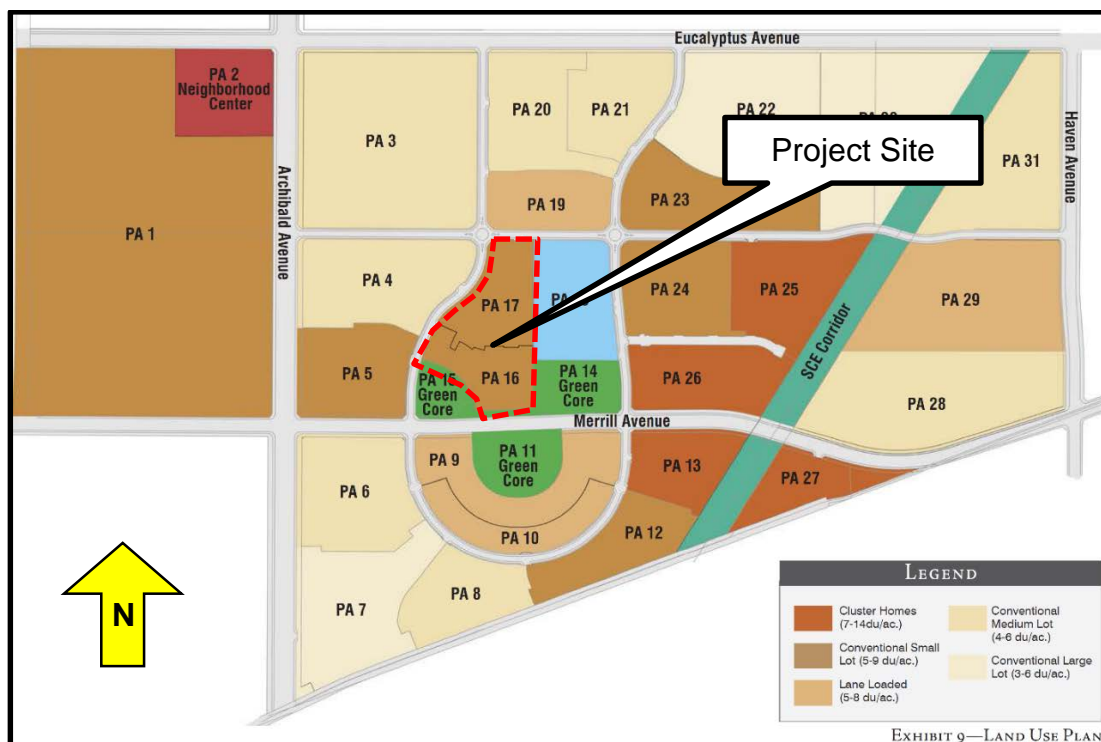


Figure 2: Specific Plan Land Use Map

[3] Site Design/Building Layout — The project includes three floor plans and three architecture styles (see **Exhibits: F, H, J: Floor Plans**). The three floor plans include the following:

- Plan 1: 2,277 square feet, 4 bedrooms (option office/loft or kitchenette) and 2.5 baths.
- Plan 2: 2,396 square feet, 4 bedrooms (option loft/office/5 bedroom) and 2.5 baths.
- Plan 3: 2,441 square feet, 3 bedrooms (option loft/office/4th & 5th bedroom) and 2.5 baths.

The proposed Development Plan has been designed with the architectural influences already found in the Ontario Ranch area and throughout Southern California. All plans incorporate various design features, such as second-story massing, varied entries, front porches, great rooms, 2nd floor laundry facilities, lofts/office options and outdoor California rooms. In addition, each home will provide a two-car garage and standard driveway. To minimize the visual impacts of the garage units, second story projections above garage units, varied first and second-story roof massing and door header trim above the garage are proposed on most of the elevations (see **Figure 3: Typical Plotting Plan**).

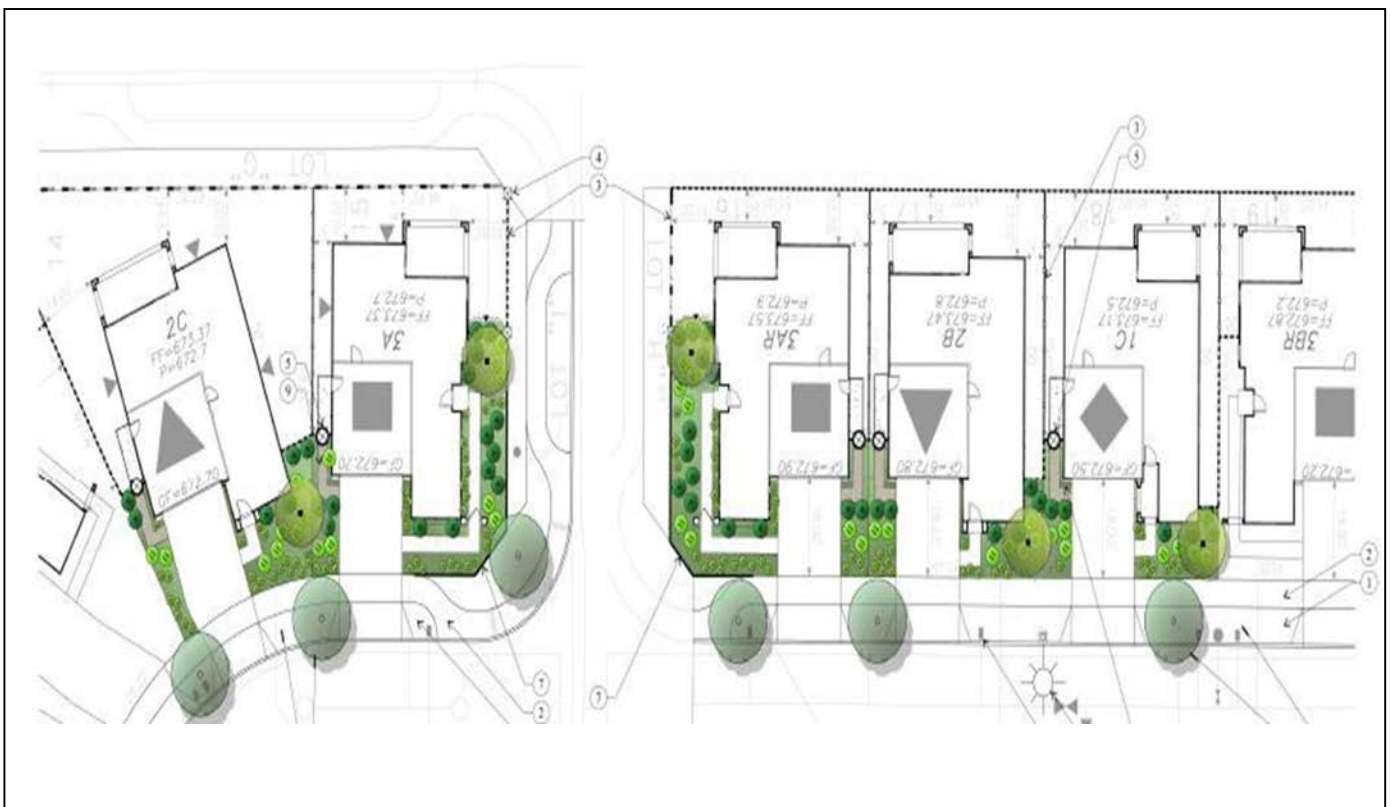


Figure 3: Typical Plotting Plan

[4] Site Access/Circulation — The previously approved Tentative Tract Map 18913 (“A” Map), facilitated the construction of the backbone streets including the primary access points into the central portion of the Subarea 29 (Park Place) community from Archibald Avenue and Merrill Avenue. The Applicant will be responsible to construct all improvements associated with Tentative Tract Map 18977 (“B” Map), which includes the construction of all the interior neighborhood streets within the subdivision. Primary access into the subdivision will be from Merrill Avenue, Parkplace Avenue and Parkview Street.

[5] Parking — The proposed development will comply with the parking requirements of the Subarea 29 Specific Plan. Each plan provides a 2-car garage in addition to 2-driveway spaces. Parking requirements are consistent with the parking requirements of the Development Code and the Subarea 29 Specific Plan (**see Table 1: Parking Summary**).

Parking Analysis					
Product	Number of Units	Garages	Driveways Parking	Total Parking Required	Total Parking Provided
Conventional Small Lot	97	2 spaces per unit	2 spaces per unit	194	388

Table 1: Parking Summary

[6] Architecture — The architectural philosophy of the Subarea 29 Specific Plan is designed upon the architectural influences already found in the Ontario Ranch Area and throughout Southern California. The architectural styles have been selected in order to complement already existing residential communities within the Ontario Ranch Area. The proposed architectural styles include Andalusian, Spanish, and Cottage. The styles were chosen to complement one another through the overall scale, massing, proportions, architectural details and the ability to establish an attractive backdrop that will age gracefully over time.

Each proposed architecture style will have 3-different floor plans and each plan will also have its own exterior colors & materials schedule, to add more interest and variety to the product. Each architectural style will include the following details (**See Exhibits E, G, I: Exterior Elevations**):

Spanish: Varying low-pitched gable roofs, with “S” concrete roof tile with one intersecting gable at the front; stucco exterior; square windows openings with trim

and wood shutters; tile accent around front door entry and key front windows; arched porch and entryways; decorative barrel tiles below gable ends; and wrought-iron pot shelves.



Figure 4: Spanish Architecture

Andalusian: Low-pitched hipped “S” tile roof; stucco finish exterior; windows with trim and decorative wood shutters; stone veneer accents on front elevations; decorative stone veneer pot shelf below 1st story key windows; wood trim header above garage door; shed tile roof above garage doors and above front entry opening.



Figure 5: Andalusian Architecture

Cottage: High and low-pitched concrete tile roof with single gable design with a moderate overhang and intersecting gables at the front; horizontal siding and with square dentils accents below gables; stucco exterior finish; square windows with stucco trim and decorative shutters at key windows; covered front entry with decorative wood post; arched garage entry; and shed tile roof above garage doors.



Figure 6: Cottage Architecture

[7] Landscaping — All the single-family homes will be provided with front yard landscaping (lawn, shrubs and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for side and rear yard landscape improvements.

In addition, the proposed development will provide a total of 0.58-acres of open space in the form of two private parks (Lot E & Lot F) (see **Exhibits A, B, C & D: Landscape Plans**). Policy Plan (General Plan) Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park land per 1,000 residents. To satisfy the private park requirements of the Policy Plan, the applicant was required by the approved Development Agreement (File No. PDA06-001) to construct a total of eight acres of private parks within the Park Place community (Phases 1, 2 & 3). Through the various tentative tract map approvals within Phases 1, 2 and 3 of the Park Place community, the applicant has provided a total of 8.16 acres of private parks, which satisfy the Policy Plan private park requirements.

The project will also provide 12-foot parkways that will feature sidewalks separated by landscaped parkways, which will provide visual interest and will promote pedestrian mobility. Additionally, the project will provide a paseo connection to a multi-purpose trail located within the neighborhood edges of Merrill Avenue (southerly portion of the site).

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

- H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

- CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every

stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

- CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

- CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

- CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

- CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

- Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

- S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

- CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

- CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding

physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (97) and density (7) specified in the Available Land Inventory.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

Exhibit B —LANDSCAPE PLAN-PORITION



Exhibit C —LANDSCAPE PLAN-PORION



Exhibit D—LANDSCAPE PLAN-PORITION



Exhibit: E: Exterior Elevations- Plan 1



© 2017 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

ANDALUSIAN "A"



© 2017 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

SPANISH "B"



© 2017 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations

**COTTAGE "C"
PLAN 1**

Exhibit: F: Floor Plans - Plan 1

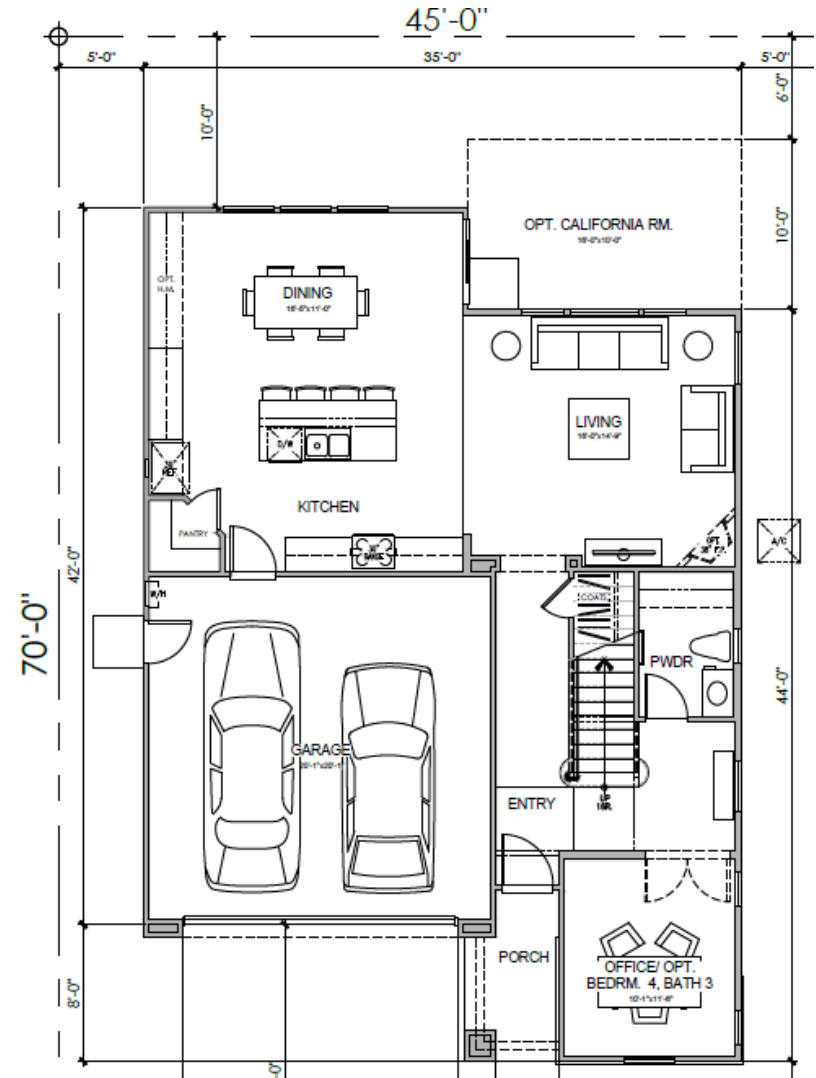
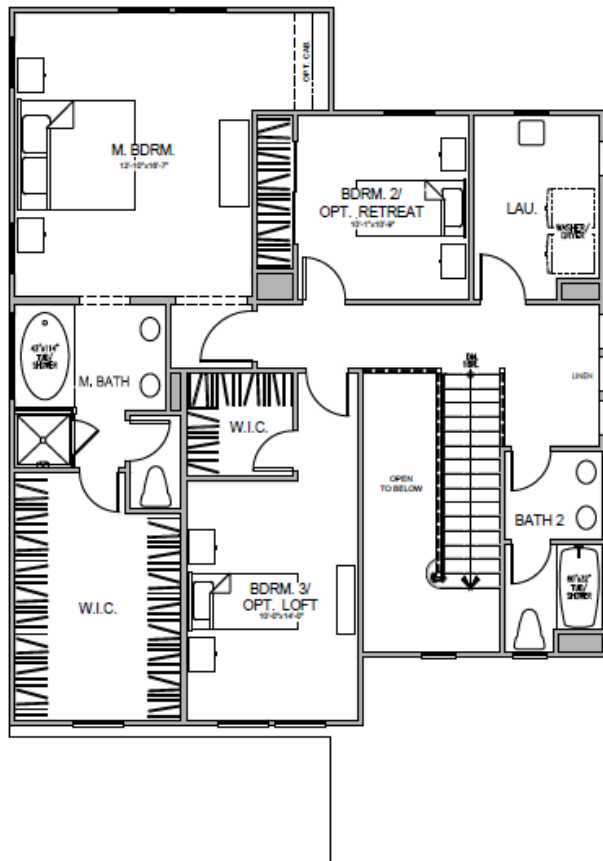


Exhibit G: Exterior Elevations- Plan 2



ANDALUSIAN "A"



SPANISH "B"



COTTAGE "C"

Exhibit I—EXTERIOR ELEVATIONS – PLAN 3



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ANDALUSIAN "A"

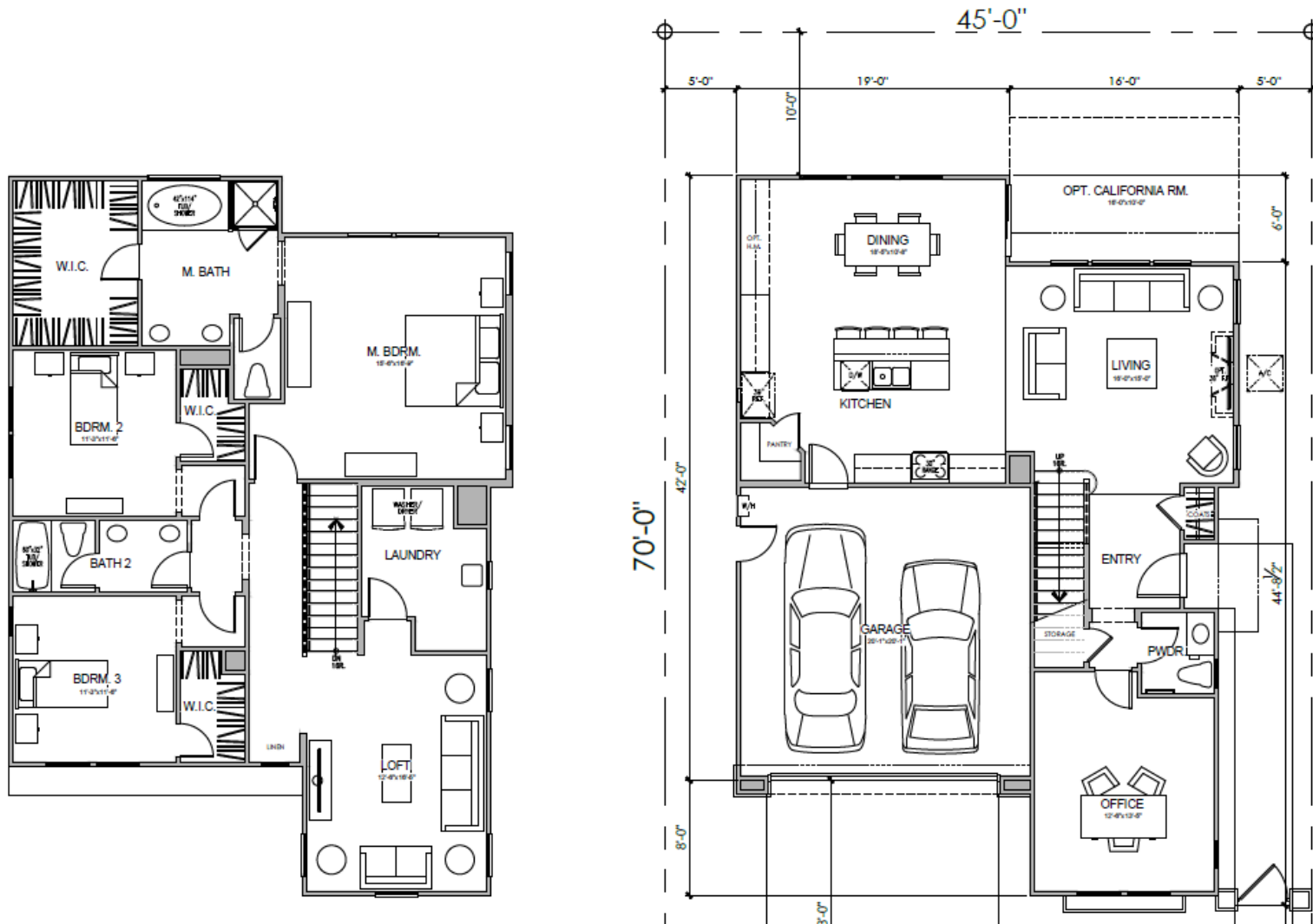


© 2017 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations.
SPANISH "B"



© 2017 Kevin L. Crook Architect, Inc. Refer to landscape drawings for wall, tree, and shrub locations.
COTTAGE "C"

Exhibit J—FLOOR PLAN -PLAN 3



TECHNICAL APPENDIX 1

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 16 & 17 Conventional Small Lot
<i>North</i>	Vacant	Low Density Residential	Subarea 29 Specific Plan	Planning Area 19 Lane Loaded
<i>South</i>	Club House for Subarea 29/Park	Low Density Residential	Subarea 29 Specific Plan	Planning Area 15 Neighborhood Park & Park House Recreation Center
<i>East</i>	Vacant	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 14 & 18 Neighborhood Park & School
<i>West</i>	Single Family Homes	Low Density Residential	Subarea 29 Specific Plan	Planning Areas 4 & 5 Conventional Small and Medium Lot

General Site & Building Statistics

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	N/A	13.53 Acres	Y
<i>Maximum project density (dwelling units/ac):</i>	7 DU/AC	7 DU/AC	Y
<i>Front yard setback (in FT):</i>	10'	10'	Y
<i>Side yard setback (in FT):</i>	5'	5'	Y
<i>Rear yard setback (in FT):</i>	10'	10'	Y
<i>Maximum dwelling units/building:</i>	97 DU	97 DU	Y
<i>Maximum height (in FT):</i>	35'	29'	Y

TECHNICAL APPENDIX 2

Dwelling Unit Count:

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Total no. of units</i>	97	97	Y
<i>Total no. of buildings</i>	97	97	y
<i>No. units per building</i>	1	1	y

Dwelling Unit Statistics:

<i>Unit Type</i>	<i>Size (in SF)</i>	<i>No. Bedrooms</i>	<i>No. Bathrooms</i>	<i>No. Stories</i>
Plan 1	2,277	4 (option office/loft or kitchenette)	2.5	2
Plan 2	2,396	4 (option loft/office/5 bedroom)	2.5	2
Plan 3	2,441	3 (option loft/office/4 th & 5th bedroom)	2.5	2

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-035, A DEVELOPMENT PLAN TO CONSTRUCT 97 SINGLE-FAMILY HOMES ON APPROXIMATELY 13.53 ACRES OF LAND LOCATED AT THE SOUTHEAST CORNER OF PARKVIEW STREET AND PARKPLACE AVENUE, WITHIN THE CONVENTIONAL SMALL LOT RESIDENTIAL DISTRICT OF PLANNING AREA 16 AND 17 OF THE SUBAREA 29 SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—
APNS: 0218-022-01 & 0218-022-03.

WHEREAS, Woodside Homes ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-035, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 13.53 acres of land generally located along the southeast corner of Parkview Street and Parkplace Avenue, within the Conventional Small Lot Residential District of Planning Areas 16 and 17 of the Subarea 29 Specific Plan; and

WHEREAS, the property to the north of the Project site is within Planning Area 19 (Lane Loaded) of the Subarea 29 Specific Plan and is currently vacant. The property to the south is within Planning Area 15 (Recreation Center) of the Subarea 29 Specific Plan and is developed with a recreational club house and park. The property to the east is within Planning Areas 14 and 16 (Neighborhood Park and School) of the Subarea 29 Specific Plan and is currently vacant. The property to the west is within Planning Areas 4 and 5 (Conventional Small and Medium Lots) of the Subarea 29 Specific Plan and is developed with single family homes; and

WHEREAS, the proposed Development Plan is in compliance with the requirements of the Subarea 29 Specific Plan and is sufficient in size to facilitate and implement the traditional planning concepts for the "Residential Neighborhood" within the Specific Plan; and

WHEREAS, the proposed Development Plan is located within Planning Areas 16 & 17 (Conventional Small Lot Residential Product Type) land use district of the Subarea 29 Specific Plan, which established the development standards for the proposed project and established a development capacity of 97 dwelling units; and

WHEREAS, the propose Development Plan has been designed with the architectural influences already found in the Ontario Ranch area and throughout Southern California. The architectural styles have been selected in order to complement already existing residential communities within the Ontario Ranch Area. The proposed

architectural styles include Andalusian, Spanish, and Cottage. The styles were chosen to complement one another through the overall scale, massing, proportions, architectural details and the ability to establish an attractive backdrop that will age gracefully over time; and

WHEREAS, the proposed project includes three floor plans and three architecture styles. The three floor plans include the following:

- Plan 1: 2,277 square feet, 4 bedrooms (option office/loft or kitchenette) and 2.5 baths;
- Plan 2: 2,396 square feet, 4 bedrooms (option loft/office/5 bedroom) and 2.5 baths;
- Plan 3: 2,441 square feet, 3 bedrooms (option loft/office/4th & 5th bedroom) and 2.5 baths; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts; 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 CEQA (Public Resources Code Section 21000 et seq.), 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 Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; 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 16, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-057, recommending the Planning Commission approve the Application; and

WHEREAS, on October 24, 2017, the Planning Commission 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 RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the previous addendum prepared for to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015 and supporting documentation. Based upon the facts and information contained in the previous addendum and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum prepared for the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts

(2) The previous addendum contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous addendum reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum prepared for the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015, and all mitigation measures previously adopted with the addendum, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that will require major revisions to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was prepared, that will require major revisions to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015; or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum; 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (97) and density (7 dwelling units per acre) specified in the Available Land Inventory.

SECTION 4: *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 Planning Commission 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 Planning Commission, 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 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing,

and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the Conventional Small Lot Residential District of Planning Areas 16 & 17 of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Conventional Small Lot Residential District of Planning Areas 16 & 17 of the Subarea 29 Specific Plan, including standards relative to the particular land use proposed (development of 97 single-family homes), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project has been designed consistent with the requirements of the Subarea 29 Specific Plan (Conventional Small Lot) land use designations, including standards relative to the particular land use, as well as building intensity, building and parking setbacks, building height, number of off-street parking spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Conventional Small Lot Residential District of Planning Areas 16 & 17 of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Conventional Small Lot Residential District of Planning Areas 16 & 17 of the Subarea 29 Specific Plan; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable***

specific plan or planned unit development. The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Conventional Small Lot Residential District of Planning Areas 16 & 17 of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (development of 97 single-family homes). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Conventional Small Lot Residential District of Planning Areas 16 & 17 of the Subarea 29 Specific Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as “Attachment A,” and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul 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 8: 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 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on [insert meeting date], by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-035
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 24, 2017
File No: PDEV17-035
Related Files: PMTT14-006 (TM 18977) & PMTT14-007 (TM 18978)

Project Description: A Development Plan (File No. PDEV17-035) to construct 97 single-family homes on approximately 13.53 acres of land located at the southeast corner of Parkview Street and Parkplace Avenue, within the Conventional Small Lot Residential District of Planning Areas 16 and 17 of the Subarea 29 Specific Plan. APNs: 0218-022-01 & 0218-022-03; **submitted by Woodside Homes.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431
Email: Lbatres@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be photocopied in the construction plan set for project, which shall be maintained on site during project construction.

(d) The construction documents submitted for plan check shall include all the related project file number(s) on the title block on each page/sheet.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of the Subarea 29 Specific Plan and Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of the Subarea 29 Specific Plan and City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

2.6 Site Lighting.

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

(b) During plan check the applicant shall submit cut-sheets of the decorative exterior lighting fixtures proposed for each architecture style. Fixtures shall complement the architectural style and the materials being used on each of the homes.

(c) Applicant shall work with staff during the plan check process to add additional decorative exterior lighting fixtures at key architectural locations for each architectural style.

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

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

2.9 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.10 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.11 Environmental Review.

(a) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(b) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.12 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.14 Additional Requirements.

(a) Off-Site Subdivision Signs.

The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

(b) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(c) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(d) Dairy Separation Requirement for Residential Development.

The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots.

A minimum 100' separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.

(e) All applicable conditions of approval of Development Agreement (File No. PDA06-001) shall apply to this project.

(f) All applicable conditions of approval of the Subarea 29 Specific Plan shall apply to this project.

(g) All applicable conditions of approval of File Nos: PMTT14-006 (TM 18977) & PMTT14-007 (TM 18978) shall apply to this project.

(h) The applicant shall work with staff prior to occupancy, for all the proposed exterior stone/brick or tile being used on the exterior of the homes, to terminate at logical ending points. Also exterior veneers shall extend down to grade levels.

(i) The Private Parks and Paseo shall be constructed prior to the issuance of the certificate of occupancy of the 42nd home.

(j) ~~If windows are proposed to have a mullion system, the mullion system shall to be located on the exterior side of the glass.~~ Interior window mullions shall be used only on key windows of each elevation and subject to Planning Department Review and approval.

(k) ~~No slider windows shall be used on this project.~~ The use of slider windows are discouraged and maybe allowed on key windows, subject to Planning Department Review and approval

AIRPORT LAND USE COMPATIBILITY PLANNING CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-035
 Address: SEC Parkview Street & Parkplace Avenue
 APN: 0218-022-01 & 0218-022-03
 Existing Land Use: Mass Graded Vacant lot
 Proposed Land Use: 97 Single Family Residential Homes
 Site Acreage: 13.53 acres Proposed Structure Height: 30 feet
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 9/7/17
 CD No.: 2017-046
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 ft plus	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1 Zone 2 Zone 3 Zone 4 Zone 5 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See attached Real Estate Transaction Disclosure condition.

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-046

PALU No.:

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres, Senior Planner
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Fire Department

DATE: August 15, 2017

SUBJECT: PDEV17-035 – A Development Plan To Construct 97 Single-Family Dwellings On 13.53 Acres Of Land Located At The Southeast Corner Of Parkview Street And Parkplace Avenue, Within Planning Areas 16 And 17 Of The Subarea 29 Specific Plan (APNs: 0218-022-01 And 0218-022-03). Related Files: PMTT14-006 (TT 18977) And PMTT14-007 (TT 18978).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
-

SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on “Fire Department” and then on “Standards and Forms.”
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-six (26) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300’) apart, per Engineering Department specifications.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.



CITY OF ONTARIO MEMORANDUM

TO: Hassan Haghani, Development Director
 Scott Murphy, Planning Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Paul Ehrman, Deputy Fire Chief/Fire Marshal
 Jay Bautista, T. E., Traffic/Transportation Manager
 Lorena Mejia, Senior Planner
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director
 Jimmy Chang, IT Department
 David Simpson, Development/IT (Copy of memo only)

FROM: Luis Batres, Senior Planner

DATE: August 01, 2017

SUBJECT: FILE #: PDEV17-035 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, August 15, 2017**.

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

PROJECT DESCRIPTION: A Development Plan approval to construct 97 single-family dwellings on approximately 13.53 acres of land located at the southeast corner of Parkview Street and Parkplace Avenue, within Planning Areas 16 and 17 of the Subarea 29 Specific Plan (APNs: 0218-022-01 & 0218-022-03).

Related Files: PMTT14-006 and PMTT14-007 (TTM 18977 & 18978)

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

POLICE
Department

DOUGLAS SOREL
Signature

*PLANNING
ANALYST*
Title

8/02/17
Date

CITY OF ONTARIO MEMORANDUM

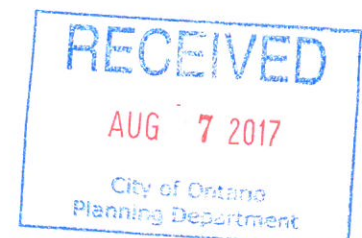
TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: August 7, 2017
SUBJECT: PDEV17-035

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm





CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE: August 22, 2017

PROJECT PLANNER: Luis Batres, Senior Planner

PROJECT: PDEV17-035 – A Development Plan to construct 97 single family homes on 13.53 acres within Planning Area 16 and 17 of the Subarea 29 Specific Plan (Reference File: TM 18977-PMTT14-006 and TM 18978-PMTT14-007)

APN: 0218-022-01 and 03

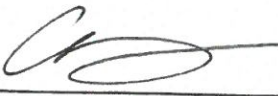
LOCATION: SEC of Parkview Street and Parkplace Avenue

PROJECT ENGINEER: Manoj Hariya, P.E, Sr. Associate Civil Engineer

The following items are the Conditions of Approval for the subject project:

1. The applicant/developer shall be responsible to complete all applicable conditions as specified in the Conditions of Approval for TM18977, TM18978, TM18913-2 and Development Agreement between SL Ontario Development Company LLC and City of Ontario for Subarea 29 (Park Place) Specific Plan.
2. The applicant/developer shall provide fiber optic connection to each home per City Standards and guidelines.
3. Prior to Building Permits: Any changes to the already approved Engineering Report (ER), including landscaping plans, due to the proposed re-lotting, shall be amended with City and State. Please coordinate with Cynthia Heredia-Torres 909-395-2647, ctorres@ontarioca.gov) to confirm immediately.

M. B. Hariya 08/22/2017
Manoj Hariya, P.E. Date
Senior Associate Civil Engineer



Khoi Do, P.E. 8/25/17
Assistant City Engineer Date



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE: August 22, 2017

PROJECT PLANNER: Luis Batres, Senior Planner

PROJECT: PDEV17-035 – A Development Plan to construct 97 single family homes on 13.53 acres within Planning Area 16 and 17 of the Subarea 29 Specific Plan (Reference File: TM 18977-PMTT14-006 and TM 18978-PMTT14-007)

APN: 0218-022-01 and 03


LOCATION: SEC of Parkview Street and Parkplace Avenue

PROJECT ENGINEER: Manoj Hariya, P.E, Sr. Associate Civil Engineer

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M. B. Hariya 08/22/2017
Manoj Hariya, P.E. Date
Senior Associate Civil Engineer

 8/25/17
Khoi Do, P.E. Date
Assistant City Engineer

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

CONDITIONS OF APPROVAL

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

9/29/17
 Date

Reviewer's Name:
Carolyn Bell, Sr. Landscape Planner

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV17-35 Rev 1

Case Planner:
 Luis Batres

Project Name and Location:
 Park Place PA 16 & 17 Typical front yards, parkway and park plans
 NEC of Merrill and Park Place Ave

Applicant/Representative:
 Woodside Homes – Mike Jagels
 11870 Poerce ST #250
 Riverside CA 92505

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Preliminary Landscape Plan (dated 9/14/17) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval. |

CORRECTIONS REQUIRED

Civil and Site Plans

- Locate utilities including light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans. Move water meters, drainlines etc. to the min. separation to **allow for street trees 30' on center**. Lot 8, 25, 29, 22, 23, 19, 31, 32, 6, 8, 48, 4.
- Note Slopes to be maximum 3:1 instead of 2:1.
- After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres	\$2,326.00
Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	\$278.00
Inspection—Field - additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to:
landscapeplancheck@ontarioca.gov



**PLANNING COMMISSION
STAFF REPORT**
October 24, 2017

SUBJECT: Development Plan (File No. PDEV17-030) approval to construct 102 single-family dwellings on 8.76 acres of land located at the southeast corner of Parkview Street and Celebration Avenue, within the Cluster Homes Residential district of Planning Area 25 of the Subarea 29 Specific Plan. (APN(s): 0218-033-02, 0218-033-04); **submitted by Taylor Morrison of California, LLC.**

PROPERTY OWNER: Taylor Morrison of California, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PDEV17-030, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 8.76 acres of land located at the southeast corner of Parkview Street and Celebration Avenue, within the Cluster Homes Residential district of Planning Area 25 of the Subarea 29 Specific Plan, and is depicted in **Figure 1: Project Location**, below. The project site slopes gently from north to south and is currently vacant. The property to the north of the project site is within Planning Areas 23 (Conventional Small Lot) and 30 (Conventional Large Lot) of the Residential districts of the Subarea 29 Specific Plan and are vacant. The property to the east of the project site is a Southern California Edison (SCE) utility easement. The property to the south of the project site is within the Cluster Homes Residential district of Planning Area 26 of the Subarea 29 Specific Plan, and is vacant. The property to the west of the project site is within the Conventional Small Lot Residential district of Planning Area 24 of the Subarea 29 Specific Plan, and is vacant.



Figure 1: Project Location

Case Planner:	Alexis Vaughn	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	10/16/17	Approve	Recommend
Submittal Date:	07/12/17	ZA			
Hearing Deadline:	N/A	PC	10/24/17		Final
		CC			

PROJECT ANALYSIS:

[1] Background — The Subarea 29 Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on October 17, 2006. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 540 gross acres of land, which included the potential development of 2,293 single-family units and 87,000 square feet of commercial. The Specific Plan is comprised of twenty-five (25) land use districts incorporating twelve (12) distinctive neighborhoods, offering a variety of residential products.

On August 19, 2013, the Planning Commission approved Tentative Tract Map 18913 (“A” Map). The approved “A” Map facilitated the backbone infrastructure improvements (major streets, sewer, water and storm drain facilities) along Archibald Avenue and Merrill Avenue and the construction of Celebration Park, a clubhouse/recreational center, and residential neighborhoods within the southern portion of the Specific Plan area. Additionally, the previously-approved Tentative Tract Map 18074 (“B” Map) approved the subdivision of 11.97 gross acres of land into 102 single-family lots and 2 lettered lots to accommodate a single-family cluster product and facilitated the construction of the backbone streets, including the primary access points into the proposed community from Parkview Street and Perennial Drive, as well as the construction of all the interior neighborhood streets within the subdivision (see **Exhibit A: Site Plan**).

The applicant, Taylor Morrison of California, LLC, has submitted a Development Plan (File No. PDEV17-030) to construct 102 single-family cluster units within Planning Area 25 (see **Figure 2: Subarea 29 Specific Plan Land Use Plan**, below), located at the southeast corner of Celebration Avenue and Parkview Street.

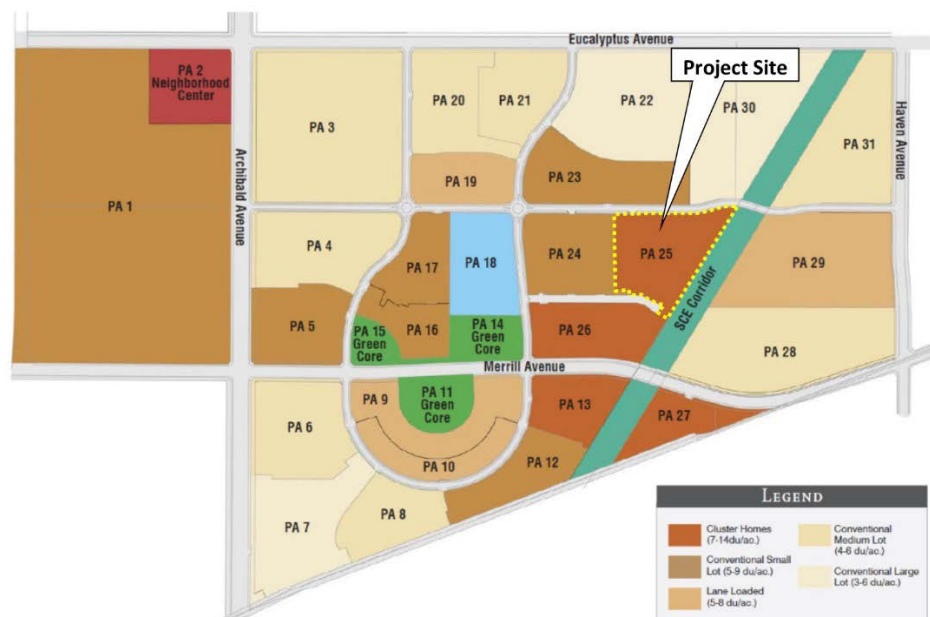


Figure 2: Subarea 29 Specific Plan Land Use Plan

[2] Site Design/Building Layout — The project proposes the development of 102 single-family homes within a cluster-style development. The project includes four floor plans and three architectural styles. The four floor plans include the following:

- Plan 1: 1,802 square feet, 3 bedrooms, den, 2.5 baths (option for 4th bedroom and 3rd bath).
- Plan 2: 1,988 square feet, 3 bedrooms, den, 3 baths, tech alcove (option for 4th bedroom).
- Plan 3: 2,102 square feet, 4 bedrooms, loft, 3 baths.
- Plan 4: 2,234 square feet, 4 bedrooms, loft, 3 baths (option for 5th bedroom).

The proposed Development Plan has been designed to create architecture that reflects quality in design, simplicity in form, and contributes charm and appeal to the neighborhoods within the Subarea 29 Specific Plan as a whole. All plans incorporate various design features, such as single- and second-story massing, varied entries, front porches, 2nd-floor laundry facilities, a great room, and a loft or bonus room. In addition, each home will provide a two-car garage. To minimize visual impacts of garages, all garages face inward to a drive court, rather than toward the street. Further, the elevations provide varied first- and second-story roof massing and door header trim above the garage (see **Figure 3: Typical Plotting**).



Figure 3: Typical Plotting

[3] Site Access/Circulation — The previously-approved related tentative Tract Map 18913 (“A” Map) and 18074 (“B” Map) facilitated the construction of the backbone streets, including the primary access points into the central portion of the Subarea 29 (Park Place) community from Archibald Avenue and Merrill Avenue, as well as the construction of all the interior neighborhood streets within the subdivision. Primary access into the subdivision will be from Parkview Street and Perennial Drive.

[4] Parking — The proposed single-family cluster homes will provide a two-car garage, which meets the Subarea 29 Specific Plan and Development Code requirements. Further, 114 on-street parking spaces will be provided for visitors.

[5] Architecture — The architectural philosophy within the Subarea 29 Specific Plan is based on architectural styles found in Ontario's historic neighborhoods. The inspiration and design intent is to re-capture the charm and essence of the historic home styles in in Ontario and express them in the simple, honest manner that they originated. The proposed architectural styles include Andalusian, Farmhouse, and Cottage. The styles were chosen to complement one another through the overall scale, massing, proportions, details and the ability to establish an attractive backdrop that will age gracefully over time.

Each architectural style will include some of the following details (see ***Exhibit C – Floor Plans and Elevations***):

Andalusian: This style includes varying gable roofs with “S” roof tiles, stucco exterior, arched covered entryways with decorative tile, square window openings, wrought-iron pot shelves, decorative wrought-iron elements, shutters, cantilevered elements with corbels, faux chimneys, and pot shelves with decorative tile bands.



Plan 1: Andalusian

Farmhouse: This style incorporates varying gable and shed roofs with flat concrete roof tiles, decorative vents and outlookers under gable ends, stucco and vertical board and batten siding, covered porches with decorative post braces and railings, square window openings, decorative window framing, shutters, and pot shelves.



Plan 2: Farmhouse

Cottage: The Cottage style includes varying gable roofs with flat concrete roof tiles, decorative outlookers below gable ends, stucco exterior, arched entryways with stone veneer, square window openings, shutters, and pot shelves.



Plan 3: Cottage

[6] Landscaping — The related Tentative Tract Map (File No. PMTT14-017/TT18073) will facilitate the construction of sidewalks, parkways, and open space areas within the project site. TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 0.57 acre park to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is proposing a 0.36-acre neighborhood park that is located within the southern portion of the project site. Additionally, the master developer (SL Ontario Development Company, LLC) was required by the Development Agreement (PDA06-001) to construct a total of 8 acres of private parks within the Park Place community (Phases 1, 2 & 3). Through the various tentative tract map approvals within Phases 1, 2 and 3 of the Park Place community, the master developer has provided 8.16 acres of private parks, which satisfies the Policy Plan private park requirements. Additionally, the master developer has constructed a 2.78-acre private recreation facility. The recreation facility is located at the northeast corner of Parkplace Avenue and Merrill Avenue and features a 16,000 square foot clubhouse, pool and cabana, tennis courts and playground area. The residents of the subdivision will also have access to Celebration Park.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.
 - LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.
 - LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).
- Goal LU2: Compatibility between a wide range of uses.
 - LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.
 - H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

➤ H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

▪ Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while

maintaining acceptable fire protection and traffic flows;

- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and

- Landscaped parkways, with sidewalks separated from the curb.

- CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

- CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

- CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

- CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

- CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

- CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

- Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

- CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

- Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

- CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

- CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (102) and the total overall density (4.4 DU/AC) specified in the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with a maximum overall density of 5 dwelling units per acre.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant with Previous Agricultural/Dairy Uses	LDR (Low Density Residential, 2.1-5 du/ac)	Subarea 29 Specific Plan	Planning Area 25 (Cluster Homes)
<i>North</i>	Vacant with Previous Agricultural/Dairy Uses	LDR (Low Density Residential, 2.1-5 du/ac)	Subarea 29 Specific Plan	Planning Area 23 (Conventional Small Lot), Planning Area 30 (Conventional Large Lot)
<i>South</i>	Vacant with Previous Agricultural/Dairy Uses	LDR (Low Density Residential, 2.1-5 du/ac)	Subarea 29 Specific Plan	Planning Area 26 (Cluster Homes)
<i>East</i>	SCE Transmission Lines	OS-NR (Open Space – Non Recreation)	Subarea 29 Specific Plan	SCE Corridor
<i>West</i>	Vacant with Previous Agricultural/Dairy Uses	LDR (Low Density Residential, 2.1-5 du/ac)	Subarea 29 Specific Plan	Planning Area 24 (Conventional Small Lot)

General Site & Building Statistics

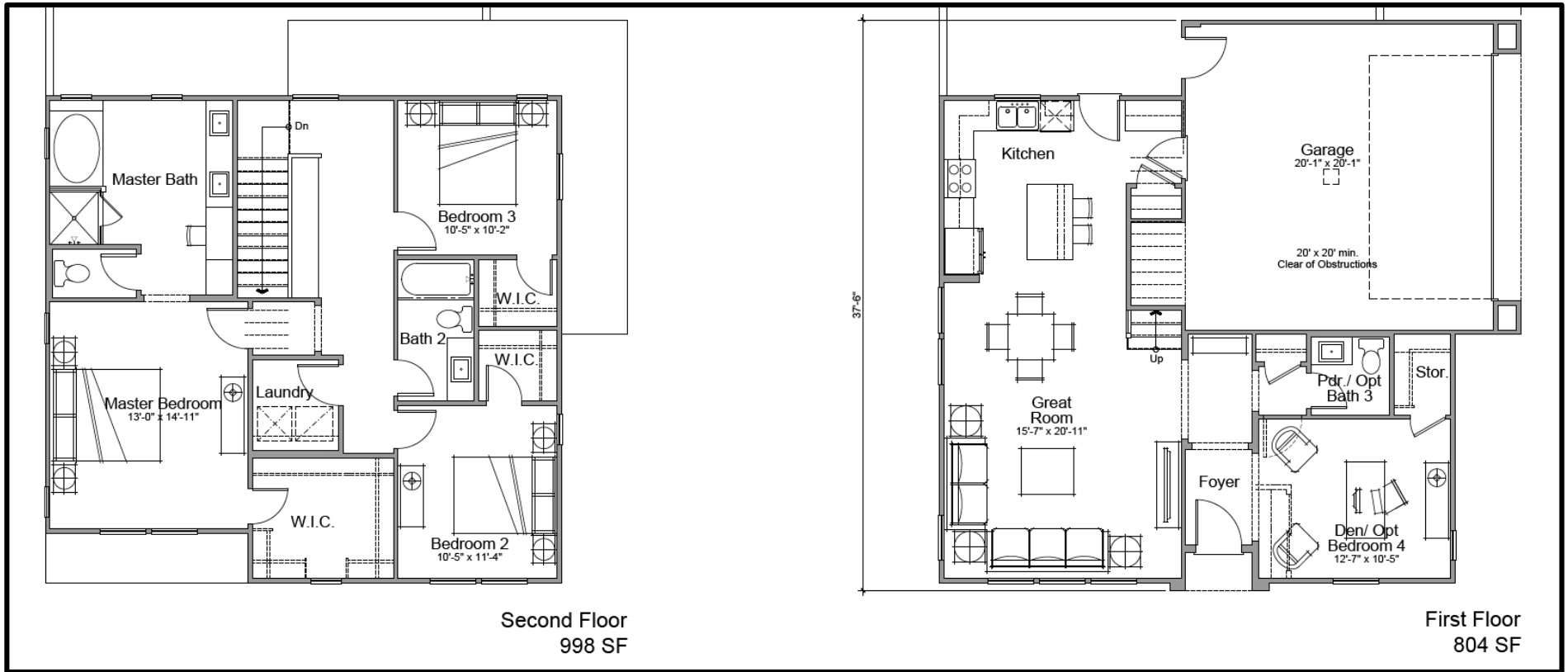
<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Project area (in acres):</i>	N/A	8.76 (net)	Y
<i>Maximum project density (dwelling units/ac):</i>	7-14 DU/AC	11.8 DU/AC (net)	Y
<i>Maximum coverage (in %):</i>	45%	38%	Y
<i>Minimum lot size (in SF):</i>	2,100 SF	2,535 SF	Y

<i>Item</i>	<i>Required Min./Max.</i>	<i>Provided (Ranges)</i>	<i>Meets Y/N</i>
<i>Minimum lot depth (in FT):</i>	51 FT	60 FT	Y
<i>Minimum lot width (in FT):</i>	57.5 FT	60 FT	Y
<i>Front yard setback (in FT):</i>	10 FT	10 FT	Y
<i>Side yard setback (in FT):</i>	6 FT	6 FT	Y
<i>Rear yard setback (in FT):</i>	4 FT	4 FT	Y
<i>Drive aisle setback (in FT):</i>	5 FT	5 FT	Y
<i>Maximum height (in FT):</i>	35 FT	29'-1"	Y
<i>Parking – resident:</i>	204 Spaces	204 Spaces	Y
<i>Parking – guest:</i>	114 Spaces	114 Spaces	Y

Exhibit A —SITE PLAN



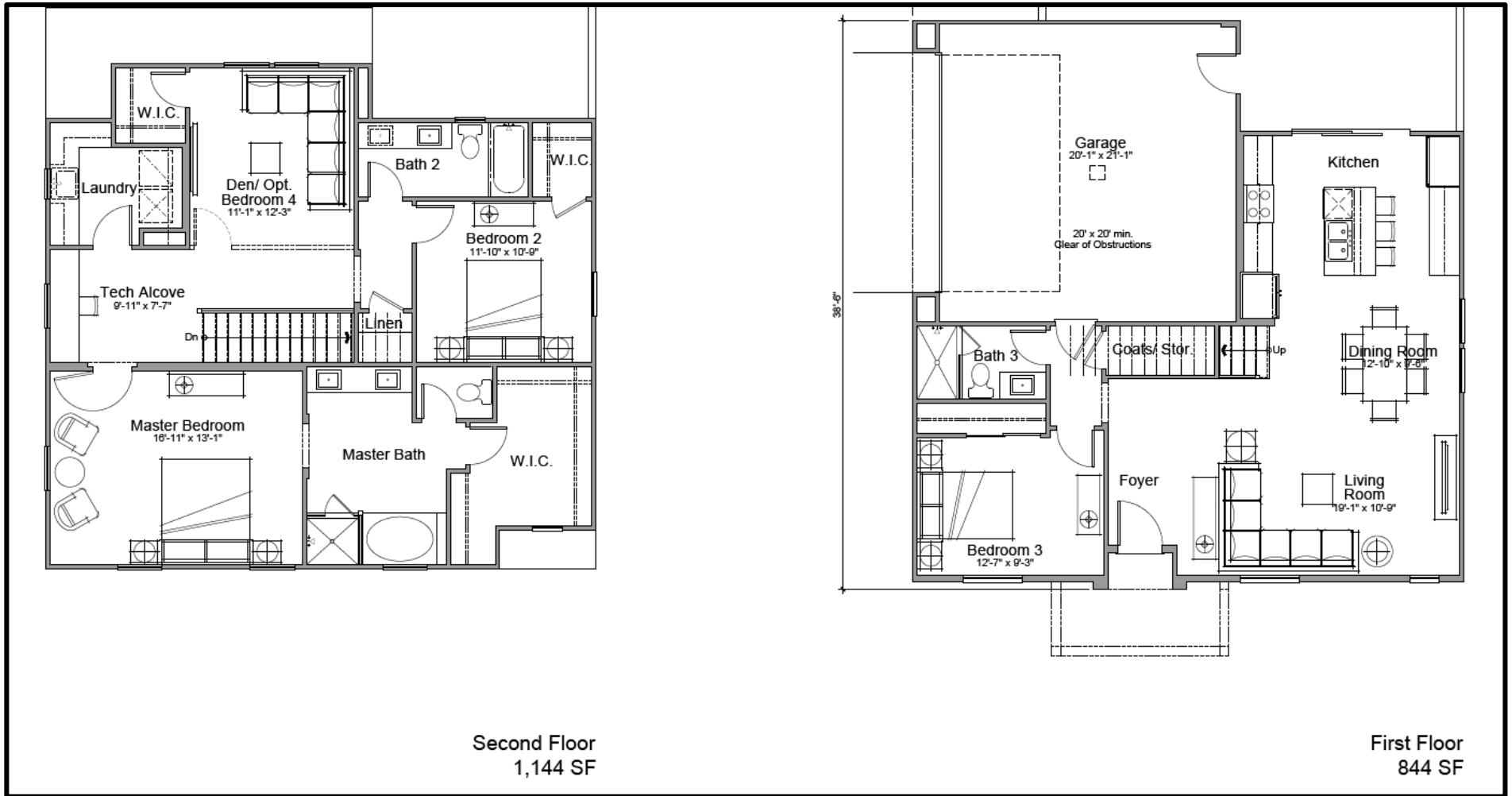
Exhibit B—FLOOR PLAN and EXTERIOR ELEVATIONS: PLAN 1







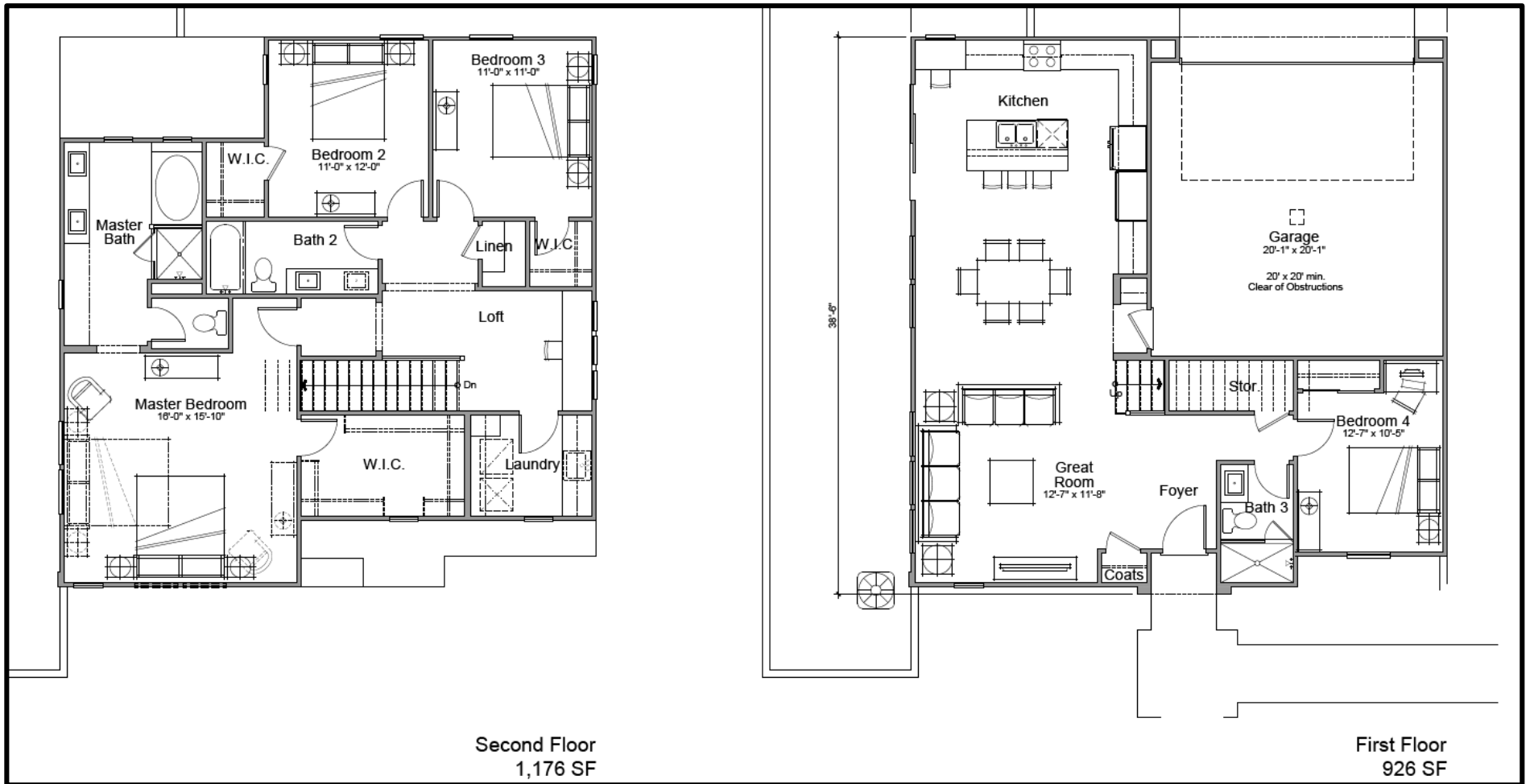
FLOOR PLAN and EXTERIOR ELEVATIONS: PLAN 2







FLOOR PLAN and EXTERIOR ELEVATIONS: PLAN 3



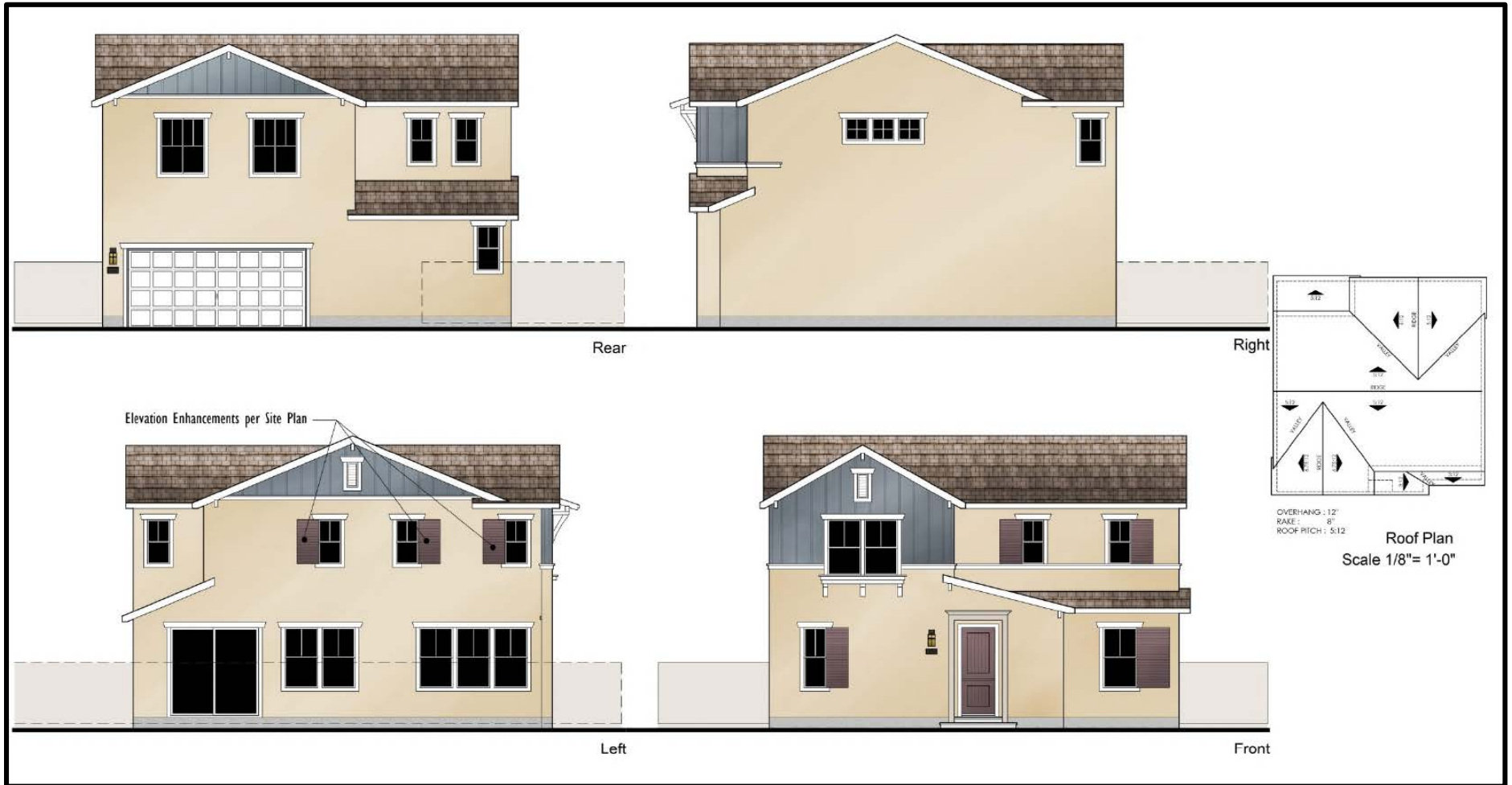


Elevation 3A - Andalusian

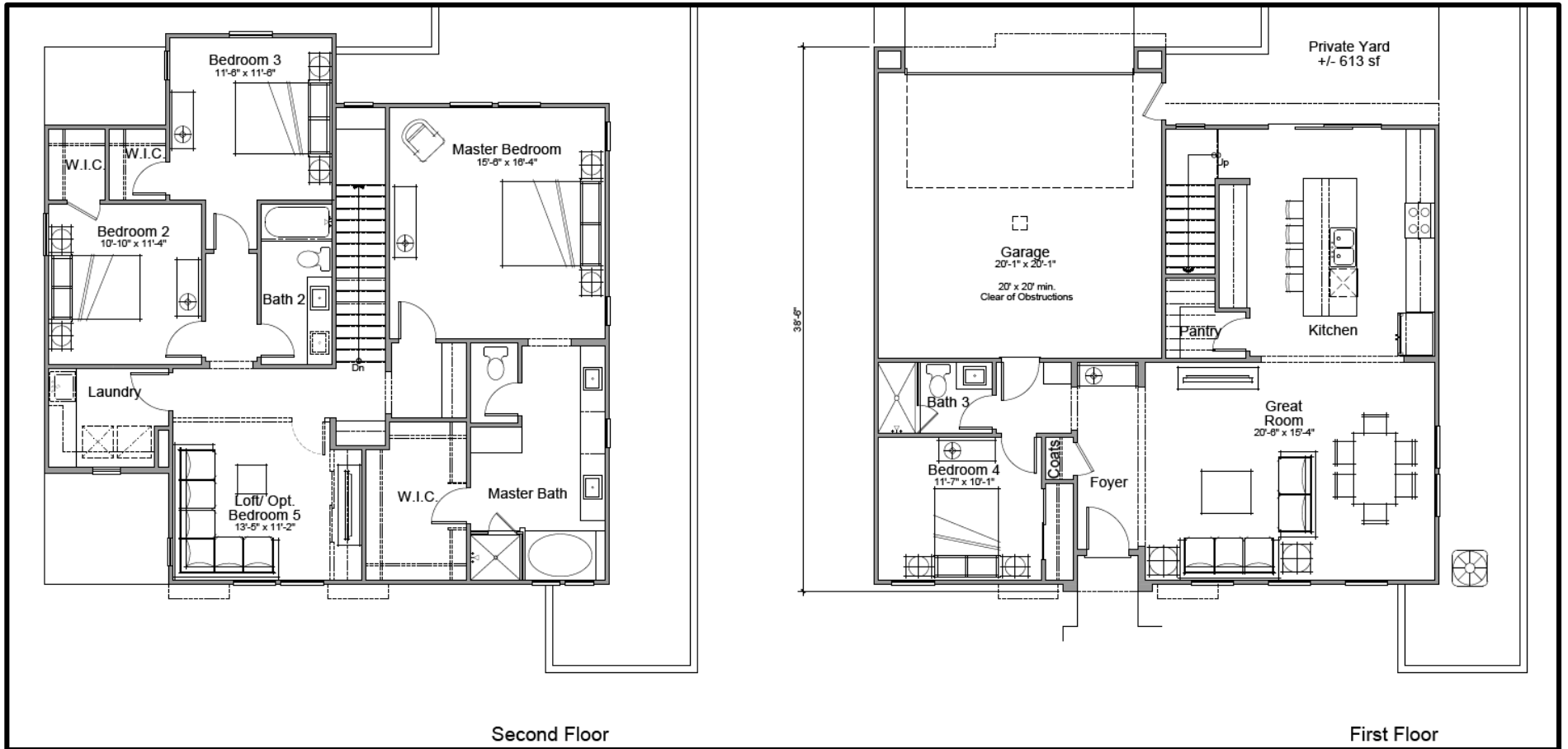
Elevation 3B - Cottage



Elevation 3C - Farmhouse



FLOOR PLAN and EXTERIOR ELEVATIONS: PLAN 4



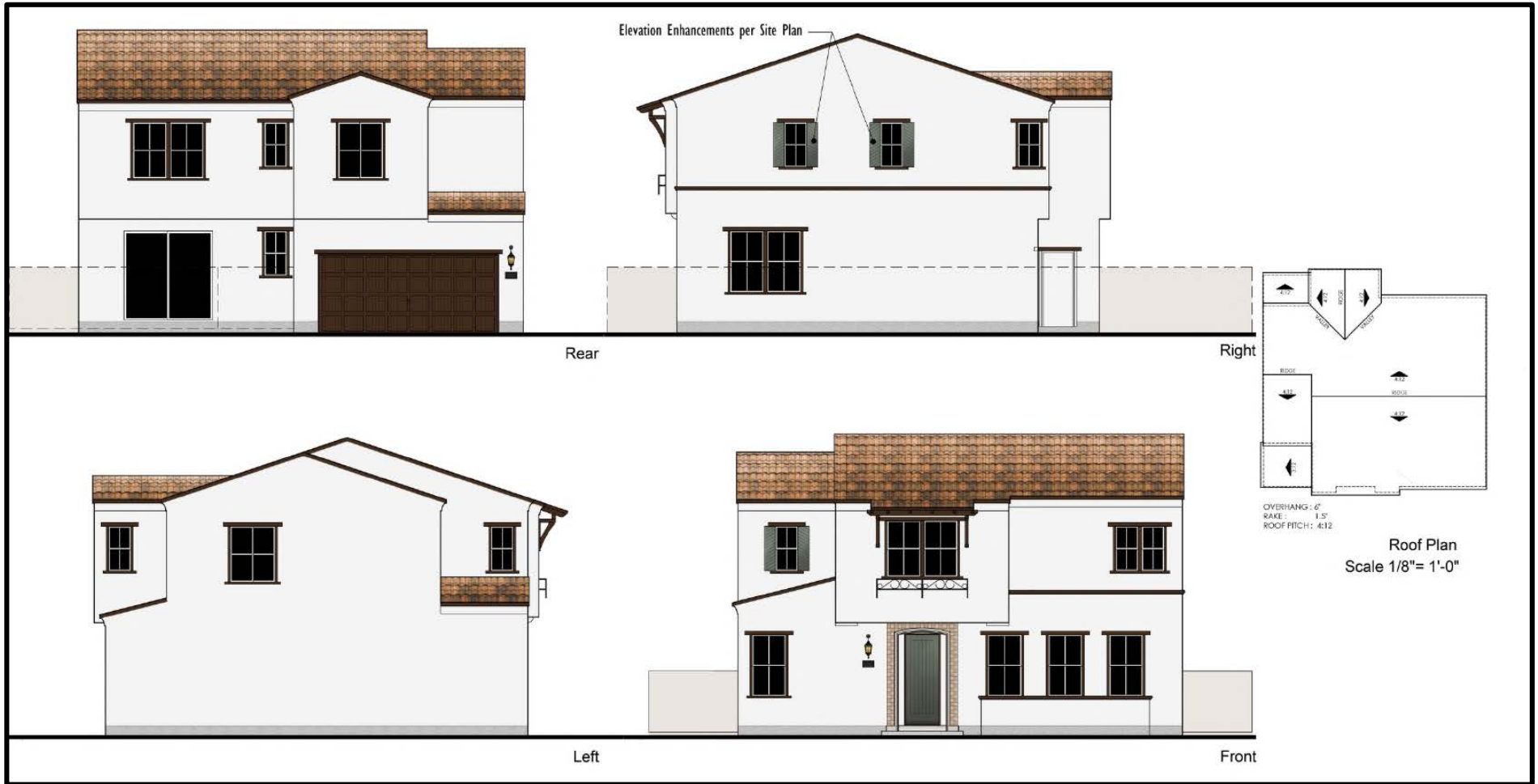


Elevation 4A - Andalusian

Elevation 4B - Cottage



Elevation 4C - Farmhouse



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV17-030, A DEVELOPMENT PLAN APPROVAL TO CONSTRUCT 102 SINGLE-FAMILY RESIDENTIAL DWELLINGS ON 8.76 ACRES OF LAND LOCATED WITHIN THE CLUSTER HOMES RESIDENTIAL DISTRICT OF PLANNING AREA 25 OF THE SUBAREA 29 SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF CELEBRATION AVENUE AND PARKVIEW STREET, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-033-02 (POR), 0218-033-04.

WHEREAS, Taylor Morrison of California, LLC ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV17-030, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 8.76 acres of land generally located at the southeast corner of Celebration Avenue and Parkview Street, within the Cluster Homes Residential district of Planning Area 25 of the Subarea 29 Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the project site is within Planning Areas 23 (Conventional Small Lot) and 30 (Conventional Large Lot) of the Residential districts of the Subarea 29 Specific Plan and is vacant. The property to the east of the project site is a Southern California Edison (SCE) utility easement. The property to the south of the project site is within the Cluster Homes Residential district of Planning Area 26 of the Subarea 29 Specific Plan, and is vacant. The property to the west of the project site is within the Conventional Small Lot Residential district of Planning Area 24 of the Subarea 29 Specific Plan, and is vacant; and

WHEREAS, the Development Plan proposed is in compliance with the requirements of the Subarea 29 Specific Plan and is sufficient in size to facilitate and implement the traditional planning concepts for the "Residential Neighborhood" within the Specific Plan; and

WHEREAS, the proposed Development Plan is located within Planning Area 25 (Cluster Homes Residential Product Type) land use district of the Subarea 29 Specific Plan, which establishes a minimum lot size of 2,100 square feet and a development capacity of 102 dwelling units; and

WHEREAS, the Development Plan proposes architectural styles found in Ontario's historic neighborhoods. The inspiration and design intent is to re-capture the charm and essence of the historic home styles in Ontario and express them in the simple, honest manner that they originated. The proposed architectural styles include: Andalusian,

Farmhouse, and Cottage that are consistent with the Subarea 29 Architectural Style Guidelines; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, an Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015, and this Application introduces no new significant environmental impacts; 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 CEQA (Public Resources Code Section 21000 et seq.), 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 Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; 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 May 26, 2015, the Planning Commission of the City of Ontario conducted a hearing and approved the related Tentative Tract Map File No. PMTT14-018 (TT18074); and

WHEREAS, on October 16, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date, voting to issue Decision No. DAB17-058, recommending the Planning Commission approve the Application; and

WHEREAS, on October 24, 2017, the Planning Commission 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 RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation. Based upon the facts and information contained in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to Subarea 29 Specific Plan EIR (SCH# 2004011009) Environmental Impact Report, certified by the City of Ontario City Council on April 21, 2015, in conjunction with File No. PSPA14-002; and

(2) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), and all mitigation measures previously adopted with the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that will require major revisions to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was prepared, that will require major revisions to the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) that was adopted by the City Council on April 21, 2015; or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009); 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 addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (102) and the total overall density (4.4 DU/AC) specified in the Subarea 29 Specific Plan. Per the Available Land Inventory, the Subarea 29 Specific Plan is required to provide 2,291 dwelling units with a maximum overall density of 5 dwelling units per acre.

SECTION 4: *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 Planning Commission 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 Planning Commission, 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 5: *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and the Cluster Homes Residential (Planning Area 25) land use district of the Subarea 29 Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. The Development Plan has been required to comply with all provisions of Cluster Homes Residential Product Residential Development Standards of the Subarea 29 Specific Plan. Future neighborhoods within the Subarea 29 Specific Plan and surrounding area will provide for diverse housing and highly-amenitized neighborhoods that will be compatible in design, scale and massing to the proposed development.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the Cluster Homes Residential (Planning Area 25) land use district of the Subarea 29 Specific Plan, including standards relative to the particular land use proposed (single-family residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project has been designed consistent with the requirements of the Subarea 29 Specific Plan (Cluster Homes Residential Product) land use designations, including standards relative to the particular land use proposed (cluster-style single-family residential product), as well as building intensity, building and parking setbacks, building height, number of off-street parking spaces, on-site and off-site landscaping, and fences, walls and obstructions.

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Planning Commission has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Subarea 29 Specific Plan are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [iv] the project will be in harmony with the area in which it is located; and [v] the project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Subarea 29 Specific Plan. Additionally, the environmental impacts of this project were previously

reviewed in conjunction with the Subarea 29 Specific Plan Environmental Impact Report (SCH#2004011009). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Subarea 29 Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking, design and landscaping, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (cluster-style single-family residential). As a result of this review, the Planning Commission has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Subarea 29 Specific Plan. Additionally, the Development Plan complies with all provisions of Cluster Homes Residential Product Residential Development Standards of the Subarea 29 Specific Plan.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul 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 8: 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 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PDEV17-030
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 16, 2017

File No: PDEV17-030

Related Files: PMTT06-016/TT18074

Project Description: Development Plan approval to construct 102 single-family dwellings on 8.76 acres of land located at the southeast corner of Parkview Street and Celebration Avenue, within the Cluster Homes Residential district of Planning Area 25 of the Subarea 29 Specific Plan. (APN(s): 0218-033-02, 0218-033-04); **submitted by Taylor Morrison of California, LLC.**

Prepared By: Alexis Vaughn, Assistant Planner
Phone: 909.395.2416 (direct)
Email: avaughn@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Development Plan approval shall become null and void 2 years following the effective date of application approval, unless a building permit is issued and construction is commenced, and diligently pursued toward completion, or a time extension has been approved by the Planning Director. This condition does not supersede any individual time limits specified herein, or any other departmental conditions of approval applicable to the Project, for the performance of specific conditions or improvements.

2.2 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.3 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) The project shall comply with the Landscape Planning Division comments dated August 8, 2017.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

2.4 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.5 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of the Subarea 29 Specific Plan and City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) All drive approaches shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron, into the site, to the first intersecting drive aisle or parking space.

(c) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

2.6 Site Lighting.

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

2.7 Mechanical and Rooftop Equipment.

(a) All exterior roof-mounted mechanical, heating and air conditioning equipment, and all appurtenances thereto, shall be completely screened from public view by parapet walls or roof screens that are architecturally treated so as to be consistent with the building architecture.

(b) All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from a public street, or adequately screened through the use of landscaping and/or decorative low garden walls.

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

2.9 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.10 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

- (i) Landscaping and irrigation systems within common areas;
- (ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;
- (iii) Shared parking facilities and access drives; and
- (iv) Utility and drainage easements.

(d) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(e) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(f) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.11 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

- (i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.
- (ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.
- (iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.
- (iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.12 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA14-002, a(n) Amendment to the Subarea 29 Specific Plan for which an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009) was adopted by the City Council on April 21, 2015. This application introduces no new significant environmental impacts. 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. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.13 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.14 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.15 Additional Requirements.

(a) Off-Site Subdivision Signs.

The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

(b) Architecture.

Prior to issuance of building permits, the applicant shall work with Planning Department staff to finalize any and all architectural details.

(c) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(d) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(e) Dairy Separation Requirement for Residential Development.

The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots.

A minimum 100' separation shall be required between a new residential, commercial, or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot, including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.

(f) All applicable conditions of approval of Development Agreement (File No. PDA13-003) shall apply to this tract.

(g) All applicable conditions of approval of the Subarea 29 Specific Plan shall apply to this tract.

(h) All applicable conditions of approval of the "B" Map TT18074 (File No. PMTT14-018) shall apply to this Development Plan.

(i) The Private Park (Lot A) shall be constructed prior to the issuance of the certificate of occupancy of the 51st home.

(j) The Ontario Climate Action Plan (CAP) requires new development to be 25% more efficient. The applicant has elected to utilize the Screening Tables provided in the CAP instead of preparing separate emissions calculations. By electing to utilize the Screening Tables, the applicant shall be required to garner a minimum of 100 points to be consistent with the reduction quantities outlined in the CAP. The applicant shall identify on the construction plans the items identified in the attached residential Screening Tables.



CITY OF ONTARIO MEMORANDUM

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Traffic/Transportation Division and Municipal Utilities Agency, and Environmental Section Conditions incorporated)

DATE: August 08, 2017

PROJECT PLANNER: Henry Noh, Senior Planner

PROJECT: PDEV17-030 – A Development Plan to construct 102 single family homes on 8.76 acres within Planning Area 25 of the Subarea 29 Specific Plan (Reference File: TM 18074-PMTT14-018)

APN: 0218-033-03, 04, 05, 06, 07, 10, 12 and 13

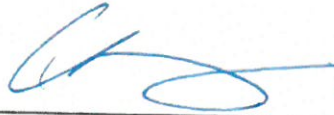
LOCATION: NEC of Merrill Avenue and Celebration Avenue

PROJECT ENGINEER: Manoj Hariya, P.E, Sr. Associate Civil Engineer

The following items are the Conditions of Approval for the subject project:

1. The applicant/developer shall be responsible to complete all applicable conditions as specified in the Conditions of Approval for TM18074, TM18913-2 and Development Agreement between SL Ontario Development Company LLC and City of Ontario for Subarea 29 (Park Place) Specific Plan.
2. The applicant/developer shall provide fiber optic connection to each home per City Standards and guidelines.
3. Prior to Building Permits: Any changes to the already approved Engineering Report (ER), including landscaping plans, due to the proposed re-lotting, shall be amended with City and State. Please coordinate with Cynthia Heredia-Torres 909-395-2647, ctorres@ontarioca.gov) to confirm immediately.

M.B. Hariya 08/08/17
Manoj Hariya, P.E. Date
Senior Associate Civil Engineer

 8-8-17
Khoi Do, P.E. Date
Assistant City Engineer



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Fire Department

DATE: August 3, 2017

SUBJECT: PDEV17-030 – A Development Plan approval to construct 102 single-family dwellings on approximately 8.76 acres of land located at the NWC of Celebration and Merrill Avenues, within the PA25 and PA26 land use district of the Subarea 29 Specific Plan (APN(s): 0218-033-03, 0218-033-04, 0218-033-05, 0218-033-06, 0218-033-07, 0218-033-10, 0218-033-12, 0218-033-13;).

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- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.
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SITE AND BUILDING FEATURES:

- A. 2013 CBC Type of Construction: Type V-B wood frame
- B. Type of Roof Materials: non-rated
- C. Ground Floor Area(s): Various
- D. Number of Stories: Two Story
- E. Total Square Footage: Various
- F. 2013 CBC Occupancy Classification(s): R-3, U

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.
- 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

3.0 WATER SUPPLY

- 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.
- 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

- 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13 D. All new fire sprinkler systems, except those in single family dwellings, which contain twenty (20) sprinkler heads or more

shall be monitored by an approved listed supervising station. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

5.0 BUILDING CONSTRUCTION FEATURES

- 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.
- 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Homes that do not front street shall be provided with an address entry sign at the street. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.
- 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.
- 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV17-030
 Address: NWC of Celebration and Merrill Avenues
 APN: 0218-033-03 thru 7, 10, 12 & 13
 Existing Land Use: Mass graded lot
 Proposed Land Use: 102 Single Family Homes
 Site Acreage: 8.76 Proposed Structure Height: 30 ft
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Henry Noh
 Date: 9/7/17
 CD No.: 2017-054
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 ft +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP Consistent Consistent with Conditions Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See Attached Real Estate Disclosure condition.

Airport Planner Signature: 

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-054

PALU No.: _____

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

TOP-Zoning Consistency Determination



File No.: PDEV17-030

Prepared By:

Clarice Burden

Location: Near the NEC Celebration & Merrill Avenues, PA25 Subarea 29 SP

Date:

8/8/17

Project Description:

Signature:

A Development Plan to construct 102 single-family dwellings on approx. 8.76 acres of land located near the NEC Celebration & Merrill Avenues, within the PA25 of Subarea 29 Specific Plan (APNs: 0218-033-02 (portion) & 0218-033-04 (portion)).

Clarice Burden

This project has been reviewed for consistency with The Ontario Plan Zoning Consistency project. The following was found:

- The existing TOP land use designation of the property is: **Low Density Residential (2.1-5 du/ac)**
The existing zoning of the property is: **Cluster Homes, Subarea 29 SP (7-14 du/ac) PA25**

- A change to the TOP land use designation has been proposed which would change the land use designation of the property to:
This proposed TOP land use change will:
 - Make the existing zoning of the property consistent with the proposed General Plan Amendment;
 - Make the proposed project consistent with The Ontario Plan.

- The zoning of the property will need to be changed in order to be consistent with The Ontario Plan. Through the TOP-Zoning Consistency effort, the zoning of the property is proposed to be changed to:
This proposed zone change will:
 - Make the zoning of the property consistent with The Ontario Plan;
 - Without the Zone Change described above, the proposed project is not consistent with The Ontario Plan. A finding of consistency with The Ontario Plan is required in order to approve this project.

- Additional Comments:
The density of the project, in conjunction with the balance of the Subarea 29 Specific Plan, falls within the allowed density of the General Plan. No changes in Specific Plan land use or General Plan are required.



CITY OF ONTARIO

MEMORANDUM

TO: Hassan Haghani, Development Director
Scott Murphy, Planning Director (Copy of memo only)
Cathy Wahlstrom, Principal Planner (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, Assistant City Engineer
Carolyn Bell, Landscape Planning Division
Sheldon Yu, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Senior Planner
Steve Wilson, Engineering/NPDES
Bob Gluck, Code Enforcement Director
Jimmy Chang , IT Department
David Simpson, Development/IT (Copy of memo only)

FROM: Henry Noh, Senior Planner

DATE: July 17, 2017

SUBJECT: FILE #: PDEV17-030 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 31, 2017**.

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

PROJECT DESCRIPTION: A Development Plan approval to construct 102 single-family dwellings on approximately 8.76 acres of land located at the NWC of Celebration and Merrill Avenues, within the PA25 and PA26 land use district of the Subarea 29 Specific Plan (APN(s): 0218-033-03, 0218-033-04, 0218-033-05, 0218-033-06, 0218-033-07, 0218-033-10, 0218-033-12, 0218-033-13;).

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

Police
Department

Douglas Sobel
Signature

MANAGEMENT
ANALYST
Title

8/2/17
Date

CITY OF ONTARIO MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: July 18, 2017
SUBJECT: PDEV17-030



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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm

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

PRELIMINARY PLAN CORRECTIONS

Sign Off

Carolyn Bell
 Carolyn Bell, Sr. Landscape Planner

8/8/17
 Date

viewer's Name:
Carolyn Bell, Sr. Landscape Planner

Phone:
(909) 395-2237

D.A.B. File No.:
 PDEV17-030

Case Planner:
 Henry Noh

Project Name and Location:
 102 Single Family Homes Park Place II
 NWC of Celebration and Merrill Aves

Applicant/Representative:
 Taylor Morrison of Calif. – Yvonne Benschop ybenschop@taylormorrison.com
 100 Spectrum Center Dr #1450
 Irvine, Ca 92618

<input type="checkbox"/>	A Preliminary Landscape Plan (dated) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.
<input checked="" type="checkbox"/>	A Preliminary Landscape Plan (dated 10/31/16) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.

CORRECTIONS REQUIRED

Civil Plans

1. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations 30' oc and 10-15' from driveways. C-1 Move water meter clusters to between tree locations. Compare to landscape plans at lots 62 & 65 for example.
2. Show backflows and transformers on plan, and dimension a 4' set back from paving.
3. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 1/2" below finished surfaces. Slopes to be maximum 3:1.
4. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property.

Landscape Plans

5. L-3 wall and fence plan: on extra wide lots consider adding 6-20' to the private back yard/side yard space lots: 34, 89, 86, & 70. On medium wide lots consider adding 5' to the private back yard/side yard space lots: 21, 99, 79 & 73.
6. Show backflows and transformers, and provide a 4' set back from paving for landscape screening.
7. Show light standards, fire hydrants, water and sewer lines to not conflict with required tree
8. Show parkway landscape and street trees spaced 30' apart. Coordinate with utility engineer to relocate utilities within required tree planting areas.
9. Call out type of proposed irrigation system (dripline buried with 2" of soil and pop-up stream spray bubblers for trees) and include preliminary MAWA calculation.
10. Show landscape hydrozones to separate low water from moderate water landscape or note all same hydrozone in legend.
11. Replace short lived, high maintenance or poor performing trees: Rhus, Pyrus, shrubs: Bougainvillea, Hemerocallis, Perovskia, Photinia, Bougainvillea vine.
12. Change Rhus and Pyrus street trees for a uniform tree not damaged by disease or high winds such as Pistache, Quercus ilex, Gingko biloba, Fraxinus 'Raywood'; etc.
13. Agronomical soil testing and report is required on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
14. Residential projects shall include a PVC stub-out for future back yard irrigation systems and hose

bibbs.

15. Show minimum on-site tree sizes per the Landscape Development standards, see the Landscape Planning website. 5% 48" box, 10% 36 box, 30% 24" box, 55% 15 gallon.
16. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, Sambucus Mexicana, etc.) in appropriate locations.
17. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
18. After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:

Plan Check—5 or more acres	\$2,326.00
Plan Check—less than 5 acres	\$1,301.00
Inspection—Construction (up to 3 inspections per phase)	\$278.00
Inspection—Field - additional.....	\$83.00

Landscape construction plans with building permit number for plan check may be emailed to: landscapeplancheck@ontarioca.gov

CEQA THRESHOLDS AND SCREENING TABLES

Table 1: Screening Table for Implementation of GHG Reduction Measures for Residential Development

Feature	Description	Assigned Point Values	Project Points
Reduction Measure PS E1: Residential Energy Efficiency			
Building Envelope			
Insulation	2008 Baseline (walls R-13; roof/attic: R-30)	0 points	15
	Modestly Enhanced Insulation (walls R-13; roof/attic: R-38)	12 points	
	Enhanced Insulation (rigid wall insulation R-13, roof/attic: R-38)	15 points	
	Greatly Enhanced Insulation (spray foam wall insulated walls R-15 or higher, roof/attic R-38 or higher)	18 points	
Windows	2008 Baseline Windows (0.57 U-factor, 0.4 solar heat gain coefficient (SHGC))	0 points	9
	Modestly Enhanced Window Insulation (0.4 U-Factor, 0.32 SHGC)	6 points	
	Enhanced Window Insulation (0.32 U-Factor, 0.25 SHGC)	7 points	
	Greatly Enhanced Window Insulation (0.28 or less U-Factor, 0.22 or less SHGC)	9 points	
Cool Roof	Modest Cool Roof (CRRC Rated 0.15 aged solar reflectance, 0.75 thermal emittance)	10 points	10
	Enhanced Cool Roof (CRRC Rated 0.2 aged solar reflectance, 0.75 thermal emittance)	12 points	
	Greatly Enhanced Cool Roof (CRRC Rated 0.35 aged solar reflectance, 0.75 thermal emittance)	14 points	
Air Infiltration	Minimizing leaks in the building envelope is as important as the insulation properties of the building. Insulation does not work effectively if there is excess air leakage.		18
	Air barrier applied to exterior walls, caulking, and visual inspection such as the HERS Verified Quality Insulation Installation (QI) or equivalent)	10 points	
	Blower Door HERS Verified Envelope Leakage or equivalent	8 points	
Thermal Storage of Building	Thermal storage is a design characteristic that helps keep a constant temperature in the building. Common thermal storage devices include strategically placed water filled columns, water storage tanks, and thick masonry walls.		0
	Modest Thermal Mass (10% of floor or 10% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	2 points	
	Enhanced Thermal Mass (20% of floor or 20% of walls: 12" or more thick exposed concrete or masonry. No permanently installed floor covering such as carpet, linoleum, wood or other insulating materials)	4 points	

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Indoor Space Efficiencies			
Heating/ Cooling Distribution System	Minimum Duct Insulation (R-4.2 required)	0 points	7 12
	Modest Duct insulation (R-6)	7 points	
	Enhanced Duct Insulation (R-8)	8 points	
	Distribution loss reduction with inspection (HERS Verified Duct Leakage or equivalent)	12 points	
Space Heating/ Cooling Equipment	2008 Minimum HVAC Efficiency (SEER 13/60% AFUE or 7.7 HSPF)	0 points	9
	Improved Efficiency HVAC (SEER 14/65% AFUE or 8 HSPF)	4 points	
	High Efficiency HVAC (SEER 15/72% AFUE or 8.5 HSPF)	7 points	
	Very High Efficiency HVAC (SEER 16/80% AFUE or 9 HSPF)	9 points	
Water Heaters	2008 Minimum Efficiency (0.57 Energy Factor)	0 points	15
	Improved Efficiency Water Heater (0.675 Energy Factor)	12 points	
	High Efficiency Water Heater (0.72 Energy Factor)	15 points	
	Very High Efficiency Water Heater (0.92 Energy Factor)	18 points	
	Solar Pre-heat System (0.2 Net Solar Fraction)	4 points	
	Enhanced Solar Pre-heat System (0.35 Net Solar Fraction)	8 points	
Daylighting	Daylighting is the ability of each room within the building to provide outside light during the day reducing the need for artificial lighting during daylight hours.		0
	All peripheral rooms within the living space have at least one window (required)	0 points	
	All rooms within the living space have daylight (through use of windows, solar tubes, skylights, etc.)	1 points	
	All rooms daylighted	2 points	
Artificial Lighting	2008 Minimum (required)	0 points	12
	Efficient Lights (25% of in-unit fixtures considered high efficacy. High efficacy is defined as 40 lumens/watt for 15 watt or less fixtures; 50 lumens/watt for 15-40 watt fixtures, 60 lumens/watt for fixtures >40watt)	8 points	
	High Efficiency Lights (50% of in-unit fixtures are high efficacy)	10 points	
	Very High Efficiency Lights (100% of in-unit fixtures are high efficacy)	12 points	
Appliances	Energy Star Refrigerator (new)	1 points	1
	Energy Star Dish Washer (new)	1 points	
	Energy Star Washing Machine (new)	1 points	

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Miscellaneous Residential Building Efficiencies			
Building Placement	North/South alignment of building or other building placement such that the orientation of the buildings optimizes natural heating, cooling, and lighting.	5 point	0
Shading	At least 90% of south-facing glazing will be shaded by vegetation or overhangs at noon on Jun 21 st .	4 Points	0
Energy Star Homes	EPA Energy Star for Homes (version 3 or above)	25 points	0
Independent Energy Efficiency Calculations	Provide point values based upon energy efficiency modeling of the Project. Note that engineering data will be required documenting the energy efficiency and point values based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	Completed
Other	This allows innovation by the applicant to provide design features that increases the energy efficiency of the project not provided in the table. Note that engineering data will be required documenting the energy efficiency of innovative designs and point values given based upon the proven efficiency beyond Title 24 Energy Efficiency Standards.	TBD	Completed
Existing Residential Retrofits	<p>The applicant may wish to provide energy efficiency retrofit projects to existing residential dwelling units to further the point value of their project. Retrofitting existing residential dwelling units within the City is a key reduction measure that is needed to reach the reduction goal. The potential for an applicant to take advantage of this program will be decided on a case by case basis and must have the approval of the Ontario Planning Department. The decision to allow applicants to ability to participate in this program will be evaluated based upon, but not limited to the following;</p> <p>Will the energy efficiency retrofit project benefit low income or disadvantaged residents?</p> <p>Does the energy efficiency retrofit project fit within the overall assumptions in reduction measures associated with existing residential retrofits?</p> <p>Does the energy efficiency retrofit project provide co-benefits important to the City?</p> <p>Point value will be determined based upon engineering and design criteria of the energy efficiency retrofit project.</p>	TBD	0
Reduction Measure PS E2: Residential Renewable Energy Generation			
Photovoltaic	<p>Solar Photovoltaic panels installed on individual homes or in collective neighborhood arrangements such that the total power provided augments:</p> <p>Solar Ready Homes (sturdy roof and solar ready service panel)</p> <p>10 percent of the power needs of the project</p> <p>20 percent of the power needs of the project</p> <p>30 percent of the power needs of the project</p> <p>40 percent of the power needs of the project</p> <p>50 percent of the power needs of the project</p> <p>60 percent of the power needs of the project</p> <p>70 percent of the power needs of the project</p> <p>80 percent of the power needs of the project</p>	<p>2 points</p> <p>10 points</p> <p>15 points</p> <p>20 points</p> <p>28 points</p> <p>35 points</p> <p>38 points</p> <p>42 points</p> <p>46 points</p>	0

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
	90 percent of the power needs of the project	52 points	
	100 percent of the power needs of the project	58 points	
Wind turbines	Some areas of the City lend themselves to wind turbine applications. Analysis of the area's capability to support wind turbines should be evaluated prior to choosing this feature. Individual wind turbines at homes or collective neighborhood arrangements of wind turbines such that the total power provided augments:		
	10 percent of the power needs of the project	10 points	0
	20 percent of the power needs of the project	15 points	
	30 percent of the power needs of the project	20 points	
	40 percent of the power needs of the project	28 points	
	50 percent of the power needs of the project	35 points	
	60 percent of the power needs of the project	38 points	
	70 percent of the power needs of the project	42 points	
	80 percent of the power needs of the project	46 points	
	90 percent of the power needs of the project	52 points	
	100 percent of the power needs of the project	58 points	
Off-site renewable energy project	The applicant may submit a proposal to supply an off-site renewable energy project such as renewable energy retrofits of existing homes that will help implement renewable energy within the City. These off-site renewable energy retrofit project proposals will be determined on a case by case basis and must be accompanied by a detailed plan that documents the quantity of renewable energy the proposal will generate. Point values will be determined based upon the energy generated by the proposal.	TBD	0
Other Renewable Energy Generation	The applicant may have innovative designs or unique site circumstances (such as geothermal) that allow the project to generate electricity from renewable energy not provided in the table. The ability to supply other renewable energy and the point values allowed will be decided based upon engineering data documenting the ability to generate electricity.	TBD	0
Reduction Measure PS W1: Residential Water Conservation			
Irrigation and Landscaping			
Water Efficient Landscaping	Limit conventional turf to < 50% of required landscape area	0 points	0
	Limit conventional turf to < 25% of required landscape area	4 points	
	No conventional turf (warm season turf to < 50% of required landscape area and/or low water using plants are allowed)	6 points	
	Only California Native Plants that requires no irrigation or some supplemental irrigation	8 points	

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Water Efficient irrigation systems	Low precipitation spray heads < .75"/hr or drip irrigation	2 point	0
	Weather based irrigation control systems or moisture sensors (demonstrate 20% reduced water use)	3 points	
Recycled Water	Recycled connections (purple pipe) to irrigation system on site	6 points	0
Water Reuse	Gray water Reuse System collects Gray water from clothes washers, showers and faucets for irrigation use,	12 points	0
Storm water Reuse Systems	Innovative on-site stormwater collection, filtration and reuse systems are being developed that provide supplemental irrigation water and provide vector control. These systems can greatly reduce the irrigation needs of a project. Point values for these types of systems will be determined based upon design and engineering data documenting the water savings.	TBD	0
Potable Water			
Showers	Water Efficient Showerheads (2.0 gpm)	3 points	3
Toilets	Water Efficient Toilets (1.5 gpm)	3 points	3
Faucets	Water Efficient faucets (1.28 gpm)	3 points	0
Dishwasher	Water Efficient Dishwasher (6 gallons per cycle or less)	1	1
Washing Machine	Water Efficient Washing Machine (Water factor <5.5)	1	0
WaterSense	EPA WaterSense Certification	12 points	0
Reduction Measure PS T1: Land Use Based Trips and VMT Reduction			
Mixed Use	Mixes of land uses that complement one another in a way that reduces the need for vehicle trips can greatly reduce GHG emissions. The point value of mixed use projects will be determined based upon a Transportation Impact Analysis (TIA) demonstrating trip reductions and/or reductions in vehicle miles traveled. Suggested ranges: Diversity of land uses complementing each other (2-28 points) Increased destination accessibility other than transit (1-18 points) Increased transit accessibility (1-25 points) Infill location that reduces vehicle trips or VMT beyond the measures described above (points TBD based on traffic data).	TBD	0
Residential Near Local Retail (Residential only Projects)	Having residential developments within walking and biking distance of local retail helps to reduce vehicle trips and/or vehicle miles traveled. The point value of residential projects in close proximity to local retail will be determined based upon traffic studies that demonstrate trip reductions and/or reductions in vehicle miles traveled (VMT)	TBD	0

CEQA THRESHOLDS AND SCREENING TABLES

Feature	Description	Assigned Point Values	Project Points
Other Trip Reduction Measures	Other trip or VMT reduction measures not listed above with TIA and/or other traffic data supporting the trip and/or VMT for the project.	TBD	0
Reduction Measure PS T2: Bicycle Master Plan			
Bicycle Infrastructure	Ontario's Bicycle Master Plan is extensive and describes the construction on 11.5 miles of Class I bike paths and 23 miles of Class II and Class III bikeways to build upon the current 8 miles of bikeways. Provide bicycle paths within project boundaries. Provide bicycle path linkages between residential and other land uses. Provide bicycle path linkages between residential and transit.	TBD 2 points 5 points	0
Reduction Measure PS T3: Neighborhood Electric Vehicle Infrastructure			
Electric Vehicle Recharging	Provide circuit and capacity in garages of residential units for use by an electric vehicle. Charging stations are for on-road electric vehicles legally able to drive on all roadways including Interstate Highways and freeways. Install electric vehicle charging stations in the garages of residential units	1 point 8 points	1
Total Points Earned by Residential Project:			116

Completed by Energy Inspectors



**PLANNING COMMISSION
STAFF REPORT**
October 24, 2017

SUBJECT: A Sign Permit (File No. PSGN17-108) application for proposed revisions to an existing LED freeway sign within the view corridor of The Ontario Center Specific Plan, located on the north side of Interstate 10 Freeway between Haven and Milliken Avenues (APNs: 0210-211-23); **submitted by YESCO. City Council Action Required.**

PROPERTY OWNER: City of Ontario

RECOMMENDED ACTION: That the Planning Commission recommend approval to the City Council of File No. PSGN17-108, pursuant to the facts and reasons contained in the staff report and attached resolution.

PROJECT SETTING: The project site is comprised of 6.29 acres of land located at on the north side of Interstate 10 freeway between Haven and Milliken Avenues, within the Open Space designation of The Ontario Specific Plan zoning district, and is depicted in **Figure 1: Project Location**, to the right. The site is improved with landscaping, a water element, and two freeway signs, one a static sign and the other an LED display.

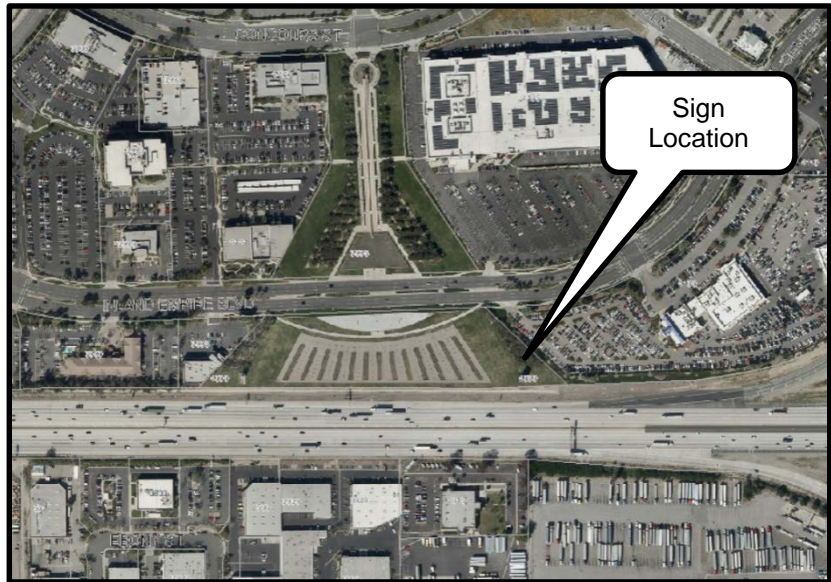



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — On February 19, 2002, the City Council approved an amendment to The Ontario Center Specific Plan that provided, amongst other things, for an additional freeway signing, bringing the total to three freeway signs. The amendment provided two signs within the view corridor and one within Plaza Continental. The amendment included

<i>Case Planner:</i>	Scott Murphy Assistant Development Director	<i>Hearing Body</i>	<i>Date</i>	<i>Decision</i>	<i>Action</i>
<i>Planning Director Approval:</i>		DAB			
<i>Submittal Date:</i>	10/11/2017	PC	10/24/2017		Recommend
<i>Hearing Deadline:</i>	n/a	CC			Final

criteria that limited the Plaza Continental sign to 60 feet in height and a sign area of 300 square feet. The view corridor signs were limited to a maximum height of 75 feet but the allowable square footage was not specified. At the time, the square footage was to be determined by the approving authority, the City Council, as part of the review of the sign design.

Following the Specific Plan Amendment, the design of the signs within the view corridor were reviewed and approved by the Planning Commission and City Council. The signs were approved at the 75-foot height limited and with a sign area of 475 square feet, regardless of whether the signs were static or LED (see **Figure 2: Static Freeway Sign** and **Figure 3: Existing LED Freeway Sign**). The static sign was approved and constructed with six sign panels, providing signage for major tenants with The Ontario Center. The LED sign was approved and constructed with a display that is 25 feet in width and 19 feet in height. The LED sign is used to advertise upcoming events at Citizen's Business Bank Arena.



Figure 2: Static Freeway Sign



Figure 3: Existing LED Freeway Sign

[2] Revised Design — The applicant is requesting a modification to the LED freeway sign design in order to take advantage of advancements in technology with enhanced clarity/definition and to provide slightly more display area. The height of the sign would remain at 75 feet and the frame design will remain consistent with the current sign. The main difference is in the size of the LED display. The proposed display will be slightly narrower (24'- 4 1/2" instead of 25 feet) and will be a little longer (24'- 11 1/2" instead of 19 feet in height). The additional sign area will be picked up at the bottom of the display in an area that is currently devoid of any signage (see **Figure 4: Proposed LED Sign**). On paper, the revision represents an increased sign area of approximately 130 square feet. Given the distance of the sign from the freeway and/or from Inland empire Boulevard, the impact of the additional square footage will be minimal. Also, the sign maintains appropriate scale and massing.



NEW SINGLE FACE FULL COLOR LED DISPLAYS - Installed on an Angle for Better Visibility

Not to Scale

Figure 4: Proposed LED Sign

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods

[2] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[3] Policy Plan (General Plan)

Land Use Element:

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Community Economics Element:

- CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.
- CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.
- CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

Community Design Element:

- Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;

- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and

- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1 – Existing Facilities) and Section 15302 (Class 2 – Replacement or Reconstruction) as the application proposes only minor alterations of existing public facilities, the sign's

structural footprint will remain the same, and the sign will maintain substantially the same purpose and capacity.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Open Space	Mixed Use		Open Space
<i>North</i>	Open Space	Mixed Use		Open Space
<i>South</i>	I-10 Freeway			
<i>East</i>	Car sales	Mixed Use		Garden Commercial
<i>West</i>	Offices	Mixed Use		Garden Commercial

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PSGN17-108, A SIGN PERMIT APPLICATION FOR REVISIONS TO AN EXISTING LED FREEWAY SIGN WITHIN THE VIEW CORRIDOR OF THE ONTARIO CENTER SPECIFIC PLAN, LOCATED ON THE NORTH SIDE OF INTERSTATE 10 FREEWAY, SOUTH OF INLAND EMPIRE BOULEVARD, BETWEEN HAVEN AND MILLIKEN AVENUES, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-211-23.

WHEREAS, YESCO ("Applicant") has filed an Application for the approval of a Sign Permit, File No. PSGN17-108, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 6.29 acres of land generally located north of Interstate 10, south of Inland Empire Boulevard, between Haven and Milliken Avenues, at 4000 East Inland Empire Boulevard within the Open Space designation of The Ontario Center Specific Plan, and is presently improved with landscaping, a water element, and two freeway signs; and

WHEREAS, the property to the north of the Project site is within the Open Space designation of The Ontario Center Specific Plan and is developed with a water element and landscaping. The properties to the east and west are within the Garden Commercial designation of The Ontario Center Specific Plan and are developed with a used car sales facility and office buildings, respectively. The property to the south is developed with the Interstate 10 Freeway; and

WHEREAS, on February 19, 2002, the City Council approved a specific plan amendment to The Ontario Center Specific plan, providing for two freeway signs within the view corridor and one within the Plaza Continental Center; and

WHEREAS, the specific plan amendment established the maximum height for the view corridor signs at 75 feet; and

WHEREAS, the specific plan amendment did not establish a maximum sign area for the view corridor signs but left the area to the discretion of the approving authority; and

WHEREAS, the Planning Commission and City Council previously reviewed the view corridor sign design and approved its design; and

WHEREAS, the Applicant is requesting a modification to the LED freeway sign to increase the display are to approximately 610 square feet; and

WHEREAS, the additional sign area will be provided at the bottom of the sign in an area currently devoid of signage, thereby maintaining the same height and design of the existing sign; and

WHEREAS, the massing and scale of the proposed sign is in proportion to the overall sign structure; and

WHEREAS, given the distance of the sign from the freeway and/or from Inland Empire Boulevard, the impact of the additional square footage will be minimal; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make a recommendation to the City Council 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 24, 2017, the Planning Commission 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 RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the Planning Commission 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 Planning Commission, the Planning Commission finds as follows:

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

(2) The Project is categorically exempt from environmental review pursuant to Sections 15301 (Class 1, Existing Facilities) and 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines, which consists of minor alterations of existing public facilities, the sign's structural footprint will remain the same, and the sign will maintain substantially the same purpose and capacity; and

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

(4) The determination of CEQA exemption reflects the independent judgment of the Planning Commission.

SECTION 2: *Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport ("ONT"), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the 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 Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 2, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application as shown on the attached Attachment "A".

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 Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:



NEW SINGLE FACE FULL COLOR LED DISPLAYS - Installed on an Angle for Better Visibility

Not to Scale

HISTORIC PRESERVATION COMMISSION STAFF REPORT



DATE: October 24, 2017

FILE NOS.: PHP17-013, PHP17-015, PHP17-016, PHP17-019, PHP17-022, PHP17-023, and PHP17-032

SUBJECT: Request for 7 Mills Act Contracts

LOCATIONS: 206 West Armsley Square (APN: 1047-343-08); 227 East G Street (APN: 1048-243-20); 128 East El Morado Court (APN: 1048-242-03); 318 East Princeton Street (APN: 1048-543-33); 123 East H Street (APN: 1048-252-40); 205 East Princeton Street (APN: 1047-531-29); and 426 West Armsley Square (APN: 1047-341-12)

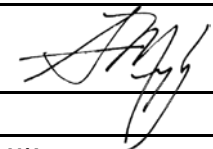
PROPERTY OWNERS: Jason Smith (File No. PHP17-013); Eelische Taylor and Gregory Delfante (File No. PHP17-015); Daniel and Jared Garcia (File No. PHP17-016); Mark Rivas (File No. PHP17-019); Angel and Paige Hernandez (File No. PHP17-022); Vincent Postovoit and Rosemary Salces (File No. PHP17-023); and Jim W. Bowman (File No. PHP17-032)

I. RECOMMENDATION:

That the Historic Preservation Commission adopt the attached resolutions recommending that the City Council approve File Nos. PHP17-013, PHP17-015, PHP17-016, PHP17-019, PHP17-022, PHP17-023, and PHP17-032. The Historic Preservation Subcommittee reviewed these applications on October 12, 2017 and is recommending approval.

II. BACKGROUND:

Effective March 7, 1973, Chapter 1442 of the Statutes of 1972 (also known as the Mills Act) added sections 50280 through 50289 to the Government Code to allow an owner of a qualified historical property to enter into a preservation contract with a local government. The City of Ontario established the Mills Act program in 1997 to provide an economic incentive for the preservation of designated historic landmarks and/or contributing structures within a designated historic district. Since inception of the City's program, 66 Mills Act Contracts have been approved and recorded. There are 7 contracts proposed at this time, six are contributing single-family residences to the designated El Morado Court, Armsley Square and College Park Historic Districts, and one single-

<p>Case Planner: <u>Elly Antuna, Assistant Planner</u></p> <p>Planning Director Approval: <u></u></p> <p>Submission Date: _____</p> <p>Hearing Deadline: <u>N/A</u></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Hearing Body</th> <th style="text-align: left;">Date</th> <th style="text-align: left;">Decision</th> <th style="text-align: left;">Action</th> </tr> </thead> <tbody> <tr> <td>HPSC:</td> <td>10/12/2017</td> <td>Approve</td> <td>Recommend</td> </tr> <tr> <td>PC / HPC:</td> <td>10/24/2017</td> <td></td> <td>Recommend</td> </tr> <tr> <td>CC:</td> <td>11/21/2017</td> <td></td> <td></td> </tr> </tbody> </table>	Hearing Body	Date	Decision	Action	HPSC:	10/12/2017	Approve	Recommend	PC / HPC:	10/24/2017		Recommend	CC:	11/21/2017		
Hearing Body	Date	Decision	Action														
HPSC:	10/12/2017	Approve	Recommend														
PC / HPC:	10/24/2017		Recommend														
CC:	11/21/2017																

family residence is a Non-Contributor to the College Park Historic District. The seventh request is for an individually designated local landmark.

In order for the historic property to be eligible for the program, it must meet the requirements outlined in the guidelines and standards set by the State of California, Board of Equalization and the City's Development Code (Sec. 4.02.065). The historic property must be either a local, state, or nationally designated property or a contributor within a locally designated historic district whereby the property owner agrees to certain improvements to restore, rehabilitate or preserve a qualified historic building. In exchange, the San Bernardino County Tax Assessor reassesses the property's value based on an alternative formula that may result in a significant reduction in the owner's property taxes.

Pursuant to State law, a Mills Act Contract is recorded on the property and is a perpetual 10-year contract that automatically renews annually. The Mills Act Contract and all benefits and responsibilities remain with the land, even after a change of ownership. If a contract is cancelled as a result of non-compliance with the conditions of the contract, a cancellation fee of 12.5 percent of the market value (as of the time of cancellation) is assessed.

III. PROJECT ANALYSIS:

Staff provides estimates of potential tax savings for the property owner, but ultimately, only the San Bernardino County Assessor can determine the actual Mills Act adjusted value. The Mills Act assessment involves many variables that are typically determined by market forces such as interest rates, capitalization rates, and fair market rental rates. The average property tax savings for the proposed Mills Act Contracts range between 30 and 55 percent in the initial year, with a tax savings decrease each passing year. According to the City budget, Ontario receives 16.8 percent of the property taxes collected. Using that percentage, staff has also calculated the estimated reduction in property tax revenue, the "City cost," and has included that in the analysis.

Upon City Council approval, the City Clerk informs the San Bernardino County Assessor that the property has entered into a Mills Act Contract. The Assessor values the historic property with the Mills Act assessment the following tax year, which may differ from the Planning Department estimates.

A. FILE NO.: PHP17-013

PROPERTY OWNER: Jason Smith

LOCATION: 206 West Armsley Square

HISTORIC NAME: Howard Shattuck House

DESIGNATION DATE: March 21, 2000
(Armsley Square Historic District)



[1] Work Program — The applicant, Jason Smith, is proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. Interior work includes installation of insulation in attic and completion of an energy audit. Exterior work includes roof repairs, installation of rain gutters, fabrication of window screens, repair and paint of windows as needed, and exterior paint. The improvements are valued at an estimated \$39,300.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$6,762
Mills Act Annual Taxes Estimated:	\$4,493
Potential Total Annual Tax Savings:	\$2,269
Estimated Savings over 10 years:	\$22,690
Estimated Savings Percentage:	33.6%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$1,136
Mills Act Annual City Tax Revenue Estimated:	\$755
Estimated Total Annual Cost to the City:	\$381
Estimated Cost to the City over 10 years:	\$3,812

This contract provides for \$10.31 in improvements for every \$1 in estimated property tax cost to the City.

B. FILE NO.: PHP17-015

PROPERTY OWNERS: Eelische Taylor
and Greg Delfante

LOCATION: 227 East G Street

HISTORIC NAME: Charles E. Bingle
House

DESIGNATION DATE: July 16, 2002
(El Morado Court Historic District)



[1] Work Program — The applicants, Eelische Taylor and Greg Delfante, are proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. Interior work includes completion of an energy audit, upgrading of

electric panel and repair of concrete garage floor. Exterior work includes paint, siding repair, removal of stucco overspray, and roofing. The improvements are valued at an estimated \$43,400.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$3,542
Mills Act Annual Taxes Estimated:	\$1,639
Potential Total Annual Tax Savings:	\$1,903
Estimated Savings over 10 years:	\$19,035
Estimated Savings Percentage:	53.7%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract and is based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$595
Mills Act Annual City Tax Revenue Estimated:	\$275
Estimated Total Annual Cost to the City:	\$320
Estimated Cost to the City over 10 years:	\$3,198

This contract provides for \$13.57 in improvements for every \$1 in estimated property tax cost to the City.

C. FILE NO.: PHP17-016

PROPERTY OWNERS: Daniel and Jared Garcia

LOCATION: 128 East El Morado Court

HISTORIC NAME: Dr. Jerome Titus House

DESIGNATION DATE: July 16, 2002
(El Morado Court Historic District)



[1] Work Program — The applicants, Daniel and Jared Garcia, are proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. Interior work includes performance of an energy audit, bathroom restoration, and refinishing of original hardwood floors and handrails. Exterior work includes repair of original wood framed windows and screens, refinishing doors, siding repairs and a new roof on the house and detached garage. The improvements are valued at an estimated \$38,400.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$4,082
Mills Act Annual Taxes Estimated:	\$2,720
Potential Total Annual Tax Savings:	\$1,362
Estimated Savings over 10 years:	\$13,619
Estimated Savings Percentage:	33.4%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract and is based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$686
Mills Act Annual City Tax Revenue Estimated:	\$457
Estimated Total Annual Cost to the City:	\$229
Estimated Cost to the City over 10 years:	\$2,289

This contract provides for \$16.78 in improvements for every \$1 in estimated property tax cost to the City.

D. FILE NO.: PHP17-019

PROPERTY OWNERS: Mark Rivas

LOCATION: 318 East Princeton Street

HISTORIC NAME: Fred and Verna Clapp House

DESIGNATION DATE: October 17, 2017
(Local Landmark No. 97)



[1] Work Program — The applicant, Mark Rivas, is proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. Interior work includes installation of insulation and a new air conditioner condenser. Exterior work includes trimming of mature trees, installation of a new water main and meter, irrigation, repair of damaged fascia, exposed rafters and siding, and replacement of aluminum slider windows with appropriate multi-pane windows. The improvements are valued at an estimated \$33,200.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$3,796
Mills Act Annual Taxes Estimated:	\$1,914
Potential Total Annual Tax Savings:	\$1,882
Estimated Savings over 10 years:	\$18,822
Estimated Savings Percentage:	49.6%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract and is based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$638
Mills Act Annual City Tax Revenue Estimated:	\$322
Estimated Total Annual Cost to the City:	\$316
Estimated Cost to the City over 10 years:	\$3,162

This contract provides for \$10.50 in improvements for every \$1 in estimated property tax cost to the City.

E. FILE NO.: PHP17-022

PROPERTY OWNERS: Angel and Paige Hernandez

LOCATION: 123 East H Street

HISTORIC NAME: C. A. Traphagen House

DESIGNATION DATE: July 16, 2002
(El Morado Court Historic District)



[1] Work Program — The applicants, Angel and Paige Hernandez, are proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. . Interior work includes an energy audit, interior paint and plaster repair, and replacement of cracked tile at the entryway. Exterior work includes trimming of mature trees, new landscape and irrigation, exterior paint, repair and refinishing of doors and windows, and restoration of a balcony. The improvements are valued at an estimated \$42,850.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$4,991
Mills Act Annual Taxes Estimated:	\$2,601
Potential Total Annual Tax Savings:	\$2,390
Estimated Savings over 10 years:	\$23,899
Estimated Savings Percentage:	47.9%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract and is based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$839
Mills Act Annual City Tax Revenue Estimated:	\$437
Estimated Total Annual Cost to the City:	\$402
Estimated Cost to the City over 10 years:	\$4,015

This contract provides for \$10.67 in improvements for every \$1 in estimated property tax cost to the City.

F. FILE NO.: PHP17-023

PROPERTY OWNERS: Vincent Postovoit and Rosemary Salces

LOCATION: 205 East Princeton Street

HISTORIC NAME: Hugh Crawford House

DESIGNATION DATE: July 18, 2000
 (College Park Historic District)



[1] Work Program — The applicants, Vincent Postovoit and Rosemary Salces, are proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California. Interior work includes performance of an energy audit, interior paint and plaster repair, refinishing of hardwood floors, electrical and plumbing upgrades, installation of insulation and central HVAC. Exterior work includes landscape and irrigation, door and window repairs, and exterior paint. The improvements are valued at an estimated \$39,490.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$6,069
Mills Act Annual Taxes Estimated:	\$3,181
Potential Total Annual Tax Savings:	\$2,888
Estimated Savings over 10 years:	\$28,880
Estimated Savings Percentage:	47.6%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract and is based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$1,019
Mills Act Annual City Tax Revenue Estimated:	\$534
Estimated Total Annual Cost to the City:	\$485
Estimated Cost to the City over 10 years:	\$4,852

This contract provides for \$8.14 in improvements for every \$1 in estimated property tax cost to the City.

G. FILE NO.: PHP17-032

PROPERTY OWNERS: Jim W. Bowman

LOCATION: 426 West Armsley Square

HISTORIC NAME: Drew Fallis House

DESIGNATION DATE: March 21, 2000
 (Armsley Square Historic District)



[1] Work Program — The applicant, Jim W. Bowman, is proposing both exterior and interior work as part of the contract that qualifies under the guidelines and standards set by the State of California Interior. Work includes updating plumbing and electrical, refinishing of hardwood floors, interior paint and plaster repair and installation of a new HVAC unit. Exterior work includes new landscaping, exterior paint and installation of decorative gates in rear yard. The improvements are valued at an estimated \$47,150.

[2] Property Owner Savings — The following Mills Act savings to the property owner are based on estimates calculated by the Planning Department.

Current Annual Taxes Paid:	\$6,224
Mills Act Annual Taxes Estimated:	\$4,020
Potential Total Annual Tax Savings:	\$2,204
Estimated Savings over 10 years:	\$22,042
Estimated Savings Percentage:	35.4%

[3] City Cost — According to the City budget, Ontario receives approximately 16.8 percent of the property taxes collected. The following shows the cost to the City for this contract and is based on estimates calculated by the Planning Department.

Current Annual City Tax Revenue:	\$1,045
Mills Act Annual City Tax Revenue Estimated:	\$675
Estimated Total Annual Cost to the City:	\$370
Estimated Cost to the City over 10 years:	\$3,703

This contract provides for \$12.73 in improvements for every \$1 in estimated property tax cost to the City.

IV. CUMULATIVE IMPACTS:

The City currently has 66 approved Mills Act Contracts and 7 proposed contracts. The cumulative impacts are based on the initial projected assessment of each contract for the proposed year.

	Existing	Proposed
Number of contracts:	66	73
Average Estimated Annual Tax Saving to Property Owners:	\$1,711	\$1,751
Estimated Annual Cost to the City:	\$18,975	\$21,478
Estimated Cost to the City over 10 Years:	\$189,755	\$214,785
Estimated Total Value of Mills Act Improvements over 10 Years:	\$2,540,090	\$2,823,880
Estimated Loss of Revenue to Improvement Ratio:	\$1/13.39	\$1/13.15

V. COMPLIANCE WITH THE ONTARIO PLAN:

The Mills Act Contract Program is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Priorities

Goals: [1] Invest in the Growth and Evolution of the City’s Economy; [2] Operate in a Businesslike Manner; [3] Focus Resources in Ontario’s Commercial and Residential Neighborhoods; [4] Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities.

[2] Policy Plan (General Plan)

a. *Community Design Element – Historic Preservation*

Goal: CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

Policies:

CD4-2 *Collaboration with Property Owners and Developers.* We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.

CD4-4 *Incentives.* We use the Mills Act and other federal, state, regional and local programs to assist property owners with the preservation of select properties and structures.

CD4-6 *Promotion of Public Involvement in Preservation.* We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.

b. *Community Design Element – Protection of Investment*

Goal: CD5 A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

Policies:

CD5-1 *Maintenance of Buildings and Property.* We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

CD5-3 *Improvements to Property & Infrastructure.* We provide programs to improve property and infrastructure.

CD5-4 *Neighborhood Involvement.* We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-013, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE HOWARD SHATTUCK HOUSE, LOCATED AT 206 WEST ARMSLEY SQUARE (APN 1047-343-08).

WHEREAS, JASON SMITH ("Applicant") has filed an Application for the approval of a Mills Act Contract, File No. PHP17-013, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Howard Shattuck House, a single-family residence located at 206 West Armsley Square (APN: 1047-343-08) is worthy of preservation and was designated as a Contributor to the Armsley Square Historic District on March 21, 2000; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-022, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the

use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Howard Shattuck House, located at 206 West Armsley Square, was designated as a Contributor to the Armsley Square Historic District on March 21, 2000; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-013
October 24, 2017
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The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-013
October 24, 2017
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-015, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE CHARLES E. BINGLE HOUSE, LOCATED AT 227 EAST G STREET (APN 1048-243-20).

WHEREAS, EELISHE TAYLOR AND GREG DELFANTE ("Applicant") have filed an Application for the approval of a Mills Act Contract, File No. PHP17-015, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Charles E. Bingle House, a single-family residence located at 227 East G Street (APN: 1048-243-20) is worthy of preservation and was designated as a Contributor to the El Morado Court Historic District on July 16, 2002; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-023, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the

use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Charles E. Bingle House, located at 227 East G Street, was designated as a Contributor to the El Morado Court Historic District on July 16, 2002; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-015
October 24, 2017
Page 4

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-015
October 24, 2017
Page 5

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-016, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE DR. JEROME TITUS HOUSE, LOCATED AT 128 EAST EL MORADO COURT (APN 1048-242-03).

WHEREAS, DANIEL AND JARED GARCIA ("Applicant") have filed an Application for the approval of a Mills Act Contract, File No. PHP17-016, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Dr. Jerome Titus House, a single-family residence located at 128 East El Morado Court (APN: 1048-242-03) is worthy of preservation and was designated as a Contributor to the El Morado Court Historic District on July 16, 2002; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-024, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the

use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Dr. Jerome Titus House, located at 128 East El Morado Court, was designated as a Contributor to the El Morado Court Historic District on July 16, 2002; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-016
October 24, 2017
Page 4

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-016
October 24, 2017
Page 5

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-019, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE FRED AND VERNA CLAPP HOUSE, LOCATED AT 318 EAST PRINCETON STREET (APN: 1048-543-33).

WHEREAS, MARK RIVAS ("Applicant") has filed an Application for the approval of a Mills Act Contract, File No. PHP17-019, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Fred and Verna Clapp House, a single-family residence located at 318 East Princeton Street (APN: 1048-543-33) is worthy of preservation and was designated as Local Landmark No. 97 on October 17, 2017; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-025, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the

use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Fred and Verna Clapp House, located at 318 East Princeton Street, was designated as Local Landmark No. 97 on October 17, 2017; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-019
October 24, 2017
Page 4

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-019
October 24, 2017
Page 5

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-022, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE C. A. TRAPHAGEN HOUSE, LOCATED AT 123 EAST H STREET (APN: 1048-252-40).

WHEREAS, ANGEL AND PAIGE HERNANDEZ ("Applicant") have filed an Application for the approval of a Mills Act Contract, File No. PHP17-022, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the C. A. Traphagen House, a single-family residence located at 123 East H Street (APN: 1048-252-40) is worthy of preservation and was designated as a Contributor to the El Morado Court Historic District on July 16, 2002; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-026, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the

use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The C. A. Traphagen House, located at 123 East H Street, was designated as a Contributor to the El Morado Court Historic District on July 16, 2002; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-022
October 24, 2017
Page 4

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-022
October 24, 2017
Page 5

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-023, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE HUGH CRAWFORD HOUSE, LOCATED AT 205 EAST PRINCETON STREET (APN: 1047-531-29).

WHEREAS, VINCENT POSTOVOIT AND ROSEMARY SALCES ("Applicant") have filed an Application for the approval of a Mills Act Contract, File No. PHP17-023, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Hugh Crawford House, a single-family residence located at 205 East Princeton Street (APN: 1047-531-29) is worthy of preservation and was designated as a Contributor to College Park Historic District on July 18, 2000; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-027, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to

enter into contracts with the owners of a qualified historical property to provide for the use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Hugh Crawford House, located at 205 East Princeton Street, was designated as a Contributor to the College Park Historic District on July 18, 2000; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-023
October 24, 2017
Page 4

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-023
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PHP17-032, RECOMMENDING THAT THE CITY COUNCIL APPROVE THE MILLS ACT CONTRACT FOR THE DREW FALLIS HOUSE, LOCATED AT 426 WEST ARMSLEY SQUARE (APN: 1047-341-12).

WHEREAS, JIM W. BOWMAN ("Applicant") has filed an Application for the approval of a Mills Act Contract, File No. PHP17-032, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the City's character and history are reflected in its cultural, historical, and architectural heritage with an emphasis on the "Model Colony" as declared by an act of the Congress of the United States and presented at the St. Louis World's Fair in 1904; and

WHEREAS, the City's historical foundations should be preserved as living parts of community life and development in order to foster an understanding of the City's past so that future generations may have a genuine opportunity to appreciate, enjoy, and understand Ontario's rich heritage; and

WHEREAS, the Community Development of the Ontario General Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Drew Fallis House, a single-family residence located at 426 West Armsley Square (APN: 1047-341-12) is worthy of preservation and was designated as a Contributor to the Armsley Square Historic District on March 21, 2000; and

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

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

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Historic Preservation Commission the responsibility and authority to review and make recommendation to the City Council on the subject Application; 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 12, 2017, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC17-028, recommending the Historic Preservation Commission recommend to the City Council approval of the Application; and

WHEREAS, on October 24, 2017, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

WHEREAS, the Historic Preservation Commission has reviewed this application and determined it to be to the mutual benefit to the City and property owner to enter into a Historic Property Preservation Agreement.

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED, the Historic Preservation Commission of City of Ontario, as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Historic Preservation Commission 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 Historic Preservation Commission, the Historic Preservation Commission finds as follows:

(1) The Mills Act Contract is not considered a project pursuant to Section 21065 of the CEQA Guidelines. The Mills Act Contract will not result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

(2) The determination of CEQA exemption reflects the independent judgement of the Planning Commission.

SECTION 2. Concluding Facts and Reasons. Based upon the substantial evidence presented to the Historic Preservation Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Historic Preservation Commission hereby concludes as follows:

(1) California Government Code Section 50280, et seq., authorizes cities to enter into contracts with the owners of a qualified historical property to provide for the

use, maintenance and restoration of such historical property so as to retain its characteristics as a property of historical significance; and

(2) The Drew Fallis House, located at 426 West Armsley Square, was designated as a Contributor to the Armsley Square Historic District on March 21, 2000; and

(3) The Applicant has set forth a work program for this specific property to ensure the preservation of this historic resource that qualifies under the guidelines and standards set by the State of California.

SECTION 3. Historic Preservation Commission Action. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE THE REQUEST FOR A MILLS ACT CONTRACT.

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 E. 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 Secretary shall certify to the adoption of the Resolution.

Historic Preservation Commission Resolution
File No. PHP17-032
October 24, 2017
Page 4

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Historic Preservation Commission Resolution
File No. PHP17-032
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STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)
CITY OF ONTARIO)

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore



PLANNING COMMISSION STAFF REPORT

October 24, 2017

SUBJECT: A Specific Plan (Armstrong Ranch) (File No. PSP15-002) to establish land use designations, development standards, and design guidelines for 189.8 acres, which includes the potential development of 891 dwelling units and a 10-acre elementary school site. The project site is bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Flood Control Channel to the east, and Vineyard Avenue to the west. (APNs:0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50). Submitted by CVRC Ontario Investments, LLC. City Council action is required.

PROPERTY OWNER: Various – See Technical Appendix

RECOMMENDED ACTION: That the Planning Commission recommend the City Council adopt and certify an Environmental Impact Report (SCH# 2006111009), including the adoption of a Statement of Overriding Consideration, and approve the Armstrong Ranch Specific Plan (File No. PSP15-002), pursuant to the facts and reasons contained in the staff report and attached resolution(s), and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 189.8 acres of land as depicted in **Figure 1: Project Location**. The Armstrong Ranch Specific Plan Area is bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Channel to the east, and Vineyard Avenue to the west. The project site has historically been used for agricultural purposes, primarily for dairy and



Figure 1: Project Location

Case Planner:	Lorena Mejia	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	n/a	n/a	
Submittal Date:	2/2/2015	ZA			
Hearing Deadline:	n/a	PC	10/24/17		Recommend
		CC			Final

field crop farming. The portions of the project site west of Ontario Avenue are generally undeveloped except for vacant residential homes and ancillary farming and dairy buildings. Areas of the project site east of Ontario Avenue are presently occupied by active agricultural operations and are developed with rural residential housing, farm buildings, and other ancillary agricultural facilities. The natural vegetation and soil conditions that once occurred throughout the project area have been significantly altered through agricultural uses, leaving little to no native vegetation. Also, the project area is relatively flat sloping to the south towards Chino Avenue and falls at a slope of 0.8% to 2.0%.

Surrounding land uses adjacent to the project site include dairies and field crops to the south and west, the Cucamonga Creek Flood Control Channel and Flood Control Basin to the east and southeast and a combination of single family residential, a commercial shopping center, nursery school, Whispering Lakes Public Golf Course to the north.

PROJECT ANALYSIS:

[1] Background — The Ontario Plan (TOP) Policy Plan (General Plan) provides the basic framework for development within the 8,200-acre area commonly referred to as Ontario Ranch. The Policy Plan requires City Council approval of a Specific Plan for new developments within Ontario Ranch. Specific Plans are required to ensure that sufficient land area is included to achieve cohesive, unified districts and neighborhoods. Specific Plans are required to incorporate a development framework for detailed land use, circulation, infrastructure (including drainage, sewer, and water facilities), provision for public services (including parks and schools), and urban design and landscape plans.

[2] Specific Plan — The Armstrong Ranch Specific Plan (File No. PSP15-002) serves to implement the City's Policy Plan for the project site and provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for the development of 189.8 acres within the Specific Plan boundaries. The Specific Plan establishes a comprehensive set of development regulations and design guidelines to regulate site planning, landscaping, and architectural character within the community, ensuring that excellence in community design is achieved during the project development. The Armstrong Ranch Specific Plan establishes the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved.

The Armstrong Ranch Specific Plan proposes a land use plan that includes six residential Planning Areas and one future elementary school site. The land use plan concept is based on traditional neighborhood design principals and concepts that include pedestrian and bicycle connectivity, a traditional grid street network, and a variety of housing types and architectural styles. The Specific Plan is comprised of 7 planning areas and two land

use categories Residential (170.6 net acres) and Elementary School (10 net acres) (see **Figure 2: Armstrong Ranch Specific Plan - Land Use Plan**).

Community Design/Vision — The vision for Armstrong Ranch is to incorporate and acknowledge the legacy of John Armstrong (an early pioneer of commercial nursery farming in Southern California that made landscape and plant materials available to



Figure 2: Armstrong Ranch Specific Plan - Land Use Plan

consumers throughout the region) by designing a new residential community oriented towards outdoor living. The Armstrong Ranch Specific Plan is organized into individual neighborhoods designed around a densely landscaped themed street system encouraging walking that leads to parks centrally located within each neighborhood. Residences are planned to front onto streets and public gathering places enabling residents to have their “eyes on the street,” promoting a safe hometown feel. It is a

community of smaller neighborhoods, offering a diversity of streetscapes, architectural types and styles that is focused around Armstrong Park, pocket parks and an elementary school. Residential planning areas 1 through 6 are located within walking and biking distance to parks and schools and are connected through a network of paseos, sidewalks, pocket parks and off-street bike paths and multi-use trails. A livable community is achieved for Armstrong Ranch through the implementation of the following:

- A village setting comprised of a series of neighborhoods designed with a pattern of smaller, walkable blocks that promote access, activity and safety.
- Neighborhood streets are designed in a simple loop system creating short blocks to promote a neighborhood feeling.
- Pedestrian and bicycle connectivity among all residential neighborhoods, areas and parks within Armstrong Ranch through a comprehensive network of pedestrian walkways and bicycle trails offering opportunities for walking and biking throughout the entire community and to destinations outside of the community.
- Streets incorporating traffic calming techniques such as landscaped areas adjacent to roadways and intersection chokers intended to encourage drivers to reduce their speed and create a pedestrian friendly environment.
- A system of parks providing active and passive recreation facilities, passive open space areas and walkway connections for informal neighborhood interaction.
- Diversity in architectural design and homes fronting the street with varying lot sizes to enhance the pedestrian experience and instill a sense of place and belonging for residents.
- A choice of single family detached housing types provided to address a diversity of lifestyles and varying economic segments of the marketplace.
- Residential floor plans that encourage views onto the street, de-emphasize the visual and physical dominance of garages, and provide front porches and courtyards along the street to encourage interaction and activity along streets and sidewalks.
- Landscaped parkways adjacent to sidewalks separated from the curb to create a pedestrian friendly environment.

Residential Development — TOP Policy Plan designates the project site for Low Density Residential with a density range of 2.1 - 5.0 dwelling units per adjusted gross acre (existing parcel size before required dedications). A minimum of 399 residential units and maximum development capacity of 949 residential units is allowed within the Armstrong Ranch Specific Plan. TOP Policy Plan allows for developments that encompass multiple properties to blend residential densities within the Specific Plan so long as maximum number of units permitted for the development is not exceeded. **Figure 3 - Armstrong Ranch SP TOP Consistency Table**, below, provides a breakdown of the number of units allowed per TOP Policy Plan Planning Area compared to the proposed Specific Plan.

The Armstrong Ranch Specific Plan proposes the development of up to 891 residential dwelling units (see **Armstrong Ranch Land Use Plan Summary** in Technical Appendix).

TOP Land Use Designation	Specific Plan - Land Use/ Planning Area	TOP Adjusted Gross Acreage	Gross Acreage	Net Acreage	TOP Residential Units (Minimum)	TOP Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 1	36.8	38.6	33	77	184	192	5.2 ²
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 2	36.4	36.2	32.5	76	182	173	4.8
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 3	26.3	26.8	24.6	55	132	132	5.0
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 4	26.3	26.9	26.9	55	132	132	5.0
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 5	30.2	34.2	32.6	63	151	151	5.0
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 6	22.2	24.5	21	47	111	111	5.0
Low Density Residential (2.1 - 5 du/ac)	Planning Area 7 (School Site)	11.6	11.6	10	24	58	0	0.0
Total		189.8	198.8	180.6	399	949	891	5.0³

Figure 3: Armstrong Ranch SP TOP Consistency Table

The 891 residential units will be contained within 6 distinctive Planning Areas (see **Figure 2**). Planning Areas 1 thru 6 are comprised of Low Density Residential (4.8 - 5.2 du/ac) uses and Planning Area 7 is a 10-acre (net acre) future elementary school site.

The Residential Planning Areas includes a variety of housing products that respond to a variety of lifestyles, such as singles, families, executives and “empty nesters”. The

Specific Plan offers a variety of low density, single family detached residential products (conventional, Z-Lot and cluster) and multi-family (duplex townhomes and rowtowns) residential products.

Residential Design— The Armstrong Ranch Specific Plan Design Guidelines guide the physical character of all future residential development and all community and neighborhood features, including the overall landscape treatment within the project. The proposed community character will establish a unified aesthetic treatment responding to the community's main feature, a central park (Armstrong Park) and an elementary school. The community vision for Armstrong Ranch is based upon the architectural influences found in Ontario and throughout Southern California. The architectural styles have been selected in order to be reflective of older neighborhoods of historic Ontario as well as to accommodate innovative transitional and modern architectural influences. It is further intended that all aspects of the community be designed with consideration to energy and water conservation. Architectural influences appropriate within Armstrong Ranch include the following:

- Spanish Influences – including architectural styles such as Spanish Colonial, Monterey, and Santa Barbara styles.
- American Informal Influences – including architectural styles such as Farmhouse, California Ranch, and Craftsman styles.
- American Formal Influences – including architectural styles such as Eastern Colonial, Prairie, and California Traditional styles.
- Modern Influences – including styles that 'modernize all the above styles such as modern Spanish, modern Farmhouse, and modern Colonial styles.

The residential design guidelines for the Specific Plan focus on human-scale details, which will enhance the pedestrian friendly character of the community. These details include the use of front porches, railings, enhanced entries, a mix of materials and textures, and authentic detailing on elements such as windows and doors, columns, balconies, and lighting. Garage placements have been designed to de-emphasize the visual impact of garage doors on the street scene. Such techniques include varied garage setback requirements that include shallow, mid-recessed, deep-recessed and side-on garages configurations that reduce the view of garage doors from the street.

Circulation Concept— The circulation plan for Armstrong Ranch reinforces the objective of implementing a traditional neighborhood design. In addition to providing safe and efficient movement of vehicular traffic through the project, the Circulation Plan also provides a safe environment for pedestrian movement and bicycle traffic, reducing the reliance on the automobile as a means of travel. Transit stops and bus turnouts will be

provided, as required by the City of Ontario and Omnitrans, along the Master Plan streets that are part of the Armstrong Ranch community.

The primary entrances into the Armstrong Ranch community will occur from Riverside Drive on the north, Vineyard Avenue on the west and Chino Avenue on the south (see **Figure 4 – Master Vehicular Circulation Plan**). The primary north-south street is

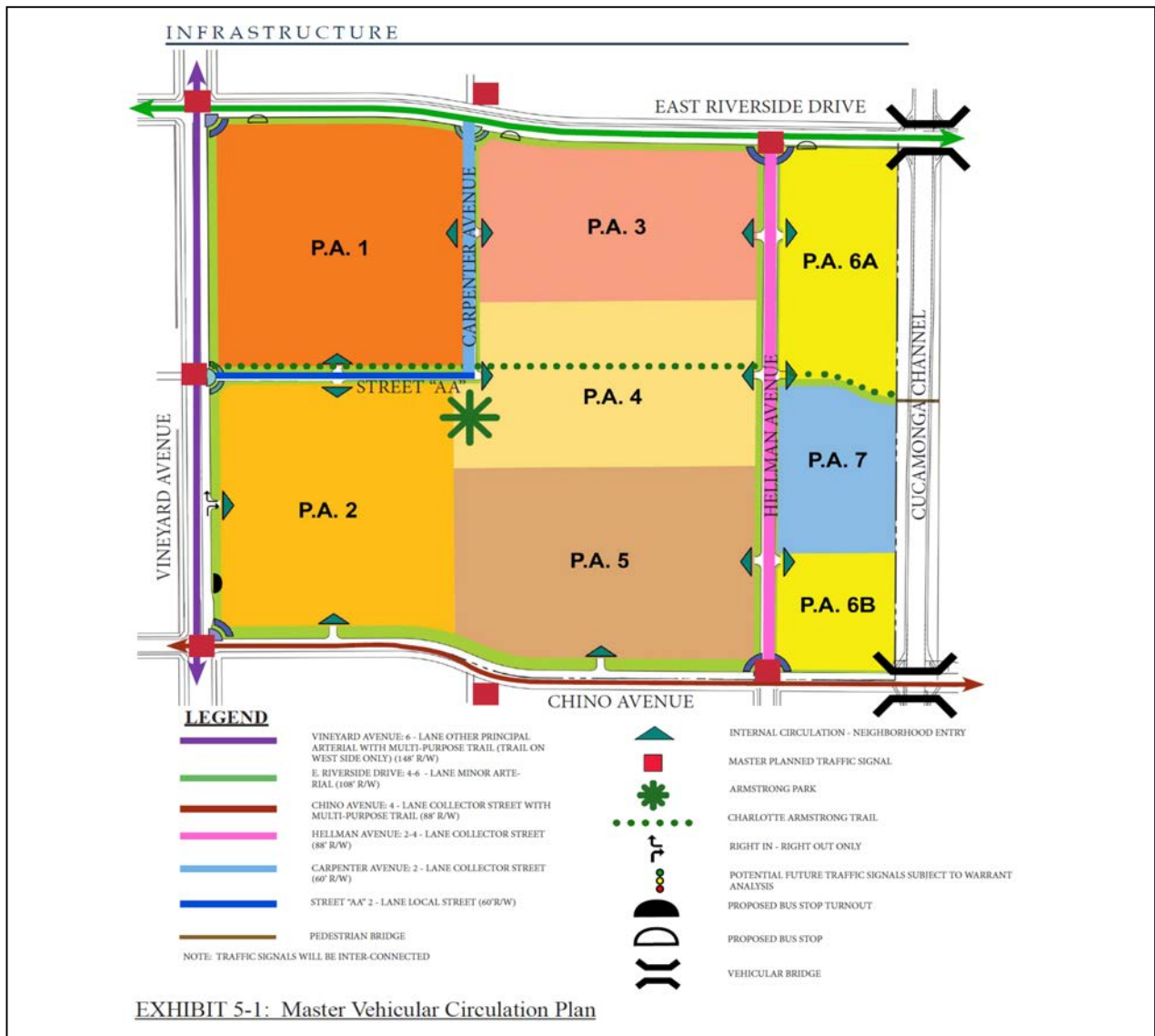


Figure 4: Master Vehicular Circulation Plan

Hellman Avenue, connecting Riverside Drive and Chino Avenue through the Armstrong Ranch community. This north-south connection will provide internal access and connectivity between residential areas and the future elementary school site.

Public local streets within residential areas are designed to distribute vehicular traffic from the Master Plan streets adjacent to the project site into and through the residential neighborhoods. Each neighborhood within Armstrong Ranch will feature streets with sidewalks separated by landscaped parkways (ranging from 7 to 15 feet in width) to provide visual interest, slow traffic, and lower traffic volumes by offering alternative traffic routes. The sidewalks also serve to enhance a pedestrian orientation for neighborhoods. Sidewalks separated by a landscaped parkway promote pedestrian mobility, encouraging opportunities for neighbors to meet and greet each other along the street. Street traffic calming will be introduced by incorporating loop streets around parks, landscaped areas adjacent to streets, and narrowed intersections to influence a driver's peripheral vision and encourage drivers to proceed slowly throughout the community.

Landscape Design — The overall landscaped design for Armstrong Ranch was organized to help define the basic landscaped principles for the Specific Plan. Careful attention has been given to creating an appropriate and appealing landscape architectural design, which will compliment, enhance and reinforce the vision for Armstrong Ranch. To implement these principals, the following design criteria have been established within the Specific Plan:

- Community Entries – Monumentation occurs throughout the Armstrong Ranch community and is designed to create a hierarchy for the community. At key entries, a landscape and monumentation program will be utilized to help identify the community as well as convey a welcoming feeling for both vehicular and pedestrian traffic. Primary entries into the Armstrong Ranch community will occur along Riverside Drive, Vineyard Avenue and Chino Avenue. These primary residential entries will feature entry pilasters with monument signs with the immediate surrounding area heavily landscaped with a combination of large single and multi-trunk specimen trees, accent trees, shrubs, roses and perennial flowers. The combination of these elements will provide a recognizable gateway and emphasize the pedestrian-friendly character of Armstrong Ranch.
- Arterial and Collector Streetscapes – Streetscape design guidelines establish a hierarchy for the landscape development along the surrounding roadways, as well as establish a framework for consistency of design. Four City master plan streets (Riverside Drive, Vineyard Avenue, Chino Avenue and Hellman Avenue), provide access into the Armstrong Ranch Community. The streetscapes for these streets include formal landscape design of parkways, neighborhood edges and medians. Special theme trees and plant material will be utilized within the parkways and neighborhood edges to establish a special character for the community. Neighborhood edges will be provided at 35 feet on Riverside Drive, 45 feet on Vineyard Avenue, 30 feet on Chino Avenue and 30 feet on Hellman Avenue.
- Residential Interior Streetscape - Streetscape design within the interior of the Armstrong Ranch community will be designed to be consistent with the perimeter

streetscapes and help to promote pedestrian circulation throughout the community. The streetscape design for interior streets is created to embrace Armstrong Ranch's principal of creating opportunities for neighborhood interaction through provisions of informal parks, gathering areas and a network of paseos and sidewalks. Walkable streets encourage pedestrian activity by creating an atmosphere that is geared toward the pedestrian. Through simple design techniques, residential streets within Armstrong Ranch create a village concept. Such design techniques include 7-foot wide landscaped parkway planted with a row of street trees and 5-foot wide pedestrian sidewalks set behind the landscaped parkway.

Parks, Paseos and Trails — The Land Use Plan for Armstrong Ranch includes an overall open space concept including a variety of parks, trails, paseos and private open space areas (see **Figure 5 – Pedestrian and Regional Trail Circulation Plan**). The primary open space element is the centrally located, two-acre Armstrong Park that will provide a central gathering space for future residents. Armstrong Park is accessible from adjacent neighborhood streets/sidewalks and is also connected to the proposed themed Charlotte Armstrong Trail. The Charlotte Armstrong Trail bisects the community extending from Vineyard Avenue adjacent to proposed Street “AA” on the west, past Armstrong Park, connecting to the future elementary school site, and to the future pedestrian bridge across the Cucamonga Channel that connects to the Countryside Specific Plan area and to the existing trail that runs along the east side of the Cucamonga Creek Channel.

Armstrong Park will contain historic markers to reinforce the overall design theme as well as rose gardens and themed landscape planting. Armstrong Park will include active and passive recreational elements. These elements may include themed shade structures, rose gardens and other themed planting areas including tree groves and “idea” gardens. Additionally, other elements may include children’s play areas (tot lots), shaded seating, picnic areas, walkways, fountains, sculptures, informal turf play area, sports courts and other active recreational areas.

Pocket parks will be developed within each residential Planning Area. Pocket parks are required to have a minimum area of ¼-acre. Typical recreational improvements for pocket parks may include: tot lots, picnic and barbecue facilities, multipurpose trails, rose gardens, water features, gardens and/or informal play areas.

Multi-use trails are an integral element to creating accessibility and mobility within Armstrong Ranch to the surrounding community. A master planned multi-use trail is located along the north side of Chino Avenue adjacent to the project site that connects to Cucamonga Creek Trail to the east of the project site. Additionally, a pedestrian bridge is proposed over Cucamonga Creek Channel to provide safe connectivity to areas to the west and a pedestrian access to the future elementary school site.

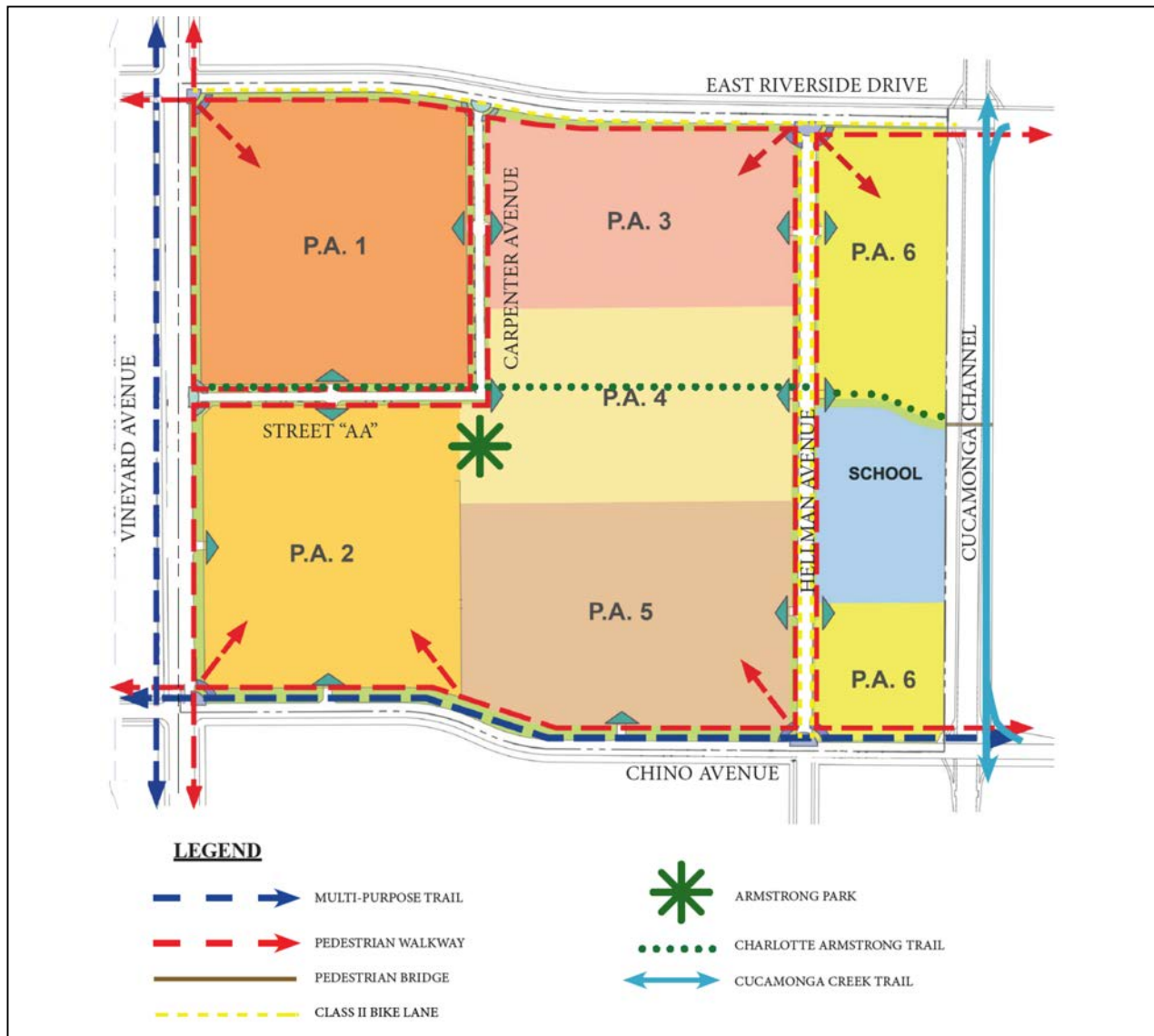


Figure 5: Pedestrian and Regional Trail Circulation Plan

Class II bike lanes are planned on both sides of Riverside Drive and Hellman Avenue. The bike trail system planned as part of Armstrong Ranch connects all residential neighborhoods to one another and the elementary school.

Infrastructure and Services — Backbone infrastructure to serve all areas of Armstrong Ranch will be installed by the developer(s) in accordance with the NMC Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optic facilities. Natural gas will be provided by the Gas Company and electricity by SCE. Development of the project requires the installation by the developer of all infrastructure necessary to serve the project as a standalone development.

Specific Plan Phasing— Development phasing within the Armstrong Ranch Specific Plan will be determined by the various developers, based upon the real estate market conditions. Specific infrastructure, community facilities and open space dedications will be provided/conditioned with individual tract maps and/or development plans.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP).

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Specific plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan. The Armstrong Ranch Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy analysis in *Section 9, “General Plan Consistency,”* of the Specific Plan describes the manner in which the Armstrong Ranch Specific Plan complies with the Policy Plan goals. In addition, the Specific Plan implements the goals and policies of TOP as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City’s Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario’s Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

- G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what was part of the approximately 8,200-acre area within the City of Ontario Sphere of Influence (SOI). On January 7, 1998, the City of Ontario adopted the New Model Colony (NMC) General Plan Amendment (GPA) setting forth a comprehensive strategy for the future development of the SOI. The NMC is bounded by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the West and Merrell Avenue/Bellegrave to the south.

On January 27, 2010, the City adopted The Ontario Plan (TOP) and certified the accompanying Environmental Impact Report (SCH# 2008101140). TOP serves as the City's new General Plan for the entire City, including the NMC (now referred to as Ontario Ranch). TOP Environmental Impact Report (EIR) identified many areas that might have a potentially significant impact on the environment. These areas included: 1) Aesthetics; 2) Biological Resources; 3) Geology and Soils; 4) Hazards and Hazardous Materials; 5) Hydrology and Water Quality; 6) Land Use and Planning; 7) Mineral Resources; 8) Population and Housing; 9) Public Services; 10) Recreation; and 11) Utilities and Service Systems. Through the EIR process, these potential impacts were analyzed, revisions were incorporated into the plan and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant.

TOP also identified several potential impacts that, even with revisions and/or mitigation measures, could not be reduced to a level of less than significant. These areas included:

- *Agriculture Resources* –

- Impact 5.2-1.* Buildout of TOP would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of

Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, Impact 5.2-1 would remain significant and unavoidable.

Impact 5.2-2. There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of TOP would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the rate of conversion from agricultural to nonagricultural land but it would not impede the conversion. Since there are some Williamson Act contracts still active in the New Model Colony, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, Impact 5.2-2 would remain significant and unavoidable.

Impact 5.2-3. Development of the City in accordance with TOP would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture. Impact 5.2-3 would remain significant and unavoidable.

- *Air Quality –*

Impact 5.3-1. The project would not be consistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SoCAB). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the project would be considered inconsistent with the AQMP. Consequently, Impact 5.3-1 would remain significant and unavoidable.

Impact 5.3-2. Construction activities associated with buildout of TOP would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for O₃, PM₁₀, and PM_{2.5}; and potentially elevate concentrations of air pollutants at sensitive receptors. Consequently, Impact 5.3-2 would remain significant and unavoidable.

Impact 5.3-3. Buildout of TOP would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute

to the SoCAB nonattainment designations for O₃, PM₁₀, and PM_{2.5}. Consequently, Impact 5.3-3 would remain significant and unavoidable.

Impact 5.3-5. Approval of residential and other sensitive land uses within 500 feet of I-10, I-15, or SR-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Consequently, Impact 5.3-5 would remain significant and unavoidable.

Impact 5.3-6. Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors. Consequently, Impact 5.3-6 would remain significant and unavoidable.

- *Cultural Resources –*

Impact 5.5-1. Although protective regulations are in place and preservation policies are included in TOP, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Impact 5.5-1 would remain significant and unavoidable.

- *Global Climate Change –*

Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. GHG emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Consequently, Impact 5.6-1 would remain significant and unavoidable.

- *Noise –*

Impact 5.12-1. Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, Impact 5.12-1 would remain significant and unavoidable.

Impact 5.12-2. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion

would result in a potentially significant impact and would require a separate noise study through the development review process to determine the level of impacts and required mitigation. Consequently, Impact 5.12-2 would remain significant and unavoidable.

Impact 5.12-3. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of groundborne vibration. Consequently, Impact 5.12-3 would remain significant and unavoidable.

Impact 5.12-5. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Consequently, Impact 5.12-5 would remain significant and unavoidable.

Impact 5.12-6. Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, Impact 5.12-6 would remain significant and unavoidable.

- *Transportation and Traffic –*

Impact 5.15-1. Buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to main-line freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable.

While these impacts will be significant and unavoidable, the City determined that the benefits of the Ontario Ranch development outweigh the potential unavoidable, adverse impacts of the plan. As a result, the City adopted a Statement of Overriding Considerations for those impacts that could not be fully mitigated to a level of less than significant.

Even though an EIR was prepared for TOP, the analyses focused on the program or "big picture" impacts associated with development. With the submittal of the Armstrong Ranch Specific Plan, staff is charged with evaluating the potential impacts of development at the project level. An Initial Study was prepared for the project and determined that an EIR should be prepared for the Armstrong Ranch Specific Plan. Through the Initial Study preparation and scoping meeting discussion, an EIR was prepared addressing the following issues:

- Aesthetics

- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services
- Transportation/Traffic
- Utilities and Service Systems

The Armstrong Ranch Specific Plan EIR (SCH# 2006111009) evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. Of the 15 areas considered by the EIR, all but two of the impact areas were mitigated a level of less than significant. Even with the mitigation measures, the impacts in three areas could not be reduced to less than significant, resulting in some impacts remaining potentially significant and unavoidable. These areas include:

- Agricultural Resources - Project-specific impacts and cumulative impacts would remain significant and unavoidable.
- Air Quality - Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures.

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that two areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously completed for TOP. Staff believes that the benefits of the proposed development outweigh the potential impacts associated with it. Therefore, staff recommends the Planning Commission recommend certification of the EIR to the City Council and that a Statement of Overriding Considerations be adopted for the project.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

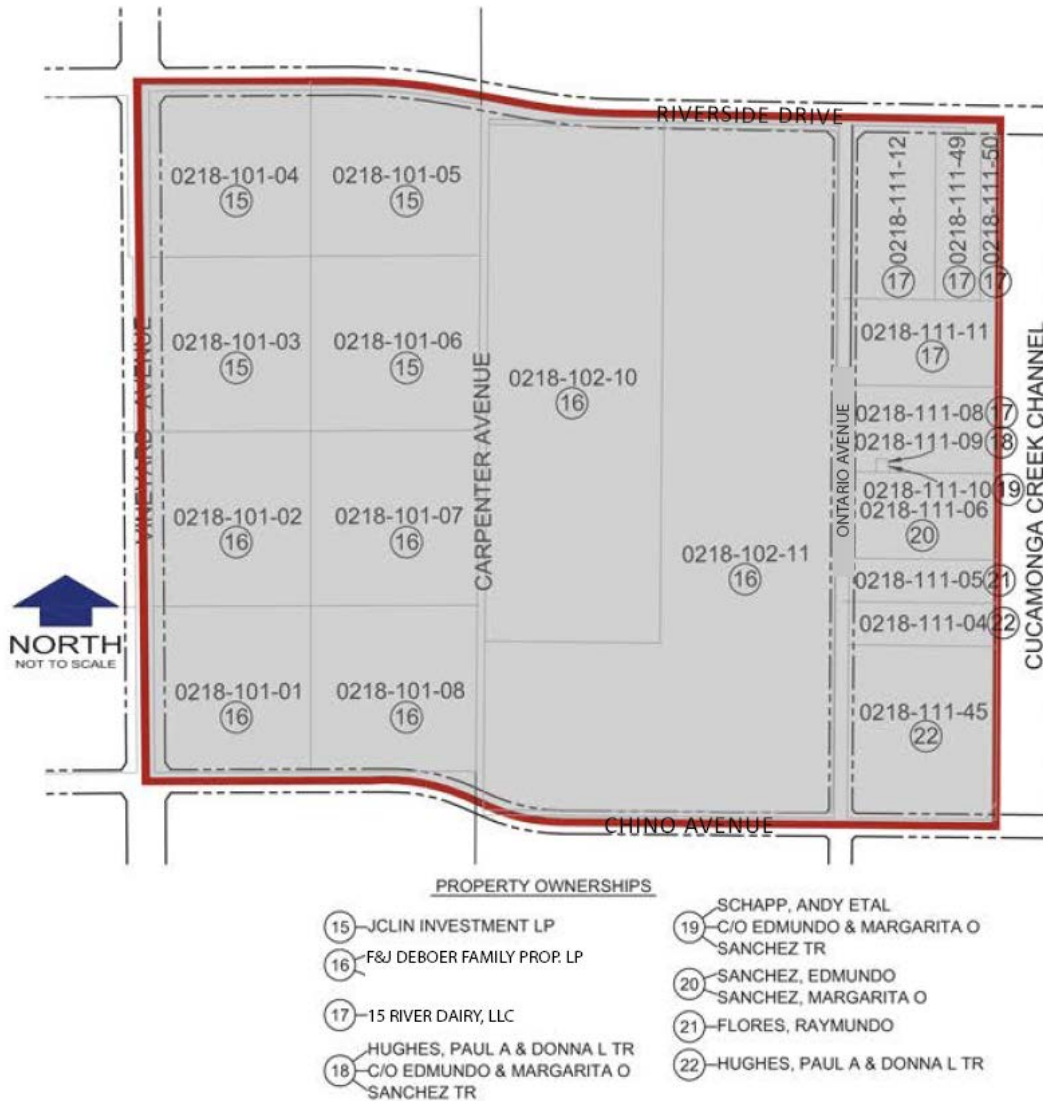
	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant/Dairy Agricultural	LDR - Low Density Residential	SP/AG – Specific Plan/Agricultural Overlay	N/A
<i>North</i>	Residential, Commercial, School & Park	LDR – Low Density Residential, NC – Neighborhood Commercial, MDR – Medium Density Residential and OS-R Open Space Recreational	LDR-5 (Low Density Residential), CN (Neighborhood Commercial), MDR-25 (Medium Density Residential) and OS-R Open Space Recreational	N/A
<i>South</i>	Vacant/Dairy Agricultural/Flood Control Basin	LDR – Low Density Residential and OS-NR Open Space Non-Recreational	SP/AG – Specific Plan/Agricultural Overlay	N/A
<i>East</i>	Cucamonga Creek Channel	OS-NR Open Space Non-Recreational	SP/AG – Specific Plan/Agricultural Overlay	N/A
<i>West</i>	Vacant/Dairy Agricultural	LDR – Low Density Residential and NC – Neighborhood Commercial	SP/AG – Specific Plan/Agricultural Overlay	N/A

Armstrong Ranch Land Use Plan Summary Table:

Land Use	Gross Acres	Net Acres	Dwelling Units	Gross Density	Net Density
Residential Single Family					
Planning Area 1	36.8	33.0	192	5.2	5.8
Planning Area 2	36.4	32.5	173	4.8	5.3
Planning Area 3	26.3	24.6	132	5.0	5.4
Planning Area 4	26.3	26.9	132	5.0	4.9
Planning Area 5	30.2	32.6	151	5.0	4.6
Planning Area 6	22.2	21.0	111	5.0	5.3
Planning Area 7*	11.6	10.0	0	0.0	0.0
Roadways		1.6			
Enhanced Neighborhood Edges		7.6			
Total	189.8 AC	189.8 AC	891	5.0 DU/AC	5.5 DU/AC

*This parcel contains a 10 AC school site overlay.

Armstrong Ranch Property Ownership:



Armstrong Ranch Specific Plan Environmental Impact Report

(Provided under separate cover)

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL CERTIFY THE PROJECT ENVIRONMENTAL IMPACTREPORT (SCH# 2006111009) AND ADOPT FINDINGS OF OVERRIDING CONSIDERATIONS FOR THE ARMSTRONG RANCH SPECIFIC PLAN (FILE NO. PSP15-002), LOCATED WITHIN THE ONTARIO RANCH AND BOUNDED BY RIVERSIDE DRIVE TO THE NORTH, CHINO AVENUE TO THE SOUTH, VINEYARD AVENUE TO THE WEST, AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF – APN(s): 0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50.

WHEREAS, the Project Environmental Impact Report (EIR) for the Armstrong Ranch Specific Plan (File No. PSP15-002) (SCH# 2006111009) has been prepared in accord with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the EIR for File No. PSP15-002 consists of the Draft EIR and the comments and responses to comments made on the Draft EIR; and

WHEREAS, the EIR for File No. PSP15-002 was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, the EIR for File No. PSP15-002 has been prepared to address the environmental effects of a Specific Plan (Armstrong Ranch) to establish land use designations, development standards, and design guidelines for approximately 199 gross acres of land within the Ontario Ranch, generally located north of Chino Avenue, south of Riverside Drive, east of Vineyard Avenue, and west of the Cucamonga Creek flood control channel; and

WHEREAS, on October 24, 2017, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the EIR at which time all persons wishing to testify were heard and the EIR was fully studied; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2006111009) and supporting documentation, the Planning Commission finds as follows:

(1) The EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the Planning Commission; and

SECTION 2: Planning Commission Action. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Planning Commission hereby concludes as follows:

(1) The Project EIR analyzed the environmental impacts-associated with the implementation of the Armstrong Ranch Specific Plan, and finds that, if the Specific Plan is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality - Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources - Project-specific impacts and cumulative impacts would remain significant and unavoidable.

SECTION 3: Recommendation. Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby recommends that the City Council CERTIFY the Project EIR, ADOPT a Statement of Overriding Considerations, and APPROVE the associated Mitigation Monitoring Program.

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 Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October, 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE THE ARMSTRONG RANCH SPECIFIC PLAN (FILE NO. PSP15-002), TO ESTABLISH LAND USE DESIGNATIONS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES AND INFRASTRUCTURE IMPROVEMENTS FOR 189.8 ACRES OF LAND, WHICH INCLUDES THE POTENTIAL DEVELOPMENT OF 891 DWELLING UNITS AND A 10-ACRE ELEMENTARY SCHOOL. THE PROJECT SITE IS BOUNDED BY RIVERSIDE DRIVE TO THE NORTH, CHINO AVENUE TO THE SOUTH, VINEYARD AVENUE TO THE WEST AND THE CUCAMONGA CREEK FLOOD CONTROL CHANNEL TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 AND 0218-111-50.

WHEREAS, CVRC Ontario Investments, LLC ("Applicant") has filed an Application for the approval of a Specific Plan, File No. PSP15-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 189.8 acres of land, bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Flood Control Channel to the east, and Vineyard Avenue to the west, within the SP (AG) land use designation, and is presently improved with vacant/agriculture and farm related uses; and

WHEREAS, the properties to the north of the Project site are within the LDR-5 (Low Density Residential), CN (Neighborhood Commercial), MDR-25 (Medium Density Residential) and OS-R Open Space Recreational zoning districts and are developed with Residential, Commercial, School & Park land uses. The property to the east is within the SP (AG) zoning district and is developed with the Cucamonga Creek Flood Control Channel. The property to the south is within the SP (AG) zoning district and is developed with a flood control basin and dairy/agricultural land uses. The property to the west is within the SP (AG) zoning district located and is developed with dairy/agricultural land uses; and

WHEREAS, the Armstrong Ranch Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscaping, architectural character, and ensure that excellence in community design is achieved during project development. In addition, the Specific Plan will establish the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved; and

WHEREAS, the Armstrong Ranch Specific Plan consists of 189.8 acres of land, which includes the potential development of 891 dwelling units and a 10-acre elementary school site; and

WHEREAS, the Armstrong Ranch Specific Plan proposes a land use plan that includes mixture of residential uses and is based on traditional neighborhood design principals and concepts that include pedestrian and bicycle connectivity, a traditional grid street network, and a variety of housing types and architectural styles. The Specific Plan is comprised of 7 planning areas and two land use categories Residential (170.6 net acres) and Elementary School (10 net acres); and

WHEREAS, the Armstrong Ranch Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy (General Plan) analysis in Section 9, "*General Plan Consistency*", of the Specific Plan describes the manner in which the Armstrong Ranch Specific Plan complies with the Policy Plan goals and policies applicable to the Armstrong Ranch Specific Plan; and

WHEREAS, the Specific Plan does not conflict with the Land Use Policies of the General Plan (TOP) and will provide for development, in a manner consistent with the General Plan. The policy (General Plan) analysis in Section 9, "*General Plan Consistency*", of the Specific Plan describes the manner in which the Armstrong Ranch Specific Plan complies with the TOP Policy Plan goals and policies; and

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

WHEREAS, an Environmental Impact Report (EIR) (SCH#2006111009) has been prepared in accord with the California Environmental Quality (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines to address the environmental effects of the Specific Plan (Armstrong Ranch Specific Plan); and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make a recommendation 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 24, 2017, the Planning Commission of the City of Ontario conducted a duly noticed public hearing to consider the Project and concluded said hearing on that date; and

WHEREAS, as the first action on the Project on October 24, 2017, the Planning Commission adopted a resolution recommending the City Council certify the EIR (SCH# 2006111009) and approve the Mitigation Monitoring and Reporting Program prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and

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

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

SECTION 1: *Environmental Determination and Findings.* As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2006111009) and supporting documentation, the Planning Commission finds as follows:

- (1) The Armstrong Ranch Specific Plan EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and
- (2) The Armstrong Ranch Specific Plan EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and
- (3) The Armstrong Ranch Specific Plan EIR reflects the independent judgment of the Planning Commission; and

SECTION 2: *Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.* The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility

Plan (“ALUCP”), establishing the Airport Influence Area for Ontario International Airport (“ONT”), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the 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). The project site is also located within the Airport Influence of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics. As a result, the Planning Commission, therefore, finds and determines that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

SECTION 3: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) The 189.8-acre Armstrong Ranch Specific Plan is suitable for residential development, uses permitted in the proposed district in terms of access, size, and compatibility with existing land use in the surrounding area; and

(2) The proposed Armstrong Ranch Specific Plan is in conformance with the Land Use Policies and Goals of the Policy Plan and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development. The Armstrong Ranch Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy analysis in *Section 9, “General Plan Consistency,”* of the Specific Plan describes the manner in which the Armstrong Ranch Specific Plan complies with the Policy Plan goals; and

(3) During the Armstrong Ranch Specific Plan review, 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 California Government Code Section 65351; and

(4) The proposed project is consistent with the adopted Housing Element. The Project site is not one of the properties (areas) listed in the Available Land Inventory in the Housing Element.

SECTION 4: *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

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

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

SECTION 7: *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October, 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. *** was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PSP15-002
Armstrong Ranch Specific Plan
Conditions of Approval**



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

*Planning Department
Land Development Division
Conditions of Approval*

Meeting Date: October 24, 2017

File No: PSP15-002

Related Files: N/A

Project Description: A Specific Plan (Armstrong Ranch) (File No. PSP15-002) to establish land use designations, development standards, and design guidelines for 189.8 acres, which includes the potential development of 891 dwelling units and a 10-acre elementary school site. The project site is bounded by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Flood Control Channel to the east, and Vineyard Avenue to the west. **submitted by CVRC Ontario Investments, LLC;** (APN(s): 0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50).

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Specific Plan/Specific Plan Amendment. The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan/Specific Plan Amendment:

- (a) Fifteen copies of the final Specific Plan document;
- (b) One complete, unbound copy of the final Specific Plan document;
- (c) One CD containing a complete Microsoft Word copy of the final Specific Plan document, including all required revisions;
- (d) Five CDs, each containing a complete PDF copy of the final Specific Plan document, including all required revisions; and
- (e) One CD containing a complete electronic website version of the final Specific Plan document, including all required revisions.

2.2 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.3 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

ATTACHMENT B:

**File No. PSP15-002
Armstrong Ranch Specific Plan**

(Specific Plan to follow this page)

Reflecting back...



...Looking forward.



Armstrong Ranch
SPECIFIC PLAN
Ontario, California

DRAFT
SPECIFIC
PLAN

June 2016

Armstrong Ranch
SPECIFIC PLAN

Ontario, California

DRAFT SPECIFIC PLAN

Submitted to:
City of Ontario
303 East B Street
Ontario, California 91764

Submitted by :
CVRC Ontario Investments, LLC
3121 Michaelson Drive, Ste 150
Irvine, California 92612

Armstrong Ranch
SPECIFIC PLAN

Ontario, California

DRAFT SPECIFIC PLAN

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Section 1 • Executive Summary

1.1 Project Overview

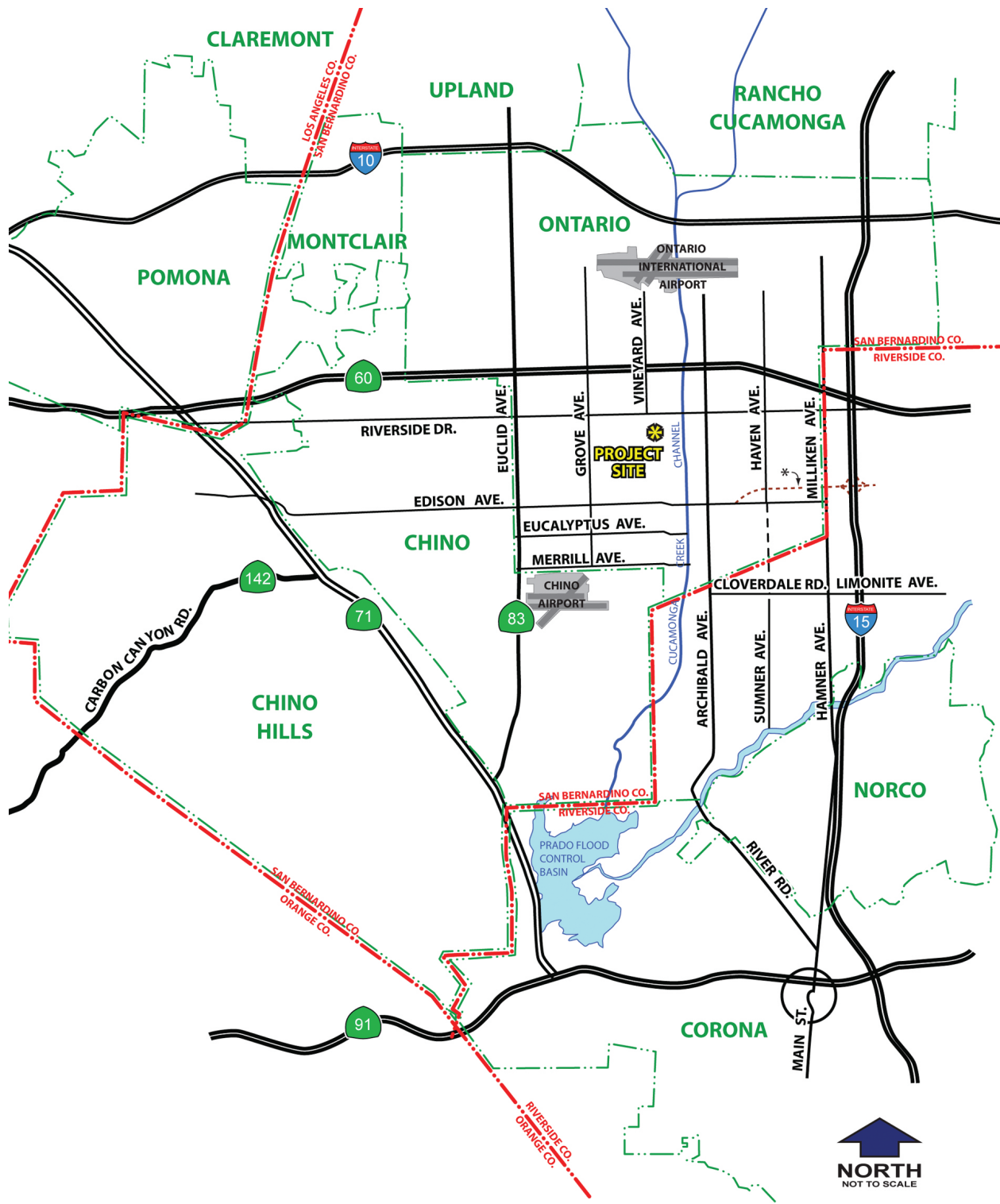
The Armstrong Ranch Specific Plan is a proposal for a new planned community on approximately 189.8 acres within in the City of Ontario. The community of Armstrong Ranch will provide up to 891 new residential dwelling units designed within a village concept providing a mix of single family detached housing planned among six distinct planning areas oriented around Armstrong Park and an elementary school site. The Specific Plan area is bounded by Riverside Drive to the north, Chino Avenue to the south, Vineyard Avenue to the west, and the Cucamonga Creek Channel to the east. The regional context and local setting of the Armstrong Ranch Specific Plan are illustrated in **Exhibit 1-1, “Regional Location Map,”** and **Exhibit 1-2 “Vicinity Map.”**

1.2 Community Vision

The vision for Armstrong Ranch acknowledges the legacy of John Armstrong, an early pioneer of commercial nursery farming in Southern California whose first retail garden center was located at the Northeast corner of “D” Street and Euclid Avenue in the City of Ontario. The first Armstrong retail catalog was introduced in the early 1900’s and became the foundation for the merchandise selection at Armstrong Garden Centers today. The Armstrong name is synonymous with roses, and several new varieties were introduced for use worldwide under the leadership of John Armstrong. The achievements of John Armstrong contributed to the creation of a unique history and heritage in the City of Ontario as well as the unique Southern California style of outdoor living by making landscape and plant materials available to consumers throughout the region.

The vision for Armstrong Ranch is reminiscent of John Armstrong’s legacy by designing a new residential community oriented for outdoor living. Armstrong Ranch offers parks, trails, and school facilities within walking and biking distance of all residential neighborhoods. The vision for Armstrong Ranch is achieved through the design of individual neighborhoods designed around a simple and lushly landscaped street system encouraging walking that leads to parks centrally located within each neighborhood. Residences are planned to front onto streets and public gathering places enabling residents to have their “eyes on the street,” promoting a safe hometown feel. It is a community of smaller neighborhoods, offering a diversity of streetscapes, architectural types and styles, that is focused around the ‘third place,’ (Armstrong Park, the pocket parks, or the elementary school), that give residents a sense of belonging to the community.

Pedestrian connectivity is provided throughout Armstrong Ranch through a system of sidewalks separated from the street by landscaped parkways and landscaped buffer areas. Bicycle connectivity is provided throughout the community through a system of on-street and off-street bicycle trails.



* - - - - MASTER PLANNED EDISON AVENUE REALIGNMENT TO CAL TRANS MASTER PLANNED CANTU-GALLEANO RANCH ROAD INTERCHANGE

EXHIBIT 1-1: Regional Location Map



EXHIBIT 1-2: Vicinity Map

Connectivity between Armstrong Ranch and surrounding parks and recreational areas, including Whispering Lakes Golf Course and Westwind Park located north of Riverside Drive, is provided through the pedestrian and bicycle trail system.

1.3 Purpose of the Specific Plan

The Ontario Plan (Policy Plan) Exhibit LU-01 Land Use Plan designates the Armstrong Ranch Specific Plan area (Specific Plan area) as Low Density Residential (2.1-5.0 dwelling units per acre.) The Specific Plan area is zoned SP/AG (Specific Plan AG preserve) requiring approval by the City of a specific plan for development within the area.

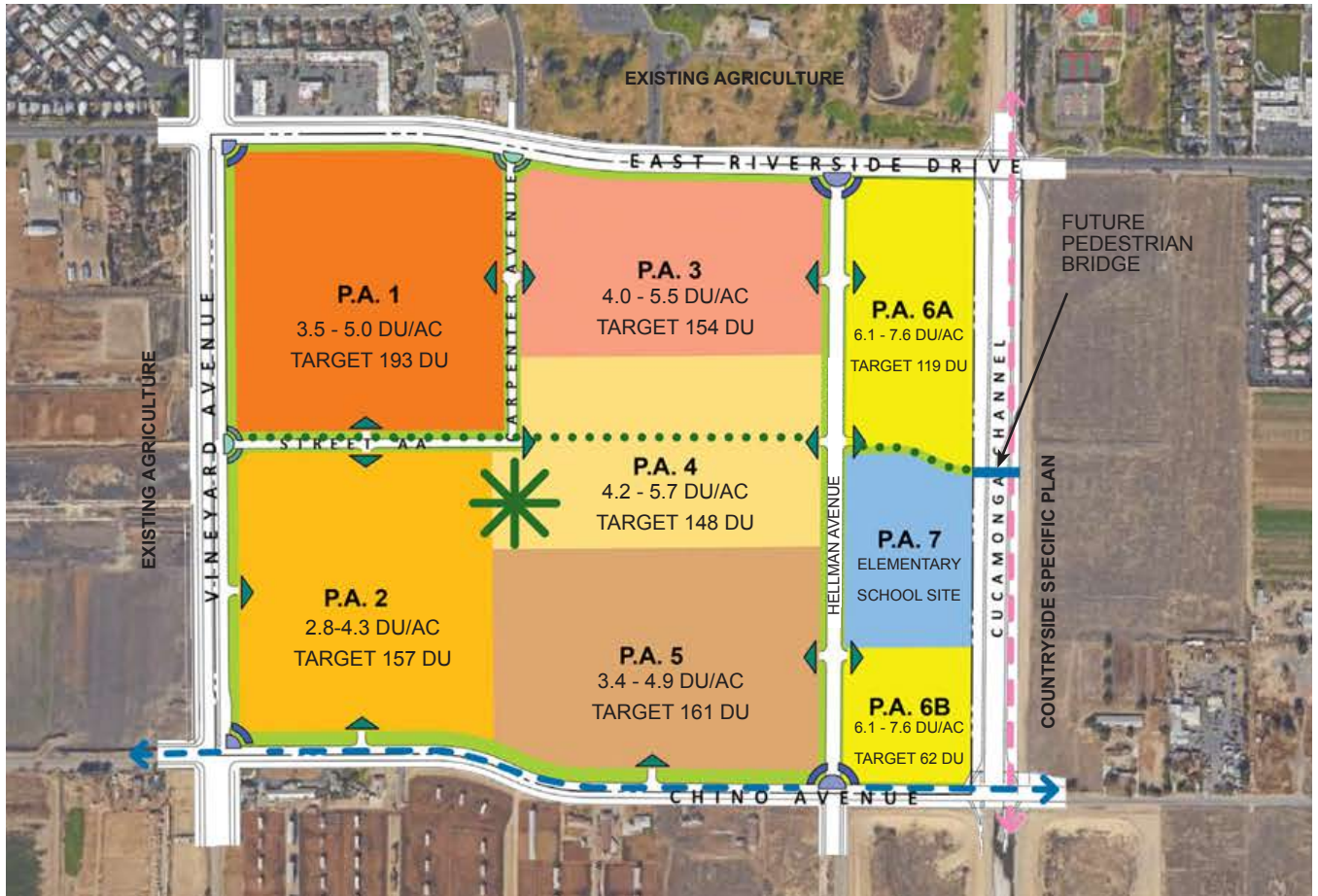
Based on the land use designations established with The Ontario Plan Land Use Element, the following development requirements apply to the Specific Plan area:

- “Residential”- Residential Low Density development at 2.1-5.0 dwelling units per The Ontario Plan adjusted gross acre is allowed with a maximum development capacity of 891 residential dwelling units.
- “Parks” – A minimum of 2 acres of parkland per 1000 residents is required as part of development.
- The Armstrong Ranch Land Use plan is illustrated in **Exhibit 1-3 “Land Use Plan.”** The Armstrong Ranch Specific Plan, serves as the land use, zoning regulations and guidelines governing development of a new residential community within the 189.8 acre Specific Plan area.

1.4 Governing Documents

Development of Armstrong Ranch will be governed by the following planning and zoning documents:

- The Ontario Plan Policy Plan (General Plan) which establishes policies governing land use, circulation, housing, conservation and open space, noise, safety, and public facilities within the Armstrong Ranch Specific Plan area.
- The Armstrong Ranch Specific Plan which serves as the zoning regulations for the Specific Plan area and includes a Land Use Plan, Infrastructure Plan, Design Guidelines, Development Regulations, and plans for implementation of development within Armstrong Ranch.
- The City of Ontario Development Code which shall govern where the Armstrong Ranch Specific Plan is silent.
- ONT/Airport Land Use Compatibility Plan Document
- The City of Ontario Subdivision Ordinance which shall regulate the subdivision of land



LEGEND














 P.A. 1	 P.A. 5	 COMMUNITY ENTRY	 ARMSTRONG PARK
 P.A. 2	 P.A. 6A/6B	 NEIGHBORHOOD ENTRY	 CITY MASTER PLAN MULTI-PURPOSE TRAIL
 P.A. 3	 P.A. 7	 CHARLOTTE ARMSTRONG TRAIL	 CUCAMONGA CREEK TRAIL
 P.A. 4			

EXHIBIT 1-3: Land Use Plan

within Armstrong Ranch.

- Covenants, Conditions, and Restrictions (CC&R's) to be established by the developers of Armstrong Ranch which shall provide a means of ensuring and enforcing quality design and development of the master planned community.
- Development Agreements which establishes assurances that regulations contained within the Specific Plan will be in force during approved timelines and that development of public facilities within the Armstrong Ranch Specific Plan will occur pursuant to the terms and conditions approved by the City.
- The Armstrong Ranch Specific Plan Environmental Impact Report which evaluates the environmental impacts resulting from implementation of the development proposal and identifies methods to eliminate or reduce impacts to a less than significant level and a means for monitoring the methods through the development and operation of the project.

1.5 Specific Plan Components

The Armstrong Ranch Specific Plan is organized into the following sections in addition to **Section 1, Executive Summary**.

Section 2

Introduction

The Introduction serves to acquaint the reader with:

- The Specific Plan vision and objectives,
- The purpose of the Specific Plan,
- A general description of the project proposal,
- The authority and requirements of the Specific Plan,
- The entitlements required to implement development within the Specific Plan; and
- The relationship of the Armstrong Ranch Specific Plan to The Ontario Plan and Ontario Development Code.

Section 3

Existing Conditions

The physical setting for Armstrong Ranch is described in this section outlining the existing physical conditions in and around the Specific Plan area.

Section 4

Development Plan

This section describes the land use plan proposal and the necessary infrastructure and public services required as part of development of the proposed project. A summary of the City's land use and planning policies and regulations governing development of the specific plan area is provided with a description of the Armstrong Ranch land use plan including a detailed description of each residential planning area, the type and number of residential dwelling units allocated to each planning area, and the areas allocated to the elementary school site, park sites, and the system of trails planned within the community. Information on the infrastructure improvements to be constructed as part of project development is provided in this section to include a description of the planned circulation improvements, water, sewer, storm drain and water quality improvements, the grading concept for the development of the project, and a discussion of public utilities and services planned for Armstrong Ranch.

Section 5

Infrastructure

This section provides information in circulation improvements, planned backbone water, sewer, and storm drain systems, the grading concept for the project, and a discussion of public facilities to serve the project site.

Section 6

Development Regulations

Development Regulations to govern allowable uses and regulate development of allowable land use within the Specific Plan are established in this section. The relationship of the Armstrong Ranch Specific Plan development regulations to the City of Ontario Development Code is also

discussed. The policies and procedures for the City’s review and approval of specific development projects proposed within Armstrong Ranch subsequent to Specific Plan approval are established in this section.

Section 7

Design Guidelines

The Armstrong Ranch Design Guidelines, which are intended to direct the site planning, landscaping, and architectural quality of the development are established in this section. Streetscapes, entries, edge treatments, walls and fencing, lighting, signage, and architectural design are some of the features to be addressed in the Design Guidelines.

Section 8

Implementation

The policies and procedures for the City’s review and approval of specific development proposals, within the Armstrong Ranch Specific Plan, are established in this section. This section provides the methods and procedures for interpreting and amending the Armstrong Ranch Specific Plan as necessary. A summary of project financing and project maintenance responsibilities for new development within the Specific Plan area is provided in this section.

Section 9

General Plan Consistency

This section provides a matrix comparing the goals and policies of The Ontario Plan applicable to the Specific Plan and the consistency of the Armstrong Specific Plan to each policy of The Ontario Plan.

Section 2 • Introduction

The Armstrong Ranch Specific Plan is a comprehensive plan for development of a residential community on approximately 189.8 acres in the area of the City located south of Riverside Drive, north of Chino Avenue, and between the Cucamonga Creek Channel and Vineyard Avenue in an area of the City known as Ontario Ranch. Armstrong Ranch is designed in a village concept comprised of six distinct residential neighborhoods, all within walking and biking distance to parks located within each neighborhood.

2.1 Purpose and Intent of the Specific Plan

The purpose and intent of the Armstrong Ranch Specific Plan is as follows:

- Establish a comprehensive land use plan and development standards designed to address the unique features of the Specific Plan area;
- Implement the City’s goals and policies as established in The Ontario Plan (TOP) for the Specific Plan area and establish a mechanism for the implementation of the AG/SP zoning designation for the Specific Plan area;
- Establish design guidelines to guide the City’s review and approval of subsequent development applications for residential development projects such as subdivision maps, development plans, landscape plans, grading plans, and building plans; and
- Provide a plan that ensures development of the Specific Plan area is accomplished in a uniform and cohesive manner.

When adopted by ordinance by the City of Ontario, the Armstrong Ranch Specific Plan will serve as the zoning ordinance for the Specific Plan area establishing the land use plan, development standards, infrastructure requirements, and implementation requirements for the Specific Plan area. The Armstrong Ranch Specific Plan establishes the type and distribution of residential uses, public facilities, and park uses, defines the development regulations and design guidelines for residential and park land uses, and describes the infrastructure requirements and level of improvements required to support development within the Specific Plan area. The Armstrong Ranch Specific Plan establishes the procedures and requirements to approve new development within the Specific Plan area and the applicability, where needed, of the City of Ontario Development Code requirements to develop within the Armstrong Ranch Specific Plan.

2.2 Specific Plan Vision and Objectives

The vision for Armstrong Ranch is established through the following key objectives which will result in the design and development of a traditional, walkable community that encourages an

outdoor lifestyle, promotes interaction among neighbors, and provides a sense of place and community identity for residents.

2.2.1 Objective: Create a Livable Community

Armstrong Ranch is designed as a livable community of distinct residential neighborhoods that are functional, emphasize social interaction, and are uniquely identifiable through implementation of the following community design features.

- A village setting comprised of a series of neighborhoods designed with a pattern of smaller, walkable blocks that promote access, activity and safety.
- Neighborhood streets are designed in a simple loop system creating short blocks to promote a neighborhood feeling.
- Pedestrian and bicycle connectivity among all residential neighborhoods, areas and parks within Armstrong Ranch through a comprehensive network of pedestrian walkways and bicycle trails offering opportunities for walking and biking throughout the entire community and to destinations outside of the community.
- Streets incorporating traffic calming techniques such as landscaped areas adjacent to roadways and City approved intersection chokers intended to encourage drivers to reduce their speed and create a pedestrian friendly environment.
- A system of parks providing active and passive recreation facilities, passive open space areas and walkway connections for informal neighborhood interaction.
- Diversity in architectural design and homes fronting the street with varying lot sizes to enhance the pedestrian experience and instill a sense of place and belonging for residents.
- A choice of single family detached housing types provided to address a diversity of lifestyles and varying economic segments of the marketplace.
- Residential floor plans that encourage views onto the street, de-emphasize the visual and physical dominance of garages, and provide front porches and courtyards along the street to encourage interaction and activity along streets and sidewalks.
- Landscaped parkways adjacent to sidewalks separated from the curb to create a pedestrian friendly environment.

2.2.2 Objective: Design a Circulation System Serving Motorists, Bicyclists and Pedestrians

The circulation plan for Armstrong Ranch provides a system of streets designed for the safe and efficient movement of automobiles while also improving walkability and biking opportunities. Street design within Armstrong Ranch strengthens connectivity and enhances community identity

through improvements to the public right of way such as entry monuments, street trees, landscaped parkways, decorative street lighting, and street furniture.

- Streets designed to include landscaped buffer areas and pedestrian walkways, separated from the street, encouraging walking and social interaction.
- Internal project streets designed to slow vehicular traffic to promote walkability through the use of traffic calming devices such as loop streets around parks, landscaped areas adjacent to streets, and narrowed intersections to influence a driver’s peripheral vision and encourage drivers to proceed more slowly.
- A system of bike ways integrated into the design of the community to encourage bicycle travel as an alternative to the automobile.
- Local street patterns that provide access between neighborhoods and discourage through traffic;
- A local street system that is logical and understandable for the user avoiding circuitous and confusing travel paths between internal neighborhood areas and adjacent arterials; and
- Neighborhoods and parks that are linked by pedestrian paths and greenways which also serve to establish connective and gathering features within and between neighborhoods in the Armstrong Ranch Specific Plan area.

2.2.3 Objective: Provide for Adequate Public Community Facilities

The Armstrong Ranch Specific Plan provides for the development of required public facilities to serve the community as follows:

- New water, sewer, storm drain, and water quality facilities consistent with City’s Ontario Ranch Technical Master Plans;
- Provision of new private parks at a ratio of 2 acres of developed private park space per 1,000 residents including the development of private parks within each neighborhood and a centrally located trail within a landscaped greenbelt.
- Provision of new bike paths as part of project development providing links of a public bike trail system consistent with the City’s Bike way Master Plan.

2.2.4 Objective: Create a Community of Parks and Trails

Armstrong Ranch will provide new private parks to enhance outdoor recreational opportunities for residents of Armstrong Ranch and the surrounding community as follows:

- Development of a central park (Armstrong Park) to include informal formal play areas that may include such amenities, but not limited to: tot lot, clubhouses, shaded areas, swimming pool, basketball courts, gazebos, and others.
- Improvement of landscaped open space within the neighborhood edges to include pedestrian trails adjacent to public arterial and collector streets.
- A pedestrian bridge approximately midway between Riverside Drive and Chino Avenue will provide access from Armstrong Ranch across the Channel onto an adjacent community.
- Development of pocket parks within each neighborhood include park spaces and introduce different purposes such as, a dog park, passive and active park areas, and a rose garden; all of which provide diversity and meet the needs of the community.

2.2.5 Objective: Promote Exceptional Architecture and Site Planning

Diverse and varied architecture combined with comprehensive site planning within Armstrong Ranch will produce neighborhoods that have aesthetic and functional harmony, preserve residents' privacy, and encourage neighborhood interaction.

- Streets linked together in a manner which is pedestrian friendly but also auto-accessible enabling residents to either walk or bike from neighborhoods to the parks.
- A variety of single family detached home styles within the Specific Plan area, all of which are located within walking and biking distance to the parks
- Homes oriented to the street and comprised of a variety of architectural styles adding interest to the street scene creating a unique walking experience and encouraging neighborhood interaction along the street.
- Homes designed at a human scale with porches, stoops, and walkways providing gathering places for neighbors and encouraging interaction among neighbors.
- Street facing homes with views of garage doors minimized through setback requirements, location, design elements, and landscaping.

2.3 Project Summary

The Armstrong Ranch Land Use Plan is described below and in the “**Specific Plan Statistical Summary,**” Table 2-1.

2.3.1 Residential Uses

Armstrong Ranch will offer a variety of residential housing types and styles oriented within neighborhoods designed to promote walkability and interaction among residents. Residential development within the 189.8 acre Specific Plan area will contain up to 891 residential single family detached housing types as described below.

- SFD Conventional Homes– Conventional single family detached residential units are proposed on individual lots with vehicular access provided from interior streets and garages set back from the front of the residence emphasizing the architectural elements forming the street scene.
- “Z” Lot Homes – Single family detached homes are proposed on individual lots utilizing design elements including “use easements” in order to optimize usable yard areas and reduce the visual impact of garage doors from neighborhood streets. Vehicular access is provided from interior streets and garages are set back from the front of the residence emphasizing the architectural elements forming the street scene.
- Single Family Cluster Homes- These home types clusters detached homes in enclaves of four or six or eight homes designed around a common private drive to minimize the view of garages from the street and consolidate driveway curb cuts along neighborhood streets promoting pedestrian connectivity. Front doors face onto the street or private drive.
- Conventional Duplex/Townhomes – Attached single family housing type in buildings comprised of 2 to 7 units per building. This housing type offers an alternative to smaller single family homes while allowing for conventional private rear yards. Varied garage setbacks along with inviting porches and entry courtyards create a pedestrian friendly street scene.
- Alley Loaded Rowtowns/Condominiums – Attached single family housing type in 2 to 6 unit buildings oriented onto neighborhood streets or common greenbelts. Garages are predominantly loaded from private alleys to minimize their visual impact from neighborhood streets and sidewalks. Private open spaces are contained within patio areas and enlarged porches to add visual interest and to encourage activity along neighborhood streets and greenbelts.

2.3.2 Parks, Trails, and Open Space

The enhanced neighborhood edges will include pedestrian walkways providing connectivity to and from the Specific Plan area and to the street separated pedestrian walkways to be developed within the community, connecting all residential neighborhoods to the private parks. Additionally, a trail running along the east side of the Cucamonga Channel will provide a separate linkage from Riverside Drive to Chino Avenue with a connection to the Charlotte Armstrong Trail within the Specific Plan area along the trail.

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Armstrong Ranch open space concept encourages a system of private parks spaced throughout the Specific Plan area, in each of the 6 neighborhoods. Each private park will have a minimum of .25 acres and include a variety of facilities.

Table 2-1 Project Summary

Land Use	Gross Acres	Net Acres	Dwelling Units	Gross Density	Net Density
Residential Single Family					
Planning Area 1	36.8	33.0	192	5.2	5.8
Planning Area 2	36.4	32.5	173	4.8	5.3
Planning Area 3	26.3	24.6	132	5.0	5.4
Planning Area 4	26.3	26.9	132	5.0	4.9
Planning Area 5	30.2	32.6	151	5.0	4.6
Planning Area 6	22.2	21.0	111	5.0	5.3
Planning Area 7*	11.6	10.0	0	0.0	0.0
Subtotal	189.8	180.6	891	30.0	31.3
Roadways		1.6			
Enhanced Neighborhood Edges		7.6			
Total	189.8 AC	189.8 AC	891	5.0 DU/AC	5.5 DU/AC

*This parcel contains a 10 AC school site overlay.

Parks provided on site will be consistent with TOP. Actual required park acreage will be determined at the time of tentative tract map approval.

2.4 Authority and Requirements

2.4.1 Authority

State of California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65453 and 65353 grants authority to cities to adopt Specific Plans for purposes of implementing the goals and policies of their General Plans. The Government Code specifies that Specific Plans may be adopted either by resolution or by ordinance and that the Specific Plan is required to be consistent with the General Plan. When adopted by the City of Ontario by ordinance, the Armstrong Ranch Specific Plan shall establish the zoning regulations for development of the Specific Plan area.

2.4.2 Statutory Requirements of the Specific Plan

California Government Code Section 65451 mandates that a Specific Plan be structured as follows.

A Specific Plan shall include a text and a diagram or diagrams, which specify all of the following in detail:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan;
2. The proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;
3. Standards and criteria by which improvements will proceed, standards for the conservation, development, and utilization of natural resources, where applicable;
4. A program of implementation measures including regulations, programs, public works projects and the financing measures necessary to carry out 1, 2, and 3 above;
5. A statement of the relationship of the Specific Plan to the General Plan.

The Armstrong Ranch Specific Plan meets the requirements of the State of California Government Code.

2.5 Relationship to The Ontario Plan (TOP) and Zoning

2.5.1 The Ontario Plan (Policy Plan)

The Ontario Plan (TOP) designates the Specific Plan area for the following land uses:

- Low Density Residential (2.1-5.0 dwelling units per acre) with a minimum of 399 residential units and maximum development capacity of 949 residential units. The Armstrong Ranch Specific Plan proposes a maximum of 891 single family residential dwelling units at an overall density of 5.0 units per the TOP Adjusted Gross Acreage consistent with the City's TOP policies. The table below provides a breakdown of the number of units allowed per Planning area.

INTRODUCTION

- A 10-acre (net acre) school site is proposed within PA 7 of the Armstrong Ranch Specific Plan. However, if the school site is not developed, then a minimum of 24 units or a maximum of 58 residential units would be allowed (see table below). If PA 7 is developed with a school these units shall not be transferred to other planning areas.
- Private improved parks at a ratio of 2 acres per thousand population. The Armstrong Ranch Specific Plan provides for development of private parks, greenbelts and trails consistent with the City's TOP policies.

TOP Land Use Designation	Specific Plan - Land Use/ Planning Area	TOP Adjusted Gross Acreage	Gross Acreage	Net Acreage	Residential Units (Minimum)	Residential Units (Maximum)	Specific Plan Units Proposed	Specific Plan Proposed Density (du/ac)
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 1	36.8	38.6	33	77	184	192	5.2 ²
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 2	36.4	36.2	32.5	76	182	173	4.8
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 3	26.3	26.8	24.6	55	132	132	5.0
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 4	26.3	26.9	26.9	55	132	132	5.0
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 5	30.2	34.2	32.6	63	151	151	5.0
Low Density Residential (2.1 - 5 du/ac)	Single Family Residential - Planning Area 6	22.2	24.5	21	47	111	111	5.0
Low Density Residential (2.1 - 5 du/ac)	Planning Area 7 (School Site)	11.6	11.6	10	24	58	0	0.0
Total		189.8	198.8	180.6	399	949	891	5.0³

¹ TOP Adjusted Gross Acreage - The existing parcel size before removing the required dedication.

² 9 units were transferred to Planning Area 1 from Planning Area 2, below the 15% maximum "Transfer of Residential Dwelling Units" allowed (see Section 8.7).

³ Density Calculation reflects the number of units proposed for Planning Areas 1 thru 6 (891 units) divided by the TOP Adjusted Gross Acreage (178.2 acres) which excludes Planning Area 7 - School Site (11.6 acres).

The Armstrong Ranch Specific Plan Land Use Plan is consistent with The Ontario Plan. For more detailed information, see the Policy consistency matrix in Section 9.

2.5.2 Zoning

The City of Ontario has zoned the Specific Plan area as SP/AG (Specific Plan/AG preserve).

The zoning designation of “SP” requires approval of a Specific Plan to implement the goals, policies and objectives of The Ontario Plan. The Armstrong Ranch Specific Plan is designed to meet the requirements of the State of California Government Code and The Ontario Plan. The City of Ontario will adopt the Armstrong Ranch Specific Plan by ordinance, thereby establishing the land use and zoning regulations for the development of the Specific Plan area. The requirements of the Specific Plan shall take precedence over the City of Ontario Development Code. In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

2.6 Development Approval

Components

The components of the development approval process for projects within Armstrong Ranch are discussed below.

2.6.1 Specific Plan

The Armstrong Ranch Specific Plan, when adopted, provides the land use and development regulations and zoning for the Specific Plan area. It serves as a “blueprint” for development by establishing the distribution of land use and criteria for development as set forth herein. The Armstrong Ranch Specific Plan also serves as the legal document to implement the General Plan goals, objectives and policies established in The Ontario Plan for the Specific Plan area.

2.6.2 Development Agreement

Unless developed in a coordinated manner and with adequate fiscal planning, development projects within the City are likely to present a challenge in their implementation due to the lack of existing public facilities that include streets, sewage, transportation, drinking water, schools, and utility facilities. California law establishes a mechanism for ensuring the adequate provision of such facilities while providing assurances to applicants that, upon project approval, applicants can proceed with their projects. Approval of the Armstrong Ranch Specific Plan will be followed by an application for approval of a development agreement to encourage investment in and commitment to comprehensive planning as envisioned by the City, which seeks to maximize efficient utilization of resources at the least economic cost to the public. A statutory development agreement, authorized pursuant to California Government Code Sections 65869.5 et seq., shall be required as part of the

approval of the Armstrong Ranch Specific Plan. The development agreement shall include, but not be limited to, methods for financing acquisition and construction of infrastructure, acquisition and development of adequate levels of parkland and schools, as well as the provision of adequate housing opportunities for various segments of the community consistent with the City's regional housing needs assessments.

The above mentioned development agreement must be fully approved prior to or concurrent with the approval of any Tentative Tract Map submitted within this Specific Plan area.

2.6.3 Subdivision Maps

A tentative tract map(s) will be submitted by the applicant for approval by the City of Ontario for the Armstrong Ranch Specific Plan area indicating the approximate location of lot lines, streets, and proposed grading. Following approval by the City of the tentative tract map(s), and a final map(s) will be prepared for acceptance by the City. The final map(s) becomes a legal document that is recorded and defines legal parcels and lots that can be sold for development.

2.6.4 Development Plan Review

All development proposals for individual Planning Areas within the Armstrong Ranch Specific Plan will be subject to the Development Plan Review process pursuant to the City's Development Code.

2.7 CEQA Compliance

A Project Environmental Impact Report (EIR) prepared by the City of Ontario for the Armstrong Ranch Specific Plan, in accordance with the California Environmental Quality Act (CEQA), evaluates impacts associated with the Specific Plan and subdivision map(s). The EIR recommends mitigation measures to reduce impacts of the project to a less than significant level. The EIR serves as the required CEQA environmental review for the Specific Plan and provides a basis for the required CEQA environmental review of all subsequent discretionary and ministerial actions.

2.8 Airport Land Use Compatibility

All development proposals of Specific Plan Amendments are required to be consistent with the Airport Land Use Compatibility Plan of Ontario International Airport.

Section 3 • Existing Conditions

This section describes the existing physical conditions within and surrounding the Armstrong Ranch Specific Plan.

3.1 Property Ownerships

The Armstrong Ranch Specific Plan area is comprised of approximately 189.8 TOP adjusted gross acres. The Specific Plan area consists of six parcels under one ownership, as illustrated on Exhibit 3-1, “Existing Property Ownerships.”

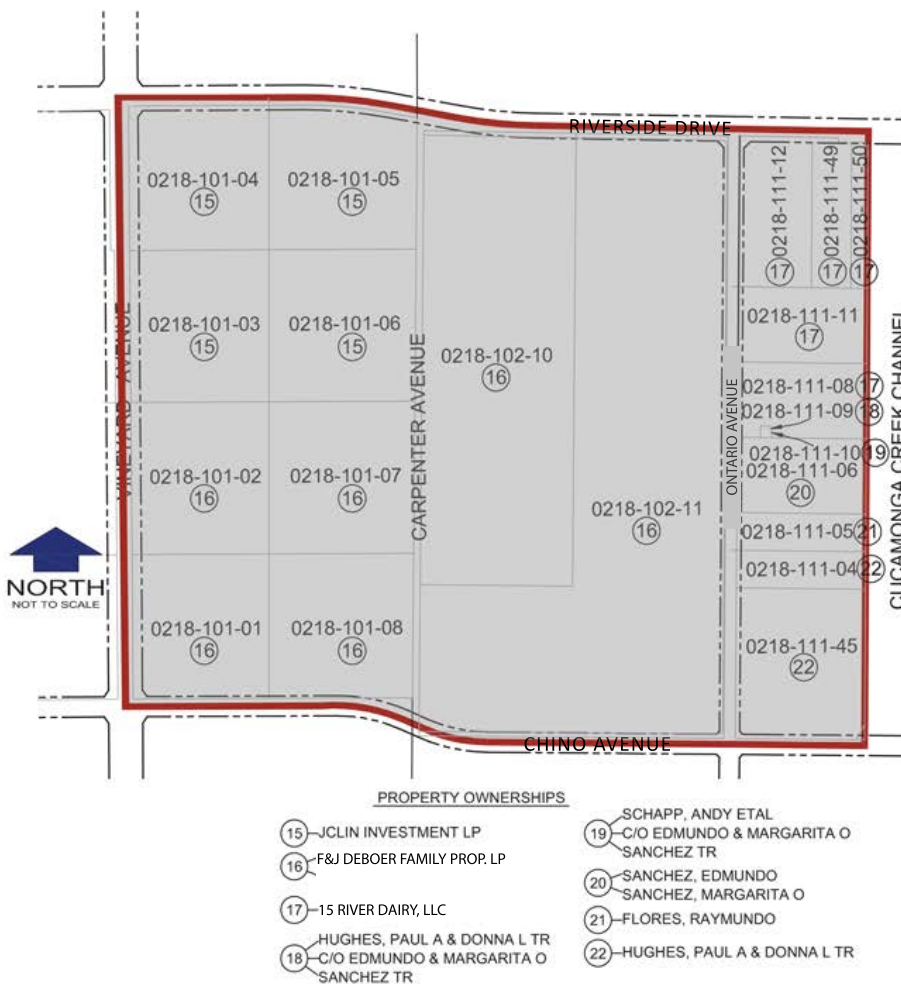


EXHIBIT 3-1: Existing Property Ownerships

EXISTING CONDITIONS

3.2 Williamson Act Contracts

The Williamson Act program is designed as a mechanism for the preservation of agricultural and open space lands in the State of California. The 189.8 acres of the Specific Plan area do not have active Williamson Act Contracts. The properties within the Specific Plan area proposed for development by CV Communities properties are not currently under Williamson Act Contracts.

3.3 Existing On Site Improvements

The Armstrong Ranch Specific Plan area has historically been used for agricultural purposes, primarily for dairy and field crop farming. The Specific Plan area is generally undeveloped with existing agricultural operations and rural residences scattered throughout the area, as illustrated on **Exhibit 3-2, “Existing and Surrounding Land Uses.”** Rural residential housing, farm buildings and other ancillary facilities occupy those areas not in active agricultural production. The natural vegetation and soil conditions that once occurred throughout the project area have been significantly altered through agricultural uses, leaving little or no native vegetation.



EXHIBIT 3-2: Existing and Surrounding Land Uses

EXISTING CONDITIONS



1 . Vineyard looking south.



2. Existing dairy farm looking southeast.



3. Cucamonga looking south.



4. Ancillary facilities looking west.

Photo Key



3.4 Surrounding Land Use Characteristics

Land uses adjacent to the Specific Plan area include:

- North: Single Family Residential, Mobile Home Park, Shopping Center, Preschool, Whispering Lakes Public Golf Course, and Westwind Park.
- South: Dairies and Field Crops
- West: Field Crops and General Agricultural Storage
- East and Southeast: Cucamonga Creek Flood Control Channel and Flood Control Basin, Dairies, and the Countryside Specific Plan for a residential planned community.

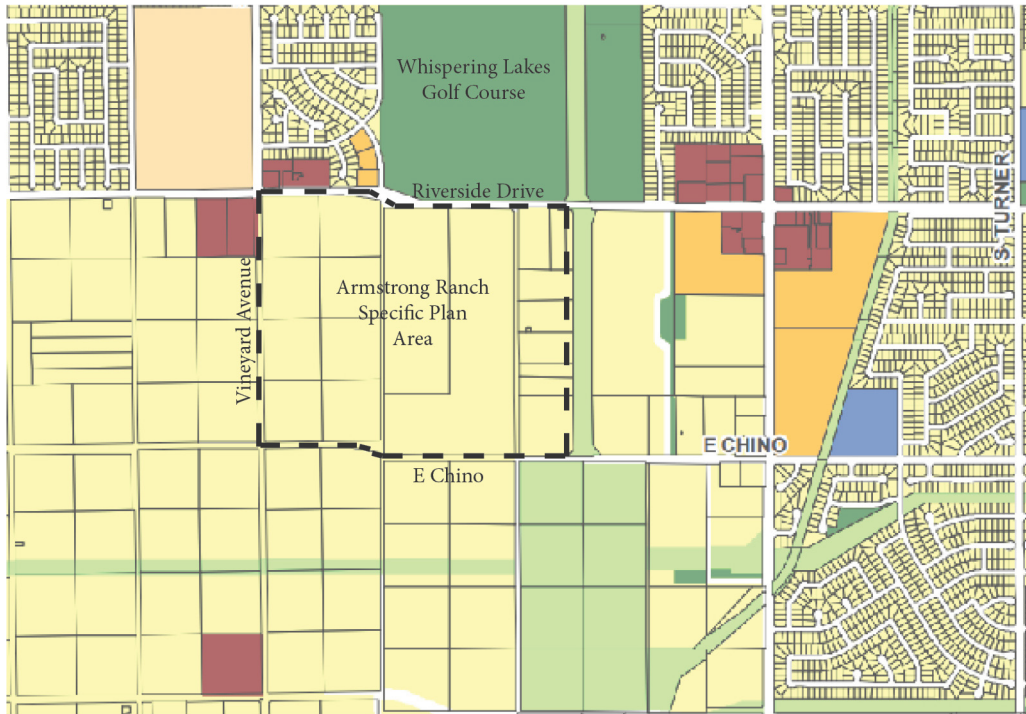
The Ontario Plan designates the undeveloped areas located west and south of the Specific Plan area as “Low Density - Residential” and “Neighborhood Commercial.” Exhibit 3-3, “Land Use Designations,” illustrates The Ontario Plan land use designations and planned land uses adjacent to Armstrong Ranch as well as the surrounding existing land uses.



Whispering Lakes Public Golf Course located north of the project site.



Cucamonga Creek Flood Control Channel and Flood Control Basin located east of the project site.



LEGEND

Residential

- Rural (0 - 2 du/ac)
- Low Density (2.1 - 5 du / ac)
- Low-Medium Density (5.1 - 11 du / ac)
- Medium Density (11.1 - 25 du / ac)
- High Density (25.1 - 45 du / ac)

Mixed Use

- Mixed Use
- 1. Downtown
- 2. East Holt
- 3. Meredith
- 4. Multimodal Mixed Use
- 5. Inland Empire Corridor
- 6. Guasti
- 7. Ontario Center
- 8. Ontario Mills
- 9. NMC East
- 10. NMC West
- 11. Euclid/Francis
- 12. 60/Hammer

Retail/Service

- Neighborhood Commercial (0.4 FAR)
- General Commercial (0.4 FAR)
- Office Commercial (0.75 FAR)
- Hospitality (1.0 FAR)

Employment

- Business Park (0.6 FAR)
- Industrial (0.55 FAR)

Other

- Open Space - Non Recreation
- Open Space - Parkland
- Open Space - Water
- Public Facility
- Public School
- Airport
- Rail
- Landfill

Overlays

- Business Park
- Industrial
- Commercial
- I-10/Grove Interchange Area
- Landfill Impact Area
- Chino Airport Overlay
- So Calf Preserve

EXHIBIT 3-3: Land Use Designations

3.5 Topography

The Specific Plan area is relatively flat and generally slopes to the south as illustrated on **Exhibit 3-4, “Existing Site Topography and Storm Drain Easement.”** The site falls at an average slope of approximately 0.8% to 2.0%. The specific plan area generally drains to the south towards Chino Avenue, and into the Lower Cucamonga Spreading Grounds.

3.6 Existing Circulation and Access

- State Route 60 (SR 60) is located three quarters of a mile north of the Armstrong Ranch Specific Plan. Currently the Specific Plan area connects to SR 60 through three major streets. These are Archibald Avenue, located east of the Specific Plan area, Vineyard Avenue which extends north from the Specific Plan area to SR 60, and Grove Avenue, which is located west of the Specific Plan area. Proposed on-site circulation improvements are discussed in greater detail in **Section 4, “Development Plan.”**
- Riverside Drive is designated as a “6 Lane Minor Arterial” (108’ ROW) in the Functional Roadway Classification Plan, which is part of The Ontario Plan and borders the Specific Plan to the north. The existing right-of-way of Riverside Drive varies from 60 feet to 100 feet. Riverside Drive has been improved with two westbound lanes, generally consisting of 38 feet of paving, with a 12-foot parkway, and one eastbound lane, consisting of 22 feet of paving.
- Chino Avenue is designated as a “4 Lane Collector” (88’ ROW) and borders the Specific Plan area to the south. The existing right-of-way of Chino Avenue varies from 55 feet to 110 feet. Chino Avenue is partially improved with two lanes for east and west bound traffic and 22 feet of paving.
- Vineyard Avenue is a designated “6 Lane Principal Arterial” (148’ ROW) and bisects the Specific Plan in a north/south direction. The existing right-of-way of Vineyard Avenue varies from 66 feet to 83 feet. Vineyard Avenue is currently unimproved.
- Carpenter Avenue (60’ ROW) is not designated in the City of Ontario’s The Ontario Plan (TOP) Transportation Master Plan. The existing right-of-way of Carpenter Avenue is 30 feet. Carpenter Avenue is currently unimproved.
- Hellman Avenue (88’ ROW) is designated as a “2 Lane Collector” and crosses the Specific Plan to the west of the Cucamonga Creek Channel. The existing right-of-way of Hellman Avenue is 55 feet. Hellman Avenue is partially improved with two lanes for north and south bound traffic of 20 feet of paving.

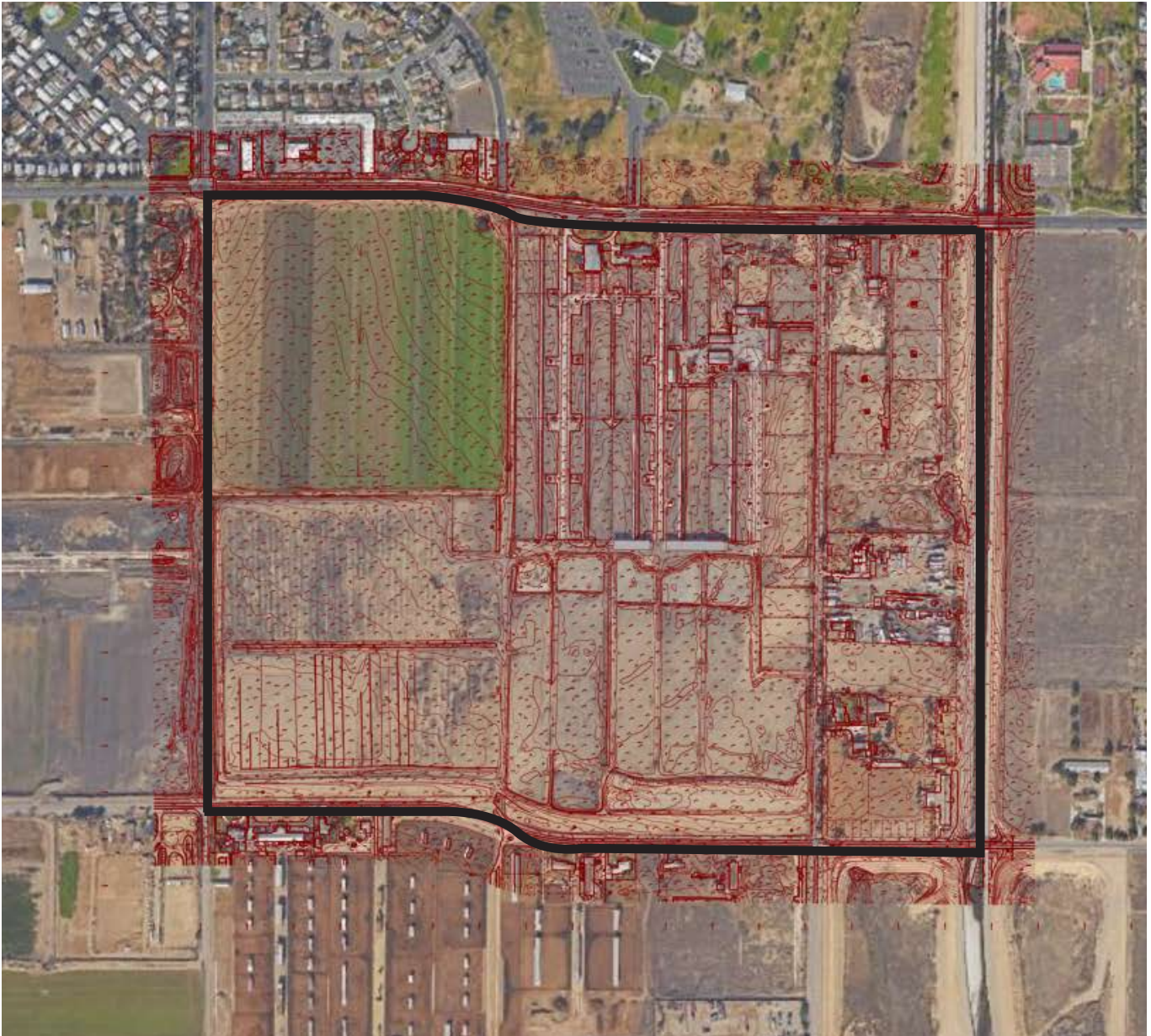


EXHIBIT 3-4: Existing Site Topography

3.7 Existing Infrastructure /Utilities / Public Services

3.7.1 Water

The Specific Plan area lies within the 1010' Zone New Phillips Pressure Zone. An existing 12-inch water main, which reduces to 10-inches, located in Riverside Drive adjacent to the Specific Plan area, provides water to the existing development to the north of the Armstrong Ranch Specific Plan. On-site residential uses within the Specific Plan area are currently served by private wells, as illustrated on **Exhibit 3-3 “Existing and Surrounding Land Uses.”**

Upon development of the private well site areas, these private wells, or any other wells found within the Specific Plan area, will be abandoned per California Department of Water Resources Health Guidelines and the City of Ontario Guidelines. In addition, a well use/destruction plan, as approved by the City of Ontario and scheduled for all existing wells, will be required.

3.7.2 Sewer

Existing on-site residences utilize septic tanks and subsurface disposal fields. Prior to grading operations, existing septic tanks and subsurface disposal fields will need to be abandoned in accordance with Department of Health Services requirements.

3.7.3 Drainage

The City of Ontario storm drain system is generally unimproved throughout the Specific Plan area and consists primarily of open earthen swales along area roadways.

Cucamonga Creek Channel, a major flood control channel, provides regional protection for conveying urban stormwaters to the Prado Dam Basin. Two other storm drain facilities provide regional storm drain water conveyance systems: the Riverside Drive Storm Drain No. 2 and the Lower Cucamonga Spreading Grounds. Storm Drain No. 2 consists of a 72-inch storm drain pipe in Riverside Drive easterly of Vineyard Avenue, a 108-inch storm drain line in Vineyard Avenue, and a 144-inch storm drain line in Chino Avenue that outlets into the Lower Cucamonga Spreading Basin at Hellman Avenue.

3.7.4 Electricity

The Armstrong Ranch Specific Plan area is located within the service territory of Southern California Edison Company (SCE). Electrical facilities will be underground per Municipal Code.

3.7.5 Natural Gas

The Southern California Gas Company (SCG) provides natural gas service within the area near the Specific Plan.

3.7.6 Communication Systems

Frontier Communications provides telephone service within the Armstrong Ranch Specific Plan area.

3.7.7 Solid Waste

The City of Ontario Public Works Agency provides solid waste collection and disposal to newly developed areas by request.

3.8 Schools

The Armstrong Ranch Specific Plan is within the school districts of the Chino Valley Unified School District, the Mountain View School District, and the Chaffey Joint Union High School District. The line of demarcation between the districts is Carpenter Avenue with Chino Valley Unified School District to the west and Mountain View School District and Chaffey Joint Union High School District to the east.

Chino Valley Unified School District will serve the school age needs of grades K–12, for that portion of the Specific Plan area west of Carpenter Avenue. The nearest Chino Valley Unified School District elementary school location, within the vicinity of the Armstrong Ranch Specific Plan, is Dickey Elementary School, located at 2840 Parco Avenue. The nearest Chino Valley Unified School District middle school location is Woodcrest Junior High School, located at 2725 South Campus Drive. The nearest Chino Valley Unified School District high school location is Chino High School, located at 5472 Park Place, in the city of Chino.

Mountain View School District will serve the school age needs of grades K–8 and the Chaffey Joint Union High School District will serve the school age needs of grades 9–12 for that portion of the Specific Plan area east of Carpenter Avenue. Mountain View School District has two elementary schools in the vicinity of the Specific Plan area serving grades K–5. One of these elementary schools is Mountain View School located at 2825 Walnut Street and the other is Ranch View School located at 3300 Old Archibald Road. Mountain View School District has one middle school serving grades 6–8, the Grace Yokely School, located at 3850 East Riverside Drive.

Chaffey Joint Union High School District has one high school, Colony High School, within the vicinity of the Armstrong Ranch Specific Plan located at 3850 East Riverside Drive.

3.9 Hydrology

Since most of the Armstrong Ranch Specific Plan area has been in agricultural use, only a limited portion of the site is now covered with impervious surfaces. Normal rainfall to the area is able to percolate through on-site soils and does not result in high volumes of surface runoff, typically associated with urban use.

Ground waters within the area, as a whole, contain high concentrations of salt, attributable to historic agricultural activities such as dairy farming. The high organic content of on-site soils has contributed incrementally to the degradation of surface and groundwater quality. Removal of the organic materials, which constitute by-products of those dairy operations, and compliance with National Pollution Discharge Elimination System (NPDES) and other storm water permit requirements, will beneficially impact regional water quality. Additional hydrology information for the Specific Plan area is contained in the Armstrong Ranch Specific Plan Environmental Impact Report.

3.10 Geology and Soils

The TOP Final EIR identifies two deposits, eolian sands (Qhs) and Holocene alluvium (Qhm), as being present within the boundary of the Armstrong Ranch Specific Plan. The youngest surficial deposit, eolian sands (Qhs), is comprised of wind-blown sands having fine to medium-sized grains. These loose sands form sheets and low-dune deposits that have been stabilized by vegetation. These deposits are exposed in the eastern portion of the Ontario Ranch area and extend westward to an area defined generally by a diagonal line extending from Harrison Avenue within Riverside County on the south to Vineyard Avenue on the north. The second youngest surficial unit, a mediumgrained Holocene alluvium (Qhm), is present west of the eolian sand. These are unconsolidated deposits of fine-to-course-grained sand with interbeds of gravel and silt.

The Specific Plan area contains delhi and hillmar loamy fine sands, as mapped by the United States Department of Agriculture, Soil Conservation Service in 1971 and 1980. Delhi series soils have been used for agriculture, primarily for grapes and citrus, since the 1800's. Additional detailed geologic and soils information for the Specific Plan area is contained in the Armstrong Ranch Specific Plan Environmental Impact Report.

3.11 Seismicity

In accordance with the California Building Code the development within the Armstrong Ranch Specific Plan area will follow procedures and regulations designed to ensure that all development

occurs in a safe manner relative to those known hazards. The Armstrong Ranch Specific Plan Environmental Impact Report contains detailed seismic information including a seismicity analysis of the Specific Plan area.

3.12 Vegetation

The Specific Plan area has been extensively used for agricultural operations including dairy and field crop uses. Those areas not in active agricultural production are occupied by rural residential housing or are vacant. The natural vegetation and soil conditions that once occurred throughout the Specific Plan area have been significantly altered through the agricultural uses, leaving little or no native vegetation. The Armstrong Ranch Specific Plan Environmental Impact Report contains additional analysis of the vegetation conditions within the Specific Plan area.

EXISTING CONDITIONS

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Section 4 • Land Use Plan

Armstrong Ranch provides a logical extension of the existing residential land use pattern and creates a traditional community consisting of several individual neighborhoods oriented around a central park called Armstrong Park and connected by the Charlotte Armstrong Trail, an approximately .5 miles long thematic multi-purpose trail and shaded sidewalks along neighborhood streets. Each neighborhood includes additional individual visible parks and open spaces that are within a short walking distance to all of the homes within Armstrong Ranch. The site plan includes a grid road pattern that includes a hierarchy of streets. Master planned roadways with expansive neighborhood edges with landscaped parkways and sidewalks and a local collector street (Carpenter Street) connect to local streets within each individual neighborhood.

4.1 Residential Neighborhoods

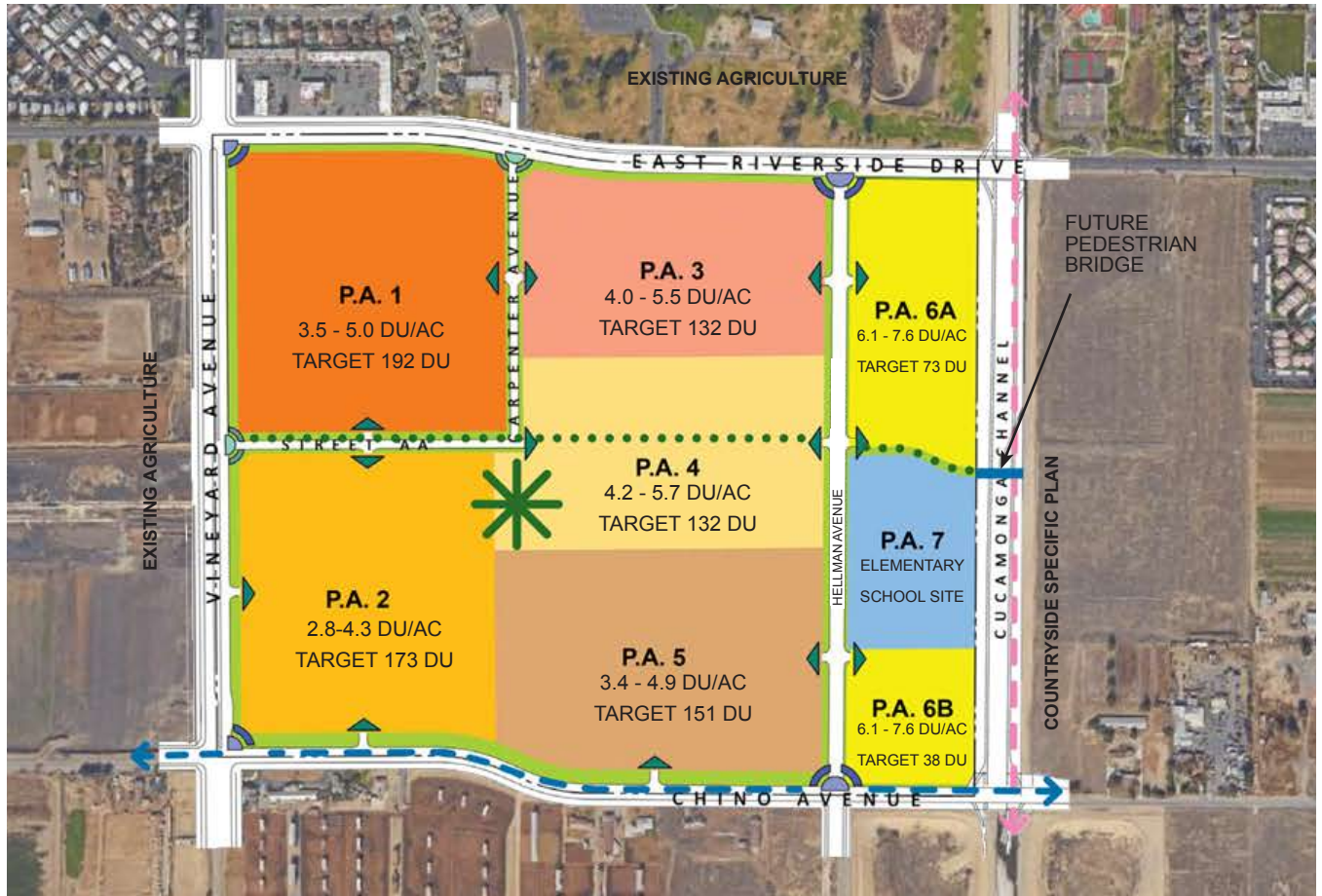
Armstrong Ranch provides for development of a range of single family detached and attached housing types addressing a variety of life- styles and income levels. Single-family residential detached homes and low density attached residential units, in a variety of styles and types are permitted for development.

The Armstrong Ranch Specific Plan allows for the development of up to 891 residential dwelling units comprised of a variety of single-family detached and attached dwellings. Residential land use areas are contained within 6 individual neighborhood Planning Areas linked by a network of street-separated sidewalks and trails connecting the neighborhoods to a variety of park spaces, a proposed elementary school and local and City Master Planned trail systems.

The Charlotte Armstrong Trail extends east/west through the entire Specific Plan area, tying each neighborhood to the elementary school site and a proposed pedestrian bridge connecting Armstrong Ranch to the Countryside Specific Plan area. This bridge provides a direct connection from Countryside to the proposed school within Armstrong Ranch. Residential development within the different neighborhoods is designed to address a variety of lifestyles, such as singles, families, executives and “empty nesters” by providing a variety of house sizes, lot sizes, one and two story home choices, a variety of architectural expressions and a spectrum of home prices within close proximity to parks, schools and trails.

The Armstrong Ranch Land Use Plan is illustrated in **Exhibit 4-1, “Land Use Plan”** and described in **Table 4-1 “Land Use Plan Summary.”** The Armstrong Ranch Specific Plan permits some flexibility in the distribution of residential types within each residential Planning Area; however each Planning Area includes a target number of lots which represents the maximum units allocated for that neighborhood. A maximum number of dwelling units for each Planning Area are established as described in **Table 4-1, “Land Use Plan Summary.”** The residential home types described in

LAND USE PLAN



LEGEND


 P.A. 1	 P.A. 5	 COMMUNITY ENTRY	 ARMSTRONG PARK
 P.A. 2	 P.A. 6A/6B	 NEIGHBORHOOD ENTRY	 CITY MASTER PLAN MULTI-PURPOSE TRAIL
 P.A. 3	 P.A. 7	 CHARLOTTE ARMSTRONG TRAIL	 EXISTING TRAIL
 P.A. 4			

EXHIBIT 4-1: Land Use Plan

Land Use	Gross Acres	Net Acres	Dwelling Units	Gross Density	Net Density
Residential Single Family					
Planning Area 1	36.8	33.0	192	5.2	5.8
Planning Area 2	36.4	32.5	173	4.8	5.3
Planning Area 3	26.3	24.6	132	5.0	5.4
Planning Area 4	26.3	26.9	132	5.0	4.9
Planning Area 5	30.2	32.6	151	5.0	4.6
Planning Area 6	22.2	21.0	111	5.0	5.3
Planning Area 7*	11.6	10.0	0	0.0	0.0
Roadways		1.6			
Enhanced Neighborhood Edges		7.6			
Total	189.8 AC	189.8 AC	891	5.0 DU/AC	5.5 DU/AC

*This parcel contains a 10 AC school site overlay.

TABLE 4-1: Land Use Plan Summary

The Specific Plan are permitted for development within certain Planning Area to ensure that a variety of housing types are developed within the Specific Plan. The Specific Plan allows for some flexibility to allow for changes in the market provided that the total number of dwelling units developed within the project does not exceed 891. Although the Specific Plan outlines the appropriate Planning Area where each allowable product can be located, the specific lot size and specific residential type and mix of types to be developed in each Planning Area will be determined at the time of tentative tract map approval by the City of Ontario.

4.1.1 Single-Family Detached Residential

The Armstrong Ranch Specific Plan permits a variety of single-family detached home types. Three types of residential single-family detached dwelling units, including conventional homes, Z-Lot homes and Cluster homes are permitted for development within Armstrong Ranch as described below.

4.1.1.1 Single Family Detached Conventional Homes

The Specific Plan allows for conventional homes on lots from 50 foot to 75 foot in width. This traditional single family home concept is designed to create a pedestrian oriented streetscape through the forward placement of living areas, porches, and other architectural features in order for the home to address the street. Alternative garage configurations are used with this home type

to include a mix of turn in garages, deep or mid recessed garages and split or tandem garages.

4.1.1.2 Single Family Detached Z-Lot Homes

Single Family Detached Z-Lot Homes are designed in a configuration so that a larger usable side yard is provided for each unit through the use of benefit easements. The visual impact of garages from the street is minimized by locating alternating garages at the rear of the lot and using the adjacent house massing to screen or block the view of the garage. The more forward positioned garage is set back from the living area of the home at a distance in order to preserve an architectural forward street scene character.

4.1.1.3 Single Family Detached Cluster Homes

Single Family Detached Cluster Homes are configured around short private streets in groups of up to eight lots to minimize the visual impact of garages on the neighborhood street scene. This concepts simulates cul de sac living and provides homes that are sited on streets that do not have through traffic. The cluster design allows for attractive house elevations on lots that are less than 50 feet wide with minimal driveway interruptions along the neighborhood sidewalks.

4.1.2 Single Family Attached Residential

Single Family Attached homes are allowed in selected planning areas close to the proposed elementary school and existing Cucamonga channel. The proposed allowable single family attached homes are intended to be aesthetically compatible with the allowable single family home types within Armstrong Ranch. These home types include duplexes, triplexes and row townhomes up to six units per building. Attached homes may incorporate garages that are front or rear loaded. Townhomes with rear loaded garages are encouraged when building face public neighborhood streets. Townhomes that have front loaded garages are allowed in situations where they utilize short private streets similar to the cluster detached home types in order to minimize the driveway interruptions along local streets.

4.1.2.1 Single Family Attached Conventional Duplex/Townhomes

Single Family Attached Conventional Duplex/Townhomes are designed with 2 to 7 units per building. This type of housing allows the residents to have a conventional private rear yard along with inviting porches and entry courtyards. The garage setbacks vary, which creates a pedestrian friendly street scene.

4.1.2.2 Single Family Attached Alley Loaded Rowtowns/Condominiums

Single Family Attached Rowhomes/Condominiums generally consist of attached homes designed in a row configuration along neighborhood streets or common greenbelts. These types of homes could range from 2 to 6 unit buildings with garages that primarily load from private alleys to reduce their visual impact from neighborhood streets and sidewalks. Front doors and porches face a common open space area, typically the street, which increases visual interest and promotes activity along neighborhood streets and greenbelts.

4.2 Parks and Recreational Facilities

4.2.1 Armstrong Park

The Land Use Plan for Armstrong Ranch proposes an integrated concept for parks and recreational facilities to meet the goals of future residents. These parks and recreational facilities include a central park, an extended thematic trail, a variety of pocket parks within individual neighborhoods and paseo connections to the City master planned multi-use trail along Chino Avenue. These open space elements are easily accessible to future residents with Armstrong Ranch via shaded sidewalks located on both sides of all internal neighborhood streets.

4.2.2 Charlotte Armstrong Trail

The central focus is a proposed 2.06 acre park called Armstrong Park located roughly in the center of the Specific Plan area and connected to a proposed community wide trail called the Charlotte Armstrong Trail, which extends east and west, connecting from Vineyard Avenue along the north side of Street AA to Armstrong Park and eastward to the proposed elementary school and pedestrian bridge which crosses the Cucamonga Channel and provides access to the school site for residents within the Countryside Specific Plan. The Charlotte Armstrong Trail will enhance pedestrian accessibility through the site, including Armstrong Park, the elementary school, and will connect via public sidewalks along internal local streets to nearby pocket parks within each neighborhood. Charlotte Armstrong Trail area will be a minimum of 30 feet wide and include an 8 foot wide all weather trail with thematic signage and landscaping including evergreen trees that will provide shade along the trail.

Additional parks are proposed throughout Armstrong Ranch within each residential neighborhood to provide recreational, gathering and passive open space opportunities within easy walking distance to all proposed homes. The “Park and Open Space Plan,” Exhibit 4-2, illustrates the types and conceptual locations of parks and the community trail planned for Armstrong Ranch.

4.2.3 Private Pocket Parks

Private Pocket parks will be developed within each residential Planning Area. Pocket parks are required to have a minimum area of .25 acres. Typical recreational improvements for pocket parks include tot lots, picnic and barbecue facilities, multi-purpose trails, and informal turfed play areas.

4.2.4 Enhanced Parkways

The Land Use Plan includes enhanced landscaped parkways within neighborhood edges of all master planned streets within Armstrong Ranch consistent with the City's master plan of streets. These enhanced parkways will include landscaping behind the public street right of way. Greenbelt connection, a minimum of 30' in width will include pedestrian walkways providing connectivity from internal public sidewalks within the community to the City master planned trail along the north side of Chino Avenue.

4.3 School Site

As part of the design of the Armstrong Specific Plan, a 10 acre elementary school site has been proposed in the eastern portion of the property adjacent to the Charlotte Trail for easy and safe pedestrian and bike access. This site, depicted on Exhibit 4-1 "Land Use Plan" will have easy access to the Armstrong Ranch neighborhoods as well as the adjoining Countryside community. The site will be reserved in the event that the school district elect to use the site for their future expansion. If the site is not selected by the school district, the land will revert back to residential zoning consistent with Planning Area 6.

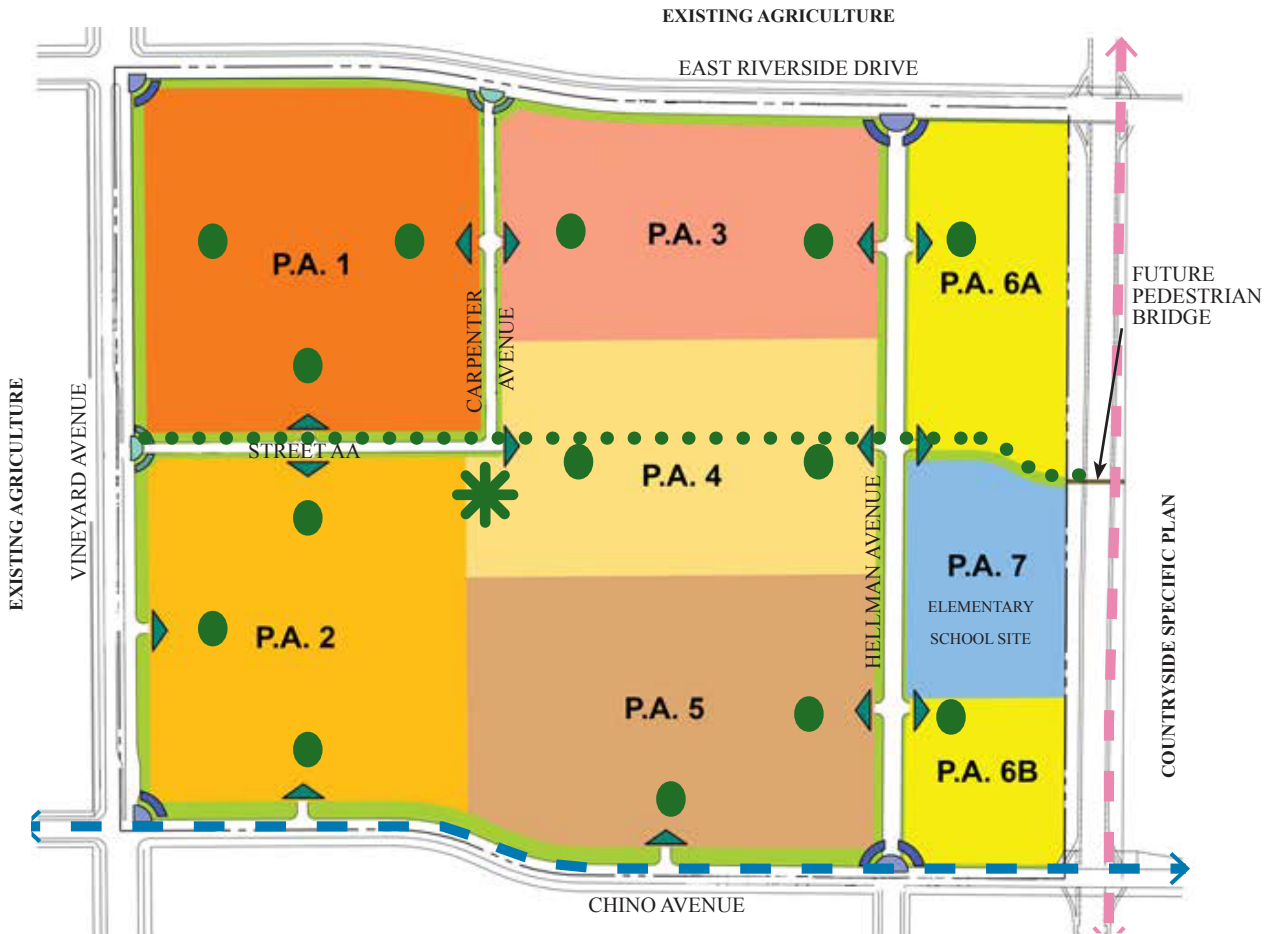



EXHIBIT 4-2: Parks and Open Space Plan

LEGEND

 P.A. 1	 P.A. 5	 COMMUNITY ENTRY	 ARMSTRONG PARK
 P.A. 2	 P.A. 6A/6B	 NEIGHBORHOOD ENTRY	 CITY MASTER PLAN MULTI-PURPOSE TRAIL
 P.A. 3	 P.A. 7	 CHARLOTTE ARMSTRONG TRAIL	 EXISTING TRAIL
 P.A. 4			 POCKET PARKS

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Section 5 • Infrastructure and Services

The infrastructure, utilities, and public services to be provided, as part of the development of the Armstrong Ranch Specific Plan, are discussed in this section.

5.1 Circulation

The circulation plan for Armstrong Ranch reinforces the objective of implementing the neighborhood design. In addition to providing safe and efficient movement of vehicular traffic through the project, the Circulation Plan also provides a safe environment for pedestrian movement and bicycle traffic to reduce the reliance on the automobile as a means of travel. Transit stops and bus turnouts shall be provided as required by the City of Ontario and Omnitrans, along the Master Plan streets, which are a part of the Armstrong Ranch community. The “**Master Vehicular Circulation Plan,**” **Exhibit 5-1** establishes the hierarchy and general location of roadways within Armstrong Ranch.

The minimum design speeds to be used for centerline curve radii, super elevation, corner and approach sight distances, vertical and horizontal alignment, and sight distances for the Master Plan Streets, are listed below:

Vineyard Ave.	50 m.p.h.
Chino Ave. & Hellman Ave.	45 m.p.h.
Riverside Ave.	50 m.p.h.
Carpenter Ave.	40 m.p.h.

5.1.1 Master Plan Roadways

The project site is bounded on the north, south, and east by four City of Ontario arterial roadways, as identified in **Figure M2 “Functional Roadway Classification Plan”** of the Policy Plan, providing access to and from the site. Riverside Avenue bounds the project site on the north; Chino Avenue bounds the project site on the south; Hellman Avenue and Carpenter Avenue bi-sect the property; and Vineyard Avenue bounds the project site on the west. A traffic study prepared as part of the project EIR may identify the need for additional right-of-way at critical intersections to accommodate lanes for left and right turn movements.

The developer shall construct 1/2 width roadway improvements on project frontage streets (including full striped median on Riverside Drive and Chino Avenue, and full raised landscaped median on Vineyard Avenue), one additional 14’ opposing traffic lane and a 5’ paved shoulder. Phasing and construction of the improvements shall be implemented as required by the City Engineer and pursuant to the mitigation measures identified in the EIR and the conditions of approval adopted with the approval of tentative maps for the project. Locations and construction of bus turnouts

INFRASTRUCTURE

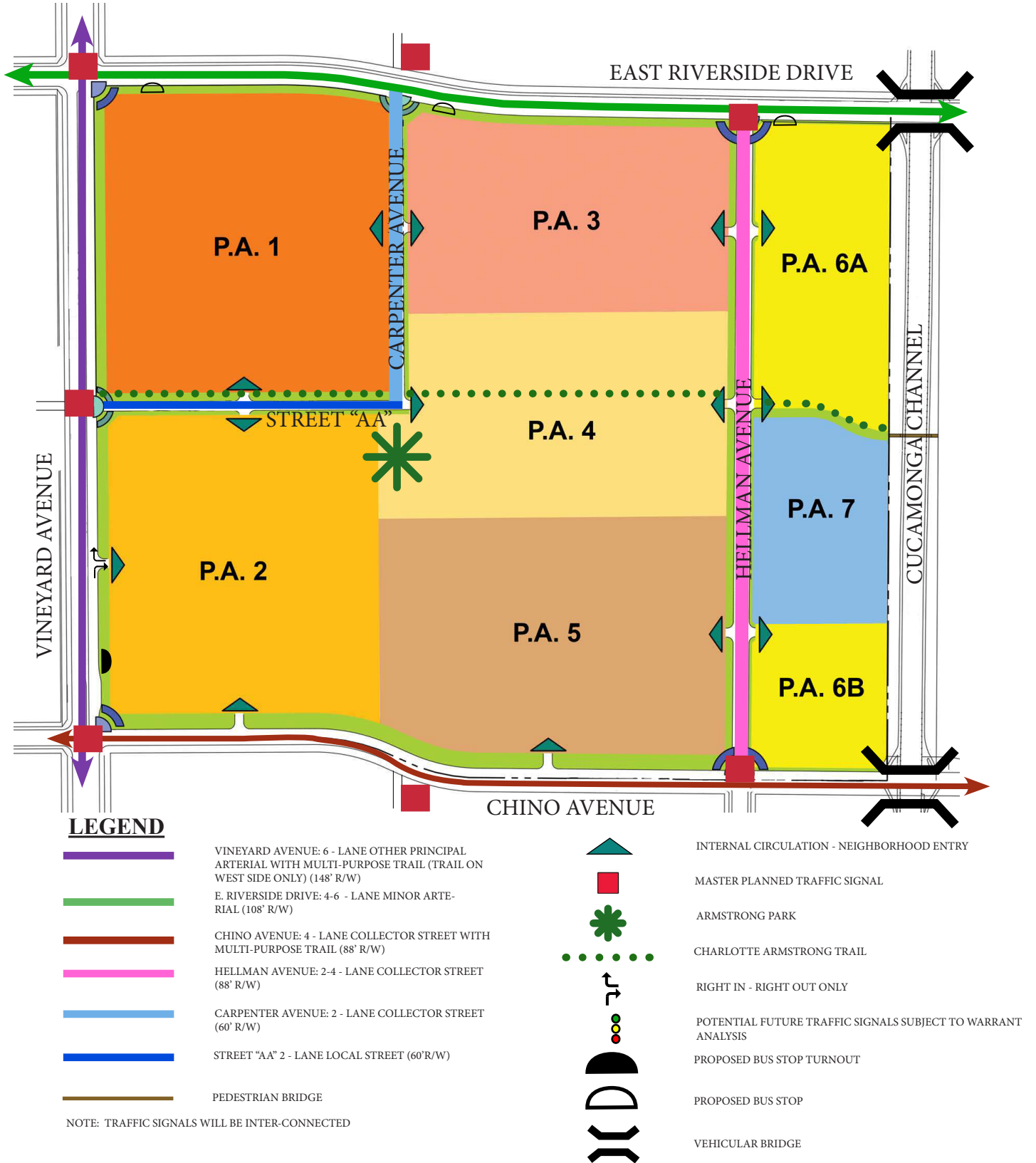


EXHIBIT 5-1: Master Vehicular Circulation Plan

may be required within the project to the satisfaction of the City of Ontario and Omnitrans.

5.1.1.1 Vineyard Avenue

The Mobility Element of the Policy Plan (**Figure M-2 Functional Roadway Classification Plan**) designates Vineyard Avenue as a “6-Lane Other Principal Arterial with multipurpose trail.” (148’ ROW) Vineyard Avenue will provide north and south access to Armstrong Ranch at the western boundary of the project site. The proposed improvements to Vineyard Avenue are illustrated on **Exhibit 5-2, “Vineyard Avenue.”** Parking is prohibited along Vineyard Avenue. Refer to Exhibit 5-2 for minimum street improvements required by the Armstrong Ranch Specific Plan.

5.1.1.2 Chino Avenue

The Mobility Element of the Policy Plan (**Figure M-2 Functional Roadway Classification Plan**) designates Chino Avenue as a “4-Lane Collector Street with multipurpose trail”. Chino Avenue (88’ ROW), will provide east and west access to and from Armstrong Ranch at the southern boundary of the project site. **Exhibit 5-3, “Chino Avenue” illustrates the improvements to Chino Avenue. Parking is prohibited on Chino Avenue.** Chino Avenue will provide an 8’ multi-purpose trail on the North side within the project boundary. The Developer will be responsible to construct the north half of the bridge for a connection across the Cucamonga Channel. Refer to Exhibit 5-3 for minimum street improvements required by the Armstrong Ranch Specific Plan.

5.1.1.3 Riverside Drive

Riverside Drive is a designated “6-Lane Minor Arterial.” Riverside Drive (108’ ROW) and will provide east and west access to and from Armstrong Ranch at the northern boundary of the project site. Riverside Drive will be improved as depicted on **Exhibit 5-4, “Riverside Drive.”** Parking is prohibited on Riverside Drive. Riverside Drive shall provide Class II Bike lanes on both sides. Refer to Exhibit 5-4 for minimum street improvements required by the Armstrong Ranch Specific Plan. These minimum improvements apply to the portion of Riverside Drive where the Specific Plan has frontage. The Developer will be responsible to construct the south half of the bridge for a connection across the Cucamonga Channel.

5.1.1.4 Hellman Avenue

Hellman Avenue is designated in the General Plan as a “2-Lane Collector Street.” Hellman Avenue, (88’ ROW), will provide north and south access to and from Armstrong Ranch located towards the eastern edge of the project site. Hellman Avenue will be improved as depicted on **Exhibit 5-5, “Hellman Avenue.”** Parking is prohibited on Hellman Avenue. Refer to Exhibit 5-5 for minimum street improvements required by the Armstrong Ranch Specific Plan.

INFRASTRUCTURE

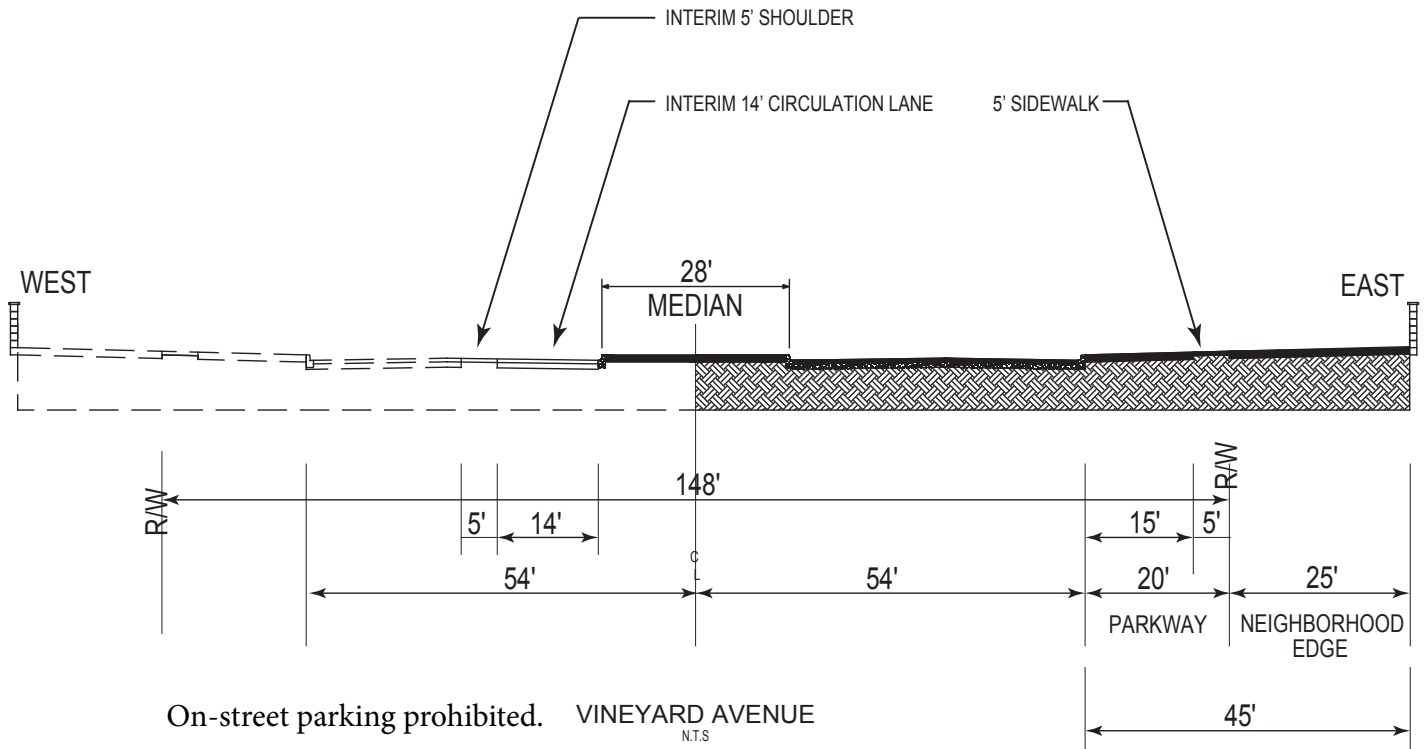


EXHIBIT 5-2: Vineyard Avenue

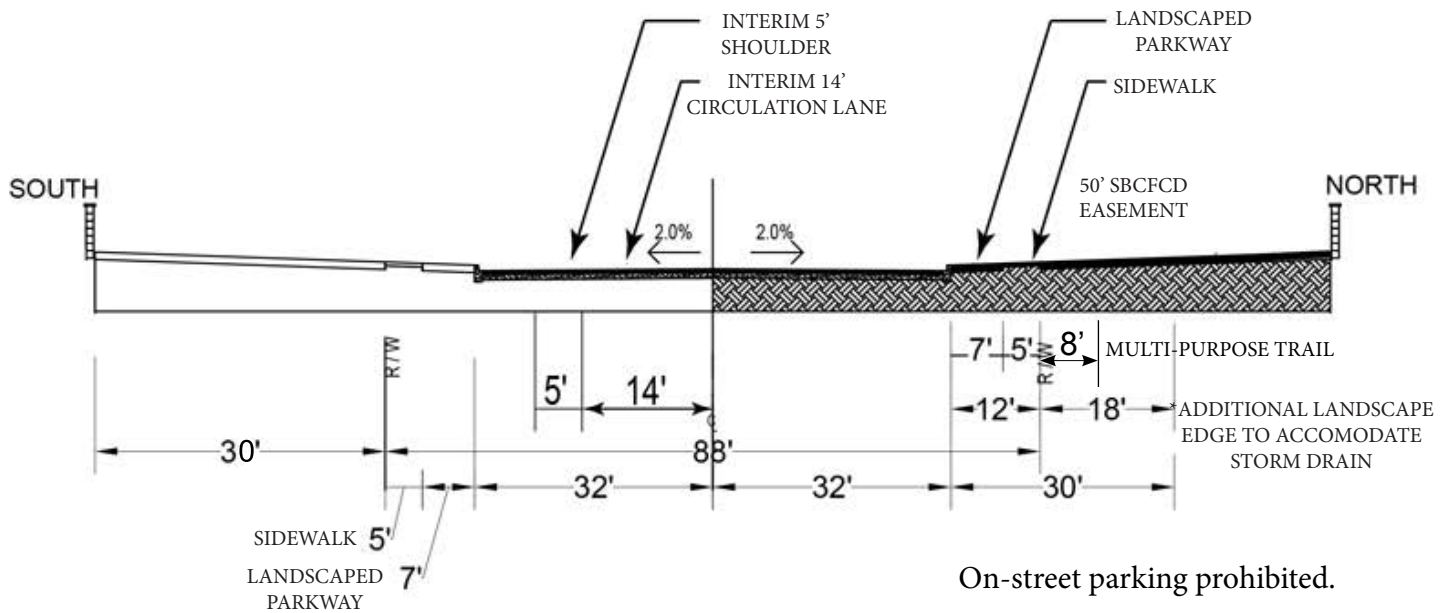


EXHIBIT 5-3: Chino Avenue

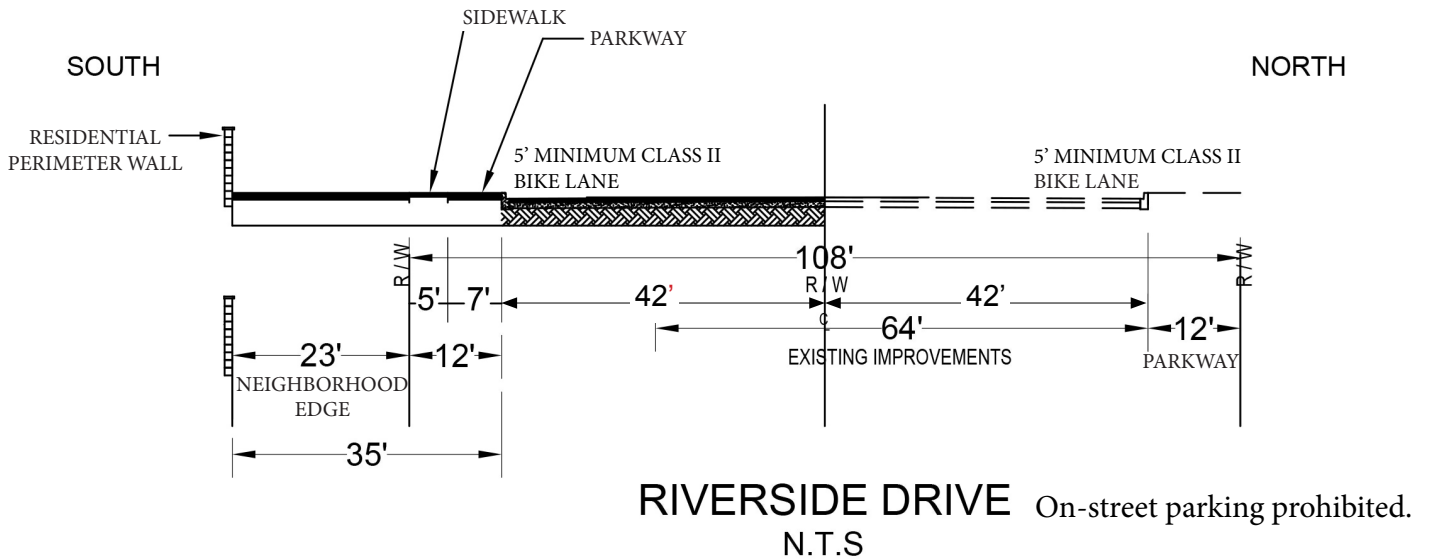


EXHIBIT 5-4: Riverside Drive

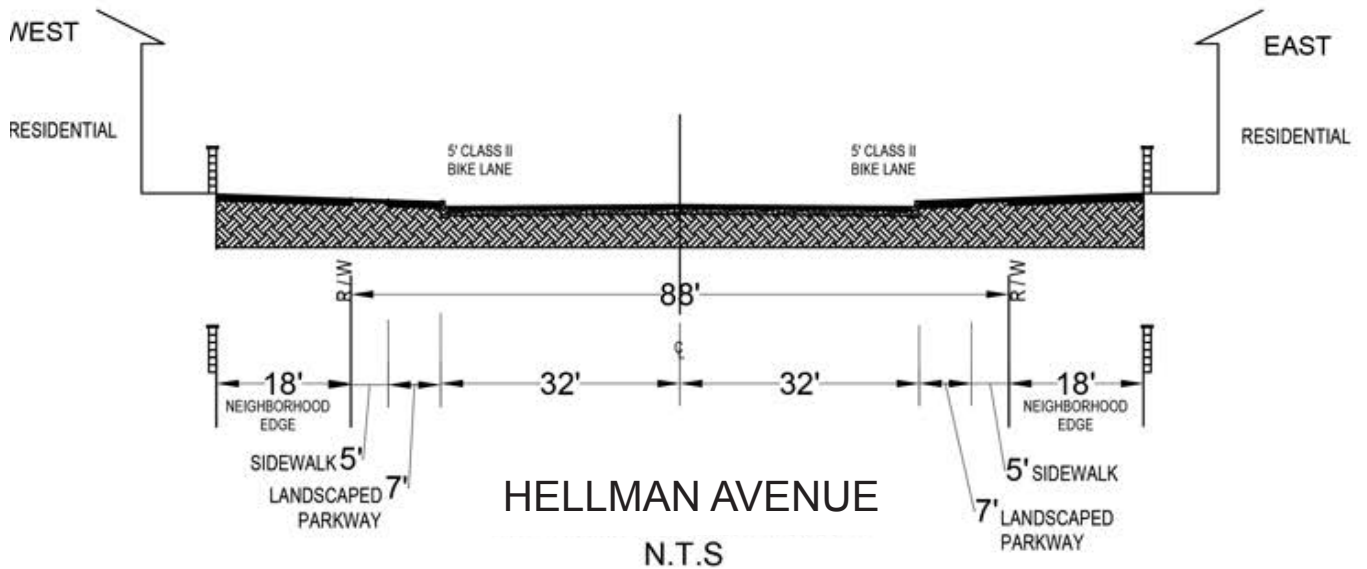


EXHIBIT 5-5: Hellman Avenue

5.1.2 Local Streets

Within the neighborhoods of Armstrong Ranch local streets will provide access and circulation through the community. Public local streets within residential areas are designed to distribute vehicular traffic from the Master Plan streets adjacent to the project site into and through residential neighborhoods. If the Specific Plan proposes private streets, they should be shown on the proposed plan document and should be labeled “Private Streets”, otherwise all local streets will be considered public and should be labeled accordingly. All private streets shall be designed and constructed in accordance with public street standards. Intersections of two interior local streets shall incorporate Chokers in accordance with City of Ontario Traffic & Transportation Guidelines. Any proposed gated access shall be designed with adequate stacking and turnaround facilities.

5.1.2.1 Carpenter Street

Carpenter Street is designated as a Primary Local Street. Carpenter Street will provide north and south access through the project, as well as internal access and connectivity between residential areas. Carpenter Street shall be 60’ wide for right-of-way and 36’ wide curb to curb. **Exhibit 5-6, “Carpenter Street,”** illustrates the improvements for the proposed Carpenter Street.

5.1.2.2 Street “AA”

Street “AA” is designated as a Primary Local Street. Street “AA” will provide east and west access through the project between Vineyard Avenue and Carpenter Avenue, as well as internal access and connectivity between residential areas. Street “AA” shall be 60’ wide for right-of-way and 36’ wide curb to curb. **Exhibit 5-7, “Street “AA”**, illustrates the improvements for the proposed Street “AA”.

5.1.2.3 Interior Local Streets

A network of local streets will provide internal circulation throughout Armstrong Ranch for access to individual residences. All private streets shall be designed and constructed in accordance with City standards.

The proposed improvements for interior local streets are illustrated in **Exhibit 5-8, “Local Streets”**.

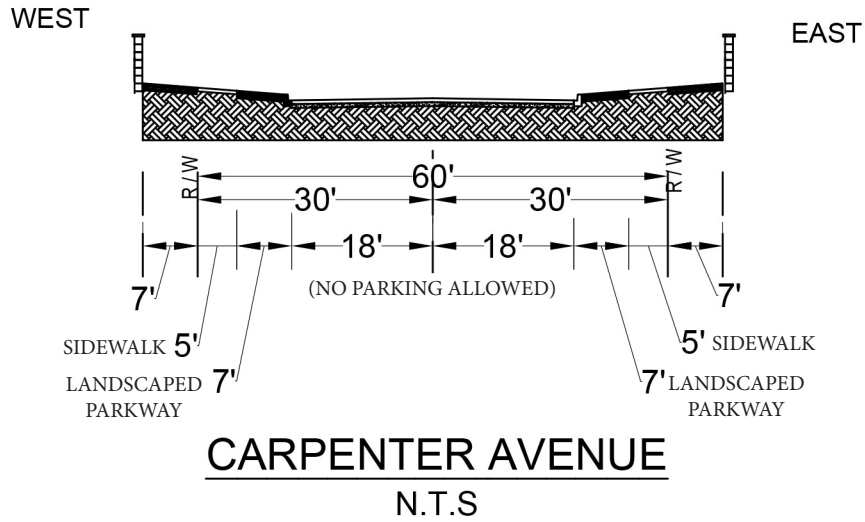


EXHIBIT 5-6: Carpenter Avenue

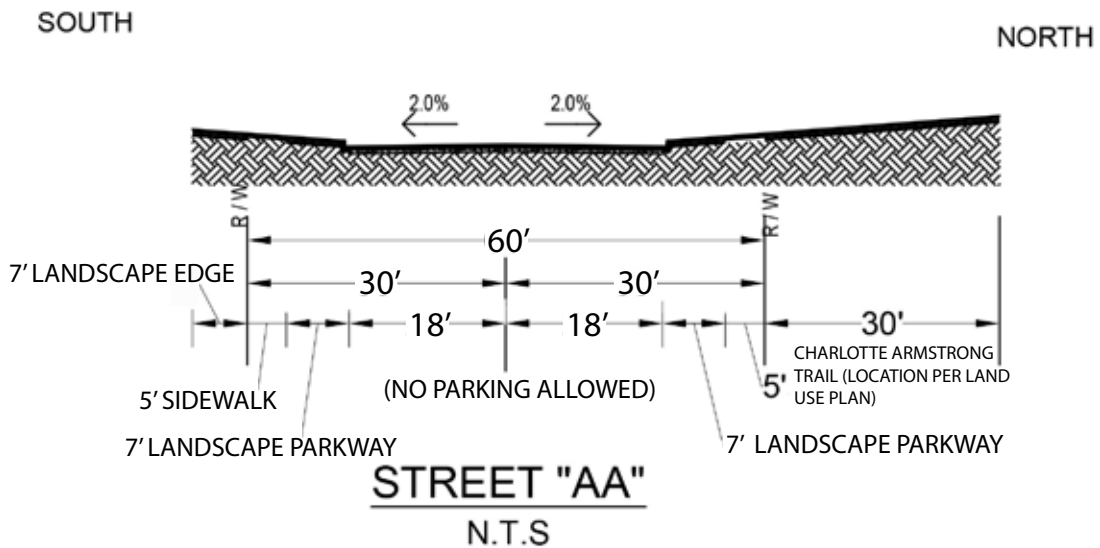
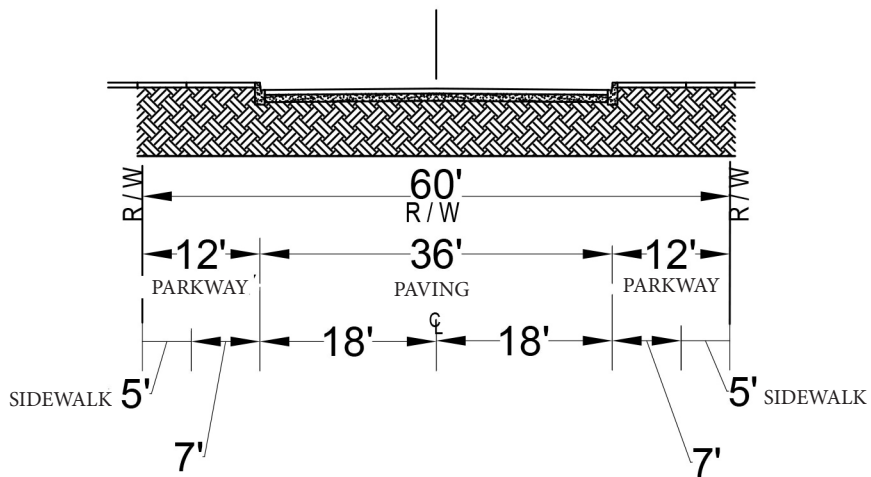


EXHIBIT 5-7: Street "AA"



LOCAL STREETS
N.T.S

EXHIBIT 5-8: Local Streets

5.1.3 Pedestrian Circulation

Off-street pedestrian circulation is available throughout Armstrong Ranch by means of the interconnected, paved sidewalk system within the roadway right-of-way, separated from vehicular travel lanes by a landscaped parkway. The Armstrong Ranch pedestrian system provides connectivity among residential neighborhoods and to all the private pocket parks within Armstrong Ranch. The plan also provides connectivity with off-site areas through a pedestrian bridge over the Cucamonga Creek Channel and the implementation of pedestrian paseos at select intersections and mid-block locations.

5.1.4 Regional Trails

Multipurpose trails are an integral element to creating accessibility and mobility within Armstrong Ranch. Multipurpose trails are planned along the west side of Vineyard Avenue, and along Chino Avenue adjacent to the project site. Class II Bike Lanes are planned along both the north and south sides of Riverside Drive. The bike trails system planned as part of Armstrong Ranch connects all residential neighborhoods to one another. The Cucamonga Creek Trail, located on the east side of the Channel connecting East Riverside Drive and Chino Avenue, will be constructed by others as part of the Countryside Specific Plan. Additionally, a pedestrian bridge over the Cucamonga Channel will provide an intermediate access point across the channel. The Master Plan for pedestrian and bicycle circulation for Armstrong Ranch is illustrated on **Exhibit 5-9, “Pedestrian and Regional Trail Circulation Plan”**.

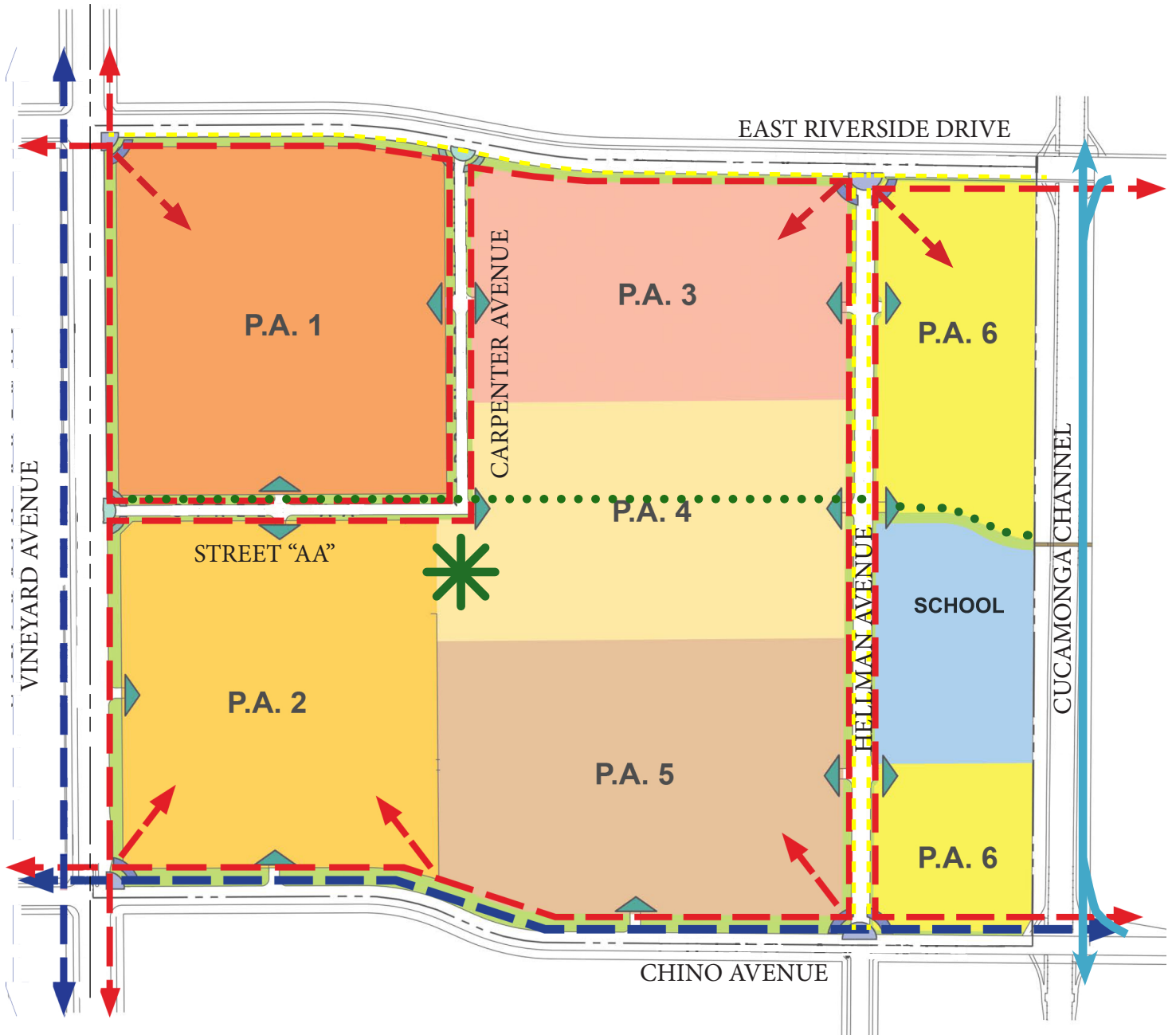
5.1.5 Proposed Trails

Armstrong Ranch is bounded by existing trails implemented by the City of Ontario. The northern perimeter is considered a Class II Bikeway & Multipurpose Trail. The southern and western perimeters are designated multipurpose trails and the eastern perimeter is an existing trail system. Armstrong Ranch proposed trail as Charlotte Armstrong Trail, which will run parallel to East Riverside Drive approximately midway through the project site. Charlotte Armstrong Trail will connect Vineyard Avenue to the Cucamonga Channel and will provide accessibility to Armstrong Park, the elementary school, and nearby pocket parks and residential homes. Charlotte Armstrong Trail will be within a 30 foot wide minimum lettered lot and will be placed with thematic landscaping including a variety of plants, shrubs and trees that will be able to provide shade to the trail.

5.1.6 Parks

The Policy Plan (Policy PR1-5) has established a standard of 5 acres of parkland (public and private) per 1,000 residents, with a minimum of 2 acres of developed private park space per 1,000 residents (Policy PR1-6). Private parks are required to be within a quarter mile walking/biking distance from each residence. This private park requirement may be met within any residential

INFRASTRUCTURE



LEGEND

-  MULTI-PURPOSE TRAIL
-  PEDESTRIAN WALKWAY
-  PEDESTRIAN BRIDGE
-  CLASS II BIKE LANE
-  ARMSTRONG PARK
-  CHARLOTTE ARMSTRONG TRAIL
-  CUCAMONGA CREEK TRAIL

EXHIBIT 5-9: Conceptual Pedestrian and Regional Trail Circulation Plan

development, or by satisfying the in-lieu park development impact fee as approved by the City. Fees will be paid to fulfill the balance of the City’s park requirement (the remaining 3 acres per 1,000 residents).

As discussed in the previous Section 4.2 “Parks and Recreational Facilities”, parks will be provided throughout Armstrong Ranch (“**Landscape Plan,**” **Exhibit 7-2**) within walking distance to any residential neighborhood.

5.2 Public Utilities

Domestic water, recycled water, sewer and storm drain utilities may be designated as “public utilities” whether located within public or private streets. All public utilities within private streets shall be designed per City Standards and contained within acceptable easements. The Armstrong Ranch Covenants, Codes, and Restrictions (CC&Rs) shall contain language that requires all proposed work by the Homeowner Association (HOA) within said easements to be plan checked and inspected by the City, including all applicable fees. Generally, utilities will not be accepted as public within private alleys, parking areas, or driveways. The extent to which said utilities will be accepted as public utilities shall be determined, at the full discretion of the City, during final design plan review. Master planned utilities serving and surrounding the development, as identified in the approved respective Master Plan, shall be constructed prior to issuance of first occupancy. Exhibits shall also show all frontage improvement requirements per the master plans as well. The project shall comply with the requirements as set forth in the Standard Conditions of Approval adopted by the City Council (Resolution No. 2017-027).

The ultimate sizing and alignment of utilities (water, recycled or sewer) will follow the most current approved Master Plan and/or hydraulic analysis.

5.3 Water Master Plan

Domestic water will be provided by the City of Ontario. The City’s Water Master Plan identifies new water facilities to serve the Ontario Ranch area, which will need to be constructed prior to or concurrent with onsite water improvements. Construction of the on-site and off-site Master Plan water service improvements shall be the responsibility of the developer and is required prior to issuance of certificates of occupancy for any residential dwelling unit within Armstrong Ranch. The offsite improvements include extending the City’s Master Planned line from the existing 1010 Zone line at Milliken and Riverside Drive westerly in Riverside Drive to Haven Avenue, south in Haven Avenue to Chino Avenue, west in Chino Avenue to Vineyard Avenue, and north in Vineyard Avenue to connect to the existing 1010 Zone at Riverside Drive. The offsite domestic water line locations are shown on **Exhibit 5-10, “Conceptual Domestic Water Master Plan”**.

Master planned domestic water main lines serving the development, as identified in the approved Specific Plan, shall be constructed prior to issuance of building permits. All private agricultural

wells located within Armstrong Ranch shall be destroyed per The County of San Bernardino Health Department and standards prior to issuance of construction permit for any construction activity. A copy of the County Health Department permit shall be provided to Engineering and OMUC prior to issuance of grading permits.

In the interim scenario in Ontario Ranch, when the ultimate master planned pipeline network has not been completed, there may be instances whereby just constructing the master planned pipeline improvements to serve the project may not meet the required fire flow demands. Therefore, the proposed project may be required to construct additional pipelines whether specifically called out in the Master Plan or not; or upsize master planned pipelines in order to meet the necessary fire flow requirements per Fire Department and/or the criteria as provided for in the Water Master Plan. Developer shall submit a hydraulic analysis to the City for review/approval to demonstrate adequate fire flow protection requirements.

5.3.1 Master Planned Domestic Water System

The developer will construct new domestic lines to provide a loop system. A 12-inch water line will be installed in Hellman Avenue. Within the project site, a network of 8-inch and 12-inch water lines will be constructed to serve each neighborhood. The proposed on-site water system sizing is subject to the Hydraulic criteria in the City's Water and Sewer Design Guidelines. The conceptual domestic water system is illustrated on **Exhibit 5-11, "Conceptual Domestic Water System"**.

5.3.2 Master Planned Recycled Water System

The City will ultimately provide recycled water from IEUA's RP-via City of Ontario recycled water improvements as presented in the City's Recycled Water Master Plan. The master planned 1050' Pressure Zone recycled water system shall be constructed, as part of the development of Armstrong Ranch. The developer of Armstrong Ranch will provide all recycled water lines required to serve the project. The offsite improvements include extending City's Master Planned 1050 recycled water line from Regional Plant 1 south to Riverside Drive, then westerly in Riverside Drive to Vineyard Avenue and south in Vineyard Avenue to Chino Avenue. The improvements also include the Carpenter Recycled Water Main between Riverside Drive and Chino Avenue. The 1050 recycled water line extends to the east in Chino Avenue to the Cucamonga Creek Channel. The offsite recycled water line locations are shown on **Exhibit 5-12, "Conceptual Recycled Water Master Plan"**.

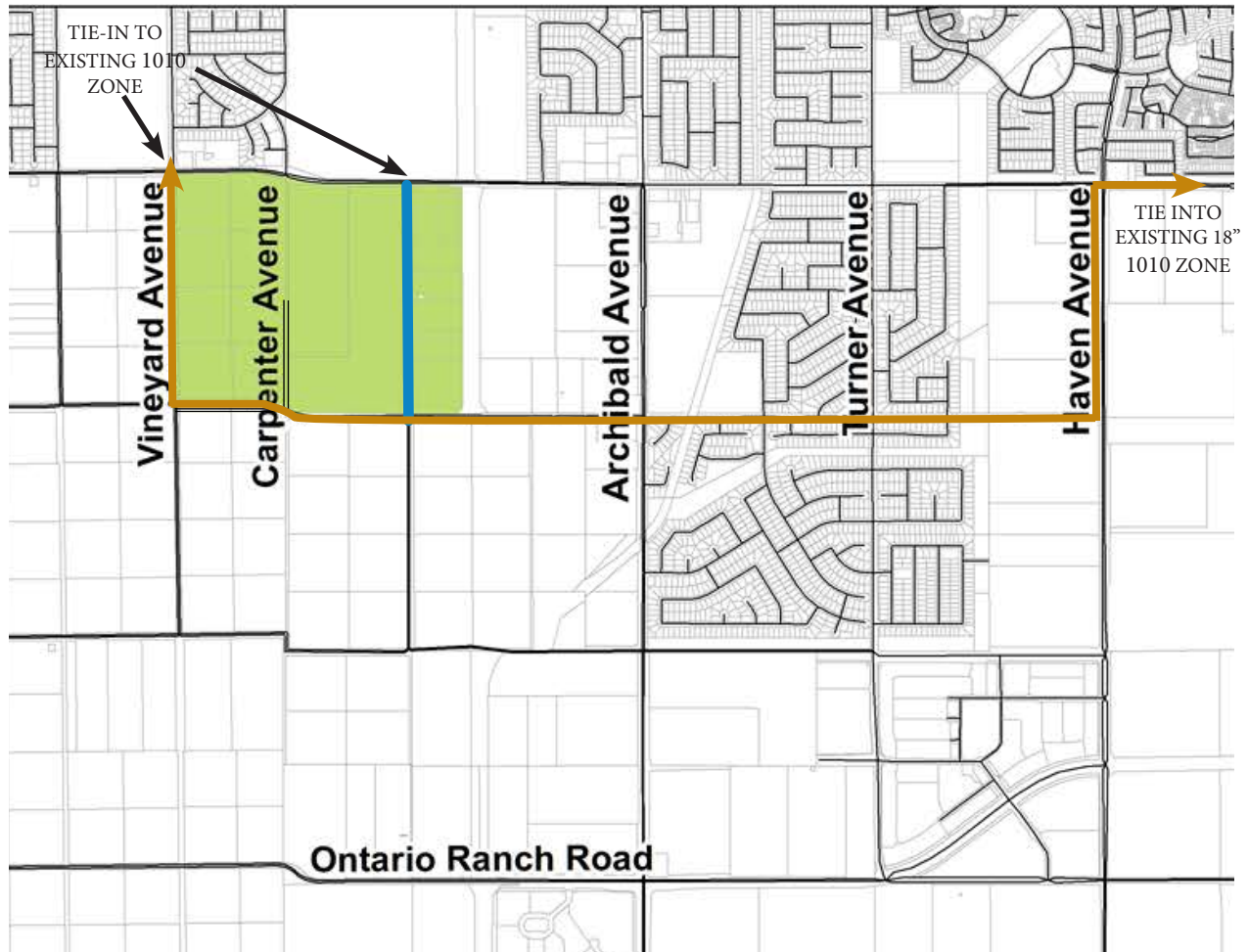
Within the project site, 8-inch recycled water mains are proposed to serve the site. The Armstrong Ranch Specific Plan shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to the irrigation of parks, street parkway landscaping, recreational trails, private pocket parks, and any other HOA maintained common areas. The

developer shall prepare and secure approval of an Engineering Report from the City of Ontario and State Department of Drinking Water prior to the use of recycled water. Sizing of the on-site system is subject to the Hydraulic criteria in the City's Water and Sewer Design Guidelines.

The conceptual recycled water system is illustrated on **Exhibit 5-13, "Conceptual Recycled Water System"**. The conceptual recycled water uses are illustrated on **Exhibit 5-14, "Conceptual Recycled Water Uses"**.

No interim connection allowed to potable water system for irrigation.

INFRASTRUCTURE



LEGEND



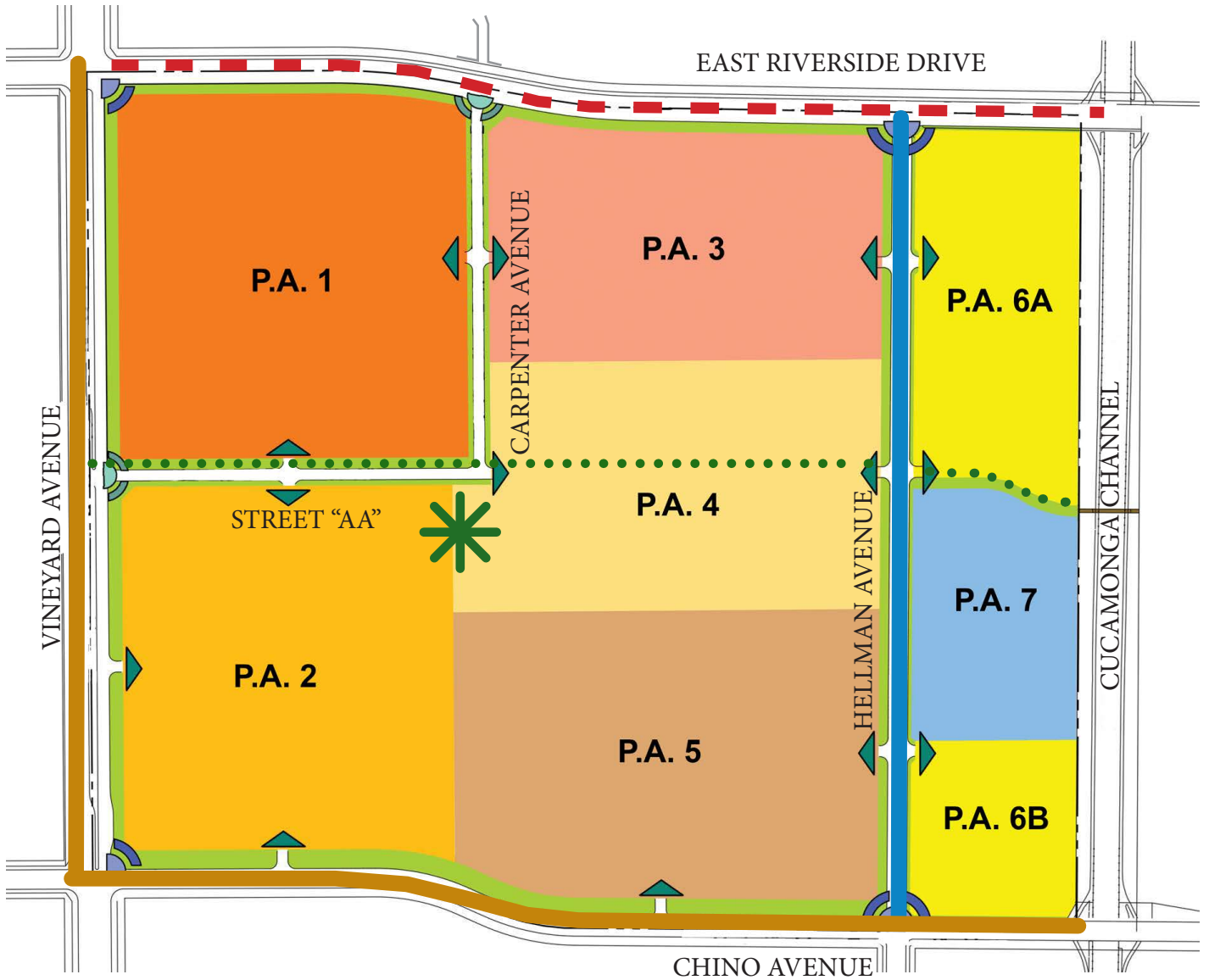
-  18" MASTER PLAN WATER 1010 ZONE
-  12" ON-SITE WATER MAIN MASTER PLAN

EXHIBIT 5-10: Conceptual Domestic Water Master Plan



LEGEND







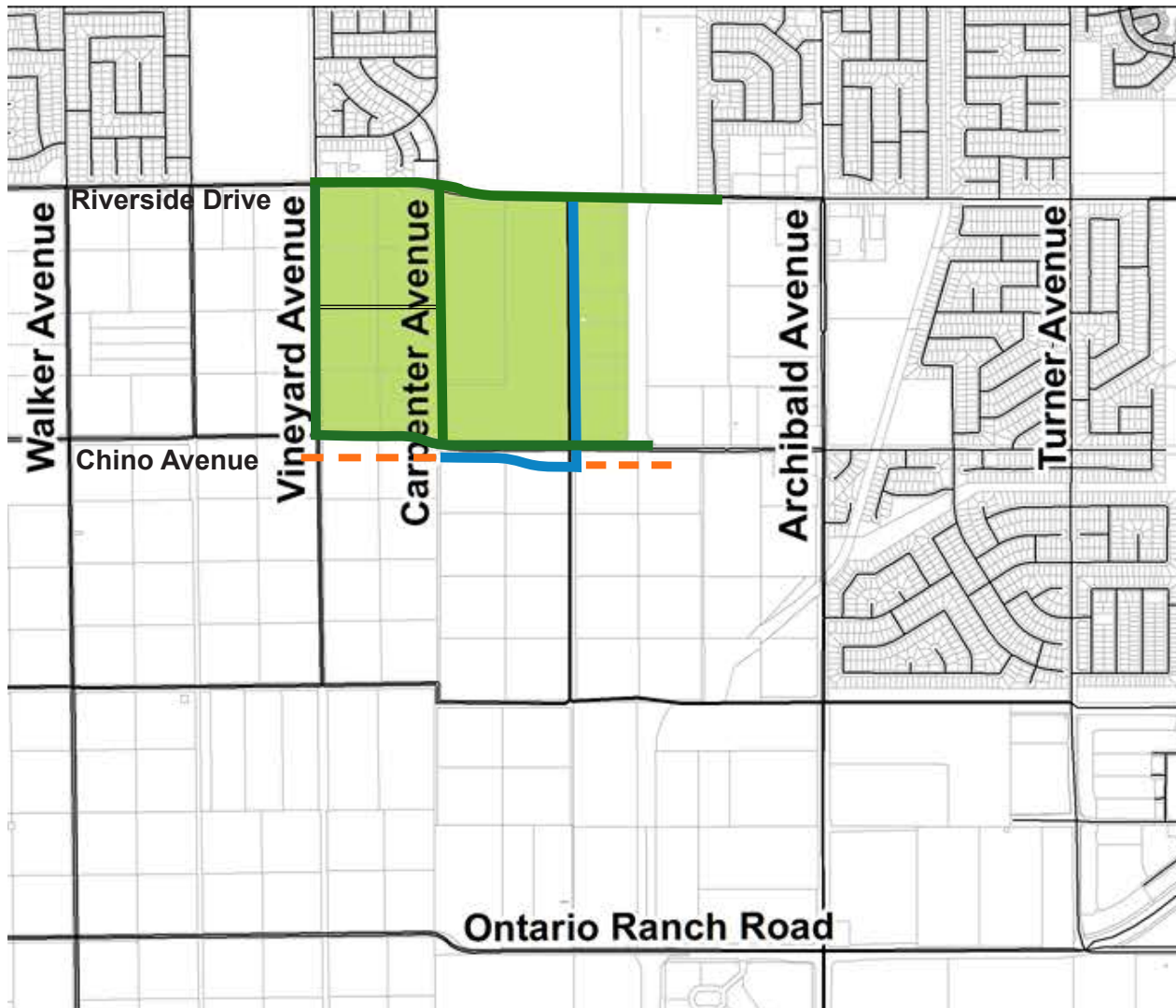
-  NMC MASTER PLAN WATER 1010 ZONE
-  ON-SITE 12" WATER MAIN
-  EXISTING 12" WATER MAIN
-  ARMSTRONG PARK
-  CHARLOTTE ARMSTRONG TRAIL
-  PEDESTRIAN BRIDGE

EXHIBIT 5-11: Conceptual Domestic Water System



LEGEND




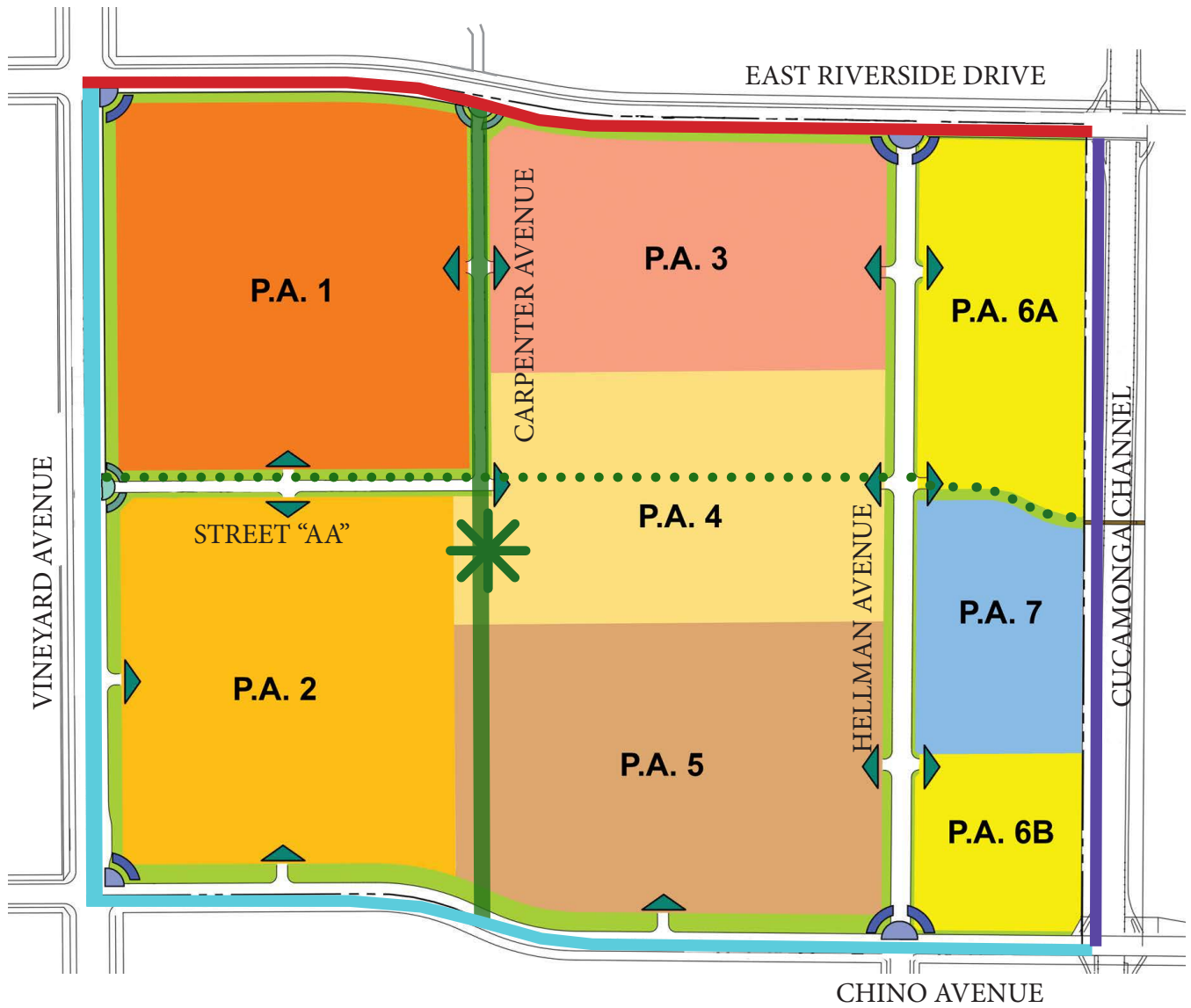
-  1050 ONTARIO MASTER PLANNED WATER MAIN
-  EXISTING 72" 930 IEUA PZ Line
-  930 ONTARIO MASTER PLANNED WATER MAIN

EXHIBIT 5-12: Conceptual Recycled Water Master Plan



LEGEND








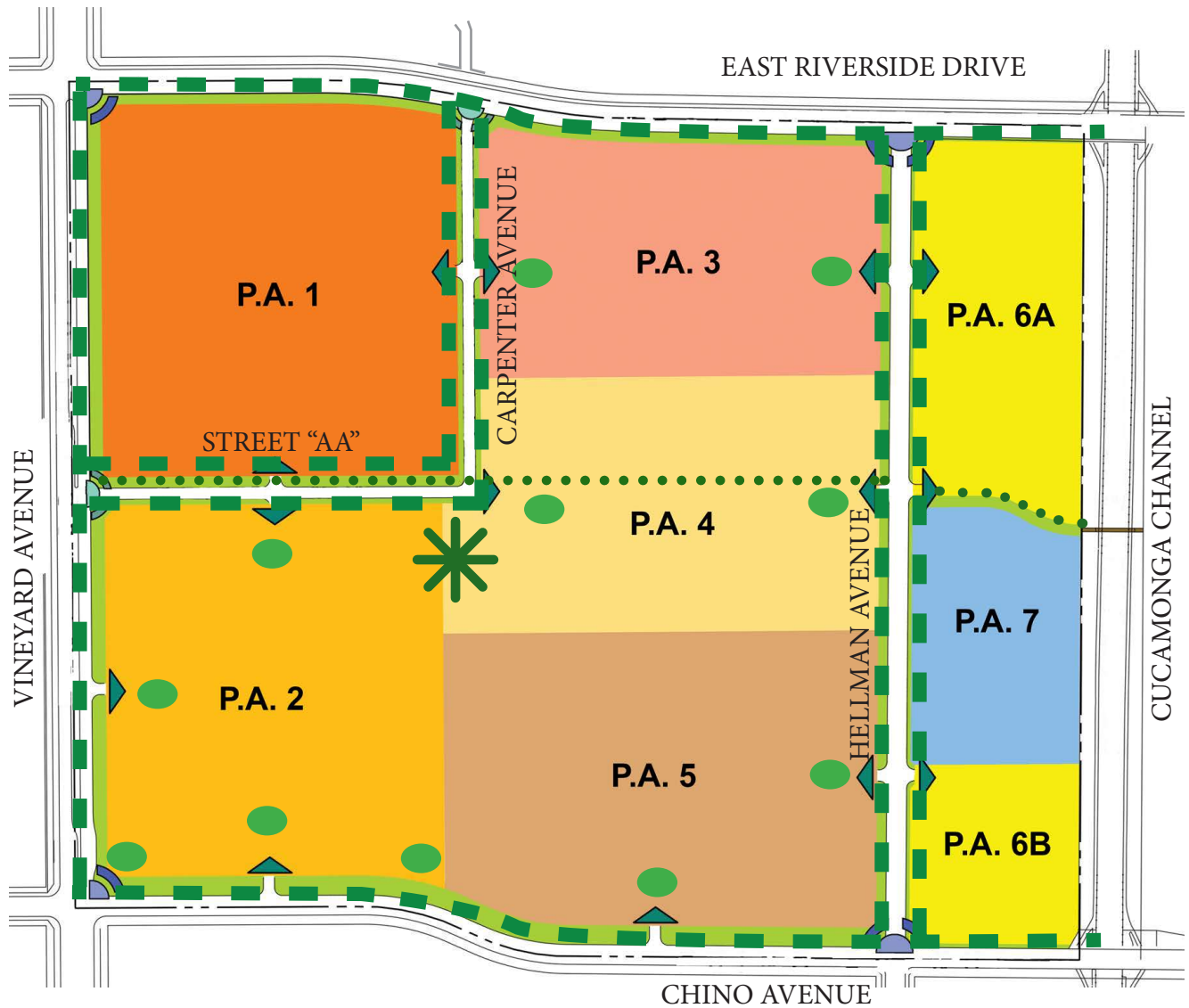
-  8" RECYCLED WATER MAIN
-  12" RECYCLED WATER MAIN
-  24" RECYCLED WATER MAIN
-  EXISTING 72" 930 IEUA PZ Line
-  ARMSTRONG PARK
-  PEDESTRIAN BRIDGE
-  CHARLOTTE ARMSTRONG TRAIL

EXHIBIT 5-13: Conceptual Recycled Water System



LEGEND



NEIGHBORHOOD EDGES



PARK LOCATIONS



ARMSTRONG PARK



CHARLOTTE ARMSTRONG TRAIL



PEDESTRIAN BRIDGE

*Parkways and private parks will utilize recycled water.

EXHIBIT 5-14: Conceptual Recycled Water Uses

5.4 Sewer Master Plan

Sewer service for Armstrong Ranch will be provided by the City of Ontario. Off-site sewer improvements to serve the Specific Plan will be implemented according to the most current version of the City's Sewer Master Plan. As of approval of the Armstrong Ranch Specific Plan, the City's Sewer Master Plan identifies sewer service to be provided by the Western Trunk Sewer to construct the Western Trunk Sewer line from the intersection of Carpenter Avenue and Chino Avenue, aligning south in Carpenter Avenue, then west in Schaefer Avenue, then south in Walker Avenue, then west in Merrill Avenue, and then south in Euclid to connect with the IEUA Kimball Interceptor.

A preferred, primary alternative to the Western Trunk Sewer line begins in Carpenter Avenue at Chino Avenue and continues the alignment in Carpenter Avenue directly south and then east on Remington and south on Moon Place and connect to the Eastern Trunk Sewer in Bellegrave Avenue. This option will require approval from the City to revise the current Sewer Master Plan alignment and/or review the approved hydraulic analysis for the new alignment prior to any development entitlements.

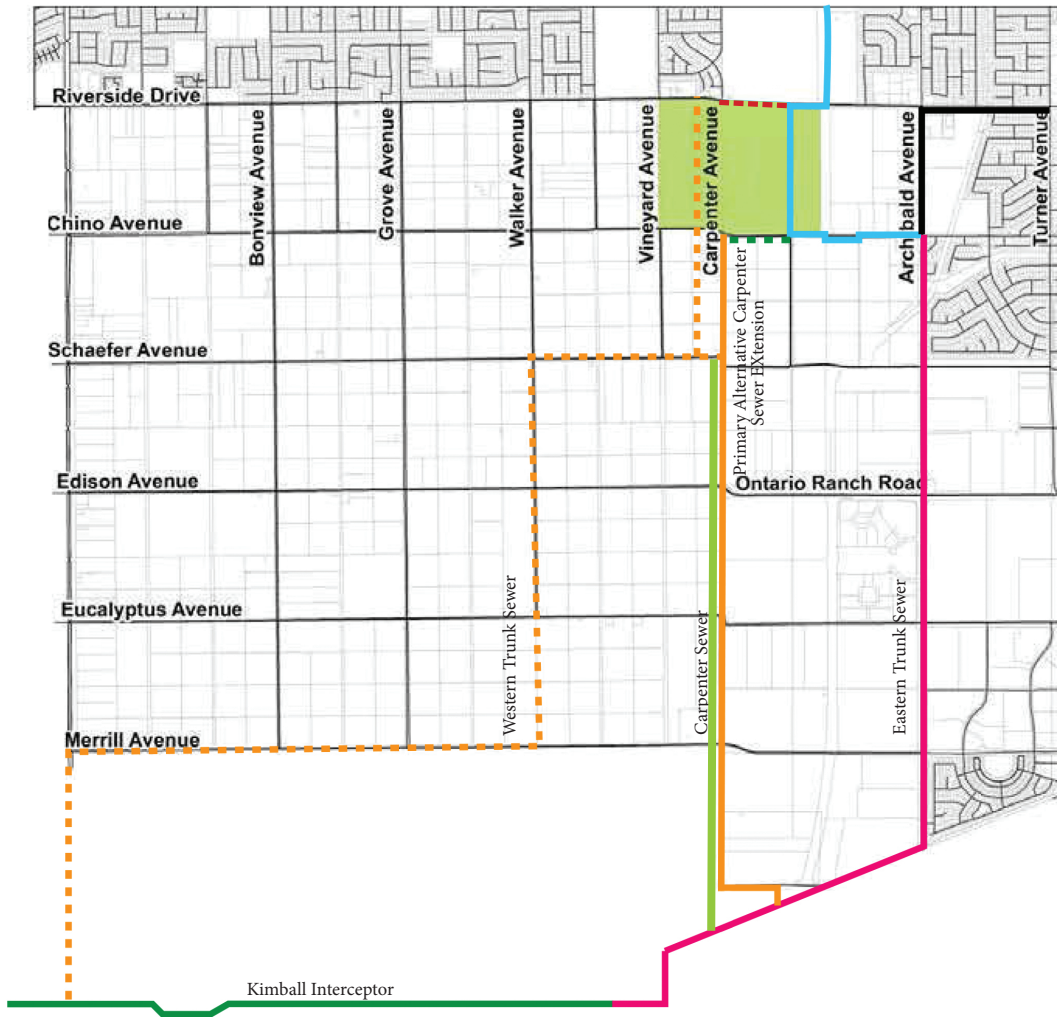
A secondary alternative to provide sewer service for Armstrong Ranch is to sewer to the existing IEUA/City Eastern Trunk, connecting at the RP-1 line at Chino Avenue and Hellman Avenue, as the sewer system improvements and primary alternative are illustrated on Exhibit 5-15, "Conceptual Sewer Master Plan".

Within Armstrong Ranch, a series of 8-inch sewer mains are proposed to serve the residential development. Construction of the on-site and off-site Master Plan sewer improvements shall be the responsibility of the developer and is required prior to issuance of building permits for Armstrong Ranch. The proposed on-site public sewer system sizing is subject to the Hydraulic criteria in the City's Water and Sewer Design Guidelines. Master planned sewer main lines serving, surrounding and within the Specific Plan, as identified in the adopted Sewer Master Plan shall be constructed prior to issuance building permits. The conceptual sewer improvements are illustrated on **Exhibit 5-15, "Conceptual Sewer Master Plan,"** and on **Exhibit 5-16, "Conceptual Sewer System"**.

5.5 Drainage

The City's Storm Drain Master Plan identifies storm drain improvements to serve the project site. Completion of these Master Plan improvements will provide permanent storm drain service to the project. That portion of the Master Plan storm drain system that lies within the project site will be constructed as part of the development of the project. The size and location will be based on the Approved Master Plan of Drainage. The City of Ontario Master Plan storm drain improvements

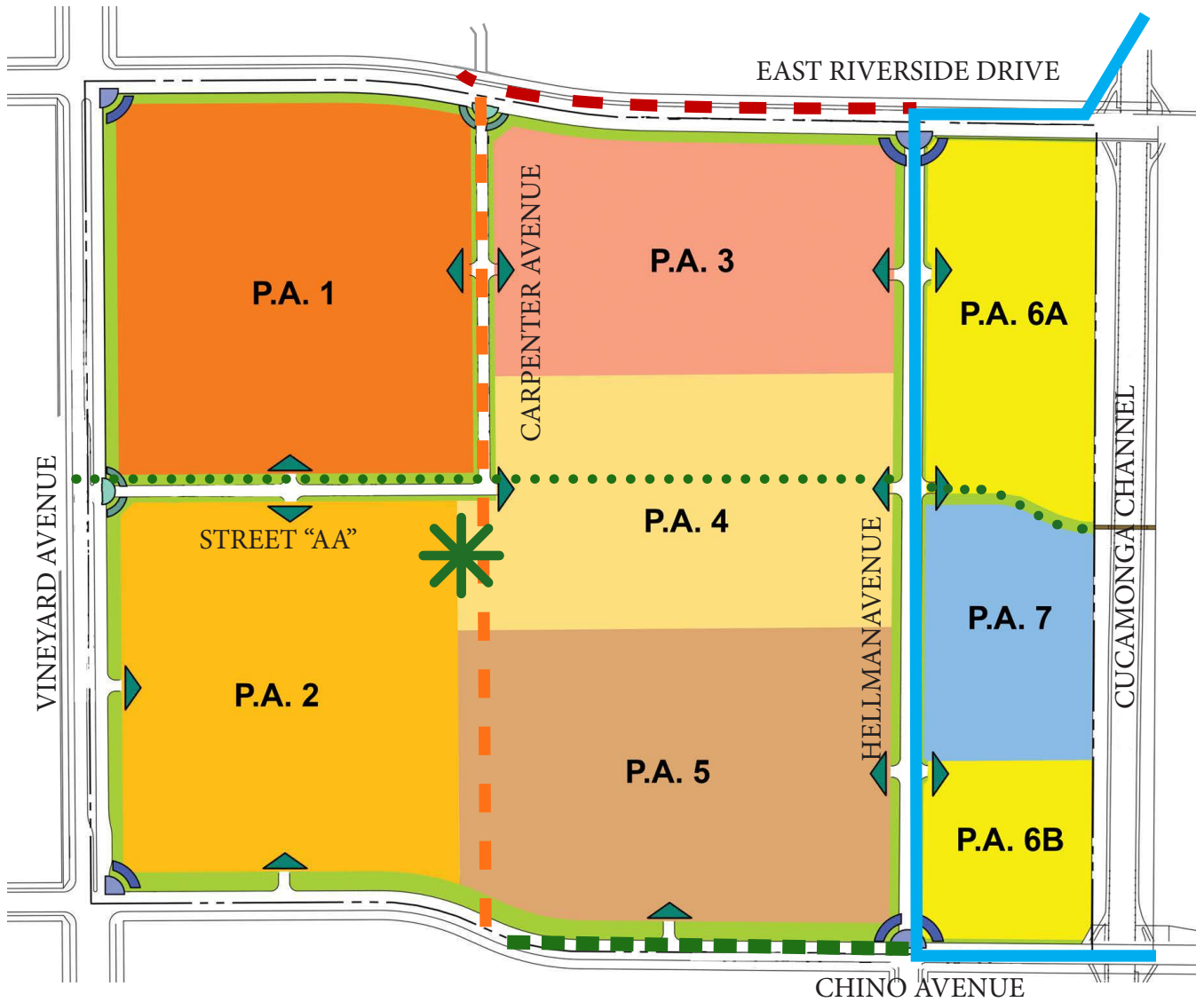
INFRASTRUCTURE



LEGEND

- ALTERNATIVE CARPENTER SEWER AND PROPOSED EXTENSION
- IEUA/CITY OF ONTARIO EASTERN TRUNK SEWER
- IEUA/CITY OF ONTARIO RP-1 BYPASS SEWER-JOINT FACILITY
- CITY OF ONTARIO SEWER
- MASTER PLANNED APPROVED ALIGNMENT WESTERN TRUNK SEWER
- INLAND EMPIRE UTILITIES AGENCY (IEUA) SEWER
- SECONDARY ALTERNATIVE - EXTENSION TO IEUA/CITY OF ONTARIO RP-1
- EXISTING CITY OF ONTARIO SEWER
- CARPENTER AVENUE TRUNK SEWER

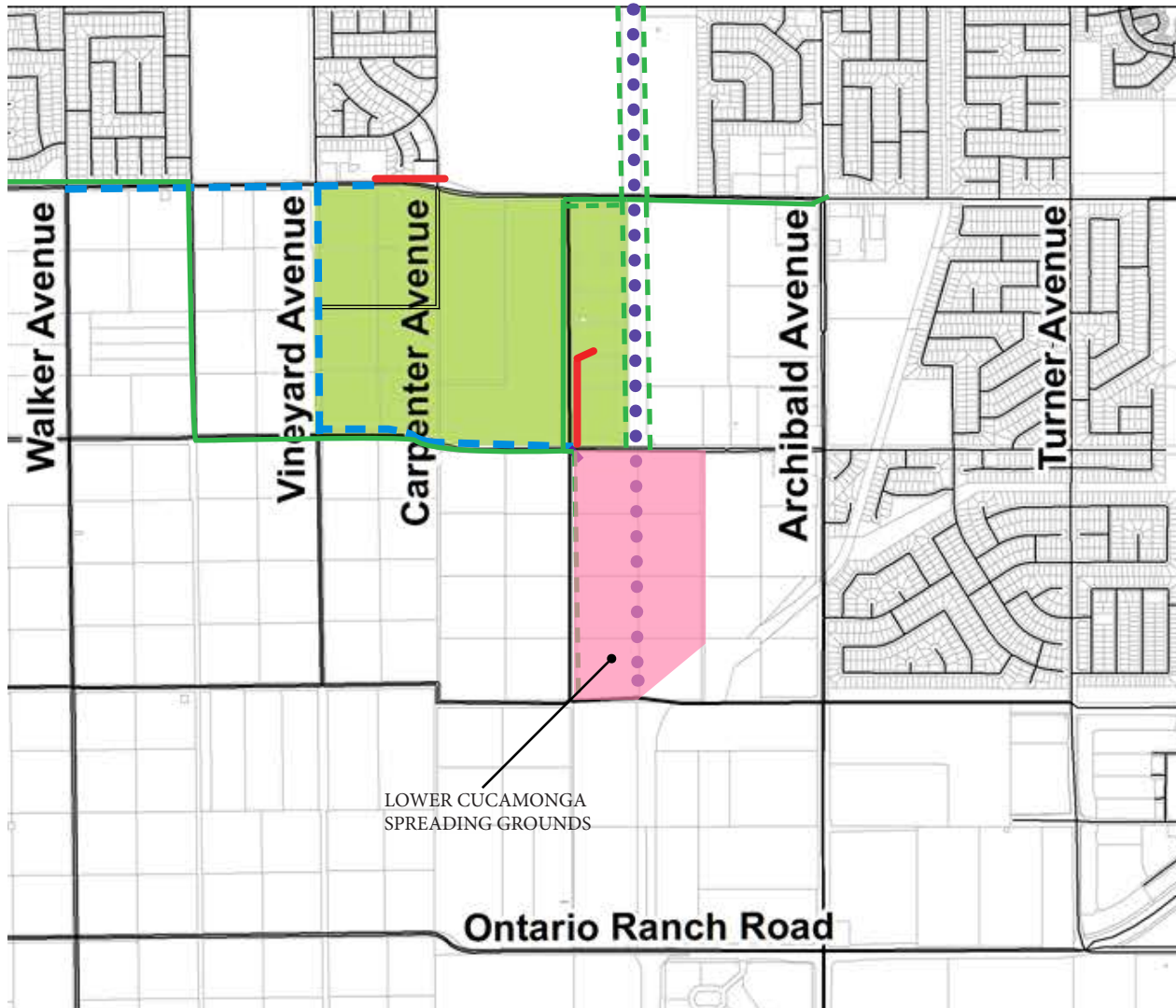
EXHIBIT 5-15: Conceptual Sewer Master Plan



LEGEND

- MASTER PLANNED APPROVED ALIGNMENT WESTERN TRUNK SEWER
 ARMSTRONG PARK
- EXISTING CITY OF ONTARIO SEWER
 CHARLOTTE ARMSTRONG TRAIL
- IEUA/CITY OF ONTARIO RP-1 SEWER-JOINT FACILITY
 SECONDARY ALTERNATIVE

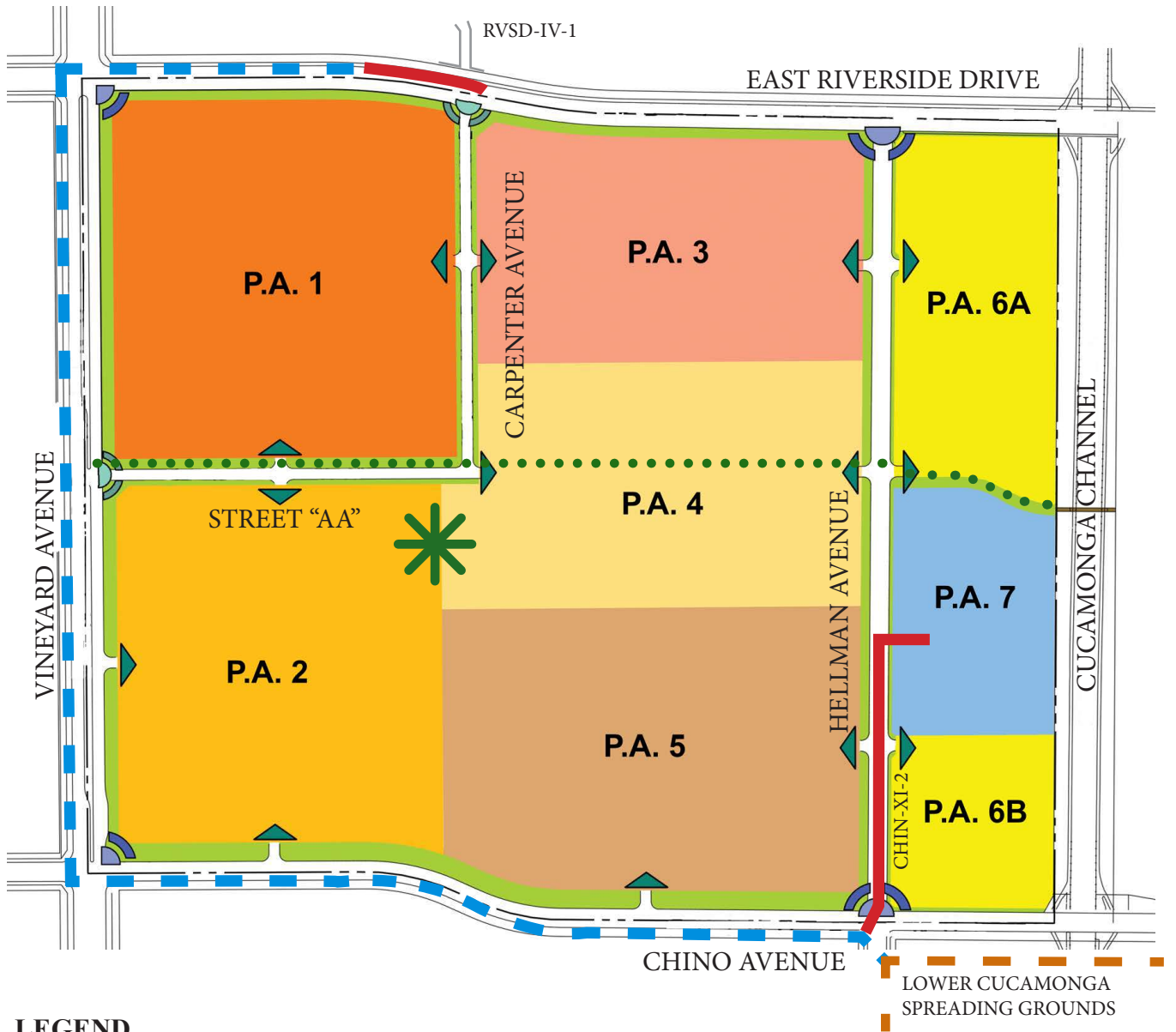
EXHIBIT 5-16: Conceptual Sewer System



LEGEND

- - - - - EXISTING COUNTY STORM DRAIN
- PLANNED STORM DRAIN,
- DRAINAGE AREA BOUNDARY
- - - - - DRAINAGE SYSTEM BOUNDARY
- ● ● ● ● EXISTING COUNTY OPEN CHANNEL

EXHIBIT 5-17: Conceptual Drainage Master Plan



LEGEND





-  ARMSTRONG PARK
-  CHARLOTTE ARMSTRONG TRAIL
-  EXISTING COUNTY STORM DRAIN (RIVERSIDE DRIVE STORM NO. 2)
-  PROPOSED MASTER PLAN STORM DRAIN LINE ID

EXHIBIT 5-18: Conceptual Storm Drain Improvements

are illustrated on **Exhibit 5-17, “Conceptual Drainage Master Plan”**.

The project will construct the Chino-XI-2 master plan storm drain line in Hellman Avenue from the existing SBCFCD storm drain line in Chino Avenue northerly to the southwestern corner of the northerly PA-6. The project will construct the 72 inch RVSD-IV-1 master plan storm drain line northerly and parallel to Riverside Drive westerly of Carpenter Avenue.

On-site storm drains will be constructed to convey the on-site flows to the proposed Master Plan system. The size and location of proposed on-site storm drains may change based on final design. No interim detention basin is proposed or allowed. The developer is required to construct the ultimate storm drain improvements as identified on the Master Plan of Drainage.

The Master Plan of drainage for Armstrong Ranch is illustrated in **Exhibit 5-18, “Conceptual Storm Drain Improvements”**.

5.5.1 NPDES Compliance

The grading and drainage of the Specific Plan Area shall be designed to retain and infiltrate the Design Capture Volumes (DCV). These DCV’s will be directed to underground storage/infiltration chambers beneath parklets and paseos for infiltration into the ground. For Pre-treatment, baffle boxes with filters will be installed upstream of each underground storage/infiltration chamber to collect sediment and pollutants. The project will comply with the requirements of the San Bernardino County NPDES Storm Water Program’s current Water Quality Management Plan (WQMP) as well as the City of Ontario’s Water Quality Management Plan requirements. The objective of the WQMP for the project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, which includes effects caused by increased pollutants and changes in hydrology. These effects shall be minimized through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMPs) that retain and infiltrate the DCV. In addition, non-structural and structural Source Control Best Management Practices (BMP’s), shall also be implemented and documented in the project’s approved Water Quality Management Plan(s) for the project to reduce pollutant generation and transport from the project site.

Prior to the issuance of grading or construction permits for any tract map or area that disturbs 1 acre or more of land, within the Armstrong Ranch Specific Plan area, Erosion/Sediment Control Plans and Storm Water Pollution Prevention Plans (SWPPP) shall be prepared. The SWPPP shall be prepared to comply with California State Water Resources Control Board’s (State Water Board) current “General Permit to Discharge Storm Water Associated with Construction Activity” and current “Area Wide Urban Storm Water Runoff” (Regional NPDES) Permit. The SWPPP shall identify and detail all appropriate Best Management Practices (BMP’s) to be implemented or

installed during construction of the project. In addition to the preparation of a construction SWPPP, any tract map or project that disturbs 1 acre or more of land area, within the Armstrong Ranch Specific Plan area, shall be required to obtain coverage under the State Water Board's General Permit to Discharge Storm Water Associated with Construction Activity and show evidence of permit coverage to the City of Ontario, prior to the issuance of any grading or construction permits.

5.6 Grading Concept

The project site generally slopes to the south at approximately 1.0% to 2.0%. The grading activities for Armstrong Ranch will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads and streets. Where slope conditions are present, the project lot line shall be located at the top of a slope. Dwelling units and structures adjacent to the sloped areas should be sited to:

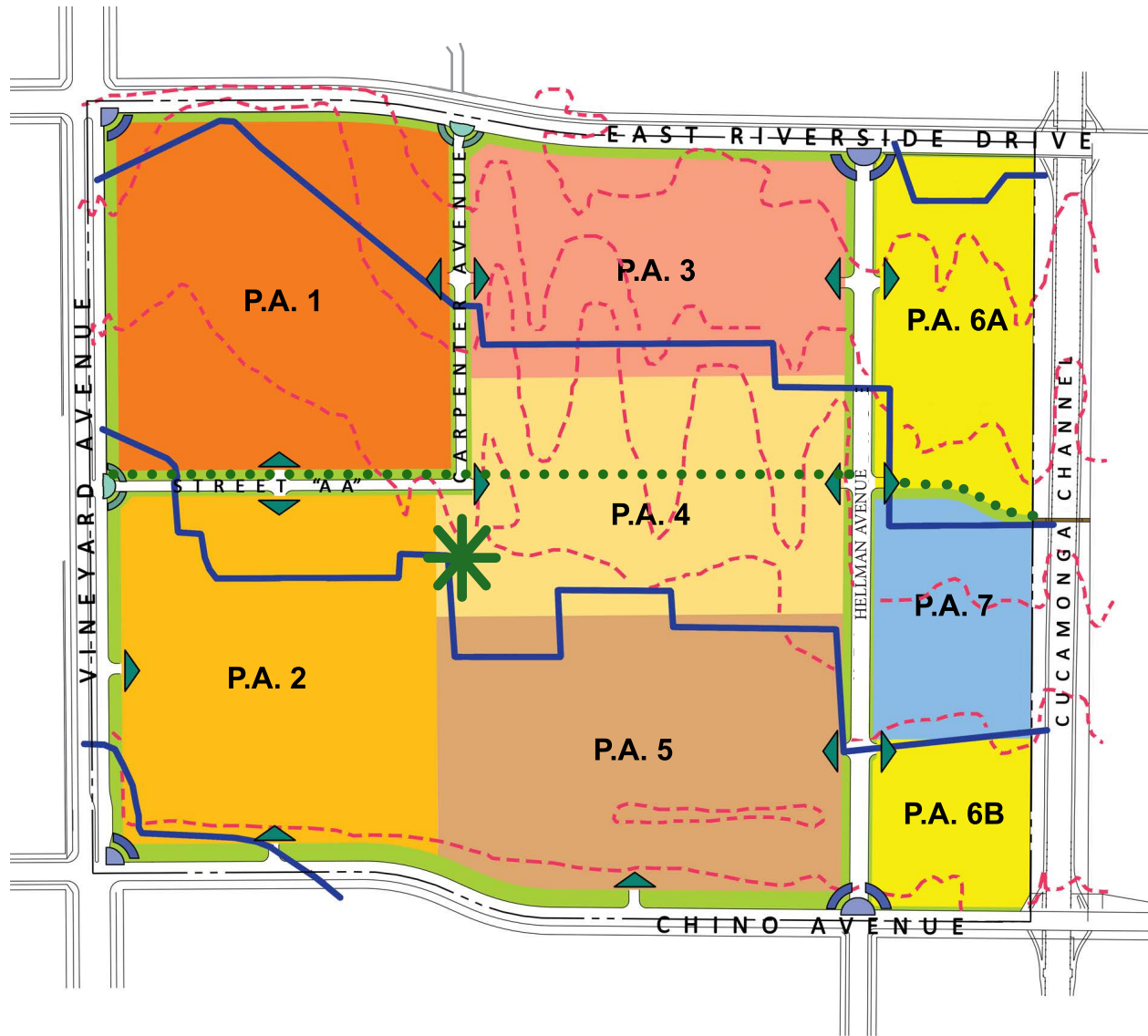
- Use the natural ridge as a backdrop for structures;
- Use landscape plant materials as a backdrop; and
- Use structures to maximize concealment of cut slope. If retaining walls are required, the following criteria shall be used:

-Exposed walls and fences facing roadways shall be no greater than 3-foot retaining in height 9-foot total wall), except as necessary for acoustical purposes as identified by the EIR or as required as a condition of approval.

-Where retaining walls or fences face roadways, they shall be built of decorative materials consistent with the wall theme of the neighborhood.

The Conceptual Grading Plan, as illustrated in **Exhibit 5-19, "Conceptual Grading Plan"**, provides a balance of cut/fills for the project. Grading plans for each tract within the project shall be reviewed and approved by the City of Ontario Building, Planning, and Engineering Departments prior to the issuance of grading permits. All grading plans and activities shall conform to the City's grading ordinance and dust and erosion control requirements.

All landscape areas, adjacent to streets, including medians, parkways and neighborhood edges, in the Specific Plan Area, shall be finish graded, at a minimum of 1"-2" below top-of-curb or sidewalk finish surface, for conservation of irrigation water and increased retention of rainwater runoff. To the maximum extent practicable, all landscaped areas within the project shall be graded as swales and designed to accept runoff water from impervious surfaces.



LEGEND

- - - (650) - - - EXISTING CONTOURS
- 660 — PROPOSED CONTOURS
- ✱ ARMSTRONG PARK
- CHARLOTTE ARMSTRONG TRAIL

EXHIBIT 5-19: Conceptual Grading Plan

5.7 Schools

The project site is located within the Mountain View School District and the Chaffey Joint Union High School District. Mountain View School District will serve the school age needs of grades K – 8 and the Chaffey Joint Union High School District will serve the school age needs of grades 9 – 12. Mountain View School District currently operates the Ranch View Elementary School located at 3300 Old Archibald Road, serving grades K – 5, and the Grace Yokley Middle School located at 2947 South Turner Avenue, serving grades 6 – 8. Both of these school facilities are in the vicinity of the project site. Chaffey Joint Union High School District operates one high school within the vicinity of Armstrong Ranch. Colony High School is located at 3850 East Riverside Drive.

Chino Valley Unified School District will serve the school age needs of grades K–12, for that portion of the Specific Plan area west of Carpenter Avenue. The nearest Chino Valley Unified School District elementary school location, within the vicinity of the Armstrong Ranch Specific Plan, is Dickey Elementary School, located at 2840 Parco Avenue. The nearest Chino Valley Unified School District middle school location is Woodcrest Junior High School, located at 2725 South Campus Drive. The nearest Chino Valley Unified School District high school location is Chino High School, located at 5472 Park Place, in the city of Chino.

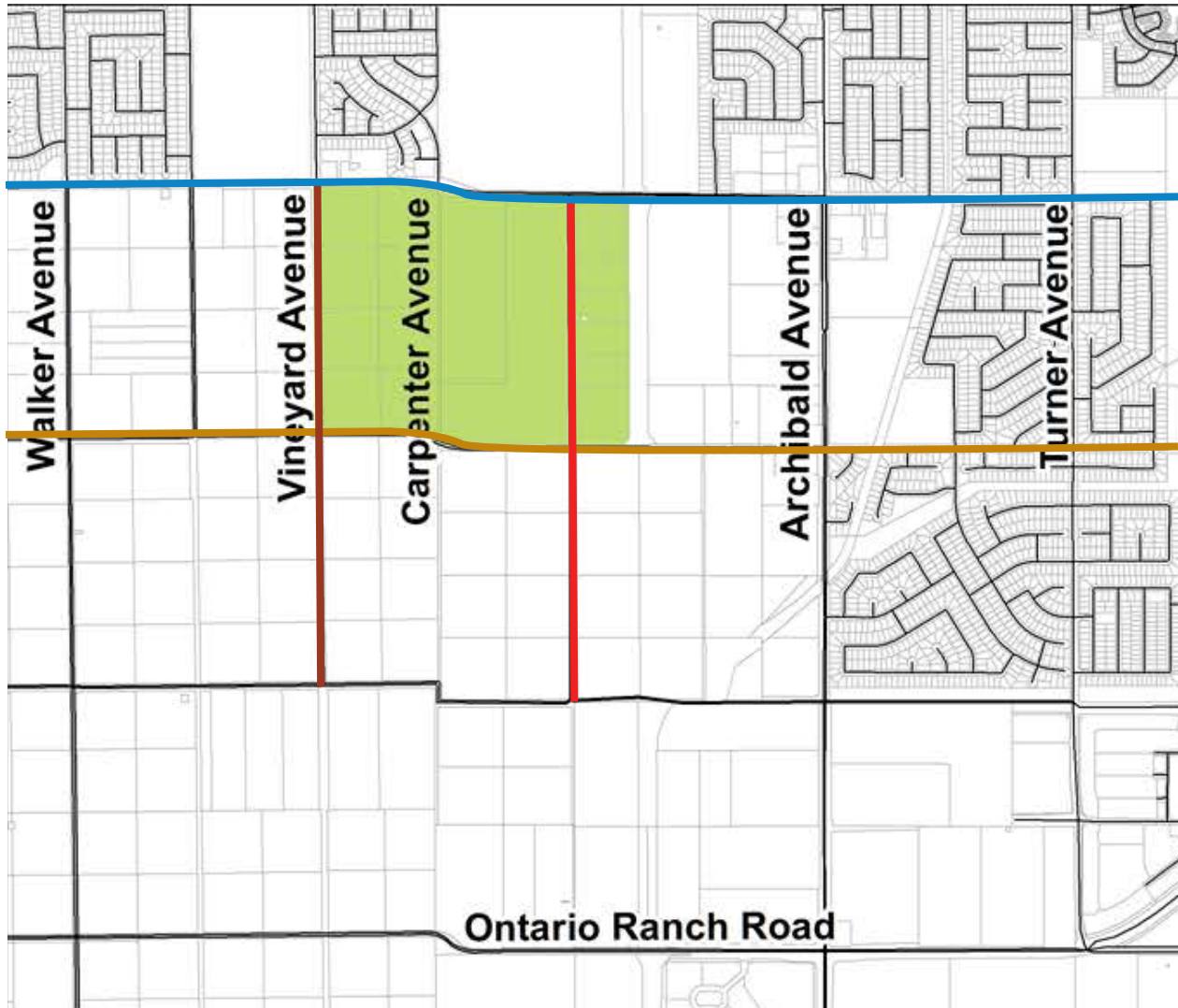
Development of the project will generate an estimated student population as described in Table 5-1 below, based on the student generation numbers supplied by the City of Ontario. The project developer shall be required to mitigate school impacts as required by the State of California.

Grades K-5	Grades 6-8	Grades 9-12
Generation Factor 0.38/D.U.	Generation Factor 0.22/D.U.	Generation Factor 0.20/D.U.
0.38 x 891 = 339	0.22 x 891 = 196	0.20 x 891 = 178

5.8 Public Utilities

5.8.1 Fiber Optics

The proposed backbone street fiber optics (conduits, tracer wire, handholes, and fiber) will be placed underground within a duct and structure system to be installed by the Master Developer in a joint trench, as illustrated in **Exhibit 5-20, “Fiber Optic Master Plan.”** In-tract fiber and conduit shall be installed by the Developers per the in-tract fiber optic design guidelines. Maintenance of the installed system will be the responsibility of the City/Special District. Development of the Project requires the installation by the Developers of all fiber optic infrastructure and peripheral equipment necessary to service the Project as a stand-alone development.



LEGEND





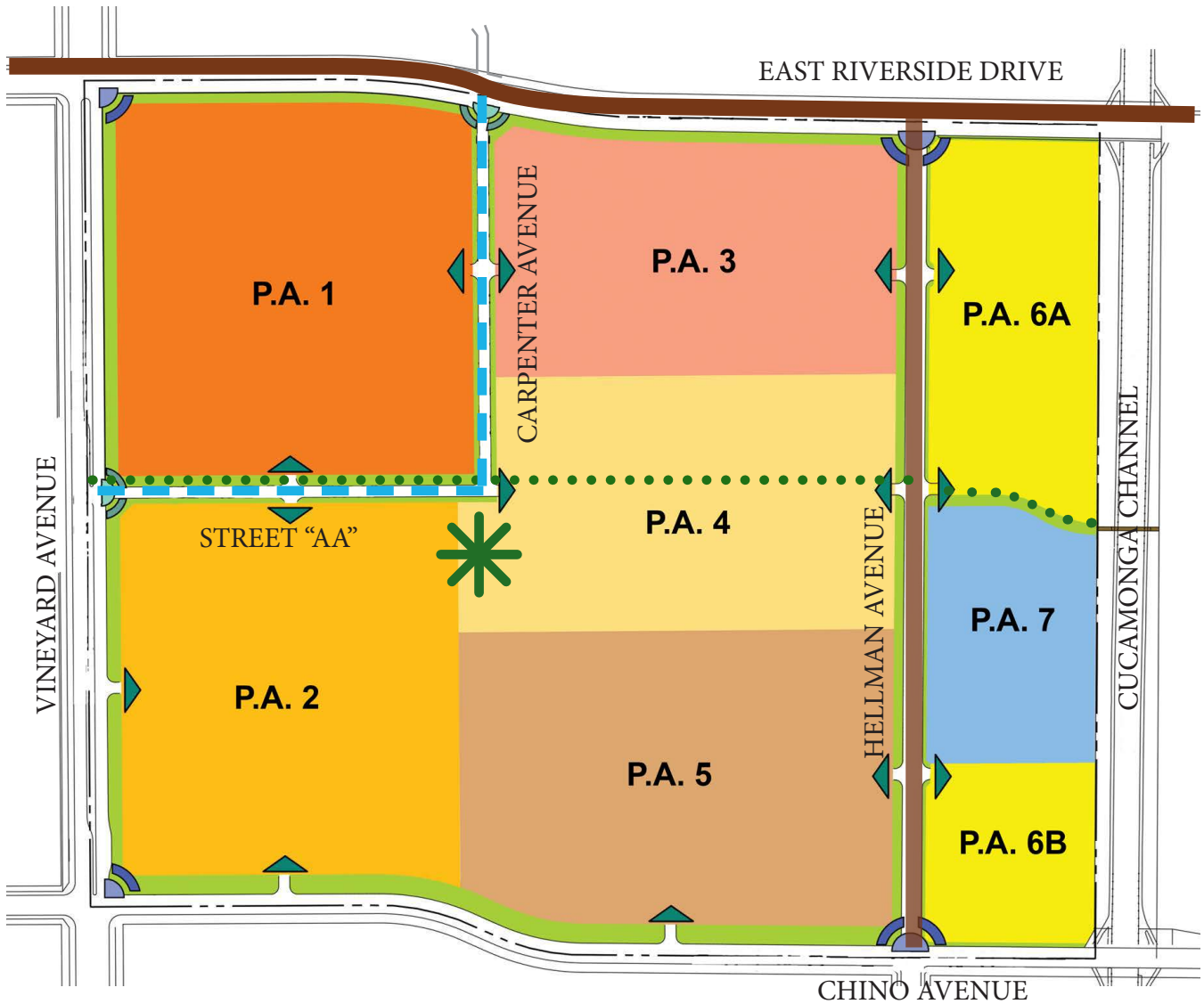
-  FIBER SIZE 432
-  FIBER SIZE 72
-  FIBER SIZE 36
-  FIBER SIZE 432

EXHIBIT 5-20: Fiber Optic Master Plan



LEGEND





-  DEVELOPER RESPONSIBILITY
-  ONSITE CONSTRUCTED BY DEVELOPER
-  ARMSTRONG PARK
-  CHARLOTTE ARMSTRONG TRAIL

EXHIBIT 5-21: Fiber Optic Plan

5.8.2 Natural Gas

The Gas Company will provide natural gas to the project site and install gas mains to the project site as necessary.

5.8.3 Electricity

Southern California Edison Company (SCE) currently provides electrical service in the area. All new lines and all existing lines within the project less than 34.5 kV, shall be placed underground by the developer according to City of Ontario requirements, and in accordance to City of Ontario undergrounding Ordinance. The developer is required to relocate all SCE transmission lines fronting the specific plan area.

5.8.4 Solid Waste

Armstrong Ranch shall follow the City of Ontario's latest "Solid Waste Department Refuse and Recycling Planning Manual". City crews, through the Ontario Municipal Utilities Company, will provide solid waste collection and disposal service for the project. The project will participate in City sponsored recycle programs and diversion of special wastes such as tires and construction materials. Provisions for solid waste and recycling for the project are as follows:

- Residential – For curbside automated container service, developer shall comply with Municipal Code Section 6-3.308.9(a) and (d), Residential Receptacles, Placement.
- Recycling Requirements – The developer shall comply with Municipal Code Article 6 Recycling Requirements for Special Business Activity, Section 6-3.601 Business Recycling Plan, and Section 6-602 Construction and Demolition Recycling Plan.
- Site Improvement Plans shall follow the City of Ontario refuse collection standards.
- Community trash enclosures ("dumpsters") may be utilized, dependent upon housing product types/orientation.

Section 6 • Development Regulations

6.1 Introduction

The provisions contained herein shall regulate design and development within the Armstrong Ranch Specific Plan. The regulations contained herein establish the minimum standards and requirements for development of residential uses and landscaping.

6.2 Definition of Terms

The meaning and construction of words, phrases, titles, and terms shall be the same as provided in the City of Ontario Development Code unless otherwise specifically provided for herein. The definitions of residential types shall be those defined in Section 4, “Development Plan” of the Armstrong Ranch Specific Plan within the discussion of each respective residential type. The definition of architectural and design terms shall be the same as those provided in the City of Ontario Glossary of Design Terms which follows the City of Ontario Development Code.

6.3 Applicability

The development regulations contained herein provide specific land use development standards for the project. Regulations address residential development and provide for general landscaping regulations. Application of the following regulations is intended to encourage the most appropriate use of the land, ensure the highest quality of development, and protect the public health, safety, and general welfare. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Armstrong Ranch Specific Plan shall take precedence. Where the Armstrong Ranch Specific Plan is silent, City codes shall apply. These regulations shall reinforce specific site planning, architectural design, and landscape design guidelines contained in Section 7, “Design Guidelines” of the Armstrong Ranch Specific Plan. All architectural and landscape improvements shall be consistent with the Design Guidelines contained in Section 7, of the Armstrong Ranch Specific Plan, “Design Guidelines”. All architectural and landscape plans shall be submitted to the City of Ontario for approval.

6.4 Administration

The Armstrong Ranch Specific Plan is adopted by ordinance and serves to implement the Policy Plan Land Use Plan (Exhibit LU-01) as well as the zoning for the Specific Plan Area. The Armstrong Ranch Specific Plan addresses general provisions, permitted uses, development standards, and design guidelines. The Armstrong Ranch Specific Plan Development Regulations address general provisions, permitted uses, and development standards for the community. The Specific Plan has

been prepared in conformance with the Goals and Polices of The Ontario Policy Plan as outlined Section 9 “Policy Plan Consistency”.

6.5 General Site Development Criteria

The following general site development criteria shall apply to all development projects within Armstrong Ranch.

1. Gross Acres – Except as otherwise indicated, gross acres for all development areas are measured to the centerline of streets.
2. Grading – Development within the project site shall utilize grading techniques as approved by the City of Ontario. Grading concepts shall respond to the design guidelines included in the Armstrong Ranch Specific Plan which guide the development of land use toward the goal of providing for a livable community with streets and entries designed for walking and resident interaction.
3. Building Modification – Building additions and/or alterations permitted by the Armstrong Ranch Specific Plan shall match the architectural style of the primary unit and shall be constructed of the same materials, details, and colors as the primary unit.
4. Utilities – All new and existing public utility distribution lines of 34.5 kV or less shall be subsurface throughout the project.
5. Technology – All homes and businesses shall accommodate modern telecommunications as defined by the Fiber Optic Master Plan and in accordance with the City of Ontario Structured Wiring Standards (Ontario Municipal Code, Title 8, Chapter 16).
6. Density Transfer- The Armstrong Ranch Specific Plan allocates a target number, type and density of units to each Planning Area as indicated in the “**Land Use Plan Summary**” **Table 4-1**, Section 4 of the Specific Plan. Variations in the number and density of dwelling units within each residential Planning Area may occur at the time of final design of the Planning Area depending upon the residential units, up to a maximum of fifteen percent (15%), are permitted among the residential Planning Areas within the project, subject to approval by the City and upon agreement of each respective property owner or developer, provided the overall total number of units established for the project is not exceeded.
7. Best Management Practices – Development of storm water runoff improvements, within the project shall adhere to latest adopted Best Management Practices (BMP’s). The Site Design BMP’s may include but not be limited to creating landscape strips and landscaped setback areas that can be swaled and depressed to retain and infiltrate irrigation water and runoff from smaller storm events, drain rooftops into rain gutters which would drain into an area of porous subgrade, and depressing the park areas to provide storm water infiltration and water quality treatment. Common area landscaping and parks shall be designed to function as a series of shallow storm water treatment basins and infiltration zones for storm water runoff from surrounding areas wherever moderately well draining soils exist. It is anticipated The City of

Ontario Great Park may also be used as a detention basin.

8. Maximum Number of Dwelling Units – The maximum number of residential dwelling units permitted within the project is 891.
9. Agricultural Buffer – A minimum 100-foot separation shall be required between any new residential structure and any existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied through an off-site easement with adjacent properties, acceptable to the Planning Director, submitted with a final map and recorded prior to or concurrent with a final map.
10. Solid Waste/Recycling - Development within the project shall comply with City of Ontario requirements for the provision and placement of solid waste and recycling receptacles.

6.6 Residential Development Standards

6.6.1 Residential Single Family Detached General Development Standards

This category includes the development of residential single family detached dwelling units. The development standards for residential single-family detached dwelling units establish the minimum criteria for the development of these product types on individual lots within the Planning Areas specified within the Armstrong Ranch Specific Plan. Specific standards for each of the single-family detached products are described on the following pages in Tables 6-1 through 6-6 and their corresponding exhibits.

6.6.1.1 Permitted Uses and Structures

1. Residential single family detached dwellings and garages.
2. Public or private parks, recreational buildings, greenbelts, and/or open space.
3. Small family child care/day care facilities (up to 7 children), in accordance with the City’s Development Code.
4. Accessory uses to include the following:
 - A. Home occupations.
 - B. Granny Flats (i.e. Second Dwelling Units, in accordance with the City’s Development Code.)
 - C. Swimming pools, spas, sports courts, and other similar outdoor recreational amenities.
 - D. Patios and patio covers.
 - E. Storage, garden structures, cabana, and greenhouses.
 - F. Project identification and way-finding signage.
 - G. Model home and subdivision sales trailers, temporary construction parking, offices and facilities, real estate signs, signage indicating future development and directional signage pursuant to City approval of a temporary use permit as applicable, in accordance with the

provisions of the City's Development Code.

6.6.1.2 Conditionally Permitted Uses

1. Places of worship including, but not limited to, churches and synagogues.
2. Large family child/day care facilities, in accordance with the City's Development Code.

6.6.1.3 Temporary Uses

Temporary uses shall be permitted pursuant to Article 13 of the City's Development Code.

6.6.1.4 Free Standing Satellite Dish / Antennas

Free standing satellite dishes and/or antennas are permitted pursuant to the City of Ontario's Development Code.

6.6.1.5 Recreational Vehicle Storage and Parking

Recreational Vehicle (RV) storage to be considered with the City of Ontario's Development Code.

6.6.1.6 Decorative Paving

The location for installation of any decorative or enhanced paving shall be subject to approval by the City's Planning, Engineering, and Public Works Departments. The use of decorative paving materials is prohibited within the public right of way.

6.6.1.7 Use and Benefit Easements

In order to optimize usable yard area, decrease the visual impact of the garage from the street or otherwise provide a better quality of life, some single family detached home types may utilize "use and benefit easements." The "use and benefit easements" (See Exhibit 6-1) shall be recorded on the subject property's deed and shall be described in the Covenants, Conditions, and Restrictions of the respective homeowners' association. Examples of Use and Benefit Easements are illustrated on the following page.

6.6.1.8 Utilities

Utility meters shall be in front of the side yard fence and located close to the building corner where possible with landscape screening; AC units shall be located in side yards away from window; trash storage area shall be accessible by gate with a concrete walkway to front. All utilities including vaults and transformers shall be shown on the landscape plans so that hardscape and fencing may be modified and landscape screening provided.

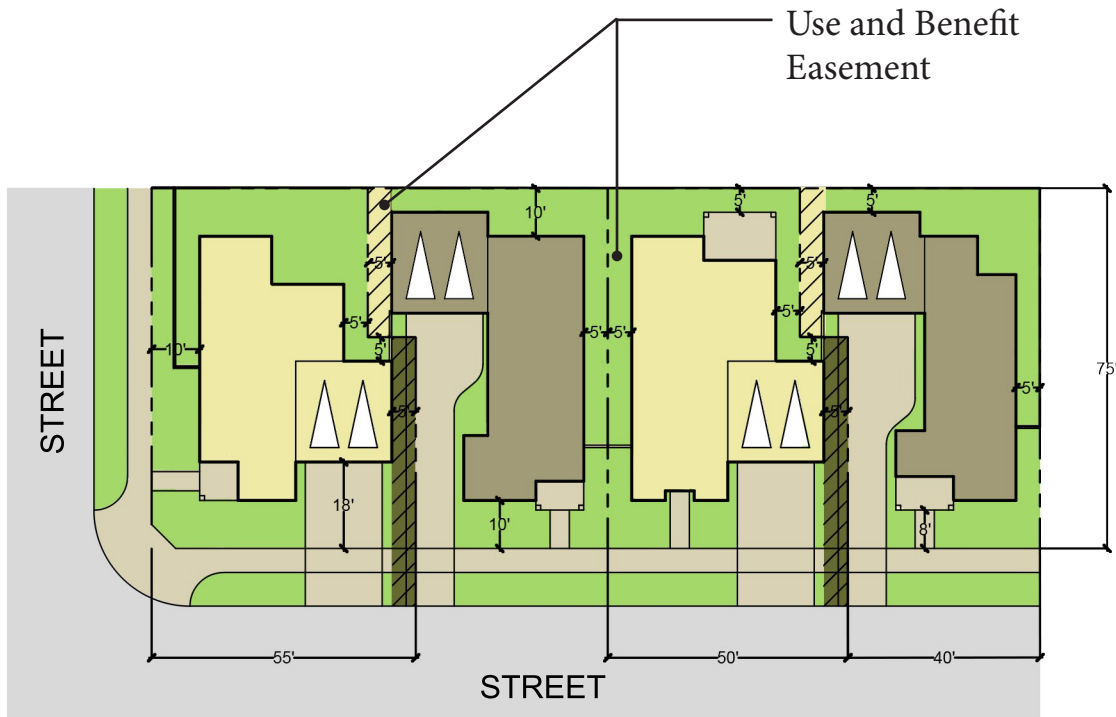


EXHIBIT 6-1: Use and Benefit Easements

SFD CONVENTIONAL HOMES - 75 x 100	
Density (DU/AC)	2.1-5.0
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	75'
Minimum Lot Width on Corner	80'
Minimum Lot Width on Knuckles and Curves at Front Property Line ⁽⁹⁾	35'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	70'
Minimum Lot Depth ⁽⁷⁾	100'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	7,500
Minimum Setbacks ⁽⁸⁾	
Front Setback ⁽⁸⁾	
• Living Area	15'
• Porch w/ Single Story Plate ⁽²⁾	12'
• Street Facing Garage ⁽¹¹⁾	18'-24'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'/7'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	20'
• Garage (Single Story Plate Line)	10'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	50%
Maximum Building Height ⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ^{(5) (10)}	6'
Parking ⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

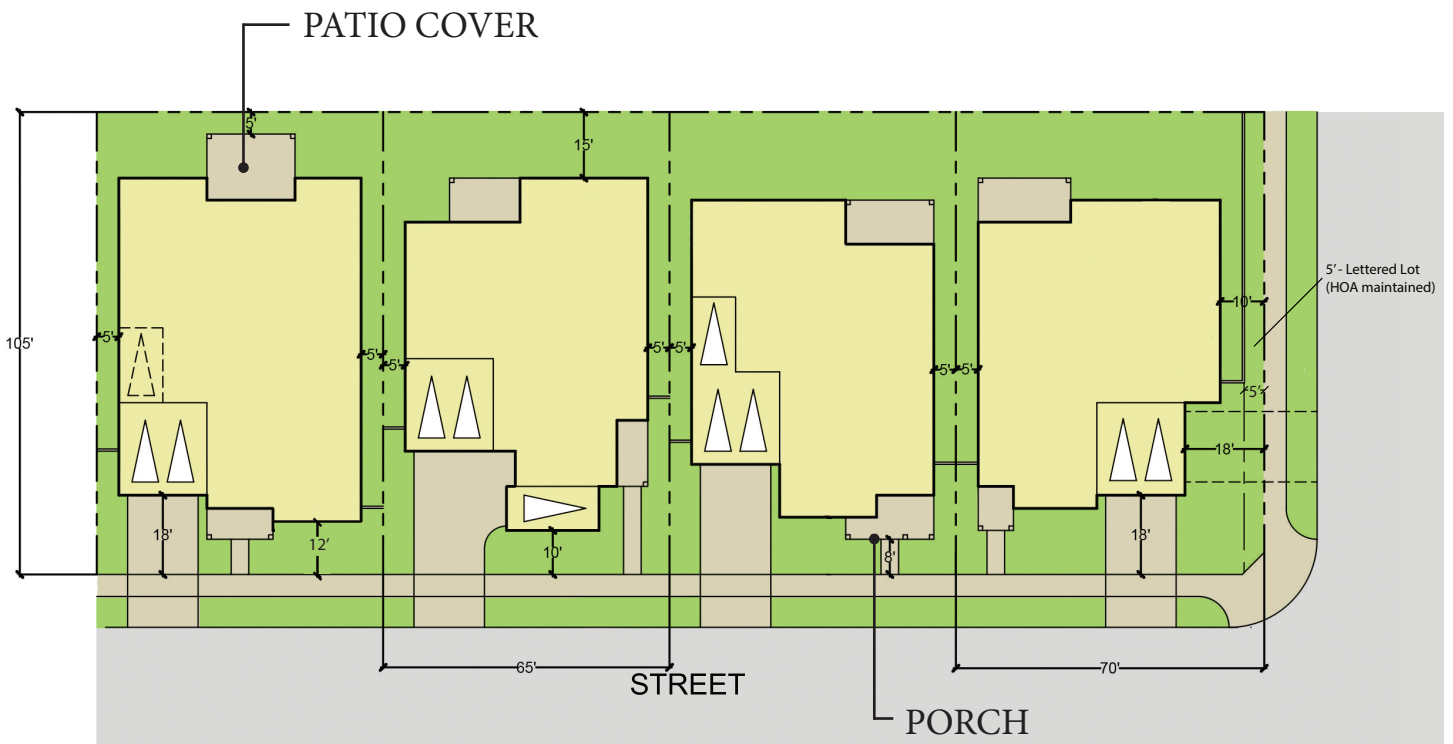
1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
5. Walls may exceed 6 feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side yard walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

SFD CONVENTIONAL HOMES - 70 x 100	
Density (DU/AC)	2.6-5.5
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	70'
Minimum Lot Width on Corner	75'
Minimum Lot Width on Knuckles and Curves at Front Property Line ⁽⁹⁾	35'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	65'
Minimum Lot Depth ⁽⁷⁾	100'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	7,000
Minimum Setbacks ⁽¹⁾	
Front Setback ⁽⁸⁾	
• Living Area	12'
• Porch w/ Single Story Plate ⁽²⁾	10'
• Street Facing Garage ⁽¹¹⁾	18'-24'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'/7'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	20'
• Garage (Single Story Plate Line)	10'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	50%
Maximum Building Height⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾⁽¹⁰⁾	6'
Parking⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed 3 feet in height in any required front yard.
5. Walls may exceed 6 feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side yard walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

DEVELOPMENT REGULATIONS



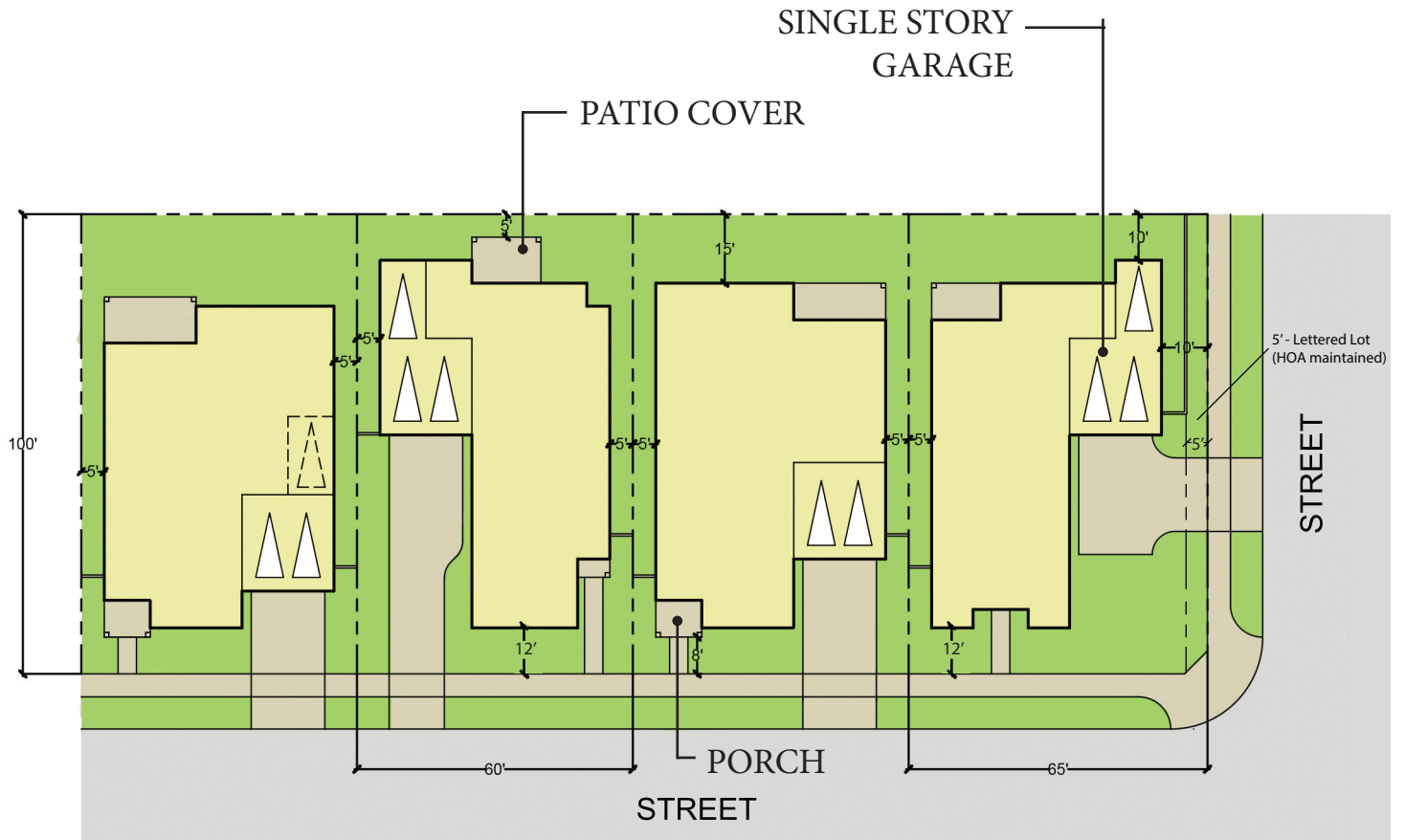
65' x 105' CONVENTIONAL SFD

SFD CONVENTIONAL HOMES - 65 x 105	
Density (DU/AC)	3.1-6.0
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	65'
Minimum Lot Width on Corner	70'
Minimum Lot Width on Knuckles and Curves at Front Property Line ⁽⁹⁾	35'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	60'
Minimum Lot Depth ⁽⁷⁾	105'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	6,825
Minimum Setbacks ⁽¹⁾	
Front Setback ⁽⁸⁾	
• Living Area	12'
• Porch w/ Single Story Plate ⁽²⁾	10'
• Street Facing Garage ⁽¹¹⁾	18'-24'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'/7'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	20'
• Garage (Single Story Plate Line)	10'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	50%
Maximum Building Height⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾⁽¹⁰⁾	6'
Parking⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
5. Walls may exceed 6 feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side yard walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

DEVELOPMENT REGULATIONS



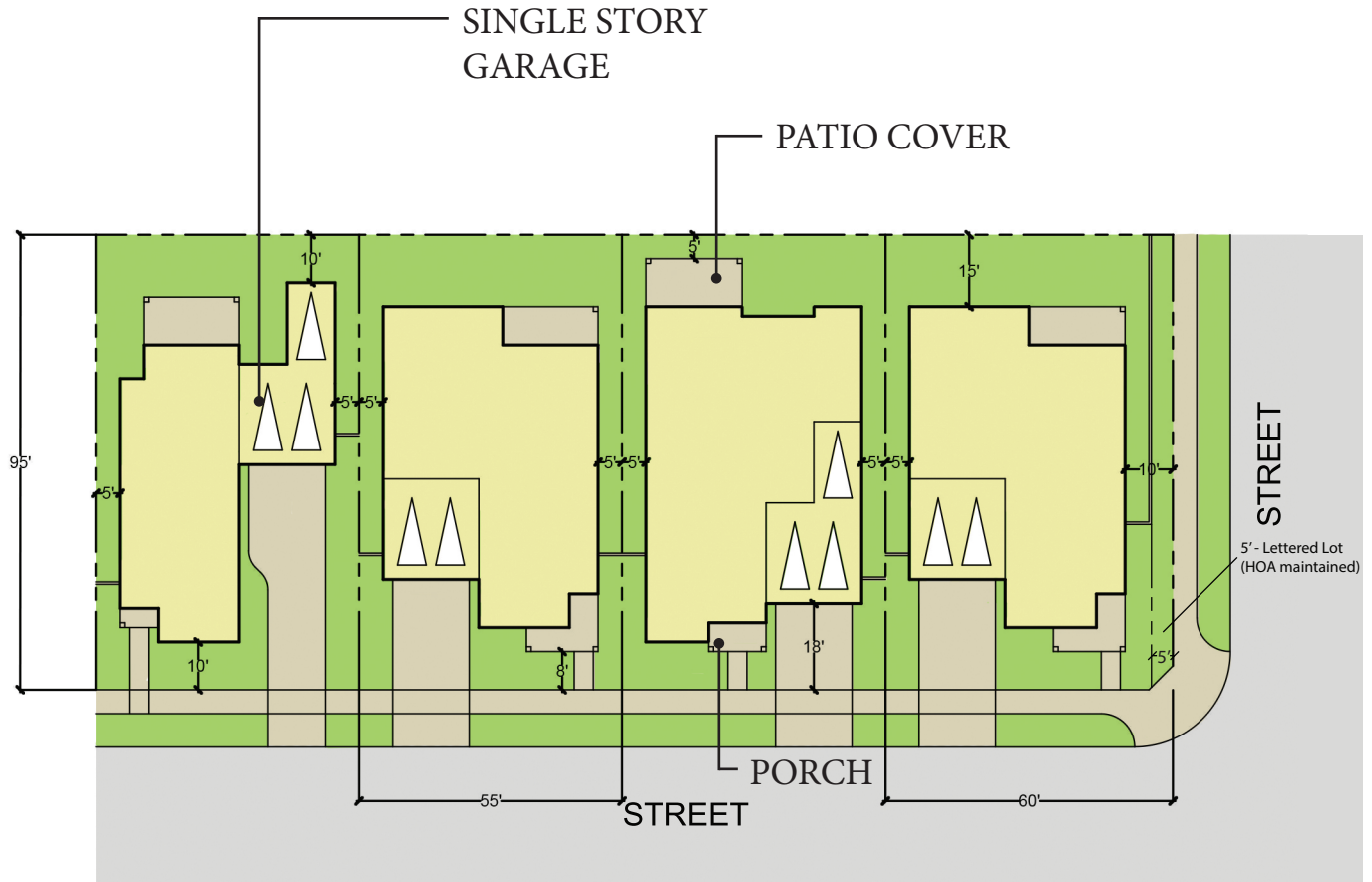
60' x 100' CONVENTIONAL SFD

SFD CONVENTIONAL HOMES - 60 x 100	
Density (DU/AC)	3.6-6.5
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	60'
Minimum Lot Width on Corner	65'
Minimum Lot Width on Knuckles and Curves at Front Property Line ⁽⁹⁾	35'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	55'
Minimum Lot Depth ⁽⁷⁾	100'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	6,000
Minimum Setbacks ⁽¹⁾	
Front Setback ⁽⁸⁾	
• Living Area	12'
• Porch w/ Single Story Plate ⁽²⁾	10'
• Street Facing Garage ⁽¹¹⁾	18'-24'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'/5'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	20'
• Garage (Single Story Plate Line)	10'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	55%
Maximum Building Height ⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾⁽¹⁰⁾	6'
Parking ⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
5. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side yard walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

DEVELOPMENT REGULATIONS



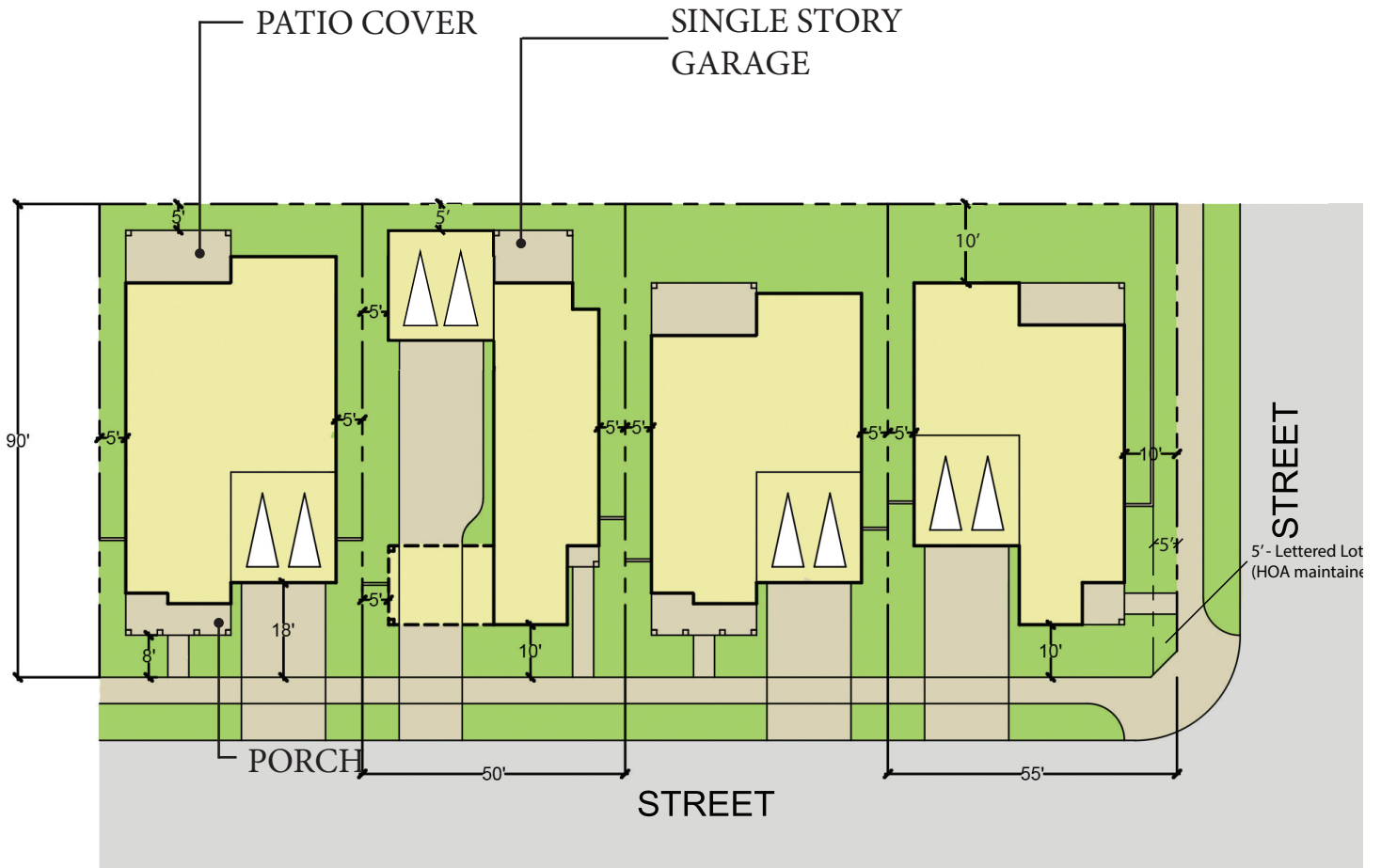
55' x 95' CONVENTIONAL SFD

SFD CONVENTIONAL HOMES - 55 x 95	
Density (DU/AC)	4.1-7.0
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	55'
Minimum Lot Width on Corner	60'
Minimum Lot Width on Knuckles and Curves at Front Property Line ⁽⁹⁾	35'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	50'
Minimum Lot Depth ⁽⁷⁾	95'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	5,225
Minimum Setbacks ⁽¹⁾	
Front Setback ⁽⁸⁾	
• Living Area	10'
• Porch w/ Single Story Plate ⁽²⁾	8'
• Street Facing Garage ⁽¹¹⁾	18'-24'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	15'
• Garage (Single Story Plate Line)	10'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	55%
Maximum Building Height ⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾⁽¹⁰⁾	6'
Parking ⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
5. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6' feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side yard walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

DEVELOPMENT REGULATIONS

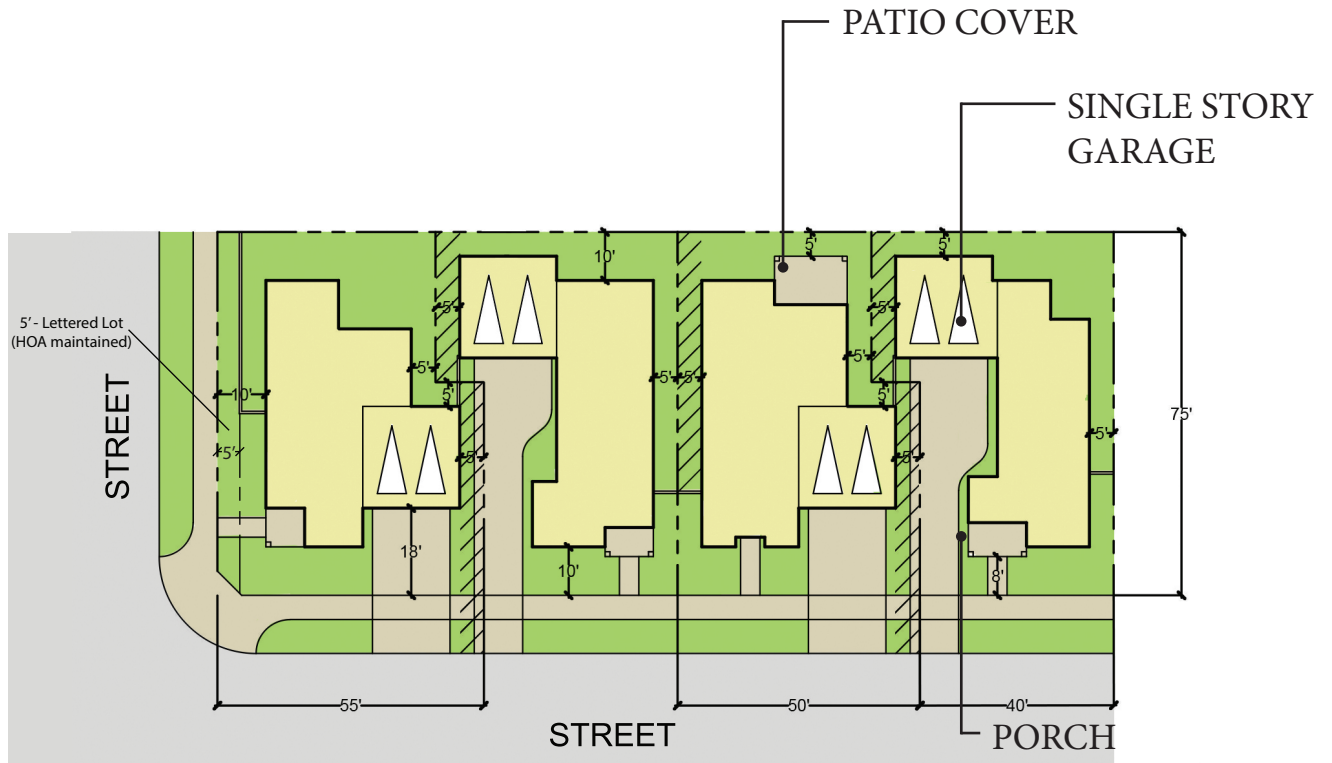


50' x 90' CONVENTIONAL SFD

SFD CONVENTIONAL HOMES - 50 x 90	
Density (DU/AC)	5.1-8.0
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	50'
Minimum Lot Width on Corner	55'
Minimum Lot Width on Knuckles and Curves at Front Property Line ⁽⁹⁾	35'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	45'
Minimum Lot Depth ⁽⁷⁾	90'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	4,500
Minimum Setbacks ⁽¹⁾	
Front Setback ⁽⁸⁾	
• Living Area	10'
• Porch w/ Single Story Plate ⁽²⁾	8'
• Street Facing Garage ⁽¹¹⁾	18'-24'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'/5'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	10'
• Garage (Single Story Plate Line)	5'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	55%
Maximum Building Height ⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾⁽¹⁰⁾	6'
Parking ⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
5. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side yard walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

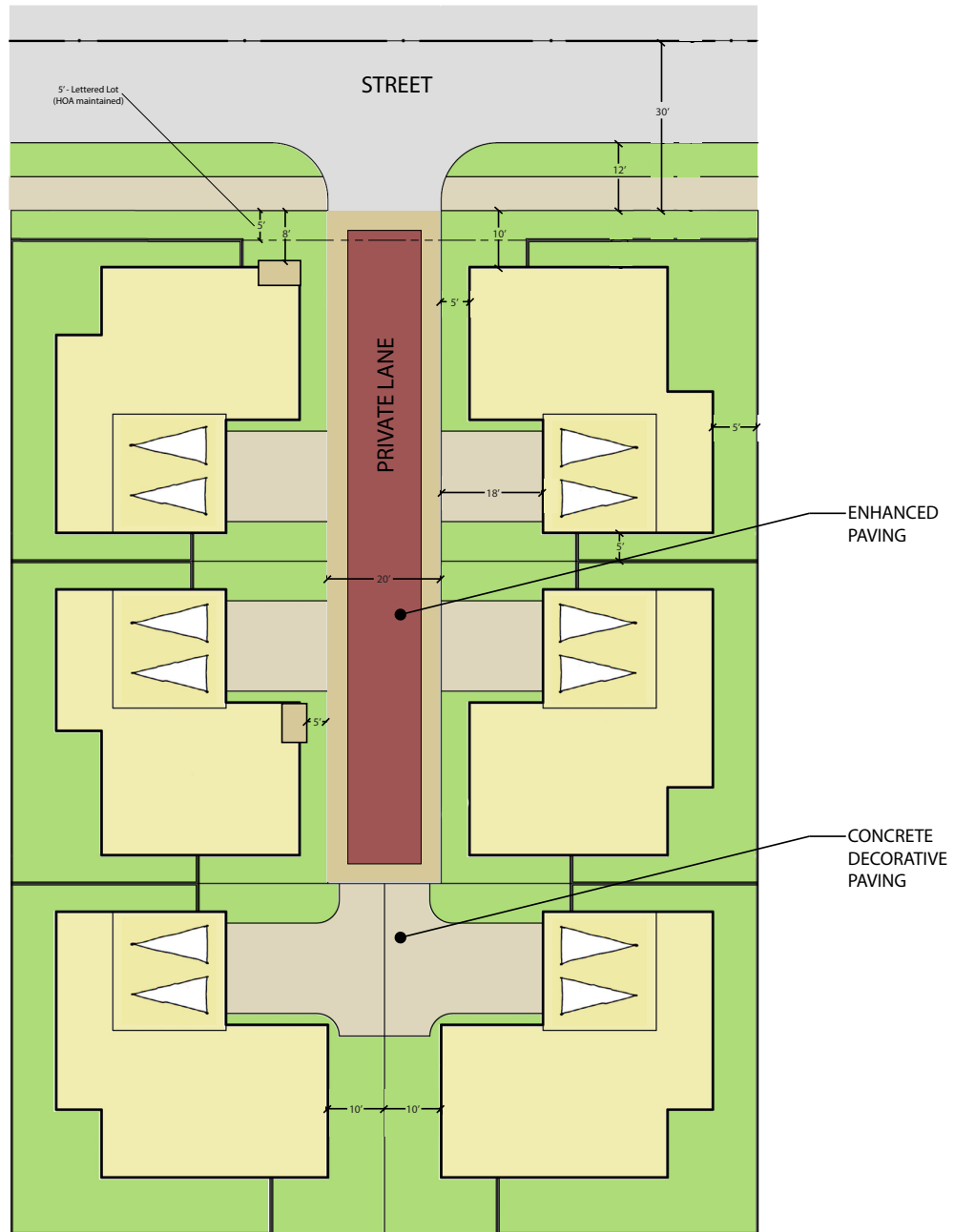


SFD Z-LOT HOMES

SFD Z-LOT HOMES	
Density (DU/AC)	6.0-9.0
Lot Criteria	
Minimum Lot Width at Front PL for Standard Lot	40'
Minimum Lot Width on Corner	45'
Minimum Lot Width on Knuckles and Curves at Setback Line ⁽⁹⁾	25'
Min. Lot Width at Front Building Setback Line for Cul-de-Sac or Knuckle Lots	35'
Minimum Lot Depth ⁽⁷⁾	75'
Minimum Lot Area (sq. ft.) ⁽¹²⁾	3,000
Minimum Setbacks ⁽¹⁾	
Front Setback ⁽⁸⁾	
• Living Area	10'
• Porch w/ Single Story Plate ⁽²⁾	8'
• Street Facing Garage ⁽¹¹⁾	18'
• Side on Garage	10'
Side Setback	
• From Interior PL	5'
• From Street (back of sidewalk)	10'
• Patio Cover/2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	10'
• Garage (Single Story Plate Line)	5'
• Patio Cover	5'
Lot Coverage	
Maximum Coverage	55%
Maximum Building Height ⁽³⁾	
Main Structure	35'
Walls, Fences, and Hedges	
Maximum Height within Front Building Setback ⁽⁴⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁵⁾⁽¹⁰⁾	6'
Parking ⁽⁶⁾	
Minimum Number of On-site Parking Spaces Required Per Unit	2

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
3. Architectural projections may exceed the maximum building height by an additional 10%.
4. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
5. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
6. All required parking spaces to be located within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Required parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval. Tandem garage spaces shall be 10' x 38' min.
7. Minimum lot depth for cul-de-sac or knuckle lots can be five (5) feet less than standard minimum lot depth as set forth in Lot Criteria.
8. Front Setback lines that exceed the minimum front setback shall be shown on the Tentative Tract Map.
9. "Flag" lots are discouraged but may be permitted subject to the approval of the Planning Director.
10. Rear and side walls may be allowed up to 9 feet high if grading requires retaining conditions.
11. Garage setback should be varied between 18'-24' as approved by the Planning Department.
12. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.



SFD CLUSTER HOMES

CLUSTER HOMES	
Density (DU/AC)	10.0 - 14.0
Lot Criteria	
Min. Lot Area in sq. ft. ⁽¹¹⁾	2,700
Minimum Setbacks ⁽¹⁾⁽²⁾	
Note: For non-street-fronting buildings, minimum building separation requirements apply to front, side, and rear rather than street setback requirements.	
Streetside Setbacks	
• Living Area	10'
• Porch w/Single Story Plate ⁽³⁾	8'
• Street or Private Lane Facing Garage ⁽¹⁰⁾	18'
Front Setbacks (Non-Street-Facing)	
• Living Area	5'
• Porch w/Single Story Plate	5'
Side Setback	
• From Interior PL ⁽⁴⁾	5'
• From Street or Parking Lot	10'
• Patio Cover / 2nd Story Deck	5'
Rear Setback	
• Main Structure 1st Floor	5'
• Garage (Single Story Plate Line)	5'
• Patio Cover / 2nd Story Deck	5'
Lot Coverage	
Max. Coverage	60%
Minimum Building Separation	
Between Main Structures Rear to Rear	10'
Between Main Structures Front to Front	20'
Between Structures Side to Side ⁽¹⁾⁽⁴⁾	10'
Between Main Structures Front to Side	10'
Between Garage Doors ⁽⁹⁾⁽¹⁰⁾	30'-56'

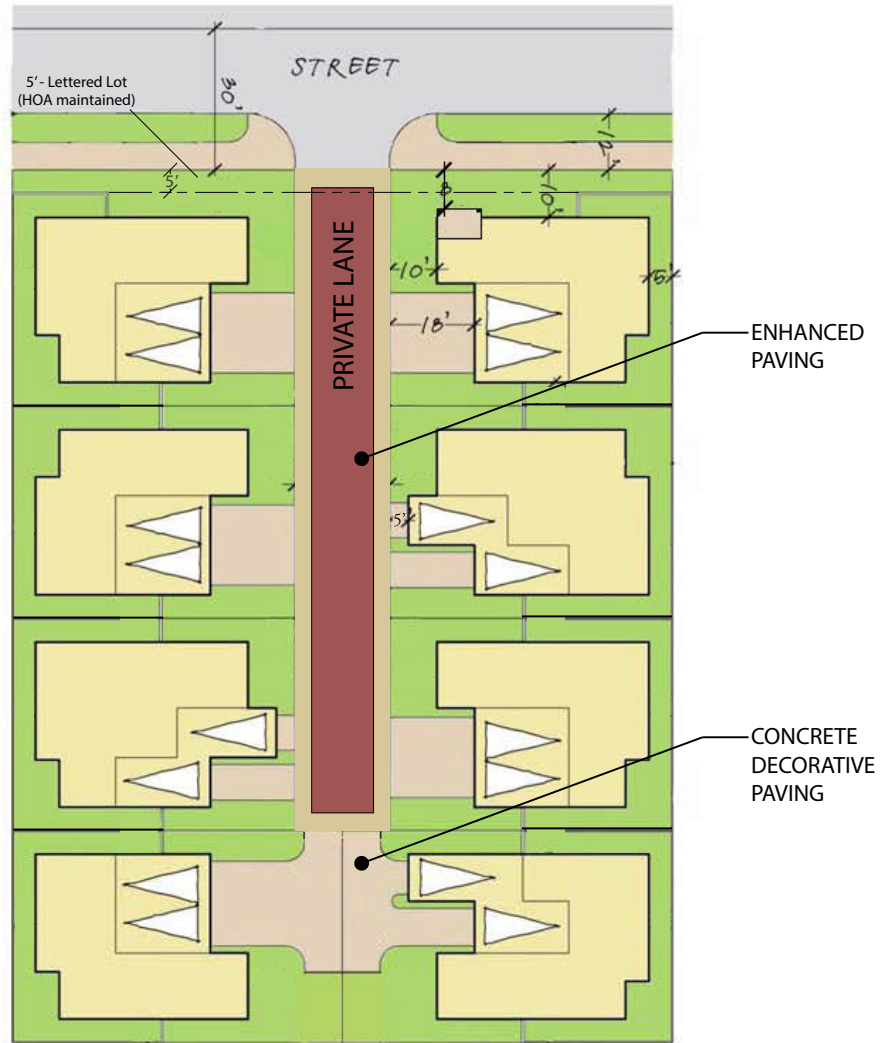
CLUSTER HOMES	
Maximum Building Height ⁽⁵⁾	
Main Structure	35'
Walls, Fences and Hedges	
Maximum Height within Front Building Setback ⁽⁶⁾	3'
Maximum Height at Interior or Rear Property Line ⁽⁷⁾	6'
Parking ⁽⁸⁾	
Min. Number of Parking Spaces Required Per Unit	2

* Private lane is cluster homes will incorporate enhanced paving per approval.

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. All front and corner side setbacks are measured from the back of sidewalk. All other setbacks measured from Property Line unless noted otherwise.
3. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
4. Setback may be reduced to 4' and minimum side to side building separation may be reduced to 8' if side yards are combined into one yard with 8' wide clear area.
5. Architectural projections may exceed the maximum building height by an additional 10%.
6. Solid masonry walls or wood fencing materials may be permitted subject to a 3' minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
7. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2'-0" retaining wall may be incorporated with the 6' maximum wall so that maximum exposed wall shall not exceed 8'.
8. All parking spaces to be within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Resident parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval.
9. Measured from foundation, not recessed garage door. Eaves and second floor projections may encroach up to 18 inches.
10. Driveways may be <5' or >18'. No driveways between 5'-18' allowed.
11. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

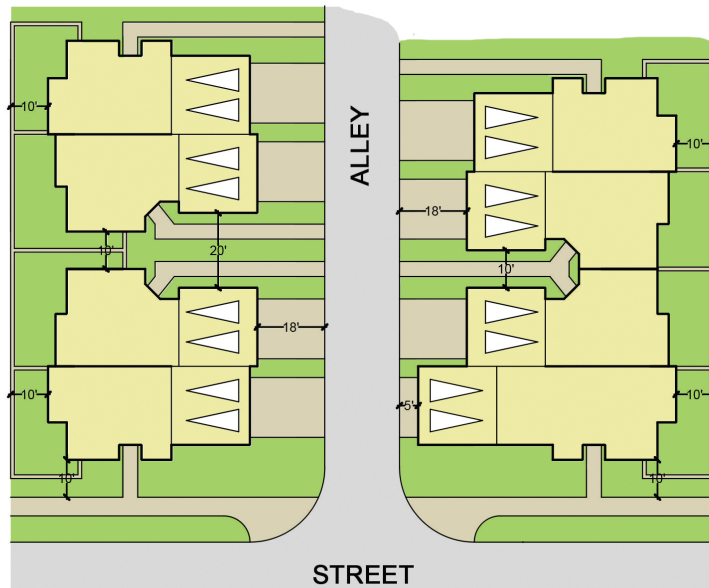
DEVELOPMENT REGULATIONS



SFD CLUSTER HOMES (ALT. 1)

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DEVELOPMENT REGULATIONS



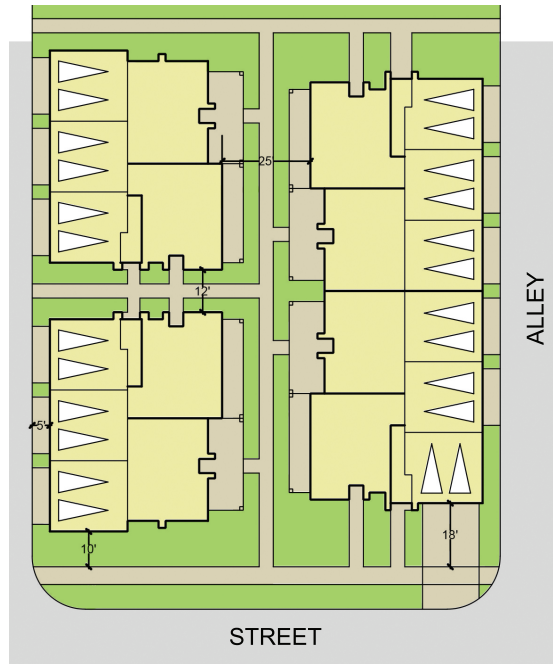
CONVENTIONAL DUPLEX/TOWNHOMES

CONVENTIONAL DUPLEX/TOWNHOMES	
Density (DU/AC)	11.0-14.0
Lot Criteria	
Min. Lot Size ⁽¹¹⁾	5,000 S.F.
Minimum Setbacks ^{(1) (2)}	
Streetside Setback	
• Living Area	10'
• Porch with Single Story Plate Line ⁽³⁾	8'
• Front Facing Garage ⁽¹⁰⁾	18' from Back of Sidewalk or P.L.
Minimum Building Separation	
Front to Front	25' (2 story)
Side / Side	10'
Rear / Rear ^{(4) (9)}	20'
Front to Side	20' (2 story)
Between Balconies	15'
Between Garden Walls less than 3' in Height	10'
Lot Coverage	
Max. Coverage	55%
Maximum Building Height ⁽⁵⁾	
Main Structure	35'
Walls, Fences and Hedges	
Maximum Height at Front of Building ⁽⁶⁾	3'
Maximum Height at Side or Rear of Building ⁽⁷⁾	6'
Private Open Space	
Ground Floor Units:	
Min. Square Footage per Dwelling Unit	150
Min. Linear dimension	10'
Upper Unit Balconies:	
Min. Square Footage per Dwelling Unit	50
Min. Linear dimension	5'

Parking ⁽⁸⁾
Min. Resident Parking Required
Reference Development Code for parking requirements.
Min. Guest Parking Required
Reference Development Code for parking requirements.

- Footnotes:*
1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
 2. All front and corner side setbacks are measured from the back of sidewalk. All other setbacks measured from Property Line unless noted otherwise.
 3. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
 4. Alley loaded with units facing paseo or greenbelt.
 5. Architectural projections may exceed the maximum height by an additional 10%.
 6. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
 7. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
 8. All parking spaces to be within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Resident parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval.
 9. Measured from foundation not recessed garage door. Eaves and second floor projections may encroach up to 18 inches
 10. Driveways may be <5' or >18'. No driveways between 5'-18' allowed.
 11. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/ or the lot depth.

DEVELOPMENT REGULATIONS



ALLEY LOADED ROWTOWNS/ CONDOMINIUMS

ALLEY LOADED ROWTOWNS/ CONDOMINIUMS	
Density (DU/AC)	16.0-22.0
Lot Criteria	
Min. Lot Size ⁽¹⁾	5,000 S.F.
Minimum Setbacks ^{(1) (2) (3)}	
Streetside Setback	
• Living Area / Garage	10' (2 story)
• Porch with Single Story Plate Line ⁽⁴⁾	8'
• Garage to 20' Alley	5'
Minimum Building Separation	
Front to Front	25' (2 story)
Side / Side	12' (2 story)
Rear / Rear ^{(5) (10)}	30'
Front to Side	20'
Between Covered Porches Front to Front	10'
Between Balconies	15'
Between Garden Walls less than 3' in Height	10'
Lot Coverage	
Max. Coverage	50%
Maximum Building Height ⁽⁶⁾	
Main Structure	35'
Walls, Fences and Hedges	
Maximum Height at Front of Building ⁽⁷⁾	3'
Maximum Height at Side or Rear of Building ⁽⁸⁾	6'
Minimum Private Open Space Ground Floor Dwellings	150 sq. ft.
Private Open Space	
Ground Floor Units:	
Min. Square Footage per Dwelling Unit	150
Min. Linear dimension	10'
Upper Unit Balconies:	

Min. Square Footage per Dwelling Unit	50
Min. Linear dimension	5'
Parking ⁽⁹⁾	
Min. Resident Parking Required	

Reference Development Code for parking requirements.

Min. Guest Parking Required	
Reference Development Code for parking requirements.	

Footnotes:

1. Architectural projections may project a maximum of 3 feet into required front, rear or side setback areas; however, in no case shall such projection be closer than 3 feet to any property line. An architectural projection is defined as an element that articulates the building elevation such as eaves, window and door pop-out surrounds, media niches, bay windows, pot shelves, chimneys, enhanced window sills, shutter details, window trim, balconies and entry gates, and other similar elements.
2. All front and corner side setbacks are measured from the back of sidewalk. All other setbacks measured from Property Line unless noted otherwise.
3. Building elements less than 35 feet in height, which are part of a building of 45 feet in height, shall be considered 2 story building elements and subject to the 2 story setback requirement.
4. The minimum depth of a porch shall be 7 feet, with an area of 70 square feet of clear space. The porch depth may be reduced to 5 feet, where appropriate to mass and scale of the building, subject to Planning Department review and approval.
5. Alley loaded with units facing paseo or greenbelt.
6. Architectural projections may exceed the maximum height by an additional 10%.
7. Solid masonry walls or wood fencing materials may be permitted subject to a 3 feet minimum setback from the front property line. Fences, walls, hedges or similar view obstructing structures or plants that reduce safe ingress or egress of vehicles or pedestrians shall not exceed three feet in height in any required front yard.
8. Walls may exceed six feet in height and pilasters may exceed six feet six inches in height only for noise attenuation purposes subject to an Acoustical Study and Planning Department approval. Up to 2 feet retaining wall may be incorporated with the 6 feet maximum wall so that maximum exposed wall shall not exceed 8 feet.
9. All parking spaces to be within an enclosed garage with a minimum clear dimension of 20' x 20' for two spaces and 10' x 20' for single or tandem spaces. Resident parking may be provided as tandem parking subject to the approval of a parking study submitted by the applicant for Planning Director approval.
10. Measured from foundation, not recessed garage door. Eaves and second floor projections may encroach up to 18 inches.
11. The minimum lot size at corner lots and lots at knuckle and cul-de-sac conditions may be reduced by 5% to accommodate the corner landscape lettered lot and/or the lot depth.

6.7 Landscape Standards

6.7.1 General Provisions

1. All landscape and irrigation plans for streetscapes and graphic designs with regard to the identity of Armstrong Ranch, neighborhood identity, or entry monuments shall conform to the Design Guidelines and regulations as set forth herein and shall be subject to review and approval by the City of Ontario at the time of Development Plan review. The form and content of landscape plans for streets, parks, and other common areas shall conform to the requirements of the City's Development Plan application requirements.
2. The landscape streetscape improvements for the master plan streets within the project shall establish a landscape theme reminiscent of the regional landscape character of the surrounding area and shall conform to the City of Ontario TOP Streetscape Master Plan.
3. Landscape streetscape improvements for non Master Plan streets within Armstrong Ranch including collector, local streets, and alleys shall conform to the landscape treatment described for these streets within Section 7.10 "Design Guidelines for Landscape Architectural Character," of this Specific Plan.
4. The design and improvement of all parks, including landscape and irrigation plans, within Armstrong Ranch shall be reviewed and approved by the City at the time of Development Plan review and shall conform with the requirements of the City's Parks and Maintenance Department.
5. Installation of landscaping and automatic irrigation within the front and street-side yards of all residential areas shall be provided by the home-builder and maintained in a healthy condition at all times. At a minimum, the developer shall install turf, groundcover, and appropriate shrubs and trees in the front yards of homes within residential areas. Within residential single family detached conventional home areas a minimum of two 24" box trees shall be installed of which one shall be a shade tree. A variety of landscape designs shall be provided by the developer to the homeowner. Areas not used for hardscape shall be planted. All landscape plans shall be reviewed and approved by the City at the time of Development Plan review.
6. All manufactured and cut/fill slopes exceeding three (3) feet in height shall be planted with an effective mixture of ground cover, shrubs, and trees installed by the developer. Such slopes shall also be irrigated as necessary to comply with any required fuel modification requirements established by the City erosion control requirements per the Landscape Standards.

6.7.2 Landscape Standards

1. Landscaping within the project shall be provided in accordance with the Design Guidelines utilizing plant materials specified on the Plant Palette Matrix included in Section 7, "Design Guidelines" established for the Armstrong Ranch Specific Plan.
2. Boundary landscaping shall be required adjacent to the project site. Landscaping shall generally

be placed along the entire perimeter property line along City Master Plan streets and shall conform to the City of Ontario Streetscape Master Plan.

3. Landscaping and automatic irrigation systems within the public rights-of-way of the project shall be installed by the developer.
4. Freestanding, decorative perimeter walls and view fencing shall be provided within, and at the perimeter of the project site as specified in the Wall and Fence Master Plan contained within, Section 7, “Design Guidelines,” of the Armstrong Ranch Specific Plan. Such walls and fences will be constructed concurrently with the construction of improvements required for development of the neighborhoods of the project.
5. Walls and Fencing – Perimeter Walls and fencing shall be constructed of a design consistent with the “Wall Details” exhibits located within Section 7, “Design Guidelines,” of the Armstrong Ranch Specific Plan. If perimeter walls are constructed they shall not exceed six feet in height from finished grade. If required for sound attenuation, perimeter walls may exceed six feet in height, subject to the recommendations of an acoustical study and approval by the Planning Department. Perimeter walls shall be constructed of either decorative masonry or other permanent, durable, low maintenance material. Thematic perimeter fencing shall be constructed of all durable materials, which may include materials with a wood-like appearance, or tubular steel subject to City approval. In no instance shall wooden fencing be permitted along perimeters. Individual residential lot side and rear yard walls and fencing shall not exceed six feet in height from highest finished grade. Side and rear walls may exceed six feet (6’) in height if required by the City for sound attenuation pursuant to the recommendations of an Acoustical Report, or if grading requires. Maximum combo wall with retaining is 9’ which will allow a retaining condition of 3’. Walls and fencing within the residential front yard setback area shall not exceed three feet in height. Side and rear yard walls shall be of decorative masonry construction on both sides or of other permanent low maintenance materials as approved by the Planning Department. Materials used for construction of front yard fences are subject to approval by the Planning Department. View fencing may be of a decorative wrought iron, tubular steel/aluminum glass panels, or other durable material approved by the City.
6. All perimeter wall and fence materials throughout the project shall be of uniform manufacture with colors specified for the overall design theme as discussed in Section 7.15 “Community Walls and Fencing,” of this Specific Plan.
7. The developer shall provide site inspection of all construction and installation of open space areas in accordance with City of Ontario requirements.
8. Non-toxic, non invasive vegetation shall be utilized adjacent to all public open space areas.

6.8 Signage

A Master Sign Program shall be submitted by the developer of Armstrong Ranch and approved by the City of Ontario pursuant to the City’s Development Code to address residential project entries, residential neighborhood identification signs, and way finding signs within the project. No project

signs shall be permitted in the public right-of-way. All other signs shall be subject to the approval of a sign permit pursuant to the City's Development Code. All traffic signs regulating, warning, and/or guiding traffic on public roads shall conform to latest edition of the California MUTCD. All traffic-control signs, whether on public or private property, shall conform to the California MUTCD. All monumental signed and other neighborhood signage will reflect the historical character of Armstrong Ranch.

6.8.1 Master Sign Program Contents

All sign programs shall address, at a minimum, the following:

1. Permitted signs.
2. Prohibited signs.
3. The hierarchy of signage.
4. Definition of types of signs.
5. Locations and dimensions for monument signs, neighborhood identification signs, and public facilities signs.
6. Locations and dimensions of directional signage.
7. Provisions for size, location, and duration of display of temporary signs.
8. Permitted sign types, styles, construction materials, colors, and lettering styles.
9. Requirements for a sign permit application.
10. Procedures for obtaining approval of a sign permit.
11. Procedures for amending the sign program.

6.9 Lighting

6.9.1 Street Lights along Public Streets

Streetlights along public streets, within the project shall be LED lighting. Design of fixtures shall be approved by the City as part of the City's Development Plan Review.

6.9.2 Alley Lighting Fixtures

Alley lighting fixtures shall be on sensors for automatic nighttime lighting. Style and specifications for alley lights shall be approved by the City as part of the City's Development Plan Review.

6.9.3 Lighting within Parks, Paseos, Tot Lots and Other Recreational Areas

Lighting within parks, paseos, tot lots and other recreational areas shall be approved by the City as part of the City's Development Plan Review of these facilities.

6.10 Park Furniture

Park furniture, including but not limited to, benches, barbecues and picnic tables shall be approved as part of the City’s Development Plan Review of parks, and other public gathering places.

6.11 Bus Shelters

Bus shelters shall be installed in a number of locations as per the OmniTrans Bus Stop Design Guidelines, and as approved by the City Engineer. The shelters shall be compatible with the architectural character established at the project entries to Armstrong Ranch.



6.12 Mailboxes

Within residential Planning Areas, mailboxes shall be clustered and installed in locations and in a design approved by the City as part of the City Development Plan Review of each residential project within Armstrong Ranch. The location of all mailboxes shall be approved by the U.S. Post Office.

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Section 7 • Design Guidelines

7.1 Introduction

The Armstrong Ranch Specific Plan Design Guidelines will guide the physical character of all future residential development and all community and neighborhood features, including the overall landscape treatment within the project. The purpose of these Design Guidelines is to ensure a continuity of design to such that the community is unified by a consistent and long-lasting identity. The goal is to create a high standard of architectural and landscaping quality but to do so with a generalized approach so that designer creativity is not limited, product diversity is encouraged, and evolving consumer preferences can be met. It is further intended that all aspects of the community be designed with consideration to energy and water conservation.

7.2 General Design Guidelines for Architectural Character

7.2.1 Sustainability Goals

Integrating sustainable practices into design is a crucial element that determines the lasting effect a project will have on its surroundings. Sustainable practices can lead to significant positive long term success of a development. The benefits of a sustainable development are numerous and can include improved air quality, reduced dependence on oil and other non-renewable resources, increased energy efficiency, and lower infrastructure costs. The following are the sustainable goals of the Armstrong Ranch Specific Plan:

- Encourage walking and other non-vehicular circulation.
- Provide pedestrian connectivity through the Specific Plan area.
- Provide shaded outdoor area and walkways.
- Encourage building and roof designs to utilize solar energy.
- Incorporate architectural design elements to reduce interior heat gain.
- Incorporate recycled, recyclable, and environmentally friendly building materials and building techniques in building design.
- Provide landscaping that is drought tolerant.
- Minimize the use of turf in recreational spaces.

The site development plan, architecture and building design, and landscape treatment within Armstrong Ranch will adhere to these goals.

7.2.2 Sustainable Development Guidelines

Armstrong Ranch is designed as a residential neighborhood located in close proximity to surrounding compatible land uses. Recreational spaces and corridors provide pedestrian access to adjacent schools, parks and regionally planned trail ways to help reduce the need for vehicle trips generated from the development.

All residential structures should be designed according to the following sustainable development guidelines:

- Building design and roof orientation should provide for passive and active solar opportunities whenever feasible.
- Safe and efficient paths of travel should be provided for residents throughout the neighborhood.
- Front entries should be covered or shaded from the sun as feasible.
- Evergreen shade trees should be planted in parks in areas where pedestrian activity is anticipated.
- Bike racks should be provided in convenient locations at all parks.

Additional site planning opportunities which may increase the sustainability of the Armstrong Ranch Specific Plan area are encouraged.

7.2.3 Green Building Guidelines

Green building design incorporates all elements of design, construction, and ongoing operation and maintenance of a development. In the long term, green building can lower the overall life cycle costs and minimize the use of energy, water, and other natural resources by the development.

All buildings constructed within the Armstrong Ranch Specific Plan area shall adhere to the following green building design guidelines:

- Building plan submittals shall include a construction waste management plan outlining on-site measures for minimizing and recycling construction waste.
- Buildings shall make use of hipped roof forms to improve solar access.
- The use of exterior building materials that do not require painting or coating is encouraged. A minimum of 10% of the building exterior (excluding roof material) shall be materials that do not require painting or coating.
- Visible roof materials shall have a 30 year minimum life expectancy.
- Buildings shall utilize proper insulation in walls and ceilings as well as a radiant barrier at the roof.
- Windows shall be placed so that they provide maximum internal illumination during the day to building users.
- Appropriate materials shall be used in the construction of doors, walls, and windows whenever feasible to improve thermal efficiency.

- Buildings will incorporate sustainable design strategies to minimize energy consumption by heating, HVAC, and ventilation systems.
- The use of interior low energy lighting fixtures and bulbs throughout the building is required whenever feasible.
- Low energy (low nitrous oxide) or tank-less water heaters shall be used where feasible.
- Exterior electrical outlets on the front and rear of all buildings to allow for electric landscape maintenance equipment should be provided.
- Trash bins for recycle materials shall be provided.

7.2.4 Architectural Character

Architectural design should provide for high quality neighborhoods.

- Residential project design should consider the total context of the site with the incorporation of appropriate scale and proportions of building massing and details.
- The use of transitional spaces between common areas and private areas such as entry courtyards, private patios, low walls, and porches is encouraged.
- The variation of front, side, and rear building elevations should be implemented to create visual variety.
- The variation of garage placement is encouraged to provide a more diverse street scene.
- Residential structures should be varied in massing and articulation to provide visual interest.

Neighborhood character should be sustained over time.

- Architectural design styles should reflect the rich historic Southern California styles.
- Structures should incorporate genuine architectural details and decorative features.
- Architectural design should relate to human scale.
- The location of doors and windows should consider indoor/outdoor relationships to create intimate and secure spaces.
- Building design should be sensitive to climatic conditions and context.
- Residential structures should be compatible with, and responsive to, the environmental setting.
- Building designs should incorporate spaces that encourage outdoor use to take advantage of temperate climatic conditions.

Architectural design should incorporate materials and techniques that are cost effective.

- The use of building materials should reflect the implementation of efficient construction methods.
- Building elevations should include compatible window and door sizes that create a consistent design theme.
- Construction techniques should incorporate the use of standard components and dimensions.

Diversity in design is the fundamental guiding principle for Armstrong Ranch architectural design guidelines. To ensure that neighborhoods are varied and that uniformity is avoided, the following criteria should be applied to all residential development projects within Armstrong Ranch.

Number of Dwelling Units	Floor Plans	Elevation Styles	Color Schemes
Under 75	3	3	3
76-100	3	4	3
101-150	4	5	3
151-200	5	6	3
Over 200	4; +1 Additional floor plan with 4 elevations for each additional 50 units exceeding 100		

7.3 Architectural Context

The historic model colony of Ontario is a typical example of the development pattern that characterized early farming communities and consists of a variety of historical architectural styles. Architectural styles inherent in the early development of the southwestern United States and traditional east coast architectural styles were incorporated into the farm houses and early rural neighborhoods. Regional styles evolved from these historic vernaculars. Architectural styles, elements, and massing were reinvented utilizing available indigenous building materials. Plan designs and elements, such as window sizes and proportions, were modified to address local climatic conditions which were warmer and drier.

The rapid urbanization of coastal areas in Southern California has resulted in another emerging architectural influence often described as Modern styles. These styles may involve interpretation of historical architectural styles as well as modern architectural movements occurring within the last century. A variety of materials were dominant throughout these styles, such as plaster, stucco and siding with brick, stone or other masonry accent materials. The sunny Southern California climate allowed year round use of outdoor spaces and inspired covered porches and balconies.

The community vision for Armstrong Ranch is based upon the architectural influences found in Ontario and throughout Southern California. The architectural styles have been selected in order to be reflective of older neighborhoods of historic Ontario as well as to accommodate innovative Modern architectural influences. Each architectural influence outlined in these guidelines should be detailed with elements that represent the character of that particular style. Together, the styles should be designed to create a neighborhood character that will be sustainable over time.

Each home should contribute to the architectural character of the neighborhood. Design elements such as porches, recessed windows, architectural details and accents, alternate garage configurations and orientations, covered balconies, and articulated elevations are encouraged to enhance individual homes and to promote the overall neighborhood character.

Design Objectives

- Interpret architectural styles that are authentic and reflect the historical character of the region.
- Emphasize styles of architecture that are compatible, yet vary enough to create interest and diversity.
- Create visually interesting neighborhood streets by varying elevation and floor plan plotting.
- Utilize authentic materials and colors that reinforce the overall design theme.
- Emphasize front elevations that relate strongly to the street and contribute to the livability of that realm.
- Provide alternative garage configurations.

The Armstrong Ranch Design Guidelines are to be used as a tool to ensure the character and design quality anticipated for the community. The guidelines express objectives and approaches rather than formulas and standards, allowing certain architectural creativity and flexibility. The images and sketches illustrated in the guidelines are intended to be conceptual and are to be used as general visual aids in understanding the basic architectural design intent of Armstrong Ranch. They are not meant to depict specific floor plans or architectural elevations.

Architectural Influences

The architectural character within each neighborhood shall consist of complementary traditional architectural styles accented or complemented by Modern styles. The materials and colors of these home styles shall complement the overall neighborhood design. Architectural influences appropriate within Armstrong Ranch include the following:

- Spanish Influences – including architectural styles such as: Spanish Colonial, Monterey, and Santa Barbara styles.
- American Informal Influences – including architectural styles such as: Farmhouse, California Ranch, and Craftsman styles.
- American Formal Influences – including architectural styles such as: Eastern Colonial, Prairie, and California Traditional styles.
- Modern Influences – including styles that ‘modernize all the above styles such as: modern Spanish, modern Farmhouse, and modern Colonial styles.

Additional styles proposed by the developer are encouraged but must be submitted to and approved by the City of Ontario. Developers may submit home designs using alternative architectural styles that meet the design objectives described herein, provided they are appropriate to the region and compatible with the character established for Armstrong Ranch.

The architectural influences and selected styles share similar design attributes and have been selected in response to the following considerations:

- They are representative of existing architecture within the City of Ontario and surrounding areas.
- They are compatible and complementary.

- They can be interpreted in a variety of ways.
- They are currently accepted by the market.
- They can be constructed using current building materials and methods.

7.3.1 Spanish Influences

Spanish Colonial, Monterey, Santa Barbara, and Spanish styles

Architectural styles in Spanish influences are based on early California buildings constructed around the Catholic Missions and are often adapted and blended with traditional building forms and materials from the Eastern United States. Spanish styles reflect strong form and mass, plain wall surfaces, and are characterized by tile roofs. The Spanish Colonial style is often characterized by a semi-formal plan arrangement such as a courtyard design. The Monterey often includes balcony colonnades as a primary design element.

Building massing is generally simple massing. Roof forms are varied and include gable and hip designs.

Overall building forms are simple, straightforward rectangular or “L” shaped. Building materials are predominately stucco finished walls with wood or stucco columns. The Monterey style typically has wood siding on the second level. Thick walls with deep recessed openings and round arched opening are common. Mission style buildings often use masonry materials on entire secondary building forms. Window proportions are predominately vertical, especially on upper levels.

Roof materials and forms include low-pitched roofs with various overhang dimensions. The roof designs generally have tight rake ends and/or eaves. Overhangs may have wood fascias or exposed rafter tail details. Roofs have a low sloped pitch. Spanish homes historically had clay tile roofs with the exception of Monterey styles, which often had shake roofs. Modern interpretations utilize concrete ‘S’ tile or flat concrete tile roof materials.

Design details and features are characterized by ornate wrought iron accents such as balcony railings, window grills and architectural accents. Balcony railing materials include wood pickets as well as wrought iron. Decorative stucco chimneys and decorative columns and trim are characteristic of the Spanish influenced styles. Wood shutter accents are characteristic of the Spanish Colonial and Monterey styles.

Spanish Colonial style is a historic style utilizing strong and simple massing and form and plain wall surfaces without heavy ornamentation. Curved profile tile roofs on gently sloping planes (4:12 and less pitch) and gable forms characterize this style along with arched or recessed window forms with simple wrought iron accents.

Monterey style is a regional derivative of Spanish and Eastern Colonial architecture. Monterey style is typically characterized by two story structures of simple massing with extended front balconies, often cantilevered. Gable or hip roof forms with exposed rafters, wood posts, and shutters reinforce the Monterey style.

Santa Barbara style is another California regional style with Spanish influences. Similar to Spanish Colonial architecture, the Santa Barbara style utilizes recessed windows and low pitched roofs (3 to 4:12 pitch) with extended overhangs to address the temperate climatic conditions. Large arched feature windows and stucco columns along with color accented trim are elements of this style.

Examples of Spanish Influence architectural styles are illustrated on page 7-7.

SPANISH INFLUENCE

MONTEREY STYLE

- Rectangular building forms
- Simple gable roof forms
- Flat or mission concrete tiled roofs
- Exposed rafter tails
- Rectangular window forms with wood trim
- Covered balcony with wood railing
- Masonry or stucco material on first floor or alternative material on upper floor



- SIMPLE MASSING WITH LOW SLOPING ROOF
- FORMAL WINDOW ARRANGEMENT WITH DECORATIVE SHUTTERS
- EXTENDED BALCONY WITH HEAVY COLUMNS
- WOOD RAILING AND DETAILS
- MASONRY/ACCENT MATERIAL AT FIRST FLOOR

MONTEREY ARCHITECTURAL ELEMENTS



Extended balcony with heavy wood columns and corbel details; decorative window shutters and Mission profile roofs with extended overhangs.



EXAMPLE OF PERIOD MONTEREY STYLE HOUSE

DESIGN GUIDELINES

SPANISH INFLUENCE

SANTA BARBARA STYLE

- Regional expression of early California period
- Use of heavy building materials/forms
- Simple stucco walls with recessed openings
- Focal arch opening
- Accent details such as decorative tiles
- Roof characterized by exposed rafter tails gable rake details
- Simple window frames and accent shutters
- Terracotta and decorative iron accent/details



- LOW PITCHED ROOFS WITH HIP OR GABLE FORMS
- RECESSED WINDOWS WITH VERTICAL FORMS
- DECORATIVE IRON WORK ON DETAILS SUCH AS BALCONY RAILING
- ARCHED FOCAL WINDOWS AND FORMAL WINDOW ARRANGEMENT
- COVERED PORCHES AND SHADE ELEMENTS SUPPORTED BY LARGE SIMPLE COLUMNS

SANTA BARBARA ARCHITECTURAL ELEMENTS



Arched openings at focal windows and entries with built-up trim and use of decorative tile or masonry accents.



EXAMPLE OF SANTA BARBARA VERNACULAR AR STYLE HOUSE

SPANISH INFLUENCE

SPANISH COLONIAL STYLE

- Simple massing/assembled forms
- Stucco walls with simple detailing
- Low pitched simple roof planes with extended overhangs
- Arched openings
- Accent window shutters
- Wood or stucco window trim
- Decorative gable roof accents
- Concrete mission tile roofs



- LOW SLOPING ROOF FORMS WITH TIGHT GABLE ENDS
- SIMPLE WINDOW HEADER DETAIL
- DECORATIVE IRON BALCONY RAILING
- FOCAL ELEMENTS SUCH AS RECESSED ENTRY DETAILED WITH ARCHED FORM
- FORMAL WINDOW ARRANGEMENT WITH DECORATIVE SHUTTERS
- EXTENDED ROOF OVERHANGS

SPANISH COLONIAL ARCHITECTURAL ELEMENTS



Formal arranged details such as classic arc forms. Balance of simple forms and elegant iron ornamentation. Low pitched roofs with wood rafters and fascias.



EXAMPLE OF HISTORIC SPANISH COLONIAL STYLE HOUSE

7.3.2 American Informal Influences

Architectural Styles Such As Ranch, Craftsman, and Farmhouse Styles

Varied architectural styles based on American Informal influences have evolved from the American Arts and Crafts movement as well as from Early American and other period vernaculars. These moderately detailed buildings are characterized by the use of handcrafted architectural elements and details. The Ranch style is reminiscent of the early ranches and farms of Southern California.

Building massing is simple, dominated by horizontal massing and rectilinear forms. The styles, while varied, are all generally characterized by horizontal proportions often with asymmetrical massing at the second level. Historically, several American Informal architectural styles originated as one-story structures but have been adapted and reinterpreted to two story structures, especially in southern California.

Deep, broad porch elements were developed to respond to warm climate conditions and inspired expressive structural elements such as rafters, posts, and columns. A mixture of materials such as stucco, board and batten, and horizontal siding, stone, brick and shingle accents are commonly used. The use of wood, stone or brick at porch columns is typical. Asymmetrical doors and windows with simple wood trim surrounds are characteristic of styles within the American Informal architectural influence.

Roof forms of Ranch, and Craftsman styles are predominantly low to medium pitched gable designs with occasional hipped or shed roof accents. Shallow-pitched roofs with deep overhangs and roof dormers reinforce the overall character of these styles.

Design and detail elements include large gables, windows with accent mullions, triangular knee braces at porch supports, accent roofs and heavy columns or posts, window shutters, decorative gable vent details and outdoor trellis features.

Ranch style is reminiscent of early country homes in Southern California. Covered porches and terraces utilize simplified architectural details from colonial and Monterey styles. Horizontal massing and rectilinear forms with wood window surrounds, heavy wood columns, and simple shutters characterize the Ranch style.

Craftsman style homes evolved from the late 19th Century Arts and Crafts movement. Broad open porches covered with low sloping roofs with deep overhangs supported by tapered wood and masonry columns, decorative window patterns and trim, wooden braces, and horizontal proportions reinforce the Craftsman style. Low to medium pitched roofs (5:12 or less pitch) are common.

Farmhouse style homes evolved from the American Formal style to create a more rural interpretation of this popular suburban vernacular. The farmhouse style utilizes simple window trim accents, and a combination of masonry and horizontal siding, and medium to steep gable roofs (6:12), and an occasional gambrel form. Similar to the bungalow and Ranch styles, Farmhouse architecture uses color to accentuate wood details.

Farmhouse styles are generally less ornate, reflecting a more functional approach to architectural decoration. The farmhouse style utilizes simple window trim accents, and a combination of masonry and horizontal siding, and medium to steep gable roofs, and an occasional gambrel form. Farmhouse architecture uses color to accentuate wood details.

Examples of American Informal Influence architectural styles are illustrated on page 7-12 to 7-14.

DESIGN GUIDELINES

AMERICAN INFORMAL INFLUENCE

CALIFORNIA RANCH STYLE

- Simple horizontal roof lines
- Medium pitched gable roof forms
- Shallower roof pitch on porches
- Stucco and board and batten siding materials
- Decorative window shutters
- Wood window trim
- Accent window mullions
- Architectural shingle roofs



MEDIUM TO LOW ROOFS WITH DECORATIVE OUTLOOKERS

SIDING MATERIALS USED TO REINFORCE HORIZONTAL BUILDING FORM

WOOD FASCIA AND WINDOW TRIM

CALIFORNIA RANCH ARCHITECTURAL ELEMENTS



Use of materials reinforce horizontal building forms with masonry wainscot or siding and flat title or shingle roofs.



EXAMPLE OF CALIFORNIA RANCH VERNACULAR STYLE HOUSE

AMERICAN INFORMAL INFLUENCE

FARM HOUSE STYLE

- Regional expression of the classic turn-of-the-20th-century rural homestead
- Simple building forms
- Asymmetrical minimal details
- Horizontal wood siding
- Accent shutters
- Front porch
- Simple square posts and diagonal braces

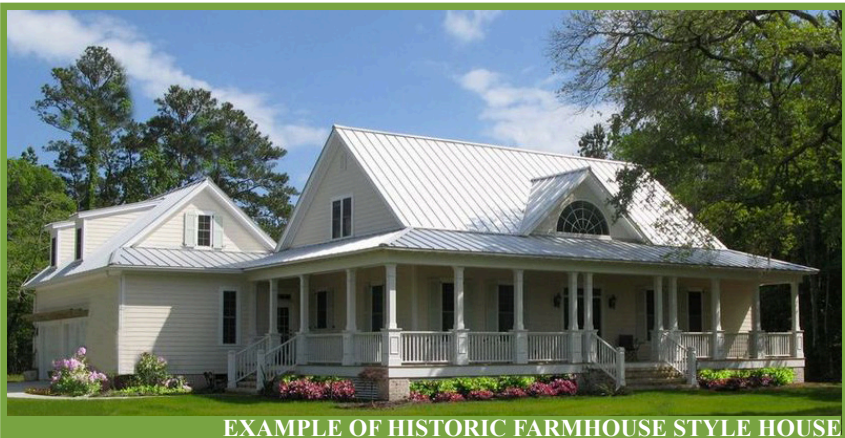


- STEEP ROOFS WITH SIMPLE FASCIA TREATMENT
- GABLE ROOF ENDS DETAILED WITH ACCENT SIDING
- LOWER SLOPING SHED ROOFS REDUCE BUILDING MASS
- RECTANGULAR WINDOWS WITH SIMPLE TRIM SURROUNDS
- COVERED PORCHES WITH SIMPLE WOOD COLUMNS

FARM HOUSE ARCHITECTURAL ELEMENTS



Shallow pitched shed roofed porches accent roofed house form. Wood window trim, railing and posts with simple details.



EXAMPLE OF HISTORIC FARMHOUSE STYLE HOUSE

DESIGN GUIDELINES

AMERICAN INFORMAL INFLUENCE

CRAFTMAN STYLE

- Simple building forms
- Low pitched gable roof forms
- Stucco and horizontal siding materials
- Brick and shingle accents
- Asymmetrical window compositions
- Divided light windows
- Covered porches with wood and brick columns
- Architectural shingle roofs



LOW SLOPING ROOFS WITH FLAT TILE OR SHINGLE ROOF MATERIAL

SIMPLE GABLE ROOF FORMS WITH ACCENT SIDING AND DECORATIVE OUTLOOKERS

ASYMMETRICAL BUILDING FORM AND WINDOW ARRANGEMENT

LARGE COVERED PORCH SUPPORTED BY HEAVY PROPORTIONED TAPERED COLUMNS

CONTRASTING MATERIALS AND COLORS

CRAFTMAN ARCHITECTURAL ELEMENTS



Gable end roofs with extended rake end. Large proportioned columns with heavy base and tapered column form.



EXAMPLE OF HISTORIC CRAFTSMAN STYLE HOUSE

7.3.3 American Formal Influences

Architectural styles such as Colonial Revival, California Traditional, and Western Prairie

The American Formal influences on architectural style are based on classical design principles established during the American Colonial period and interpreted or blended with various regional styles as development moved westward. Massing is horizontal in appearance with vertical proportioned windows and door surrounds. Front porches are common. The houses are composed of simple forms with centered entry elements over the front door.

Massing is simple and often symmetrical. Two story rectangular masses are typical with added one-story elements such as porches and garages forming more complex building configurations. Both symmetrical and asymmetrical composition of doors and windows are used to create balanced building elevations.

General materials include horizontal siding or stucco with shingle, brick or stone veneer accents. Simple classical details include columns and door surrounds.

Roof forms include steep to medium roof pitch on main building with shallow roof pitch used over the porch. Roof materials are historically shake or shingle with more modern interpretations utilizing flat concrete roof tiles and architectural grade asphalt shingles. Roof dormers are often used to reinforce the intended style should be functional and not “faux” elements. Design elements such as dormers may be used to create symmetrical elevation designs.

Typical design detail elements vary from simple to ornate and include shutters accented with color, front porches with wood columns, and railings and bay windows. Colonial Revival and California Traditional styles often include cupolas, weather vanes and other decorative roof ornamentations.

Colonial Revival style architecture reflects the historical homes originating along the Eastern coastal regions. Homes are characterized by simple building forms and gable roof design with symmetrical window arrangements and classical or simple architectural details. Window shutters, round or square columns, and brick and/or decorative wood accents are examples of Colonial Revival details.

California Formal style is characterized by symmetrical building forms and simple rectangular massing. This style evolved across the Midwest and Southwestern United States responding to local construction methods and available materials. Roof forms are predominantly gables with dormer accents. Roof pitches are medium to steep (5:12 minimum). Classical porch columns and enriched wood detailing reinforce the symmetry of the building.

Examples of American Formal Influence architectural styles are illustrated on page 7-16 to 7-18.

AMERICAN FORMAL INFLUENCE

EASTERN COLONIAL STYLE

- Horizontal massing is reinforced by use of siding material
- Balanced symmetry created by simple building/roof forms
- Simple gable roof forms
- Medium roof pitch with shingle or flat concrete roof tiles
- Details include dormers, window Shutters, and window boxes/sills, and divided light windows



MEDIUM PITCH ROOF FORMS WITH FLAT TILE OR SHINGLE ROOF MATERIAL

FORMALLY SPACED VERTICAL WINDOWS WITH DECORATIVE SHUTTERS

BRICK OR MASONRY BUILDING MATERIAL USED AS ACCENT

CLASSIC ROUND OR SQUARE COLUMNS WITH CAP AND BASE DETAILS

EASTERN COLONIAL ARCHITECTURAL ELEMENTS



Decorative millwork on built-up eaves and windows pediments. Regular spaced windows with vertical proportions often accented with wooden shutters.



EXAMPLE OF PERIOD EASTERN COLONIAL STYLE HOUSE

AMERICAN FORMAL INFLUENCE

CALIFORNIA TRADITIONAL STYLE

- Simple gable roof pitches with heavy shake/shingle material
- Shutters on most front facing windows
- Contrasting wood siding colors with stone or brick used as foundation accent
- Stacked window arrangements



- MODERATE TO STEEP ROOF FORMS WITH HEAVY EAVES
- ASYMMETRICAL BUILDING MASSING USING STUCCO OR SIDING
- STONE OR MASONRY USED TO REINFORCE BUILDING FORM
- WELL PROPORTIONED STUCCO OR WOOD COLUMNS
- COLONIAL WINDOW DETAILS

CALIFORNIA TRADITIONAL ARCHITECTURAL ELEMENTS



Moderate to steep roof pitch with classical proportioned windows and trim details. Masonry used to reinforce building forms and massing.



EXAMPLE OF CALIFORNIA TRADITIONAL VERNACULAR STYLE HOUSE

AMERICAN FORMAL INFLUENCE

WESTERN PRAIRIE STYLE

- Balanced elevations, using masonry as an accent material on lower portion of house
- Heavy stained wood accents
- Extended roof overhangs with support braces
- Hip roof forms with flat tiles or shingle materials



- LOW PITCHED ROOFS ACCENTUATE BUILDING FORM
- HIP ROOF WITH EXTENDED OVERHANGS
- HORIZONTAL BANDING OR WAINSCOT WITH COLOR OR MASONRY ACCENTS
- SQUARE PROPORTION WINDOWS
- PORCHES SUPPORTED BY WIDE SQUARE COLUMNS

WESTERN PRAIRIE ARCHITECTURAL ELEMENTS



Horizontal massing reinforced by low pitched hip roof, wainscot banding and window pattern.



EXAMPLE OF PERIOD WESTERN PRAIRIE STYLE HOUSE

7.3.4 Modern Influences

Sometimes called contemporary or transitional, modern styles are usually expressed by streamlining details, simplifying forms, using bold color palettes and mixing materials, albeit common to the style, but in a different manner.

Twentieth Century construction technology created an evolution of “new” architectural styles. Many of these styles were reinterpretations of classical styles (such as Neo-classical) while others were modernizations of international styles that infiltrated urban cities. Contemporary landmark buildings inspired further interpretations and designs based on international movements stressing the functionality of the building. Appropriate architectural interpretations within the Modern influences should be compatible with other selected architectural styles within Armstrong Ranch.

Building massing within the Modern design influence is defined by its simplicity and follows the rule “that form follows function.” Both rectilinear and curved building forms provide the aesthetic balance to this emphasis on function. Ornamentation is minimized, and building character is established by the architectural mass and use of materials. Window patterns are geometrically composed and stress the horizontal proportions. Balconies are either inset into the building mass or cantilevered as focal design elements.

Building materials include stucco, wood siding (horizontal or vertical), metal, brick, and stone veneers. The application of the building materials are intended to relate to the overall building composition and design. The use of materials often imitates structural elements or forms and reduces the overall massing of the building.

A variety of roof forms and materials are characteristic within Modern styles. Appropriate forms in a residential context include traditional hip and gable designs but also include curved roofs, flat roofs with parapet walls, and half gable roofs. Roof materials may include concrete tile, standing seam metal, architectural grade asphalt shingles, or a combination of roof materials.

Typical design elements generally reflect the simplicity of the building, incorporating material or color changes to provide accents and interest. Enlarged overhangs and sunshades, deep window recesses, mitered corner windows, open metal railing, and simple or commercial grade accent features such as light fixtures and vine trellises are characteristic of Modern architectural styles.

The Modern influence includes many contemporary and urban interpretations of the other historical and period architectural styles selected for Armstrong Ranch. It also anticipates modern building forms that provide a reasonable scale to buildings that exceed the residential scale of the historically based styles and is suitable for larger buildings generally anticipated for single family attached and multi-family structures.

DESIGN GUIDELINES

MODERN INFLUENCE

MODERN ELEMENTS

- Simple facades with bold in materials
- Varied roof forms/pitches combined to reinforce style
- Bold colors and accent materials used to create and accentuate building forms
- Simple windows clustered or arranged in formal compositions
- Shed and hip roofs used to optimize solar



REINFORCE OVERALL MASSING AND STYLE

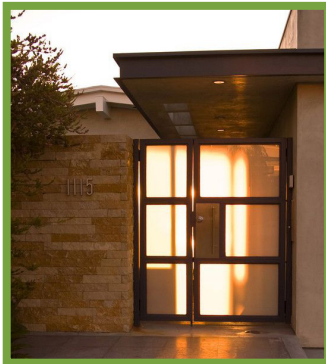
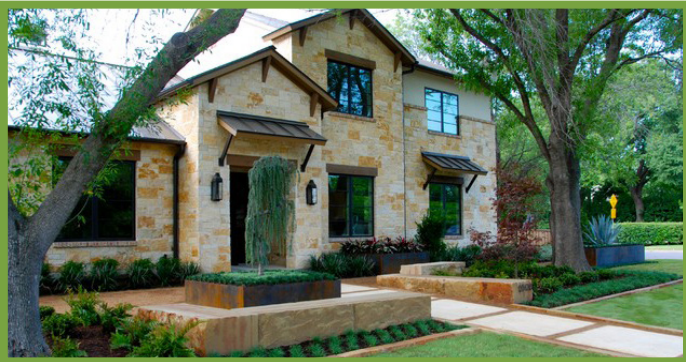
VARIED ROOF FORMS REINFORCE MODERN STYLE INTERPRETATION

WINDOW TREATMENT USED TO ESTABLISH BALANCE AND TO ACCENTUATE BUILDING FORM

STRONG CHANGE IN MATERIALS AND COLORS USED TO CREATE VISUAL INTEREST

MODERN ARCHITECTURAL ELEMENTS





All styles found within this document can be implemented as a Modern version, by applying an additional set of these guidelines. Examples of Modern Influence architectural styles are illustrated on pages 7-20 and 7-21.

7.4 Massing Principles

This section provides suggestions for creating neighborhoods and street scenes that have a variety of building forms proportionate to a human-scale and inviting to the pedestrian.

General Elements:

The general elements of building massing include:

- Front Articulation.
- Side Articulation.
- Rear Articulation.
- Roof Form.
- Balconies and Projections.
- Building Composition.

Objectives:

- Incorporate single-story elements in both detached and attached buildings.
- Establish a residential scale through architectural design and detailing that reinforces the architectural style.
- Provide second story setbacks as an alternative solution to the lack of appropriate architectural/building composition, detailing, visual interest and/or residential proportion/scale.
- Avoid flat two story walls on fronts and rears that do not reinforce the architectural style or add to the overall building composition.
- Minimize two story dominance of the street scene on sidewalks and open spaces.
- Vary garages to reduce their visual impact.

7.4.1 Front Articulation

The front elevation of the building is an important element in creating a quality community at Armstrong Ranch. Close attention will be placed on all front elevations and how they address the street-scene. Emphasis of the location of entries, living areas, and garages will provide a special street appeal.

Emphasis on a variety of building massing will create a diverse street scene.

Guidelines:

- Building massing should reflect the architectural style.
- Massing elements should avoid elevations that appear to be “tacked on.”
- Building details such as doors and windows should be in proportion to the overall massing.
- Building forms are encouraged to reflect the interior uses of the home.
- Front elevations for two-story buildings should incorporate a single-story element.
- Front elevations for two-story buildings should incorporate one-story elements
- All detached homes should have at least two plane variations (excluding the garage) in front elevation massing.
- Flat two story walls at the minimum front setback line shall be purposeful in reinforcing the architectural style. Examples include, but are not limited to, towers, turrets and focal points.
- Blank or unarticulated (uninterrupted) two story walls are discouraged.

7.4.2 Side Articulation

Architectural detailing reinforces the intended style of the house, however, it is recognized that some buildings that are sited in close proximity along a street establish a side-to-side orientation where the interior side elevations are less visible from the street. This section shall address this portion of buildings within the context of a specific neighborhood. It is not applicable to side elevations where a front entry door is located (often referred to as a side entry), which should be designed in accordance with the criteria for front articulation.

Guidelines:

- Architectural massing and articulation should be consistent with the style of the home/building.
- Vertical and horizontal plane breaks are encouraged.
- Building details should be proportional to the overall massing.
- Blank or unarticulated (uninterrupted) two and three story walls are discouraged in areas visible from the street and/or common areas. Large blank two story walls should be limited to the inactive side of the building.
- Homes directly adjacent to arterial roadways, collector roads, entry drives, common areas, and open spaces shall be given particular attention to their exposed side elevation.

7.4.3 Rear Articulation

All building elevations shall address the visual interest and human scale appropriate to the pedestrian activity within the neighborhood.

Special attention shall be given to the design of those dwellings adjacent to, or in close proximity of, arterial roadways, primary local streets, interior neighborhood streets, parks, common areas, open spaces, or entry features. Whether viewed from distant or close range, massing requirements will

be implemented to ensure positive community character in these conditions. Generally, repetitious elements such as similar building profiles and continuous gable ends are to be avoided.

Guidelines:

- Architectural massing and articulation should be consistent with the style of the home.
- Plans shall incorporate projections and/or offsets that extend from the main wall lane.
- Vertical and horizontal plane breaks are encouraged.
- Buildings and homes directly adjacent to arterial roadways, collector roads, entry drives, common areas, and open spaces should be given particular attention in their rear articulation.
- Building details should be proportional to the overall massing.
- Blank or unarticulated (uninterrupted) two story walls are discouraged in areas visible from the street and/or common areas.

7.4.4 Roof Forms

Roof form is another important design element as it relates to the massing and the overall character of the community, observed from both the external edges and inside the neighborhood. A variety of roof forms along streets create a positive visual edge. Appropriate massing of roof forms helps to create human scale architecture to the street.

Guidelines:

- Roof forms/pitch should reinforce the architectural style of the homes.
- Roofs shall be composed of simple roof forms.
- Primary roof forms should be gable or hip designs or should be characteristic of the represented architectural style.
- Roofs shall vary in massing along street scene and open spaces.
- Changes in the primary roof (ridge) orientation are encouraged.
- Flat roof elements should be incorporated only if appropriate to the architectural style.

7.4.5 Balconies and Projections

As part of the overall design of a two-story building, balconies and projections provide massing relief and interest at the second story. Balcony projections shall be consistent with the architectural character of the home. Additionally, these elements help to create ideal outdoor spaces.

Guidelines:

- Balcony design should reinforce the architectural style of the building.
- In multiple unit buildings, balcony composition should create visual interest and organization of forms.
-

7.4.6 Building Composition

The building composition is a result of the compounded architectural design components such as the overall building form and fenestration. Architectural design components such as the articulation of each elevation, the roof design, design of exterior features including balconies, window seats, dormers and architectural projections as well as the arrangement of windows and doors contribute to an attractive and well composed building. The building composition should enhance and reinforce the architectural character of the building.

Guidelines:

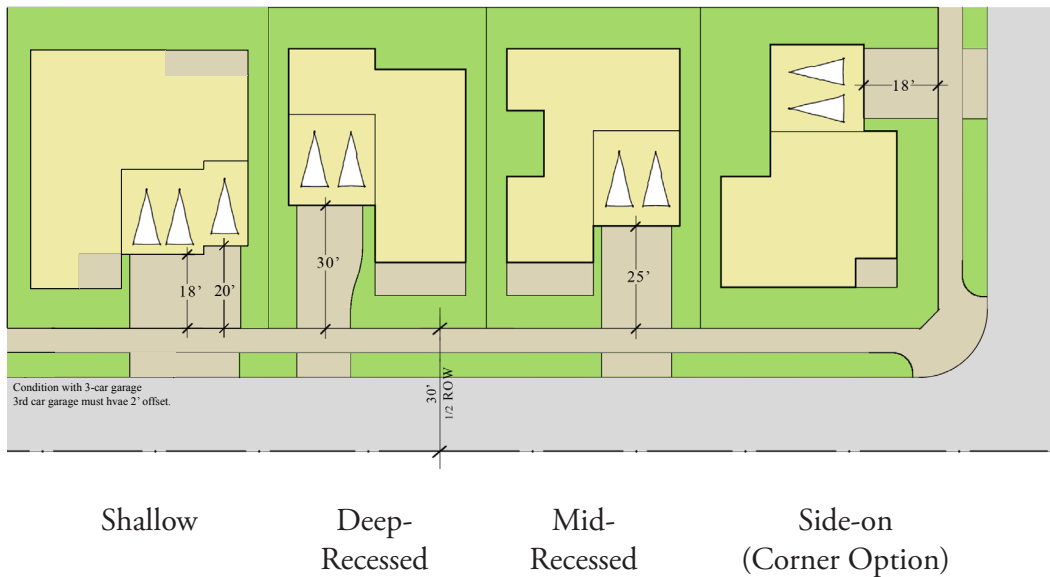
- The composition of architectural design components should be consistent with the style of the building or home.
- Window and other exterior opening should be stacked or otherwise arranged in an attractive manner that reinforces the architectural character of the building.
- Focal windows should be articulated as important design features.
- Stacking of arched window forms should be discouraged.
- Visual interest should be established by a variety of design techniques including building offsets, fenestration articulation, architectural projections and/or architectural details.
- Entries should be articulated as an important architectural feature.

7.5 Garage Placement

The configuration, location, and orientation of the garage are integral design elements, both for the composition of individual homes and buildings and its contribution to the street-scene. De-emphasizing the garage is important in order to maintain the overall community design. Emphasizing the living areas of the home as they address the street will achieve this goal. Single-family homes that utilize a variety of garage placements and configurations help to minimize the visual impact of garages facing neighborhood streets and individual driveway interruptions along these streets. Alternative garage configurations including deep recessed garages, mid-recessed garages, side-on garages, split garages, and tandem garages oriented along neighborhood streets, as illustrated on the following page, reinforce the pedestrian character. Three car garages with front oriented garage doors facing the street are allowed on 25% of lots with 65' frontage width or greater.

Guidelines:

- Acceptable garage configurations along neighborhood streets include deep recessed garages, shallow recessed, mid-recessed garages, side-on garages, shallow garages, and split garages.
- Shallow recessed two car garages shall have a minimum setback of 5 feet measured back from the front building plane (not porch or patio).
- Garage door patterns should vary among elevation types and reinforce the architectural theme of the home.



- Three car garages with front oriented garage doors facing the street are allowed on 25% of lots with 65' frontage width or greater. Since garages on alleys and short private drives do not adversely effect the public street scenes, there is no restriction on 3-car garage percentages.

7.6 Materials and Details

Architectural materials and detailing are fundamental elements to creating quality communities. Appropriate focus should be given to the architectural details, the design of the details, and architectural elements of the building. The materials found within the Design Guidelines section of the Armstrong Specific Plan are intended to outline the array of options available to the developer, as opposed to a list of all materials that are required.

General Elements

The general elements comprising the materials and details of a building are:

- Wall Materials/Finishes
- Accent Materials
- Doors and Windows
- Roofing Materials and Slope
- Fascias, Eaves and Rakes
- Exterior Colors

7.6.1 Wall Materials/Finishes

Approved Materials:

- Board and batten siding
- Shingles
- Horizontal siding (Such as Hardy Board)
- Stucco
- Exposed masonry walls (no unfinished precision block; decorative block only: brick, slump block, etc.)
- Stone, brick, brick veneers (accent materials)

Approved Finishes:

- Stucco finishes appropriate to the architectural style of the building.
- Smooth or sand finishes are encouraged. Heavy or Spanish Lace stucco finishes are prohibited.

Guidelines:

- Building materials should reflect the architectural style of the building.
- Siding materials should be wrapped beyond front elevations and should terminate at an inside corner or at the side yard return wall/fence. Alternate termination locations may be approved by the Planning Department.
- Masonry elements and accents should reflect building forms and not appear as an applied veneer.
- Footings shall be exposed no higher than six inches (6") above finished grade, unless architecturally treated or as approved by the Planning and Building Departments.

7.6.2 Accent Materials

Accent materials promote individuality in each home and ensure diverse character within the neighborhood. Accents can be used to reinforce the architectural theme of the building.

Guidelines:

- Accent materials should complement the overall color and style of the building.
- Accent materials shall terminate at inside corners and be wrapped to coincide with an architectural element.
- Accent materials may terminate at location of the lateral fence or at logical end as approved by the Planning Department.
- Architectural trim shall be applied to all elevations and shall be consistent with front elevation of the building.

7.6.3 Doors and Windows

The design and detail of the doors and windows on a home reinforce the architectural style and are key elements in the composition of the exterior elevation of the building.

Guidelines:

- Door designs shall be consistent with the architectural style of the building.
- Doors should be protected by porch elements or recessed entries.
- Garage and entry door design shall be appropriate to the style of the building.
- Maximum garage door height shall be eight feet (8').
- Alignment and proportions of windows shall be appropriate to the architectural style of the building.
- All windows (including garage door windows) are to be consistent with the architectural style of the building.
- Divided light windows are encouraged in keeping with the architectural style.
- Highly reflective glazing is not permitted.
- Window details such as shutters, trim surrounds, window boxes and window recesses are encouraged in keeping with the architectural style.

7.6.4 Roofing Materials and Slope

Roofing materials as well as roof forms, pitch and design details are integral elements that reinforce the intended architectural style of the building. Proposed roofs should reflect the architectural style of the building. Roof slopes should be reflective of the character of the building and accent roof elements should reflect the appropriate architectural style.

Attention should be given to address the context of the roof of each home relative to the adjacent building along the street.

Approved Optional Roofing Materials (Subject to compatibility with the intended architectural style):

- Concrete tile (flat or curved profile)
- Clay tile
- Standing Seam Metal
- Slate
- High Profile Composition Shingle

Prohibited Roof Materials:

- Wood Shake
- Wood Shingle

- Low Profile Asphalt Composition
- Corrugated Metal

Guidelines:

- Roof materials and roof pitches need to be selected to reinforce the architectural style.
- Standing seam metal roofs painted in non-reflective neutral colors are allowed in appropriate architectural styles.
- Avoid repetition in continuous gable-ends and similar ridge heights.
- Skylights are discouraged on the sloped roofs of the front elevations of the building.

7.6.5 Eaves, Fascias, and Rakes

Guidelines:

- Eave, fascia, and rake proportions are to be appropriate to the architectural style.
- Larger eave overhangs provide opportunities for shading and should be used in appropriate architectural styles.
- Exposed rafter tails shall be a minimum of four inches (4") in thickness.
- Wood fascias and rafters shall be painted or stained to reinforce the style of the building.
- Attention shall be given to rake return details.

7.6.6 Exterior Colors

Building colors are important to establishing a blended community at Armstrong Ranch, yet they should give the impression that each home was designed on its own. Appropriate color selections make each building unique, but still look natural and in place in the neighborhood context.

Guidelines:

- Diversity of color is encouraged.
- Color shall contribute to distinguishing the overall architectural style of the building.
- Colors should reflect the natural hues found in Southern California.
- Color and hue variation in adjacent homes shall be provided to create neighborhood diversity.
- A minimum of two different color schemes shall be provided for each architectural style.
- Refer to Table 7-3 for additional guidelines for exterior color and exterior elevation requirements.

7.7 Additional Design Elements

Design elements that are utilitarian in nature should be designed as integral features that support the intended architectural style.

Guidelines:

- Gutters and downspouts should be designed to minimize their visibility from streets and common areas.
- Exposed gutters and downspouts shall match roof or wall color.
- Faux copper patina is acceptable.
- Rooftop mechanical equipment is prohibited.
- Air conditioning/heating equipment shall be screened from the street and neighboring views and shall be ground mounted.
- Pool, spa, and water softening equipment shall be screened from neighboring views.
- Meters shall be screened from public view to the extent possible.
- Back flow preventers shall be adequately screened from public view.
- Decorative paving shall be provided at appropriate locations subject to approval of the Planning Director. Decorative paving is not permitted within public rights of ways. Appropriate locations include, but are not limited to, pedestrian crossing locations and areas of high expected pedestrian travel, entry locations to common walkways, access to parks and common open space, neighborhood entry walkways, and in areas distinguishing common parking and driving areas or common and private walkways.

7.8 Community Structures

Any community structures such as gazebos, shade structures, etc. should be designed to reinforce the architectural style of the surrounding neighborhood and the overall Armstrong Ranch Community.

Guidelines:

- Detached structures, such as restroom buildings, club houses, pool cabanas, and gate houses associated with individual neighborhoods shall be designed to match the style, detail, roof material/pitch, and massing criteria of the primary buildings within the neighborhood.
- Detached garages, storage buildings and utility buildings should incorporate design features, materials, and colors compatible with the primary buildings within the neighborhood.
- The development of a community recreation facility whether public or private shall be subject to the Development Plan Review process as established in the City's Development Code.

7.9 Home Types

A variety of housing types, utilizing an architectural program composed of detached housing, are offered at Armstrong Ranch. This diversity ensures a range of choices and a mix of homes within the community. Residences shall be articulated in appropriate architectural styles. Providing a variety of housing programs allows homeowners the opportunity to move-up within the community as their lifestyles and needs change over time.

7.10 Design Guidelines for Landscape Architectural Character

Careful attention has been given to the community landscape architectural style for the Armstrong Ranch Specific Plan. The following design guidelines are organized to define the basic landscape design principles for Armstrong Ranch. Observing these guidelines will help to implement the “design vision” and assure the design integrity of Armstrong Ranch.

All landscape plans, streetscape plans, and graphic designs with regard to community identity, neighborhood identity, or entry monumentation shall conform to the guidelines as set forth herein, and shall be subject to review and approval by the City of Ontario. Additionally, all landscape plans shall comply with City Standard Drawings and Traffic and Transportation Guidelines for monument placement. Any proposed entry gates shall be reviewed by the Traffic and Transportation Division, and permitted only if approved.

Landscaping utilized for Archibald, Edison, Haven, and Eucalyptus Avenues shall be designed in accordance with the City of Ontario’s TOP Streetscape Master Plan and Landscape Development Standards.

7.11 Perimeter Streetscape Design

Streetscape design guidelines establish a hierarchy for the landscape development along the surrounding roadways, as well as establish a framework for consistency of design. Three major arterial/collector roadways surround the project site as follows:

- Vineyard Avenue to the West
- E. Riverside Drive to the North
- Chino Avenue to the South

Landscaped “neighborhood edges” associated with these roadways have been defined as noted in The Ontario Ranch Streetscape Master Plan. Landscape development surrounding this community will help to set the character, while maintaining consistency with the City of Ontario’s pedestrian pathway system as illustrated in the “Trails and Open Space System” section of The Ontario Ranch Streetscape Master Plan. Streetscape sections described below are located on **Exhibit 7-1, “Street Sections Legend.”**

7.11.1 Vineyard Avenue

The Vineyard Avenue streetscape shall include the following:

- A landscaped parkway 15’ wide minimum on the east side, with a row of street trees per The

Ontario Ranch Streetscape Master Plan along the street.

- A 5' wide pedestrian sidewalk set behind the landscaped parkway.
- An 8' wide separated multipurpose path from the sidewalk along the west side of the street.
- A 28' landscaped median planted per The Ontario Ranch Streetscape Master Plan.
- A landscaped easement/neighborhood edge of 25' between the R/W and the perimeter wall.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways. Drip line irrigation shall be used in areas 10' wide or less.
- Low water ground-covers shall be used in traditional turf areas including parkways, except where pedestrian access from parked cars is expected, low water turf may be used.
- Background trees and shrub masses planted per The Ontario Ranch Streetscape Master Plan. Minimum shrub planter depth of 10'.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-2, "Conceptual Landscape Plan."**

The streetscape plan for Vineyard Avenue is illustrated in **Exhibit 7-3, "Vineyard Avenue Section/Plan."**

7.11.2 E. Riverside Drive

The E. Riverside Drive streetscape shall include the following:

- A Landscaped parkway 7' wide with a single row of street trees per The Ontario Ranch Streetscape Master Plan.
- A 5' wide pedestrian sidewalk set behind landscaped parkway.
- An 8' wide Class II bike path separated from the sidewalk along the south side of the street.
- A landscape easement/neighborhood edge of 23' between the R/W and the perimeter wall on the south side.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways. Drip line irrigation shall be used in areas 10' wide or less.
- Low water ground-covers shall be used in traditional turf areas including parkways, except where pedestrian access from parked cars is expected, low water turf may be used.
- Background trees and shrub masses planted per The Ontario Ranch Streetscape Master Plan. Minimum shrub planter depth of 10'.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-8, "Conceptual Landscape Plan."**

The streetscape for E. Riverside Drive is illustrated in **Exhibit 7-4, "E. Riverside Drive Section/**

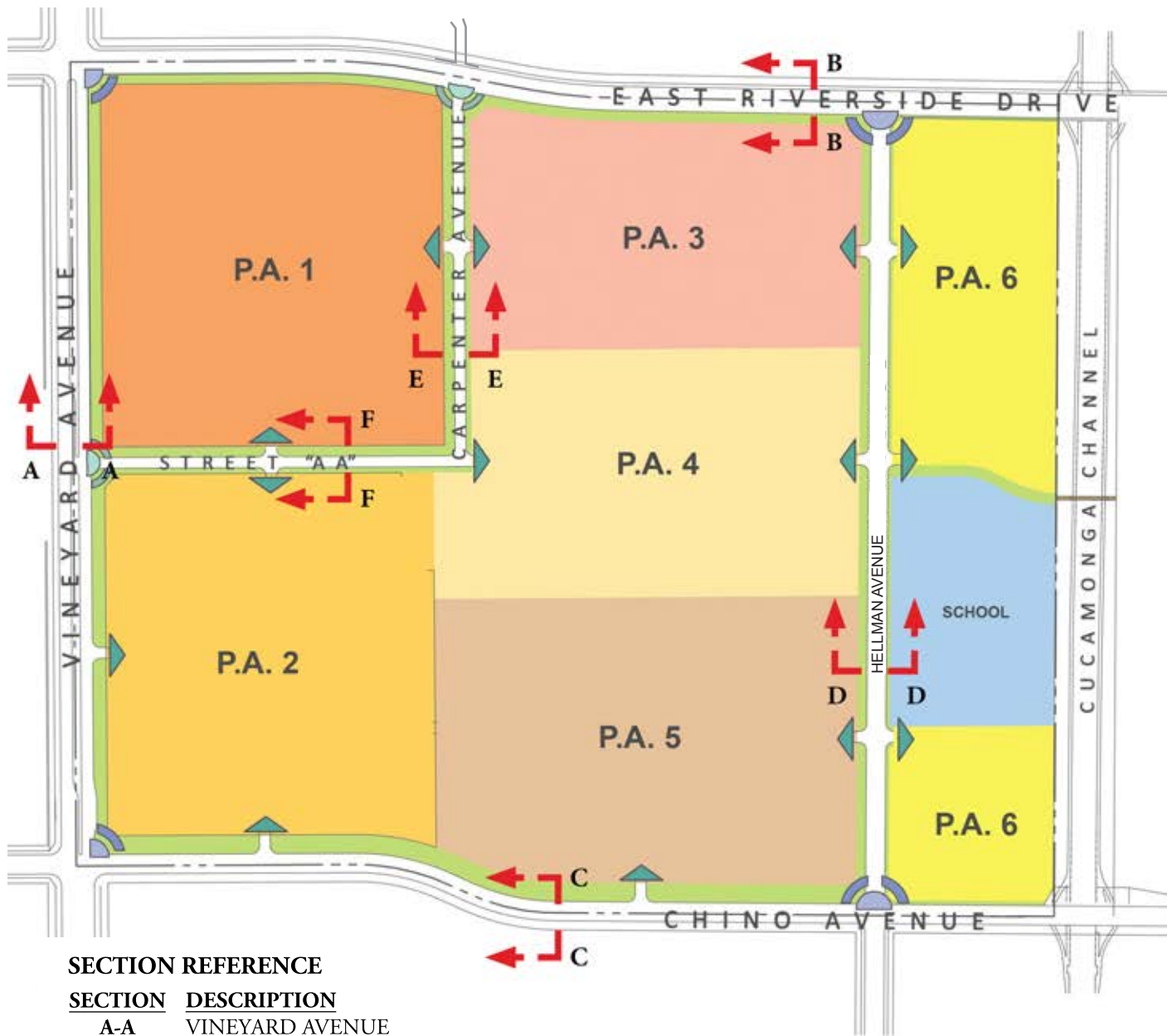
Plan.”

7.11.3 Chino Avenue

The Chino Avenue streetscape with the adjacent Armstrong Ranch located to the north, shall include the following:

- A Landscaped parkway 7' wide with a single row of street trees per The Ontario Ranch Streetscape Master Plan along the street.
- A 5' wide pedestrian sidewalk set behind landscaped parkway.
- An 8' wide separated path from the sidewalk, known as the Charlotte Armstrong Path, along the north side of the street.
- A landscape easement/neighborhood edge of 39' between the R/W and the perimeter wall on the north side.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways. Drip line irrigation shall be used in areas 10' wide or less.
- Low water ground-covers shall be used in traditional turf areas including parkways, except where pedestrian access from parked cars is expected, low water turf may be used.
- Background trees and shrub masses planted per The Ontario Ranch Streetscape Master Plan. Minimum shrub planter depth of 10'.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-2, “Conceptual Landscape Plan.”**

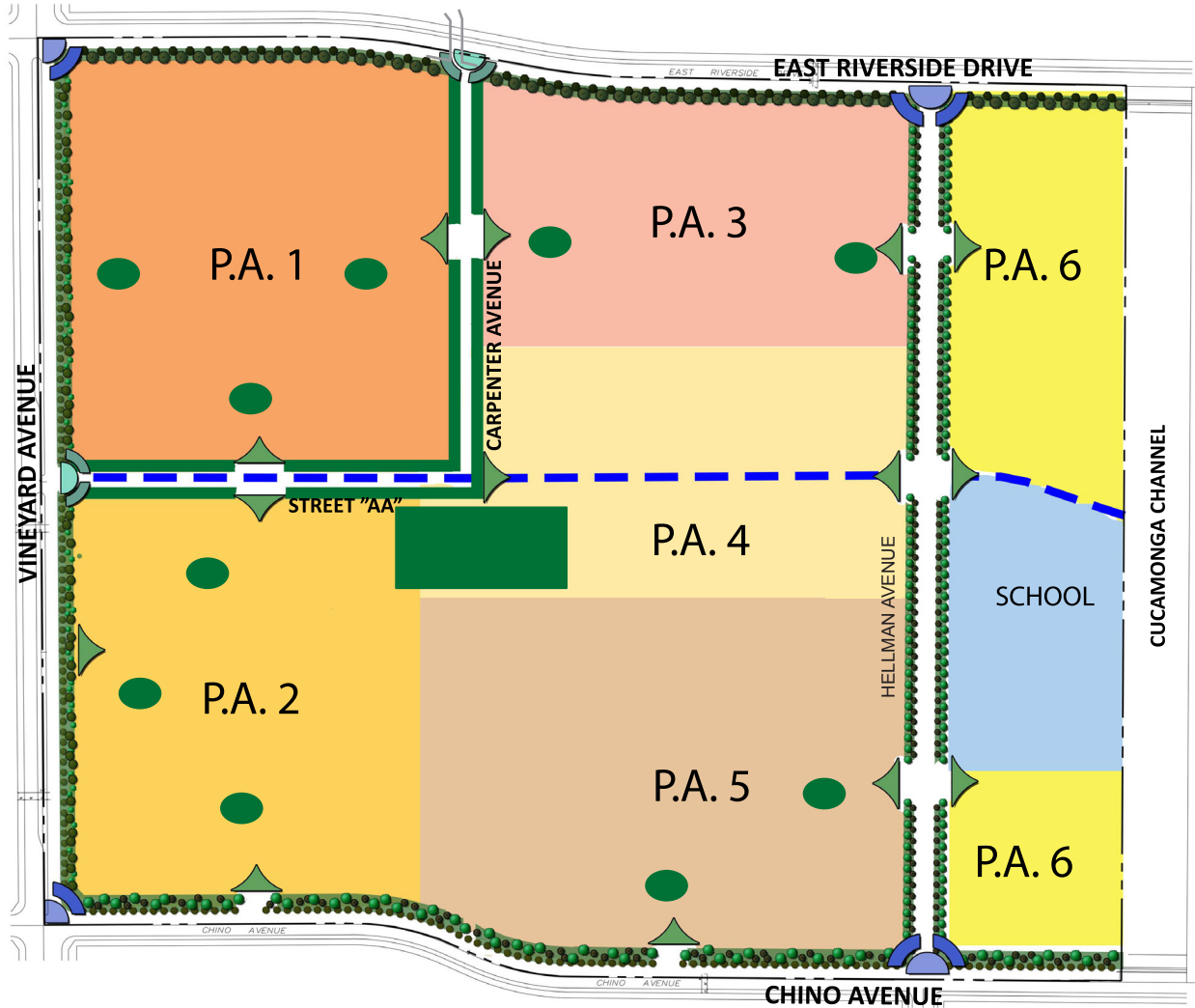
The streetscape plan for Haven Avenue south of Park Street is illustrated in *Exhibit 7-5, “Chino Avenue Section/Plan.”*



SECTION REFERENCE

<u>SECTION</u>	<u>DESCRIPTION</u>
A-A	VINEYARD AVENUE
B-B	E. RIVERSIDE DRIVE
C-C	CHINO AVENUE
D-D	HELLMAN AVE.
E-E	CARPENTER AVENUE
F-F	“AA” STREET

EXHIBIT 7-1: Street Sections Legend



LEGEND









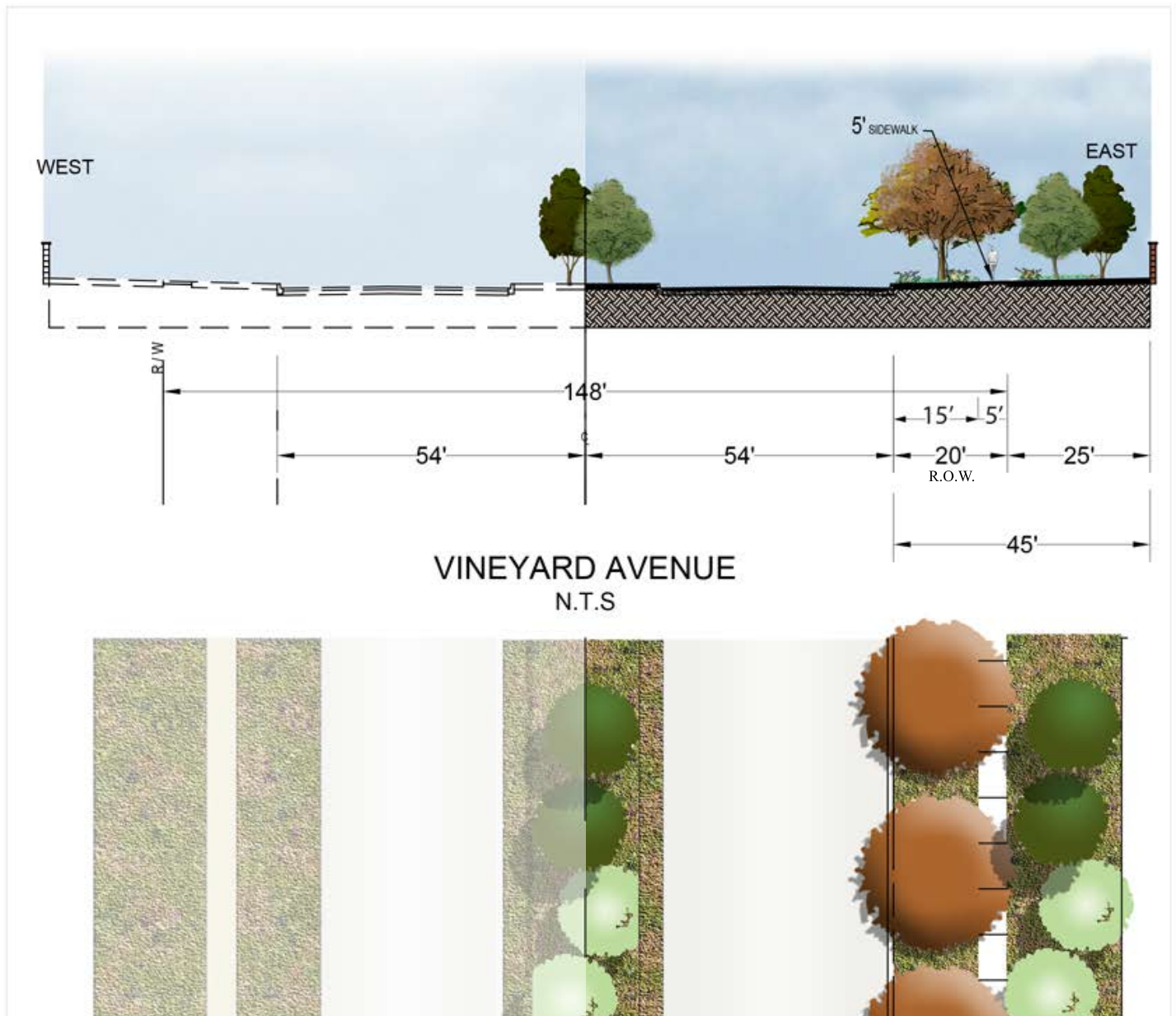
-  PRIMARY ENTRY MONUMENT
-  SECONDARY ENTRY MONUMENT
-  NEIGHBORHOOD ENTRY MONUMENT
-  ARMSTRONG PARK
-  LANDSCAPE AREA
-  NEIGHBORHOOD EDGE
-  POCKET PARKS (LOCATIONS SHOWN ARE CONCEPTUAL)
-  CHARLOTTE ARMSTRONG TRAIL

EXHIBIT 7-2: Conceptual Landscape Plan

DESIGN GUIDELINES






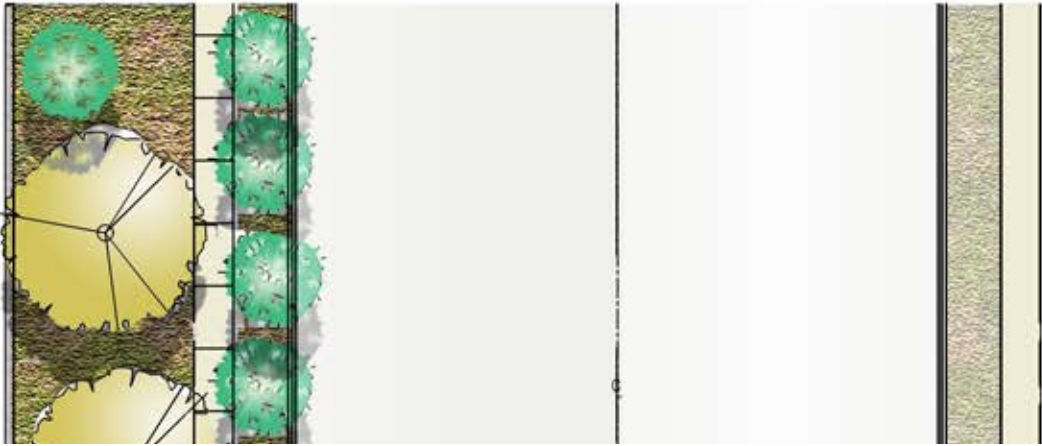
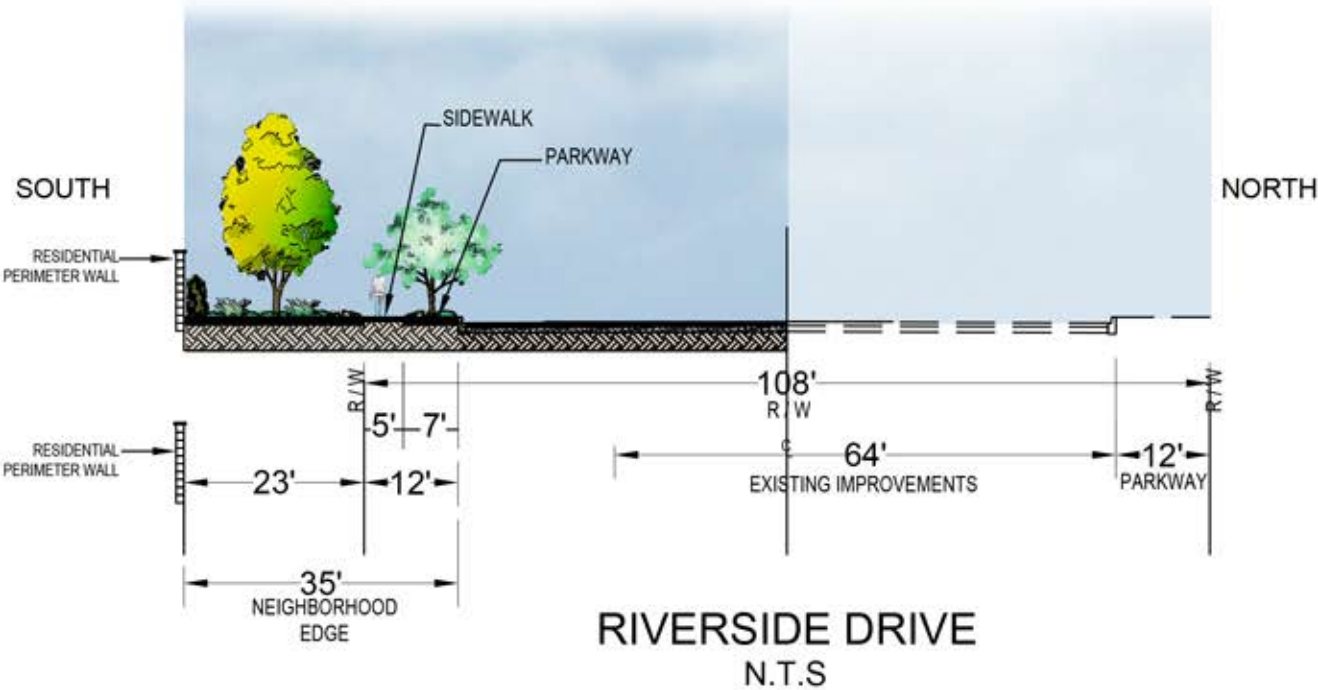
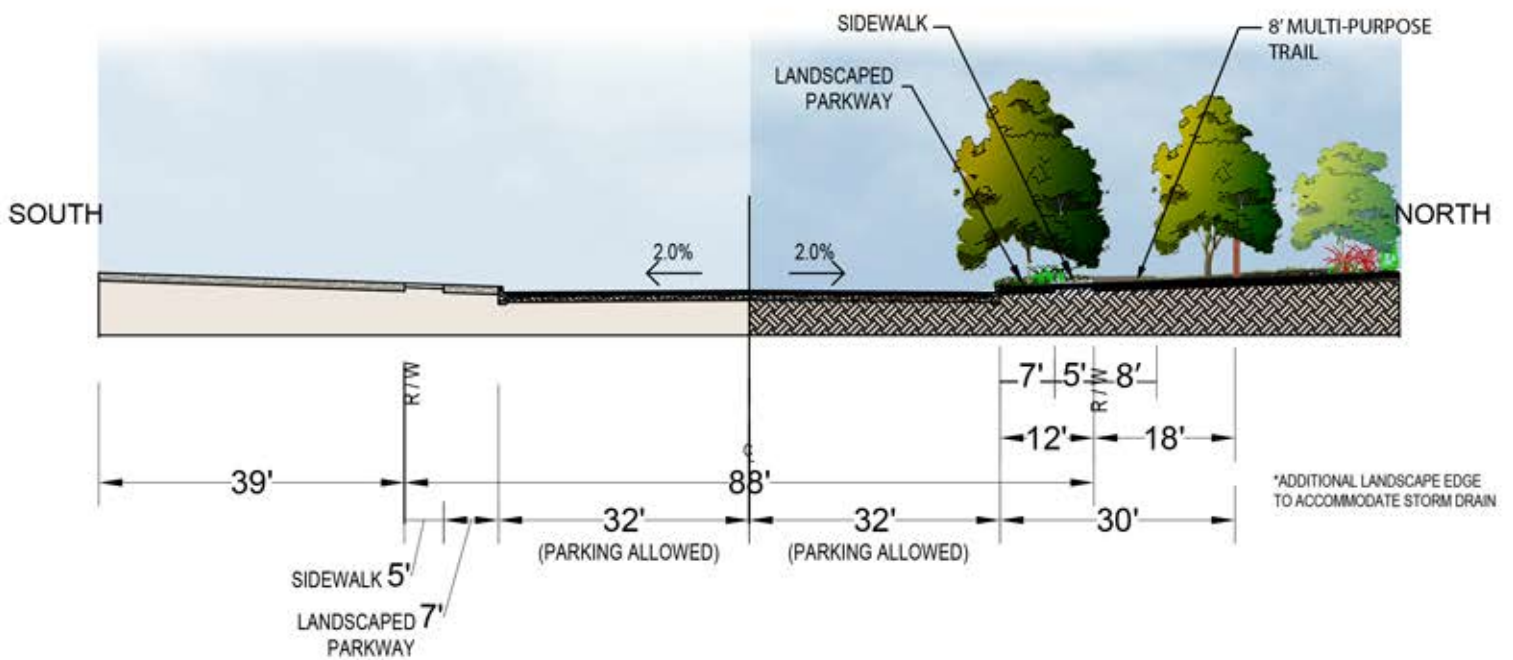
BOTANICAL NAME/COMMON NAME	SIZE (Height x Spread)	SPACING	SYMBOL
Platanus acerifolia 'Bloodgood'/London Plane Tree	40' x 30'	at 30' o.c.	
Chitalpa tashkentensis 'Morning Cloud'/Chitalpa	25' x 25'	at 25' o.c.	
Quercus suber/Cork Tree	60' x 30'	at 30' o.c.	

EXHIBIT 7-3: VINEYARD AVENUE SECTION/PLAN

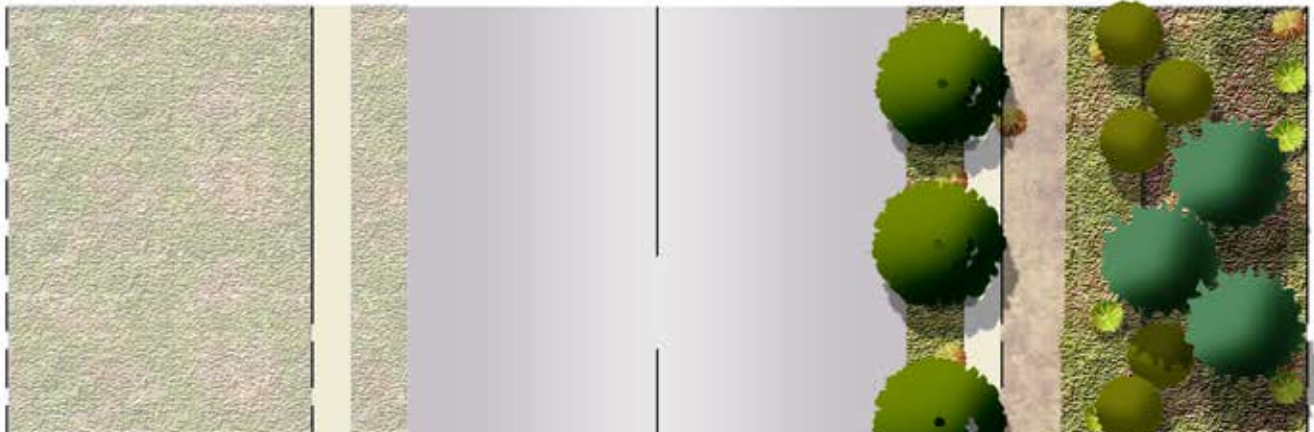


BOTANICAL NAME/COMMON NAME	SIZE (Height x Spread)	SPACING	SYMBOL
Lagerstroemia indica 'Natchez'/White Crape Myrtle	20' x 12'	at 20' o.c.	
Platanus acerifolia 'Bloodgood'/London Plane Tree	40' x 30'	at 30' o.c.	

EXHIBIT 7-4: E RIVERSIDE DRIVE SECTION/PLAN



CHINO AVENUE
N.T.S



BOTANICAL NAME/COMMON NAME	SIZE (Height x Spread)	SPACING	SYMBOL
Chitalpa tashkentensis 'Morning Cloud'/Chitalpa	25' x 25'	at 25' o.c.	
Magnolia grandiflora 'Majestic Beauty'/Southern Magnolia	60' x 30'	at 30' o.c.	

EXHIBIT 7-5: CHINO AVENUE SECTION/PLAN

7.12 Interior Streetscape Design

Streetscape design within the interior of the Armstrong Ranch community shall be consistent in character with the perimeter streetscapes and should help to promote pedestrian circulation throughout the community and to the City of Ontario Armstrong Ranch recreational area located south of the community.

Where interior streetscapes interface with neighborhood or mini parks and open space, special consideration should be taken to integrate pedestrian circulation into these areas via a street side pedestrian paseo system that links the public sidewalk to active walking trails and open space areas. This is especially important within the multi-family residential planning areas.

7.12.1 Hellman Avenue

The Hellman Avenue streetscape shall include the following:

- An 7' wide landscaped parkway with a row of street trees per The Ontario Ranch Streetscape Master Plan along both sides of the street.
- A 5' wide pedestrian sidewalk on the south side set behind landscaped parkway.
- A landscaped easement/neighborhood edge of 18' between the R/W and the perimeter wall.
- Drip line irrigation shall be used in areas 10' wide or less and low volume rotary spray in larger areas where CFD maintained. Drip line recommended in all other locations.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways.
- Background trees and shrub masses planted in series of foreground, mid-ground, background layers to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-2, "Conceptual Landscape Plan."**

The streetscape plan for Hellman Avenue is illustrated in **Exhibit 7-6, "Hellman Avenue Section/Plan."**

7.12.2 Carpenter Avenue

The Carpenter Avenue streetscape shall include the following:

- An 8' wide landscaped parkway with a double row of street trees in the parkway and behind the sidewalk along both sides of the street per The Ontario Ranch Streetscape Master Plan.
- A 5' wide pedestrian sidewalk set behind landscaped parkway.
- A landscaped easement/neighborhood edge of 7' between the R/W and the perimeter wall.

- A maximum of 50% warm season turf in landscape areas, irrigated by low volume rotary spray in areas no less than 8' wide or drip line irrigation may be used in all locations.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways. Drip line irrigation shall be used in areas 10' wide or less.
- Background trees and shrub masses planted in series of foreground, mid-ground, background layers to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-2, "Conceptual Landscape Plan."**

The Carpenter Avenue streetscape is illustrated in **Exhibit 7-7, "Street 'AA' and Carpenter Avenue Section/Plan."**

7.12.3 "AA" Street

The "AA" Street streetscape shall include the following:

- An 8' wide landscaped parkway with a row of street trees along both sides of the street selected from Table 7-1 "Plant Matrix-Trees"
- A 5' wide pedestrian sidewalk set behind landscaped parkway.
- A landscaped easement/neighborhood edge of 7' between the R/W and the perimeter wall.
- A maximum of 50% warm season turf in landscape areas, irrigated by low volume rotary spray in areas no less than 8' wide or drip line irrigation may be used in all locations.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways. Drip line irrigation shall be used in areas 10' wide or less.
- Background trees and shrub masses planted in series of foreground, mid-ground, background layers to help define borders and plant groupings while combining interesting foliage textures and color.
- Provide flowering accent trees and large specimen trees within roundabout planter at south terminus of street.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-2, "Conceptual Landscape Plan."**

The streetscape plan for "AA" Street is illustrated in **Exhibit 7-7, "Street 'AA' and Carpenter Avenue Section/Plan."**

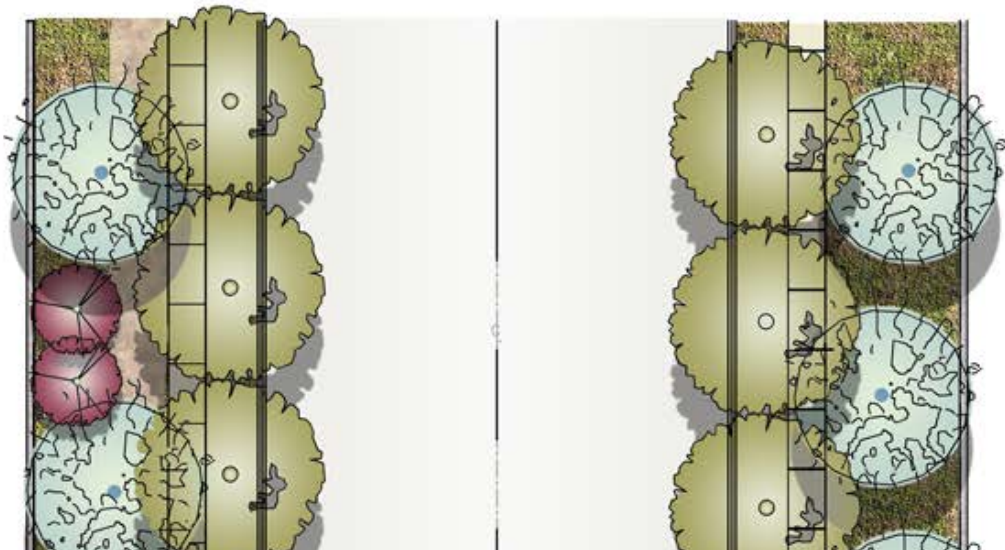
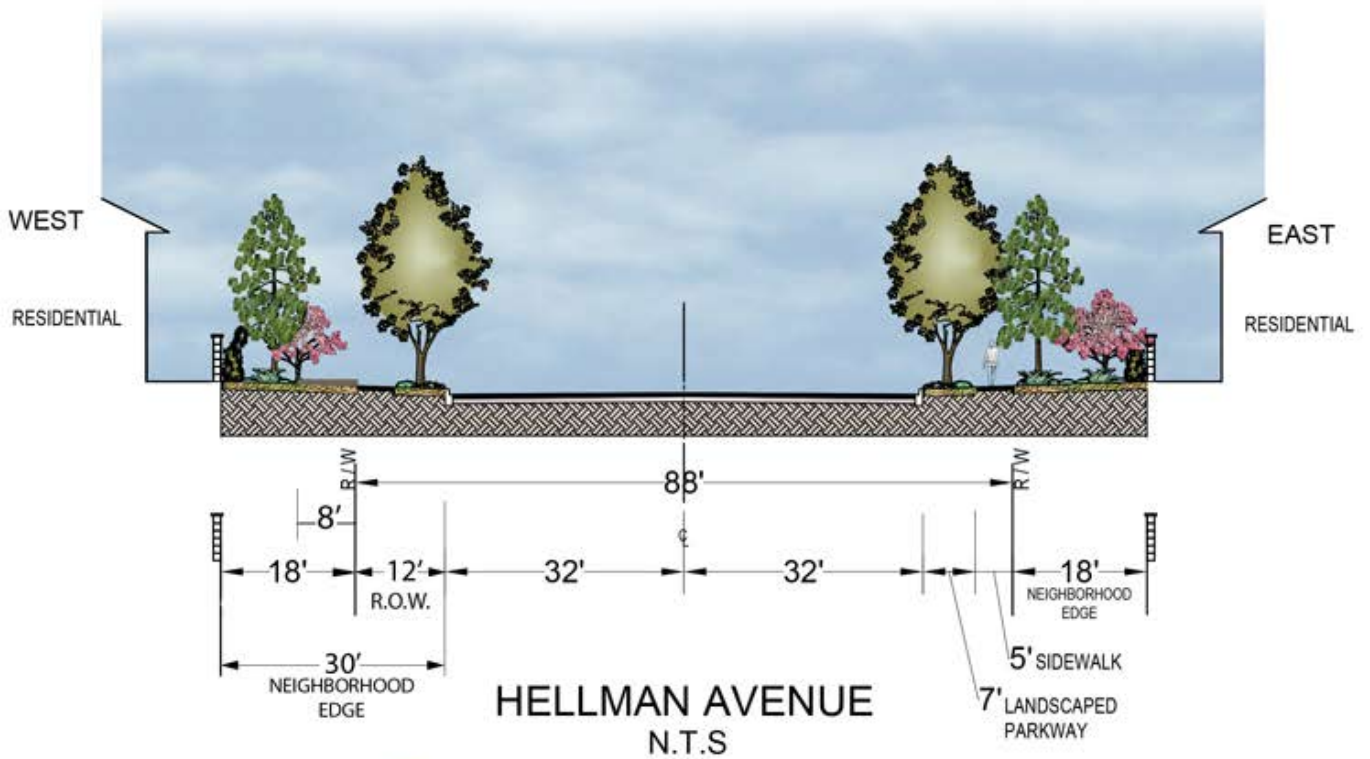
7.12.4 Neighborhood Streets

Neighborhood Streets streetscapes shall include the following:

- A 7' wide landscaped parkway with a row of street trees along both sides of the street selected from Table 7-1, "Plant Matrix-Trees"
- A 5' wide pedestrian sidewalk set behind landscaped parkway.
- A maximum of 50% warm season turf in landscape areas, irrigated by low volume rotary spray in areas no less than 8' wide or drip line irrigation may be used in all locations.
- Limit use of turf in parkways, no turf in areas 10' or less except where pedestrian access from parked cars is expected. Use low water use ground covers in parkways that will not be used by pedestrians and in smaller parkways such as between driveways. Drip line irrigation shall be used in areas 10' wide or less.
- Background trees and shrub masses planted in series of foreground, mid-ground, background layers to help define borders and plant groupings while combining interesting foliage textures and color.
- Monumentation as shown in the Conceptual Landscape Master Plan, **Exhibit 7-2, "Conceptual Landscape Plan."**

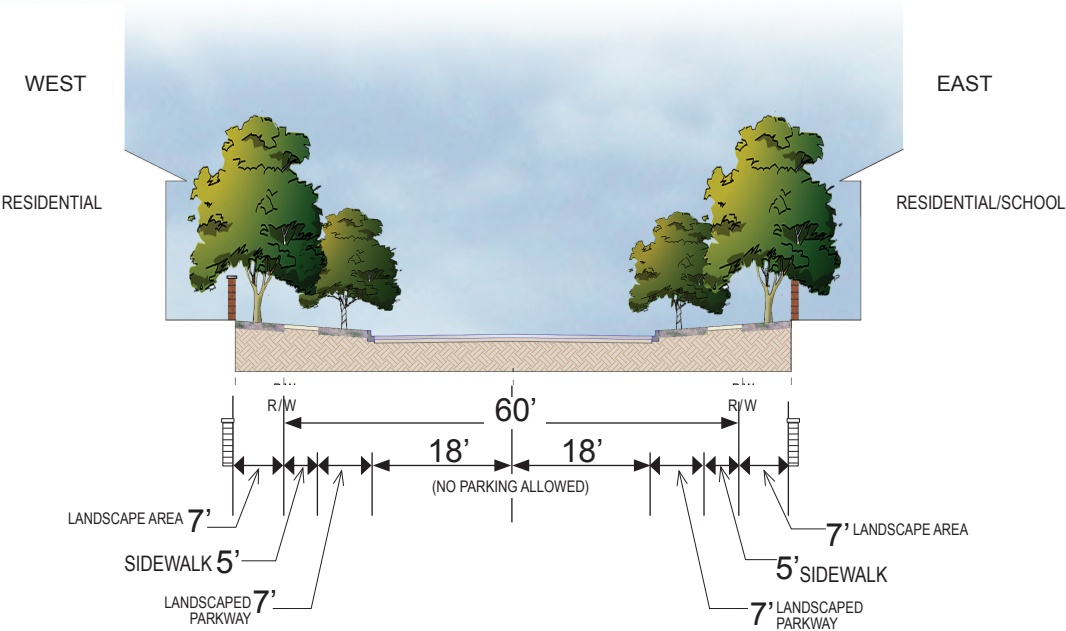
The streetscape plan for neighborhood streets is illustrated in **Exhibit 7-8, "Neighborhood Streets Section/Plan."**

DESIGN GUIDELINES



BOTANICAL NAME/COMMON NAME	SIZE (Height x Spread)	SPACING	SYMBOL
Liriodendron tulipifera/Tulip Tree	60' x 30'	at 25' o.c.	
Pinus eldarica/Afghan Pine	40' x 30'	at 30' o.c.	
Cercis occidentalis/Western Redbud	15' x 20'	at 18' o.c.	

EXHIBIT 7-6: HELLMAN AVENUE SECTION/PLAN



CARPENTER AVENUE AND "AA" STREET
N.T.S.

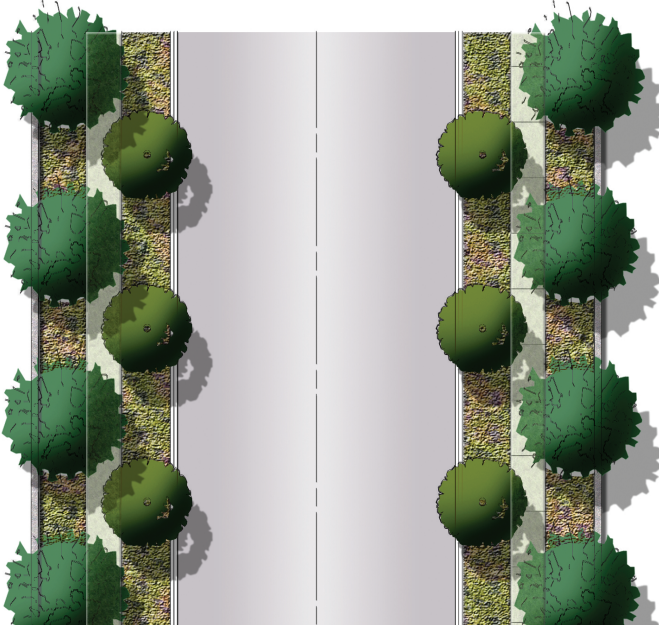
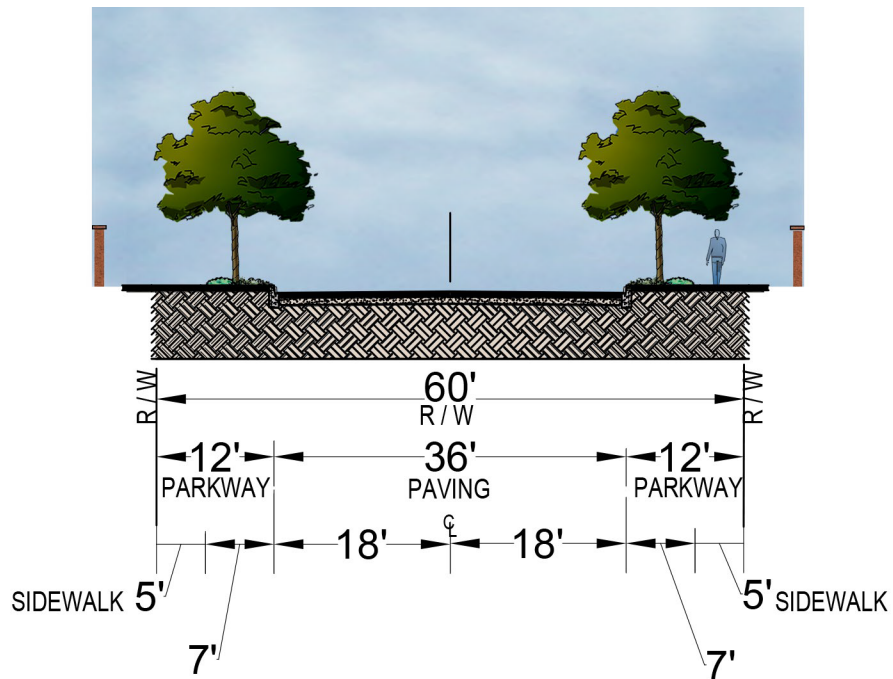


EXHIBIT 7-7: STREET "AA" AND CARPENTER AVENUE SECTION/PLAN



LOCAL STREETS AND CUL-DE-SAC STREETS N.T.S



EXHIBIT 7-8: NEIGHBORHOOD STREETS SECTION/PLAN

7.13 Entries and Monumentation

Monumentation occurs throughout the Armstrong Ranch community and is designed to establish a basic hierarchy for entering each Planning Area of the community. At key entries a landscape and monumentation program will be utilized to help identify the community as well as convey a “welcoming” feeling for both vehicular and pedestrian traffic. These monuments and “gateways” are to be designed with durable, lasting materials approved by the City of Ontario. The “gateways” leading into the community of Armstrong Ranch will be elegant in appearance, classic in form, evoking the sense of arrival.

Two basic monument treatments are used to set the hierarchy of entries and monumentation: the Primary Community Entry and Monumentation, and the Second Community Entry and Monumentation.

7.13.1 Primary Community Entry and Monumentation

The Primary Community Entry and Monumentation shall include the following:

- 9’ high colored block entry pilaster with decorative cap and a pre-cast concrete base to be located at the right side corner to provide an asymmetrical character.
- Project identification signage with “negative cutout” for signage/logo on fabricated raised, black matte panel.
- Freestanding 24” high colored block garden wall with precast concrete cap (approx. 20’ long) anchored on each end by 2’-6” high pilasters with decorative precast concrete cap.
- Matching perimeter colored block wall with matching pilasters.
- Use of large multi or single trunk specimen trees to anchor each entry with background landscaping.
- Roses and seasonal perennial flowers to allow for seasonal flowering interest throughout the year.
- Accent trees and shrub masses planted in series of foreground, mid-ground, and background layers to help define borders and plant groupings while combining interesting foliage textures and color.
- Accent lighting of landscape/monumentation.
- Placement of the monumentation shall be in accordance with the Traffic Division’s line-of-sight requirements and outside of the public right-of-way.
- Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.

The Primary Community Entry and Monumentation are illustrated in **Exhibit 7-2, “Conceptual Landscape Plan”** and **Exhibit 7-9, “Primary Entry Monumentation.”**



Conceptual Elevation facing West from Hellman Avenue



EXHIBIT 7-9: Primary Entry Monumentation

7.13.2 Secondary Community Entry and Monumentation

The Secondary Community Entry and Monumentation shall include the following:

- Project identification plaque with “negative cutout” for signage/logo on fabricated raised, black matte panel.
- Freestanding 24” high colored block garden wall with precast concrete cap (approx. 20’ long) anchored on each end by 2’-6” high pilasters with decorative precast concrete cap.
- Matching perimeter colored block wall with matching pilasters.
- Use of large multi or single trunk specimen trees to anchor each entry with background landscaping.
- Roses and seasonal perennial flowers to allow for seasonal flowering interest throughout the year.
- Accent trees and shrub masses planted in series of foreground, mid-ground, and background layers to help define borders and plant groupings while combining interesting foliage textures and color.
- Accent lighting of landscape/monumentation.
- Placement of the monumentation shall be in accordance with the Traffic Division’s line-of-sight requirements and outside of the public right-of-way.
- Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.

The Secondary Community Entry and Monumentation is illustrated in **Exhibit 7-2, “Conceptual Landscape Plan”** and **Exhibit 7-10, “Secondary Entry Monumentation.”**

Overall entry monument elevations for primary, secondary, and neighborhood entries are illustrated in **Exhibit 7-11, “Overall Entry Elevations.”**



Conceptual Elevation facing East from Vineyard Avenue

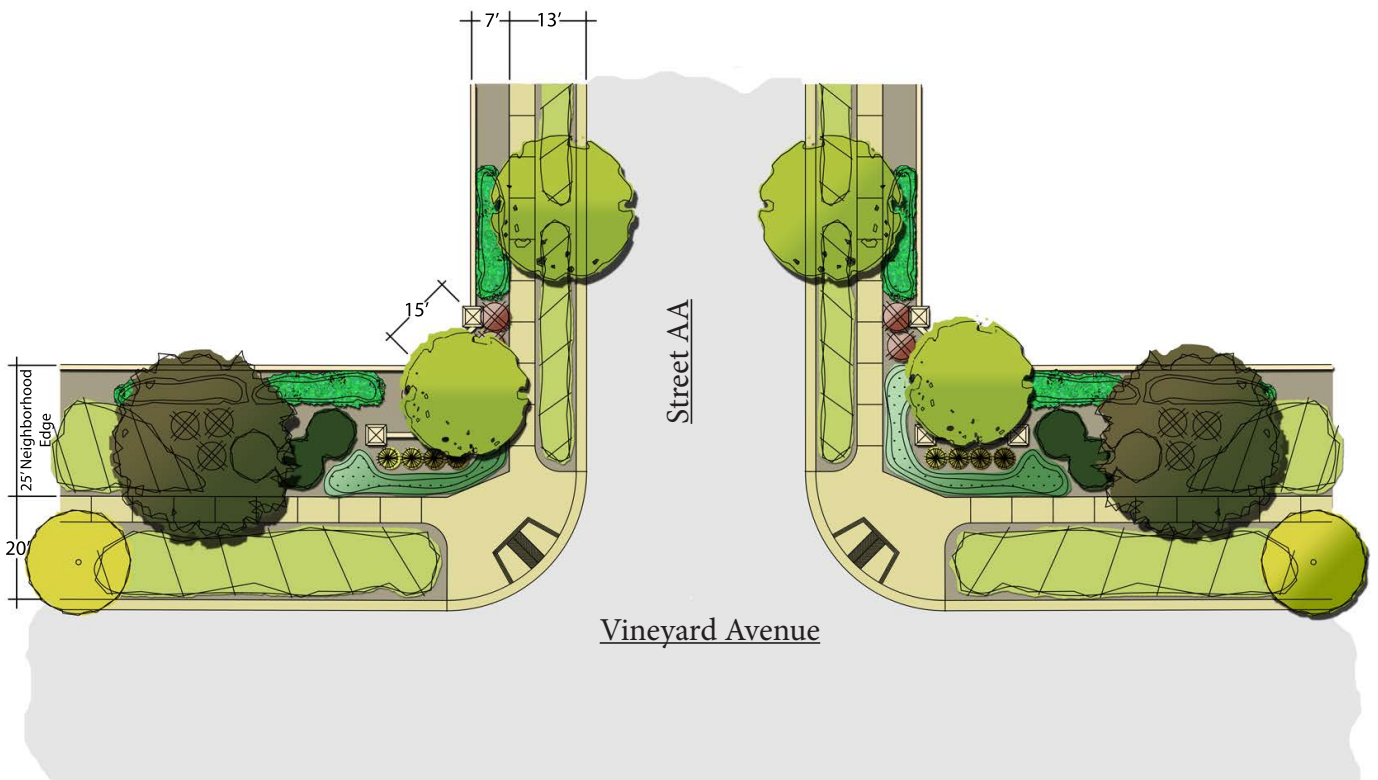
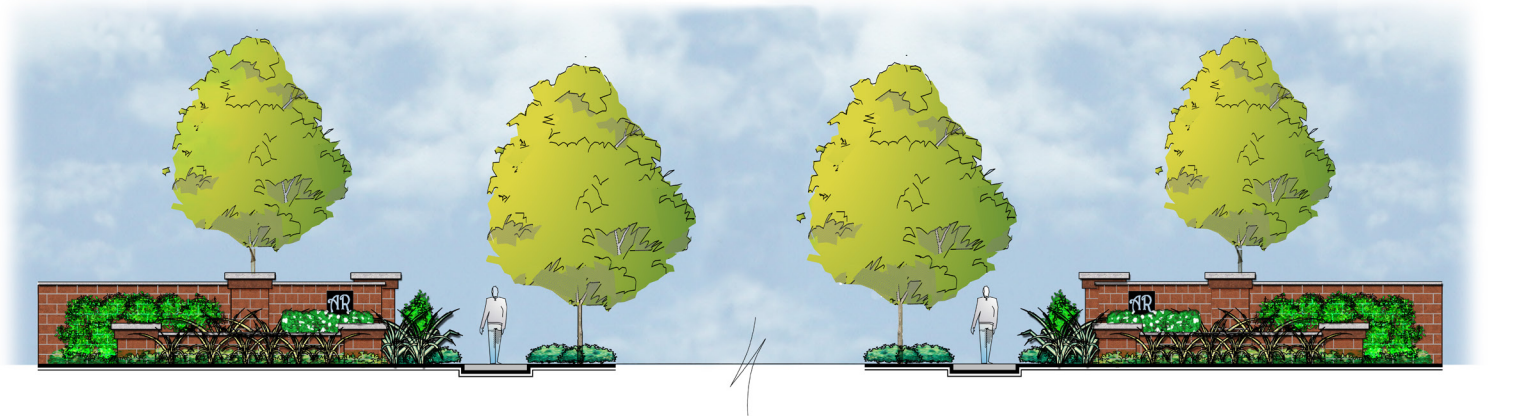


EXHIBIT 7-10: Secondary Entry Monumentation



PRIMARY ENTRY MONUMENT



SECONDARY ENTRY MONUMENT

EXHIBIT 7-11: Overall Entry Elevations

7.14 Parks, Paseos, and Private Recreation Areas

The Land Use Plan for Armstrong Ranch includes an overall open space concept including a variety of parks, trails, paseos and private open space areas. The primary open space elements are a centrally located two acre park called Armstrong Park. This park will provide the central gathering space for future residents. Armstrong Park is accessible from adjacent neighborhood streets/sidewalks and is also connected to the proposed Charlotte Armstrong Trail, a themed trail that bisects the Land Use Plan extending from Vineyard Avenue adjacent to proposed Street AA on the west, past Armstrong Park and with open space areas (pocket parks), eventually connecting to the future elementary school site and pedestrian bridge across the existing Cucamonga Channel to connect to the Countryside Specific Plan area and to the existing trail that runs along the east side of the Channel. Open space areas will provide opportunities for community interaction and recreation while promoting neighborhood and community identity. These areas should be aligned together and linked to the Great Park through a network of landscaped streetscape and pedestrian paseos.

7.14.1 Armstrong Park

Armstrong Ranch contains a variety of interconnecting open space elements to encourage interaction and recreational opportunities for future residents. Armstrong Park is sited within the central core of Armstrong Ranch and is a key focal point to the Community. The park is approximately 2 acres



in size and has access points from all planning areas to become the nucleus of the Ranch. The park will contain historic markers, to reinforce the overall design theme as well as rose gardens and thematic landscape planting. Armstrong Park will include active and passive recreational elements. These elements may include themed shade structures, rose gardens and other themed planting areas including tree groves and “idea” gardens. Other elements may include children’s play areas/tot lots, shaded seating, picnic areas, walkways, fountains, sculptures, informal turf play area, sports courts and other active recreational areas. Armstrong Ranch is illustrated in **Exhibit 7-12, “Armstrong Ranch.”**

7.14.2 Charlotte Armstrong Trail

The Charlotte Armstrong Trail is an 8 foot wide multi-use trail that runs east and west from Vineyard Avenue to the future pedestrian bridge that crosses the existing Cucamonga Channel providing the primary walkway experience within the community while connecting each individual planning areas and neighborhoods. The trail is proposed along the north side of proposed Street AA from Vineyard Avenue and meanders through smaller pocket parks within Planning Area 4 and along a neighborhood street to Hellman and beyond to the proposed school to the pedestrian bridge connection. The trail may have elements such as rose gardens, interpretive markers, thematic fencing, and accent planting to reinforce the overall community theme. Charlotte Armstrong Trail is illustrated in **Exhibit 7-13, “Charlotte Armstrong Trail.”**

7.14.3 Paseo Greenbelts

Pedestrian circulation is highly encouraged within Armstrong Ranch. Landscape easements are provided along major roadways and are encouraged within the neighborhood communities. Armstrong Ranch may have a network of paseos leading to several neighborhood pocket parks.

- Paseo walkways should be designed to provide connections to adjacent neighborhoods as well as link parks to dedicated neighborhood edge treatments and enhanced landscaped areas.
- Seating areas are encouraged.
- Enhanced paving at paseo connections where pedestrian circulation crosses roadways in appropriate locations and as approved by City of Ontario Planning, Public Works, and Engineering Departments are encouraged. Enhanced paving is not permitted within public rights of ways.
- Paseos should provide strong connections to the Great Park, the schools and the neighborhood edges.
- Lighting and trash receptacles to be provided at seating areas.
- Bike racks provided at transit stops and other locations serving as a point of departure to and from the path.
- The pocket parks are intended to provide minor amenities, and should be designed with strong neighborhood “eyes-on” approach. Pocket parks should range between 1/4 – 2 acres in size.

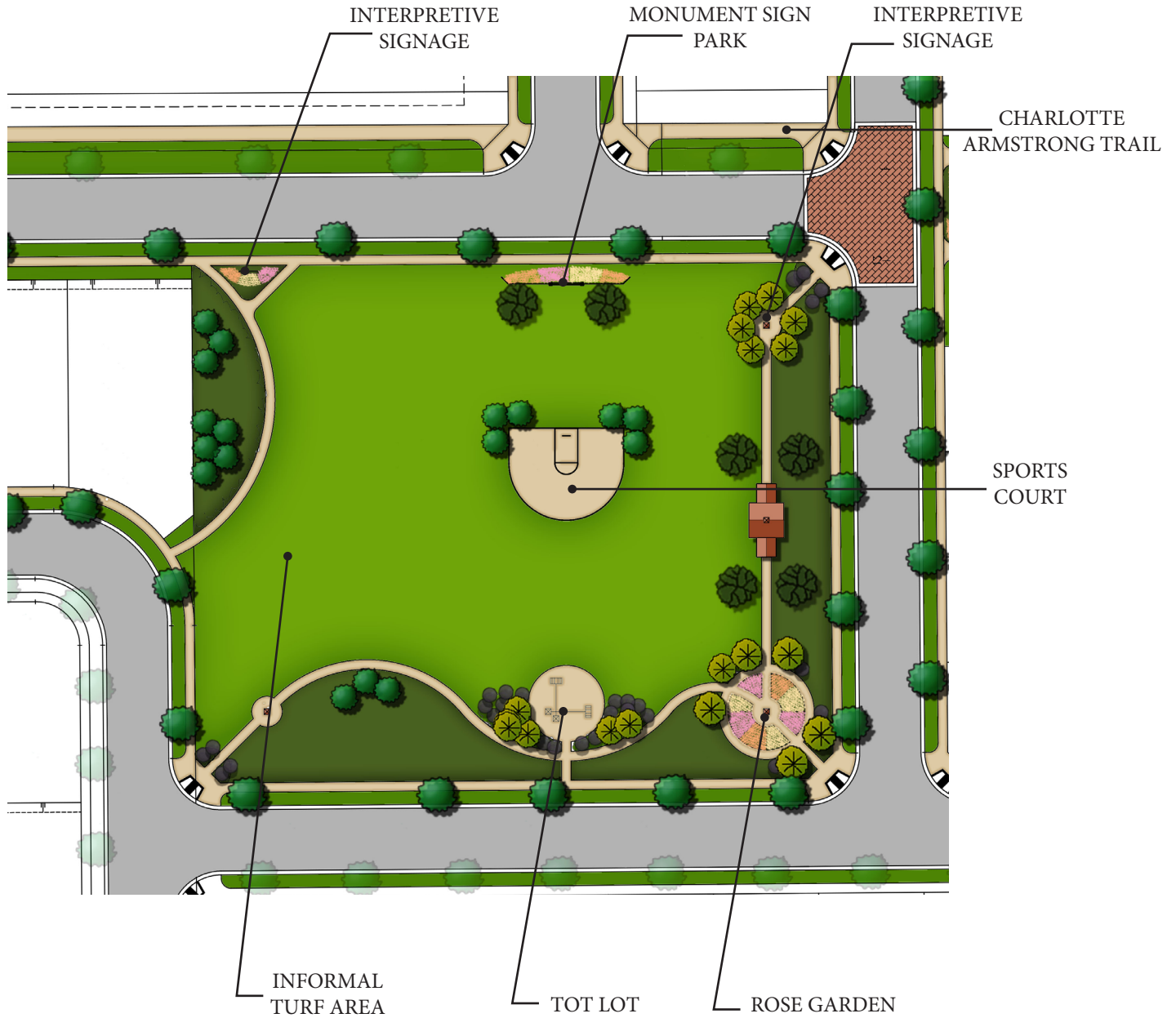


EXHIBIT 7-12: Armstrong Park

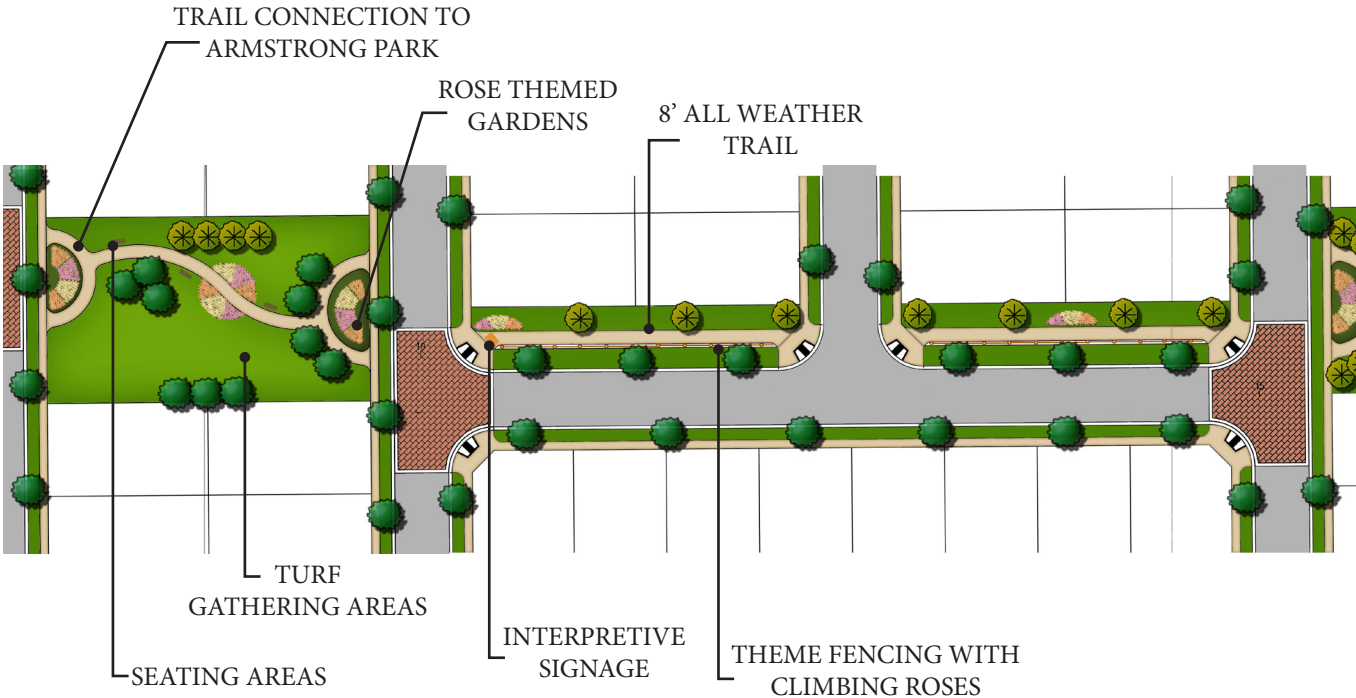


EXHIBIT 7-13: Charlotte Armstrong Trail

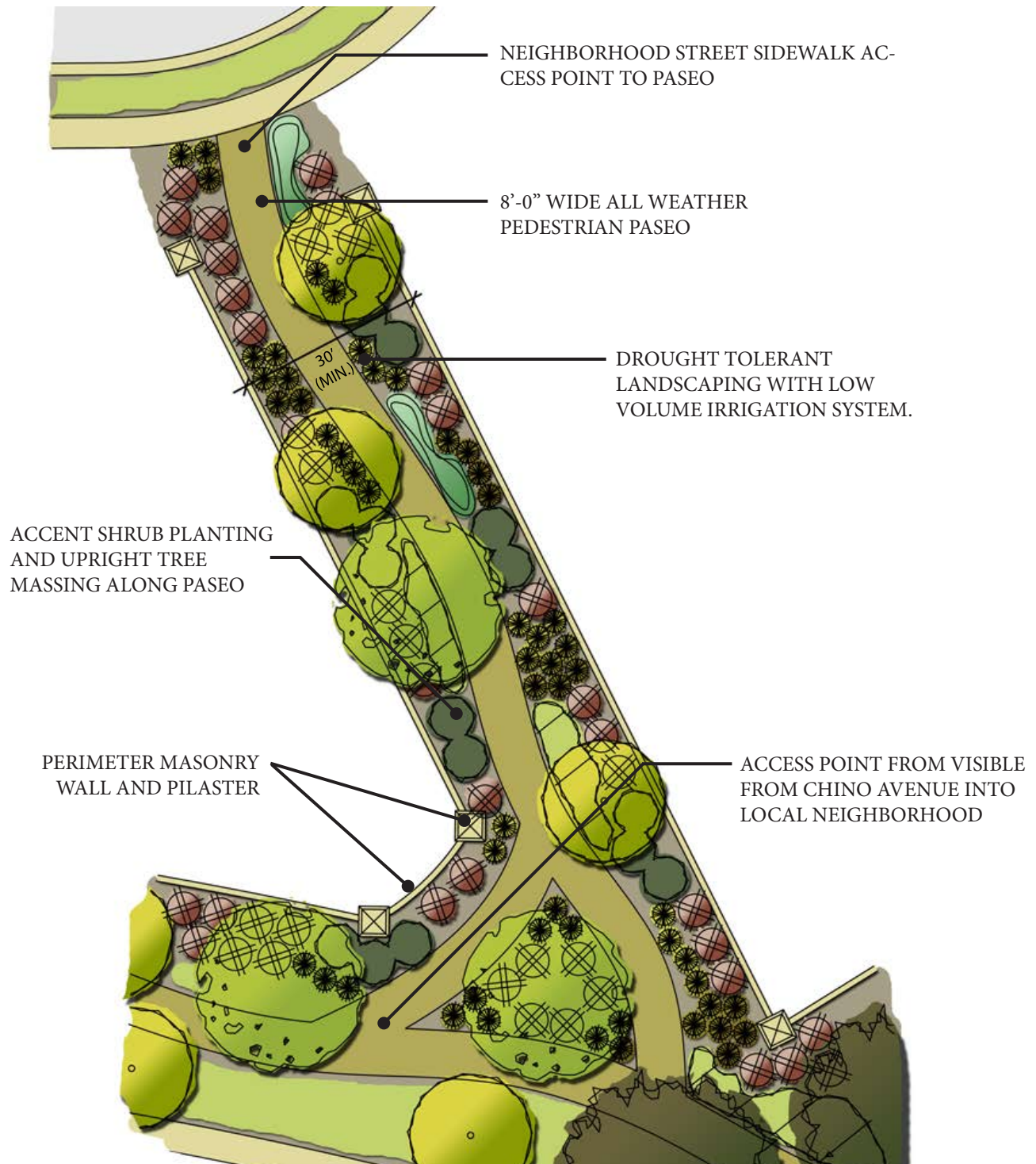


EXHIBIT 7-14: Paseo Greenbelt Concept

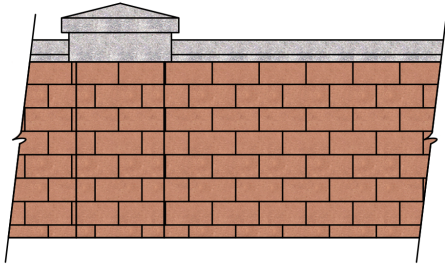
The Pocket parks may contain the following amenities:

- ADA accessible paseo walkways.
- Landscaping to harmonize with the surrounding streetscapes utilizing trees, shrubs, and groundcovers identified in the plant matrix. Large specimen trees should be used within the open turf areas to help provide shade and screening of unwanted views. Accent trees should also be used at pedestrian entries.
- Warm season turf is recommended for recreational use projects including park, sports fields and open spaces where turf provides a playing surface.
- Pole mounted light fixtures with cut-off shields where appropriate, should be utilized and spaced at adequate intervals for safety and security.
- Open turf play areas.
- Children's tot lot play areas to include play structures and equipment staged to allow for separated use based on age of users. The tot lot play areas should also follow ADA guidelines and provide access and proper fall zone spacing based off of equipment selected. ADA accessibility to equipment shall be provided on compliant surfacing material. Seating areas shall be located near the tot lot play areas to provide areas for parental supervision. Tot lot play areas should be set back from the roadway and located away from busy streets.
- Low scale lighting shall be provided within the pocket parks.
- Provide lockable bike parking within the pocket parks.

7.14.4 Neighborhood Pocket Parks

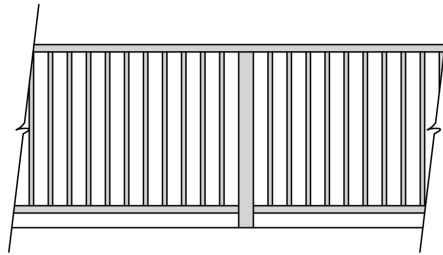
Paseo pocket parks may contain one or more of the following amenities:

- A minimum of 50% of the barbecue and picnic facilities provided should be located adjacent to the walkway system for ADA accessibility with the remaining percentage set in open turf areas. Each barbecue picnic facility shall provide a picnic table, freestanding barbecue, and trash receptacle. These barbecue facilities can be placed on concrete or any other ADA acceptable surfacing.
- Warm season turf is recommended for recreational use projects including park, sports fields and open spaces where turf provides a playing surface.
- Basketball, volleyball, or tennis courts
- Tot lot play areas
- Rose gardens
- Water features
- Band stands or small amphitheaters
- Covered picnic structures and gazebos
- Seat walls and benches
- Exercise par course
- Community garden and kiosk
- Interpretive or educational signage
- Exhibition Gardens



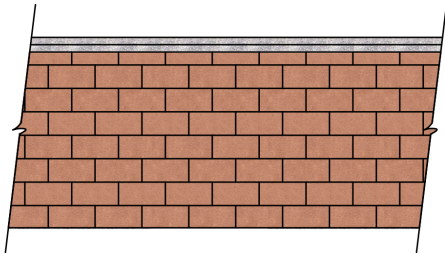
COMMUNITY THEME WALL AND PILASTER

Community theme wall with colored block pilaster along project perimeter.



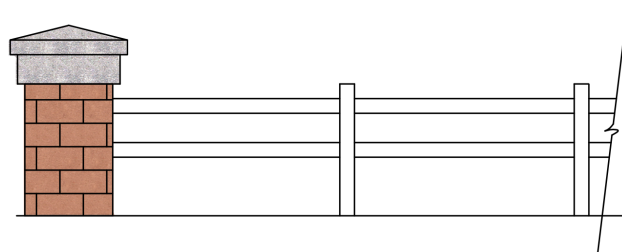
TUBULAR STEEL VIEW FENCE

Open tubular steel fencing is typically utilized in rear yards where view preservation is desirable.



COMMUNITY THEME WALL

Community theme colored split-face block wall along project border.

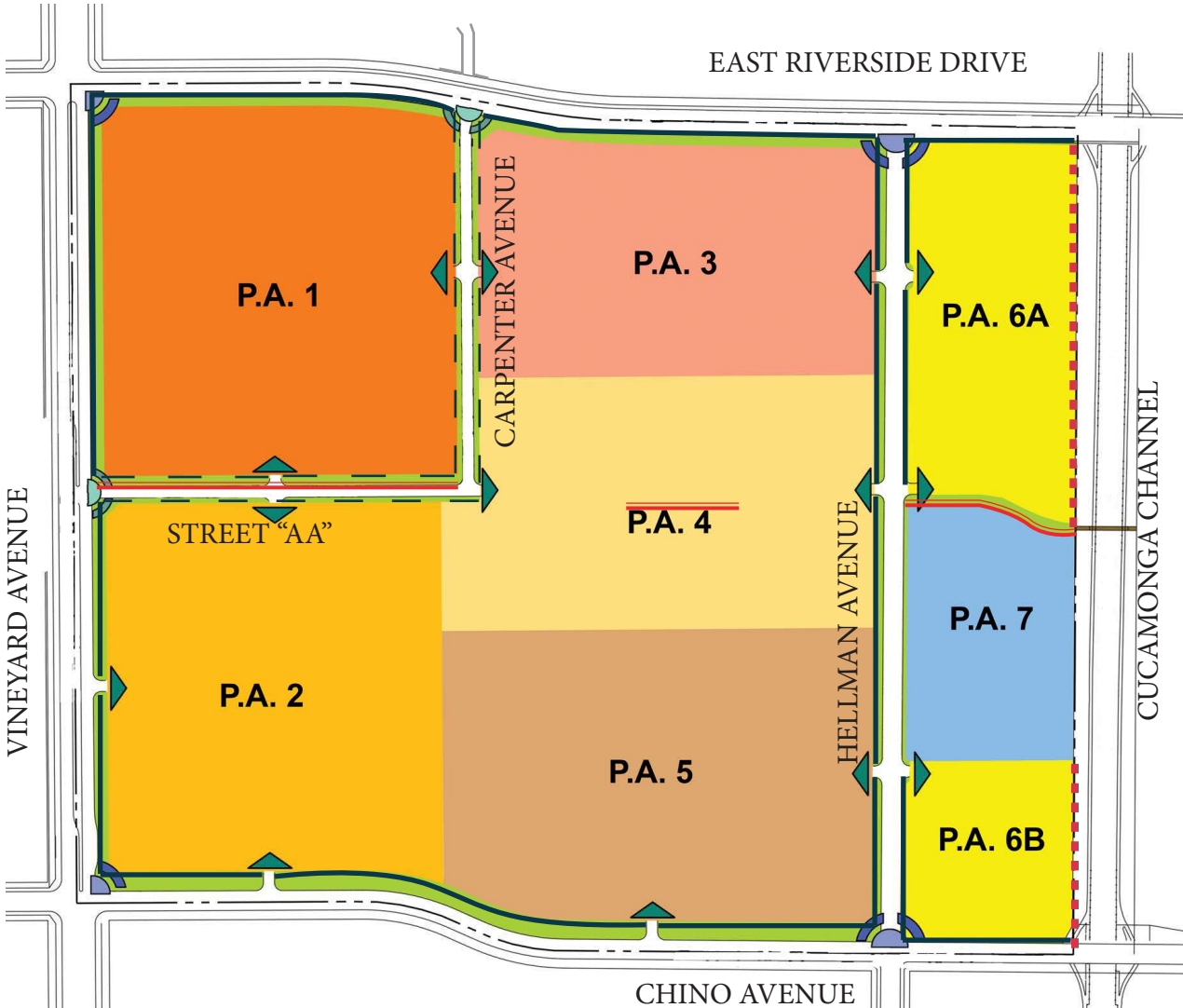


COMMUNITY ACCENT FENCE





Low decorative fence with colored block pilaster along project perimeter.



EXHIBIT 7-15: Wall and Fence Elevation Details



LEGEND

-  COMMUNITY THEME WALL AND PILASTER
-  COMMUNITY THEME WALL. SEE NOTE 1
-  COMMUNITY ACCENT FENCE. SEE NOTE 2
-  TUBULAR STEEL VIEW FENCE

NOTE 1: ALSO AT CORNER LOTS BETWEEN SIDE YARD AND LETTERED (OPEN SPACE) LOT

NOTE 2: ALSO WITHIN PARK AREAS IF FENCE IS PROPOSED

EXHIBIT 7-16: Wall and Fence Plan Details

The concept for paseos within Armstrong Ranch is illustrated in **Exhibit 7-14, “Paseo Greenbelt Concepts.”**

7.15 Community Walls and Fencing

Walls are a major component in achieving an overall community theme within Armstrong Ranch. A strong cohesive appearance is achieved through the use of “community walls” and general overall wall guidelines.

All walls that adjoin community street scenes including major streetscapes identified under Perimeter/Interior Streetscapes shall be deemed “community walls.” All wall and fencing designs and layout shall be approved by the City of Ontario prior to construction.

7.15.1 Community Walls

Community walls shall be built with attractive and durable materials. They shall be decorative in nature and colored, finished precision block walls with natural precast concrete caps (All community wall materials and colors are subject to planning approval). Decorative accent pilasters shall be incorporated along the Specific Plan perimeter boundary and at all neighborhood and paseo portal entries along project perimeter community wall treatment is illustrated in **Exhibit 7-15, “Wall and Fence Elevation Details,”** as well as **Exhibit 7-16, “Wall and Fence Plan Detail.”**

7.15.2 Solid Walls and Fencing

Reverse frontage walls and any wall return that is visible from public view shall be constructed of decorative finished precision block, plastered, or stuccoed and should complement color schemes utilized by developers in Armstrong Ranch. Decorative caps and the use of pilasters to help enhance the perimeter appeal of the walls are encouraged. Walls hidden from public view shall either be of slump or precision block that is veneered, burnished using color other than common gray. Wall color shall complement the color of the exterior wall, which is in public view. Fences shall be constructed of ornamental steel or iron, wood-like appearance or PVC materials. Other materials may be approved by the City of Ontario. Neighborhood block walls at side yard returns and property lines shall be 6’ in height.

7.15.3 Open Fencing

If applicable, open fences should be located in the rear yards of those properties abutting large slope areas where the adjacent property is a minimum of 5’ above/below the house pad or where higher density communities are served via a “gated entry.” These fences allow openness but not physical

access; they shall be 5'-6" high and made of tubular steel and/or Lexan glass panel construction. Areas where open fencing occurs will be subject to review by the City of Ontario.

7.15.4 Combo Walls

Combo walls (2' wrought iron over 4' decorative split-face block wall) shall be utilized adjacent to parks, paseos, SCE easements, trails, park edge conditions and/or adjacent to channels. Actual location of combo walls to be reviewed on a case-by-case basis.

7.16 Outdoor Lighting

Lighting standards within Armstrong Ranch shall be consistent in style, color, and materials in order to maintain uniformity throughout. Lighting should be subtle, providing a soft wash of light over illuminated objects such as monumentation. Hierarchy shall be established by using a variety of lighting fixtures and illumination levels based off of lighting design intent. Lighting styles shall tie into architectural styles and provide sufficient illumination for the safety and well being of the community.

Preservation of "Night-Sky" should be considered in lighting design layout and fixture selection. Use of "cut-off" or louvered lamps to preserve ambiance of "Night-Sky" is highly encouraged. Fixture locations should be designed so that light source is not visible by pedestrian or vehicular traffic. Frosted, louvered, or prismatic lens should be considered where decorative lighting fixtures are visible and part of the aesthetic lighting program. Accent lighting of landscape and monumentation shall be incorporated.

7.16.1 Entry Monuments

Avoid intensely bright or "hot" lighting of monuments; rather, each should be lit to provide a soft wash of light across the monument signage. Specimen trees should be up-lighted with several fixtures into the canopy to avoid creating dark sides of the trees.

7.17 Landscape Standards

Landscape plantings in public areas should reflect a commitment to both developing a "sense of place" and maintaining harmony with the Ontario Ranch. All City maintained landscapes shall conform to the City of Ontario's Landscape Development Guidelines and The Ontario Ranch Streetscape Master Plan.

- A landscape architect licensed in California shall be retained to prepare planting and irrigation plans for all public areas. Arrangement of plants should incorporate the concepts of mass

planting; plants should be placed to allow them to grow to their natural sizes and forms, and sheared hedges should be kept to a minimum.

- Trees improve environmental quality and increase the economic, physical and social health of communities. A variety of evergreen and deciduous trees is important to create a well balanced and healthy urban forest. Larger trees shall be used where adequate space exists for the greatest benefits. Strategically locate trees to shade buildings and cool paving, sidewalks and parking areas in summer and to provide a wind block and sunlight in winter.
- Plant selection and irrigation design shall be appropriate with Ontario’s regional climate (Zone 18) classified as Mediterranean.
- The plant matrix included as part of the Design Guidelines offers a suggested plant palette for Armstrong Ranch. While the plant matrix should not be considered as an all-inclusive listing of permitted plant materials, plantings in public areas should draw primarily from this palette for visual community continuity.
- Plant selection shall include durable, disease-resistant, non-invasive plants appropriate for the site. Irrigation shall conform to hydrozones and be efficient with run times based on the weather using smart controllers and sensors for weather or soil moisture.
- Where appropriate, bio-swales should be utilized to minimize direct drainage runoff from open space landscaped areas and filter out pollutants prior to discharging into storm drain inlets.

7.17.1 Front Yard Landscapes

Plantings in front yards may vary substantially from the plant matrix, but should retain some of the character and style of the public plantings. No more than 25% of the total square footage of any front yard shall be lawn; the balance shall be composed of shrubs and ground-covers, with an emphasis on drought tolerant plant species. In an effort to further reduce the use of landscape irrigation, “California Friendly” concepts are encouraged to be incorporated and designed into the Developer installed front yard landscapes. Landscapes shall be designed to use water efficiently without waste to the lowest practical amount and comply with the City of Ontario’s Landscape Development Standards.

Residential front yard landscaping should contribute to creating inviting and interesting streetscapes that frame residential architecture and promote a relationship of the residence to the street. To this end the maximum ratio of hardscape to plant materials used in residential front yards should vary in keeping with the particular residential product type and architecture being developed with the goal of maximizing the use of plant materials to the extent possible. The maximum amount of hardscape to be utilized in residential front yard landscaping shall be determined at the time of Development Plan Review of each residential project.

7.17.2 Soil Testing

Soil samples shall be taken from several locations after the completion of rough grading operations, and a reputable soil-testing laboratory shall perform an agronomic soils test. The test shall assess soil fertility needs for water-wise California native and Mediterranean plant types. No planting shall take place until the soil has been properly prepared based on the recommendations of the soils testing laboratory.

7.17.3 Slope Landscaping

All manufactured and cut/fill slopes which exceed 3' in height shall be planted with an effective mixture of ground-cover, shrubs, and trees. Such slopes shall also be irrigated as necessary to ensure germination and establishment in conformance with City of Ontario's Landscape Development Standards. Slopes shall be irrigated separately from flat areas on dedicated valves. 2:1 Slopes shall be covered with erosion control blankets and 3:1 slopes shall be covered with jute mesh per manufacturer's specifications. Slopes shall be planted with trees, shrubs, and ground-cover to cover 100% of the slope at maturity to help prevent slope erosion.

7.17.3.1 Residential Interior Slopes

- Interior slopes may be more ornamental in character than exterior slopes. They may have a somewhat broader range of plant materials than exterior slopes, but should still be chosen primarily from the plant matrix.
- All manufactured and cut/fill slopes which exceed 3' in height shall be planted with an effective mixture of ground-cover, shrubs, and trees. Such slopes shall also be irrigated as necessary to ensure germination and establishment in conformance with the erosion control requirements established per the
- Landscape Development Standards as described within **Section 6, "Development Regulations"** of the Specific Plan.

7.17.4 Streetscape Landscaping

- All city maintained landscapes shall conform to the City of Ontario's Landscape Guidelines and The Ontario Ranch Streetscape Master Plan.
- Low groundcovers may be used in traditional turf areas like parkways.
- All new plantings within the Armstrong Ranch shall draw substantially from the plant matrix included in these Design Guidelines,
- All streetscape landscaping within the Armstrong Ranch will be implemented by the Developer in accordance with this Specific Plan.

- The Developer shall install all primary and secondary improvements concurrently with the construction of the roadway on which they front. Neighborhood intersections shall be constructed as each neighborhood street is built.
- The Developer shall provide site inspection of all construction and installation of entries and intersections in accordance the City of Ontario requirements.
- Parkways and right-of-ways shall be landscaped with living plant material less than 18” high, automatically irrigated and contain street trees per the Master Street Tree Plan spaced 25’-35’ apart and coordinated with utility setbacks.
- Landscaping and irrigation should comply with the City of Ontario’s Landscape Development Standards and The Ontario Ranch Streetscape Master Plan.

7.17.5 Irrigation Design

Irrigation for both public and private landscapes should be designed to be as water-efficient as possible. All projects shall comply with AB 1881, the State Model Water Efficient Landscape Ordinance water budget, with MAWA, Maximum Applied Water Allowance and EAWU, Estimated Applied Water Use calculation shown on landscape construction documents. All Water budget calculations MAWA and EAWU per the State Water Efficient Landscape Ordinance must be shown on construction documents and water use schedule shall not exceed water budget EAWU.

All planting areas shall be irrigated with an automatic irrigation system to properly water plant materials given the site’s soil conditions. Irrigation systems shall be designed and zoned for exposure, topography, and varying water requirements (hydro-zones) of plant material to be as efficient as possible. Turf shall be on a separate valve from shrub areas. Landscape areas in the shade (north or east sides of buildings) shall be controlled separately from areas in the sun (south or west). Irrigation systems for all public landscapes shall have automatic rain shut-off devices. Parks, parkways, HOA landscape areas, and other common areas shall be irrigated with recycled water. Above grade Backflow Preventers shall be located in planting areas, protected with locking enclosures, and screened with plant material. Drip irrigation is encouraged. Spray systems shall have low volume (gpm) matched-precipitation heads. All CFD areas are to be controlled with central control irrigation systems. All trees are to be irrigated utilizing pop up stream spray bubblers on a separate valve. All CFD areas shall be designed to city standard specifications. All irrigation products specified shall achieve an irrigation operational distribution uniformity of 70% or greater in all turf areas and 80% in other landscape areas. Turf areas shall be irrigated with equipment that has a precipitation rate of one inch or less per hour as specified by the manufacturer. Stream rotator heads or low volume spray heads are acceptable for turf areas. Use of standard spray heads shall be avoided. Non-turf shrub areas shall be irrigated with low volume micro spray or point application devices, where manufacturer’s specification indicates output measured and expressed in gallons per hour.

Landscape areas shall be designed to provide opportunities for storm water infiltration and retention so that all irrigation and normal rainfall shall remain within property lines and not drain into non-permeable surfaces to recharge groundwater and improve water quality. Storm water collection shall direct water into depressed landscape area such as: vegetated swales, detention basins, infiltration areas, French drains or manufactured drywells or storage chambers to aid infiltration on each site.

Water features and decorative fountains shall use recycled water in commercial and industrial projects, potable water shall be used in residential projects.

BOTANICAL NAME	COMMON NAME	VINEYARD AVENUE (PER TOP STREETScape MASTER PLAN)	EAST RIVERSIDE DRIVE (PER TOP STREETScape MASTER PLAN)	CHINO AVENUE (PER TOP STREETScape MASTER PLAN)	HELLMAN AVENUE (PER TOP STREETScape MASTER PLAN)	CARPENTER AVENUE	STREET "AA"	NEIGHBORHOOD STREETS	PRIMARY COMMUNITY ENTRIES	SECONDARY COMMUNITY ENTRIES	NEIGHBORHOOD ENTRIES	PASEO TRAIL SYSTEM	NEIGHBORHOOD PARKS
TREES													
<i>Cercis occidentalis</i>	Western Redbud												
<i>Chitalpa tashkentensis</i> 'Pink Dawn'	Pink Dawn Chitalpa	•		•									
<i>Heteromeles arbutifolia</i>	Toyon			•									
<i>Lagerstroemia indica</i> 'Natchez'	White Crape Myrtle	•	•										
<i>Liriodendron tulipifera</i>	Tulip Tree				•	•	•						
<i>Magnolia g.</i> 'Majestic Beauty'	Southern Magnolia			•				•	•	•			•
<i>Pinus eldarica</i>	Afghan Pine				•								•
<i>Pinus pinea</i>	Italian Stone Pine								•	•			•
<i>Platanus acerifolia</i> 'Bloodgood'	London Plane Tree	•	•						•	•			•
<i>Quercus agrifolia</i>	Coast Live Oak												•
<i>Quercus suber</i>	Cork Tree	•				•	•						•
<i>Schinus molle</i>	California Pepper Tree					•	•	•	•	•			•
SHRUBS													
<i>Anigozanthus flavidus</i>	Kangaroo Paw							•	•	•			•
<i>Arbutus unedo</i> 'Compacta'	Strawberry Tree	•											•
<i>Baccharis</i> 'Centennial'	Coyote Bush			•					•				•
<i>Buxus japonica</i>	Japanese Boxwood			•		•	•		•	•			
<i>Callistemon c.</i> 'Little John'	Bottlebrush						•	•	•	•	•		
<i>Cistus purpureus</i>	Common Rockrose		•	•									•
<i>Cistus species</i>	Rockrose		•	•									•
<i>Cotoneaster lacteus</i>	Cotoneaster		•						•				
<i>Grevillea species</i>	Grevillea			•	•								
<i>Hemerocallis hybrids</i> (evergreen)	Daylily - mixed colors	•		•		•	•		•	•			
<i>Heteromeles arbutifolia</i>	Toyon					•	•		•	•	•		
<i>Ilex aquifolium</i>	English Holly			•					•				•
<i>Mahonia aquifolium</i>	Oregon Grape			•									•
<i>Mahonia aquifolium</i> 'Compacta'	Compact Oregon Grape			•									•
<i>Mahonia repens</i>	Creeping Oregon Grape			•									•
<i>Myrtus communis</i> 'Compacta'	Dwarf Myrtle			•									
<i>Nandina domestica</i>	Heavenly Bamboo												•
<i>Pittosporum tobira</i> 'Variegata'	Variegated Tobira			•					•				•
<i>Rhus integrifolia</i>	Lemonade Berry												•
<i>Rosa</i> 'Alba Meidiland'	White Meidiland Rose		•						•				

TABLE 7-1: Plant Matrix

BOTANICAL NAME	COMMON NAME	VINEYARD AVENUE (PER TOP STREETScape MASTER PLAN)	EAST RIVERSIDE DRIVE (PER TOP STREETScape MASTER PLAN)	CHINO AVENUE (PER TOP STREETScape MASTER PLAN)	HELLMAN AVENUE (PER TOP STREETScape MASTER PLAN)	CARPENTER AVENUE	STREET "AA"	NEIGHBORHOOD STREETS	PRIMARY COMMUNITY ENTRIES	SECONDARY COMMUNITY ENTRIES	NEIGHBORHOOD ENTRIES	PASEO TRAIL SYSTEM	NEIGHBORHOOD PARKS
SHRUBS (Cont'd)													
Rosa floribunda 'Iceberg'	Iceberg Rose	•							•			•	
Rosmarinus officinalis and hybrids	Rosemary		•	•						•		•	•
Strelitzia reginae	Bird of Paradise								•	•	•		•
Viburnum tinus 'Spring Bouquet'	Spring Boquet Laurustinus			•		•	•	•					
GROUNDCOVERS													
Baccharis pilularis 'Twin Peaks'	Dwarf Coyote Brush												
Cistus sp.	Rock Rose												
Pelargonium peltatum	Ivy Geranium		•	•		•	•						
Pennisetum sp.	Fountain Grass								•	•	•		
Rosa 'Flower Carpet'	Flower Carpet Rose								•				
Rosmarinus o. 'Prostatius'	Prostrate Rosemary			•									•
Trachelospermum jasminoides	Star Jasmine					•	•		•	•	•	•	•
VINES/ESPALIER													
Campsis radicans	Common Trumpet Creeper											•	•
Distictus buccinatoria	Red Trumpet Vine												•
Hardenbergia violacea	Lilac Vine												•
Lonicera sp.	Honeysuckle								•	•	•	•	•
Parthenocissus tricuspidata	Boston Ivy		•	•		•	•						
Rosa varieties	Climbing Rose					•	•						
Trachelospermum jasminoides	Star Jasmine								•	•	•	•	•

*NOTE: Recycled water shall be used for HOA maintained landscape that is not single family owned property.

TABLE 7-2: Plant Matrix (Continued)

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Section 8 • Implementation

The Armstrong Ranch Specific Plan shall serve to implement the City's Policy Plan policies applicable to the project site and provide for development of the zoning for the project site. Approved tentative tract maps shall establish the legal lots, public dedications, and easements within for the project.

8.1 Methods and Interpretation

Development within the Armstrong Ranch Specific Plan shall be implemented through the City approval of tentative and final tract maps and through the Development Plan Review process as established in the City of Ontario Development Code. The implementation process described herein provides the mechanisms for review and approval of development projects within Armstrong Ranch.

8.2 Applicability

All development proposals within the project shall be subject to the implementation procedures established herein. Whenever the provisions and development standards contained herein conflict with those contained in the City of Ontario Development Code, the provisions of the Specific Plan shall take precedence. In instances where the Specific Plan is silent, the City of Ontario Development Code shall prevail.

8.3 Interpretation

Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City of Ontario Planning Director, or designee, in a manner consistent with the goals, policies, purpose and intent established in this Specific Plan.

8.4 Severability

If any portion of these regulations is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

8.5 Implementation of Design Guidelines

Adoption of the Specific Plan by the City includes adoption of the design guidelines contained

herein, which shall be the design criteria by which development within the project shall be reviewed during Development Plan Review. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review of development projects as part of Development Plan Review. Any major deviation from the design guidelines shall require approval by the Planning Commission. The determination of a major deviation from the design guidelines shall be made by the Planning Director.

8.6 Development Review Process

8.6.1 Subdivision Maps

Approval of tentative subdivision maps may occur concurrently with the adoption of the Specific Plan. All tentative and final subdivision maps shall be reviewed and approved pursuant to applicable provisions of the City of Ontario Subdivision Ordinance and consistent with the applicable provisions of the Development Plan, Infrastructure, Design Guidelines, and Development Regulations adopted as part of the Specific Plan.

8.6.2 Development Plan

All development projects within Armstrong Ranch shall be subject to the Development Plan Review process as established in the City's Development Code. Pursuant to these provisions, Development Plan Review constitutes a design review of project architecture, site plans, and landscape plans. Adoption of the Specific Plan by the City includes adoption of the design guidelines contained within the Specific Plan, which provide direction for the design of development projects within Armstrong Ranch. Where the Specific Plan development regulations and design guidelines are silent, the applicable development regulations and design guidelines contained within the City's Development Code shall apply. The design guidelines are intended to be flexible in nature while establishing basic evaluation criteria for the review of development projects by the City. All development project applications shall include a landscape and irrigation plan describing plant materials and their growth habits, plant size and spacing, methods of irrigation and landscaping maintenance, as well as site plans, architectural elevations, floor plans, grading plans and other requirements as specified by the City.

8.6.3 Development Agreement

Approval of a statutory development agreement, authorized pursuant to California Government Code Sections 65864 et seq., is required as part of the approval of the Specific Plan prior to approval of the Tentative Tract Map. The development agreement shall include, but not be limited to, methods for financing, acquisition, and construction of infrastructure, acquisition and development of adequate levels of parkland and schools, and the provision of adequate housing

opportunities for various segments of the community consistent with the regional housing needs identified for the City. The Armstrong Ranch development agreement shall be fully executed prior to the issuance of the first building permits for the project.

8.7 Transfer of Residential Units

The Armstrong Ranch Development Plan allocates a maximum number of residential dwelling units to each residential Planning Area. Variations in number of residential dwelling units, per Planning Area, may occur at the time of tentative tract map approval of the Planning Area subject to approval by the City and agreement by affected property owners/developers, depending upon the residential product identified for development. Variation in allocation of residential dwelling units within the Planning Areas of the Specific Plan is permitted provided the variation does not increase the total number of residential dwelling units established, in the Land Use Plan, for each Planning Area by more than 15% and the maximum residential dwelling unit count established for the Specific Plan is not exceeded.

The total number of residential dwelling units developed within each Planning Area may be exceeded by up to 15% of the maximum number of dwelling units established for the Planning Area pursuant to the provisions of Section 8.7 of the Armstrong Ranch Specific Plan, “Transfer of Residential Dwelling Units,” provided the total number of dwelling units developed within the project does not exceed 994.

8.8 Specific Plan Modifications and Amendments

8.8.1 Minor Modifications

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

1. Change in utility and/or public service provider.
2. Collector roadway alignment when the change results in a centerline shift of less than 250 feet.
3. An increase of up to 15% in the number of units established for an individual Planning Area subject to approval of the Planning Director and agreement of the property owner, provided the total number of units for the entire Specific Plan area does not exceed that established in the Specific Plan.
4. Adjustment of a Planning Area boundary or acreage designated for a Planning Area provided the total acreage of the affected planning area does not increase by more than 15%.
5. Minor changes to landscape materials, wall materials, wall alignment, entry design, and streetscape design which are consistent with the conceptual design set forth in the design

guidelines contained within the Specific Plan.

6. Minor changes to the design guidelines, which are intended to be conceptual in nature, and are intended to be flexible in implementation.
7. Minor changes of up to 10% of any quantifiable development standard or design guideline subject to approval of the Planning Director.
8. Other modifications of a similar nature to those listed above are deemed minor by the Planning Director and are in conformance with the Policy Plan.

8.8.2 Specific Plan Amendments

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

8.9 Variances

Variances and Administrative Exceptions to the development regulations contained in the Specific Plan with respect to landscaping, screening, site area, site dimensions, yards and projects into yards, heights of structures, distances between buildings, open space and off-street parking and loading shall be reviewed pursuant to the City of Ontario Development Code.

8.10 Conditional Use Permits

Uses specified as conditionally permitted uses within Section 6, “Development Regulations,” of the Specific Plan shall be reviewed and approved by the City pursuant to the requirements of Article 9, “Conditional Use Permits.”

8.11 Compliance with Mitigation Monitoring Plan

Certification of an Environmental Impact Report (EIR) shall be required prior to approval of the Specific Plan. Development within the project site shall comply with all approved mitigation measures as described in the Mitigation Monitoring Program included as part of the EIR.

8.12 Project Phasing

Phasing of development within the Specific Plan shall meet the following objectives:

- Orderly build-out of the community based upon market and economic conditions.

- Provision of adequate infrastructure and public facilities as determined and deemed necessary by the City Engineer concurrent with development of each phase.
- Protection of public health, safety and welfare.

8.12.1 Residential Development

The phasing of residential development areas shall be determined through the approval of tentative and final tract maps and development permits for each Planning Area as developed. Appropriate levels of infrastructure and community facilities shall be subject to the review and approval of the City Engineer and shall be installed and available to serve each subsequent phase of residential development as it occurs.

8.12.2 Infrastructure

Backbone infrastructure within Armstrong Ranch shall be installed by the developer in accordance with the City's adopted Master Plan or approved by the City Engineer. Infill service mains shall be constructed in phases as development proceeds and as conditioned by the City Engineer's office to support individual phases of development, which may require installation of off-site infrastructure improvements beyond a given phase boundary.

Grading and installation of infrastructure to serve Armstrong Ranch is anticipated to be phased. Following completion of grading and infrastructure installation, the construction models for each product type within each neighborhood shall be permitted pursuant to the approval of a temporary use permit. Phase I may include installation of infrastructure adequate to serve all Planning Areas.

8.12.3 Parks

In the event the City determines that the construction of a private parks are required within any particular Planning Area, the timing for completion of each private park shall be determined as part of the City's approval of tentative maps or development plans. Facilities shall be constructed and services made available in a timely manner as development progresses.

8.12.4 Community Facilities and Services

The timing for installation of community facilities and payment of impact fees for public improvements and services for the project shall be determined as part of the City's approval of tentative tract maps in accordance with the provisions of the existing City development impact fee ordinances. Community facilities such as bike trails shall be constructed in conjunction with construction of the public street improvements.

8.13 Appeals

Appeals from any determination of the City Planning Director, Zoning Administrator or the Planning Commission, may be made by the applicant or any other aggrieved party by filing an application on forms provided by the City of Ontario and accompanied by the appropriate filing fee, where applicable, within ten (10) days following the final date of action for which an appeal is made. Appeals shall be processed consistent with the provisions of Article 5, “Appeals” of the City of Ontario Development Code.

8.14 Project Financing

The financing of construction, operation, and maintenance of public improvements and facilities (the “facilities”), and public services shall include funding through a combination of financing mechanisms. Final determination of the facilities to be constructed and to maintenance responsibilities, whether publicly or privately maintained, shall be made prior to recordation of final maps. In order for the project to be fiscally self sufficient, the following, but not limited to, financing options can be considered for implementation:

8.14.1 Facilities and Services

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

8.14.2 Operation and Maintenance

- By individual private property owner.
- By private Home Owners Association.
- By Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district. City Council approval is a prerequisite for the implementation of any and all special district-financing mechanisms. The use of the Mello-Roos Community Facilities District Act of 1982 (the “Act”) to finance public facilities and services shall be at the City’s sole discretion. Moreover, the use of the Act shall be consistent with the City’s adopted goals and policies concerning the use of the Act.

8.15 Maintenance Responsibilities

The public and private improvements constructed within Armstrong Ranch shall be maintained through a combination of public and private entities as described below and in Table 8-1, “Maintenance Responsibilities.”

8.15.1 Public Maintenance

1. All Master Plan streets and sidewalks serving residential Planning Areas shall be dedicated as public streets to the City of Ontario.
2. Landscape improvements within the public right-of-way of Master Plan streets, neighborhood edges, community and neighborhood entries, and public street lights within Armstrong Ranch shall be maintained through a landscape and lighting district or other special maintenance district established by the City.
3. All on-site water, sewer, and storm drains within the public streets or easements dedicated to the City shall be constructed by the developer and, upon acceptance, shall be maintained by the City.
4. Off-site infrastructure improvements such as water, sewer and storm drain facilities shall be maintained by the City. All permanent on-site water quality basins or other stormwater retention/biotreatment facilities developed within Armstrong Ranch shall be maintained by the HOA in accordance with Table 8-1.
5. NPDES facilities within public streets and/or easements shall be maintained by the HOA utilizing an Encroachment Agreement. Operation and Maintenance (O&M) requirements for all NPDES stormwater runoff source control and Low Impact Development Site Design Best Management Practices (BMP’s) shall be identified in the approved Water Quality Management Plan for the project. An O&M Plan shall be created to ensure ongoing long-term maintenance of all structural and non-structure BMP’s.

8.15.2 Homeowner Association

A Homeowner Association shall be established for the maintenance of common area landscape improvements and any private roadways within residential areas of Armstrong Ranch. Improvements to be maintained by the Homeowner Association include:

- Designated private drives, alleys, and adjacent landscaping.
- Designated private streets and landscaping. During the course of maintenance of public utilities within public streets, private streets, private drive aisles, or alleys, the City will restore the streets to City standards for trench backfill, pavement repair, and hardscape or landscape, as applicable. Restoration of any enhancements above and beyond City standards, including but not limited to architectural paving, hardscape and landscape enhancements shall be the responsibility of the HOA or other entity maintaining those enhancements.

IMPLEMENTATION

- Parkways of interior neighborhood streets including sidewalks, landscaping and street lights as well as common areas distinct to individual residential types and neighborhoods.
- Maintenance of interior neighborhood streets landscaping and associated architectural monument elements are required to restore these areas to their condition as originally installed.
- Internal slopes fronting streets and slope areas in the rear of homes.
- All internal open spaces, parks, and common areas including any pools and/or tot lots.
- NPDES facilities within private streets, common areas and City right-of-way areas.

	City/CFD	HOA	Home owner	Public Utility
Master Plan Roadways (Riverside Avenue, Vineyard Avenue, Chino Avenue, Hellman Avenue, Carpenter Avenue)	•			
Interior Public Neighborhood Streets (curb to curb for primary entry streets, secondary entry streets, and neighborhood streets)	•			
Parkways of Master Plan Roadways and Neighborhood Edges (curb to perimeter walls, including landscape, sidewalks and street lights)	•			
Parkways of Interior Neighborhood Streets (landscaping and sidewalks)		•		
Multi-purpose trail along Cucamonga Channel	•			
Traffic Signals and Public Street Lights (in the public right-of-way)	•			
Private Street Lights (not in the public right-of-way)		•		
Public Traffic Control Signs (in the public right-of-way)	•			
Private Traffic Control Signs (not in the public right-of-way)		•		
Off-site and On-site Public Water, Sewer, and Storm Drain Improvements excluding Laterals ⁽¹⁾	•			
Pocket Parks		•		
Private Recreation Areas		•		
Front Yard and Corner Sideyard Landscaping ⁽²⁾		•		
Community Theme Wall on Master Planned Roadways (outside face for graffiti removal and paint)	•			
Community Theme Wall on Master Planned Roadways: Surface (interior) opposite streetside (structural integrity and face repair)		•		
Private Interior Yard Walls		•	•	
Alley Landscaping and Lighting		•		
Police and Fire	•			
Electricity and Natural Gas				•
Communication Systems				•
Fiber Optic Infrastructure	•			
NPDES Facilities (on-site) W.Q.M.P.		•		
NPDES Facilities w/in public ROW		•		
NPDES Regional Facilities	•			

Footnote 1. Only those facilities in public roads and /or easements including restoration work following public street repair.

Footnote 2. “Corner Sideyard Landscaping” is the area between the fence and sidewalk on corner lot conditions.

TABLE 8-1: Maintenance Responsibilities

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Section 9 • General Plan Consistency

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of specific plans as an implementation tool for elements contained in the local general plan. Policy plans must demonstrate consistency in regulations, guidelines, and programs with the goals and policies set forth in the general plan. The Armstrong Ranch Specific Plan has been prepared in conformance with the goals and policies of the City of the Ontario Plan (Policy Plan). The policy plan analysis in Table 9-1, “Policy Plan Consistency,” describes the manner in which the Armstrong Ranch Specific Plan complies with The Ontario Plan (TOP) policies applicable to the project.

The TOP policies listed in this section reflect the policies in the place at the time the Armstrong was adopted and may not reflect policy/update changes beyond the date of the Specific Plan adoption.

GENERAL PLAN CONSISTENCY

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
LAND USE ELEMENT	
<p>GOAL LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.</p>	
<p>LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identify, maximize available and planned infrastructure, and foster the development of transit.</p>	<p>The Specific Plan outlines a pedestrian sidewalk and multi-use trail network connecting neighborhoods to open space and adjacent future commercial land uses.</p>
<p>LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.</p>	<p>Sustainable Community/Smart Growth principles are incorporated into the Armstrong Ranch Land Use Plan. Pedestrian sidewalks and bicycle paths to be constructed as part of the project throughout the community provide connectivity among residential planning areas and schools to help reduce vehicle trips and miles traveled. The design of residential areas incorporates tree lined parkways providing shade for pedestrians and parked cars. Safe and efficient pedestrian and bicycle connectivity is provided throughout the project.</p> <p>The Armstrong Ranch architectural design guidelines allow for a variety of architectural styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Armstrong Ranch incorporates a plant palette of drought tolerant materials and requirements that the development implement planting and irrigation systems designed to conserve water. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.</p>	<p>The Armstrong Ranch Specific Plan establishes an infrastructure and public facilities plan to ensure that adequate roadways and public utilities including sewer, water, and drainage facilities along with schools, parks, and other public facilities are provided to serve the project.</p>
<p>LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.</p>	<p>The Armstrong Ranch Specific Plan requires the construction of Class 1 Bike Paths which are an integral element to creating accessibility and mobility within Armstrong Ranch. The Specific Plan requires locations and construction of bus turnouts that may be required within the project to be coordinated with and constructed to the satisfaction of the City of Ontario and Omnitrans.</p>
<p>LU1-6 Complete Community. We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario.</p>	<p>Armstrong Ranch provides for development of up to 891 residential dwelling units in a variety of residential single family detached housing types oriented toward open space amenities.</p>
<p>GOAL LU2: Compatibility between a wide range of uses.</p>	
<p>LU2-6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.</p>	<p>Arterial streets within Armstrong Ranch will be uniformly landscaped in an aesthetically pleasing manner with 8-10 foot wide landscaped parkways on each side of the street and a 28' wide median in Vineyard Avenue. A planting buffer area varying in width from 40-50 feet in width will be provided adjacent to sidewalks within the project adjacent to all arterial roadways. Decorative project monuments will be constructed at key project entries providing community identification and establishing a sense of arrival and a welcoming feeling for the community.</p>
<p>LU2-9 Methane Gas Sites. We require sensitive land uses and new uses on former dairy farms or other methane-producing sites be designed to minimize health risks.</p>	<p>The project will comply with appropriate mitigation measures identified in the project EIR for soil remediation and proper venting to address the potential existence of methane gases within the project.</p>

GENERAL PLAN CONSISTENCY

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>GOAL LU4: Development that provides short term value only when the opportunity to achieve our Vision can be preserved.</p>	
<p>LU4-3 Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.</p>	<p>Approval of the Armstrong Ranch Specific Plan is accompanied by an application for approval of a development agreement. The development agreement shall include, but not be limited to, methods for financing, acquisition, and construction of infrastructure, acquisition and development of adequate levels of parkland and schools, as well as the provision of adequate housing opportunities for various segments of the community consistent with the City’s regional housing needs assessment. The Armstrong Ranch development agreement shall be fully approved before the issuance of the first building permits for the project.</p>
<p>GOAL LU5: Integrated airport facilities that minimize negative impacts and maximize economic benefits.</p>	
<p>LUF5-2 Airport Planning Consistency. We coordinate with airport authorities to ensure The Ontario Plan is consistent with state law, federal regulations and/or adopted master plans and land use compatibility plans for the ONT and Chino Airport</p>	<p>The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in the Armstrong Ranch Specific Plan Section 3-4.</p>
<p>LU5-7 ALUCP Consistency and Land Use Regulations. We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.</p>	<p>The Specific Plan will comply with the ALUCP requirements for Ontario Airport (ONT) and Chino Airport as outlined in Armstrong Ranch Specific Plan Section 3-4.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
COMMUNITY DESIGN ELEMENT	
<p>GOAL CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.</p>	
<p>CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.</p>	<p>The Specific Plan includes design guidelines to guide the physical character of all future residential development and all community and neighborhood features, including the overall landscape treatment within the project. The proposed community character establishes a unified aesthetic treatment and design theme. The community vision for Armstrong Ranch is based upon the architectural and landscape influences found in Ontario and throughout Southern California. The architectural styles and landscape concept chosen for the community have been selected in order to be reflective of older neighborhoods of historic Ontario as well as to accommodate innovative transitional influences. Together, the architectural styles and landscape concept are designed to create a neighborhood character for Armstrong Ranch that will be sustainable over time.</p>
<p>CD1-5 View Corridors. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City’s visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.</p>	<p>The major north south streets in Armstrong Ranch are designed to frame the views of the San Gabriel Mountains. The Specific Plan requires the construction of extensive landscaping on both sides of each street and in the median of each street. All new utility lines will be placed underground.</p>

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>GOAL CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and district.</p>	
<p>CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:</p> <ul style="list-style-type: none"> • Building volume, massing, and height to provide appropriate scale and proportion; • A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and • Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style. 	<p>The Specific Plan includes design guidelines to guide the construction of the project by requiring building massing to address the street and the pedestrian experience, the use of selected architectural styles to be implemented in a comprehensive manner throughout each neighborhood around all building elevations, and the use of building materials and architectural features and elements which are true to each selected style.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as: a pattern of smaller, walkable blocks that promote access, activity and safety;</p> <ul style="list-style-type: none"> • Variable setbacks and parcel sizes to accommodate a diversity of housing types; • Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows; • Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and • Landscaped parkways, with sidewalks separated from the curb. 	<p>The Armstrong Ranch Specific Plan is designed as a walkable community of traditional residential neighborhoods organized around a simple grid street system offering a variety of home types within an open space setting. Residents can walk or bike to parks and schools via an interconnected network of sidewalks and trails throughout the community.</p> <p>Traditional site planning elements, varied residential product design and architecture, well landscaped streets and enhanced entries combine to create welcoming neighborhoods within the community with aesthetic and functional harmony. Streets are linked together in a grid pattern with sidewalks separated from the street by landscaped parkways providing a simple and understandable system for pedestrian and vehicular travel connecting neighborhoods, open space amenities, public facilities, and recreational areas. A variety of housing types, including detached single-family homes, attached single family homes, and multifamily homes are planned for Armstrong Ranch, all of which are located close to schools, parks, and open space amenities. Residential development standards and design guidelines contained in the Specific Plan ensure that homes are designed at a human scale emphasizing architecture fronting the street. Residential development standards are designed to minimize views of garage doors through use of alternating garage configurations. Traffic calming features incorporated into neighborhood streets include a traditional grid pattern with sidewalks separated by landscaping on either side and the use of intersection chokers and roundabouts where appropriate.</p>

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD2-5 Streetscapes. We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.</p>	<p>The Specific Plan is designed with a comprehensive street system to accommodate the safe and efficient movement of automobiles as well as bike trails and a multi-purpose trail to accommodate bicycle and pedestrian mobility and connectivity throughout the community. Streets are designed as a grid system of short blocks allowing for various vehicular access points and travel routes.</p> <p>Streets are designed with sidewalks separated from the street to create an inviting environment for walking. Streets connect neighborhoods, parks, and schools through a variety of travel paths. Bicycle accessibility is provided throughout the community through a network of off-street multi-purpose trails within Vineyard Avenue and Riverside Avenue which connect to a Class II bike path and Multipurpose Trail. Connectivity to this network of off street bike trails from all residential Planning Areas is provided through the local street system.</p>
<p>CD2-6 Connectivity. We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent “islands” through the following means:</p> <ul style="list-style-type: none"> • Local street patterns that provide access between subdivisions and within neighborhoods and discourage through traffic; • A local street system that is logical and understandable for the user. A grid system is preferred to avoid circuitous and confusing travel paths between internal neighborhood areas and adjacent arterials; and • Neighborhoods, centers, public schools, and parks that are linked by pedestrian greenways/open space networks. These may also be used to establish clear boundaries between distinct neighborhoods and/or centers. 	<p>Off-street pedestrian circulation is available throughout Armstrong Ranch by means of the interconnected, paved sidewalk system within the roadway right-of-way, separated from travel lanes by a landscaped parkway and within off-street Multipurpose Trails. The Armstrong Ranch pedestrian system provides connectivity among residential neighborhoods to pocket parks. Streets are designed in a simple grid system with short blocks promoting a sense of small neighborhoods.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.</p>	<p>Sustainable Community/Smart Growth principles are incorporated into the Armstrong Ranch Land Use Plan. The sustainable goals for the project as stated in the Specific Plan include the following:</p> <ol style="list-style-type: none"> 1. Encourage walking and other non-vehicular modes of travel. 2. Provide pedestrian connectivity throughout the project. 3. Provide shaded outdoor areas. 4. Encourage the use of architectural elements designed to reduce interior heat gain. 5. Encourage the use of recycled, recyclable, and environmentally friendly building materials. 6. Require the use of low energy glass, low water plumbing features, and energy efficient appliances. 7. Encourage the use of drought tolerant landscaping and water efficient irrigation methods. <p>Pedestrian and bicycle connectivity is provided among residential planning areas, schools, and parks helping to reduce vehicle trips and miles traveled. The design of residential areas incorporates tree lined parkways providing shade for pedestrians and parked cars. Safe and efficient pedestrian and bicycle connectivity is provided throughout the project through a network of off-street bicycle trails, multi-use trails, and sidewalks.</p> <p>The Armstrong Ranch architectural design guidelines allow for a variety of styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Armstrong Ranch incorporates a drought tolerant plant palette and requires planting and irrigation systems designed to conserve water. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities.</p>

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.</p>	<p>Residential development standards and design guidelines contained within the Specific Plan require home designs with fronts of homes, not garages, oriented toward the street to ensure that “eyes are on the street” in each neighborhood. Residences are oriented around open space, parks, and trails. Parking areas and garages are located to the rear of residences to avoid dominance of the streetscape by automobiles and to enhance a pedestrian environment on all streets.</p>
<p>CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.</p>	<p>The landscape concept for Armstrong Ranch incorporates the use of durable landscaping materials, a drought tolerant plant palette, and a planting, grading, and irrigation system designed to conserve irrigation water and maximize the retention/infiltration of rainfall runoff. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities. All materials utilized in private and public common areas will be durable landscaping materials.</p>
<p>CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.</p>	<p>Signage and landscaping will be provided at neighborhood entries within Armstrong Ranch. Community and neighborhood entry monumentation is required by the Specific Plan and is designed to establish a hierarchy for each Planning Area of the community. At key entries a monumentation program will be utilized to help identify the community as well as convey a sense of arrival and a welcoming feel for both vehicular and pedestrian traffic. These monuments and “gateways” are to be designed with durable, lasting materials approved by the City of Ontario. The “gateways” leading into the community of Armstrong Ranch will be elegant in appearance, classic in form, evoking the sense of arrival.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CD2-12 Site and Building Signage. We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.</p>	<p>The Specific Plan requires the developer of Armstrong Ranch to obtain approval by the City of a Master Sign Program to address project entries, neighborhood identification and way finding signage within the project.</p>
<p>GOAL CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing, and safe during all hours.</p>	
<p>CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.</p>	<p>The Specific Plan is designed for bicycle and pedestrian accessibility throughout the community through a network of off-street bike and pedestrian trails within Vineyard and Riverside Avenues. Connectivity to this network of off street trails from all residential Planning Areas is provided through the local street system.</p>
<p>CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.</p>	<p>The Specific Plan includes landscape design guidelines to enrich the community landscape and architectural style for Armstrong Ranch. The design guidelines are organized to define the basic landscape design principles for the project, to guide the implementation of the “design vision,” and to ensure the design integrity of the project. All landscape plans, streetscape plans, and graphic designs with regard to community identity, neighborhood identity, or entry monumentation within the project are required to conform to the landscape design guidelines as set forth in the Specific Plan and are subject to review and approval by the City of Ontario. The landscaping proposed for Vineyard, Riverside, Chino, and Hellman Avenues shall be designed in accordance with The Ontario Ranch Streetscape Master Plan.</p>

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<p>CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces</p>	<p>The Specific Plan includes architectural design guidelines which promote street facing front entries and architectural elements visible from adjacent streets, sidewalks, and parks within the project.</p>
<p>CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.</p>	<p>The Specific Plan requires that the design and materials used for all road surfaces and sidewalks within the project be subject to approval by the City Planning Department and Public Works Department.</p>
<p>GOAL CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages public and private investments.</p>	
<p>CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.</p>	<p>The Specific Plan includes a Maintenance Responsibility Matrix defining the public, private, and utility entities responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, parks, yards, walls and monuments, traffic signals, infrastructure, and utilities within the project.</p>
<p>CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.</p>	<p>The Specific Plan includes a Maintenance Responsibility Matrix defining the responsible entities for continual maintenance of roadways, sidewalks, traffic signals, off site and on site public water, sewer, and storm drain infrastructure facilities.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
COMMUNITY ECONOMICS ELEMENT	
GOAL CE1: A complete community that provides for all incomes and stages of life.	
CE1-7 Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.	N/A
CE1-12 Circulation. We continuously plan and improve public transit and non-vehicular circulation for the mobility of all, including those with limited or no access to private automobiles. (Refer to Mobility Public Transit)	
GOAL CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.	
CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community. (Refer to Community Design Element)	
CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.	

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
MOBILITY ELEMENT	
<p>GOAL M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.</p>	
<p>M1-1 Roadway Design and Maintenance. We require our roadways to:</p> <ul style="list-style-type: none"> • Comply with federal, state and local design and safety standards. • Meet the needs of multiple transportation modes and users. • Handle the capacity envisioned in the Functional Roadway Classification Plan. • Maintain a peak hour Level of Service (LOS) E or better at all intersections. • Be compatible with the streetscape and surrounding land uses. • Be maintained in accordance with best practices and our Right-of-Way Management Plan. 	<p>The Specific Plan requires the construction of a network of Master Plan Roadways designed consistent with the requirements of the City’s Functional Roadway Classification Plan and The Ontario Ranch Streetscape Master Plan. The roadway system is designed to maintain a peak hour Level of Service (LOS) E or better at all intersections as discussed in the project EIR. Site design, source control, and treatment BMP’s for the project are required to be submitted by the developer for approval by the City prior to issuance of permits for the project.</p>
<p>M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.</p>	<p>All mitigation measures, standard conditions, and project design features identified in the project EIR to mitigate traffic impacts of the project will be implemented by the project.</p>
<p>GOAL M2: A system of trails and corridors that facilitate and encourage bicycling and walking.</p>	
<p>M2-3 Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.</p>	<p>The Specific Plan includes a plan for construction of an off-street pedestrian circulation system comprised of an interconnected, paved sidewalk system within all roadway rights-of-ways, separated from vehicular travel lanes by a landscaped parkway. The Armstrong Ranch pedestrian system provides connectivity among residential neighborhoods to the pocket parks.</p>
<p>GOAL M3: A public transit system that is a viable alternative to automobile travel and meets the basic transportation needs of the transit dependent.</p>	

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>M3-2 Transit Facilities at New Development. We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.</p>	<p>The Specific Plan requires the developer of the project to coordinate with the local mass transit provider, Omnitrans, to accommodate adequate area for any bus turnouts within the Master Plan Roadways as required by Omnitrans.</p>
<p>HOUSING ELEMENT</p>	
<p>GOAL H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.</p>	
<p>H2-4 Ontario Ranch. We support a premier lifestyle community in the Ontario Ranch distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.</p>	<p>The Specific Plan allows for the development of up to 891 residential dwelling units comprised of a variety of single-family detached homes. Residential land use areas are linked by a network of street-separated sidewalks and bicycle trails connecting all neighborhoods to parks and schools. Residential development is designed to address a variety of lifestyles and economic segments of the marketplace, such as singles, families, executives and “empty nesters.”</p>
<p>H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.</p>	<p>The Specific Plan includes architectural design guidelines to encourage development of diverse neighborhoods with the use of varied architectural styles articulated with elements true to the architectural characteristics of each style</p>
<p>GOAL H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age, or other status.</p>	
<p>H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.</p>	<p>The Specific Plan allows for the development of condominium and multi-family home types designed to accommodate families with children. The Specific Plan requires that all condominium and multi-family developments within the project provide private recreational areas and/or pocket parks for residents of the development.</p>

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
ENVIRONMENTAL RESOURCES ELEMENT	
<p>GOAL ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.</p>	
<p>ER1-3 Conservation. We require conservation strategies that reduce water usage.</p>	<p>The Specific Plan requires all public and common area landscaping within the project to utilize plant materials listed on the approved Specific Plan Landscape Plant Matrix which is comprised of drought tolerant and California Friendly plant materials. The Specific Plan requires that irrigation systems for both public and private landscaped areas be designed to be as water-efficient as possible and includes the following minimum requirements.</p> <ul style="list-style-type: none"> • All irrigation systems shall have automatic controllers designed to properly water plant materials given the site’s soil conditions, and irrigation systems for all public landscapes shall have automatic rain shut-off devices. • Drip irrigation is not permitted within LMD landscape areas. • Spray systems shall have low volume matched-precipitation heads. • All LMD areas are to be controlled with central control irrigation systems, and all trees are to be irrigated utilizing a flush grade bubbler system on a separate valve. All LMD areas shall be designed to City Standard Specifications.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>ER1-5 Groundwater Management. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.</p>	<p>The Specific Plan requires that the developer obtain approval of a Storm Water Pollution Prevention Plan (SWPPP) prior to issuance of grading or construction permits. The SWPPP will be prepared to comply with California State Water Resources Control Board’s current “General Permit to Discharge Storm Water Associated With Construction Activity” and current “Area Wide Urban Storm Water Runoff (Regional NPDES) Permit.” The SWPPP will identify and detail all appropriate Best Management Practices (BMP’s) to be implemented or installed during construction of the project.</p> <p>In addition to the preparation of a SWPPP for construction-related activities, and as part of the approval of any grading plans for the project, each tract map developer will be required to submit a Water Quality Management Plan (WQMP) on the San Bernardino County Stormwater Program’s template form available at http://www.sbcounty.gov/dpw/land/npdes.asp. The WQMP shall identify and detail all Low Impact Development Site Design BMP’s, Source Control BMP’s and Treatment Control BMP’s to be implemented or installed as part of the project in order to reduce storm water pollutants and site runoff. In addition, as part of the submittal of the Tentative Tract Maps, all developers shall submit a Preliminary WQMP on the form available on the City of Ontario’s website, which will conceptually describe and detail the locations and approximate sizing of the proposed on site LID BMPs that will be incorporated into the tract map layout.</p>

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>ER1-6 Urban Run-off Quantity. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.</p>	<p>The Specific Plan requires that the project be designed and graded to direct 2-year storm event runoff from building roofs and paved areas, into swaled landscape areas for capture and retention/infiltration. In particular, open space, parks, landscaped setback areas and trails are to be used for this purpose in order to comply with the most recent requirements of the San Bernardino County NPDES Storm Water Program’s Quality Management (WQMP) for significant new development projects. In addition to these Site design BMPs, each Tract Map project will incorporate structural and non-structural Source Control Best Management Practices (BMP’s) and on-site Structural Treatment Control BMP’s, as needed. Participation in regional or watershed-based Treatment Control BMP’s as an alternative to on-site LID BMP implementation is regulated by the requirements of the San Bernardino County MS4 Urban Runoff Permit and the SB County Water Quality Management Plan Technical Guidance Document.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
ER1-7 Urban Run-off Quality. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.	The Specific Plan requires that the project comply with the most recent requirements of the San Bernardino County NPDES Storm Water Program’s Quality Management (WQMP) for significant new development projects. A final WQMP is required to be submitted by the developer for approval by the City prior to the issuance of any grading and construction permits for the project.
ER1-8 Wastewater Management. We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.	The Specific Plan requires the construction of a wastewater system consistent with City requirements and also requires that the project obtain approval of a WQMP for the project prior to the issuance of any grading or construction permit.
GOAL ER3: Cost-effective and reliable energy, derived primarily from renewable sources that helps to reduce the region’s carbon footprint.	
ER3-1 Conservation Strategy. We require conservation as the first strategy to be employed to meet applicable energy-saving standards.	The Specific Plan requires all public and common area landscaping within the project to utilize plant materials listed on the approved Specific Plan Landscape Plant Matrix which is comprised of drought tolerant and California Friendly plant materials. The Specific Plan requires that irrigation systems for both public and private landscaped areas be designed to be as water-efficient as possible. The Specific Plan requires the construction of separate water mains for the use of recycled water in public and common areas of the project. The Specific Plan includes architectural styles that respond to local climate conditions and allow for the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize fixtures, appliances, and heating and cooling controls to conserve water and energy.

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>ER3-2 Green Development– Communities. We require the use of best practices identified in green community rating systems to guide the planning and development of all new communities.</p>	<p>The Specific Plan includes architectural guidelines which allow for a variety of styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors. All new construction will utilize design features, fixtures, appliances, and heating and cooling controls to conserve energy and water. The landscape concept for Armstrong Ranch incorporates a plant palette and a planting and irrigation system designed to conserve water. Park and recreation areas will include shaded areas, bicycle racks, and other amenity features to encourage pedestrian and other non-vehicular activities.</p>
<p>R3-3 Building and Site Design. We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.</p>	<p>The Specific Plan includes architectural design guidelines which allow for a variety of styles that respond to local climate conditions. Some styles allow the incorporation of flat roofs that facilitate the use of solar collectors.</p>
<p>GOAL ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.</p>	
<p>ER4-4 Indoor Air Quality. We will comply with State Green Building Codes relative to indoor air quality.</p>	<p>All development within the Specific Plan will be required to comply with the State Green Building Code as implemented by the City.</p>
<p>GOAL ER5: Protected high value habitat and farming and mineral resource extraction activities that are compatible with adjacent development.</p>	
<p>ER5-2 Entitlement and Permitting Process. We comply with state and federal regulations regarding protected species.</p>	<p>The project will comply with all mitigation measures identified in the project EIR with regard to biological resources.</p>
<p>ER5-3 Right to Farm. We support the right of existing farms to continue their operations within the Ontario Ranch.</p>	<p>The Specific Plan requires a minimum 100 foot wide agricultural buffer be provided by the development between any new residential structure and any existing animal feed trough, corral/pen or an existing dairy/feed lot.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>ER5-4 Transition of Farms. We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.</p>	<p>The Specific Plan requires a minimum 100 foot wide agricultural buffer be provided by the development between any new residential structure and any existing animal feed trough, corral/pen or an existing dairy/feed lot.</p>
<p>SAFETY ELEMENT</p>	
<p>Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.</p>	
<p>S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.</p>	<p>All development within the Specific Plan will be required to comply with the State of California Building Code as adopted and implemented by the City.</p>
<p>Goal S3: Reduced risk of death, injury, property damage and economic loss due to fires, accidents and normal everyday occurrences through prompt and capable emergency response.</p>	
<p>S3-8 Fire Prevention through Environmental Design. We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.</p>	<p>The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City’s Subdivision Ordinance and Development Plan Review process which provides for review by the City’s Fire Department which may require the development to incorporate fire prevention design elements in streetscapes, sites, open spaces and buildings.</p>
<p>Goal S4: An environment where noise does not adversely affect the public’s health, safety, and welfare.</p>	
<p>S4-1 Noise Mitigation. We utilize the City’s Noise Ordinance, building codes and subdivision and development code regulations to mitigate noise impacts.</p>	

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PLAN POLICY	SPECIFIC PLAN CONSISTENCY
Goal S5: Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.	
S5-2 Dust Control Measures. We require the implementation of Best Management Practices for dust control at all excavation and grading projects.	Construction within the Specific Plan will comply with a City approved construction management plan and all mitigation measures identified in the project EIR with regard to dust control.
Goal S6: Reduced potential for hazardous materials exposure and contamination.	
S6-9 Remediation of Methane. We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.	The project will comply with all mitigation measures identified as part of the project EIR for soil remediation and proper venting to address the potential existence of methane gases within the project.
S7-4 We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.	The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City’s Subdivision Ordinance and Development Plan Review process which provides for review by the City’s Police Department which may require the development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.
PARKS AND RECREATION ELEMENT	
Goal PR1: A system of safe and accessible parks that meets the needs of the community.	
PR1-5 Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.	The project will comply with the City requirement for the payment of an in-lieu fee in amount equivalent to three acres of parkland per 1,000 residents to fund the development of public parks and the requirement that each new development provide park acreage on-site equivalent to 2 acres per 1,000 residents. The Specific Plan includes the provision of private pocket parks in each Planning Area.

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>PR1-6 Private Parks. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.</p>	<p>The Specific Plan includes the provision of private pocket parks in each Planning Area with a total acreage provided equivalent to 2 acres of developed private park per 1,000 residents.</p>
<p>PR1-9 Phased Development. We require parks be built in new communities before a significant proportion of residents move in.</p>	<p>Development within the Specific Plan is required to be reviewed and approved pursuant to the City’s Subdivision Ordinance which requires the approval of tentative and final subdivision maps for the project. Conditions of approval associated with the City’s approval of tentative subdivision maps will provide for the timing of construction of parks as part of the development.</p>
<p>PR1-11 Environmental Function of Parks. We require new parks to meet environmental management objectives.</p>	<p>The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City’s Subdivision Ordinance and Development Plan Review process which provides for review by the City’s Planning Department which may require the development to incorporate environmental management objectives into the design of parks.</p>
<p>PR1-12 Trails. We promote connections between parks and local trails including those managed by other public agencies.</p>	<p>The Specific Plan is designed for bicycle and pedestrian accessibility provided throughout the community through a network of off-street bike and pedestrian trails within Vineyard and Riverside Avenues. These trails are connected to a Class I bike path system located within Archibald Avenue, Ontario Ranch Road, and Haven Avenue. Connectivity to this network of off-street trails from all residential Planning Areas is provided through the local street system as well as a Class I multi-purpose trail located on the Western side of the Cucamonga Channel and running from Riverside Drive to Chino Avenue.</p>
<p>PR1-14 Multi-family Residential Developments. We require that new multi-family residential developments of five or more units provide recreational facilities or open space, in addition to paying adopted impact fees.</p>	<p>The Specific Plan requires that all condominium and multi-family developments within the project provide private recreational areas and/or pocket parks for residents of the development in addition to the payment by the developer of adopted impact fees.</p>

GENERAL PLAN CONSISTENCY

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
SOCIAL RESOURCES ELEMENT	
<p>Goal SR2: A range of educational and training opportunities for residents and workers of all ages and abilities that improves their life choices and provides a skilled workforce for our businesses.</p>	
<p>SR2-4 Access to Schools. We work with local and regional partners to improve the safety in and around schools and to improve access for citizens of all ages and abilities to schools and community services such as after school and other programs.</p>	
COMMUNITY ECONOMICS ELEMENT	
<p>GOAL CE1: A complete community that provides for all incomes and stages of life.</p>	
<p>CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.</p>	<p>The Specific Plan allows for the development of up to 891 residential dwelling units comprised of a variety of single-family detached homes. Residential land use areas are linked by a network of street-separated sidewalks and Multipurpose Trails connecting all neighborhoods to parks and schools. Residential development is designed to address a variety of lifestyles and economic segments of the marketplace, such as singles, families, executives and “empty nesters.”</p>
<p>GOAL CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.</p>	
<p>CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.</p>	<p>The Specific Plan includes architectural and landscape design guidelines.</p>

PLAN POLICY	SPECIFIC PLAN CONSISTENCY
<p>CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.</p>	<p>The Specific Plan requires all new development to be reviewed and approved pursuant to the provisions of the City’s Subdivision Ordinance and Development Plan Review process which provides for review by the City’s Planning Department which may require the development to demonstrate how the project will create appropriately unique, functional and sustainable places.</p>
<p>CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.</p>	<p>The Specific Plan includes a Maintenance Responsibility Matrix defining the private responsibilities for maintenance of private roadways, parkways, trails, common areas, parks, yards, walls, and monuments within the project.</p>
<p>CE2-6 Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.</p>	<p>The Specific Plan includes a Maintenance Responsibility Matrix defining the responsible public entities, including special districts, for maintenance of roadways, sidewalks, traffic signals, off site and on site public water, sewer, and storm drain infrastructure facilities.</p>

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**PLANNING COMMISSION
STAFF REPORT**
October 24, 2017

SUBJECT: A Tentative Tract Map (File No. PMTT17-002/TT 18937) to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes, for property located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan. (APN: 0218-201-18); **submitted by Brookcal Ontario, LLC.**

PROPERTY OWNER: Brookcal Ontario, LLC

RECOMMENDED ACTION: That the Planning Commission approve File No. PMTT17-002, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 23.66 acres of land located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan, and is depicted in **Figure 1: Project Location**, right. The project site slopes gently from north to south and is currently vacant. The property to the north of the project site is within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan and is vacant. The property to the east is within the Low Density Residential district of Planning Area 8A of The Avenue Specific Plan and is currently developed with agricultural/dairy uses. The property to the south is within the High Density Residential district of Planning Areas 7 and 8 of the Grand Park Specific Plan and is currently developed with agricultural/dairy uses. The property to



Figure 1: Project Location

Case Planner:	Henry K. Noh	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	10/16/17	Approved	Recommend
Submittal Date:	February 17, 2017	ZA			
Hearing Deadline:	N/A	PC	10/24/17		Final
		CC			

the west of the project site is within the Low Medium Density Residential, Open Space and Elementary School districts of Planning Area 5 of The Avenue Specific Plan and is currently developed with agricultural uses.

PROJECT ANALYSIS:

[1] Background — The Avenue Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on December 19, 2006. The Avenue Specific Plan establishes the land use designations, development standards, and design guidelines for 568 acres, which includes the potential development of 2,875 dwelling units and approximately 131,000 square feet of commercial.

The previously approved Tentative Tract Map 18922 (“A” Map), facilitated the construction of the backbone streets and primary access points into the existing New Haven Community (Planning Area 10A) of The Avenue Specific Plan from Ontario Ranch Road, Turner Avenue, Schaefer Avenue and Haven Avenue. The project site will have access from Archibald Avenue and La Avenida Drive, which runs east and west along the northern frontage of the site and has direct access to Archibald Avenue. The Tentative Tract Map will also construct the interior tract streets and private lanes that will provide access to the future residential development (see **Figure 2: The Avenue Specific Plan Land Use Plan**, below).

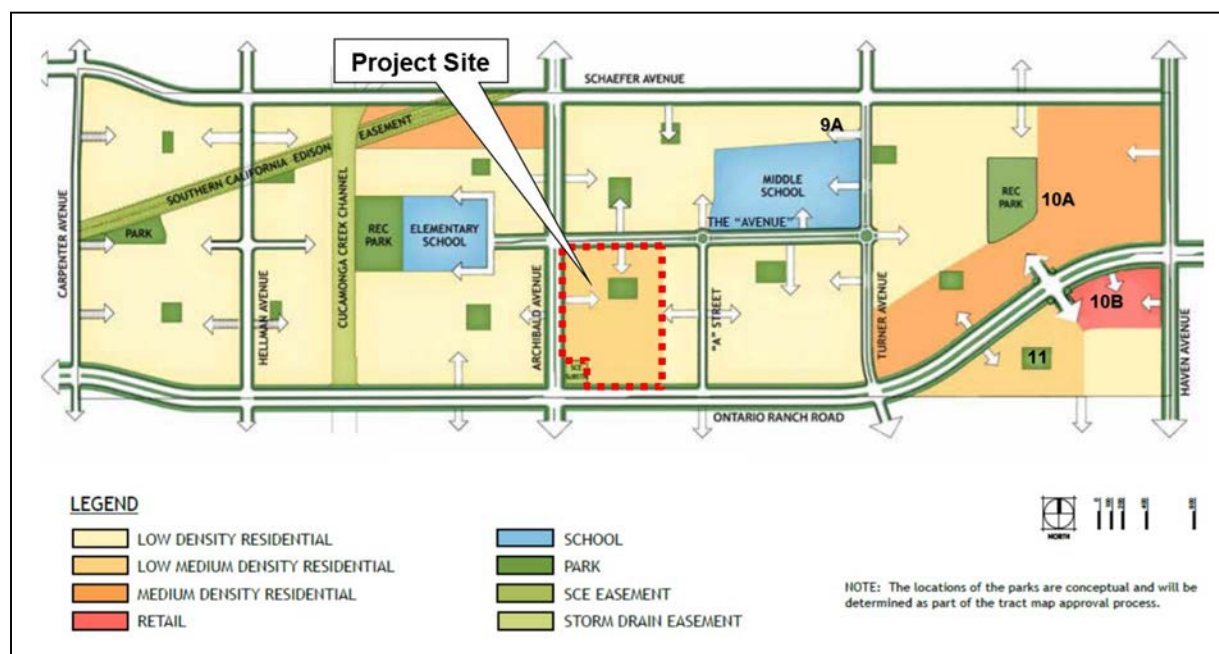


Figure 2: The Avenue Specific Plan Land Use Map

The Applicant, Brookcal Ontario, LLC, has submitted a Tentative Tract Map to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots

for public streets, landscape neighborhood edges and common open space purposes. The development plans for the proposed 6-pack cluster (see **Figure 3: Conceptual 6-Pack Cluster Site Plan**, below), multi-family townhome (see **Figure 4: Conceptual Townhome Site Plan**, below) and rowtown (see **Figure 5: Conceptual Rowtown Site Plan**, below) products will be brought before the Planning Commission at a future date.

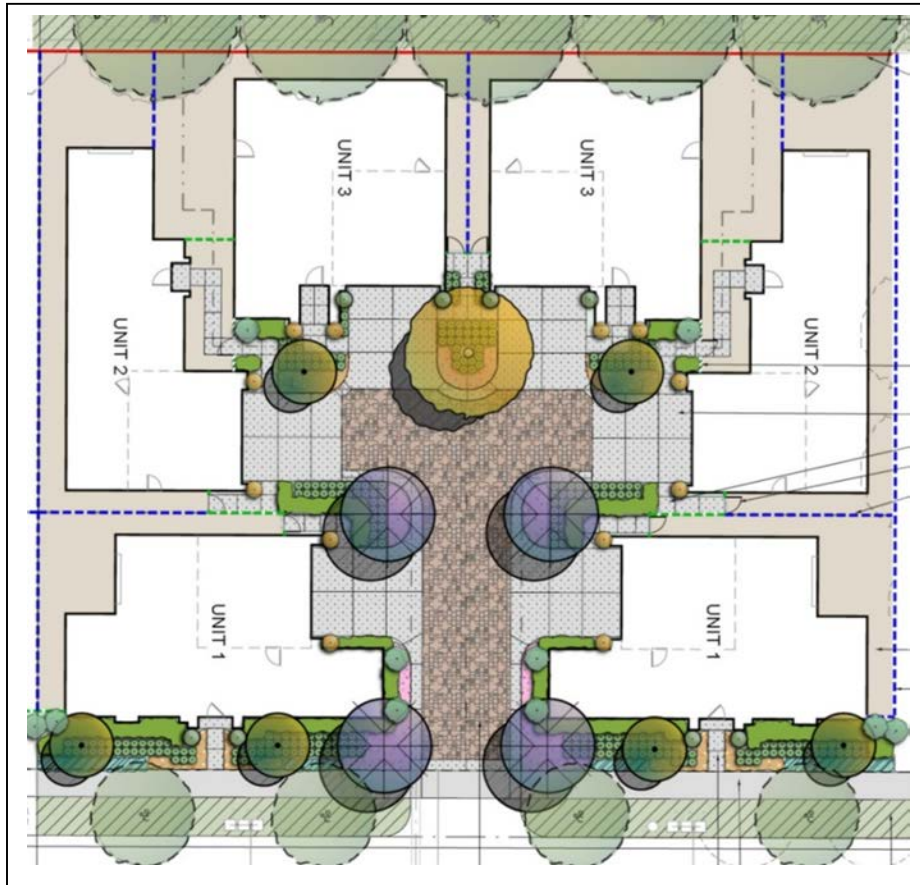


Figure 3: Conceptual 6-Pack Cluster Site Plan



Figure 4: Conceptual Townhome Site Plan

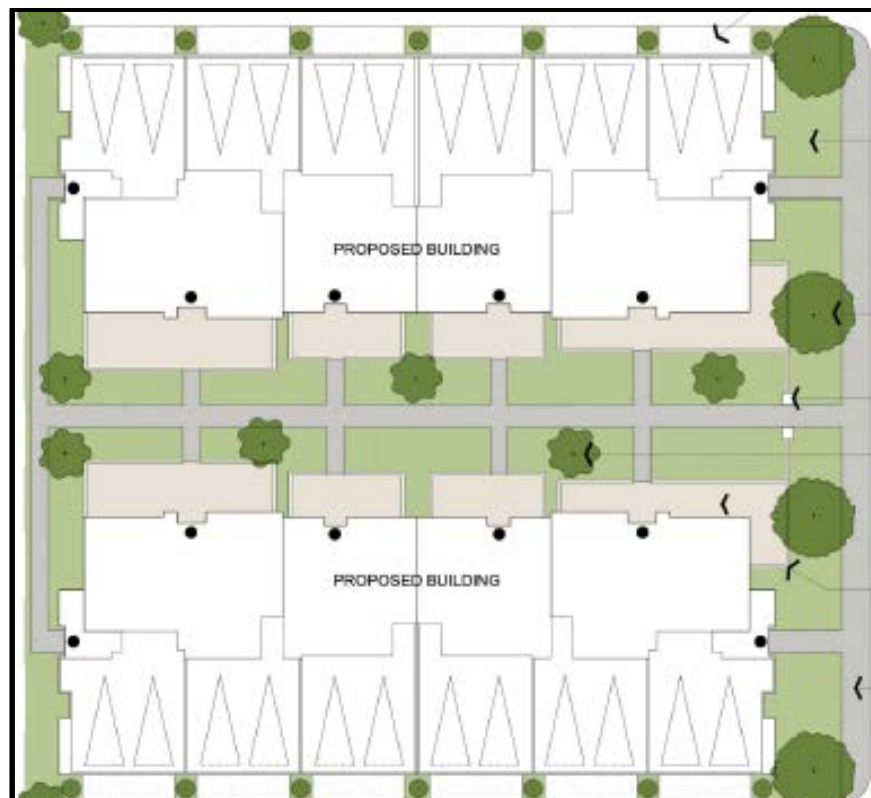


Figure 5: Conceptual Rowtown Site Plan

To date there have been seven development plans approved for the New Haven community that include:

- Holiday – 259 autocourt units consisting of 19 two-story buildings;
- Summerset - 112 single-family conventional homes (55'x90' lots);
- Waverly – A 6-pack cluster product with 197 single-family homes;
- Marigold - 149 single-family conventional homes (45'x90' lots);
- Poppy – A 6-pack cluster product with 104 single-family homes;
- Arborel – 91 single-family alley loaded homes; and
- Solstice – 93 rowtown units consisting of 16 two-story buildings.

[2] Tract Map Subdivision — The proposed Tentative Tract Map (File No. PMTT17-002/TT 18937) to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes. The proposed project will provide additional single-family detached cluster home and multi-family attached condominium products within Planning Area 7 of The Avenue Specific Plan (see **Exhibit A: Tentative Tract Map 18937**). The residential lots range in size from 2,854 to 3,361 square feet for the single-family cluster lots and from 30,820 to 91,237 square feet for the multi-family attached condominium lots. The proposed lots exceed the Specific Plan's minimum lot requirement of 2,000 square feet (SFD 4/6 Cluster) and 14,000 square feet (Autocourt).

[3] Site Access/Circulation — The previously approved Tentative Tract Map 18922 ("A" Map), facilitated the construction of the backbone streets and primary access points into the existing New Haven Community (Planning Area 10A) of The Avenue Specific Plan from Ontario Ranch Road, Turner Avenue, Schaefer Avenue and Haven Avenue. The project site will have access from Archibald Avenue and La Avenida Drive, which runs east and west along the northern frontage of the site and has direct access to Archibald Avenue. The Tentative Tract Map will also construct the interior tract streets and private lanes that will provide access to the future residential development

[4] Open Space — The Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract (see **Exhibit B: Conceptual Landscape Plan**). TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 1.83 acre park to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 1.98 acre neighborhood park that is centrally located within the tract. In addition, a 6.8 acre park, as part of the related "A" Map (TT18922), was constructed at the center of Planning Area 10A, located east of the project site. The park features an 8,348 square foot club house, two pools and a spa, open lawn area and other recreational amenities. The residents of the development will have access to the existing park and all park amenities.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

➤ LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

➤ LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

Housing Element:

▪ Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

▪ H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

▪ Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

▪ Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (287) and density (9.5 DU/AC) specified within The Avenue Specific Plan. Per the Available

Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with a density range of 2-12 DU/AC.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Low Density Residential	The Avenue Specific Plan	Planning Area 7 – (LMDR)
<i>North</i>	Vacant	Low Density Residential	The Avenue Specific Plan	Planning Area 6A – (LDR)
<i>South</i>	Agriculture/Dairy	Medium Density Residential	Grand Park Specific Plan	Planning Areas 7 and 8 – (HDR)
<i>East</i>	Agriculture/Dairy	Low Density Residential	The Avenue Specific Plan	Planning Area 8A – (LDR)
<i>West</i>	Agriculture	Low Density Residential	The Avenue Specific Plan	Planning Area 5 – (LDR, OS and Elem. School)

Tentative Tract Map Summary:

<i>Item</i>	<i>TT18937</i>
<i>Total Area Gross (AC)</i>	23.66
<i>Total Area Net (AC)</i>	19.79
<i>Min. Lot Size (Sq. Ft.)</i>	2,854
<i>Max. Lot Size (Sq. Ft.)</i>	91,237
<i>No. of Numbered Lots/Units</i>	56 (265)
<i>No. of Lettered Lots</i>	41
<i>Gross Density (du/gross ac)</i>	11.2

EXHIBIT A – TENTATIVE TRACT MAP 18937

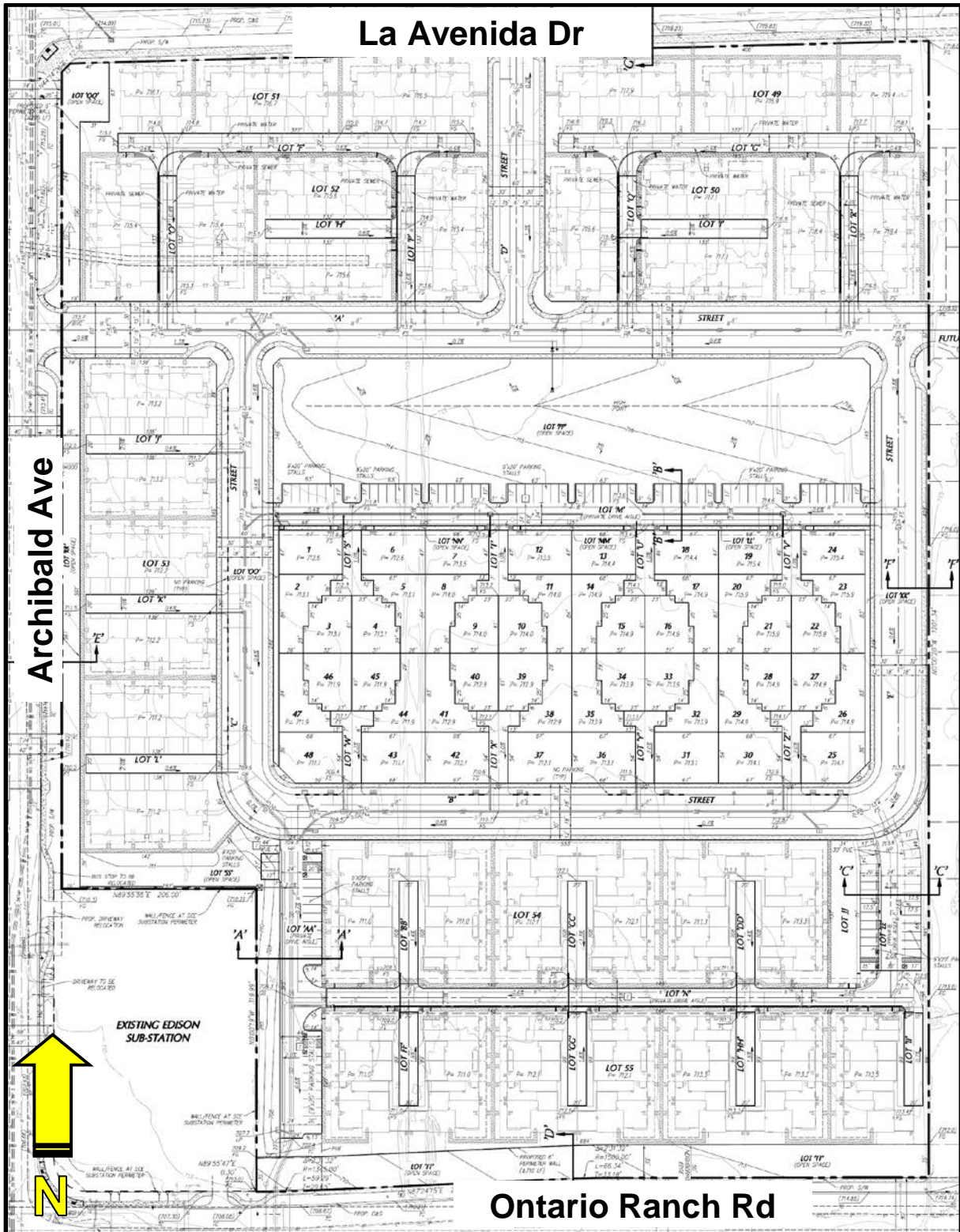


EXHIBIT B — CONCEPTUAL LANDSCAPE PLAN



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT17-002, A TENTATIVE TRACT MAP TO SUBDIVIDE 23.66 ACRES OF LAND INTO: 1) 48 SINGLE-FAMILY NUMBERED LOTS (6-PACK CLUSTER); 2) 7 MULTI-FAMILY NUMBERED LOTS FOR CONDOMINIUM PURPOSES (LOTS 49 THRU 55); AND 3) 41 LETTERED LOTS FOR PUBLIC STREETS, LANDSCAPE NEIGHBORHOOD EDGES AND COMMON OPEN SPACE PURPOSES, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD, WITHIN THE LOW-MEDIUM DENSITY RESIDENTIAL (LMDR) DISTRICT OF PLANNING AREA 7 OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-201-18.

WHEREAS, Brookcal Ontario, LLC ("Applicant") has filed an Application for the approval of a Tentative Tract Map, File No. PMTT17-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 23.66 acres of land located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low-Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan and is vacant. The property to the east is within the Low Density Residential district of Planning Area 8A of The Avenue Specific Plan and is currently developed with agricultural/dairy uses. The property to the south is within the High Density Residential district of Planning Areas 7 and 8 of the Grand Park Specific Plan and is currently developed with agricultural/dairy uses. The property to the west of the project site is within the Low-Medium Density Residential, Open Space and Elementary School districts of Planning Area 5 of The Avenue Specific Plan and is currently developed with agricultural uses; and

WHEREAS, the Tentative Tract Map proposed is in compliance with the requirements of The Avenue Specific Plan and is sufficient in size to facilitate and implement the traditional planning concepts for the "Residential Neighborhood" within the Specific Plan; and

WHEREAS, the proposed Tentative Tract Map is located within Planning Area 7 (Low Medium Density Residential) land use district of The Avenue Specific Plan, which establishes a minimum lot size of 2,000 square feet for the cluster product, a minimum lot

size of 1,300 square feet for the rowtown product and a minimum lot size of 14,000 square feet for the autocourt product and a development capacity of 287 dwelling units; and

WHEREAS, the proposed Tentative Tract Map will subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes. The residential lots range in size from 2,854 to 3,361 square feet for the single-family cluster lots and from 30,820 to 91,237 square feet for the multi-family attached condominium lots. The proposed lots exceed the Specific Plan's minimum lot requirement of 2,000 square feet (SFD 4/6 Cluster) and 14,000 square feet (Autocourt). The Tentative Tract Map is consistent with The Avenue Specific Plan; and

WHEREAS, TOP Policy PR1-1 requires new developments to provide a minimum of 2 acres of private park per 1,000 residents. The proposed project is required to provide a 1.83 acre park to meet the minimum TOP private park requirement. To satisfy the park requirement, the applicant is constructing a 1.98 acre neighborhood park that is centrally located within the tract. In addition, a 6.8 acre park, as part of the related "A" Map (TT18922), was constructed at the center of Planning Area 10A located east of the project site. The park features an 8,348 square foot club house, two pools and a spa, open lawn area and other recreational amenities. The residents of the development will have access to the existing park and all park amenities; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014, and this Application introduces no new significant environmental impacts; 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 CEQA (Public Resources Code Section 21000 et seq.), 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 Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; 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 16, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-056, recommending the Planning Commission approve the Application; and

WHEREAS, on October 24, 2017, the Planning Commission 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 RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation. Based upon the facts and information

contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Avenue Specific Plan Environmental Impact Report, certified by the City of Ontario City Council on June 17, 2014, in conjunction with File No. PSPA13-003.

(2) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109), and all mitigation measures previously adopted with the addendum to The Avenue Specific Plan EIR (SCH# 2005071109), are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required. Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental addendum to The Avenue Specific Plan EIR (SCH# 2005071109) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was prepared, that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (287) and density (9.5 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with a density range of 2-12 DU/AC.

SECTION 4: *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 Planning Commission 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 Planning Commission, 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 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Tentative Tract Map 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 applicable area and specific plans, and planned unit developments.*** The proposed Tentative Tract Map is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and within Planning Area 7 (LMDR) district of The Avenue Specific Plan. The proposed subdivision 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, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*). In addition, the Tentative Tract Map meets all minimum size requirements and development standards specified within the Low Medium Density Residential (Planning Area 7 – Product Types: 3, 6 and 7) land use district of The Avenue Specific Plan, therefore the proposed Tentative Tract Map is consistent with The Ontario Plan and The Avenue Specific Plan.

(2) ***The design or improvement of the proposed Tentative Tract Map 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 applicable specific plans and planned unit developments.*** The proposed Tentative Tract Map is located within the Low Density Residential land use district of the Policy Plan Land Use Map, and within Planning Area 7 (LMDR) district of The Avenue Specific Plan.

The proposed design or improvement of the subdivision 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, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

In addition, the Tentative Tract Map meets all minimum size requirements and development standards specified within the Low Medium Density Residential (Planning Area 7 – Product Types: 3, 6 and 7) land use district of The Avenue Specific Plan, therefore the proposed Tentative Tract Map is consistent with The Ontario Plan and The Avenue Specific Plan.

(3) ***The site is physically suitable for the type of development proposed.***

The Tentative Tract Map to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes, for property located at the northeast corner of Archibald Avenue and Ontario Ranch Road. The proposed project will provide additional single-family detached cluster home and multi-family attached condominium products within Planning Area 7 of The Avenue Specific Plan. The residential lots range in size from 2,854 to 3,361 square feet for the single-family cluster lots and from 30,820 to 91,237 square feet for the multi-family attached condominium lots. The proposed lots exceed the Specific Plan’s minimum lot requirement of 2,000 square feet (SFD 4/6 Cluster) and 14,000 square feet (Autocourt). The Specific Plan provides for the development of up to 287 residential dwelling units and a density of 9.5 dwelling units per acre within Planning Area 7. The Tentative Tract Map proposes 265 dwelling units at a density of 9.3 dwelling units per acre. The project site meets the minimum lot area and dimensions of the Low Medium Density Residential (Planning Area

7 – Product Types: 3, 6 and 7) land use district of The Avenue Specific Plan, and is physically suitable for the type of residential development proposed in terms of zoning, land use and development activity proposed, and existing and proposed site conditions.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 9.3 DUs/acre. The Specific Plan provides for the development of up to 287 residential dwelling units and a density of 9.5 dwelling units per acre within Planning Area 7. The Tentative Tract Map proposes 265 dwelling units at a density of 9.3 dwelling units per acre. The Tentative Tract Map proposes to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster) and 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55) for the construction of 48 single-family residential and 217 multi-family residential units within (Planning Area 7) of The Avenue Specific Plan. The residential lots range in size from 2,854 to 3,361 square feet for the single-family cluster lots and from 30,820 to 91,237 square feet for the multi-family attached condominium lots. The proposed lots exceed the Specific Plan's minimum lot requirement of 2,000 square feet (SFD 4/6 Cluster) and 14,000 square feet (Autocourt) and is physically suitable for this proposed density/intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The project site is not located in an area that has been identified as containing species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service, nor does the site contain any riparian habitat or other sensitive natural community, and no wetland habitat is present on site; therefore, the design of the subdivision, or improvements proposed thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat. In addition, the environmental impacts of this project were previously reviewed in conjunction with an addendum to The Avenue Specific Plan EIR (SCH# 2005071109). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the residential and infrastructure improvements proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a significant hazard to visitors or occupants to the project site. In addition, the

environmental impacts of this project were previously reviewed in conjunction with the addendum to The Avenue Specific Plan EIR (SCH# 2005071109). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plan; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul 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 8: 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 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT17-002
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 16, 2017

File No: PMTT17-002

Related Files:

Project Description: A Tentative Tract Map (File No. PMTT17-002/TT 18937) to subdivide 23.66 acres of land into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes, for property located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Density Residential (LDR) district of Planning Area 7 of The Avenue Specific Plan. (APN: 0218-201-18); **submitted by Brookcal Ontario, LLC.**

Prepared By: Henry K. Noh, Senior Planner
Phone: 909.395.2429 (direct)
Email: hnoh@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract Map shall be in conformance with the approved Tentative Tract Map on file with the City. Variations from the approved Tentative Tract Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) The subject Tentative Tract Map for condominium purposes shall require the recordation of a condominium plan concurrent with the recordation of the Final Tract Map and CC&Rs.

(d) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 General Requirements. The Project shall comply with the following general requirements:

(a) All construction documentation shall be coordinated for consistency, including, but not limited to, architectural, structural, mechanical, electrical, plumbing, landscape and irrigation, grading, utility and street improvement plans. All such plans shall be consistent with the approved entitlement plans on file with the Planning Department.

(b) The project site shall be developed in conformance with the approved plans on file with the City. Any variation from the approved plans must be reviewed and approved by the Planning Department prior to building permit issuance.

(c) The herein-listed conditions of approval from all City departments shall be included in the construction plan set for project, which shall be maintained on site during project construction.

2.4 Landscaping.

(a) The Project shall provide and continuously maintain landscaping and irrigation systems in compliance with the provisions of Ontario Development Code Division 6.05 (Landscaping).

(b) Comply with the conditions of approval of the Planning Department; Landscape Planning Division.

(c) Landscaping shall not be installed until the Landscape and Irrigation Construction Documentation Plans required by Ontario Development Code Division 6.05 (Landscaping) have been approved by the Landscape Planning Division.

(d) Changes to approved Landscape and Irrigation Construction Documentation Plans, which affect the character or quantity of the plant material or irrigation system design, shall be resubmitted for approval of the revision by the Landscape Planning Division, prior to the commencement of the changes.

(e) As part of the future Development Plan entitlement for the proposed tentative tract map, the applicant shall submit a conceptual landscape plan for Lot SS (Open Space Lot surrounding SCE Substation) to the Planning Department for review and approval.

2.5 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.6 Parking, Circulation and Access.

(a) The Project shall comply with the applicable off-street parking, loading and lighting requirements of City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas provided to meet the City's parking requirements, including off-street parking and loading spaces, access drives, and maneuvering areas, shall not be used for the outdoor storage of materials and equipment, nor shall it be used for any other purpose than parking.

(c) All garage facilities shall be designed and maintained to be fully usable for the duration of the use requiring the facilities. Additionally, all garage facilities shall be used for parking purposes and any storage within the garage shall not inhibit the required number of vehicles to be parked within the garage.

(d) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(e) Parking spaces specifically designated and conveniently located for use by the physically disabled shall be provided pursuant to current accessibility regulations contained in State law (CCR Title 24, Part 2, Chapters 2B71, and CVC Section 22507.8).

2.7 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

2.8 Sound Attenuation. The Project shall be constructed and operated in a manner so as not to exceed the maximum interior and exterior noised levels set forth in Ontario Municipal Code Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).

2.9 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) CC&R's shall provide a communitywide plan for the following: 1) Garage inspection and enforcement; 2) Parking provisions and 3) Trash bin pick-up location (for each dwelling unit) that will be administered and enforced by the Home Owners Association.

(g) The required number of off-street parking spaces and/or loading spaces shall be provided at the time of site and/or building occupancy. All parking and loading spaces shall be maintained in good condition for the duration of the building or use.

(h) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(i) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.10 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

2.11 Environmental Review.

(a) The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This application introduces no new significant environmental impacts. 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. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.12 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.13 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.

(b) After the Project's entitlement approval, and prior to issuance of final building permits, the Planning Department's Plan Check and Inspection fees shall be paid at the rate established by resolution of the City Council.

2.14 Additional Requirements.

(a) All applicable conditions of approval of Development Agreement (File No. PDA15-003) shall apply to this tract.

(b) All applicable conditions of approval of The Avenue Specific Plan shall apply to this tract.

(c) Off-Site Subdivision Signs.

The City Council has authorized the Baldy View Chapter of the Building Industry Association to manage a standardized off-site directional sign program on a non-profit basis. The program uses uniform sign structures and individual identification and directional signs for residential development. **No other off-site signing is authorized.** (For additional information, contact the Baldy View Chapter BIA at (909) 945-1884.

(d) The applicant shall contact the Ontario Post Office to determine the size and location of mailboxes for this project. The location of the mailboxes shall be submitted to the Planning Department for review and approval prior to the issuance of building permits.

(e) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(f) Dairy Separation Requirement for Residential Development.

The following separation requirements from existing dairies/feed lots shall apply to new residential development or structures used for public assembly purposes from existing dairies/feed lots.

A minimum 100' separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-foot separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map.

(g) The applicant (Developer) shall be responsible for providing fiber to each home per City requirements and standards.

(h) Prior to the issuance of the 130th home certificate of occupancy within TT 18937, the Open Space Lot PP shall be fully constructed.

(i) Prior to the issuance of certificate of occupancy for the first building within Lots 53 thru 55, the Open Space Lot SS shall be fully constructed.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Henry Noh
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: February 28, 2017
SUBJECT: PMTT17-002

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm



CITY OF ONTARIO

MEMORANDUM

TO: "Vacant", Development Director
 Scott Murphy, Planning Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director
 Jimmy Chang , IT Department
 David Simpson, Development/IT (Copy of memo only)

FROM: Henry Noh, Senior Planner

DATE: February 22, 2017

SUBJECT: FILE #: PMTT17-002

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Wednesday, March 8, 2017**.

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

PROJECT DESCRIPTION: A Tentative Tract Map (TT 18937) to subdivide 24 acres of land into 55 numbered lots, 41 lettered lots, and 5 public streets, located at the northeast corner of Ontario Ranch Road and Archibald Avenue, within the Avenue Specific Plan (APN: 0218-201-18).

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

3/13/17
Date



CITY OF ONTARIO

MEMORANDUM

TO: Henry Noh, Senior Planner
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Fire Department

DATE: April 27, 2017

SUBJECT: PMTT17-002 - A Tentative Tract Map (TT 18937) To Subdivide 24 Acres Of Land Into 55 Numbered Lots And 41 Lettered Lots Located At The Northeast Corner Of Ontario Ranch Road And Archibald Avenue, Within The Avenue Specific Plan (APN: 0218-201-18).

-
- The plan **does** adequately address Fire Department requirements at this time.
- No comments.
- Standard Conditions of Approval apply, as stated below.

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department ("Fire Department") requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards ("Standards.") It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ontarioca.gov, click on "Fire Department" and then on "Standards and Forms."
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways

shall be paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.

- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

3.0 WATER SUPPLY

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT17-002

Address: NEC Ontario Ranch Road & Archibald Ave

APN: 0218-201-18

Existing Land Use: Vacant/Dairy Farms

Proposed Land Use: Tentative Tract Map for 55 numbered residential lots and 41 lettered lots

Site Acreage: 24 Proposed Structure Height: N/A

ONT-IAC Project Review: N/A

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Henry Noh

Date: 4/18/17

CD No.: 2017-017

PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input checked="" type="checkbox"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>200 ft +</u>	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6

Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See Attached

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2017-017
PALU No.: _____

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

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

DAB CONDITIONS OF APPROVAL

Sign Off	
<i>Carolyn Bell</i> Carolyn Bell, Sr. Landscape Planner	10/5/17 Date

Reviewer's Name: Carolyn Bell, Sr. Landscape Planner	Phone: (909) 395-2237
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D.A.B. File No.: PMTT17-002	Related Files:	Case Planner: Henry Noh
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Project Name and Location:
 The Avenue Specific Plan – TM18937
 NE corner of Ontario Ranch Rd and Archibald Ave

Applicant/Representative:
 BrookCal Ontario LLC – Derek Barbour
 3200 Park Center Dr, Ste 1000
 Costa Mesa, CA 92626

- | | |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | A Tentative Tract Map (dated 10/2/17) has been approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents. |
| <input type="checkbox"/> | A Tentative Tract Map (dated) has not been approved. Corrections noted below are required prior to DAB approval. |

CORRECTIONS REQUIRED

- Note on grading plans compaction shall be no greater than 85% at landscape areas; all finished grades at 1 ½" below finished surfaces; landscaped slopes shall be max 3:1 and incorporate erosion control jute mesh or erosion control blankets. If 3:1 slopes cannot be achieved then retaining walls shall be incorporated.
- All utilities including vaults, backflow devices and transformers shall be shown on the landscape plans so that site design may be modified and landscape screening provided.
- Group parkway utilities together at the min spacing (fire hydrants, street lights, water meters, storm drain lines, etc) at the minimum spacing to allow a 6' wide clear space for street trees 25-30'oc,
- Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.

Landscape construction plans may be emailed to: landscapeplancheck@ontarioca.gov



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP APPROVAL, APPLICANT SHALL: Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 1. Archibald Avenue to the half ultimate right-of-way width of 74 feet (full ultimate ROW width is 148 ft) from CL along tract frontage.
 2. Ontario Ranch Road to the half ultimate right-of-way width of 80 feet (full ultimate ROW width is 160 ft) from CL along tract frontage.
 3. La Avenida to the half ultimate right-of-way width of 62 feet (full ultimate ROW width is 124 ft) from CL along tract frontage.
 4. A, B, C and D Streets to the full ultimate right-of-way width of 60 feet.
 5. E Street to the full ultimate right-of-way width of 62 feet.
 6. Lettered Lots 'RR' and 'QQ' along the east of Archibald Avenue to achieve an overall Neighborhood Edge of 45 feet.
 7. Lettered Lot 'TT' along the north of Ontario Ranch Road to achieve an overall Neighborhood Edge of 50 feet.
 8. Property line corner cut-back at all street intersections within the tract boundaries to the satisfaction of the City Engineer.

- 1.02 Dedicate to the City of Ontario, the following easement(s):
 1. 44 foot wide Public Utility Easement (PUE) across Lot 'AA' to the City of Ontario for domestic water, sewer, storm drain and appurtenances.
 2. 37 foot wide Public Utility Easement (PUE) across Lot 'N' to the City of Ontario for domestic water and sewer.
 3. 30 foot wide Public Utility Easement (PUE) across Lot 'EE' to the City of Ontario for domestic water and appurtenances.
 4. 34 foot wide Public Utility Easement (PUE) across Lot 'M' to the City of Ontario for domestic water and sewer.

- 1.03 Restrict vehicular access to the site as follows: Access to subdivision shall only be granted at those locations shown in the approved Tentative Map and per latest approved The Avenue Specific Plan.

- 1.04 Vacate the following street(s) and/or easement(s):
 1. 10 foot wide easement for public utilities in favor of Southern California Edison Company as recorded September 28, 1955, Instrument No. 480, Book 3750, Page 406.

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.

- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.



- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
 - (1) _____
 - (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
 - 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
 - 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
 - 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions:
 - 1. The developer shall obtain all right-of-ways necessary to construct the required public improvements identified in section 2.
 - 2. Lettered Lot 'PP' along 'A' Street shall be a landscaped lot, owned and maintained by the Home Owner's Association.
 - 3. All drive aisles and alley ways shown on this map are private and will be maintained by the HOA.



4. The public and private improvements constructed within this tentative tract map shall be maintained through the combination of public and private entities as described in Section 5.5 and Table 4, "Maintenance Responsibilities" of The Avenue Specific Plan.
5. The applicant/developer shall process the land swap with Southern California Edison involving Lot 'SS' and provide proof that the land swap has been accepted and approved to acquire the ultimate 1/2 street right-of-way of 74' on Archibald Avenue and 80' on Ontario Ranch Road along the SCE substation frontage..

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map/Tract Map No. 18937 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of _____
- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 Submit a soils/geology report.
- 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game



- Inland Empire Utilities Agency (IEUA)
- Other: Southern California Edison for any work encroaching into their easement(s)/property.**

- 2.10 Dedicate to the City of Ontario the right-of-way described below:
_____ feet on _____
Property line corner 'cut-back' required at the intersection of _____
and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.**
 - 3) **Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**
- 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.
- 2.14 **The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.**
- 2.15 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.16 **Other conditions:**
 - 1. **If at the time of this development, La Avenida street improvements and infrastructure has been constructed, the Applicant/Developer shall reimburse the constructing party for their fair share of the La Avenida improvements including the signal at Archibald and the various utilities beneath the road.**



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Ontario Ranch Road (1)	Archibald Avenue (1)	La Avenida	Internal Lettered Streets
Curb and Gutter	<input checked="" type="checkbox"/> New; 65 ft. from C/L on north side <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 48 ft. from C/L on east side <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 36 ft. from C/L on south side <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 18 ft. from C/L on both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 21 additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 12 additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> New (See item no. 2.37 below) <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> New (16 ft on both sides) <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions
PCC Pavement	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New along project frontage <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New along project frontage <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New along project frontage <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2.G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral
Fiber Optics (see Sec. 2.K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.17, above:
 (1) Including the SCE substation frontage.

2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____



- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.
- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code.
- 2.22 Other conditions: _____

C. SEWER

- 2.23 **A 8 inch sewer main is available for connection by this project in Ontario Ranch Road. (Ref: Sewer plan bar code: S15333).**
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 **Other conditions:**
 1. **Design and construct all in-tract sewer mains and laterals with connection to the Eastern Trunk Sewer line in Archibald Avenue via the existing sewer main in Ontario Ranch Road.**
 2. **The applicant/developer shall install sewer improvements in the interior tract streets.**

D. WATER

- 2.27 **A 24 inch water main is available for connection by this project in Archibald Avenue. (Ref: Water plan bar code: W13407).**
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 **Other conditions:**
 1. **Attached homes shall utilize master meter(s) with backflow(s). Also, attached residential products shall be sub-metered on private property downstream of City's meter.**
 2. **Single-family detached homes shall utilize individual meters without backflows.**
 3. **Confirm with Fire Department the required number of DCDA's for the attached residential products.**
 4. **Two separate points of connection are required for this tract development (e.g. La Avenida & Archibald and Archibald & "A" Street).**
 5. **The applicant/developer shall install domestic water improvements in the interior tract streets and along their project limits within La Avenida.**
 6. **Additional improvements include any off-site domestic waterline to be placed under new roadway within La Avenida.**



E. RECYCLED WATER

- 2.30 **A 24 inch recycled water main is available for connection by this project in Archibald Avenue. (Ref: Recycled Water plan bar code: P10151).**
 - 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
 - 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.
 - 2.33 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.**
- 2.34 **Other conditions:**
 1. This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation.
 2. Additional improvements include any off-site recycled waterline to be placed under new roadway within La Avenida.

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
 1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 **New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.**
- 2.37 **Other conditions:**
 1. The applicant/developer shall be responsible to modify the traffic signal at Archibald Avenue and Ontario Ranch Road to accommodate the ultimate street improvements and street widening along the tract frontage. All signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 2. The applicant/developer shall be responsible to design and construct the traffic signal at Archibald Avenue and La Avenida. The new traffic signal shall include, video detection, CCTV, interconnect cable and conduit, emergency vehicle preemption systems and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 3. Applicant/Developer shall be responsible to design and construct traffic signal interconnect, LED-type street-lighting, wherever last lane street improvements are required. Interconnect shall include conduit, pull-boxes, fiber, and pull rope. Supplemental communications devices, e.g. radios, etc., may be required to transmit data where new interconnect is not contiguous to existing traffic signal network.
 4. Ontario Ranch Road and Archibald Avenue shall be posted "No Stopping Anytime". La Avenida shall be posted "No Parking Anytime."
 5. During the development and construction of the Tract, at least two points of access shall be maintained at all times.
 6. "A" Street shall be limited to right-turn access only at Archibald Avenue. "D" Street shall be limited to right-turn access only at La Avenida Drive.
 7. Applicant/Developer shall design and construct ultimate half-width improvements along their frontage on Archibald Avenue and Ontario Ranch Road, including along the SCE substation, including pavement transitions where necessary.



8. Applicant/Developer shall be responsible to design and construct ultimate half-street improvements on La Avenida Drive, including raised landscaped median, westbound circulation lane and shoulder along the project frontage. From easterly tract boundary to the boundary of TM18922-2, just west of Turner Avenue, the applicant/developer shall be responsible to design and construct east and westbound circulation lanes, shoulders and raised landscaped median. All utilities under new pavement shall be installed.
9. Applicant/Developer shall be responsible to design and construct the ultimate traffic circle at the intersection of La Avenida Drive and Future Street, if ultimate right of way exists, to allow for proper traffic flow along the circular roadway. Otherwise, this intersection shall be designed as a 'T' intersection.
10. Applicant/Developer shall be responsible to design and install signing and striping for all street improvements.
11. Applicant/Developer shall obtain all rights-of-way necessary to construct all required improvements, except as stated above per 2.37 (9).
12. If, at the time of construction of TM 18937, "A" Street does not continue east into APN: 0218-201-26, Applicant/Developer shall terminate "A" Street as a temporary dead-end condition per City of Ontario Standard Drawing Nos. 1310 and 1311.
13. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting traffic signal, signing and striping and/or street lighting design to discuss items such as signal phasing, striping layout and tie-ins to existing or future street light circuits.

G. DRAINAGE / HYDROLOGY

- | | | | |
|-------------------------------------|------|--|--------------------------|
| <input checked="" type="checkbox"/> | 2.38 | A 42 inch storm drain main is available to accept flows from this project in Ontario Ranch Road. (Ref: Storm Drain plan bar code: D13380). | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 2.39 | Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.40 | An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.41 | Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.42 | Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. | <input type="checkbox"/> |
| <input checked="" type="checkbox"/> | 2.43 | Other conditions:
1. Additional improvements include any off-site storm drain to be placed under new roadway within La Avenida. | <input type="checkbox"/> |

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- | | | | |
|--------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 2.44 | 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels. | <input type="checkbox"/> |
|--------------------------|------|--|--------------------------|



If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.

Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130.

- 2.45 **Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.**

- 2.46 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.47 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.

- 2.48 Other conditions: _____

K. FIBER OPTIC

- 2.49 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located within in-tract streets and along the project frontage on Ontario Ranch Road and Archibald Avenue.**

- 2.50 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.51 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>**

- 2.52 **Other conditions:**
 1. The curb along "C" Street fronting the attached homes and along "B" Street fronting the detached homes, shall either be:
 - a. Painted red to prevent parking and to allow for can placement; or
 - b. Extended toward the street centerline, mimicking a choker, whereby can placement can be on top of the curb or possibly alongside the curb.
 2. Trash can placement will be permitted along private through alleys where parking is not allowed:
 - a. Alleys shall be accessible in either direction, allowing solid waste trucks to drive forward and not having to back up.
 3. Can placement shall be within paint delineated areas and maintained by the HOA (paint on streets, alleys, or top of curb):
 - a. Such as a rectangle with identifying address for both trash and recycle.



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).



EXHIBIT 'A'

**ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist**

Project Number: Tract Map No. 18937

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

1. A copy of this check list
2. Payment of fee for Plan Checking
3. One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. Payment for Final Map/Parcel Map processing fee

Project File No. TM 18937
Project Engineer: Bryan Lirley
Date: 10-16-17



- 21. Three (3) copies of Final Map/Parcel Map
- 22. One (1) copy of approved Tentative Map
- 23. One (1) copy of Preliminary Title Report (current within 30 days)
- 24. One (1) copy of Traverse Closure Calculations
- 25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
- 26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 27. Other: _____



**PLANNING COMMISSION
STAFF REPORT**
October 24, 2017

SUBJECT: A Development Agreement between the City of Ontario and Brookcal Ontario, LLC, for the development of up to 48 single family and 217 multi-family residential units (File No. PMTT17-002/TT18937) on 23.66 acres of land for property generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan. **Submitted by Brookcal Ontario, LLC. City Council Action Required.**

PROPERTY OWNER: Brookcal Ontario, LLC.

RECOMMENDED ACTION: That the Planning Commission recommend the City Council adopt an ordinance approving the Development Agreement (File No. PDA15-003) between Brookcal Ontario, LLC, and the City of Ontario.

PROJECT SETTING: The project site is comprised of 23.66 acres of land located at the northeast corner of Archibald Avenue and Ontario Ranch Road within the Low-Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan and is depicted in **Figure 1: Project Location**, to the right.



Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Avenue Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on December 19, 2006. The Avenue Specific Plan establishes the land use designations, development standards, and design guidelines for 568 acres, which includes the potential development of 2,326 dwelling units and approximately 174,000 square feet of commercial.

Case Planner:	Rudy Zeledon, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	N/A	N/A	N/A
Submittal Date:	09/04/2015	ZA			
Hearing Deadline:	N/A	PC	10/24/2017		Recommend
		CC			Final

The financial commitments required for construction of properties within the specific plan are substantial. To adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules and regulations, Brookcal Ontario, LLC, (“Owner”) has requested that staff enter into negotiations to create a Development Agreement (“Agreement”) with the City.

In accordance with California Government Code Section 65865 that states, in part, that “Any city...may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property...” and California Government Code Section 65865.52 which states, in part, that “A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property... and may include conditions, terms, restrictions...,” the City of Ontario adopted Resolution No. 2002-100 that sets forth the procedures and requirements for consideration of Development Agreements. Furthermore, the Financing and Construction Agreement with the NMC Builders LLC (NMC Builders) requires those developments wishing to use the infrastructure it creates, enter into Development Agreements with the City of Ontario. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement staff would recommend to the Planning Commission and City Council.

The proposed Development Agreement with Owner is based upon the model development agreement that was developed in coordination with the City attorney’s office and legal counsel for NMC Builders. This model Development Agreement is consistent with the provisions of the Construction Agreement. The LLC agreement between NMC Builders’ members requires that members of the LLC enter into Development Agreements that are consistent with the provisions of the Construction Agreement.

[2] Staff Analysis — The proposed Development Agreement applies to 23.66 acres of land of Tentative Tract Map 18937, located within the Low-Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan, as shown in “Exhibit A – Specific Plan Map.” The Tentative Tract Map 18937 will subdivide the 23.66 acre project into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes. The Tentative Tract Map will facilitate the potential development of up to 48 single family and 217 multi-family residential units. The Agreement grants to the Owner a vested right to develop their Tentative Tract Map 18937 as long as the Owner complies with the terms and conditions of The Avenue Specific Plan and EIR.

The Agreement also funds all new City expenses created by the project. These expenses include operational costs related to the review, approval and administration of the Brookcal Ontario, LLC, project, additional project related services, infrastructure and affordable housing requirements.

The main points of the Agreement are as follows:

- Term: Ten (10) years with a five (5) year option.
- Assignment: Assignable with all terms and conditions applying to the assignee. The City has conditional approval and City will assess a processing fee.
- Fees:
- a. Development Impact: Varies by category (i.e.; Streets and Bridges, Police, Fire, Open Space/Parks etc.). This is a separate fee from existing City licensing fees and permits.
 - b. Public Services Funding: In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to the residents of each Project in a timely manner the owner will be required to pay \$1, 907.00/unit fee per residential unit.
 - c. Community Facilities District (CFD): City will cooperate with Owner to form a CFD to reimburse costs of infrastructure construction and maintenance of public facilities.
 - d. Parks/Open Space: As required by the General Plan, Owner will supply five (5) acres per 1,000 projected population through park dedication and/or the payment of in-lieu fees.
 - e. Housing: Provide affordable housing as required by the General Plan through construction, rehabilitation, or by paying an in-lieu fee.
 - f. Compliance: Owner will submit an annual monitoring report which the City will review for compliance. The City will assess a review/approval processing fee. If Owner is found to be in compliance, the City will issue a Certificate of Compliance. If noncompliance is identified, a letter of correction will be issued.
 - g. Schools: Must satisfy Mountain View Elementary School District and Chaffey High School District school facilities requirements.
- Termination: The City may terminate the Agreement if substantial evidence is found of noncompliance.

Staff finds that the Development Agreement is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending

approval of the application to the Planning Commission. If the Commission finds the Development Agreement is acceptable, a recommendation of approval to the City Council would be appropriate.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[3] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

- H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding

physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the maximum number of dwelling units (287)

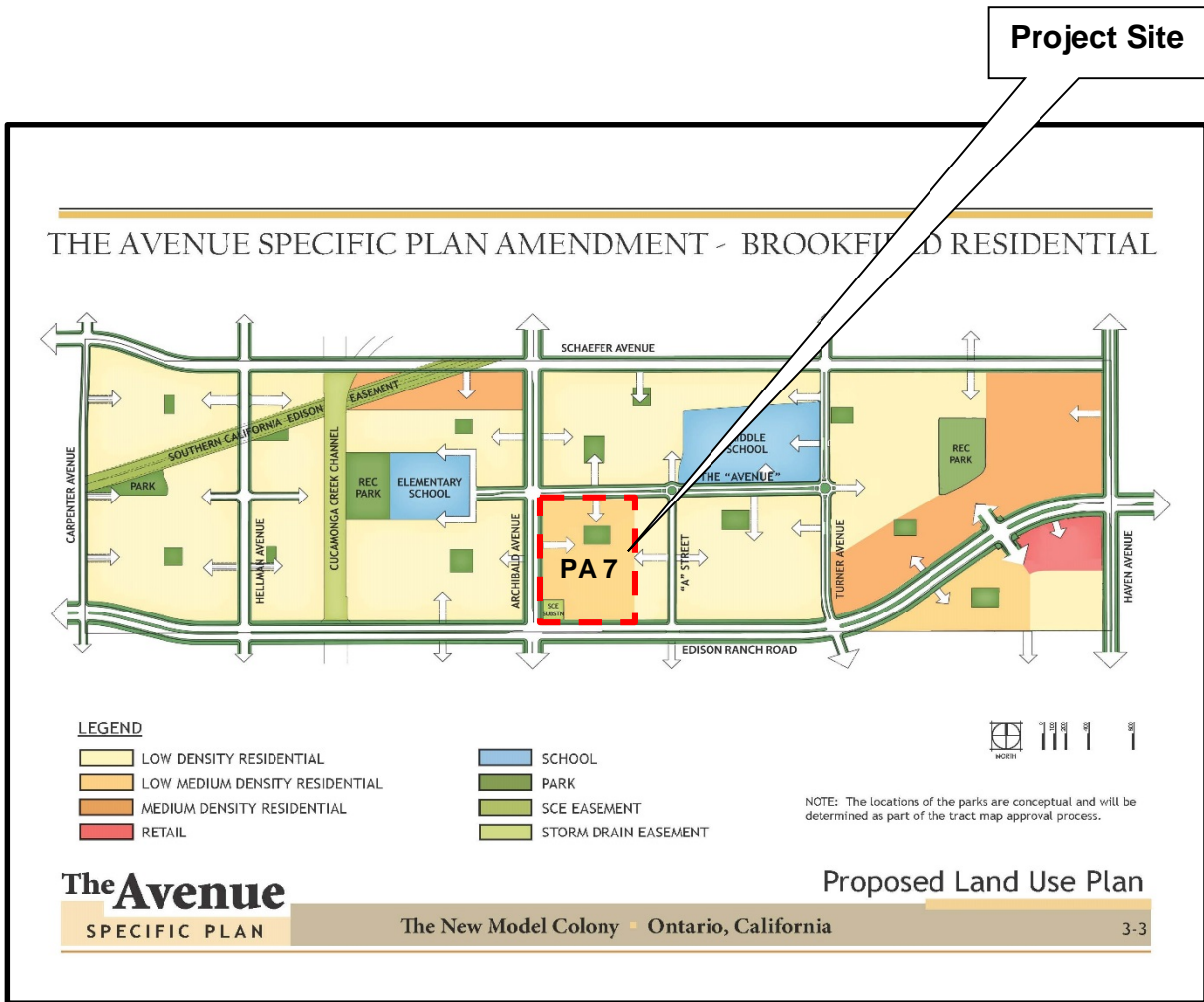
and density (9.5 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with a density range of 2-12 DU/AC.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

EXHIBIT "A"
THE AVENUE SPECIFIC PLAN



RESOLUTION NO. PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ONTARIO AND BROOKCAL ONTARIO, LLC, FOR THE DEVELOPMENT OF UP TO 48 SINGLE FAMILY AND 217 MULTI-FAMILY RESIDENTIAL UNITS (FILE NO. PMTT17-002/TT18937) ON 23.66 ACRES OF LAND FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ARCHIBALD AVENUE AND ONTARIO RANCH ROAD, WITHIN THE LOW MEDIUM DENSITY RESIDENTIAL (LMDR) DISTRICT OF PLANNING AREA 7 OF THE AVENUE SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-201-18.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

“The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.”

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

“Any city ... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article ...”

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

“A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement ...”

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Development Agreement between the City of Ontario and Brookcal Ontario, LLC, for the development of up to 48 single family and 217 multi-family residential units (File No. PMTT17-002/TT18937) on 23.66 acres of land for property generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan and as legally described in the attached Development Agreement. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, on November 28, 2006, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued Resolution PC06-041 recommending City Council certification of The Avenue Specific Plan EIR and Issued Resolution PC06-043 recommending approval of The Avenue Specific Plan (File No. PSP05-003); and

WHEREAS, on December 9, 2006, the City Council of the City of Ontario certified The Avenue Specific Plan EIR (SCH# 2005071109); and

WHEREAS, on January 16, 2007, the City Council of the City of Ontario adopted Ordinance No. 2851 approving the The Avenue Specific Plan; and

WHEREAS, on February 2, 2010, the City Council of the City of Ontario adopted Resolution No. 2010-010 certifying the Supplemental Environmental Impact Report for an amendment to The Avenue Specific Plan (File No. PSPA07-004); and

WHEREAS, on February 2, 2010, the City Council of the City of Ontario adopted Resolution No. 2010-011 approving an amendment to The Avenue Specific Plan (File No. PSPA07-004); and

WHEREAS, on June 17, 2014, the City Council of the City of Ontario adopted Resolution No. 2014-069 approving an amendment to The Avenue Specific Plan (File No. PSPA13-003) and issued Resolution No. 2014-068 adopting an addendum to The Avenue Specific Plan EIR (SCH# 2005071109); and

WHEREAS the environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014, and this Application introduces no new significant environmental impacts; and All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

WHEREAS, on October 24, 2017, the Planning Commission 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 resolved by the Planning Commission of the City of Ontario as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation. Based upon the facts and information contained in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were reviewed in conjunction with an Addendum to The Avenue Specific Plan Environmental Impact Report, certified by the City of Ontario City Council on June 17, 2014, in conjunction with File No. PSPA13-003.

(2) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond those previously analyzed in the previous addendum to The Avenue Specific Plan EIR (SCH# 2005071109), and all mitigation measures previously adopted with the addendum to The Avenue Specific Plan EIR (SCH# 2005071109), are incorporated herein by this reference.

SECTION 2: Subsequent or Supplemental Environmental Review Not Required.

Based on the information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental addendum to The Avenue Specific Plan EIR (SCH# 2005071109) is not required for the Project, as the Project:

(1) Does not constitute substantial changes to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was prepared, that will require major revisions to the addendum to The Avenue Specific Plan EIR (SCH# 2005071109) 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was certified/adopted, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum to The Avenue Specific Plan EIR (SCH# 2005071109); 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 addendum to The Avenue Specific Plan EIR (SCH# 2005071109) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the DAB finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed

project is consistent with the maximum number of dwelling units (287) and density (9.5 DU/AC) specified within The Avenue Specific Plan. Per the Available Land Inventory, The Avenue Specific Plan is required to provide 2,552 dwelling units with a density range of 2-12 DU/AC.

SECTION 4: 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 Planning Commission 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 Planning Commission, 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 5. Concluding Facts and Reasons. Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on October 24, 2017, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to 23.66 acres of land located at the northeast corner of Archibald Avenue and Ontario Ranch Road, within the Low Medium Density Residential (LMDR) district of Planning Area 7 of The Avenue Specific Plan, and is presently vacant; and

b. The property to the north of the Project site is within the Low Density Residential district of Planning Area 6A of The Avenue Specific Plan and is vacant. The property to the east is within the Low Density Residential district of Planning Area 8A of The Avenue Specific Plan and is currently developed with agricultural/dairy uses. The property to the south is within the High Density Residential district of Planning Areas 7 and 8 of the Grand Park Specific Plan and is currently developed with agricultural/dairy uses. The property to the west of the project site is within the Low Medium Density Residential, Open Space and Elementary School districts of Planning Area 5 of The Avenue Specific Plan and is currently developed with agricultural uses; and

c. The Development Agreement establishes parameters for the development of Tentative Tract Map 19737 within Planning Area 7 of The Avenue Specific Plan for the potential development of 48 single family units and 217 multi-family residential units. The Development Agreement also grants Brookcal Ontario, LLC. the right to develop, the ability to quantify the fees; and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for The Avenue Specific Plan.

d. The Development Agreement focuses on Tentative Tract Map 19737 that proposes to subdivide the 23.66 acre project into: 1) 48 single-family numbered lots (6-Pack Cluster); 2) 7 multi-family numbered lots for Condominium Purposes (Lots 49 thru 55); and 3) 41 lettered lots for public streets, landscape neighborhood edges and common open space purposes; and

e. The Development Agreement will provide for the development of 48 single family units and 217 multi-family residential units as established for Planning Area 7 of The Avenue Specific Plan; and

f. The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

g. The Development Agreement does not conflict with the Land Use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

h. This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

i. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA13-003, an amendment to The Avenue Specific Plan for which an addendum to The Avenue Specific Plan EIR (SCH# 2005071109) was adopted by the City Council on June 17, 2014. This Application introduces no new significant environmental impacts. This application introduces no new significant environmental impacts; and

j. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

SECTION 6. *Planning Commission Action.* Based upon the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the Planning Commission hereby RECOMMENDS APPROVAL of the Development Agreement to the City Council subject to each and every condition set forth in The Avenue Specific Plan and EIR, incorporated by this reference.

SECTION 7. **Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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 8. **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 9. **Certification to Adoption.** The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A” Development Agreement

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Ontario
303 East "B" Street
Ontario California, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6301

Space above this line for Recorder's Use Only

DEVELOPMENT AGREEMENT

By and Between

City of Ontario, a California municipal corporation,

and

BrookCal Ontario L.L.C.

a Delaware limited liability company

_____, **2017**

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. PDA15-003

This Development Agreement (hereinafter "Agreement") is entered into effective as of the ____ day of _____, 2017 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and BrookCal Ontario LLC, Delaware limited liability company (hereinafter "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement in The Avenue Specific Plan. The City Council found and determined that the FEIR was prepared in accordance with the requirements of the California Environmental Quality Act and adequately describes the impacts of the project described in the FEIR, which included consideration of this Agreement; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and The Avenue (New Haven) Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864 et seq. of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement; and

WHEREAS, the Property is located in an area of the City of Ontario that has been known as the “New Model Colony” area and the New Model Colony area has now been renamed as “Ontario Ranch”; and

WHEREAS, OWNER is made aware of the South Archibald Trichloroethylene (TCE) Plume Disclosure Letter (Exhibit “G”). Property owner may wish to provide the attached Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000004658.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 “Agreement” means this Development Agreement.

1.1.2 “CITY” means the City of Ontario, California, a California municipal corporation.

1.1.3 “Construction Agreement” means that certain Agreement for the Financing and Construction of Phases I and II Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony, entered into between the CITY and NMC Builders as of the 4th day of October, 2005, and all amendments thereto and “Construction Agreement Amendment” means that First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve and Easterly Portion of the New Model Colony entered into between the CITY and NMC Builders as of the 21st day of August 2012.

1.1.4 “Development” means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. “Development” does not include the maintenance, repair, reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.5 “Development Approvals” means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

- (a) specific plans and specific plan amendments;
- (b) tentative and final subdivision and parcel maps;
- (c) development plan review;
- (d) conditional use permits (including model home use permits), public use permits and plot plans;
- (e) zoning;
- (f) grading and building permits.

1.1.6 “Development Exaction” means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.7 “Development Impact Fee” means a monetary exaction, other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and, for purposes of this Agreement only, includes fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4 For purposes of this Agreement only, "Development Impact Fee" shall not include processing fees and charges imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued, including, without limitation, fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings under the Cortese-Knox-Hertzberg Local Government

Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7 of the Government Code; or planning services under the authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 of the Government Code, fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, 66013, 66014, and 66451.2 of the Government Code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code, as such codes may be amended or superseded, including by amendment or replacement.

1.1.8 “Development Plan” means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.9 “Effective Date” means the date that the ordinance approving this Agreement goes into effect.

1.1.10 “Existing Development Approvals” means all development approvals approved or issued prior to the Effective Date. Existing development approvals includes the Approvals incorporated herein as Exhibit “C” and all other Approvals which are a matter of public record on the Effective Date.

1.1.11 “Existing Land Use Regulations” means all Land Use regulations in effect on the Effective Date. Existing Land Use regulations includes the regulations incorporated herein as Exhibit “D” and all other land use regulations that are in effect and a matter of public record on the Effective Date.

1.1.12 “General Plan” means the General Plan adopted on January 27, 2010.

1.1.13 “Improvement” or “Improvements” means those public improvements required to support the development of the Project as described in the Tract Map conditions for Tract No. 18937 and as further described in Exhibit “F” (the “Infrastructure Improvements Exhibit”).

1.1.14 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;
- (b) taxes and assessments;
- (c) the control and abatement of nuisances;

(d) the granting of encroachment permits and the conveyance of similar rights and interests that provide for the use of or the entry upon public property;

(e) the exercise of the power of eminent domain.

1.1.15 "Mortgagee" means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.16 "Model Units" means a maximum of twenty-three (23) model units, including, if constructed, the necessary common private amenities and sales facilities constructed by OWNER prior to the construction of any Production units and not offered for sale and occupancy for a period of time after the issuance of permits for Production Units.

1.1.17 "OWNER" means the persons and entities listed as owner on page 1 of this Agreement and their permitted successors in interest to all or any part of the Property.

1.1.18 "Production Unit(s)" means all units constructed for sale and occupancy by OWNER and excludes the specified number of Model Units constructed by OWNER for promotion of sales.

1.1.19 "Project" means the development of the Property contemplated by the Development Plan, as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.20 "Property" means the real property described on Exhibit "A" and shown on Exhibit "B" to this Agreement.

1.1.21 "Reservations of Authority" means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.22 "Deferred Frontage Improvements" means the improvements on Archibald Avenue and the Property and the SCE Substation and the Improvements on Ontario Ranch Road adjacent to the Property and the SCE Substation including the design and construction of street improvements, neighborhood edge landscaping, sidewalks, trails and all related Improvements"

1.1.22 "Specific Plan" means that certain specific plan adopted by the City Council, and entitled, "The Avenue Specific Plan."

1.1.23 "Storm Water Treatment Capacity Availability" means a designated portion of the total Storm Water Treatment Capacity Availability made available through the completion of construction of a Phase of regional storm water treatment facilities by the NMC Builders LLC as described in the Construction Agreement Amendment. The amount, in acres, of Storm Water Treatment Capacity Availability required for the

issuance of a grading permit shall be based upon the factors and assumptions listed in the Construction Agreement Amendment.

1.1.24 “Subsequent Development Approvals” means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.25 “Subsequent Land Use Regulations” means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.26 “Water Availability Equivalent (WAE)” means a designated portion of the total Net MDD made available through the construction of each Phase described in the Water Phasing Plan of the Construction Agreement. The number of Water Availability Equivalents (of portions thereof) required for the approval of a final tract map or parcel map shall be based upon water demand factors and assumptions listed in the Construction Agreement and Construction Agreement Amendment as “Water Availability Equivalents by Land Use” for each land use category.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” — Legal Description of the Property.

Exhibit “B” — Map showing Property and its location.

Exhibit “C” — Existing Development Approvals.

Exhibit “D” — Existing Land Use Regulations.

Exhibit “E” — Not Used

Exhibit “F” — Infrastructure Improvements Exhibit

Exhibit “G” - Form of Plume Disclosure Letter

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to the Property or a portion thereof, or has the right to acquire fee simple title to the Property or a portion thereof from the current owner(s) thereof. To the extent, OWNER does not own fee simple title to the Property, OWNER shall obtain written consent from the current fee owner of the Property agreeing to the terms of this Agreement and the recordation thereof.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for an initial term of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. The term of this Agreement may be extended for an additional five (5) years following expiration of the initial ten (10) year term, provided the following have occurred:

(a) OWNER provides at least 180 days written notice to CITY prior to expiration of the initial term; and

(b) In non-mixed use projects, the OWNER shall have obtained, as applicable, building permits for at least seventy percent (70%) of the actual number of residential units permitted under this Agreement; and

(c) OWNER is not then in uncured default of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.), to any person, partnership, limited liability company, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property. OWNER may be required to provide disclosure that the Property is within the South Archibald Trichloroethylene (TCE) Plume. OWNER may wish to provide the attached Disclosure Letter (Exhibit G) as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq.

(b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY's City Manager, in writing, of such sale, transfer or assignment and shall provide CITY with: (1) an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement with respect to the portion of the Property so sold, transferred or assigned; and (2) the payment of the applicable processing charge to cover the CITY's review and consideration of such sale, transfer or assignment.

(c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the

benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed. The City Manager shall have the authority to review, consider and either approve, conditionally approve, or deny any proposed sale, transfer or assignment that is not made in compliance with this section 2.4.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

(a) OWNER no longer has a legal or equitable interest in all or any part of the portion of the Property sold, transferred or assigned.

(b) OWNER is not then in default under this Agreement.

(c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.

(d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.4.3 Effect of Assignment and Release of Obligations. In the event of a sale, transfer or assignment pursuant to the provisions of Section 2.4.2 above:

(a) The assignee shall be liable for the performance of all obligations of OWNER with respect to transferred property, but shall have no obligations with respect to the portions of the Property, if any, not transferred (the "Retained Property").

(b) The owner of the Retained Property shall be liable for the performance of all obligations of OWNER with respect to Retained Property, but shall have no further obligations with respect to the transferred property.

(c) The assignee's exercise, use and enjoyment of the Property or portion thereof shall be subject to the terms of this Agreement to the same extent as if the assignee were the OWNER.

2.4.4 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section 2.4.

2.4.5 Termination of Agreement with Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be

released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

(a) The lot has been finally subdivided and individually (and not in “bulk”) sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,

(b) A certificate of occupancy has been issued for a building on the lot, and the fees set forth under Section 4 of this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only in the manner provided for in Government Code Section 65868.1. Any amendment of this Agreement, which amendment has been requested by OWNER, shall be considered by the CITY only upon the payment of the applicable processing charge. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Either Party or successor in interest, may propose an amendment to or cancellation, in whole or in part, of this Agreement. Any amendment or cancellation shall be by mutual consent of the parties or their successors in interest except as provided otherwise in this Agreement or in Government Code Section 65865.1. For purposes of this section, the term “successor in interest” shall mean any person having a legal or equitable interest in the whole of the Property, or any portion thereof as to which such person wishes to amend or cancel this Agreement. The procedure for proposing and adopting an amendment to, or cancellation of, in whole or in part, this Agreement shall be the same as the procedure for adopting and entering into this Agreement in the first instance. Notwithstanding the foregoing sentence, if the CITY initiates the proposed amendment to, or cancellation of, in whole or in part, this Agreement, CITY shall first give notice to the OWNER of its intention to initiate such proceedings at least sixty (60) days in advance of the giving the public notice of intention to consider the amendment or cancellation.

2.5.1 Amendment to Reflect Consistency with Future Amendments to the Construction Agreement. To the extent any future amendment to the Construction Agreement provides for modifications to rights or obligations that differ from or alter the same or similar rights or obligations contained in this Development Agreement, OWNER reserves the right to request an amendment to the Development Agreement to reflect any or all of such modifications.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

(a) Expiration of the stated term of this Agreement as set forth in Section 2.3.

(b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.

(c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.

(d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement.

2.7 Notices.

(a) As used in this Agreement, "notice" includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.

(b) All notices shall be in writing and shall be considered given either: (i) when delivered in person, including, without limitation, by courier, to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to CITY:

Scott Ochoa, City Manager
City of Ontario
303 East "B" Street
Ontario California, California 91764

with a copy to:

John Brown, City Attorney
Best Best & Krieger
2855 East Guasti Road, Suite 400
Ontario CA 91761

If to OWNER:

Dave Bartlett
BrookCal Ontario, LLC
3200 Park Center Drive, Suite 1000

Costa Mesa, CA 92626
Email: Dave.Bartlett@Brookfieldrp.com
Phone: 714.200.1533
Fax: 714.200.1833

with a copy to:

John A. Ramirez
Rutan & Tucker, LLP
611 Anton Blvd.
Suite 1400
Costa Mesa, CA 92626
Phone: (714) 662-4610
Fax: (714) 546-9035

(c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise discretion in accordance with the same manner as it exercises its discretion under its police powers, including the Reservations of Authority set forth herein; provided however, that such discretion shall not prevent development of the Property for the uses and to the density or intensity of development set forth in this Agreement.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which phases of the Property will be developed.

Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.4 Requirement for Public Infrastructure Improvements. Development of the Property is contingent in part on the phasing of area-wide infrastructure improvements over which the OWNER has control. The issuance of building permits by CITY for Model Units and Production Units is, in general, contingent on OWNER's completion of needed infrastructure improvements and the availability of improvements and services to serve the Property.

3.4.1 Attached hereto as Exhibit "F" is a description of the infrastructure improvements needed for the development of the Property ("the Infrastructure Improvement Exhibit").

3.4.2 Subject to the prior submittal by OWNER and approval by CITY of a plan to provide sufficient public infrastructure for the construction of a maximum number of twenty-three (23) Model Units including, if constructed, the necessary common private recreation amenities and sales facilities. The plan to be submitted by OWNER for CITY approval shall describe the utilities and other infrastructure necessary to provide sufficient fire protection and other public health and safety requirements for the Model Units and other facilities.

3.5 Changes and Amendments. The parties acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and CITY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from time to time as provided in this Section. Unless otherwise required by law, as determined in CITY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or,

- or,
- (b) Increase the density or intensity of use of the Property as a whole;
 - (c) Increase the maximum height and size of permitted buildings; or,
 - (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,
 - (e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

3.6 Reservations of Authority.

3.6.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the CITY shall not be prevented from applying new rules, regulations and policies upon the OWNER, nor shall a development agreement prevent the CITY from denying or conditionally approving any subsequent development project application on the basis of such new rules, regulations and policies where the new rules, regulations and policies consist of the following:

- (a) Processing fees by CITY to cover costs of processing applications for development approvals or for monitoring compliance with any development approvals;
- (b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records and any other matter of procedure;
- (c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including all uniform codes adopted by the CITY and any local amendments to those codes adopted by the CITY; provided however that, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the standards and specifications that are expressly identified in the Specific Plan;
- (d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect the residents of the project and/or of the immediate community from a condition perilous to their health or safety;
- (e) Regulations that do not conflict with those rules, regulations and policies set forth in this Agreement or the Development Plan;
- (f) Regulations that may conflict but to which the OWNER consents.

3.6.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations that do not conflict with the Development Plan, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.

3.6.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.6.3 shall impose on CITY any monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.6.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

3.7 Public Infrastructure and Utilities. OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval, OWNER shall connect the Project to all utilities necessary to provide adequate water, recycled water, sewer, gas, electric, and other utility service to the Project. As a further condition of development approval, OWNER shall contract with the CITY for CITY-owned or operated utilities for this purpose, for such price and on such terms as may be available to similarly situated customers in the CITY.

3.7.1 OWNER agrees that development of the Project shall require the construction of Storm Drain facilities, at OWNER's sole cost and expense, from the Property to master planned storm drain facilities to serve the Property as

described in Exhibit F. OWNER shall be responsible for the construction of the necessary extension of master planned Storm Drain facilities.

3.7.2 OWNER agrees that development of the Project shall require the construction of street improvements, at OWNER's sole cost and expense as described in Exhibit F.

3.7.2.1 Notwithstanding the requirements of Section 3.7.2, OWNER agrees that OWNER shall be responsible for the construction of street improvements, at OWNER's sole cost and expense, on La Avenida from the Eastern Project limits to Turner Avenue as shown on Exhibit F and OWNER's obligation to design and construct Improvements on La Avenida shall include the Water, Recycled Water, Storm Drain and Street Improvements from Archibald Avenue to a point of connection with La Avenida Drive at the boundary of Tract 18922-2. However, CITY and OWNER agree that if all or a portion of OWNER's required street improvements on La Avenida are constructed by others, OWNER shall be responsible for reimbursing such other parties for the fair share portion of OWNER's required street improvements on La Avenida constructed by others. Conversely, if OWNER constructs the street improvements on La Avenida as shown on Exhibit F, that others are also required to construct CITY shall use its best efforts to require such party or parties to reimburse OWNER for the respective fair share portion of the street improvements that OWNER constructed that the other party or parties were required to construct.

3.7.2.2 OWNER agrees that OWNER shall be responsible for the construction of street improvements, at OWNER's sole cost and expense, including neighborhood edge landscaping, sidewalks, trails and all other last lane improvements on Archibald Avenue and Ontario Ranch Road that are adjacent to the Property and adjacent to existing property owned by Southern California Edison ("the Edison Substation") and on Ontario Ranch Road and Archibald Avenue as shown on Exhibit F and described as the "Deferred Frontage Improvements".

3.7.3 OWNER agrees that development of the Property shall require the extension of permanent master planned water and recycled water utility infrastructure as described in Exhibit F consisting generally of the construction of the extension of permanent master planned water and recycled water utility improvements, at OWNER's sole cost and expense, to serve the Property. OWNER agrees that no building permits shall be issued by CITY for Production Units prior to completion of the water and recycled water Improvements as described in Exhibit F. OWNER also agrees that recycled water shall be available and utilized by OWNER for all construction-related water uses including prior to, and during, any grading of the Property.

3.7.4 OWNER agrees that NMC Builders shall be responsible for funding a portion of the design and construction of an additional extension of master planned recycled water infrastructure in Riverside and Haven Avenues to be constructed by CITY. OWNER shall deposit, or shall have deposited, with NMC Builders an amount, as determined by the City Engineer to be equal to the OWNER's capital contribution for the design and construction of the NMC Builders portion of the recycled water improvements in Riverside and Haven Avenues known as the "Phase 2 Recycled Water Improvements" within thirty (30) days after CITY requests such funds from NMC Builders. If OWNER has not deposited such amount, with NMC Builders within thirty (30) days after CITY requests such funds from NMC Builders, then CITY shall be entitled to withhold issuance of any further permits (whether discretionary or ministerial) for the Project unless and until OWNER deposits the amount of OWNER's capital contribution with NMC Builders for the design and construction of the NMC Builders portion of the Phase 2 Recycled Water System Improvements.

3.8 Acquisition of Offsite Provision of Real Property Interests. In any instance where OWNER is required by any Development Approval or Land Use Regulation and the Construction Agreement to construct any public improvement on land not owned by OWNER ("Offsite Improvements"), the CITY and OWNER shall cooperate in acquiring the necessary legal interest ("Offsite Property") in accordance with the procedures set forth in Section 2.4 of the Construction Agreement. This section 3.8 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.8.1 CITY Acquisition of Non-Construction Agreement Offsite Property. In the event OWNER is required to construct any public improvements on land not owned by OWNER, but such requirement is not based upon the Construction Agreement, Sections 3.8.1 and 3.8.2 shall control the acquisition of the necessary property interest(s) ("Non-Construction Agreement Offsite Property"). If the OWNER is unable to acquire such Non-Construction Agreement Offsite Property, and following the written request from the OWNER to CITY, CITY agrees to use reasonable and diligent good faith efforts to acquire the Non-Construction Agreement Offsite Property from the owner or owners of record by negotiation to the extent permitted by law and consistent with this Agreement. If CITY is unable to acquire the Non-Construction Agreement Offsite Property by negotiation within thirty (30) days after OWNER'S written request, CITY shall, initiate proceedings utilizing its power of eminent domain to acquire that Non-Construction Agreement Subject Property at a public hearing noticed and conducted in accordance with California Code of Civil Procedure Section 1245.235 for the purpose of considering the adoption of a resolution of necessity concerning the Non-Construction Agreement Offsite Property, subject to the conditions set forth in this Section 3.8. The CITY and OWNER acknowledge that the timelines set forth in this Section 3.8.1 represent the maximum time periods

which CITY and OWNER reasonably believe will be necessary to complete the acquisition of any Non-Construction Agreement Offsite Property. CITY agrees to use reasonable good faith efforts to complete the actions described within lesser time periods, to the extent that it is reasonably able to do so, consistent with the legal constraints imposed upon CITY.

3.8.2 Owner's Option to Terminate Proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to making an offer to the owner of the Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease all acquisition proceedings with respect to that Non-Construction Agreement Offsite Property, whereupon CITY shall cease such proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to the date of the hearing on CITY'S intent to consider the adoption of a resolution of necessity as to any Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease condemnation proceedings, whereupon CITY shall cease such proceedings. If OWNER does not notify CITY to cease condemnation proceedings within said fifteen (15) day period, then the CITY may proceed to consider and act upon the Non-Construction Agreement Offsite Property resolution of necessity. If CITY adopts such resolution of necessity, then CITY shall diligently institute condemnation proceedings and file a complaint in condemnation and seek an order of immediate possession with respect to the Non-Construction Agreement Offsite Property.

3.9 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at no cost to CITY, with OWNER in obtaining any required permits or compliance with the regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.10 Tentative Tract Maps; Extension. With respect to applications by OWNER for tentative subdivision maps for portions of the Property, CITY agrees that OWNER may file and process tentative maps in accordance with Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the California Government Code and the applicable provisions of CITY's subdivision ordinance, as the same may be amended from time to time. In accordance with the provisions of Section 66452.6 of the Government Code, each tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be deemed to have been granted an extension of time to and until the date that is five (5) years following the Effective Date of this Agreement. The CITY's City Council may, in its discretion, extend any such map for an additional period of up to five (5) years beyond its original term, so long as the subdivider files a written request for an extension with the City prior to the expiration of the initial five (5) year term.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount of Development Impact Fee. Development Impact Fees (DIF) shall be paid by OWNER. The Development Impact Fee amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due. Nothing contained in this Agreement shall affect the ability of the CITY to impose new Development Impact Fees or amend the amounts of existing Development Impact Fees. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, Development Impact Fees established or imposed by such other public agencies, even though such Development Impact Fees may be collected by CITY.

4.2.2 Time of Payment. The Development Impact Fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permit for each applicable residential or other unit, except for the Open Space and Habitat Acquisition Development Impact fee, which shall be paid by OWNER to CITY prior to the issuance of a grading permit. Deferral of the payment of Development Impact Fees may be granted pursuant to a separate agreement approved by City pursuant to City policy.

4.2.3 Parkland and Quimby Act Fees. Pursuant to the General Plan (OntarioPlan) Goal PR1, Policy PR1-5 (achievement of a park standard of 5 acres of parkland per 1,000 residents). OWNER shall provide improved parks, developed in accordance with the City's park standards in an amount equal to two (2) acres per 1,000 of projected population without credit, reimbursement, offset or consideration from CITY. Such areas shall either be dedicated to CITY or transferred to a homeowners' association. If approved by the City Manager, OWNER may satisfy this requirement through the development of non-public recreation facilities such as private recreational clubhouses or pool facilities. Credit for such private recreational facilities areas shall be limited to a maximum of 50% of the foregoing park development requirement. If OWNER's Project does not provide dedicated and developed park acreage equal to two (2) acres per 1,000 projected population, OWNER shall pay a fee in-lieu equal to the per acre estimated costs of acquisition and development of parkland in the City's Development Impact Fee for the calculated park acreage deficiency. Such in-lieu fee shall be due and payable within 10 days following the issuance of the first

building permit issued to OWNER. The homeowner's association shall be responsible for the maintenance of all developed common facilities and open space park areas. OWNER shall also pay the full Development Impact Fee for the Parkland Acquisition and Development Fee category (Quimby Act fees) for the Project.

4.3 Responsibility for Construction of Public Improvements.

4.3.1 Timely Construction of Public Infrastructure. The phasing of the areawide infrastructure construction within the Ontario Ranch will be as approved by the CITY. OWNER shall be responsible for the timely construction and completion of all public infrastructure required for the Project as shown on the attached Exhibit "F" and any and all tentative tract map conditions. Unless otherwise specified in the Subdivision Agreement/Tract Map conditions, all other required Improvements for Tract No. 18937 shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of the first building permit for Production Units for Tract No. 18937. All Infrastructure and Improvements shall be completed as required by the Subdivision Agreement/Tract Map conditions for Tract No. 18937.

4.3.1.1 Deferral of Construction of Improvements on Archibald Avenue and Ontario Ranch Road Adjacent to the Property and the SCE Substation on Ontario Ranch Road and Archibald Avenue. Notwithstanding the above, OWNER has requested and CITY has agreed that OWNER may defer the initiation and completion of the Deferred Frontage Improvements described in Section 3.7.2.2 of this Development Agreement and shown on Exhibit F and described as the street and other improvements on Archibald Avenue directly adjacent to the Project and the SCE Substation and the street and other improvements on Ontario Ranch Road adjacent to the Project and the SCE Substation. CITY's agreement to issue building permits for Production Units prior to OWNER's completion of the improvements described in Section 3.7.2 and as shown on Exhibit F is conditioned upon OWNER's compliance with the following conditions:

a. Prior to, and as a condition precedent to, OWNER requesting and CITY granting of the first building permit for the Property, OWNER shall have completed the designs for the Deferred Frontage Improvements and also shall have completed the real property transaction to acquire the necessary Rights of Way for the Deferred Frontage Improvements, or OWNER shall have made the required deposit to the Escrow Account established by the CITY and OWNER as required by Section 4.3.1.2 below.

b. Prior to, and as a condition precedent to, OWNER requesting and CITY granting of building permits for the fiftieth (50th) residential unit,

including permits for the Model Units, OWNER shall initiate the construction of the Deferred Frontage Improvements.

c. OWNER shall diligently pursue construction of the Deferred Frontage Improvements and shall complete the construction of the Deferred Frontage Improvements and shall have requested CITY acceptance of the Deferred Frontage Improvements prior to, and as a condition precedent to, OWNER requesting a building permit for the one hundred fiftieth (150) residential unit for the Project.

d. OWNER shall provide periodic written progress reports to CITY commencing ninety (90) days after the OWNER initiates construction of the Deferred Frontage Improvements and each ninety (90) days thereafter regarding the progress of the construction of the Deferred Frontage Improvements until such Improvements are accepted by CITY.

e. Subject to the provisions of Section 8 of this Development Agreement, if OWNER does not comply with the conditions of this Section 4.3.1.1, OWNER shall be deemed to be in default of this Development Agreement and CITY shall be entitled to pursue all such remedies as available under the provisions of this Development Agreement.

4.3.1.2 Requirement for OWNER Deposits to an Escrow Account for the Construction of the Deferred Frontage Improvements. If, OWNER has not completed the designs for the Deferred Frontage Improvements and also completed the real property transaction to acquire the necessary Rights of Way for the Deferred Frontage Improvements, prior to, and as a condition precedent to, OWNER requesting and CITY granting of the first building permit for the Property, OWNER shall be required to deposit to the Escrow Account established the CITY and OWNER to fund the design and the construction of the Deferred Frontage Improvements. OWNER's deposits shall be deposited directly into a restricted escrow account (the "Escrow Account"), with an escrow officer mutually agreeable to the parties. Funds placed into the Escrow Account may only be used to make payments to the contractors selected to construct the required Deferred Improvements. Escrow instructions shall be provided by OWNER, in a form approved by the City; provided however, that the escrow instructions shall contain a provision prohibiting the release of any funds without the prior written approval of CITY. OWNER shall deposit the estimated costs for Deferred Frontage Improvements as determined by the City Engineer, which shall include the estimated costs of all OWNER's "last lane" improvements and all other construction activities related to the completion of the Deferred Frontage Improvements, whether or not the costs of such Improvements are considered to be DIF Credit eligible Improvements. In the event that, during the progress of the construction, additional funds become necessary for completion of the Deferred Frontage Improvements or activities (i.e., because of change orders, extra work claims, etc.), CITY

shall notify OWNER of the need for additional funds. Within ten (10) calendar days following such notice, OWNER shall deposit into the Escrow Account an amount determined by the CITY to be necessary to cover such overage(s). If OWNER fails to make the required deposit, or fails to make subsequent deposits to cover any overages, or fails to initiate and make reasonable progress or complete construction of the Deferred Frontage Improvements as required herein, OWNER shall be considered to be in default of this Development Agreement. If OWNER defaults, any and all remaining funds in the Escrow Account shall be utilized by CITY to complete the construction of the Deferred Frontage Improvements. Upon the completion of construction of the Deferred Frontage, any remaining funds and accrued interest, if any, in the Escrow Account shall be returned to OWNER.

4.3.2 Construction of DIF Program Infrastructure (Construction Agreement). To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program and the Construction Agreement between CITY and NMC Builders LLC, CITY agrees that CITY shall issue DIF Credit in accordance with the provisions of the Construction Agreement and any amendments thereto. Use of DIF Credit issued to OWNER as a member of NMC Builders LLC to offset OWNER's DIF payment obligations shall also be subject to the provisions of the Construction Agreement and any amendments thereto.

4.3.3 Construction of DIF Program Infrastructure (Non-Construction Agreement). To the extent, OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program and such public improvements are not included the Construction Agreement between CITY and NMC Builders LLC, CITY agrees that CITY shall issue DIF Credit in accordance with the provisions of a separate Fee Credit Agreement between CITY and OWNER. Limitation on the use of DIF Credit issued to OWNER to offset OWNER's DIF payment obligations shall also be subject to the provisions of a separate Fee Credit Agreement. CITY and OWNER agree that the Fee Credit Agreement between CITY and OWNER shall comply with CITY's adopted policies applicable to such agreements.

4.4 Affordable Housing Requirement.

4.4.1 Affordable Housing- Number of Units. OWNER shall provide a minimum number of affordable housing units, equivalent to 10% of the OWNER's total approved residential units within the Project, that are affordable to very low, low and moderate-income households. Such requirement for affordable housing shall be met through one, or a combination of one or more, of the options provided in the following Sections 4.4.2.1 through 4.4.2.3. For the purposes of this Section, any term not defined in this Agreement shall be as defined by California Community Redevelopment Law (California Health and Safety Code Section 33000 et seq.).

4.4.2 Affordability Spread. Of the total number of residential dwelling units specified in Section 4.4.1, to be constructed or rehabilitated pursuant to Sections 4.4.2.1 or 4.4.2.2 respectively, thirty percent (30%) shall be available to very low income, thirty percent (30%) shall be available to low income and forty percent (40%) shall be available to moderate income households. “**Households**” shall be as defined by California Health and Safety Code Section 50053.

4.4.2.1 New Construction. If OWNER elects to fully or partially satisfy the affordable housing requirement by the construction of new residential units, it shall construct and restrict the affordability of residential dwelling units within its Project or, at OWNER’s option and with the approval of the City, within another project elsewhere within the City. The affordable units constructed shall be intermingled with other units as part of the Project, and shall be built to the same construction, design and aesthetic standards, as well as number of rooms, as other units constructed as part of that OWNER’s Project. In addition, the percentage ratio of affordable units offered for sale versus those offered for rent shall equal the percentage ratio of other units offered for sale versus for rent within OWNER’s Project. Such construction shall be completed no later than the date that is five (5) years following the issuance of the first building permit for OWNER’s Project; provided however that to the extent OWNER has not constructed the required percentage of units, based on the number of building permits for non-restricted units, OWNER shall, prior to the issuance of such building permits, provide security (in the form and substance approved by the City Manager and City Attorney) to City in order to ensure the faithful completion of such required percentage of construction of affordable units. If OWNER elects the option of constructing new affordable units, a detailed Affordable Housing Agreement specifying terms for the allowable monthly housing costs or rents (as applicable) and maintenance and occupancy standards shall be prepared, executed and recorded against such units as a condition to the issuance of a building permit. The Affordable Housing Agreement shall hold a recorded priority position senior to any other non-statutory lien or encumbrance affecting the unit.

4.4.2.2 Rehabilitation. If OWNER elects to fully or partially satisfy the affordable housing requirement by the substantial rehabilitation of existing residential units in the City, it shall substantially rehabilitate and restrict the affordability of, the number of residential units specified in Section 4.4.1, provided that such units shall be provided elsewhere within the City. The rehabilitation work shall be substantial and of high quality and shall also address any deferred property maintenance issues on the property. “Substantial rehabilitation” shall mean rehabilitated multi-family rented dwelling units with three or more units and the value of the rehabilitation constitutes 25 percent of the after-rehabilitation value of the dwelling, inclusive of land value pursuant to Health and Safety Code Section 33413(b)(2)(A)(iii-iv) as such section exists as of the Effective Date of this Agreement. If OWNER chooses the option of rehabilitation of existing

housing units within the City, a detailed Affordable Housing Agreement specifying the terms for the allowable month housing costs or rents (as applicable) and maintenance and occupancy standards shall be prepared, executed and recorded against such units as a condition to the issuance of a building permit. Such rehabilitation shall be completed no later than the date that is five (5) years following the issuance of the first building permit for OWNER's Project; provided however that to the extent OWNER has not rehabilitated the required percentage of units, based on the number of building permits, OWNER shall, prior to the issuance of such building permits, provide security (in the form and substance approved by the City Manager and City Attorney) to the City in order to ensure the faithful completion of such required percentage of rehabilitation.

4.4.2.3 In-Lieu Fee. If OWNER has not fully complied with the requirements of Section 4.4.1 by providing the minimum number of affordable units through the construction of new affordable units or by the substantial rehabilitation of existing units, OWNER shall pay an "Affordability In-Lieu Fee". If OWNER has not provided any affordable residential units by construction or rehabilitation, the Affordability In-Lieu fee shall be equal to Two Dollars and Forty-Three Cents (\$2.43) per square foot of residential development within OWNER's Project or, if pre-paid as set forth below, Two Dollars and Thirteen Cents (\$2.13) per square foot of residential development within OWNER's Project. If OWNER has partially complied with the requirements of Section 4.4.1 by construction or rehabilitation of less than the minimum number of units, then the Affordability In-lieu Fee shall be recalculated and reduced in consideration of the number and type of affordable units provided. The Affordability In-Lieu Fee shall be paid by OWNER to City no later than prior to the issuance of each building permit within OWNER's Project based on the square footage of the residential unit for which such building permit is sought; provided however that OWNER may, at OWNER's election, pre-pay such Affordability In-Lieu Fee by paying such Affordability In-Lieu Fee within thirty (30) days following the earliest discretionary approval by the City for OWNER's Project, including, but not limited to, any general plan amendment, specific plan adoption, development agreement, tentative map approval, variance, conditional use permit, or resolution of intention to form any public financing mechanism. The Two Dollars and Forty-Three Cents (\$2.43) and the Two Dollars and Thirteen Cents (\$2.13) per square foot amounts shall automatically be increased annually, commencing on July 1, 2018, and automatically each July 1 thereafter. Such adjustment shall be based on the percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year. The pre-paid Affordability In-Lieu Fee shall be calculated based on the maximum floor area ratio (FAR) permitted within the General Plan and any applicable FAR contained within the applicable specific plan, whichever is greater, and the Maximum Development

Density. For purposes of this Agreement, “**Maximum Development Density**” shall be determined by multiplying the OWNER’s Project’s density for residential development potential as set forth in the General Plan or the applicable Specific Plan, whichever is less, by the net acreage of land within OWNER’s Project. All “Affordability In-Lieu Fees” collected by the City shall be used to promote the construction of affordable housing within the City.

4.4.2.4 Affordability Covenants. Prior to the issuance of the first building permit for any affordable unit, the City and OWNER shall enter into an Affordable Housing Agreement. Affordability shall be assured for a period of forty-five (45) years for for-sale units and fifty-five (55) years for rentals. For rental units, base rents shall be established by the City and rental adjustments required by the City shall be performed on an annual basis. In addition, the Affordable Housing Agreement shall impose maximum occupancy limits of 2 occupants per bedroom plus 1 additional occupant per dwelling unit, and a requirement for the owner or tenant to properly maintain each dwelling unit.

4.4.2.5 Transfer of Affordable Project. No transfer of title to any affordable housing project shall occur without the prior written consent of the City. In the event OWNER transfers title to any affordable housing project required to be constructed pursuant to this Agreement to a non-profit entity, or other entity, that receives an exemption from ad valorem real property taxes, the City shall be required to assure payment of an annual in lieu fee to the City on July 1 of each year equal to one-tenth of one percent (0.1%) of the assessed value of such project. The City may permit OWNER to satisfy this obligation by recorded covenants against the property and enforceable against said entity by the City. Any such covenants shall be approved by the Planning Director and the City Attorney.

4.5 Written Evidence of Compliance with Schools Obligations. OWNER shall, either through joint or individual agreements between OWNER and the applicable school district(s), shall satisfy its new school obligations. The new school obligations for the Mountain View School District in the Ontario Ranch area have been projected to include the acquisition or dedication of school sites for, and construction of, up to eight (8) schools. Of these eight (8) schools, six (6) are to be elementary (K-5) grade schools and two (2) are to be middle grade schools. The new school obligations for the Chaffey Joint Union High School District in the Ontario Ranch area have been projected to include the dedication of a school site for, and construction of, an additional high school. The new school obligations for the applicable school district shall be met by a combination of the following: (1) designating and dedicating school site(s) within the Property as set forth in the General Plan, and/or (2) paying school impact fees, (3) entering into a joint mitigation agreement or individual mitigation agreements, or (4) any combination of the foregoing. Written evidence of approval by the applicable school district that OWNER has met their school obligations may be required by the City as the condition to the issuance by the City of any entitlements for OWNER’s Project. In the

event OWNER is unable to provide such written evidence from the applicable school district(s), the City shall have the right to decline to honor any DIF Credit, Certificates of MDD Availability, Certificates of Storm Water Treatment Capacity Availability, or any combination thereof, presented by such OWNER, without liability to the City. To the extent that a joint mitigation agreement is approved by the applicable school district(s), and OWNER is a participant in good standing in such mitigation agreement, OWNER shall be deemed to have mitigated its new school obligations under this Section 4.4.1.

4.6 Public Services Funding Fee.

4.6.1 Requirement for Payment of Public Services Funding Fee. In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to the residents of each Project in a timely manner, OWNER shall pay to CITY a "Public Services Funding Fee." The Public Services Funding Fee shall apply to residential and non-residential uses as set forth below.

4.6.2 Public Services Funding Fee Amount. OWNER shall pay a Public Services Funding fee in the total amount of One Thousand Nine Hundred and Seven Dollars (\$1,907.00) per residential dwelling unit. The Public Services Funding Fee shall be paid in one (1) installment within one hundred eighty (180) calendar days after the effective date of the Development Agreement or in two (2) installments, at OWNER's option, as follows:

4.6.2.1 First Installment (Residential uses). The First Installment of the Public Services Funding Fee shall be Nine Hundred Fifty-Three dollars and fifty cents (\$953.50) per residential dwelling unit. The First Installment shall be based upon the "Maximum Development Density" of the OWNER Project, as defined in Section 3.7.2.3 of the First Amended and Restated Construction Agreement. The First Installment shall be due and payable 30 days following the effective date of this Development Agreement.

4.6.2.2 Second Installment (Residential Uses). The Second Installment of the Public Services Funding Fee shall be Nine Hundred Fifty-Three dollars and fifty cents (\$953.50) per residential unit. The Second Installment shall be paid at the time of the issuance of each building permit for the Project. The amount of the Second Installment shall increase automatically by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2018. OWNER may exercise the option to pay the Second Installment amount for all residential units, a portion of the residential units, or for the remainder of the residential units within OWNER's Project on or before each December 31st, before the Second Installment amount is automatically increased.

4.6.2.3 Single Installment (Non-residential Uses). A single installment payment of the Public Services Funding Fee shall be required in the

amount of Fifty-Seven Cents (\$.57) per square foot of non-residential buildings. The single installment for non-residential uses shall be due and payable prior to the issuance of the building permit for a non-residential building. The amount of the Single Installment for non-residential uses shall automatically increase by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2018. OWNER may exercise the option to pay any single installment amounts for the remainder of the non-residential square footage within the Project on or before December 31st, before the Single Installment amount is automatically increased.

4.7 Net MDD/Water Availability Equivalents.

4.7.1 Assigned Net MDD/Water Availability Equivalents. The City has agreed with NMC Builders LLC to reserve exclusively for Members of NMC Builders, including OWNER, Net MDD made available through the construction of water system improvements funded by NMC Builders LLC. NMC Builders has assigned to OWNER its allocable share of the Net MDD issued by City. The provisions of the Construction Agreement Amendment require that the City shall not approve a final parcel map or tract map for the area of development within the Ontario Ranch served by the water system improvements funded by NMC Builders LLC, except to the bearer of an Assignment of Net MDD Water Availability.

4.7.2 Use of Assigned Net MDD Water Availability. OWNER shall provide evidence of sufficient Net MDD Water Availability Equivalents (or portions thereof) prior to and as a condition precedent to, CITY's approval of the final Tract Map for Tract No.18937. The amount of Net MDD Water Availability Equivalents required shall be based upon water demand factors and assumptions listed in Exhibit C-2R of the Construction Agreement Amendment as "Water Demand Equivalents by Land Use" for each land use category.

4.7.3 Requirement for other Water System Improvements. A Certificate of Net MDD Availability is evidence only of available water capacity and does not satisfy any other conditions applicable to an OWNER's Project, including those relating to design and construction of master-planned potable water and recycled water transmission and distribution system for the respective pressure zone and other public infrastructure requirements.

4.8 Storm Water Capacity Availability.

4.8.1 Requirement for Storm Water Treatment Capacity Availability. OWNER shall provide evidence of sufficient Storm Water Treatment Capacity Availability as reserved in a Certificate of Storm Water Treatment Capacity Availability the same manner and subject to the same limitations as provided for the assignment of Certificates of Net MDD Availability in Section 4.7 of this Agreement.

4.8.2 Use of Storm Water Treatment Capacity Availability. The amount of Storm Water Treatment Capacity Availability required for the issuance of a grading permit to OWNER shall be based upon the Net Residential Acreage of the area to be graded regardless of the corresponding use.

4.8.3 Requirement for other Storm Water Improvements. The Certificate of Storm Water Treatment Capacity Availability is evidence only of available storm water treatment capacity and does not satisfy any other conditions applicable to a particular development project, including those relating to on-site water treatment, water quality, connection to the storm water collection system, or other public infrastructure requirements.

4.9 Maintenance of Common Areas and Open Space. OWNER shall provide for the ongoing maintenance of all park, common areas and open space areas within the Project as more particularly set forth in the Specific Plan, through a homeowners' association as approved by the CITY. Covenants, conditions and restrictions establishing any homeowners' association shall be approved by the Planning Director and City Attorney.

4.11 Compliance with Public Benefits Requirements.

4.11.1 Failure to Provide Public Benefits. In the event OWNER fails or refuses to comply with any condition referenced in Section 4.1 through 4.9, or challenges (whether administratively or through legal proceedings) the imposition of such conditions, OWNER shall be deemed in default of this Agreement pursuant to Section 8 hereof, thereby entitling the City to any and all remedies available to it, including, without limitation, the right of the City to withhold OWNER's Project-related building permits, certificates of occupancy, or discretionary approvals, without liability.

5. FINANCING OF PUBLIC IMPROVEMENTS.

5.1 Financing Mechanism(s). In accordance with the Memorandum of Agreement between the CITY and NMC Builders, CITY will cooperate with OWNER in the formation of a CFD, or CFDs, to include all of the Project, to provide a financing mechanism to reimburse the OWNER for funds paid to NMC Builders LLC for OWNER's share of the costs of public infrastructure pursuant to the Construction Agreement and to acquire other public facilities constructed by OWNER subject to the provisions of the Memorandum of Agreement between CITY and NMC Builders LLC. Notwithstanding such reimbursements and acquisitions, OWNER shall remain entitled to DIF Credits as provided for in Article 3 of the Construction Agreement and/or as provided for in a separate Fee Credit Agreement between CITY and OWNER. OWNER agrees that, prior to the recordation of any Tract Map for the Property, the Property shall be included in a CFD to finance City services through annual special taxes that will initially be \$1,442.00 per Single Family Detached Dwelling Unit, \$1,250.00 per Multiple-Family Dwelling Unit, \$1,048.00 per Gated Apartment Community Dwelling Unit, and \$.27 per square foot for Non-Residential buildings. These amounts shall be subject to an automatic increase at a rate not to exceed four (4%) percent per year. CITY shall be

the sole and exclusive lead agency in the formation of any CFD, assessment district or other public financing mechanism within the Property; provided however, that the proceeds of any such CFD, assessment district, or financing mechanism may be used, subject to restrictions that may be imposed by applicable law, for the purposes of acquiring, constructing or maintaining public facilities to be owned or operated by other public agencies, including, without limitation those facilities owned or operated by a school district. In addition to the rights of the CITY pursuant to section 4.5 hereof, CITY shall have the right, but not the obligation, to condition the formation of any CFD, assessment district or other public financing mechanism within the Property on the OWNER mitigating all Project-related impacts to the applicable school district(s) as required by such school district(s). Written evidence by such school district(s) may be required by the CITY as the condition to the formation of any CFD, assessment district or other public financing mechanism within the Property, or any steps preliminary thereto, including, without limitation, the adoption of any resolution of intention to form such CFD, assessment district or other public financing mechanism within the Property. It is not the intent of the parties hereto, by this provision, to prohibit or otherwise limit the City's ability to take any and all necessary steps requisite to the formation of the CFD to finance City services through annual special taxes as set forth in this Section 5.1. Formation of any CFD, assessment district or other public financing mechanism within the Property, shall be subject to CITY's ability to make all findings required by applicable law and complying with all applicable legal procedures and requirements including, without limitation, CITY's public financing district policies as such policies may be amended from time to time. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic and Special Reviews.

6.1.1 Time for and Initiation of Periodic Review. The CITY shall review this Agreement every twelve (12) months from the Effective Date in order to ascertain the good faith compliance by the OWNER with the terms of this Agreement. The OWNER shall submit an Annual Monitoring Report to CITY, in a form acceptable to the City Manager, along with any applicable processing charge within ten (10) days after each anniversary date of the Effective Date of this Agreement. Within fifteen (15) days after the receipt of the Annual Monitoring Report, CITY shall review the Annual Monitoring Report. Prior to the expiration of the fifteen (15) day review period, CITY shall either issue a notice of continuing compliance or a notice of non-compliance and a notice of CITY's intent to conduct a Special Review pursuant to Sections 6.1.2 through 6.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

6.1.2 Initiation of Special Review. A special review may be called either by agreement between the parties or by initiation in one or more of the following ways:

- (1) Recommendation of the Planning staff;
- (2) Affirmative vote of at least four (4) members of the Planning Commission; or
- (3) Affirmative vote of at least three (3) members of the City Council.

6.1.3 Notice of Special Review. The City Manager shall begin the special review proceeding by giving notice that the CITY intends to undertake a special review of this Agreement to the OWNER. Such notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

6.1.4 Public Hearing. The Planning Commission shall conduct a hearing at which the OWNER must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is upon the OWNER.

6.1.5 Findings Upon Public Hearing. The Planning Commission shall determine upon the basis of substantial evidence whether or not the OWNER has, for the period under review, complied in good faith with the terms and conditions of this Agreement.

6.1.6 Procedure Upon Findings.

(a) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has complied in good faith with the terms and conditions of this Agreement during the period under review, the review for that period is concluded.

(b) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has not complied in good faith with the terms and conditions of this Agreement during the period under review, the Planning Commission may recommend to the City Council to modify or terminate this Agreement.

(c) The OWNER may appeal a determination pursuant to paragraph (b) to the City Council in accordance with the CITY's rule for consideration of appeals in zoning matters generally.

6.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.1.6(b), the CITY determines to proceed with modification or termination of this Agreement, the CITY shall give notice to the property OWNER of its intention so to do. The notice shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not the CITY proposes to terminate or to modify this Agreement; and

(c) Other information that the CITY considers necessary to inform the OWNER of the nature of the proceeding.

6.3 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, the OWNER shall be given an opportunity to be heard. The OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on the OWNER. If the City Council finds, based upon substantial evidence in the administrative record, that the OWNER has not complied in good faith with the terms and conditions of the agreement, the City Council may terminate or modify this Agreement and impose those conditions to the action it takes as it considers necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.4 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default. The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

7. [RESERVED]

8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

(a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or

(b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or

(c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

(a) Money damages are unavailable against CITY as provided in Section 8.1 above.

(b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 Release. Except for non-damage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsection 6.2 and 6.3 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions

necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its Comprehensive General Plan, as such General Plan exists as of the Effective Date ("General Plan"), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees

and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of this Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within the ten (10) days after the CITY executes this Agreement, as required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this

Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Singular and Plural. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. Subject to section 2.4, if at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners. Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.

11.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations

hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement. The City Manager may delegate his powers and

duties under this Agreement to an Assistant City Manager or other management level employee of the CITY.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of The Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U.S.T. 361, T.I.A.S. No. 6638).

11.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with the issuance of estoppel certificates under this Section 11.20 prior to CITY's issuance of such certificates.

11.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT**

**BROOKCAL ONTARIO LLC
"OWNER"**

BrookCal Ontario LLC, a California limited liability company

By: _____

Name:

Title: Authorized Representative

Date: _____

"CITY"

CITY OF ONTARIO

By: _____

Scott Ochoa
City Manager

Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:

BEST, BEST & KREIGER LLP

City Attorney

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

On _____ before me, _____, Notary Public, personally appeared _____

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal

EXHIBIT "A"
TO DEVELOPMENT AGREEMENT

Legal Description of Property

LEGAL DESCRIPTION

Real property in the City of Ontario, County of San Bernardino, State of California, described as follows:

THE WEST 30 ACRES OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO BASE AND MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

AREAS AND DISTANCES ARE COMPUTED TO THE CENTER OF ADJOINING STREETS.

EXCEPT THE SOUTH 30 FEET THEREOF AS RESERVED FOR ROAD PURPOSES.

ALSO EXCEPT THE WESTERLY 280 FEET OF THE SOUTHERLY 316 FEET THEREOF.

ALSO EXCEPT THE WEST 52.00 FEET OF THE SOUTH 500.00 FEET OF THE WEST 30.00 ACRES OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, ACCORDING TO THE OFFICIAL PLAT THEREOF.

SAVING AND EXCEPTING THEREFROM THE SOUTHERLY 316 FEET THEREOF.

FURTHER EXCEPTING THEREFROM THOSE PORTIONS OF SAID LAND CONVEYED TO THE CITY OF ONTARIO, A POLITICAL SUBDIVISION OF THE STATE OF CALIFORNIA, BY GRANT DEED RECORDED SEPTEMBER 8, 2014 AS INSTRUMENT NO. [2014-0329810](#), OFFICIAL RECORDS.

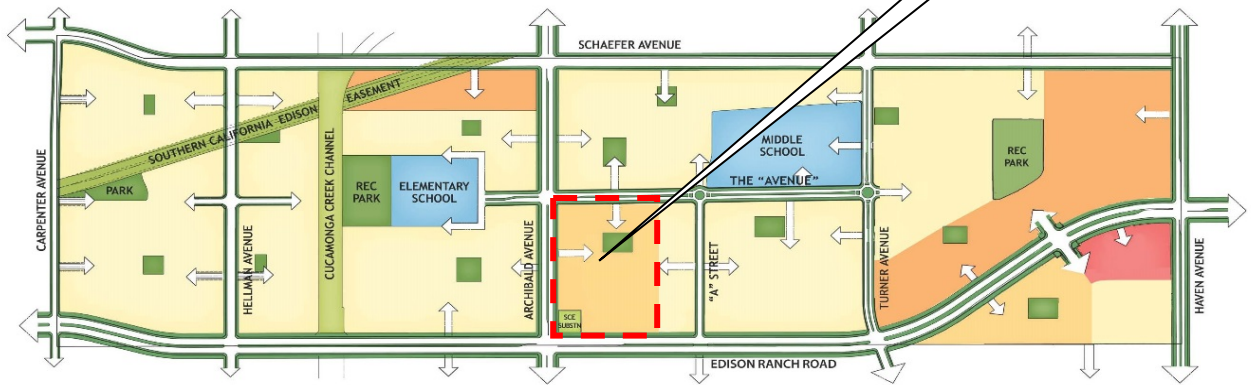
APN: 0218-201-18-0-000

EXHIBIT "B" TO DEVELOPMENT AGREEMENT

Map showing Property and its location

**Project Site
TT18937**

THE AVENUE SPECIFIC PLAN AMENDMENT - BROOKFIELD RESIDENTIAL



LEGEND

- | | |
|---|--|
| LOW DENSITY RESIDENTIAL | SCHOOL |
| LOW MEDIUM DENSITY RESIDENTIAL | PARK |
| MEDIUM DENSITY RESIDENTIAL | SCE EASEMENT |
| RETAIL | STORM DRAIN EASEMENT |



NOTE: The locations of the parks are conceptual and will be determined as part of the tract map approval process.

The Avenue
SPECIFIC PLAN

The New Model Colony • Ontario, California

Proposed Land Use Plan

EXHIBIT "C"
TO DEVELOPMENT AGREEMENT

Existing Development Approvals

On November 28, 2006, the Planning Commission:

- a) Issued Resolution No. PC06-141 recommending City Council adopt and certify The Avenue Specific Plan Environmental Impact Report;
- b) Issued Resolution No. PC06-143 recommending City Council approval of The Avenue Specific Plan (PSP05-003).

On December 9, 2006, the City Council:

- a) Adopted Resolution No. 2006-131 certifying The Avenue Specific Plan Environmental Impact Report (SCH No. 2005071109)

On January 16, 2007, the City Council:

- a) Adopted Ordinance No. 2851 approving The Avenue Specific Plan (PSP05-003)

On February 2, 2010, the City Council:

- a) Adopted Resolution No. 2010-010 certifying the Supplemental Environmental Impact Report for an amendment to The Avenue Specific Plan (File No. PSPA07-004)
- b) Adopted Resolution No. 2010-011 approving an amendment to The Avenue Specific Plan (File No. PSPA07-004)

On May 27, 2014, the Planning Commission:

- a) Issued Resolution No. PC14-042 recommending City Council approval of an addendum to The Avenue Specific Plan Environmental Impact Report (SCH #2005071109).
- b) Issued Resolution No. PC14-043 recommending City Council approval of an Amendment to The Avenue Specific Plan (File No. PSPA13-003).

On June 14, 2014, the City Council:

- a) Adopted Resolution No. 2017-068 approving an addendum to The Avenue Specific Plan Environmental Impact Report (SCH #2005071109).
- b) Adopted Resolution No. 2017-069 approving an Amendment to The Avenue Specific Plan (File No. PSPA13-003).

On October 24, 2014, the Planning Commission:

- a) Adopted Resolution No. PC17-0XX recommending City Council approval of the BrookCal Ontario, LLC, Development Agreement File No. PDA15-003.
- b) Adopted Resolution No. PC14-0XX approving Tentative Tract Map 18987

EXHIBIT "D"
TO DEVELOPMENT AGREEMENT

Existing Land Use Regulations

These documents are listed for reference only:

1. The Avenue Specific Plan Environmental Impact Report, Resolution No. 2006-131.
2. The Avenue Specific Plan (File No. PSP12-001, Ordinance No. 2851).
3. The Avenue Specific Plan Amendment Supplemental Environmental Impact Report (File No. PSPA07-004, Resolution No. 2010-010).
4. The Avenue Specific Plan Amendment (File No. PSPA07-004, Resolution No. 2010-011).
5. The Avenue Specific Plan addendum to the Environmental Impact Report (File No. PSPA13-003, Resolution No. 2017-068).
6. The Avenue Specific Plan Amendment (File No. PSPA13-003, Resolution No. 2017-069).
7. City of Ontario Municipal Code
 - a. Six – Sanitation & Health
 - b. Seven – Public Works
 - c. Eight – Building Regulations
 - d. Nine – Development Code
 - e. Ten – Parks & Recreation

Exhibit "G"

FORM OF PLUME DISCLOSURE LETTER



PAUL S. LEON
MAYOR
DEBRA DORST-PORADA
MAYOR PRO TEM
ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

March 2017

AL C. BOLING
CITY MANAGER
SHEILA MAUTZ
CITY CLERK
JAMES R. MILHISER
TREASURER
SCOTT BURTON
UTILITIES GENERAL MANAGER

**DISCLOSURE NOTICE
SOUTH ARCHIBALD TRICHLOROETHYLENE PLUME**

Dear Property Owner/Developer/Applicant:

The City of Ontario ("City") has approved or will be approving development in the Ontario Ranch area in the next few years, subject to the appropriate and required statutory process. This letter is intended to serve as notice to all potential property owners of the existence of a groundwater plume, known as the South Archibald Trichloroethylene (TCE) Plume which may exist in, under or near owner's property.

The groundwater plume is in an area in the central Chino Basin south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue. The plume primarily consists of TCE, a discontinued industrial solvent, and is subject to a clean-up under the oversight and direction of the Santa Ana Regional Water Quality Control Board ("Regional Board").

The Regional Board's approved clean-up procedure involves the removal and treatment of groundwater containing TCE via groundwater wells to reduce the plume concentrations and control its migration. In addition, the City is providing potable water supplies for domestic purposes to residences with private domestic wells affected by the plume. Finally, the Regional Board will continue to monitor all impacted areas and private domestic wells to ensure that residents' health and the environment are properly safeguarded. These remedial actions are documented in a Remedial Action Plan approved by the Regional Board in September 2016.

Further and current information may be found on the Regional Board's Geotracker website at https://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

Property owners may wish to include this letter as a part of a Real Estate Transfer Disclosure under California Civil Code Section 1102 et seq.



PLANNING COMMISSION STAFF REPORT

October 24, 2017

SUBJECT: A Tentative Parcel Map (File No. PMTT16-021) to subdivide 76.68 acres of land into 4 parcels and 2 letter lots for public road purposes, within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue (APN: 218-241-31); **submitted by Loyola Properties 1, LP.**

PROPERTY OWNER: Loyola Properties 1, LP.

RECOMMENDED ACTION: That the Planning Commission approve File No. PMTT16-021 (TPM 19787), pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 76.68 acres of land located within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue, and is depicted in **Figure 1: Project Location**, below. The project site slopes gently from north to south. The project site is surrounded to the north by property within Planning Area 7 (Low Density Residential) of The Avenue Specific Plan and developed with SCE Substation and vacant land. The property to the south is within Planning Area 3 (Conventional Medium Lot) of the Subarea 29 Specific Plan and is currently vacant. The property to the east is within Planning Area 10 (Future High School) of the Grand Park Specific Plan and is vacant. The property to the west is within the Planning Area 21 of the Parkside Specific Plan (Commercial) and is currently vacant.

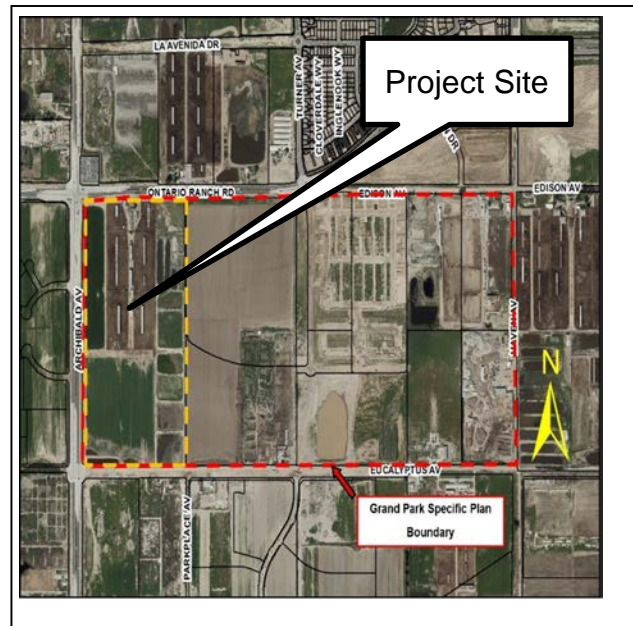


Figure 1: Project Location

Case Planner:	Luis E. Batres, Senior Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	10-16-17	Approved	Recommend
Submittal Date:	9-30-16	ZA			
Hearing Deadline:	3-9-18	PC	10-24-17		Final
		CC			

PROJECT ANALYSIS:

[1] Background — The Grand Park Specific Plan and related Environmental Impact Report (SCH# 2012061057) that was approved by the City Council on January 21, 2014. The Grand Park Specific Plan provides for the potential development of up to 587 residential units and a density of 18 (PA-7) and 19.3 (PA-8) dwelling units per acre.

On October 16, 2017, the Development Advisory Board reviewed the proposed project and recommended approval subject to the attached conditions of approval.

The applicant, Loyola Properties 1, LP, has submitted a Tentative Parcel Map to subdivide 76.68 acres of land into 4 parcels, 2 letter lots for public road purposes, and a remainder lot for the future Great Park. The project site is located within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan (see **Figure 2: Grand Park Specific Plan Land Use Map**).

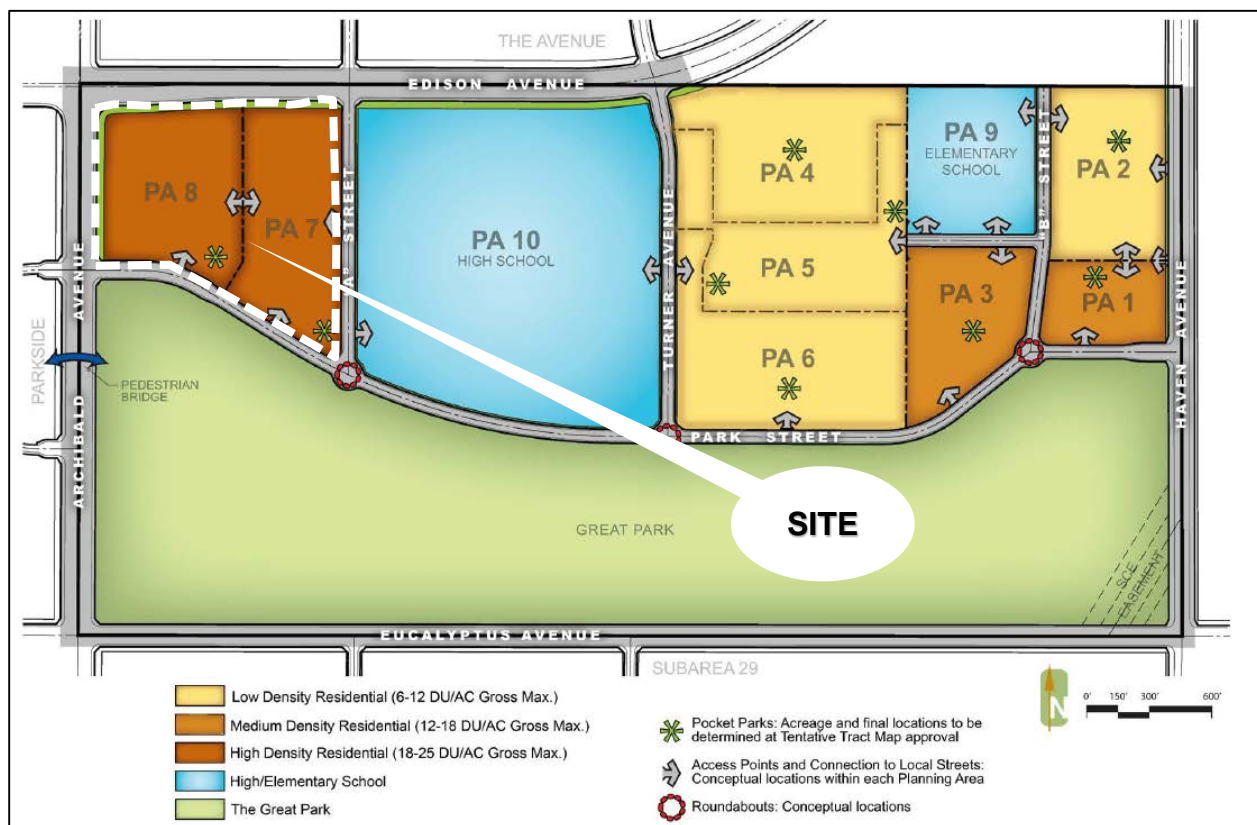


Figure 2: Grand Park Specific Plan Land Use Map

The proposed Tentative Parcel Map (referred to as an “A” Map) will facilitate the backbone infrastructure improvements (major streets, sewer, water and storm drain facilities).

Separate individual tract maps, referred to as “B” Maps, for the subdivision of residential neighborhoods and internal street circulation will be submitted in the near future. The subdivision will allow the orderly build-out of the backbone infrastructure and the future “B” Maps for the subdivision of residential neighborhoods and internal circulation.

Parcel 1 is proposed at 6.72 acres; Parcel 2 at 6.61 acres; Parcel 3 at 6.03 acres; and Parcel 4 at 8.41 acres. The proposed parcel sizes exceeds the Specific Plan’s minimum lot requirement of one acre. The two (2) letter lots (Lots A & B) will accommodate the extension of Grand Park Street and “A” Street. Grand Park Street will be provided along the southerly edge of the property and will extend from Archibald Avenue to the easterly edge of the site. “A” Street will be extended from Ontario Ranch Road southerly until it meets Grand Park Street. The remainder parcel will be reserved for the future Great Park. All necessary street and utility improvements (water, sewer, storm drain, street lighting) will be required to be completed as part of the proposed subdivision (see **Figure 3: Tentative Parcel Map 19787**).

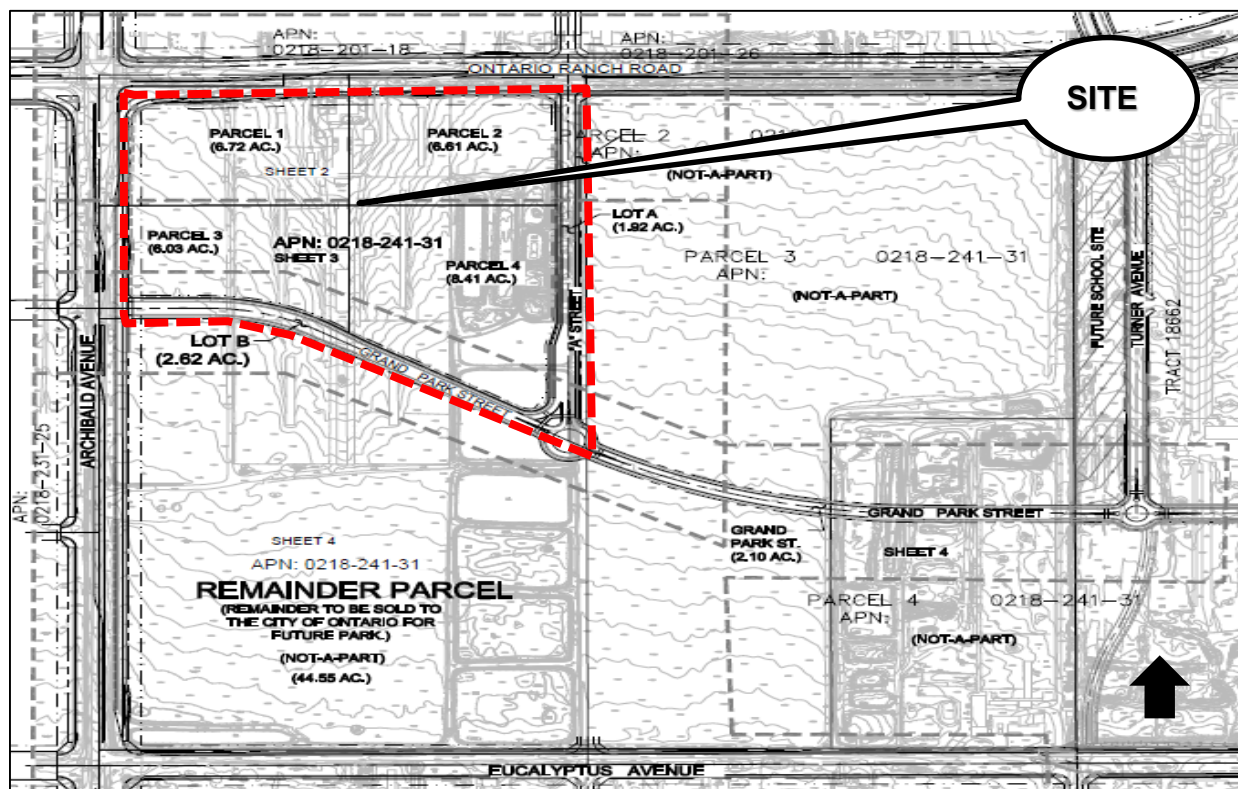


Figure 3: Tentative Parcel Map 19787

[2] Site Access/Circulation — The project site will have direct access from Archibald Avenue on the west. The southerly portion of the project will have access from Grand Park Street (Lot B). “A” Street (Lot A) will provide access along the east boundary into the project site. To the north, the project site will have direct access from Ontario Ranch Road.

As a Condition of Approval, staff will require that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities to ensure the on-going maintenance of the common areas and facilities.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

[4] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

- H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

- Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

- CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

- Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

- CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-1 Design. We require that pedestrian, vehicular, bicycle and equestrian circulation on both public and private property be coordinated and designed to maximize safety, comfort and aesthetics.

➤ CD3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas. We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.

➤ CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project 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.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014. This application introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Medium Density Residential (11.1-25 du/ac) / Open Space-Parkland	Grand Park Specific Plan	Planning Areas 7 and 8 High Density Residential
<i>North</i>	SCE Substation & Vacant Land	Low Density Residential (2.1-5 du/ac)	The Avenue Specific Plan	Planning Area 7 Low Density Residential
<i>South</i>	Vacant	Low Density Residential (2.1-5 du/ac)	Subarea 29 Specific Plan	Planning Area 3 Conventional Medium Lot
<i>East</i>	Vacant	Public School/ Open Space-Parkland	Grand Park Specific Plan	Planning Area 10 High School
<i>West</i>	Vacant	Neighborhood Commercial	Parkside Specific Plan	Planning Area 21 Commercial

Tentative Parcel Map Summary:

<i>Item</i>	<i>TPM</i>
<i>Total Area Gross (AC)</i>	76.68
<i>Min. Lot Size (Sq. Ft.)</i>	1.92
<i>Max. Lot Size (Sq. Ft.)</i>	8.41
<i>No. of Numbered Lots/Units</i>	4
<i>No. of Lettered Lots</i>	2

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PMTT16-021 (TPM 19787), A TENTATIVE PARCEL MAP TO SUBDIVIDE 76.68 ACRES OF LAND INTO 4 PARCELS, 2 LETTER LOTS FOR PUBLIC ROAD PURPOSES AND A REMAINDER PARCEL FOR THE FUTURE GREAT PARK, WITHIN THE HIGH DENSITY RESIDENTIAL (HDR) DISTRICT OF PLANNING AREAS 7 AND 8 OF THE GRAND PARK SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF ONTARIO RANCH ROAD AND ARCHIBALD AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0218-241-31.

WHEREAS, Loyola Properties 1, LP. ("Applicant") has filed an Application for the approval of a Tentative Parcel Map (File No. PMTT16-021), as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 76.68 acres of land generally located along the southeast corner of Ontario Ranch Road and Archibald Avenue, within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan; and

WHEREAS; the proposed Tentative Parcel Map 19787 proposes to subdivide 76.68 acres of land into 4 parcels, 2 letter lots for public road purposes and a reminder parcel for the future portion of the Great Park, within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan. The subdivision will allow the orderly build-out of the backbone infrastructure and the future "B" Maps for the subdivision of residential neighborhoods and internal circulation. The parcels range from 6.03 gross acres to 8.41 gross acres

WHEREAS, the property to the north is located within Planning Area 7 (Low Density Residential) of The Avenue Specific Plan and developed with SCE Substation and vacant land. The property to the south is within Planning Area 3 (Conventional Medium Lot) of the Subarea 29 Specific Plan and is currently vacant. The property to the east is within Planning Area 10 (Future High School) of the Grand Park Specific Plan and is vacant. The property to the west is within the Planning Area 21 of the Parkside Specific Plan (Commercial) and is currently vacant; and

WHEREAS, the proposed Map is in compliance with the requirements of the Grand Park Specific Plan and is sufficient in size to facilitate and implement the development guidelines of the Grand Park Specific Plan; and

WHEREAS, the proposed Map is located within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, and the

proposed parcel sizes exceeds the Specific Plan's minimum lot requirement of one acre;
and

WHEREAS, the propose Tentative Parcel Map (referred to as an "A" Map) will facilitate the backbone infrastructure improvements (major streets, sewer, water and storm drain facilities). Separate individual tract maps, referred to as "B" Maps, for the subdivision of residential neighborhoods and internal street circulation will be submitted in the future; and

WHEREAS, the proposed parcels range from 6.03 gross acres to 8.41 gross acres. The proposed two (2) letter lots (Lot A & B) will accommodate the extension of Grand Park Street and "A" Street. Grand Park Street will be provided along the southerly edge of the property and will extend from Archibald Avenue to the easterly edge of the site. "A" Street" will extend south from Ontario Ranch Road to Grand Park Street. All necessary street and utility improvements (water, sewer, storm drain, street lighting) will be required to be completed as part of the proposed subdivision; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014. This application introduces no new significant environmental impacts; 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 CEQA (Public Resources Code Section 21000 et seq.), 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 Planning Commission the responsibility and authority to review and act on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration

of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; 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 16, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-055, recommending the Planning Commission approve the Application; and

WHEREAS, on October 24, 2017, the Planning Commission 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 RESOLVED by the Planning Commission of the City of Ontario, as follows:

SECTION 1: Environmental Determination and Findings. As the decision-making body for the Project, the Planning Commission has reviewed and considered the information contained in the the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014. This application introduces no new significant environmental impacts. Based upon the facts and information contained in the previous EIR prepared for the project and the supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014. This application introduces no new significant environmental impacts; and

(2) The previous EIR prepared for the project contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous EIR prepared for the project was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous EIR prepared for the project reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014, and all mitigation measures previously adopted with the EIR, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the EIR prepared for the project 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 EIR that was previously prepared, that will require major revisions to the 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 Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014; or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum; 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 Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014, would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: *Housing Element Compliance.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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.

SECTION 4: *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 Planning Commission 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 Planning Commission, 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 5: Concluding Facts and Reasons. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 through 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Tentative Parcel Map 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 applicable area and specific plans, and planned unit developments.*** The proposed Tentative Parcel Map is located within the MDR (Medium Density Residential) land use district of the Policy Plan Land Use Map, and within Planning Areas 7 & 8 (High Density Residential 18-25 DU/AC) district of The Grand Park Specific Plan. The proposed subdivision 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, as the project will contribute to providing “a spectrum of housing types and price ranges that match the jobs in the City, and that make it possible for people to live and work in Ontario and maintain a quality of life” (Goal LU1). Furthermore, the project will promote the City’s policy to “incorporate a variety of land uses and building types that contribute to a complete community where residents at all stages of life, employers, workers, and visitors, have a wide spectrum of choices of where they can live, work, shop, and recreate within Ontario” (Policy LU1-6 *Complete Community*). In addition, the Tentative Parcel Map meets all minimum size requirements and development standards specified within the High Density Residential (18-25 DU/AC) land use district of The Grand Park Specific Plan (PA-7 & PA-8), therefore the proposed Tentative Parcel Map is consistent with The Ontario Plan and The Grand Park Specific Plan.

(2) ***The design or improvement of the proposed Tentative Parcel Map 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 applicable specific plans and planned unit developments.*** The proposed Tentative Parcel Map is located within the Medium Density Residential land use district of the Policy Plan Land Use Map, and within Planning Areas 7 & 8 (High Density Residential 18-25 DU/AC) district of The Grand Park Specific Plan. The proposed design or improvement of the subdivision 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, as the project will contribute to providing “[a] high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct” (Goal CD2). Furthermore, the project will promote the City’s policy to “create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and

safety;

- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows; and
- Landscaped parkways, with sidewalks separated from the curb.” (Policy CD2-2 *Neighborhood Design*).

(3) ***The site is physically suitable for the type of development proposed.*** The Tentative Parcel Map proposes to subdivide 76.68 acres of land into 4 parcels and 2 letter lots for public road purposes within (Planning Areas 7 & 8) of The Grand Park Specific Plan. The proposed parcels range in size from 6.03 acres to 8.41 acres. The parcels proposed exceeds the Specific Plan’s minimum parcel requirement of 1-acre. The Specific Plan provides for the development of up to 587 residential units and a density of 18 (PA-7) and 19.3 (PA-8) dwelling units per acre.

(4) ***The site is physically suitable for the density/intensity of development proposed.*** The project site is proposed for residential development at a density of 18 (PA-7) and 19.3 (PA-8) DUs/acre. The Specific Plan provides for the development of up to 587 residential units. The Tentative Parcel Map proposes to subdivide 76.68 acres of land into 4 parcels and 2 letter lots for public road purposes and a reminder parcel for the future Great Park. The proposed lots range in size from 6.03 acres to 8.41 acres. The parcels proposed exceeds the Specific Plan’s minimum parcel requirement of 1-acre. The project site meets the minimum parcel area and dimensions within Planning Areas 7 & 8, and is physically suitable for the proposed density/intensity of development.

(5) ***The design of the subdivision or the proposed improvements thereon, are not likely to cause substantial environmental damage, or substantially and avoidably injure fish or wildlife, or their habitat.*** The environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(6) ***The design of the subdivision, or the type of improvements thereon, are not likely to cause serious public health problems.*** The design of the proposed subdivision, and the residential and infrastructure improvements proposed on the project site, are not likely to cause serious public health problems, as the project is not anticipated to involve the transport, use, or disposal of hazardous materials during either construction or project implementation, include the use of hazardous materials or volatile fuels, nor are there any known stationary commercial or industrial land uses within close proximity to the subject site that use/store hazardous materials to the extent that they would pose a

significant hazard to visitors or occupants to the project site. In addition, the environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057). This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts.

(7) ***The design of the subdivision, or the type of improvements thereon, will not conflict with easements acquired by the public at large for access through, or use of property within, the proposed subdivision.*** The proposed subdivision has provided for all necessary public easements and dedications for access through, or use of property within, the proposed subdivision. Furthermore, all such public easements and dedications have been designed pursuant to: (a) the requirements of the Policy Plan component of The Ontario Plan and applicable area plans; (b) applicable specific plan; (c) applicable provisions of the City of Ontario Development Code; (d) applicable master plans and design guidelines of the City; and (e) applicable Standard Drawings of the City.

SECTION 6: Planning Commission Action. Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 7: Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul 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 8: 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 9: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

**File No. PMTT16-021 (TPM 19787)
Departmental Conditions of Approval**

(Departmental conditions of approval to follow this page)



City of Ontario
Planning Department
303 East B Street
Ontario, California 91764
Phone: 909.395.2036
Fax: 909.395.2420

Planning Department Land Development Division Conditions of Approval

Meeting Date: October 24, 2017

File No: PMTT16-021 (TPM 19787)

Related Files: n/a

Project Description: A Tentative Parcel Map (File No. PMTT16-021) to subdivide approximately 76.68 acres of land into 4 parcels and 2 letter lots for public road purposes, within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. (APN: 218-241-32); **submitted by Loyola Properties 1, LP.**

Prepared By: Luis E. Batres, Senior Planner
Phone: 909.395.2431
Email: Lbatres@ontarioca.gov

The Planning Department, Land Development Section, conditions of approval applicable to the above-described Project, are listed below. The Project shall comply with each condition of approval listed below:

1.0 Standard Conditions of Approval. The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2017-027 on April 18, 2017. A copy of the *Standard Conditions for New Development* may be obtained from the Planning Department or City Clerk/Records Management Department.

2.0 Special Conditions of Approval. In addition to the *Standard Conditions for New Development* identified in condition no. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Time Limits.

(a) Tentative Parcel/Tract Map approval shall become null and void 2 years following the effective date of application approval, unless the final parcel/tract map has been recorded, or a time extension has been approved by the Planning Commission pursuant to Development Code Section 2.02.025 (Time Limits and Extensions). This Permit does not supersede any individual time limits specified herein for performance of specific conditions or improvements.

2.2 Subdivision Map.

(a) The Final Tract/Parcel Map shall be in conformance with the approved Tentative Tract/Parcel Map on file with the City. Variations from the approved Tentative Tract/Parcel Map may be reviewed and approved by the Planning Department. A substantial variation from the approved Tentative Tract/Parcel Map may require review and approval by the Planning Commission, as determined by the Planning Director.

(b) Tentative Tract/Parcel Map approval shall be subject to all conditions, requirements and recommendations from all other departments/agencies provided on the attached reports/memorandums.

(c) Pursuant to California Government Section 66474.9, the subdivider agrees that it will defend, indemnify, and hold harmless the City of Ontario or its agents, officers and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer of this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City of Ontario shall promptly notify the subdivider of any such claim, action or proceeding and the City of Ontario shall cooperate fully in the defense.

2.3 Walls and Fences. All Project walls and fences shall comply with the requirements of Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

2.4 Covenants, Conditions and Restrictions (CC&Rs)/Mutual Access and Maintenance Agreements.

(a) CC&Rs shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

(b) The CC&Rs shall be in a form and contain provisions satisfactory to the City. The articles of incorporation for the property owners association and the CC&Rs shall be reviewed and approved by the City.

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

(d) CC&Rs shall ensure reciprocal parking and access between parcels, and common maintenance of:

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

(e) CC&Rs shall include authorization for the City's local law enforcement officers to enforce City and State traffic and penal codes within the project area.

(f) The CC&Rs shall grant the City of Ontario the right of enforcement of the CC&R provisions.

(g) A specific methodology/procedure shall be established within the CC&Rs for enforcement of its provisions by the City of Ontario, if adequate maintenance of the development does not occur, such as, but not limited to, provisions that would grant the City the right of access to correct maintenance issues and assess the property owners association for all costs incurred.

2.5 Disclosure Statements.

(a) A copy of the Public Report from the Department of Real Estate, prepared for the subdivision pursuant to Business and Professions Code Section 11000 et seq., shall be provided to each prospective buyer of the residential units and shall include a statement to the effect that:

(i) This tract is subject to noise from the Ontario International Airport and may be more severely impacted in the future.

(ii) Some of the property adjacent to this tract is zoned for agricultural uses and there could be fly, odor, or related problems due to the proximity of animals.

(iii) The area south of Riverside Drive lies within the San Bernardino County Agricultural Preserve. Dairies currently existing in that area are likely to remain for the foreseeable future.

(iv) This tract is part of a Landscape Maintenance District. The homeowner(s) will be assessed through their property taxes for the continuing maintenance of the district.

2.6 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction to the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) adopted by the City Council on February 4, 2014. This application introduces no new significant environmental impacts. 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. All previously adopted mitigation measures are a condition of project approval, and are incorporated herein by this reference. All previously adopted mitigation measures shall be a condition of project approval, as they are applicable, and are incorporated herein by this reference.

(b) If human remains are found during project grading/excavation/construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and Native American consultation has been completed (if deemed applicable).

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.7 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul any approval of the City of Ontario, whether by its City Council, Planning Commission or other authorized board or officer. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

2.8 Additional Fees.

(a) Within 5 days following final application approval, the Notice of Determination (NOD) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). Failure to provide said fee within the time specified may result in a 180-day extension to the statute of limitations for the filing of a CEQA lawsuit.



**ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company
Information Technology and Management Services Department conditions incorporated herein)

<input type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input checked="" type="checkbox"/> PARCEL MAP	<input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PM-19787 RELATED FILE NO(S). PMTT 16-021		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO: Bryan Lirley, P.E., 909-395-2137 *bc*

CITY PROJECT PLANNER & PHONE NO: Luis Batres, 909-395-2431

DAB MEETING DATE: October 16, 2017

PROJECT NAME / DESCRIPTION: PM-19787, a Tentative Parcel Map to subdivide 76.68 acres of land into four (4) parcels within Planning Areas 8 & 9 of the Grand Park Specific Plan

LOCATION: Southeast corner of Ontario Ranch Road and Archibald Avenue

APPLICANT: Loyola Properties 1, LP - C/O RCCD Inc.

REVIEWED BY: 
 Khoi Do, P.E.
 Assistant City Engineer
 Date: 10-10-17

APPROVED BY: 
 Khoi Do, P.E.
 Assistant City Engineer
 Date: 10-10-17



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO PARCEL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

- 1.01 Dedicate to the City of Ontario, the right-of-way in fee simple, described below:
 1. Ontario Ranch Road to the half ultimate right-of-way width of 80 feet (full ultimate ROW width is 160 ft) from CL along tract frontage.
 2. Archibald Avenue to the half ultimate right-of-way width of 80 feet (full ultimate ROW width is 165 ft) from CL along tract frontage.
 3. Grand Park Street to the variable ultimate right-of-way width of 66 to 78 feet.
 4. "A" Street to the variable ultimate right-of-way width of 66 to 86 feet from Archibald Avenue to the easterly limit of APN 0218-24-149.
 5. Lettered Lot along the south side of Ontario Ranch Road to achieve an overall Neighborhood Edge of 50 feet.
 6. Lettered Lot along the east side of Archibald Avenue to achieve an overall Neighborhood Edge of 50 feet.
 7. Property line corner cut-back at all street intersections within the tract boundaries.

- 1.02 Dedicate to the City of Ontario, the following easement(s): _____

- 1.03 Restrict vehicular access to the site as follows: Access to subdivision shall only be granted at those locations shown in the approved Tentative Parcel Map and per latest approved Grand Park Plan.

- 1.04 Vacate the following street(s) and/or easement(s): _____

- 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.

- 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.

- 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com/>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.



- 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.
- (1) _____
- (2) _____
- 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.
- 1.11 Provide a preliminary title report current to within 30 days.
- 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.
- 1.13 New Model Colony (NMC) Developments:
- 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.
- 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).
- 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).
- 1.14 Other conditions: _____

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

**A. GENERAL
 (Permits includes Grading, Building, Demolition and Encroachment)**

- 2.01 Record Parcel Map No. 19787 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per _____
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the



parcel prior to the date of _____.

- 2.05 Apply for a: Certificate of Compliance with a Record of Survey; Lot Line Adjustment
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project.
- 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at <http://tceplumecleanup.com>), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.
- 2.08 **Submit a soils/geology report.**
- 2.09 **Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:**
 - State of California Department of Transportation (Caltrans)
 - San Bernardino County Road Department (SBCRD)
 - San Bernardino County Flood Control District (SBCFCD)
 - Federal Emergency Management Agency (FEMA)
 - Cucamonga Valley Water District (CVWD) for sewer/water service
 - United States Army Corps of Engineers (USACE)
 - California Department of Fish & Game
 - Inland Empire Utilities Agency (IEUA)**
 - Other: _____
- 2.10 Dedicate to the City of Ontario the right-of-way described below:
 _____ feet on _____
 Property line corner 'cut-back' required at the intersection of _____
 and _____.
- 2.11 Dedicate to the City of Ontario the following easement(s): _____

- 2.12 **New Model Colony (NMC) Developments:**
 - 1) **Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**
 - 2) **Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the**



City of Ontario and pay any applicable fees as set forth by said agreement.

3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall).

2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.

2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office.

2.15 Pay all Development Impact Fees (DIF) to the Building Department.

2.16 Other conditions: _____



B. PUBLIC IMPROVEMENTS
 (See attached Exhibit 'A' for plan check submittal requirements.)

2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Ontario Ranch Road	Archibald Avenue	Grand Park Street	"A" Street
Curb and Gutter	<input checked="" type="checkbox"/> New; 65 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 65 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; 20 - 26 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; 20 - 40 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 22 additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 22 additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> New (See item no. 2.37 below) <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions	<input checked="" type="checkbox"/> New (See item no. 2.37 below) <input type="checkbox"/> Widen _____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace <input type="checkbox"/> replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____



Improvement	Eucalyptus Avenue	Street 2	Street 3	Street 4
Curb and Gutter	<input checked="" type="checkbox"/> New; 42 ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<input checked="" type="checkbox"/> New (See item no. 2.37 below) <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Sewer (see Sec. 2.C)	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Water (see Sec. 2.D)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service



Recycled Water (see Sec. 2.E)	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input type="checkbox"/> Service
Traffic Signal System (see Sec. 2.F)	<input type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Street Light (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Storm Drain (see Sec. 2G)	<input checked="" type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
Fiber Optics (see Sec. 2K)	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances
Overhead Utilities	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.15, above: _____

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____
- 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter.
- 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide water service sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid.



- 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892).
- 2.22 Other conditions: _____

C. SEWER

- 2.23 A 36 inch sewer main is available for connection by this project in Archibald Avenue. (Ref: Sewer plan bar code: S13534)
- 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer.
- 2.26 Other conditions:
 - 1. The applicant/developer shall install sewer improvements along their project limits within Grand Park Street.

D. WATER

- 2.27 A 24 inch water main is available for connection by this project in Archibald Avenue. (Ref: Water plan bar code: W13405)
 A 12 inch water main is available for connection by this project in Ontario Ranch Road. (Ref: Water plan bar code: W15603)
- 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away.
- 2.29 Other conditions:
 - 1. The applicant/developer shall install water improvements within Grand Park Street from Archibald Avenue to Turner Avenue and within "A" Street from Ontario Ranch Road to Grand Park Street.

E. RECYCLED WATER

- 2.30 A 16 inch recycled water main is available for connection by this project in Archibald Avenue. (Ref: Recycled Water plan bar code:P10149)
 A 12 inch recycled water main is available for connection by this project in Archibald Avenue. (Ref: Recycled Water plan bar code:P11409)
- 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.
- 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.
- 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.



- 2.34 Other conditions:
1. The applicant/developer shall install recycled water improvements within Grand Park Street from Archibald Avenue to Turner Avenue and within "A" Street from Ontario Ranch Road to the point of entry to Parcel 2.
 2. The proposed project shall use recycled water for landscaping purposes.

F. TRAFFIC / TRANSPORTATION

- 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer:
1. On-site and off-site circulation
 2. Traffic level of service (LOS) at 'build-out' and future years
 3. Impact at specific intersections as selected by the City Engineer
- 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877.
- 2.37 Other conditions:
1. Street improvements shall include, but not be limited to, signing and striping, street lighting, sidewalks, and bicycle facilities/multi-purpose trails (where designated).
 2. Applicant/Developer shall design and construct "last-lane" street improvements along Tract frontage of Ontario Ranch Road and along Archibald Avenue from Eucalyptus Avenue to Ontario Ranch Road, to achieve ultimate 1/2-width. Appropriate pavement transitions shall be designed. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, street lights, signing and striping, parkway landscaping (excluded on Archibald Avenue from Eucalyptus Avenue to Grand Park Street), and, where designated, "neighborhood edge" and/or multi-purpose trail.
 3. Applicant/Developer shall be responsible to design and construct ultimate 1/2-width street improvements with (a) striped median and (b) opposing side circulation lane + shoulder, on Eucalyptus Avenue along the Tract Frontage. Improvements will include sidewalk and multipurpose trail and exclude parkway landscaping.
 4. Applicant/Developer shall be responsible to design and construct ultimate full width street improvements on Grand Park Street from Archibald Avenue to Turner Avenue. Improvements will include, but not be limited to, concrete curb and gutter, sidewalk, street lights, signing and striping and parkway landscaping.
 5. Applicant/Developer shall, design and construct (a) appropriate pavement transitions to connect improved street with existing street sections; and (b) appropriate dead-end conditions where a newly constructed street segment does not continue through.
 6. Archibald Avenue and Ontario Ranch Road shall be signed "No Stopping Anytime". Grand Park Street and "A" Street shall be signed "No Parking Anytime".
 7. The applicant/developer shall be responsible to design and construct the ultimate roundabout at the intersection of "A" Street and Grand Park Street, and in accordance with the City of Ontario Traffic and Transportation Design Guidelines and all applicable standards.
 8. The applicant/developer shall be responsible to design and construct a bus turnout in accordance with Omnitrans Bus Stop Design Guidelines at the following locations:
 - a. East side of Archibald Avenue, north of Eucalyptus Avenue;
 - b. East side of Archibald Avenue, north of Grand Park Street; and
 - c. South side of Ontario Ranch Road, east of Archibald Avenue.
 9. Applicant/Developer shall be responsible to design and construct modifications to the existing traffic signal system at the intersection of Eucalyptus Avenue and Archibald Avenue. The modified signal shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems, CCTV, and bicycle detection to the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
 10. Applicant/Developer shall be responsible to design/construct traffic signal systems at the following locations: Grand Park Street at Archibald Avenue and Street "A" at Ontario Ranch Road. Traffic signals shall include, video detection, interconnect cable and conduit, emergency vehicle preemption systems, CCTV and bicycle detection to



- the satisfaction of the City Engineer. All new signal equipment shall be installed at its ultimate location, unless precluded by right-of-way limitations.
11. All landscaping, block walls, and other obstructions shall be compatible with the stopping sight distance requirements per City of Ontario Standard Drawing No. 1309.
 12. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to starting signing and striping and/or street lighting design to discuss items such as striping layout and tie-ins to existing or future street light circuits.
 13. If at the time of this development, the east side of Archibald Avenue is to ultimate width between Parkview Street and Eucalyptus, the applicant/developer shall design and install the ultimate signing and striping for this section of roadway. Otherwise, applicant/developer shall design signing/striping transitions accordingly.

Future Requirements:

14. Pedestrian paseos will be required of subsequent "B" maps to provide direct pedestrian access from future developments to transit stops, e.g. bus pads and turnouts.

G. DRAINAGE / HYDROLOGY

- | | | | |
|-------------------------------------|------|---|--------------------------|
| <input checked="" type="checkbox"/> | 2.38 | A 78 inch storm drain main is available to accept flows from this project in Archibald Avenue. (Ref: Storm Drain plan bar code: D11913) | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.39 | Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.40 | An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.41 | Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.42 | Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. | <input type="checkbox"/> |
| <input type="checkbox"/> | 2.43 | Other conditions: <ol style="list-style-type: none"> 1. Applicant/Developer shall be responsible to design and construct storm drain within Grand Park Street with connection at Archibald Avenue. This storm drain shall be design to accept street flows in Grand Park Street and "A" Street as well as Parcels 1-4. 2. Applicant/Developer shall be responsible to design and construct storm drain within Eucalyptus Avenue from Archibald Avenue along their project frontage. | <input type="checkbox"/> |

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

- | | | | |
|--------------------------|------|--|--------------------------|
| <input type="checkbox"/> | 2.44 | 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. | <input type="checkbox"/> |
|--------------------------|------|--|--------------------------|



- 2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: <http://www.sbcounty.gov/dpw/land/npdes.asp>.
- 2.46 Other conditions: _____

J. SPECIAL DISTRICTS

- 2.47 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.48 Other conditions: _____

K. FIBER OPTIC

- 2.49 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located along the entire project frontage of Ontario Ranch Road, Archibald Avenue (Eucalyptus Avenue to Ontario Ranch Road), Eucalyptus Avenue and "A" Street. Fiber Optic shall be placed within Grand Park Street from Archibald Avenue to "A" Street.
- 2.50 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

L. Solid Waste

- 2.51 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: <http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.52 Other conditions: _____



3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

- 3.01 Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.
- 3.02 Complete all requirements for recycled water usage.
 - 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.
 - 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.
 - 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.
- 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.
- 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).



EXHIBIT 'A'

ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

Project Number: Parcel Map No. 19787

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

1. A copy of this check list
2. Payment of fee for Plan Checking
3. One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.
4. One (1) copy of project Conditions of Approval
5. Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6. Three (3) sets of Public Street improvement plan with street cross-sections
7. Three (3) sets of Private Street improvement plan with street cross-sections
8. Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9. Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10. Four (4) sets of Public Sewer improvement plan
11. Five (5) sets of Public Storm Drain improvement plan
12. Three (3) sets of Public Street Light improvement plan
13. Three (3) sets of Signing and Striping improvement plan
14. Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)
15. Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16. Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17. Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18. One (1) copy of Hydrology/Drainage study
19. One (1) copy of Soils/Geology report
20. Payment for Final Map/Parcel Map processing fee



21. Three (3) copies of Final Map/Parcel Map
22. One (1) copy of approved Tentative Map
23. One (1) copy of Preliminary Title Report (current within 30 days)
24. One (1) copy of Traverse Closure Calculations
25. One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.
26. Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
27. Other: _____



CITY OF ONTARIO

MEMORANDUM

TO: Luis Batres
Planning Department

FROM: Lora L. Gearhart, Fire Protection Analyst
Bureau of Fire Prevention

DATE: November 10, 2016

SUBJECT: PMTT16-021 – A TENTATIVE PARCEL MAP (PM 19787) TO SUBDIVIDE APPROXIMATELY 76.68 ACRES OF LAND INTO 4 PARCELS LOCATED AT THE SOUTHEAST CORNER OF ONTARIO RANCH ROAD AND ARCHIBALD AVENUE, WITHIN PLANNING AREAS 8 AND 9 OF GRAND PARK SPECIFIC PLAN (APN: 0218-241-31).

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

CONDITIONS OF APPROVAL:

1.0 GENERAL

- 1.1 The following are the Ontario Fire Department (“Fire Department”) requirements for this development project, based on the current edition of the California Fire Code (CFC), and the current versions of the Fire Prevention Standards (“Standards.”) It is recommended that the applicant or developer transmit a copy of these requirements to the on-site contractor(s) and that all questions or concerns be directed to the Bureau of Fire Prevention, at (909) 395-2029. For copies of Ontario Fire Department Standards please access the City of Ontario web site at www.ci.ontario.ca.us, click on “Fire Department” and then on “Standards and Forms.”
- 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

- 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be

paved with an all-weather surface and shall be a minimum of twenty (20) ft. wide. See Standard #B-004.

- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

3.0 WATER SUPPLY

- ☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

CITY OF ONTARIO

MEMORANDUM

TO: PLANNING DEPARTMENT, Luis Batres
FROM: BUILDING DEPARTMENT, Kevin Shear
DATE: October 6, 2016
SUBJECT: PMTT16-021

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

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lm

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT



Project File No.: PMTT16-021
 Address: SEC of Ontario Ranch Road & Archibald Avenue
 APN: 0218-241-31
 Existing Land Use: Vacant/Dairy Ranch
 Proposed Land Use: 4-lot subdivision for future multi-family residential
 Site Acreage: 76.68 Proposed Structure Height: n/a
 ONT-IAC Project Review: n/a
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia
 Contact Info: 909-395-2276
 Project Planner: Luis Batres
 Date: 10/27/16
 CD No.: 2016-067
 PALU No.: n/a

The project is impacted by the following ONT ALUCP Compatibility Zones:

Safety	Noise Impact	Airspace Protection	Overflight Notification
<input type="radio"/> Zone 1	<input type="radio"/> 75+ dB CNEL	<input type="radio"/> High Terrain Zone	<input type="radio"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="radio"/> FAA Notification Surfaces	<input type="radio"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input type="radio"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input type="radio"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: 200 ft +	
<input type="radio"/> Zone 5			

The project is impacted by the following Chino ALUCP Safety Zones:

Zone 1
 Zone 2
 Zone 3
 Zone 4
 Zone 5
 Zone 6
 Allowable Height: _____

CONSISTENCY DETERMINATION

This proposed Project is: Exempt from the ALUCP
 Consistent
 Consistent with Conditions
 Inconsistent

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT.

See Attached Condition

Airport Planner Signature: _____

AIRPORT LAND USE COMPATIBILITY PLANNING

CONSISTENCY DETERMINATION REPORT

CD No.: 2016-067

PALU No.: _____

PROJECT CONDITIONS

The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the Airport Land Use Compatibility Plan (ALUCP) for ONT. The applicant is required to meet the Real Estate Transaction Disclosure in accordance with California Codes (Business and Professions Code Section 11010-11024). New residential subdivisions within an Airport Influence Area are required to file an application for a Public Report consisting of a Notice of Intention (NOI) and a completed questionnaire with the Department of Real Estate and include the following language within the NOI:

NOTICE OF AIRPORT IN VICINITY

This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.



CITY OF ONTARIO MEMORANDUM

TO: "Vacant", Development Director
 Scott Murphy, Planning Director (Copy of memo only)
 Cathy Wahlstrom, Principal Planner (Copy of memo only)
 Charity Hernandez, Economic Development
 Kevin Shear, Building Official
 Khoi Do, Assistant City Engineer
 Carolyn Bell, Landscape Planning Division
 Sheldon Yu, Municipal Utility Company
 Doug Sorel, Police Department
 Art Andres, Deputy Fire Chief/Fire Marshal
 Tom Danna, T. E., Traffic/Transportation Manager
 Lorena Mejia, Associate Planner, Airport Planning
 Steve Wilson, Engineering/NPDES
 Bob Gluck, Code Enforcement Director
 Jimmy Chang , IT Department
 David Simpson, Development/IT (Copy of memo only)

FROM: Luis Batres,

DATE: October 04, 2016

SUBJECT: FILE #: PMTT16-021 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, October 18, 2016**.

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

PROJECT DESCRIPTION: A Parcel Map to subdivide approximately 76.68 acres of land into 4 parcels located at the southeast corner of Ontario Ranch Road and Archibald Avenue, within Plannings Areas 8 and 9 of Grand Park Specific Plan (APN(s): 0218-241-31).

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

POLICE
Department

DOUGLAS SOREL
Signature

MANAGEMENT ANALYST
Title

10/12/16
Date

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

DAB CONDITIONS OF APPROVAL	
Sign Off	
<i>Carolyn Bell</i> Carolyn Bell, Sr. Landscape Planner	12/21/16 Date

Reviewer's Name: Carolyn Bell, Sr. Landscape Planner	Phone: (909) 395-2237
--	---------------------------------

D.A.B. File No.: PMTT16-021	Related Files:	Case Planner: Luis Batres
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Project Name and Location:
The Avenue New Haven TM19787
Southeast corner of Ontario Ranch Road and Archibald Ave

Applicant/Representative:
Fusco Engineering
2850 Inland Empire Blvd suite B
Ontario, Ca 91764

A site plan (dated) meets the Standard Conditions for New Development and has been approved with the consideration that the following conditions below be met.

A site plan (dated) has not been approved. Corrections noted below are required prior to DAB approval.

CONDITIONS OF APPROVAL

1. Reroute 12" sewer line under round-about in Great Park Street around tree planter island or verify 84" depth is adequate

2. Note for fiber optics to be located max 12" from edge of sidewalk



PLANNING COMMISSION STAFF REPORT

October 24, 2017

SUBJECT: A Development Agreement between the City of Ontario and Loyola Properties 1, LP, for the potential development of up to 587 residential units (File No. PMTT16-021/TPM 19787) on 76.68 acres of land within High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue. **Submitted by Loyola Properties 1, LP. City Council Action Required.**

PROPERTY OWNER: Loyola Properties 1, LP.

RECOMMENDED ACTION: That the Planning Commission recommend the City Council adopt an ordinance approving the Development Agreement (File No. PDA17-001) between Loyola Properties 1, LP, and the City of Ontario.

PROJECT SETTING: The project site is comprised of 76.68 acres of land located at the southeast corner of Archibald Avenue and Ontario Ranch Road, within High Density Residential zoning district (Planning Areas 7 and 8) of the Grand Park Specific Plan and is depicted in Figure 1: Project Location, to the right.

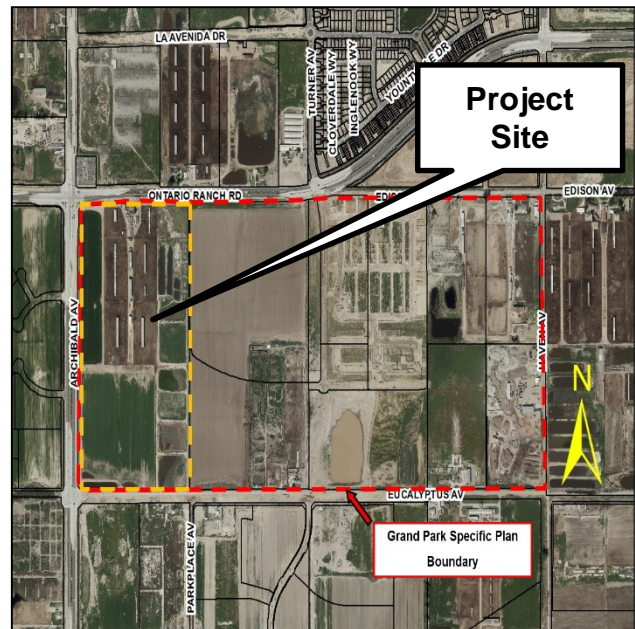


Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Grand Park Specific Plan and Environmental Impact Report (EIR) were approved by the City Council on February 4, 2014. The Grand Park Specific Plan established the land use designations, development standards, design guidelines and development capacity of 1,327 residential units for the specific plan area.

Case Planner:	Rudy Zeledon, Principal Planner	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	N/A	N/A	N/A
Submittal Date:	01/17/2017	ZA			
Hearing Deadline:	N/A	PC	10/24/2017		Recommend
		CC			Final

The financial commitments required for construction of properties within the specific plan are substantial. To adequately forecast these costs and gain assurance that the project may proceed under the existing policies, rules and regulations, Loyola Properties 1, LP (“Owner”) has requested that staff enter into negotiations to create a Development Agreement (“Agreement”) with the City.

In accordance with California Government Code Section 65865 that states, in part, that “Any city...may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property...” and California Government Code Section 65865.52 which states, in part, that “A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property... and may include conditions, terms, restrictions...,” the City of Ontario adopted Resolution No. 2002-100 that sets forth the procedures and requirements for consideration of Development Agreements. Furthermore, the Financing and Construction Agreement with the NMC Builders LLC (NMC Builders) requires those developments wishing to use the infrastructure it creates, enter into Development Agreements with the City of Ontario. Pursuant to these procedures and requirements, staff entered into negotiations with the Owner to create a Development Agreement staff would recommend to the Planning Commission and City Council.

The proposed Development Agreement with Owner is based upon the model development agreement that was developed in coordination with the City attorney’s office and legal counsel for NMC Builders. This model Development Agreement is consistent with the provisions of the Construction Agreement. The LLC agreement between NMC Builders’ members requires that members of the LLC enter into Development Agreements that are consistent with the provisions of the Construction Agreement.

[2] Staff Analysis — The proposed Development Agreement applies to 76.68 acres of land that is within Tentative Parcel Map 19787, located within the High Density Residential (HDR) zoning district of Planning Areas 7 and 8 of the Grand Park Specific Plan as shown in “Exhibit A – Specific Plan Map.” The Tentative Parcel Map will subdivide the project site into 4 parcels and 2 letter lots for public road purposes and a remainder parcel for the future portion of the Great Park. In addition, the Tentative Parcel Map (referred to as an “A” Map) will facilitate the backbone infrastructure improvements (major streets, sewer, water and storm drain facilities). Separate individual tract maps, referred to as “B” Maps, for the subdivision of residential neighborhoods and internal street circulation will be submitted in the near future for the potential development of 587 residential units. The Agreement grants to the Owner a vested right to develop their Tentative Parcel Map 19787 as long as the Owner complies with the terms and conditions of the Grand Park Specific Plan and EIR.

The Agreement also funds all new City expenses created by the project. These expenses include operational costs related to the review, approval and administration of the Ontario

Loyola Properties 1, LP, project, additional project related services, infrastructure and affordable housing requirements.

The main points of the Agreement are as follows:

Term: Ten (10) years with a five (5) year option.

Assignment: Assignable with all terms and conditions applying to the assignee. The City has conditional approval and City will assess a processing fee.

Fees:

- a. Development Impact: Varies by category (i.e.; Streets and Bridges, Police, Fire, Open Space/Parks etc.). This is a separate fee from existing City licensing fees and permits.
- b. Public Services Funding: In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to the residents of each Project in a timely manner the owner will be required to pay \$1,907.00/unit fee per residential unit.
- c. Community Facilities District (CFD): City will cooperate with Owner to form a CFD to reimburse costs of infrastructure construction and maintenance of public facilities.
- d. Parks/Open Space: As required by the General Plan, Owner will supply five (5) acres per 1,000 projected population through park dedication and/or the payment of in-lieu fees.
- e. Housing: Provide affordable housing as required by the General Plan through construction, rehabilitation, or by paying an in-lieu fee.
- f. Compliance: Owner will submit an annual monitoring report which the City will review for compliance. The City will assess a review/approval processing fee. If Owner is found to be in compliance, the City will issue a Certificate of Compliance. If noncompliance is identified, a letter of correction will be issued.
- g. Schools: Must satisfy Mountain View Elementary School District and Chaffey High School District school facilities requirements.

Termination: The City may terminate the Agreement if substantial evidence is found of noncompliance.

Staff finds that the Development Agreement is consistent with State law, The Ontario Plan, and the City's Development Agreement policies. As a result, staff is recommending approval of the application to the Planning Commission. If the Commission finds the Development Agreement is acceptable, a recommendation of approval to the City Council would be appropriate.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the Vision, Governance, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan (TOP). More specifically, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- 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 the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development
 - Development quality that is broadly recognized as distinctive and not exclusively tied to the general suburban character typical of much of Southern California.

Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.
 - G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[3] Policy Plan (General Plan)

Land Use Element:

- Goal LU1: A community that has a spectrum of housing types and price ranges that match the jobs in the City and that make it possible for people to live and work in Ontario and maintain a quality of life.

- LU1-1 Strategic Growth. We concentrate growth in strategic locations that help create place and identity, maximize available and planned infrastructure, and foster the development of transit.

- LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.

- LU1-6 Complete Community: We incorporate a variety of land uses and building types in our land use planning efforts that result in a complete community where residents at all stages of life, employers, workers and visitors have a wide spectrum of choices of where they can live, work, shop and recreate within Ontario. (Refer to Complete Community Section of Community Economics Element).

- Goal LU2: Compatibility between a wide range of uses.

- LU2-6: Infrastructure Compatibility: We require infrastructure to be aesthetically pleasing and in context with the community character.

Housing Element:

- Goal H2: Diversity of types of quality housing that are affordable to a range of household income levels, accommodate changing demographics, and support and reinforce the economic sustainability of Ontario.

- H2-4 New Model Colony. We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.

- H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.

Goal H5: A full range of housing types and community services that meet the special housing needs for all individuals and families in Ontario, regardless of income level, age or other status.

Community Economics Element:

- Goal CE1: A complete community that provides for all incomes and stages of life.

➤ CE1-6 Diversity of Housing. We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.

▪ Goal CE2: A City of distinctive neighborhoods, districts, and corridors, where people choose to be.

➤ CE2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community.

➤ CE2-2 Development Review. We require those proposing new development and redevelopment to demonstrate how their projects will create appropriately unique, functional and sustainable places that will compete well with their competition within the region.

➤ CE2-4 Protection of Investment. We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.

➤ CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

Safety Element:

▪ Goal S1: Minimized risk of injury, loss of life, property damage and economic and social disruption caused by earthquake-induced and other geologic hazards.

➤ S1-1 Implementation of Regulations and Standards. We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.

Community Design Element:

▪ Goal CD1: A dynamic, progressive city containing distinct neighborhoods and commercial districts that foster a positive sense of identity and belonging among residents, visitors, and businesses.

➤ CD1-1 City Identity. We take actions that are consistent with the City being a leading urban center in Southern California while recognizing the diverse character of our existing viable neighborhoods.

➤ CD1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.

➤ CD1-3 Neighborhood Improvement. We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.

▪ Goal CD2: A high level of design quality resulting in public spaces, streetscapes, and developments that are attractive, safe, functional and distinct.

➤ CD2-1 Quality Architecture. We encourage all development projects to convey visual interest and character through:

- Building volume, massing, and height to provide appropriate scale and proportion;
- A true architectural style which is carried out in plan, section and elevation through all aspects of the building and site design and appropriate for its setting; and
- Exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.

➤ CD2-2 Neighborhood Design. We create distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places through such elements as:

- A pattern of smaller, walkable blocks that promote access, activity and safety;
- Variable setbacks and parcel sizes to accommodate a diversity of housing types;
- Traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;
- Floor plans that encourage views onto the street and de-emphasize the visual and physical dominance of garages (introducing the front porch as the “outdoor living room”), as appropriate; and
- Landscaped parkways, with sidewalks separated from the curb.

➤ CD2-7 Sustainability. We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.

➤ CD2-8 Safe Design. We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.

➤ CD2-9 Landscape Design. We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.

➤ CD2-10 Surface Parking Areas. We require parking areas visible to or used by the public to be landscaped in an aesthetically pleasing, safe and environmentally sensitive manner. Examples include shade trees, pervious surfaces, urban run-off capture and infiltration, and pedestrian paths to guide users through the parking field.

➤ CD2-11 Entry Statements. We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.

➤ CD2-13 Entitlement Process. We work collaboratively with all stakeholders to ensure a high degree of certainty in the efficient review and timely processing of all development plans and permits.

▪ Goal CD3: Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages between and within developments that are conveniently located, visually appealing and safe during all hours.

➤ CD3-6 Landscaping. We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.

▪ Goal CD5: A sustained level of maintenance and improvement of properties, buildings and infrastructure that protects the property values and encourages additional public and private investments.

➤ CD5-1 Maintenance of Buildings and Property. We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.

➤ CD5-2 Maintenance of Infrastructure. We require the continual maintenance of infrastructure.

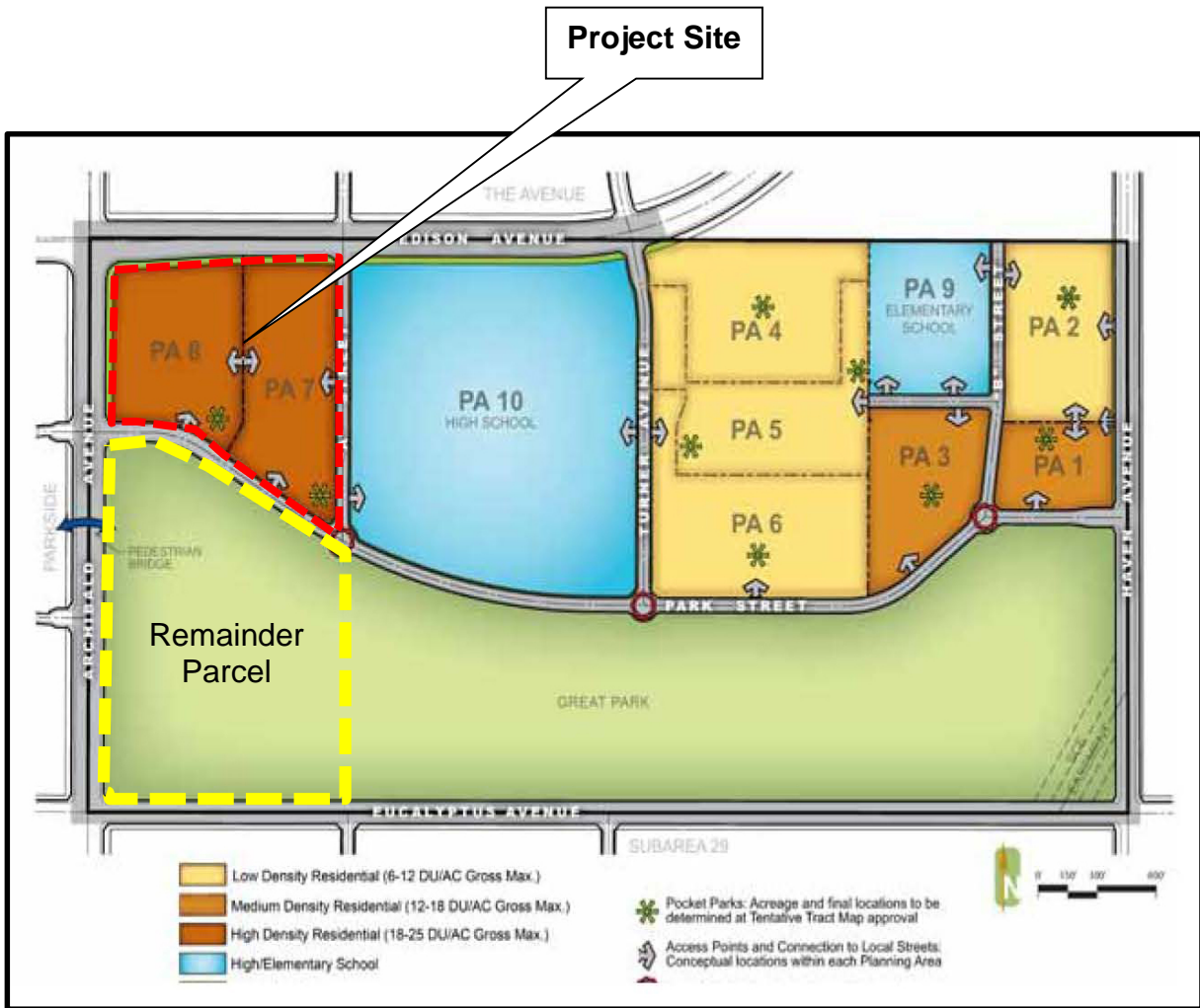
HOUSING ELEMENT COMPLIANCE: The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan, for which an Environmental Impact Report (SCH# 2012061057) was certified by the City Council on January 21, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference.

CONDITIONS OF APPROVAL: See attached department reports.

EXHIBIT "A"
GRAND PARK SPECIFIC PLAN



RESOLUTION NO. PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE A DEVELOPMENT AGREEMENT FILE NO PDA17-001, BETWEEN THE CITY OF ONTARIO AND LOYOLA PROPERTIES 1, LP, FOR THE POTENTIAL DEVELOPMENT OF UP TO 587 RESIDENTIAL UNITS (FILE NO. PMTT16-021/TPM 19787) ON 76.68 ACRES OF LAND WITHIN HIGH DENSITY RESIDENTIAL (HDR) DISTRICT OF PLANNING AREAS 7 AND 8 OF THE GRAND PARK SPECIFIC PLAN, LOCATED AT THE SOUTHEAST CORNER OF ONTARIO RANCH ROAD AND ARCHIBALD AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF — APN: 0218-241-31.

WHEREAS, CALIFORNIA GOVERNMENT CODE SECTION 65864 NOW provides, in pertinent part, as follows:

“The Legislature finds and declares that:

(a) The lack of certainty in the approval process of development projects can result in a waste of resources, escalate the cost of housing and other developments to the consumer, and discourage investment in and commitment to comprehensive planning which would make maximum efficient utilization of resources at the least economic cost to the public.

(b) Assurance to the Applicant for a development project that upon approval of the project, the Applicant may proceed with the project in accordance with existing policies, rules and regulations, and subject to conditions of approval, will strengthen the public planning process, encourage private participation in comprehensive planning, and reduce the economic costs of development.”

WHEREAS, California Government Code Section 65865 provides, in pertinent part, as follows:

“Any city ... may enter into a Development Agreement with any person having a legal or equitable interest in real property for the development of such property as provided in this article ...”

WHEREAS, California Government Code Section 65865.2. provides, in part, as follows:

“A Development Agreement shall specify the duration of the Agreement, the permitted uses of the property, the density of intensity of use, the maximum height and size of proposed buildings, and provisions for reservation or dedication of land for public purposes. The Development Agreement may include conditions, terms, restrictions, and requirements for subsequent discretionary actions, provided that such conditions, terms, restrictions, and requirements for discretionary actions shall not prevent development of the land for the uses and to the density of intensity of development set forth in this Agreement ...”

WHEREAS, on April 4, 1995, the City Council of the City of Ontario adopted Resolution No. 95-22 establishing procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, on September 10, 2002, the City Council of the City of Ontario adopted Resolution No. 2002-100 which revised the procedures and requirements whereby the City of Ontario may consider Development Agreements; and

WHEREAS, attached to this resolution, marked Exhibit “A” and incorporated herein by this reference, is the proposed Development Agreement between Loyola Properties 1, LP, and the City of Ontario, File No. PDA17-001, concerning those 76.68 acres of land within High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, located at the southeast corner of Ontario Ranch Road and Archibald Avenue and as legally described in the attached Development Agreement. Hereinafter in this Resolution, the Development Agreement is referred to as the “Development Agreement”; and

WHEREAS, on December 16, 2013, the Planning Commission of the City of Ontario conducted a duly noticed public hearing and issued Resolution PC13-082 recommending City Council certification of the Grand Park Specific EIR and Issued Resolution PC13-83 recommending approval of the Grand Park Specific Plan (File No. PSP12-001); and

WHEREAS, on January 21, 2014, the City Council of the City of Ontario certified the Grand Park Specific Plan EIR (SCH# 2012061057); and

WHEREAS, on February 4, 2014, the City Council of the City of Ontario adopted Ordinance No. 2985 approving the Grand Park Specific Plan; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with the Grand Park Specific Plan, for which an Environmental Impact Report (SCH# 2012061057) was certified by the City Council on January 21, 2014. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are be a condition of project approval and are incorporated herein by reference; and

WHEREAS, on October 24, 2017, the Planning Commission 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 resolved by the Planning Commission of the City of Ontario as follows:

SECTION 1. Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the previously adopted Grand Plan Specific Plan Environmental Impact Report (SCH# 2012061057) and supporting documentation. Based upon the facts and information contained in Grand Plan Specific Plan Environmental Impact Report (EIR) and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014. This application introduces no new significant environmental impacts; and

(2) The previous Grand Plan Specific Plan EIR (SCH# 2012061057) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(3) The previous Grand Plan Specific Plan EIR (SCH# 2012061057) was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(4) The previous Grand Plan Specific Plan EIR (SCH# 2012061057) reflects the independent judgment of the Planning Commission; and

(5) The proposed project will introduce no new significant environmental impacts beyond the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014, and all mitigation measures previously adopted with the EIR, are incorporated herein by this reference.

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

(1) Does not constitute substantial changes to the EIR that will require major revisions to the 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 EIR was prepared, that will require major revisions to the 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 Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014, that shows any of the following:

(a) The project will have one or more significant effects not discussed in the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014; or

(b) Significant effects previously examined will be substantially more severe than shown in the addendum; 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 Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014, would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. 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.

SECTION 4: 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 Planning Commission 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 Planning Commission, 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 5. Concluding Facts and Reasons. Based upon substantial evidence presented to the Planning Commission during the above-referenced hearing on October 24, 2017, including written and oral staff reports, together with public testimony, the Planning Commission hereby specifically finds as follows:

a. The Development Agreement applies to 76.68 acres of land generally located along the southeast corner of Ontario Ranch Road and Archibald Avenue, within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan, and is presently vacant and previously used for dairy and agricultural uses; and

b. The property to the north is located within Planning Area 7 (Low Density Residential) of the Avenue Specific Plan and developed with SCE Substation and vacant land. The property to the south is within Planning Area 3 (Conventional Medium Lot) of the Subarea 29 Specific Plan and is currently vacant. The property to the east is within Planning Area 10 (Future High School) of the Grand Park Specific Plan and is vacant. The property to the west is within the Planning Area 21 of the Parkside Specific Plan (Commercial) and is currently vacant; and

c. The Development Agreement establishes parameters for the development of Tentative Parcel Map 19787 within Planning Areas 7 and 8 of the Grand Park Specific Plan for the potential development of 587 residential units. The Development Agreement also grants Loyola Properties 1, LP. the right to develop, the ability to quantify the fees; and establish the terms and conditions that apply to those projects. These terms and conditions are consistent with The Ontario Plan Policy Plan (General Plan), design guidelines and development standards for the Grand Park Specific Plan.

d. The Development Agreement focuses on Tentative Parcel Map 19787 that proposes to subdivide 76.68 acres of land into 4 parcels and 2 letter lots for public road purposes and a remainder parcel for the future portion of the Great Park, within the High Density Residential (HDR) district of Planning Areas 7 and 8 of the Grand Park Specific Plan. The subdivision will allow the orderly build-out of the backbone infrastructure and the future "B" Maps for the subdivision of residential neighborhoods

and internal circulation. The parcels range from 6.03 gross acres to 8.41 gross acres; and

e. The Development Agreement will provide for the development for the potential development of 587 residential units as established for Planning Areas 7 and 8 of the Grand Park Specific Plan; and

f. The Development Agreement has been prepared in conformance with the goals and policies of The Ontario Plan Policy Plan (General Plan); and

g. The Development Agreement does not conflict with the Land Use Policies of The Ontario Plan Policy Plan (General Plan) and will provide for development, within the district, in a manner consistent with the Policy Plan and with related development; and

h. This Development Agreement will promote the goals and objectives of the Land Use Element of the Policy Plan; and

i. This Development Agreement will not be materially injurious or detrimental to the adjacent properties and will have a significant impact on the environment or the surrounding properties. The environmental impacts of this project were previously reviewed in conjunction with the Environmental Impact Report (EIR) prepared for The Grand Park Specific Plan (SCH# 2012061057) that was adopted by the City Council on January 21, 2014. This application introduces no new significant environmental impacts; and

j. All adopted mitigation measures of the related EIR shall be a condition of project approval and are incorporated herein by reference.

SECTION 6. Planning Commission Action. Based upon the findings and conclusions set forth in paragraphs 1, 2, 3 and 4 above, the Planning Commission hereby RECOMMENDS APPROVAL of the Development Agreement to the City Council subject to each and every condition set forth in the Grand Park Specific Plan and EIR, incorporated by this reference.

SECTION 7. Indemnification. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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 8. 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 9. **Certification to Adoption.** The Secretary shall certify to the adoption of the Resolution.

The Secretary Pro Tempore for the Planning Commission of the City of Ontario shall certify as to the adoption of this Resolution.

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 24th day of October 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Richard D. Delman
Planning Commission Chairman

ATTEST:

Scott Murphy
Assistant Development Director
Secretary of Planning Commission

Planning Commission Resolution
File No. PDA17-001
October 24, 2017
Page 8

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on October 24, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit “A” Development Agreement

**RECORDING REQUESTED BY AND
WHEN RECORDED MAIL TO:**

City of Ontario
303 East "B" Street
Ontario California, California 91764
Attn: City Clerk

Exempt from Fees Per Gov. Code § 6301

Space above this line for Recorder's Use Only

DEVELOPMENT AGREEMENT

By and Between

City of Ontario, a California municipal corporation,

And the

**Ronald and Kristine Pietersma Family Trust
and
Loyola Properties I L.P.**

_____, 2017

San Bernardino County, California

DEVELOPMENT AGREEMENT NO. PDA17-001

This Development Agreement (hereinafter "Agreement") is entered into effective as of the ____ day of _____, 2017 by and among the City of Ontario, a California municipal corporation (hereinafter "CITY"), and the Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P. a California limited partnership (hereinafter referenced jointly as "OWNER"):

RECITALS

WHEREAS, CITY is authorized to enter into binding development agreements with persons having legal or equitable interests in real property for the development of such property, pursuant to Section 65864, et seq. of the Government Code; and

WHEREAS, OWNER has requested CITY to enter into a development agreement and proceedings have been taken in accordance with the rules and regulations of CITY; and

WHEREAS, by electing to enter into this Agreement, CITY shall bind future City Councils of CITY by the obligations specified herein and limit the future exercise of certain governmental and proprietary powers of CITY; and

WHEREAS, the terms and conditions of this Agreement have undergone extensive review by CITY and the City Council and have been found to be fair, just and reasonable; and

WHEREAS, the best interests of the citizens of the CITY and the public health, safety and welfare will be served by entering into this Agreement; and

WHEREAS, all of the procedures of the California Environmental Quality Act have been met with respect to the Project and the Agreement in that Grand Park Specific Plan Environmental Impact Report and all addendums (the "EIR"). The City Council found and determined that the EIR was prepared in accordance with the requirements of the California Environmental Quality Act and adequately describes the impacts of the project described in the EIR, which included consideration of this Agreement; and

WHEREAS, this Agreement and the Project are consistent with the CITY's Comprehensive General Plan and the Grand Park Specific Plan; and

WHEREAS, all actions taken and approvals given by CITY have been duly taken or approved in accordance with all applicable legal requirements for notice, public hearings, findings, votes, and other procedural matters; and

WHEREAS, development of the Property in accordance with this Agreement will provide substantial benefits to CITY and will further important policies and goals of CITY; and

WHEREAS, this Agreement will eliminate uncertainty in planning and provide for the orderly development of the Property, ensure progressive installation of necessary improvements, provide for public services appropriate to the development of the Project, and generally serve the purposes for which development agreements under Sections 65864 et seq. of the Government Code are intended; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in order to assure development of the Property in accordance with this Agreement; and

WHEREAS, OWNER has incurred and will in the future incur substantial costs in excess of the generally applicable requirements in order to assure vesting of legal rights to develop the Property in accordance with this Agreement; and,

WHEREAS, the Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P. jointly referenced as "OWNER" represent that they are the owners of the fee simple title to the Property; and,

WHEREAS, the Property is located in an area of the City of Ontario that has been known as the "New Model Colony" area and the New Model Colony area has now been renamed as "Ontario Ranch; and,

WHEREAS, the City of Ontario and NMC Builders LLC have previously entered into the First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve the Easterly Portion of the New Model Colony in August 2012 and such Agreement requires that the City reserve exclusively for Members of NMC Builders; and,

WHEREAS, Certificates of Net Water Availability made available through the construction of the Phase 1 water system Improvements are provided to NMC Builders LLC Members only and the provisions of the Construction Agreement Amendment require that the City shall not issue building permits or certificates of occupancy for the area of development within the New Model Colony served by the water system improvements funded by NMC Builders LLC, except to the bearer of a Certificate of Net MDD Water Availability; and,

WHEREAS, OWNER acknowledge that OWNER shall be required to become a Member of NMC Builders and OWNER Property is a Phase 2 Property under the provisions of the Amendment to the Construction Agreement between the City and NMC Builders and OWNER shall be required to participate in the funding of the Phase 2 Water Improvements in order to receive the required Certificate of Phase 2 Net Water Availability; and

WHEREAS, OWNERS' Property is defined in the Amendment to the Construction Agreement between the CITY and NMC Builders as a "Phase 2 Water Property" as such, shall be required to provide funding for CITY's future construction of the "Phase 2 Water Improvements" which will result in the availability of additional Net MDD Water Availability required for the development; and,

WHEREAS, OWNER is aware of the South Archibald Trichloroethylene (TCE) Plume Disclosure Letter (Exhibit "I"). OWNER may wish to provide the attached Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000004658.

COVENANTS

NOW, THEREFORE, in consideration of the above recitals and of the mutual covenants hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. DEFINITIONS AND EXHIBITS.

1.1 Definitions. The following terms when used in this Agreement shall be defined as follows:

1.1.1 "Agreement" means this Development Agreement.

1.1.2 "CITY" means the City of Ontario, California, a California municipal corporation.

1.1.3 "Construction Agreement" means that certain Agreement for the Financing and Construction of Phases I and II Infrastructure Improvements to Serve an Easterly Portion of the New Model Colony, entered into between the CITY and NMC Builders as of the 4th day of October, 2005, and all amendments thereto and "Construction Agreement Amendment" means that First Amended and Restated Agreement for the Financing and Construction of Limited Infrastructure Improvements to Serve and Easterly Portion of the New Model Colony entered into between the CITY and NMC Builders as of the 21st day of August 2012.

1.1.4 "Development" means the improvement of the Property for the purposes of completing the structures, improvements and facilities comprising the Project including, but not limited to: grading; the construction of public infrastructure and public facilities related to the Project whether located within or outside the Property; the construction of buildings and structures; and the installation of landscaping. "Development" does not include the maintenance, repair,

reconstruction or redevelopment of any building, structure, improvement or facility after the construction and completion thereof.

1.1.5 "Development Approvals" means all permits and other entitlements for use subject to approval or issuance by CITY in connection with development of the Property including, but not limited to:

- (a) specific plans and specific plan amendments;
- (b) tentative and final subdivision and parcel maps;
- (c) development plan review;
- (d) conditional use permits (including model home use permits), public use permits and plot plans;
- (e) zoning;
- (f) grading and building permits.

1.1.6 "Development Exaction" means any requirement of CITY in connection with or pursuant to any Land Use Regulation or Development Approval for the dedication of land, the construction of improvements or public facilities, or the payment of fees in order to lessen, offset, mitigate or compensate for the impacts of development on the environment or other public interests.

1.1.7 "Development Impact Fee" means a monetary exaction, other than a tax or special assessment, whether characterized as a fee or a tax and whether established for a broad class of projects by legislation of general applicability or imposed on a specific project on an ad hoc basis, that is charged by a local agency to the applicant in connection with approval of a development project for the purpose of defraying all or a portion of the cost of public facilities related to the development project, and, for purposes of this Agreement only, includes fees collected under development agreements adopted pursuant to Article 2.5 of the Government Code (commencing with Section 65864) of Chapter 4, For purposes of this Agreement only, "Development Impact Fee" shall not include processing fees and charges imposed by CITY to cover the estimated actual costs to CITY of processing applications for Development Approvals or for monitoring compliance with any Development Approvals granted or issued, including, without limitation, fees for zoning variances; zoning changes; use permits; building inspections; building permits; filing and processing applications and petitions filed with the local agency formation commission or conducting preliminary proceedings or proceedings under the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3 (commencing with Section 56000) of Title 5 of the Government Code; the processing of maps under the provisions of the Subdivision Map Act, Division 2 (commencing with Section 66410) of Title 7 of the Government Code; or planning services under the

authority of Chapter 3 (commencing with Section 65100) of Division 1 of Title 7 of the Government Code, fees and charges as described in Sections 51287, 56383, 57004, 65104, 65456, 65863.7, 65909.5, 66013, 66014, and 66451.2 of the Government Code, Sections 17951, 19132.3, and 19852 of the Health and Safety Code, Section 41901 of the Public Resources Code, and Section 21671.5 of the Public Utilities Code, as such codes may be amended or superseded, including by amendment or replacement.

1.1.8 “Development Plan” means the Existing Development Approvals and the Existing Land Use Regulations applicable to development of the Property.

1.1.9 “Effective Date” means the date that the ordinance approving this Agreement goes into effect.

1.1.10 “Existing Development Approvals” means all development approvals approved or issued prior to the Effective Date. Existing Development Approvals includes the approvals incorporated herein as Exhibit “C” and all other approvals which are a matter of public record on the Effective Date.

1.1.11 “Existing Land Use Regulations” means all Land Use Regulations in effect on the Effective Date. Existing Land Use Regulations includes the regulations incorporated herein as Exhibit “D” and all other land use regulations that are in effect and a matter of public record on the Effective Date.

1.1.12 “Improvement” or “Improvements” means those public improvements required to support the development of the Project as described in the Parcel Map conditions for Parcel Map No. 19787 and as further described in Exhibit “F” (the “Infrastructure Improvements Exhibit”).

1.1.13 “Land Use Regulations” means all ordinances, resolutions, codes, rules, regulations and official policies of CITY governing the development and use of land, including, without limitation, the permitted use of land, the density or intensity of use, subdivision requirements, timing and phasing of development, the maximum height and size of buildings, the provisions for reservation or dedication of land for public purposes, and the design, improvement and construction standards and specifications applicable to the development of the Property. “Land Use Regulations” does not include any CITY ordinance, resolution, code, rule, regulation or official policy, governing:

- (a) the conduct of businesses, professions, and occupations;
- (b) taxes and assessments;
- (c) the control and abatement of nuisances;
- (d) the granting of encroachment permits and the conveyance of similar rights and interests that provide for the use of or the entry upon public property;

(e) the exercise of the power of eminent domain.

1.1.14 “Mortgagee” means a mortgagee of a mortgage, a beneficiary under a deed of trust or any other security-device lender, and their successors and assigns.

1.1.15 “General Plan” means the General Plan adopted on January 27, 2010.

1.1.16 “Model Units” means a maximum of twenty-five (25) residential units constructed by OWNER prior to the construction of any Production units and not offered for sale and occupancy for a period of time after the issuance of permits for Production Units.

1.1.17 “Non-Residential Units” means the non-residential buildings constructed by OWNER on the Property.

1.1.18 “OWNER” means the persons and entities listed as owner on page 1 of this Agreement and their permitted successors in interest to all or any part of the Property.

1.1.19 “Phase 2 Water EDUs” means the number of equivalent dwelling units or non-residential square footage assigned to OWNER upon payment to CITY of the Phase 2 Water Participation Fee for the Project and evidenced by the issuance by CITY of a Certificate of Phase 2 Net MDD Availability in the form attached as Exhibit G.

11.20 “Phase 2 Water Improvements” means the future water infrastructure Improvements required for the issuance by CITY of the “Water Availability Equivalents” (WAE) for the Project.

1.1.21 “Phase 2 Water Participation Fee” means the fee paid to CITY upon CITY to fund the Property’s respective share of the projected costs of the design and construction of the Phase 2 Water Improvements by CITY.

1.1.22 “Production Unit(s)” means all residential units constructed for sale and occupancy by OWNER and, unless specified otherwise, excludes a specified number of Model Units constructed by OWNER for promotion of sales.

1.1.23 “Project” means the development of the Property contemplated by the Development Plan, as such Plan may be further defined, enhanced or modified pursuant to the provisions of this Agreement.

1.1.24 “Property” means the real property described on Exhibit “A” and shown on Exhibit “B” to this Agreement.

1.1.25 “Reservations of Authority” means the rights and authority excepted from the assurances and rights provided to OWNER under this Agreement and reserved to CITY under Section 3.6 of this Agreement.

1.1.26 “Specific Plan” means that certain specific plan adopted by the City Council, and entitled, “Grand Park Specific Plan.”

1.1.27 “Storm Water Treatment Capacity Availability” means a designated portion of the total Storm Water Treatment Capacity Availability made available through the completion of construction of a Phase of regional storm water treatment facilities by the NMC Builders LLC as described in the Construction Agreement Amendment. The amount, in acres, of Storm Water Treatment Capacity Availability required for the issuance of a grading permit shall be based upon the factors and assumptions listed in the Construction Agreement Amendment.

1.1.28 “Subsequent Development Approvals” means all Development Approvals required subsequent to the Effective Date in connection with development of the Property.

1.1.29 “Subsequent Land Use Regulations” means any Land Use Regulations adopted and effective after the Effective Date of this Agreement.

1.1.30 “Water Availability Equivalent (WAE)” means a designated portion of the total Net MDD made available through the construction of each Phase described in the Water Phasing Plan of the Construction Agreement. The number of Water Availability Equivalents (of portions thereof) required for the approval of a Parcel or Tract Map shall be based upon water demand factors and assumptions listed in the Construction Agreement and Construction Agreement Amendment as “Water Availability Equivalents by Land Use” for each land use category.

1.2 Exhibits. The following documents are attached to, and by this reference made a part of, this Agreement:

Exhibit “A” — Legal Description of the Property.

Exhibit “B” — Map showing Property and its location.

Exhibit “C” — Existing Development Approvals.

Exhibit “D” — Existing Land Use Regulations.

Exhibit “E” — Conceptual Phasing Plan

Exhibit “F” — Infrastructure Improvements Exhibit for Parcel Map No. 19787

Exhibit “F-1- Phasing Plan of Improvements Exhibit for Parcel Map No. 19787

Exhibit “G” – Form of Certificate of Net MDD to be issued by CITY

Exhibit “H” – Form of Certificate of DIF Credit to be issued by CITY

Exhibit “I” - Form of Disclosure letter

2. GENERAL PROVISIONS.

2.1 Binding Effect of Agreement. The Property is hereby made subject to this Agreement. Development of the Property is hereby authorized and shall be carried out only in accordance with the terms of this Agreement.

2.2 Ownership of Property. OWNER represents and covenants that it is the owner of the fee simple title to the Property.

2.3 Term. The term of this Agreement shall commence on the Effective Date and shall continue for an initial term of ten (10) years thereafter unless this term is modified or extended pursuant to the provisions of this Agreement. The term of this Agreement may be extended for an additional five (5) years following expiration of the initial ten (10) year term, provided the following have occurred:

(a) OWNER provides at least 180 days written notice to CITY prior to expiration of the initial term; and

(b) In non-mixed use projects, the OWNER shall have obtained, as applicable, building permits for at least forty percent (40%) of the actual number of residential units permitted under this Agreement; and in mixed use areas of projects, the OWNER shall have obtained, as applicable, building permits for at least forty (40%) percent of the non-residential floor area permitted under this Agreement and at least forty (40%) percent of the actual number of residential units permitted under this Agreement; and

(c) OWNER is not then in uncured default of this Agreement.

2.4 Assignment.

2.4.1 Right to Assign. OWNER shall have the right to sell, transfer or assign the Property in whole or in part (provided that no such partial transfer shall violate the Subdivision Map Act, Government Code Section 66410, et seq.), to any person, partnership, limited liability company, joint venture, firm or corporation at any time during the term of this Agreement; provided, however, that any such sale, transfer or assignment shall include the assignment and assumption of the rights, duties and obligations arising under or from this Agreement and be made in strict compliance with the following:

(a) No sale, transfer or assignment of any right or interest under this Agreement shall be made unless made together with the sale, transfer or assignment of all or a part of the Property. OWNER may be required to provide disclosure that the Property is within the South Archibald Trichloroethylene (TCE) Plume. OWNER may wish to provide the attached Disclosure Letter (Exhibit I) as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq.

- (b) Concurrent with any such sale, transfer or assignment, or within fifteen (15) business days thereafter, OWNER shall notify CITY's City Manager, in writing, of such sale, transfer or assignment and shall provide CITY with: (1) an executed agreement, in a form reasonably acceptable to CITY, by the purchaser, transferee or assignee and providing therein that the purchaser, transferee or assignee expressly and unconditionally assumes all the duties and obligations of OWNER under this Agreement with respect to the portion of the Property so sold, transferred or assigned; and (2) the payment of the applicable processing charge to cover the CITY's review and consideration of such sale, transfer or assignment.
- (c) Any sale, transfer or assignment not made in strict compliance with the foregoing conditions shall constitute a default by OWNER under this Agreement. Notwithstanding the failure of any purchaser, transferee or assignee to execute the agreement required by Paragraph (b) of this Subsection 2.4.1, the burdens of this Agreement shall be binding upon such purchaser, transferee or assignee, but the benefits of this Agreement shall not inure to such purchaser, transferee or assignee until and unless such agreement is executed. The City Manager shall have the authority to review, consider and either approve, conditionally approve, or deny any proposed sale, transfer or assignment that is not made in compliance with this section 2.4.

2.4.2 Release of Transferring Owner. Notwithstanding any sale, transfer or assignment, a transferring OWNER shall continue to be obligated under this Agreement unless such transferring owner is given a release in writing by CITY, which release shall be provided by CITY upon the full satisfaction by such transferring owner of the following conditions:

- (a) OWNER no longer has a legal or equitable interest in all or any part of the portion of the Property sold, transferred or assigned.
- (b) OWNER is not then in default under this Agreement.
- (c) OWNER has provided CITY with the notice and executed agreement required under Paragraph (b) of Subsection 2.4.1 above.
- (d) The purchaser, transferee or assignee provides CITY with security equivalent to any security previously provided by OWNER to secure performance of its obligations hereunder.

2.4.3 Effect of Assignment and Release of Obligations. In the event of a sale, transfer or assignment pursuant to the provisions of Section 2.4.2 above:

- (a) The assignee shall be liable for the performance of all obligations of OWNER with respect to transferred property, but shall have no obligations with respect to the portions of the Property, if any, not transferred (the "Retained Property").

- (b) The owner of the Retained Property shall be liable for the performance of all obligations of OWNER with respect to Retained Property, but shall have no further obligations with respect to the transferred property.
- (c) The assignee's exercise, use and enjoyment of the Property or portion thereof shall be subject to the terms of this Agreement to the same extent as if the assignee were the OWNER.

2.4.4 Subsequent Assignment. Any subsequent sale, transfer or assignment after an initial sale, transfer or assignment shall be made only in accordance with and subject to the terms and conditions of this Section 2.4.

2.4.5 Termination of Agreement With Respect to Individual Lots Upon Sale to Public and Completion of Construction. The provisions of Subsection 2.4.1 shall not apply to the sale or lease (for a period longer than one year) of any lot which has been finally subdivided and is individually (and not in "bulk") sold or leased to a member of the public or other ultimate user. Notwithstanding any other provisions of this Agreement, this Agreement shall terminate with respect to any lot and such lot shall be released and no longer be subject to this Agreement without the execution or recordation of any further document upon satisfaction of both of the following conditions:

- (a) The lot has been finally subdivided and individually (and not in "bulk") sold or leased (for a period longer than one year) to a member of the public or other ultimate user; and,
- (b) A certificate of occupancy has been issued for a building on the lot, and the fees set forth under Section 4 of this Agreement have been paid.

2.5 Amendment or Cancellation of Agreement. This Agreement may be amended or cancelled in whole or in part only in the manner provided for in Government Code Section 65868.1. Any amendment of this Agreement, which amendment has been requested by OWNER, shall be considered by the CITY only upon the payment of the applicable processing charge. This provision shall not limit any remedy of CITY or OWNER as provided by this Agreement. Either Party or successor in interest, may propose an amendment to or cancellation, in whole or in part, of this Agreement. Any amendment or cancellation shall be by mutual consent of the parties or their successors in interest except as provided otherwise in this Agreement or in Government Code Section 65865.1. For purposes of this section, the term "successor in interest" shall mean any person having a legal or equitable interest in the whole of the Property, or any portion thereof as to which such person wishes to amend or cancel this Agreement. The procedure for proposing and adopting an amendment to, or cancellation of, in whole or in part, this Agreement shall be the same as the procedure for adopting and entering into this Agreement in the first instance. Notwithstanding the foregoing sentence, if the CITY initiates the proposed amendment to, or cancellation of, in whole or in part, this Agreement, CITY shall first give notice to the OWNER of its intention to

initiate such proceedings at least sixty (60) days in advance of the giving the public notice of intention to consider the amendment or cancellation.

2.5.1 Amendment To Reflect Consistency With Future Amendments to the Construction Agreement. To the extent any future amendment to the Construction Agreement provides for modifications to rights or obligations that differ from or alter the same or similar rights or obligations contained in this Development Agreement, OWNER reserves the right to request an amendment to the Development Agreement to reflect any or all of such modifications.

2.6 Termination. This Agreement shall be deemed terminated and of no further effect upon the occurrence of any of the following events:

- (a) Expiration of the stated term of this Agreement as set forth in Section 2.3.
- (b) Entry of a final judgment setting aside, voiding or annulling the adoption of the ordinance approving this Agreement.
- (c) The adoption of a referendum measure overriding or repealing the ordinance approving this Agreement.
- (d) Completion of the Project in accordance with the terms of this Agreement including issuance of all required occupancy permits and acceptance by CITY or applicable public agency of all required dedications.

Termination of this Agreement shall not constitute termination of any other land use entitlements approved for the Property. Upon the termination of this Agreement, no party shall have any further right or obligation hereunder except with respect to any obligation to have been performed prior to such termination or with respect to any default in the performance of the provisions of this Agreement which has occurred prior to such termination or with respect to any obligations which are specifically set forth as surviving this Agreement.

2.7 Notices.

- (a) As used in this Agreement, “notice” includes, but is not limited to, the communication of notice, request, demand, approval, statement, report, acceptance, consent, waiver, appointment or other communication required or permitted hereunder.
- (b) All notices shall be in writing and shall be considered given either: (i) when delivered in person, including, without limitation, by courier, to the recipient named below; or (ii) on the date of delivery shown on the return receipt, after deposit in the United States mail in a sealed envelope as either registered or certified mail with return receipt requested, and postage and postal charges prepaid, and addressed to the recipient named below. All notices shall be addressed as follows:

If to CITY:

Scott Ochoa, City Manager
City of Ontario
303 East "B" Street
Ontario California, California 91764

with a copy to:

John Brown, City Attorney
Best Best & Krieger
2855 East Guasti Road, Suite 400
Ontario CA 91761

If to OWNERS:

Pietersma Family Trust and Loyola Properties 1 L.P.
C/O RCCD Inc.
Attn: Jason Lee, Applicant
8101 E. Kaiser Blvd.
Suite 140
Anaheim Hills, CA 92808

- (c) Either party may, by notice given at any time, require subsequent notices to be given to another person or entity, whether a party or an officer or representative of a party, or to a different address, or both. Notices given before actual receipt of notice of change shall not be invalidated by the change.

3. DEVELOPMENT OF THE PROPERTY.

3.1 Rights to Develop. Subject to the terms of this Agreement including the Reservations of Authority, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the Development Plan. The Project shall remain subject to all Subsequent Development Approvals required to complete the Project as contemplated by the Development Plan. Except as otherwise provided in this Agreement, the permitted uses of the Property, the density and intensity of use, the maximum height and size of proposed buildings, and provisions for reservation and dedication of land for public purposes shall be those set forth in the Development Plan.

3.2 Effect of Agreement on Land Use Regulations. Except as otherwise provided under the terms of this Agreement including the Reservations of Authority, the rules, regulations and official policies governing permitted uses of the Property, the density and intensity of use of the Property, the maximum height and size of proposed

buildings, and the design, improvement and construction standards and specifications applicable to development of the Property shall be the Existing Land Use Regulations. In connection with any Subsequent Development Approval, CITY shall exercise discretion in accordance with the same manner as it exercises its discretion under its police powers, including the Reservations of Authority set forth herein; provided however, that such discretion shall not prevent development of the Property for the uses and to the density or intensity of development set forth in this Agreement.

3.3 Timing of Development. The parties acknowledge that OWNER cannot at this time predict when or the rate at which portions of the Property will be developed. Such decisions depend upon numerous factors which are not within the control of OWNER, such as market orientation and demand, interest rates, absorption, completion and other similar factors. Since the California Supreme Court held in Pardee Construction Co. v. City of Camarillo (1984) 37 Cal. 3d 465, that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the parties' intent to cure that deficiency by acknowledging and providing that OWNER shall have the right to develop the Property, or portions of the Property, in such order and at such rate and at such times as OWNER deems appropriate within the exercise of its subjective business judgment.

3.4 Conceptual Phasing Plan. Development of the Property is contingent in part on the phasing of infrastructure improvements over which the OWNER has control. Attached hereto as Exhibit "E" is a conceptual phasing plan which is based on the OWNER's best estimate of the timing of the completion of needed infrastructure improvements. The conceptual phasing plan is an estimate only and is subject to the same timing constraints and the exercise of OWNER's business judgment as set forth in Section 3.3 above. OWNER and CITY agree that the development of any one of the Parcels in Parcel Map 19787 may be developed prior to, concurrent with, or after the development of any of the other Parcels in Parcel Map 19787, subject to completion of the infrastructure improvements required for the respective Parcel Map as described in Section 3.7, and in Exhibit F and as determined by the City Engineer.

3.4.1 Attached hereto as Exhibit "F" is a description of the Infrastructure Improvements required for the development of the portion of the Property included in Parcel Map No. 19787 ("the Infrastructure Improvement Exhibits").

3.5 Changes and Amendments. The parties acknowledge that refinement and further development of the Project will require Subsequent Development Approvals and may demonstrate that changes are appropriate and mutually desirable in the Existing Development Approvals. In the event OWNER finds that a change in the Existing Development Approvals is necessary or appropriate, OWNER shall apply for a Subsequent Development Approval to effectuate such change and CITY shall process and act on such application in accordance with the Existing Land Use Regulations, except as otherwise provided by this Agreement including the Reservations of Authority. If approved, any such change in the Existing Development Approvals shall be incorporated herein as an addendum to Exhibit "C", and may be further changed from

time to time as provided in this Section. Unless otherwise required by law, as determined in CITY's reasonable discretion, a change to the Existing Development Approvals shall be deemed "minor" and not require an amendment to this Agreement provided such change does not:

- (a) Alter the permitted uses of the Property as a whole; or,
- (b) Increase the density or intensity of use of the Property as a whole; or,
- (c) Increase the maximum height and size of permitted buildings; or,
- (d) Delete a requirement for the reservation or dedication of land for public purposes within the Property as a whole; or,
- (e) Constitute a project requiring a subsequent or supplemental environmental impact report pursuant to Section 21166 of the Public Resources Code.

3.6 Reservations of Authority.

3.6.1 Limitations, Reservations and Exceptions. Notwithstanding any other provision of this Agreement, the CITY shall not be prevented from applying new rules, regulations and policies upon the OWNER, nor shall a development agreement prevent the CITY from denying or conditionally approving any subsequent development project application on the basis of such new rules, regulations and policies where the new rules, regulations and policies consist of the following:

- (a) Processing fees by CITY to cover costs of processing applications for development approvals or for monitoring compliance with any development approvals;
- (b) Procedural regulations relating to hearing bodies, petitions, applications, notices, findings, records and any other matter of procedure;
- (c) Regulations, policies and rules governing engineering and construction standards and specifications applicable to public and private improvements, including all uniform codes adopted by the CITY and any local amendments to those codes adopted by the CITY; provided however that, OWNER shall have a vested right to develop the Property in accordance with, and to the extent of, the standards and specifications that are expressly identified in the Specific Plan;
- (d) Regulations that may conflict with this Agreement and the Development Plan but that are reasonably necessary to protect the residents of the project and/or of the immediate community from a condition perilous to their health or safety;

- (e) Regulations that do not conflict with those rules, regulations and policies set forth in this Agreement or the Development Plan;
- (f) Regulations that may conflict but to which the OWNER consents.

3.6.2 Subsequent Development Approvals. This Agreement shall not prevent CITY, in acting on Subsequent Development Approvals, from applying Subsequent Land Use Regulations that do not conflict with the Development Plan, nor shall this Agreement prevent CITY from denying or conditionally approving any Subsequent Development Approval on the basis of the Existing Land Use Regulations or any Subsequent Land Use Regulation not in conflict with the Development Plan.

3.6.3 Modification or Suspension by State or Federal Law. In the event that State or Federal laws or regulations, enacted after the Effective Date of this Agreement, prevent or preclude compliance with one or more of the provisions of this Agreement, such provisions of this Agreement shall be modified or suspended as may be necessary to comply with such State or Federal laws or regulations, provided, however, that this Agreement shall remain in full force and effect to the extent it is not inconsistent with such laws or regulations and to the extent such laws or regulations do not render such remaining provisions impractical to enforce. In the event OWNER alleges that such State or Federal laws or regulations preclude or prevent compliance with one or more provisions of this Agreement, and the CITY does not agree, the OWNER may, at its sole cost and expense, seek declaratory relief (or other similar non-monetary remedies); provided however, that nothing contained in this Section 3.6.3 shall impose on CITY any monetary liability for contesting such declaratory relief (or other similar non-monetary relief).

3.6.4 Intent. The parties acknowledge and agree that CITY is restricted in its authority to limit its police power by contract and that the foregoing limitations, reservations and exceptions are intended to reserve to CITY all of its police power which cannot be so limited. This Agreement shall be construed, contrary to its stated terms if necessary, to reserve to CITY all such power and authority which cannot be restricted by contract.

3.7 Public Infrastructure and Utilities. OWNER is required by this Agreement to construct any public works facilities which will be dedicated to CITY or any other public agency upon completion, and if required by applicable laws to do so, OWNER shall perform such work in the same manner and subject to the same requirements as would be applicable to CITY or such other public agency should it have undertaken such construction. As a condition of development approval of any portion of the Property covered by Parcel Map No. 19787, OWNER shall connect the portion of the Project covered by Parcel Map No. 19787 to all utilities necessary to provide adequate water, recycled water, sewer, storm drain, fiber optic communications, gas, electric, and other utility service to the portion of the Project covered by Parcel Map No. 19787.

As a further condition of development approval for the Project, OWNER shall contract with the CITY for CITY-owned or operated utilities for this purpose, for such price and on such terms as may be available to similarly situated customers in the CITY.

- 3.7.1 OWNER agrees that development of the portion of the Project within the boundaries of Parcel Map No. 19787 shall require the construction of, at OWNER's sole cost and expense, Storm Drain facilities along Eucalyptus Avenue from the eastern Project limits to the existing facilities in Archibald Avenue, and as further described in the attached Exhibit F.
- 3.7.2 OWNER agrees that development of the portion of the Project within the boundaries of Parcel Map No. 19787 shall require the construction, at OWNER's sole cost and expense, of street improvements on Ontario Ranch Road, "A" Street, Grand Park Street, Archibald Avenue and Eucalyptus Avenue. Such street improvements shall include two signalized intersections; one on Ontario Ranch Road and "A" Street and one at the intersection of Grand Park Street and Archibald Avenue. Such improvements shall also include modifications to the traffic signal at Eucalyptus Avenue and Archibald Avenue. All such street improvements shall also be as further described in the attached Exhibit F.
- 3.7.3. OWNER agrees that development of the Property shall require the extension of permanent master planned water and recycled water utility infrastructure, at OWNER's sole cost and expense, as described in Exhibit F consisting generally of the construction of the extension of permanent master planned water and recycled water utility infrastructure to serve the Property. OWNER agrees that no building permits shall be issued by CITY for Non-Residential Buildings or Production Units within the boundaries of Tract 19787 prior to completion of the water and recycled water Improvements as described in Exhibit F. OWNER also agrees that recycled water shall be available and utilized by OWNER for all construction-related water uses including prior to, and during, any grading of the Property.
- 3.7.4 OWNER agrees that NMC Builders shall be responsible for funding a portion of the design and construction of an additional extension of master planned recycled water infrastructure in Riverside and Haven Avenues to be constructed by CITY. These master planned recycled water Improvements shall also serve the Project. OWNER shall deposit, or shall have deposited, with NMC Builders an amount equal to the OWNER's capital contribution for the design and construction of the NMC Builders portion of the recycled water improvements in Riverside and Haven Avenues known as the "Phase 2 Recycled Water Improvements" within 30 days after CITY requests such funds from NMC Builders. If OWNER has not deposited such amount, with NMC Builders within 30 days after CITY requests such funds from NMC Builders then CITY shall be entitled to withhold issuance of any further permits for the Project (whether discretionary or ministerial) unless and until OWNER deposits the amount of OWNER's capital contribution with NMC Builders for the design and construction

of the NMC Builders portion of the Phase 2 Recycled Water System Improvements.

- 3.7.5 OWNER agrees that development of the Property shall require the extension of permanent master planned sewer infrastructure, at OWNER's sole cost and expense as described in the attached Exhibit F consisting generally of the construction of the extension of sewer infrastructure in to serve the Property and as further described in the attached Exhibits F.
- 3.7.6 OWNER agrees that development of the portion of the Property within the boundaries of Parcel Map 19787 shall require the extension of permanent master planned fiber optic communications infrastructure, at OWNER's sole cost and expense, as described in the attached Exhibit F, consisting generally of the construction of the extension of fiber optic communications infrastructure to serve the portion of the Property within the boundaries of Parcel Map 19787.
- 3.7.7 CITY agrees that OWNER may separate the construction of the Improvements described in Section 3.7.1 through Section 3.7.6 above into two (2) phases of construction as shown in the attached Exhibit "F-1" "Phasing Plan of Improvements" attached hereto and incorporated herein. Notwithstanding the above, OWNER agrees that the portion of the improvements to the areas described on the attached Exhibit "F-1" as the phase 1 improvements shall be completed prior to OWNER requesting and CITY issuance of the first building permit for any Production Unit for the Property. CITY's agreement to issue building permits for Production Units prior to OWNER's completion of the improvements shown as the phase 2 improvements on Exhibit "F-1" is conditioned upon OWNER's compliance with the following conditions:
- a. Prior to, and as a condition precedent to, OWNER requesting and CITY's granting of building permits for the two hundred fiftieth (250th) Production Unit, including permits for the Model Units, OWNER shall initiate the construction of the improvements shown on Exhibit F-1 as the phase 2 improvements, including improvements to, in or adjacent to, Eucalyptus Avenue and Grand Park Street, as shown in Exhibit "F" and Exhibit "F-1".
 - b. OWNER shall diligently pursue construction of the phase 2 improvements and shall complete the construction of the phase 2 improvements and shall have requested CITY acceptance of the phase 2 improvements as shown in Exhibit "F-1" prior to OWNER requesting that CITY issue a building permit for the three hundred fiftieth (350th) Production Unit, including permits for Model Units.
 - c. OWNER shall provide periodic written progress reports to CITY commencing ninety (90) days after the OWNER initiates construction of the phase 2 improvements and each ninety (90) days thereafter regarding the progress of the construction of the phase 2 improvements until such Improvements are accepted by CITY.

3.8 Acquisition of Offsite Provision of Real Property Interests. In any instance where OWNER is required by any Development Approval or Land Use Regulation and the Construction Agreement to construct any public improvement on land not owned by OWNER (“Offsite Improvements”), the CITY and OWNER shall cooperate in acquiring the necessary legal interest (“Offsite Property”) in accordance with the procedures set forth in Section 2.4 of the Construction Agreement. This section 3.8 is not intended by the parties to impose upon the OWNER an enforceable duty to acquire land or construct any public improvements on land not owned by OWNER, except to the extent that the OWNER elects to proceed with the development of the Project, and then only in accordance with valid conditions imposed by the CITY upon the development of the Project under the Subdivision Map Act or other legal authority.

3.8.1 CITY Acquisition of Non-Construction Agreement Offsite Property. In the event OWNER is required to construct any public improvements on land not owned by OWNER, but such requirement is not based upon the Construction Agreement, Sections 3.8.1 and 3.8.2 shall control the acquisition of the necessary property interest(s) (“Non-Construction Agreement Offsite Property”). If the OWNER is unable to acquire such Non-Construction Agreement Offsite Property, and following the written request from the OWNER to CITY, CITY agrees to use reasonable and diligent good faith efforts to acquire the Non-Construction Agreement Offsite Property from the owner or owners of record by negotiation to the extent permitted by law and consistent with this Agreement. If CITY is unable to acquire the Non-Construction Agreement Offsite Property by negotiation within thirty (30) days after OWNER’S written request, CITY shall, initiate proceedings utilizing its power of eminent domain to acquire that Non-Construction Agreement Subject Property at a public hearing noticed and conducted in accordance with California Code of Civil Procedure Section 1245.235 for the purpose of considering the adoption of a resolution of necessity concerning the Non-Construction Agreement Offsite Property, subject to the conditions set forth in this Section 3.8. The CITY and OWNER acknowledge that the timelines set forth in this Section 3.8.1 represent the maximum time periods which CITY and OWNER reasonably believe will be necessary to complete the acquisition of any Non-Construction Agreement Offsite Property. CITY agrees to use reasonable good faith efforts to complete the actions described within lesser time periods, to the extent that it is reasonably able to do so, consistent with the legal constraints imposed upon CITY.

3.8.2 Owner’s Option to Terminate Proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to making an offer to the owner of the Non-Construction Agreement Offsite Property. At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease all acquisition proceedings with respect to that Non-Construction Agreement Offsite Property, whereupon CITY shall cease such proceedings. CITY shall provide written notice to OWNER no later than fifteen (15) days prior to the date of the hearing on CITY’S intent to consider the adoption of a resolution of necessity as to any Non-Construction Agreement Offsite Property.

At any time within that fifteen (15) day period, OWNER may, at its option, notify CITY that it wants CITY to cease condemnation proceedings, whereupon CITY shall cease such proceedings. If OWNER does not notify CITY to cease condemnation proceedings within said fifteen (15) day period, then the CITY may proceed to consider and act upon the Non-Construction Agreement Offsite Property resolution of necessity. If CITY adopts such resolution of necessity, then CITY shall diligently institute condemnation proceedings and file a complaint in condemnation and seek an order of immediate possession with respect to the Non-Construction Agreement Offsite Property.

3.9 Regulation by Other Public Agencies. It is acknowledged by the parties that other public agencies not within the control of CITY possess authority to regulate aspects of the development of the Property separately from or jointly with CITY and this Agreement does not limit the authority of such other public agencies. CITY agrees to cooperate fully, at no cost to CITY, with OWNER in obtaining any required permits or compliance with the regulations of other public agencies provided such cooperation is not in conflict with any laws, regulations or policies of the CITY.

3.10 Tentative Parcel Maps; Extension. With respect to applications by OWNER for tentative subdivision maps for portions of the Property, CITY agrees that OWNER may file and process tentative maps in accordance with Chapter 4.5 (commencing with Section 66498.1) of Division 2 of Title 7 of the California Government Code and the applicable provisions of CITY's subdivision ordinance, as the same may be amended from time to time. In accordance with the provisions of Section 66452.6 of the Government Code, each tentative subdivision map or tentative parcel map, heretofore or hereafter approved in connection with development of the Property, shall be deemed to have been granted an extension of time to and until the date that is five (5) years following the Effective Date of this Agreement.; The CITY's City Council may, in its discretion, extend any such map for an additional period of up to five (5) years beyond its original term, so long as the subdivider files a written request for an extension with the City prior to the expiration of the initial five (5) year term.

4. PUBLIC BENEFITS.

4.1 Intent. The parties acknowledge and agree that development of the Property will result in substantial public needs that will not be fully met by the Development Plan and further acknowledge and agree that this Agreement confers substantial private benefits on OWNER that should be balanced by commensurate public benefits. Accordingly, the parties intend to provide consideration to the public to balance the private benefits conferred on OWNER by providing more fully for the satisfaction of the public needs resulting from the Project.

4.2 Development Impact Fees.

4.2.1 Amount of Development Impact Fee. Development Impact Fees (DIF) shall be paid by OWNER. The Development Impact Fee amounts to be paid by OWNER shall be the amounts that are in effect at the time such amounts are due.

Nothing contained in this Agreement shall affect the ability of the CITY to impose new Development Impact Fees or amend the amounts of existing Development Impact Fees. Additionally, nothing contained in this Agreement shall affect the ability of other public agencies that are not controlled by CITY to impose and amend, from time to time, Development Impact Fees established or imposed by such other public agencies, even though such Development Impact Fees may be collected by CITY.

- 4.2.2 Time of Payment. The Development Impact Fees required pursuant to Subsection 4.2.1 shall be paid to CITY prior to the issuance of building permit for each applicable residential or other unit, except for the Open Space and Habitat Acquisition Development Impact fee, which shall be paid by OWNER to CITY prior to the issuance of a grading permit. Deferral of the payment of Development Impact Fees may be granted pursuant to a separate agreement approved by City pursuant to City policy.
- 4.2.3 Parkland and Quimby Act Fees. Pursuant to the General Plan (OntarioPlan) Goal PR1, Policy PR1-5 (achievement of a park standard of 5 acres of parkland per 1,000 residents) OWNER shall provide improved parks, developed in accordance with the City's park standards in an amount equal to two (2) acres per 1,000 of projected population without credit, reimbursement, offset or consideration from City. Such areas shall either be dedicated to the City or transferred to a homeowner's association. If approved by the City Manager, OWNER may satisfy this requirement through the development of non-public recreation facilities such as private recreational clubhouses or pool facilities. Credit for such private recreational facilities areas shall be limited to a maximum of 50% of the foregoing park development requirement. If OWNER's Project does not provide dedicated and developed park acreage equal to two (2) acres per 1,000 projected population, OWNER shall pay a fee in-lieu equal to the per acre estimated costs of acquisition and development of parkland in the City's Development Impact Fee for the calculated park acreage deficiency. Such in-lieu fee shall be due and payable within 10 days following the issuance of the first building permit for a Production Unit issued to OWNER.
- 4.2.4 Acquisition of Grand Park Property. The Grand Park acreage identified in Tract Number 18662 shall be transferred to the CITY as a "Non-Program Interest" as provided in Section 3.6 of the Construction Agreement. Amendment. CITY shall acquire, pursuant to a separate acquisition agreement with OWNER, at the Fair Market Value as set forth in Section 3.6.2 of the Construction Agreement Amendment. Compensation to OWNER for such property may be in the form of Development Impact Fee Credit for use by OWNER as a credit against OWNER's Development Impact Fee obligation in the Parkland Facilities Development Fee category or other form of compensation paid directly to OWNER, as stated in the separate acquisition agreement.

4.3 Responsibility for Construction of Public Improvements.

4.3.1 Timely Construction of Public Infrastructure. The phasing of the areawide infrastructure construction within the Ontario Ranch area will be as approved by the CITY. OWNER shall be responsible, at OWNER's sole cost and expense, for the timely construction and completion of all public infrastructure required for the portion of the Project within the boundaries of Parcel Map 19787 as shown on the attached Exhibit F. OWNER shall also be responsible for the construction and completion of any and all tentative parcel map conditions. Unless otherwise specified in the Subdivision Agreement/Parcel Map conditions, all other required Improvements for each Parcel Map, and all subsequent Parcel or Tract Maps for the Property shall be completed and operational prior to, and as a condition precedent to, OWNER requesting and CITY's granting of the first building permit for a Non-Residential Unit or for Production Units for any such Parcel Map or future Tract Map. All Infrastructure and Improvements shall be completed as required by the Subdivision Agreement/Parcel Map conditions for Parcel Map Nos. 19787 and as required by any future Tract Maps for the Property. Notwithstanding the above, OWNER and CITY agree that the development of any one of the Parcels in Parcel Map 19787 may be developed prior to, concurrent with, or after the development of any of the other Parcels in Parcel Map 19787, subject to completion of the conditions of approval for the Parcel Map as determined by the City Engineer.

4.3.2 Construction of DIF Program Infrastructure (Construction Agreement). To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program and the Construction Agreement between CITY and NMC Builders LLC, CITY agrees that once OWNER has become a Member of NMC Builders LLC, CITY shall issue DIF Credit in accordance with the provisions of the Construction Agreement. Use of DIF Credit issued to OWNER as a member of NMC Builders LLC to offset OWNER's DIF payment obligations shall also be subject to the provisions of the Construction Agreement and any amendments thereto.

4.3.3 Construction of DIF Program Infrastructure (Non-Construction Agreement). To the extent OWNER is required to construct and completes construction of public improvements that are included in CITY's Development Impact Fee Program and such public improvements are not included the Construction Agreement between CITY and NMC Builders LLC, CITY agrees that once OWNER has become a Member of NMC Builders LLC, CITY shall issue DIF Credit in accordance with the provisions of a separate Fee Credit Agreement between CITY and OWNER. DIF Credit issued to OWNER to offset OWNER's DIF payment obligations shall also be subject to the provisions of a separate Fee Credit Agreement. CITY and OWNER agree that the Fee Credit Agreement between CITY and OWNER shall comply with CITY's adopted policies applicable to such agreements.

4.4 Affordable Housing Requirement.

4.4.1 Affordable Housing- Number of Units. OWNER shall provide a minimum number of affordable housing units, equivalent to 10% of the OWNER's total approved residential units within the Project, that are affordable to very low, low and moderate income households. Such requirement for affordable housing shall be met through one, or a combination of one or more, of the options provided in the following Sections 4.4.2.1 through 4.4.2.3. For the purposes of this Section, any term not defined in this Agreement shall be as defined by California Community Redevelopment Law (California Health and Safety Code Section 33000 et seq.).

4.4.2 Affordability Spread. Of the total number of residential dwelling units specified in Section 4.4.1, to be constructed or rehabilitated pursuant to Sections 4.4.2.1 or 4.4.2.2 respectively, thirty percent (30%) shall be available to very low income, thirty percent (30%) shall be available to low income and forty percent (40%) shall be available to moderate income households. **"Households"** shall be as defined by California Health and Safety Code Section 50053.

4.4.2.1 New Construction. If OWNER elects to fully or partially satisfy the affordable housing requirement by the construction of new residential units, it shall construct and restrict the affordability of residential dwelling units within its Project or, at OWNER's option and with the approval of the City, within another project elsewhere within the City. The affordable units constructed shall be intermingled with other units as part of the Project, and shall be built to the same construction, design and aesthetic standards, as well as number of rooms, as other units constructed as part of that OWNER's Project. In addition, the percentage ratio of affordable units offered for sale versus those offered for rent shall equal the percentage ratio of other units offered for sale versus for rent within OWNER's Project. Such construction shall be completed no later than the date that is five (5) years following the issuance of the first building permit for OWNER's Project; provided however that to the extent OWNER has not constructed the required percentage of units, based on the number of building permits for non-restricted units, OWNER shall, prior to the issuance of such building permits, provide security (in the form and substance approved by the City Manager and City Attorney) to City in order to ensure the faithful completion of such required percentage of construction of affordable units. If OWNER elects the option of constructing new affordable units, a detailed Affordable Housing Agreement specifying terms for the allowable monthly housing costs or rents (as applicable) and maintenance and occupancy standards shall be prepared, executed and recorded against such units as a condition to the issuance of a building permit. The Affordable Housing Agreement shall hold a recorded priority position senior to any other non-statutory lien or encumbrance affecting the unit.

4.4.2.2 Rehabilitation. If OWNER elects to fully or partially satisfy the affordable housing requirement by the substantial rehabilitation of existing residential units in the City, it shall substantially rehabilitate and restrict the affordability of, the number of residential units specified in Section 4.4.1, provided that such units shall be provided elsewhere within the City. The rehabilitation work shall be

substantial and of high quality and shall also address any deferred property maintenance issues on the property. “**Substantial rehabilitation**” shall mean rehabilitated multi-family rented dwelling units with three or more units and the value of the rehabilitation constitutes 25 percent of the after rehabilitation value of the dwelling, inclusive of land value pursuant to Health and Safety Code Section 33413(b)(2)(A)(iii-iv) as such section exists as of the Effective Date of this Agreement. If OWNER chooses the option of rehabilitation of existing housing units within the City, a detailed Affordable Housing Agreement specifying the terms for the allowable monthly housing costs or rents (as applicable) and maintenance and occupancy standards shall be prepared, executed and recorded against such units as a condition to the issuance of a building permit. Such rehabilitation shall be completed no later than the date that is five (5) years following the issuance of the first building permit for OWNER’s Project; provided however that to the extent OWNER has not rehabilitated the required percentage of units, based on the number of building permits, OWNER shall, prior to the issuance of such building permits, provide security (in the form and substance approved by the City Manager and City Attorney) to the City in order to ensure the faithful completion of such required percentage of rehabilitation.

4.4.2.3 In-Lieu Fee. If OWNER has not fully complied with the requirements of Section 4.4.1 by providing the minimum number of affordable units through the construction of new affordable units or by the substantial rehabilitation of existing units, shall pay an “**Affordability In-Lieu Fee**”. If OWNER has not provided any affordable residential units by construction or rehabilitation, the Affordability In-Lieu fee shall be equal to Two Dollars Forty-Three Cents (\$2.43) per square foot of residential development within OWNER’s Project or, if pre-paid as set forth below, Two Dollars Thirteen Cents (\$2.13) per square foot of residential development within OWNER’s Project. If OWNER has partially complied with the requirements of Section 4.4.1 by construction or rehabilitation of less than the minimum number of units, then the Affordability In-lieu Fee shall be recalculated and reduced in consideration of the number and type of affordable units provided. The Affordability In-Lieu Fee shall be paid by OWNER to City no later than prior to the issuance of each building permit within OWNER’s Project based on the square footage of the residential unit for which such building permit is sought; provided however that OWNER may, at OWNER’s election, pre-pay such Affordability In-Lieu Fee by paying such Affordability In-Lieu Fee within thirty (30) days following the earliest discretionary approval by the City for OWNER’s Project, including, but not limited to, any general plan amendment, specific plan adoption, development agreement, tentative map approval, variance, conditional use permit, or resolution of intention to form any public financing mechanism. The Two Dollars, Forty-Three Cents (\$2.43) and the Two Dollars Thirteen Cents (\$2.13) per square foot amounts shall automatically be increased annually, commencing on July 1, 2018, and automatically each July 1 thereafter. Such adjustment shall be based on the percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year. The pre-paid Affordability In-Lieu Fee shall be calculated based on the maximum floor area ratio (FAR) permitted within

the General Plan and any applicable FAR contained within the applicable specific plan, whichever is greater, and the Maximum Development Density. For purposes of this Agreement, “**Maximum Development Density**” shall be determined by multiplying the OWNER’s Project’s density for residential development potential as set forth in the General Plan or the applicable Specific Plan, whichever is less, by the net acreage of land within OWNER’s Project. All “Affordability In-Lieu Fees” collected by the City shall be used to promote the construction of affordable housing within the City.

4.4.2.4 Affordability Covenants. Prior to the issuance of the first building permit for any affordable unit, the City and OWNER shall enter into an Affordable Housing Agreement. Affordability shall be assured for a period of forty-five (45) years for for-sale units and fifty-five (55) years for rentals. For rental units, base rents shall be established by the City and rental adjustments required by the City shall be performed on an annual basis. In addition, the Affordable Housing Agreement shall impose maximum occupancy limits of 2 occupants per bedroom plus 1 additional occupant per dwelling unit, and a requirement for the owner or tenant to properly maintain each dwelling unit.

4.4.2.5 Transfer of Affordable Project. No transfer of title to any affordable housing project shall occur without the prior written consent of the City. In the event OWNER transfers title to any affordable housing project required to be constructed pursuant to this Agreement to a non-profit entity, or other entity, that receives an exemption from ad valorem real property taxes, the OWNER shall be required to assure payment of an annual in lieu fee to the City on July 1 of each year equal to one-tenth of one percent (0.1%) of the assessed value of such project. The City may permit OWNER to satisfy this obligation by recorded covenants against the property and enforceable against said entity by the City. Any such covenants shall be approved by the Planning Director and the City Attorney.

4.5 Schools Obligations. Written Evidence of Compliance with Schools Obligations. OWNER shall, either through joint or individual agreements between OWNER and the applicable school district(s), shall satisfy its new school obligations. The new school obligations for the Mountain View School District in the New Model Colony area have been projected to include the acquisition or dedication of school sites for, and construction of, up to eight (8) schools. Of these eight (8) schools, six (6) are to be elementary (K-5) grade schools and two (2) are to be middle grade schools. The new school obligations for the Chaffey Joint Union High School District in the New Model Colony area have been projected to include the dedication of a school site for, and construction of, an additional high school. The new school obligations for the applicable school district shall be met by a combination of the following: (1) designating and dedicating school site(s) within the Property as set forth in the General Plan, and/or (2) paying school impact fees, (3) entering into a joint mitigation agreement or individual mitigation agreements, or (4) any combination of the foregoing. Written evidence of approval by the applicable school district that OWNER has met their school obligations may be required by the City as the condition to the issuance by the City of any

entitlements for OWNER's Project. In the event OWNER is unable to provide such written evidence from the applicable school district(s), the City shall have the right to decline to honor any DIF Credit, Certificates of MDD Availability, Certificates of Storm Water Treatment Capacity Availability, or any combination thereof, presented by such OWNER, without liability to the City. To the extent that a joint mitigation agreement is approved by the applicable school district(s), and OWNER is a participant in good standing in such mitigation agreement, OWNER shall be deemed to have mitigated its new school obligations under this Section 4.5.

4.6 Public Services Funding Fee.

4.6.1 Requirement for Payment of Public Services Funding Fee. In order to ensure that the adequate provision of public services, including without limitation, police, fire and other public safety services, are available to the residents of each Project in a timely manner, OWNER shall pay to CITY a "**Public Services Funding Fee.**" The Public Services Funding Fee shall apply to residential and non-residential uses as set forth below.

4.6.2 Public Services Funding Fee Amount. OWNER shall pay a Public Services Funding fee in the total amount of One Thousand Nine Hundred Seven dollars (\$1,907.00) per residential dwelling unit. The Public Services Funding Fee shall be paid in one (1) installment within one hundred eighty (180) calendar days after the effective date of the Development Agreement or in two (2) installments, at OWNER's option, as follows:

4.6.2.1 First Installment (Residential uses). The First Installment of the Public Services Funding Fee shall be Nine Hundred Fifty-Three dollars and fifty cents (\$953.50) per residential dwelling unit. The First Installment shall be based upon the "**Maximum Development Density**" of the OWNER's Project, as defined in Section 3.7.2.3 of the First Amended and Restated Construction Agreement. The First Installment shall be due and payable 30 days after the effective date of this Development Agreement.

4.6.2.2 Second Installment (Residential Uses). The Second Installment of the Public Services Funding Fee shall be Nine Hundred Fifty-Three dollars and fifty cents (\$953.50) per residential unit. The Second Installment shall be paid at the time of the issuance of each building permit for the Project. The amount of the Second Installment shall increase automatically by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2018. OWNER may exercise the option to pay the Second Installment amount for all residential units, a portion of the residential units, or for the remainder of the residential units within OWNER's Project on or before each December 31st, before the Second Installment amount is automatically increased.

4.6.2.3 Single Installment (Non-residential Uses). A single installment payment

of the Public Services Funding Fee shall be required in the amount of Fifty-Seven Cents (\$.57) per square foot of non-residential buildings. The single installment for non-residential uses shall be due and payable prior to the issuance of the building permit for a non-residential building. The amount of the Single Installment for non-residential uses shall automatically increase by percentage increase (but no decrease) in the Consumer Price Index (Los Angeles-Anaheim-Riverside County), 1950-2001 (1982-84=100) over the preceding year on January 1st of each year, beginning on January 1, 2018. OWNER may exercise the option to pay any single installment amounts for the remainder of the non-residential square footage within the Project on or before December 31st, before the Single Installment amount is automatically increased.

4.7 Net MDD/Water Availability Equivalents.

- 4.7.1 Assigned Net MDD/Water Availability Equivalents. The City has agreed with NMC Builders to reserve exclusively for Members of NMC Builders, including OWNER, Net MDD made available through the construction of water system improvements funded by NMC Builders and/or OWNER. OWNER acknowledges that the provisions of the Construction Agreement Amendment between the City and NMC Builders LLC require that the City shall not approve a final parcel map or tract map for the area of development within the Ontario Ranch served by the water system improvements funded by NMC Builders LLC, except to the bearer of an Assignment of Net MDD Water Availability.
- 4.7.2 Requirement for Amendment to Construction Agreement with NMC Builders. OWNER and CITY agree that OWNER's payment to CITY required by Section 4.7.3 below represents OWNER's contribution to the funding required for the future construction of the Phase 2 Water Improvements and the availability of additional Net MDD Water Availability required for the development of the Property described in Exhibit A of this Agreement. CITY and OWNER also agree that CITY approval of this Agreement shall be conditioned upon OWNER's agreement to become a Member of NMC Builders. OWNER shall become a Member of NMC Builders within ninety (90) days of the effective date of this Development Agreement.
- 4.7.3 CITY issuance Water Availability Equivalents. The Phase 2 Water Participation Fee shall be calculated based on the amount of the projected Regional Water DIF, the Maximum Development Density and the approved land use category for such Project. The calculated amount of the Phase 2 Water Participation Fee shall be paid to City within 30 days after the effectiveness of this Development Agreement or, at OWNER's option, the Phase 2 Water Participation Fee may be paid to City in two (2) installments. The first installment shall be fifty percent (50%) of the total Phase 2 Water Participation Fee and such first installment shall be due and payable to City within 30 days after the effective date of this Development Agreement. The second installment shall be the remaining amount

of the Phase 2 Water Participation Fee and such second installment shall be due and payable to City within one (1) year after the payment of the first installment, or prior to, and as a condition precedent to the recording of any final tract map for the Project, whichever occurs first. Upon OWNER's complete payment to CITY of the Phase 2 Water Participation Fee CITY shall issue a Certificate of Water Availability Equivalents in the form attached hereto as Exhibit G. Such Water Availability Equivalents Certificate shall be issued by CITY within thirty (30) days of the receipt of such required payment. CITY and OWNER agree that the amount of Water Availability Equivalents issued to OWNER shall be based on the maximum projected need for Water Availability Equivalents required for the Property based upon water demand factors and assumptions listed in Exhibit C-2R of the Phase 2 Water Amendment, "Water Demand Equivalents by Land Use" for each land use category. Additionally, within thirty (30) days of CITY's receipt of OWNER complete payment as required under Section 4.7.3, CITY shall issue a certificate of DIF Credit against OWNER's DIF obligations in the regional water DIF Category. The amount of the DIF Credit issued by CITY shall be equivalent to OWNER's payment to CITY of the Phase 2 Water Participation Fee. The form of the Certificate of DIF Credit shall be as described in Exhibit H, attached hereto and incorporated herein.

4.7.3.1 OWNER may qualify for a partial refund of a portion of OWNER's Phase 2 Water Participation Fee, if OWNER's Phase 2 Water Participation Fee has been calculated and paid to CITY based on the Maximum Development Density and OWNER subsequently applies for, and CITY approves, Tract Maps that contain a lower number of residential parcels than the Maximum Development Density. OWNER may, at OWNER's option, notify CITY that OWNER may qualify for a partial refund of OWNER's paid Phase 2 Water Participation Fee based on CITY issuance of a reduced number of actual residential building permits for the Project. Such notice shall include the original calculation of the Phase 2 Water Participation Fee, and OWNER's recalculation of the Phase 2 Water Participation Fee based on the lower number of actual residential building permits and OWNER's calculation of the partial refund amount. OWNER agrees that CITY may modify the amount of the Phase 2 Water Participation Fee after OWNER pays such Phase 2 Water Participation Fee and the calculation of the amount of a partial refund, if any, shall consider that the Phase 2 Water Participation Fee may have increased during the period between when OWNER pays the Phase 2 Water Participation Fee based upon the Maximum Development Density and such time as OWNER may request a partial refund of the Phase 2 Water Participation Fee based on a reduced number of actual residential parcels. OWNER agrees that the calculation of the requested refund shall be based upon the Phase 2 Water Participation Fee in effect at the time that OWNER files a request for a refund. Within 20 days of receipt of the notice from OWNER, the CITY shall review OWNER's notice and make a determination that:

- a. OWNER's recalculation of the Phase 2 Water Participation Fee is accurate and the CITY shall issue a refund to OWNER of the amount requested by OWNER, or
- b. CITY shall notify OWNER of the need for revisions to OWNER's calculations and the need for OWNER to resubmit the request for a partial refund; or
- c. CITY shall notify OWNER that OWNER is not eligible for a partial refund of OWNER's Phase 2 Water Participation Fee based on a reduced number of actual building permits for residential units with the reasons for the rejection of OWNER's request.

If CITY approves OWNER's request for a partial refund of OWNER's paid Phase 2 Water Participation Fee, OWNER agrees that, prior to, and as a condition precedent to CITY's issuance of a partial refund to OWNER, OWNER shall surrender to CITY, the Certificate of Water Availability Equivalents previously issued to OWNER and the Certificate of DIF Credit in the Regional Water DIF category previously issued to OWNER by CITY. Upon surrender by OWNER of such Certificates to CITY, CITY shall reissue a Certificate of Water Availability Equivalents based on a reduced amount of Water Availability Equivalents required for OWNER's Project and CITY shall also reissue a Certificate of DIF Credit in the Regional Water DIF category based upon OWNER's reduced Phase 2 Water Participation Fee for the Property.

- 4.7.4 Use of Net MDD Water Availability. OWNER shall provide evidence of sufficient Water Availability Equivalents (or portions thereof) prior to and as a condition precedent to approval of any final Parcel Map for the Property. The amount of Water Availability Equivalents required for the approval of a final Parcel Map shall be based upon water demand factors and assumptions listed in Exhibit C-2R of the Construction Agreement Amendment as "Water Demand Equivalents by Land Use" for each land use category.
- 4.7.5 Requirement for other Water System Improvements. A Certificate of Net MDD Availability is evidence only of available water capacity and does not satisfy any other conditions applicable to OWNER's Project, including those relating to design and construction of master-planned potable water and recycled water transmission and distribution system for the respective pressure zone and other public infrastructure requirements.
- 4.8 Storm Water Capacity Availability.
- 4.8.1 Requirement for Storm Water Treatment Capacity Availability. For each Tract Map within the Property OWNER shall provide evidence of sufficient Storm Water Treatment Capacity Availability as reserved in a Certificate of Storm Water Treatment Capacity Availability. Evidence of sufficient Storm Water Treatment Capacity Availability shall be provided for the area of a Tract Map shall be

provided to CITY prior to, and as a condition precedent to the recording of any final tract map. The amount of Storm Water Treatment Capacity Availability required shall be based upon the Net Residential Acreage of the area to be graded regardless of the corresponding use.

4.8.3 Requirement for other Storm Water Improvements. The Certificate of Storm Water Treatment Capacity Availability is evidence only of available storm water treatment capacity and does not satisfy any other conditions applicable to a particular development project, including those relating to on-site water treatment, water quality, connection to the storm water collection system, or other public infrastructure requirements.

4.8.2 CITY agrees that OWNER, at OWNER's option, and, as an alternative to the requirements in Section 4.8.1, may chose not to provide evidence of sufficient Storm Water Treatment Capacity Availability for the area of a Tract Map within the Property. OWNER agrees that if OWNER does not provide evidence of sufficient Storm Water Treatment Capacity Availability the area within the Tract Map shall not utilize the regional storm water treatment facilities to meet the requirements of the NPDES permit and the requirements of Section 3.8 of the Construction Agreement shall not apply to the area of the Tract Map. OWNER also agrees that if OWNER selects this option, OWNER shall provide on-site storm water treatment facilities to meet the requirements of the NPDES permit.

4.9 Maintenance of Common Areas or Open Space. OWNER shall provide for the ongoing maintenance of all park and common or open space areas within the Project as more particularly set forth in the Specific Plan, through a homeowners' association or public financing mechanism, as approved by the CITY. Covenants, conditions and restrictions establishing any homeowners' association shall be approved by the Planning Director and City Attorney. If requested by OWNER, the CITY shall use good faith efforts to require other developments within the Specific Plan to join such homeowners' association or public financing mechanism for the purpose of maintaining such parks and open spaces that are open to the public.

4.10 Edison Easement Improvements. OWNER shall develop as park or open space purposes that area within the Project areas owned in fee by Southern California Edison or in which Southern California Edison has an easement or license, as more particularly set forth in the Specific Plan. Said park or open space development shall be consistent with the New Model Colony Park Master Plan standards for park and open space development. Notwithstanding OWNER's development of park or open space areas as required by this Section 4.10, OWNER shall not be entitled to any credit, offset or reimbursement from the CITY for such park or open space development.

4.11 Compliance with Public Benefits Requirements.

4.11.1 Failure to Provide Public Benefits. In the event OWNER fails or refuses to comply with any condition referenced in Section 4.1 through 4.10, or challenges (whether administratively or through legal proceedings) the imposition of such

conditions, OWNER shall be deemed in default of this Agreement pursuant to Section 8.4 hereof, thereby entitling the City to any and all remedies available to it, including, without limitation, the right of the City to withhold OWNER's Project-related building permits, certificates of occupancy, or discretionary approvals, without liability.

5. FINANCING OF PUBLIC IMPROVEMENTS.

5.1 Financing Mechanism(s). In accordance with the Memorandum of Agreement between the CITY and NMC Builders, CITY will cooperate with OWNER in the formation of a CFD, or CFDs, to include all of the Project, to provide a financing mechanism to reimburse the OWNER for funds paid to NMC Builders LLC for OWNER's share of the costs of public infrastructure pursuant to the Construction Agreement. Notwithstanding such reimbursements, OWNER shall remain entitled to DIF Credits as provided for in Article 3 of the Construction Agreement and/or as provided for in a separate Fee Credit Agreement between CITY and OWNER. OWNER agrees that, prior to the recordation of any B Map, the property subject to such B Map shall be included in a CFD to finance City services through annual special taxes that will initially be \$1,442.00 per Single Family Detached Dwelling Unit, \$1,250.00 per Multiple-Family Dwelling Unit, \$1,048.00 per Gated Apartment Community Dwelling Unit, and \$.27 per square foot for Non-Residential buildings. These amounts shall be subject to an automatic increase at a rate not to exceed four (4%) percent per year. CITY shall be the sole and exclusive lead agency in the formation of any CFD, assessment district or other public financing mechanism within the Property; provided however, that the proceeds of any such CFD, assessment district, or financing mechanism may be used, subject to restrictions that may be imposed by applicable law, for the purposes of acquiring, constructing or maintaining public facilities to be owned or operated by other public agencies, including, without limitation those facilities owned or operated by a school district. CITY shall have the right, but not the obligation, to condition the formation of any CFD, assessment district or other public financing mechanism within the Property on the OWNER mitigating all Project-related impacts to the applicable school district(s) as required by such school district(s). Written evidence by such school district(s) may be required by the CITY as the condition to the formation of any CFD, assessment district or other public financing mechanism within the Property, or any steps preliminary thereto, including, without limitation, the adoption of any resolution of intention to form such CFD, assessment district or other public financing mechanism within the Property. It is not the intent of the parties hereto, by this provision, to prohibit or otherwise limit the City's ability to take any and all necessary steps requisite to the formation of the CFD to finance City services through annual special taxes as set forth in this Section 5.1. Formation of any CFD, assessment district or other public financing mechanism within the Property, shall be subject to CITY's ability to make all findings required by applicable law and complying with all applicable legal procedures and requirements including, without limitation, CITY's public financing district policies as such policies may be amended from time to time. Notwithstanding the foregoing, it is acknowledged and agreed by the parties that nothing contained in this Agreement shall be construed as requiring CITY or the City Council to form any such district or to issue and sell bonds.

6. REVIEW FOR COMPLIANCE.

6.1 Periodic and Special Reviews.

6.1.1 Time for and Initiation of Periodic Review. The CITY shall review this Agreement every twelve (12) months from the Effective Date in order to ascertain the good faith compliance by the OWNER with the terms of this Agreement. The OWNER shall submit an Annual Monitoring Report to CITY, in a form acceptable to the City Manager, along with any applicable processing charge within ten (10) days after each anniversary date of the Effective Date of this Agreement. Within fifteen (15) days after the receipt of the Annual Monitoring Report, CITY shall review the Annual Monitoring Report. Prior to the expiration of the fifteen (15) day review period, CITY shall either issue a notice of continuing compliance or a notice of non-compliance and a notice of CITY's intent to conduct a Special Review pursuant to Sections 6.1.2 through 6.1.6. Issuance of a notice of continuing compliance may be issued by the City Manager or his designee.

6.1.2 Initiation of Special Review. A special review may be called either by agreement between the parties or by initiation in one or more of the following ways:

- (1) Recommendation of the Planning staff;
- (2) Affirmative vote of at least four (4) members of the Planning Commission; or
- (3) Affirmative vote of at least three (3) members of the City Council.

6.1.3 Notice of Special Review. The City Manager shall begin the special review proceeding by giving notice that the CITY intends to undertake a special review of this Agreement to the OWNER. Such notice shall be given at least ten (10) days in advance of the time at which the matter will be considered by the Planning Commission.

6.1.4 Public Hearing. The Planning Commission shall conduct a hearing at which the OWNER must demonstrate good faith compliance with the terms of this Agreement. The burden of proof on this issue is upon the OWNER.

6.1.5 Findings Upon Public Hearing. The Planning Commission shall determine upon the basis of substantial evidence whether or not the OWNER has, for the period under review, complied in good faith with the terms and conditions of this Agreement.

6.1.6 Procedure Upon Findings.

(a) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has complied in good faith with the terms and conditions of this Agreement during the period under review, the review for that period is concluded.

(b) If the Planning Commission finds and determines on the basis of substantial evidence that the OWNER has not complied in good faith with the terms and conditions of this Agreement during the period under review, the Planning Commission may recommend to the City Council to modify or terminate this Agreement.

(c) The OWNER may appeal a determination pursuant to paragraph (b) to the City Council in accordance with the CITY's rule for consideration of appeals in zoning matters generally.

6.2 Proceedings Upon Modification or Termination. If, upon a finding under Section 6.1.6(b), the CITY determines to proceed with modification or termination of this Agreement, the CITY shall give notice to the property OWNER of its intention so to do. The notice shall contain:

- (a) The time and place of the hearing;
- (b) A statement as to whether or not the CITY proposes to terminate or to modify this Agreement; and
- (c) Other information that the CITY considers necessary to inform the OWNER of the nature of the proceeding.

6.3 Hearing on Modification or Termination. At the time and place set for the hearing on modification or termination, the OWNER shall be given an opportunity to be heard. The OWNER shall be required to demonstrate good faith compliance with the terms and conditions of this Agreement. The burden of proof on this issue shall be on the OWNER. If the City Council finds, based upon substantial evidence in the administrative record, that the OWNER has not complied in good faith with the terms and conditions of the agreement, the City Council may terminate or modify this Agreement and impose those conditions to the action it takes as it considers necessary to protect the interests of the CITY. The decision of the City Council shall be final, subject only to judicial review pursuant to Section 1094.5 of the Code of Civil Procedure.

6.4 Certificate of Agreement Compliance. If, at the conclusion of a Periodic or Special Review, OWNER is found to be in compliance with this Agreement, CITY shall, upon written request by OWNER, issue a Certificate of Agreement Compliance ("Certificate") to OWNER stating that after the most recent Periodic or Special Review and based upon the information known or made known to the Planning Director and City Council that (1) this Agreement remains in effect and (2) OWNER is not in default.

The Certificate shall be in recordable form, shall contain information necessary to communicate constructive record notice of the finding of compliance, shall state whether the Certificate is issued after a Periodic or Special Review and shall state the anticipated date of commencement of the next Periodic Review. OWNER may record the Certificate with the County Recorder. Whether or not the Certificate is relied upon by assignees or other transferees or OWNER, CITY shall not be bound by a Certificate if a default existed at the time of the Periodic or Special Review, but was concealed from or otherwise not known to the Planning Director or City Council.

7. [RESERVED]

8. DEFAULT AND REMEDIES.

8.1 Remedies in General. It is acknowledged by the parties that CITY would not have entered into this Agreement if it were to be liable in damages under this Agreement, or with respect to this Agreement or the application thereof.

In general, each of the parties hereto may pursue any remedy at law or equity available for the breach of any provision of this Agreement, except that CITY shall not be liable in damages to OWNER, or to any successor in interest of OWNER, or to any other person, and OWNER covenants not to sue for damages or claim any damages:

- (a) For any breach of this Agreement or for any cause of action which arises out of this Agreement; or
- (b) For the taking, impairment or restriction of any right or interest conveyed or provided under or pursuant to this Agreement; or
- (c) Arising out of or connected with any dispute, controversy or issue regarding the application or interpretation or effect of the provisions of this Agreement.

8.2 Specific Performance. The parties acknowledge that money damages and remedies at law generally are inadequate and specific performance and other non-monetary relief are particularly appropriate remedies for the enforcement of this Agreement and should be available to all parties for the following reasons:

- (a) Money damages are unavailable against CITY as provided in Section 8.1 above.
- (b) Due to the size, nature and scope of the project, it may not be practical or possible to restore the Property to its natural condition once implementation of this Agreement has begun. After such implementation, OWNER may be foreclosed from other choices it may have had to utilize the Property or portions thereof. OWNER has invested significant time and resources and performed extensive planning and processing of the Project in agreeing to the terms of this Agreement and will be investing even more significant time and resources in implementing the Project in reliance upon

the terms of this Agreement, and it is not possible to determine the sum of money which would adequately compensate OWNER for such efforts.

8.3 Release. Except for nondamage remedies, including the remedy of specific performance and judicial review as provided for in Section 6.5, OWNER, for itself, its successors and assignees, hereby releases the CITY, its officers, agents and employees from any and all claims, demands, actions, or suits of any kind or nature arising out of any liability, known or unknown, present or future, including, but not limited to, any claim or liability, based or asserted, pursuant to Article I, Section 19 of the California Constitution, the Fifth Amendment of the United States Constitution, or any other law or ordinance which seeks to impose any other liability or damage, whatsoever, upon the CITY because it entered into this Agreement or because of the terms of this Agreement.

8.4 Termination or Modification of Agreement for Default of OWNER. Subject to the provisions contained in Subsections 6.2 and 6.3 herein, CITY may terminate or modify this Agreement for any failure of OWNER to perform any material duty or obligation of OWNER under this Agreement, or to comply in good faith with the terms of this Agreement (hereinafter referred to as "default"); provided, however, CITY may terminate or modify this Agreement pursuant to this Section only after providing written notice to OWNER of default setting forth the nature of the default and the actions, if any, required by OWNER to cure such default and, where the default can be cured, OWNER has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

8.5 Termination of Agreement for Default of CITY. OWNER may terminate this Agreement only in the event of a default by CITY in the performance of a material term of this Agreement and only after providing written notice to CITY of default setting forth the nature of the default and the actions, if any, required by CITY to cure such default and, where the default can be cured, CITY has failed to take such actions and cure such default within 60 days after the effective date of such notice or, in the event that such default cannot be cured within such 60 day period but can be cured within a longer time, has failed to commence the actions necessary to cure such default within such 60 day period and to diligently proceed to complete such actions and cure such default.

9. THIRD PARTY LITIGATION.

9.1 General Plan Litigation. CITY has determined that this Agreement is consistent with its Comprehensive General Plan, as such General Plan exists as of the Effective Date ("General Plan"), and that the General Plan meets all requirements of law. OWNER has reviewed the General Plan and concurs with CITY's determination. CITY shall have no liability in damages under this Agreement for any failure of CITY to perform under this Agreement or the inability of OWNER to develop the Property as contemplated by the Development Plan of this Agreement as the result of a judicial

determination that on the Effective Date, or at any time thereafter, the General Plan, or portions thereof, are invalid or inadequate or not in compliance with law.

9.2 Third Party Litigation Concerning Agreement. OWNER shall defend, at its expense, including attorneys' fees, indemnify, and hold harmless CITY, its agents, officers and employees from any claim, action or proceeding against CITY, its agents, officers, or employees to attack, set aside, void, or annul the approval of this Agreement or the approval of any permit granted pursuant to this Agreement. CITY shall promptly notify OWNER of any such claim, action or proceeding, and CITY shall cooperate in the defense. If CITY fails to promptly notify OWNER of any such claim, action or proceeding, or if CITY fails to cooperate in the defense, OWNER shall not thereafter be responsible to defend, indemnify, or hold harmless CITY. CITY may in its discretion participate in the defense of any such claim, action or proceeding.

9.3 Indemnity. In addition to the provisions of 9.2 above, OWNER shall indemnify and hold CITY, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of OWNER, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury, or death (OWNER's employees included) or any other element of damage of any kind or nature, relating to or in any way connected with or arising from the activities contemplated hereunder, including, but not limited to, the study, design, engineering, construction, completion, failure and conveyance of the public improvements, save and except claims for damages arising through the sole active negligence or sole willful misconduct of CITY. OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions. CITY may in its discretion participate in the defense of any such legal action.

9.4 Environment Assurances. OWNER shall indemnify and hold CITY, its officers, agents, and employees free and harmless from any liability, based or asserted, upon any act or omission of OWNER, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns and independent contractors for any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under or about the Property, including, but not limited to, soil and groundwater conditions, and OWNER shall defend, at its expense, including attorneys' fees, CITY, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. CITY may in its discretion participate in the defense of any such action.

9.5 Reservation of Rights. With respect to Sections 9.2, 9.3 and 9.4 herein, CITY reserves the right to either (1) approve the attorney(s) which OWNER selects, hires or otherwise engages to defend CITY hereunder, which approval shall not be unreasonably withheld, or (2) conduct its own defense, provided, however, that OWNER shall reimburse CITY forthwith for any and all reasonable expenses incurred for such defense, including attorneys' fees, upon billing and accounting therefor.

9.6 Survival. The provisions of this Sections 9.1 through 9.6, inclusive, shall survive the termination of this Agreement.

10. MORTGAGEE PROTECTION.

The parties hereto agree that this Agreement shall not prevent or limit OWNER, in any manner, at OWNER's sole discretion, from encumbering the Property or any portion thereof or any improvement thereon by any mortgage, deed of trust or other security device securing financing with respect to the Property. CITY acknowledges that the lenders providing such financing may require certain Agreement interpretations and modifications and agrees upon request, from time to time, to meet with OWNER and representatives of such lenders to negotiate in good faith any such request for interpretation or modification. CITY will not unreasonably withhold its consent to any such requested interpretation or modification provided such interpretation or modification is consistent with the intent and purposes of this Agreement. Any Mortgagee of the Property shall be entitled to the following rights and privileges:

(a) Neither entering into this Agreement nor a breach of this Agreement shall defeat, render invalid, diminish or impair the lien of any mortgage on the Property made in good faith and for value, unless otherwise required by law.

(b) The Mortgagee of any mortgage or deed of trust encumbering the Property, or any part thereof, which Mortgagee, has submitted a request in writing to the CITY in the manner specified herein for giving notices, shall be entitled to receive written notification from CITY of any default by OWNER in the performance of OWNER's obligations under this Agreement.

(c) If CITY timely receives a request from a Mortgagee requesting a copy of any notice of default given to OWNER under the terms of this Agreement, CITY shall provide a copy of that notice to the Mortgagee within ten (10) days of sending the notice of default to OWNER. The Mortgagee shall have the right, but not the obligation, to cure the default during the remaining cure period allowed such party under this Agreement.

(d) Any Mortgagee who comes into possession of the Property, or any part thereof, pursuant to foreclosure of the mortgage or deed of trust, or deed in lieu of such foreclosure, shall take the Property, or part thereof, subject to the terms of this Agreement. Notwithstanding any other provision of this Agreement to the contrary, no Mortgagee shall have an obligation or duty under this Agreement to perform any of OWNER's obligations or other affirmative covenants of OWNER hereunder, or to guarantee such performance; provided, however, that to the extent that any covenant to be performed by OWNER is a condition precedent to the performance of a covenant by CITY, the performance thereof shall continue to be a condition precedent to CITY's performance hereunder, and further provided that any sale, transfer or assignment by any Mortgagee in possession shall be subject to the provisions of Section 2.4 of this Agreement.

11. MISCELLANEOUS PROVISIONS.

11.1 Recordation of Agreement. This Agreement and any amendment or cancellation thereof shall be recorded with the San Bernardino County Recorder by the City Clerk within the ten (10) days after the CITY executes this Agreement, as required by Section 65868.5 of the Government Code. If the parties to this Agreement or their successors in interest amend or cancel this Agreement as provided for herein and in Government Code Section 65868, or if the CITY terminates or modifies the agreement as provided for herein and in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of this Agreement, the City Clerk shall have notice of such action recorded with the San Bernardino County Recorder.

11.2 Entire Agreement. This Agreement sets forth and contains the entire understanding and agreement of the parties, and there are no oral or written representations, understandings or ancillary covenants, undertakings or agreements which are not contained or expressly referred to herein. No testimony or evidence of any such representations, understandings or covenants shall be admissible in any proceeding of any kind or nature to interpret or determine the terms or conditions of this Agreement.

11.3 Severability. If any term, provision, covenant or condition of this Agreement shall be determined invalid, void or unenforceable, the remainder of this Agreement shall not be affected thereby to the extent such remaining provisions are not rendered impractical to perform taking into consideration the purposes of this Agreement. Notwithstanding the foregoing, the provision of the Public Benefits set forth in Section 4 of this Agreement, including the payment of the fees set forth therein, are essential elements of this Agreement and CITY would not have entered into this Agreement but for such provisions, and therefore in the event such provisions are determined to be invalid, void or unenforceable, this entire Agreement shall be null and void and of no force and effect whatsoever.

11.4 Interpretation and Governing Law. This Agreement and any dispute arising hereunder shall be governed and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting party shall not be employed in interpreting this Agreement, all parties having been represented by counsel in the negotiation and preparation hereof.

11.5 Section Headings. All section headings and subheadings are inserted for convenience only and shall not affect any construction or interpretation of this Agreement.

11.6 Singular and Plural. As used herein, the singular of any word includes the plural.

11.7 Joint and Several Obligations. Subject to section 2.4, if at any time during the term of this Agreement the Property is owned, in whole or in part, by more than one owner, all obligations of such owners under this Agreement shall be joint and several, and the default of any such owner shall be the default of all such owners.

Notwithstanding the foregoing, no owner of a single lot which has been finally subdivided and sold to such owner as a member of the general public or otherwise as an ultimate user shall have any obligation under this Agreement except as provided under Section 4 hereof.

11.8 Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.

11.9 Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this Agreement by the other party, or the failure by a party to exercise its rights upon the default of the other party, shall not constitute a waiver of such party's right to insist and demand strict compliance by the other party with the terms of this Agreement thereafter.

11.10 No Third-Party Beneficiaries. This Agreement is made and entered into for the sole protection and benefit of the parties and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

11.11 Force Majeure. Neither party shall be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement is caused by floods, earthquakes, other Acts of God, fires, wars, riots or similar hostilities, strikes and other labor difficulties beyond the party's control, (including the party's employment force), government regulations, court actions (such as restraining orders or injunctions), or other causes beyond the party's control. If any such events shall occur, the term of this Agreement and the time for performance by either party of any of its obligations hereunder may be extended by the written agreement of the parties for the period of time that such events prevented such performance, provided that the term of this Agreement shall not be extended under any circumstances for more than five (5) years.

11.12 Mutual Covenants. The covenants contained herein are mutual covenants and also constitute conditions to the concurrent or subsequent performance by the party benefited thereby of the covenants to be performed hereunder by such benefited party.

11.13 Successors in Interest. The burdens of this Agreement shall be binding upon, and the benefits of this Agreement shall inure to, all successors in interest to the parties to this Agreement. All provisions of this Agreement shall be enforceable as equitable servitudes and constitute covenants running with the land. Each covenant to do or refrain from doing some act hereunder with regard to development of the Property: (a) is for the benefit of and is a burden upon every portion of the Property; (b) runs with the Property and each portion thereof; and, (c) is binding upon each party and each successor in interest during ownership of the Property or any portion thereof.

11.14 Counterparts. This Agreement may be executed by the parties in counterparts, which counterparts shall be construed together and have the same effect as if all of the parties had executed the same instrument.

11.15 Jurisdiction and Venue. Any action at law or in equity arising under this Agreement or brought by a party hereto for the purpose of enforcing, construing or determining the validity of any provision of this Agreement shall be filed and tried in the Superior Court of the County of San Bernardino, State of California, and the parties hereto waive all provisions of law providing for the filing, removal or change of venue to any other court.

11.16 Project as a Private Undertaking. It is specifically understood and agreed by and between the parties hereto that the development of the Project is a private development, that neither party is acting as the agent of the other in any respect hereunder, and that each party is an independent contracting entity with respect to the terms, covenants and conditions contained in this Agreement. No partnership, joint venture or other association of any kind is formed by this Agreement. The only relationship between CITY and OWNER is that of a government entity regulating the development of private property and the owner of such property.

11.17 Further Actions and Instruments. Each of the parties shall cooperate with and provide reasonable assistance to the other to the extent contemplated hereunder in the performance of all obligations under this Agreement and the satisfaction of the conditions of this Agreement. Upon the request of either party at any time, the other party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Agreement to carry out the intent and to fulfill the provisions of this Agreement or to evidence or consummate the transactions contemplated by this Agreement. The City Manager may delegate his powers and duties under this Agreement to an Assistant City Manager or other management level employee of the CITY.

11.18 Eminent Domain. No provision of this Agreement shall be construed to limit or restrict the exercise by CITY of its power of eminent domain.

11.19 Agent for Service of Process. In the event OWNER is not a resident of the State of California or it is an association, partnership or joint venture without a member, partner or joint venturer resident of the State of California, or it is a foreign corporation, then in any such event, OWNER shall file with the Planning Director, upon its execution of this Agreement, a designation of a natural person residing in the State of California, giving his or her name, residence and business addresses, as its agent for the purpose of service of process in any court action arising out of or based upon this Agreement, and the delivery to such agent of a copy of any process in any such action shall constitute valid service upon OWNER. If for any reason service of such process upon such agent is not feasible, then in such event OWNER may be personally served with such process out of this County and such service shall constitute valid service upon OWNER. OWNER is amenable to the process so served, submits to the jurisdiction of the Court so obtained and waives any and all objections and protests thereto. OWNER for itself, assigns and successors hereby waives the provisions of The Hague Convention (Convention on the Service Abroad of Judicial and Extra Judicial Documents in Civil or Commercial Matters, 20 U.S.T. 361, T.I.A.S. No. 6638).

11.20 Estoppel Certificate. Within thirty (30) business days following a written request by any of the parties, the other party shall execute and deliver to the requesting party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification except as may be represented by the requesting party and that there are no uncured defaults in the performance of the requesting party, except as may be represented by the requesting party. OWNER shall pay to CITY all costs incurred by CITY in connection with the issuance of estoppel certificates under this Section 11.20 prior to CITY's issuance of such certificates.

11.21 Authority to Execute. The person or persons executing this Agreement on behalf of OWNER warrants and represents that he or she/they have the authority to execute this Agreement on behalf of his or her/their corporation, partnership or business entity and warrants and represents that he or she/they has/have the authority to bind OWNER to the performance of its obligations hereunder.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year set forth below.

[SIGNATURES CONTAINED ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO DEVELOPMENT AGREEMENT**

"OWNERS"

Ronald C. Pietersma, Trustee of the
Ronald and Kristine Pietersma Family
Trust dated February 15, 1992

Kristine B. Pietersma, Trustee of the
Ronald and Kristine Pietersma Family
Trust dated February 15, 1992

Loyola Properties I, L.P.,
a California limited partnership

By: _____
Michael J. Bidart, Managing Member

"CITY"

CITY OF ONTARIO

By: _____
Scott Ochoa, City Manager

Date: _____

ATTEST:

City Clerk, Ontario

APPROVED AS TO FORM:

BEST, BEST & KREIGER LLP

City Attorney

A notary public or other officer completing this certificate certifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of San Bernardino

On _____ before me, _____, Notary
Public, _____ personally _____ appeared

_____ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____

(Seal

EXHIBIT "A"
TO DEVELOPMENT AGREEMENT
Legal Description

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF ONTARIO, IN THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

TENTATIVE MAP NO. PM 19787 IS A SUBDIVISION OF THE LAND DESCRIBED AS FOLLOWS:

THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 2 SOUTH, RANGE 7 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT THEREOF.

EXCEPTING THEREFROM THAT PORTION OF SAID LAND CONVEYED TO THE COUNTY OF SAN BERNARDINO BY DEED RECORDED SEPTEMBER 12, 1990 AS INSTRUMENT NO. 90-364062, OFFICIAL RECORDS.

ALSO EXCEPTING THEREFROM THAT PORTION KNOWN AS PARCEL 2 OF OFFICIAL MAP NO. 1099, FILED ON APRIL 18, 2016 AS INSTRUMENT NO. 2016-0145786, IN BOOK 2, PAGES 30 THROUGH 34, INCLUSIVE OF OFFICIAL MAPS, SAN BERNARDINO COUNTY RECORDS.

APN: 0218-241-31-0-000

EXHIBIT "B"
TO DEVELOPMENT AGREEMENT
Map Showing Property and its Location



- Low Density Residential (6-12 DU/AC Gross Max.)
- Medium Density Residential (12-18 DU/AC Gross Max.)
- High Density Residential (18-25 DU/AC Gross Max.)
- High/Elementary School

- Pocket Parks: Acreage and final locations to be determined at Tentative Tract Map approval
- Access Points and Connection to Local Streets: Conceptual locations within each Planning Area

**EXHIBIT “C”
TO DEVELOPMENT AGREEMENT
Existing Development Approvals**

On December 16, 2013, the Planning Commission:

- a) Issued Resolution No. PC13-082 recommending City Council adopt and certify the Grand Park Specific Plan Environmental Impact Report;
- b) Issued Resolution No. PC13-083 recommending City Council approval of the Grand Park Specific Plan (File No. PSP12-001).

On February 4, 2014, the City Council:

- a) Issued Resolution No. 2014-002 certifying the Grand Park Environmental Impact Report;
- c) Issued Ordinance No. 2985 approving the Grand Park Specific Plan (File No. PSP12-001).

On October 24, 2017, the Planning Commission:

- a) Issued Resolution No. PC17-*** recommending City Council approval of the Development Agreement (File No. PDA17-001);
- b) Issued Resolution No. PC17-*** approving Tentative Parcel Map 19787 (File No. PMTT16-021).

**EXHIBIT “D”
TO DEVELOPMENT AGREEMENT
Existing Land Use Regulations**

These documents are listed for reference only:

1. The Grand Park Specific Plan Environmental Impact Report, Resolution No. 2014-002
2. The Grand Park Specific Plan (File No. PSP12-001, Ordinance No. 2985)
3. City of Ontario Municipal Code
 - a. Six – Sanitation & Health
 - b. Seven – Public Works
 - c. Eight – Building Regulations
 - d. Nine – Development Code
 - e. Ten – Parks & Recreation

EXHIBIT "F"
TO DEVELOPMENT AGREEMENT
Required Infrastructure Improvements

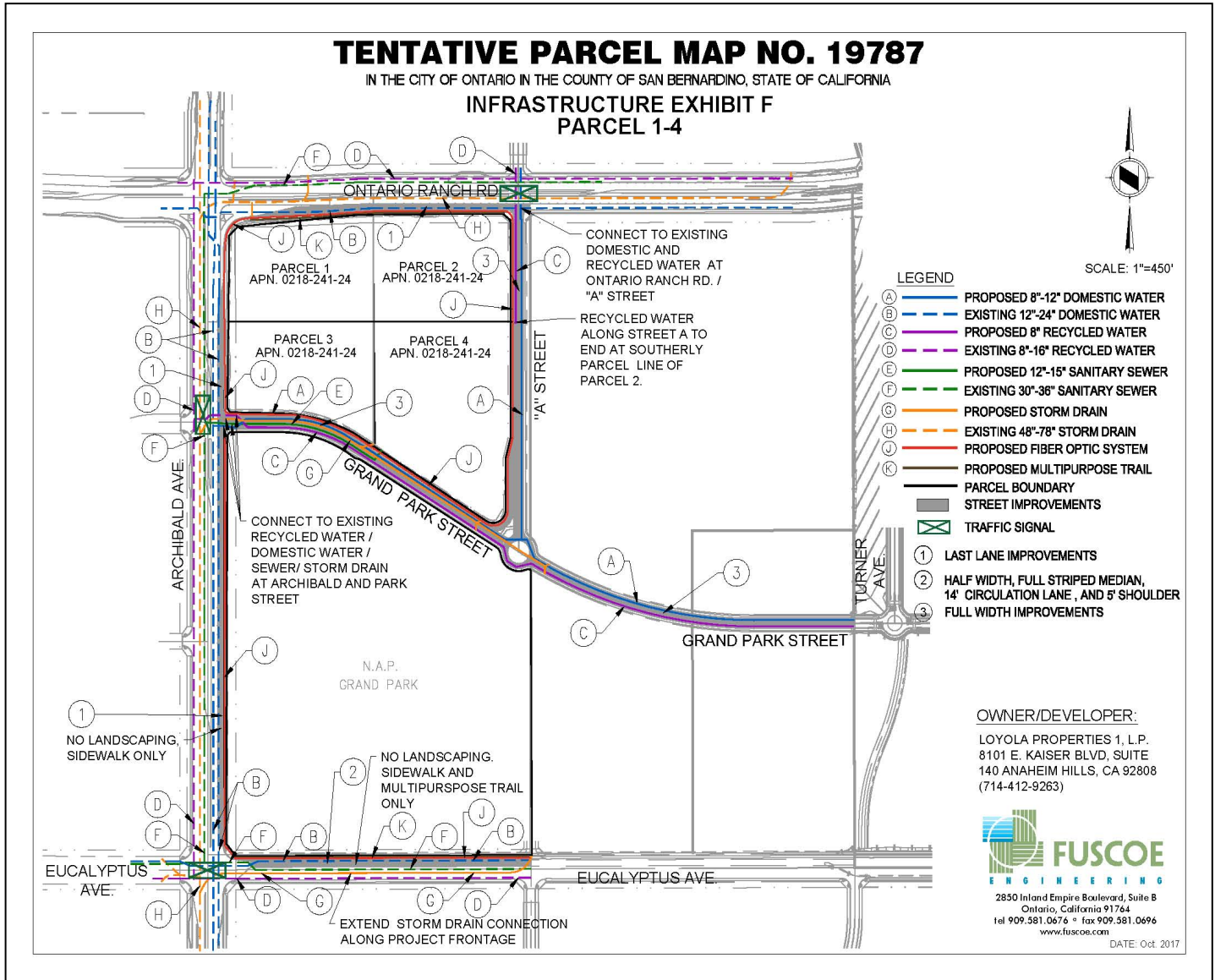


EXHIBIT "F-1"
TO DEVELOPMENT AGREEMENT
Phasing Plan of Required Infrastructure Improvements

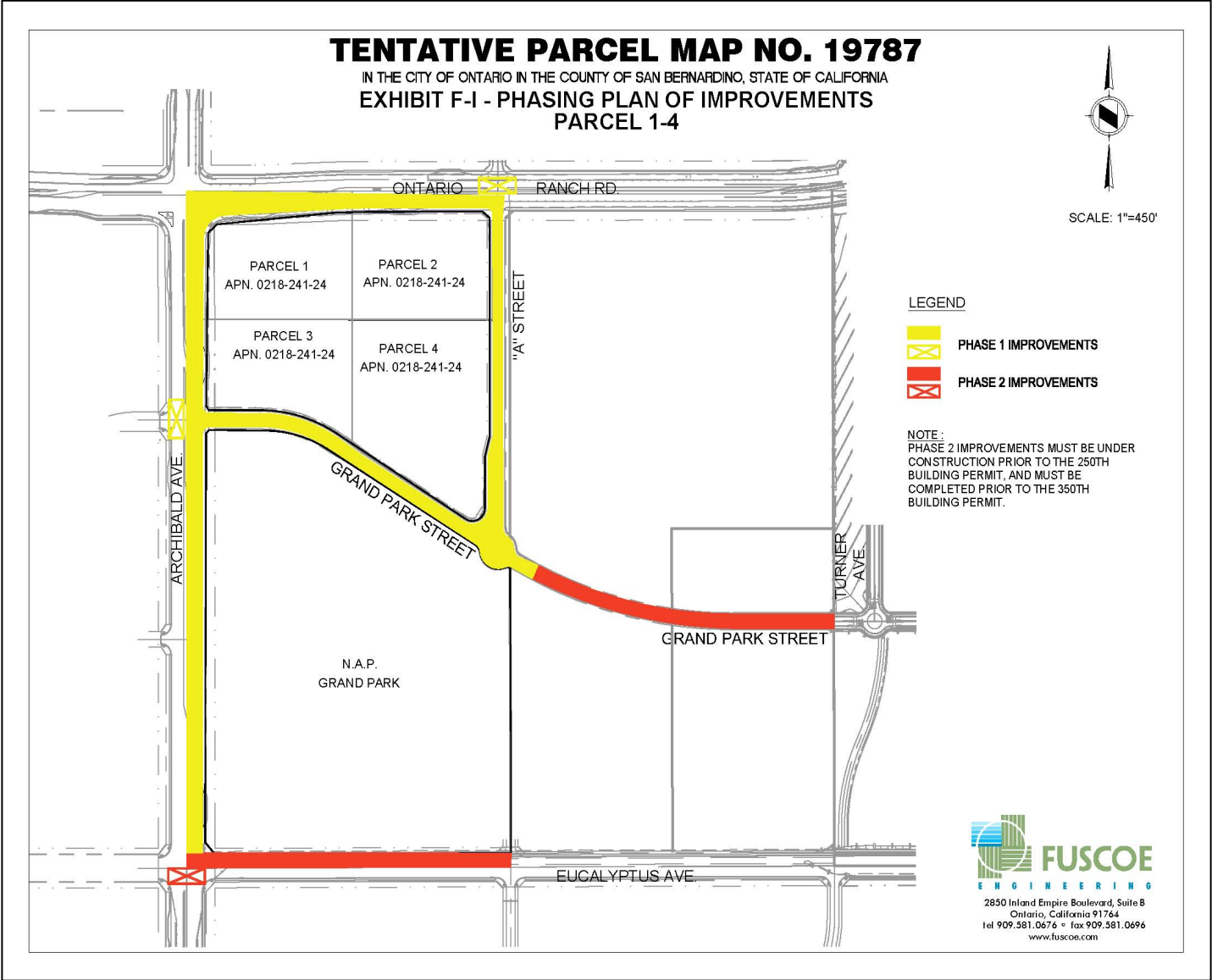


EXHIBIT "G"
TO DEVELOPMENT AGREEMENT

FORM OF CERTIFICATE OF NET MDD AVAILABILITY

Pursuant to Section ____ of this Agreement between the City of Ontario, a California municipal corporation, and the Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P. a California limited partnership hereinafter called "OWNER", the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called "Agreement", the City of Ontario hereby certifies based on CITY receipt of payment of OWNER's share of the funding for the Phase 2 Water Improvements, that OWNER is entitled to the following Net MDD Water Availability.

Amount of Net MDD _____ gpm

Scott Ochoa, City Manager

Dated: _____

Exhibit "H"

FORM OF CERTIFICATE OF REGIONAL OR LOCAL ADJACENT DIF CREDIT

Pursuant to Section 4.5.3 of this Agreement by and between the City of Ontario and the Ronald and Kristine Pietersma Family Trust and Loyola Properties I L.P. a California limited partnership (hereinafter "OWNERS"), dated _____, 2017, the terms and definitions of which are hereby incorporated herein by this reference and hereinafter called the "Development Agreement", the City of Ontario hereby certifies that OWNER is entitled to the following amount and nature of DIF Credits in the Regional Water DIF Infrastructure Category:

Amount of Credit: \$ _____

Scott Ochoa, City Manager

Dated: _____

Exhibit "I"

FORM OF PLUME DISCLOSURE LETTER

CITY OF



ONTARIO

ONTARIO MUNICIPAL UTILITIES COMPANY

PAUL S. LEON
MAYOR

DEBRA DORST-PORADA
MAYOR PRO TEM

ALAN D. WAPNER
JIM W. BOWMAN
RUBEN VALENCIA
COUNCIL MEMBERS

March 2017

AL C. BOLING
CITY MANAGER

SHEILA MAUTZ
CITY CLERK

JAMES R. MILHISER
TREASURER

SCOTT BURTON
UTILITIES GENERAL MANAGER

**DISCLOSURE NOTICE
SOUTH ARCHIBALD TRICHLOROETHYLENE PLUME**

Dear Property Owner/Developer/Applicant:

The City of Ontario ("City") has approved or will be approving development in the Ontario Ranch area in the next few years, subject to the appropriate and required statutory process. This letter is intended to serve as notice to all potential property owners of the existence of a groundwater plume, known as the South Archibald Trichloroethylene (TCE) Plume which may exist in, under or near owner's property.

The groundwater plume is in an area in the central Chino Basin south of the Pomona Freeway, west of Turner Avenue, east of Grove Avenue, and north of Kimball Avenue. The plume primarily consists of TCE, a discontinued industrial solvent, and is subject to a clean-up under the oversight and direction of the Santa Ana Regional Water Quality Control Board ("Regional Board").

The Regional Board's approved clean-up procedure involves the removal and treatment of groundwater containing TCE via groundwater wells to reduce the plume concentrations and control its migration. In addition, the City is providing potable water supplies for domestic purposes to residences with private domestic wells affected by the plume. Finally, the Regional Board will continue to monitor all impacted areas and private domestic wells to ensure that residents' health and the environment are properly safeguarded. These remedial actions are documented in a Remedial Action Plan approved by the Regional Board in September 2016.

Further and current information may be found on the Regional Board's Geotracker website at https://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658.

Property owners may wish to include this letter as a part of a Real Estate Transfer Disclosure under California Civil Code Section 1102 et seq.

1425 SOUTH BON VIEW - ONTARIO, CALIFORNIA 91761-4406 - (909) 395-2605 - FAX (909) 395-2601



CITY OF ONTARIO

MEMORANDUM

TO: Chairman and Members of the Planning Commission

FROM: Scott Murphy, AICP – Assistant Development Director *SM*

DATE: October 24, 2017

SUBJECT: MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF SEPTEMBER 2017

Attached, you will find the Planning Department Monthly Activity Report for the month of September 2017. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of September 2017

CITY COUNCIL MEETING

September 5, 2017

FILE NO. PUD17-002: A public hearing to consider an ordinance for a Planned Unit Development to establish development standards and guidelines to facilitate the development of a 101-unit apartment project at a density of approximately 24.1 dwelling units per acre, on 4.18 acres of land bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district.. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04) **submitted by National Community Renaissance of California.**

Action: The City Council approved introduction of the Ordinance and waived further reading.

DEVELOPMENT ADVISORY BOARD MEETING

September 6, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-035:

A Development Plan to construct an 18,600-square foot industrial building on 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within the Business Park land use district of the Acco Airport Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with Acco Airport Center Specific Plan (File No. 4351-SP), for which an Environmental Impact Report (State Clearinghouse No. 90021134) was adopted by the City Council on January 19, 1993. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0211-272-14) **submitted by RedRock Development, Inc.**

Action: Continued to the 9/18/2017 Development Advisory Board meeting.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS.

PDEV17-008 & PVAR17-003: A Development Plan (PDEV17-008) to construct a 10,487 square foot commercial building on 0.88 acres of land and a Variance (PVAR17-003) to deviate from the minimum parking street setback, along Euclid Avenue, from 20 to 9 feet, and to reduce the required parking from 42 to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5-Minor Alterations of Land Use Limitations) and 15332 (Class 32, In-Fill

City of Ontario Planning Department
Monthly Activity Report—Actions
Month of September 2017

Development Projects) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1050-281-01, 1050-281-02 and 1050-281-03); **submitted by Clarkson Properties, LP.** Planning Commission action is required.

Action: Continued to the 9/18/2017 Development Advisory Board meeting.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-019:

A Development Plan to construct a 4,086-square foot drive-thru restaurant (Raising Cane's Chicken Fingers) on 1.47 acres of land located at 4360 East Mills Circle, within the Commercial/Office land use district of the California Commerce Center North/Ontario Gateway Plaza/Wagner Properties Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0238-014-21) **submitted by Raising Cane's Chicken Fingers.**

Action: The Development Advisory Board approved the project subject to conditions.

ZONING ADMINISTRATOR MEETING

September 6, 2017

Meeting Cancelled

DEVELOPMENT ADVISORY BOARD MEETING

September 18, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-035:

A Development Plan to construct an 18,600-square foot industrial building on 1.43 acres of land located at the southeasterly corner of Excise Avenue and Metro Way, within the Business Park land use district of the Acco Airport Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with Acco Airport Center Specific Plan (File No. 4351-SP), for which an Environmental Impact Report (State Clearinghouse No. 90021134) was adopted by the City Council on January 19, 1993. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0211-272-14) **submitted by RedRock Development, Inc.**

Action: The Development Advisory Board approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CERTIFICATE OF APPROPRIATENESS, AND VARIANCE REVIEW FOR FILE NOS. PDEV17-008, PHP17-014 & PVAR17-003: A Development Plan (File No. PDEV17-008) and a Certificate of Appropriateness (File No. PHP17-014) to allow for construction of a 10,487 square foot commercial building on 0.88 acres of land, and a Variance (File No. PVAR17-003) to deviate from the minimum parking street setback along Euclid Avenue, from 20 feet to 9 feet, and to reduce the number of required parking spaces from 42 spaces to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5-Minor Alterations of Land Use Limitations), 15332 (Class 32, In-Fill Development Projects) and 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1050-281-01, 1050-281-02 and 1050-281-03) **submitted by Clarkson Properties, LP.** Planning Commission action is required.

Action: Continued indefinitely.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-044: A Development Plan to construct a residential apartment complex consisting of 6-units on 0.3 acres of land located at 1444 West Stoneridge Court, within the MDR-25 (Medium Density Residential - 18.1 to 25.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1010-551-06) **submitted by Brother Home Trading Corp.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-023: A Development Plan to construct 75 single-family dwellings on 10.87 acres of land located within the Conventional Small Lot Residential district of Planning Area 24 of the Subarea 29 Specific Plan, located at the southeast corner of Celebration Avenue and Parkview Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), which was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use

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Compatibility Plans (ALUCP) for ONT and Chino Airports; (APNs: 0218-033-01, 0218-033-02, 0218-033-03(POR), and 0218-033-04(POR)) **submitted by The New Home Company Southern California, LLC.** Planning Commission action required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-025:

A Development Plan to construct 102 single-family dwellings on 10.39 acres of land located at the northeast corner of Merrill and Celebration Avenues, within Planning Area 26 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan EIR (SCH #2004011009), which was prepared in conjunction with File No. PSPA14-002, and was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-033-03, 0218-033-04, 0218-033-05, and 0218-033-06) **submitted by Christopher Homes.** Planning Commission action is required.

Action: The Development Advisory Board recommended the Planning Commission approve the project subject to conditions.

ZONING ADMINISTRATOR MEETING

September 18, 2017

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.

PCUP17-017: A Conditional Use Permit to establish a 3,534 square-foot massage therapy vocational trade school on 15.35 acres of land located at 2980 East Inland Empire Boulevard, within the Garden Commercial land use district of the Transpark Specific Plan. The project is categorically exempt from requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 0210-191-15) **submitted by National Holistic Institute.**

Action: The final decision is under 20-day Zoning Administrator review.

CITY COUNCIL MEETING

September 19, 2017

FILE NO. PUD17-002: A public hearing to consider an ordinance for a Planned Unit Development to establish development standards and guidelines to facilitate the development of a 101-unit

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apartment project at a density of approximately 24.1 dwelling units per acre, on 4.18 acres of land bordered by Holt Boulevard on the south, Nocta Street on the north, and Virginia Avenue on the west, within the MU-2 (East Holt Mixed Use) zoning district.. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, Infill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1048-472-11, 1048-472-01, 1048-472-02, 1048-472-03, and 1048-472-04) **submitted by National Community Renaissance of California.**

Action: The City Council approved the Ordinance and waived further reading.

FILE NO. PSP15-001: A public hearing to consider a resolution certifying an environmental impact report, including the adoption of a statement of overriding considerations and a mitigation monitoring program, for File No. PSP15-001, a Specific Plan (Colony Commerce Center West) to establish land use designations, development standards, design guidelines and infrastructure improvements for approximately 123.17 acres of land, which includes the potential development of 2,951,146 square feet of industrial development, bordered by Merrill Avenue on the north, Remington Avenue on the south, Carpenter Avenue on the west, and the Cucamonga Creek Flood Control Channel on the east. The proposed project is located within the Airport Influence Area of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the Ontario International Airport and Chino Airport Land Use Compatibility Plans; (APNs: 0218-292-05, 0218-292-09, 0218-292-10, 0218-311-11, 0218-292-12, 0218-292-13, 0218-292-14, 0218-261-24) **submitted by Cap Rock-Partners.**

Action: The City Council approved certification of the Environmental Impact Report for the Colony Commerce Center West Specific Plan, and approved the Ordinance and waived further reading.

FILE NO. PDA16-001: A public hearing to consider a Development Agreement by and between the City of Ontario and CLDFI Remington, LLC, to establish the terms and conditions for the development of Tentative Parcel Map 19643 (File No. PMTT16-001), located approximately 1,160 feet south of Merrill Avenue, north of Remington Avenue, east of the Cucamonga Creek Flood Control Channel and west of Carpenter Avenue, within Planning Area 2 of the Colony Commerce Center West Specific Plan. The environmental impacts of this project were analyzed in the EIR (SCH# 2015061023) prepared for the Colony Commerce Center West Specific Plan (File No. PSP15-001). This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of both the Ontario International Airport and Chino Airport Land Use Compatibility Plans; (APNs: 0218-292-09, 0218-292-10, 0218-292-12, 0218-292-13, 0218-292-14) **submitted by Cap Rock-Partners.**

Action: The City Council approved introduction of the Ordinance and waived further reading.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING September 26, 2017

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-044:

A Development Plan to construct a residential apartment complex consisting of 6-units on 0.3 acres of land located at 1444 West Stoneridge Court, within the MDR-25 (Medium Density Residential - 18.1 to 25.0 DUs/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1010-551-06) **submitted by Brother Home Trading Corp.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-023:

A Development Plan to construct 75 single-family dwellings on 10.87 acres of land located within the Conventional Small Lot Residential district of Planning Area 24 of the Subarea 29 Specific Plan, located at the southeast corner of Celebration Avenue and Parkview Street. The environmental impacts of this project were previously analyzed in an addendum to the Subarea 29 Specific Plan EIR (SCH# 2004011009), which was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and Chino Airport and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT and Chino Airports; (APNs: 0218-033-01, 0218-033-02, 0218-033-03(POR), and 0218-033-04(POR)) **submitted by The New Home Company Southern California, LLC.**

Action: The Planning Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-025:

A Development Plan to construct 102 single-family dwellings on 10.39 acres of land located at the northeast corner of Merrill and Celebration Avenues, within Planning Area 26 of the Subarea 29 Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with an Addendum to the Subarea 29 Specific Plan EIR (SCH #2004011009), which was prepared in conjunction with File No. PSPA14-002, and was adopted by the City Council on April 21, 2015. This project introduces no new significant environmental impacts. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-033-03, 0218-033-04, 0218-033-05, and 0218-033-06) **submitted by Christopher Homes.**

Action: The Planning Commission approved the project subject to conditions.

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LOCAL LANDMARK DESIGNATION FOR FILE NO. PHP17-018: A request for a Local Landmark designation for a 1,218 square foot, one story, California Ranch-style single-family residential building, a Non-Contributor to the College Park Historic District within the LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) zoning district, located at 318 East Princeton Street. The designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines. (APN: 1047-543-33); **submitted by Mark Rivas. City Council action is required.**

Action: The Historic Preservation Commission recommend that the City Council designate the subject site as Local Historic Landmark No. 97.

ENVIRONMENTAL ASSESSMENT AND CERTIFICATE OF APPROPRIATENESS REVIEW FOR FILE NO. PHP17-021: A request for a Certificate of Appropriateness to allow for a façade and storefront replacement of an existing 28,635 square foot, single-tenant commercial building, a Non-Contributor to the Euclid Avenue Historic District, on approximately 1.74 acres of land located at the northwest corner of G Street and Euclid Avenue, within the MU-1 (Downtown Mixed Use) and EA (Euclid Avenue Overlay) zoning districts. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1048-271-19) **submitted by Dillway Associates, LLC.**

Action: The Historic Preservation Commission approved the project subject to conditions.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN REVIEW FOR FILE NO. PSP15-002: A public hearing to consider certification of an Environmental Impact Report for the Armstrong Ranch Specific Plan, including the adoption of a statement of overriding considerations and a mitigation monitoring program, and the adoption of the Armstrong Ranch Specific Plan to establish land use designations, development standards, design guidelines and infrastructure improvements for 189.8 acres, which includes the potential development of 891 dwelling units and a 10-acre elementary school site, bordered by Riverside Drive to the north, Chino Avenue to the south, Cucamonga Creek Channel to the east, and Vineyard Avenue to the west. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs:0218-101-01, 0218-101-02, 0218-101-03, 0218-101-04, 0218-101-05, 0218-101-06, 0218-101-07, 0218-101-08, 0218-102-10, 0218-102-11, 0218-111-04, 0218-111-05, 0218-111-06, 0218-111-08, 0218-111-09, 0218-111-11, 0218-111-12, 0218-111-45 0218-111-49 and 0218-111-50); **submitted by CVRC Ontario Investments, LLC.** City Council action is required.

Action: Continued to the 10/24/2017 Planning Commission meeting.

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ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, CERTIFICATE OF APPROPRIATENESS, AND VARIANCE REVIEW FOR FILE NOS. PDEV17-008, PHP17-014 & PVAR17-003: A Development Plan (File No. PDEV17-008) and a Certificate of Appropriateness (File No. PHP17-014) to allow for construction of a 10,487 square foot commercial building on 0.88 acres of land, and a Variance (File No. PVAR17-003) to deviate from the minimum parking street setback along Euclid Avenue, from 20 feet to 9 feet, and to reduce the number of required parking spaces from 42 spaces to 40 spaces, for property located at the northwest corner of Francis Street and Euclid Avenue, within the CN (Neighborhood Commercial) zoning district and EA (Euclid Avenue) Overlay district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Sections 15305 (Class 5-Minor Alterations of Land Use Limitations), 15332 (Class 32, In-Fill Development Projects) and 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 1050-281-01, 1050-281-02 and 1050-281-03) **submitted by Clarkson Properties, LP.**

Action: Continued indefinitely.

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PCUP17-019: **Submitted by MCSW Corp DBA Beola's Southern Cuisine**

A modification to an existing Conditional Use Permit (File No. PCUP09-007) to expand a restaurant to include a banquet room and accompanying beer and wine sales for consumption on the premises (Type 42 ABC license), for property located on the north side of Holt Boulevard, between Vineyard and Corona Avenues, at 1845 East Holt Boulevard (APN: 0110-092-17).

PCUP17-020: **Submitted by 1128 California Street, LLC / Main Street Fibers**

A Conditional Use Permit to establish the outdoor storage of covered roll-off containers for Main Street Fibers Recycling, on 0.57 acres of land located at 1128 East California Street, within the IL (Light Industrial) zoning district (APN: 1049-382-04). Related File: PDEV17-044.

PCUP17-021: **Submitted by Fast 5 Express Car Wash**

A Conditional Use Permit to establish a 4,500-square foot self-service carwash (Fast 5 Xpress) on 0.93 acres of land located at 2345 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan (APN: 0216-081-25).

PCUP17-022: **Submitted by Karaki Western States**

A Conditional Use Permit to establish alcoholic beverage sales, including beer and wine for consumption off the premises (Type 20 ABC license) in conjunction with a proposed 2,760-square foot convenience store on 0.45 acres of land located at 1245 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1047-462-13). Related File: PDEV17-049.

PDA-17-005: **Submitted by Prologis LP**

A Development Agreement by and between Prologis LP and the City of Ontario, for the development of up to 3,815,038 square feet of industrial buildings on 179.07 acres of land within Ontario Ranch, located on the southeast corner of Grove and Eucalyptus Avenues (APN's: 1054-111-01, 1054-111-02, 1054-111-01, 1054-111-02, 1054-131-01, 1054-131-02, 1054-141-01, 1054-141-02, 1054-151-01, 1054-161-01, 1054-201-01, 1054-211-01, 1054-211-02, 1054-221-01, 1054-221-02, 1054-331-01, 1054-331-02, 1054-341-01, 1054-341-02, and 1054-351-01).

PDA-17-006: **Submitted by Prologis LP**

A Development Agreement by and between Prologis LP and the City of Ontario, for the development of up to 3,815,038 square feet of industrial buildings on 179.07 acres of land within Ontario Ranch, located on the southeast corner of Baker and Eucalyptus Avenues (APN's: 1054-171-01, 1054-171-02, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, and 1054-361-02).

PDEV17-044: **Submitted by 1128 California Street, LLC/Main Street Fibers**

A Development Plan for improvement of a property to accommodate the outdoor storage of

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covered roll-off containers for Main Street Fibers Recycling, on 0.57 acres of land, located at 1128 East California Street, within the IL (Light Industrial) zoning district (APN: 1049-382-04). Related File: PCUP17-020.

PDEV17-045:

Submitted by KB Homes

A Development Plan to construct 190 single-family dwellings and one private park site on 40.19 acres of land located at the southeast corner of Archibald and Eucalyptus Avenues, within Planning Area 3 of the Subarea 29 Specific Plan (APNs: 0218-281-15 and 0218-281-16). Related File: PMTT12-013 (TT18400).

PDEV17-046:

Submitted by Fast 5 Xpress

A Development Plan to construct a 4,500-square foot self-service carwash (Fast 5 Xpress) on 0.93 acres of land located at 2345 South Grove Avenue, within the Commercial land use district of the Grove Avenue Specific Plan (APN 0216-081-25). Related File: PCUP17-021.

PDEV17-047:

Submitted by FORMILLUS ARCHITECTURE

A Development plan to construct a 39,056-square foot athletic center for Ontario Christian High School, on 17.2 acres of land located at 931 West Philadelphia Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre) zoning district (APNs:1015-141-04, 1015-141-05, 1015-141-06, 1015-141-10, and 1015-141-12). Related File: PCUP08-028.

PDEV17-048:

Submitted by JRMA

A Development Plan to construct a 28,000-square foot metal hangar facility with a 14,060-square foot support building for shops/offices totaling 42,060 square feet on 5 acres of land located at Ontario International Airport, 1150 South Vineyard Avenue, within the ONT (Ontario International Airport) zoning district (APN: 0113-251-11).

PDEV17-049:

Submitted by Karaki Western States

A Development Plan to construct a 314-square foot addition and façade improvements to an existing 2,446-square foot commercial building, for a total of 2,760-square feet on 0.445 acres of land located at 1245 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1047-462-13). Related File: PCUP17-022.

PHP-17-032:

Submitted by JIM W BOWMAN

A Mills Act contract for a Contributor to the Armsley Square Historic District, a single-family residence located at 426 West Armsley Square, within the RE-4 (Residential Estate-2.1 to 4.0 DU/Acre) zoning district. (APN: 1047-341-12)

PHP-17-033:

Submitted by Ontario Heritage

A request for an historic bronze plaque for the Old Post office/Paul Williams Building, Local Landmark No. 38, located at 119 West Transit Street (APN: 1049-058-01).

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PSGN17-091:

Submitted by Rick Song Construction Inc

A Sign Plan for the installation of one wall sign for PIZZA FUEGO (37.5 square feet), located at 805 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district.

PSGN17-092:

Submitted by PROMOTIONAL SIGNS

A Sign Plan for the installation of three wall signs (12 SF, each) and reface existing monument sign (42 SF) for STARBUCKS, located at 706 West Holt Boulevard, within the MDR-25 (Medium Density Residential – 18.1 to 25.0 DU/Acre) and ICC (Interim Community Commercial Overlay) zoning districts.

PSGN17-093:

Submitted by Black Coffee Fabricators

A Sign Plan for the installation of two wall signs for AVARDO BERTILESIAN, located at 2053 East Jay Street, within the Industrial land use district of the Meredith Specific Plan.

PSGN17-094:

Submitted by Jesus Chavarria

A Sign Plan for the installation of a wall sign for LA MICHOCACANA (27.5 SF), located at 815 West Holt Boulevard, Suite 404, within the CC (Community Commercial) zoning district.

PSGN17-095:

Submitted by Eagle Signs

A Sign Plan for the installation of a wall sign for ST. GEORGE AUTO CENTER, located at 1153 West Holt Boulevard, within the IP (Industrial Park) zoning district.

PSGN17-096:

Submitted by Sign Specialists Corporation

A Sign Plan for the installation of a new monument sign (32 SF) for TRANSPARK OFFICE CENTER, located at 2910 East Inland Empire Boulevard, within the Transpark Specific Plan area.

PSGN17-097:

Submitted by A & S Engineering

A Sign Plan for the reface of an existing monument sign, replace canopy fascia, and remodel fuel dispensers for ARCO gas station, located at 4525 East Jurupa Street, within the Commercial/Food/Hotel land use district of the California Commerce Center Specific Plan.

PSGN17-098:

Submitted by National Sign & Marketing

A Sign Plan for the installation of three wall signs and reface an existing monument sign for TACO BELL, located at 1885 East Fourth Street, within the CN (Neighborhood Commercial) zoning district.

PSGN17-099:

Submitted by DEEN BAKSHI

A Sign Plan for the reface of two monument signs and installation of two new wall signs for BEST WESTERN PLUS HOTEL, located at 3400 East Shelby Street, within the Garden Commercial land use district of the Ontario Center Specific Plan.

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PSGN17-100:

Submitted by Alcon Signs

A Sign Plan for the installation of a wall sign for CHINO VALLEY BREWERY (25.52 SF), located at 1609 South Grove Avenue, Suite 109, within the Business Park land use district of the Grove Avenue Specific Plan.

PSGN17-101:

Submitted by Ontario Gateway Hotel

A Sign Plan for a temporary banner sign for ONTARIO GATEWAY HOTEL (75 SF), located at 2200 East Holt Boulevard, within the CCS (Convention Center Support) zoning district. Banner to be placed from 9/29/2017 to 10/29/2017.

PSGN17-102:

Submitted by Sunset Signs

A Sign Plan for the installation of three wall signs (north, west, and south elevations - 36 SF, each) and reface an existing monument sign for BARON HR, located at 5030 East Fourth Street, within the Exchange Specific Plan area.

PTUP17-045:

Submitted by City of Ontario Recreation Community Services

A Temporary Use Permit for the City of Ontario Annual 5K Reindeer Run, located at Citizen's Business Bank Arena, 4000 East Ontario Center Parkway. The event is to be held on 12/9/2017.

PTUP17-046:

Submitted by The New Home Company Southern California LLC

A Temporary Use Permit for a sales office within the Park Place Development, generally located at the southeast corner of Celebration Avenue and Parkview Street (APN: 0218-03-301).

PTUP17-047:

Submitted by San Bernardino County

A Temporary Use Permit for a regional job fair located at 1940 East Moore Way, Building 3 (Ontario International Airport). The event is to be held on 9/20/2017.

PTUP17-048:

Submitted by Pints for Pitties

A Temporary Use Permit for a Pints for Pitties fundraiser event at Guasti Regional Park, located at 800 North Archibald Avenue. The event is to be held on 10/21/2017.

PTUP17-049:

Submitted by CBB Arena

A Temporary Use Permit for a music and food event prior to the Lucha Libre Event at Citizen's Business Bank Arena, 4000 East Ontario Center Parkway. The event is to be held on 10/1/2017.

PTUP17-050:

Submitted by KABC TV7

A Temporary Use Permit for the Annual "Spark of Love Stuff a Bus" fundraiser hosted by KABC-TV7, to be held at the Mathis Brothers parking lot located at 4105 East Inland Empire Boulevard. The event is to be held on 12/8/2017.

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PTUP17-051:

Submitted by Adrian Venegas Farms

A Temporary Use Permit to establish temporary retail sales for an annual pumpkin patch at 13813 South Euclid Avenue, to run from 9/30/2017 to 11/1/2017, including set-up and take-down.

PTUP17-052:

Submitted by Alzheimer's Association

A Temporary Use Permit for a "Walk to End Alzheimer's" at Citizen's Business Bank Arena, 4000 East Ontario Center Parkway. The event is to be held on 10/21/2017.

PTUP17-053:

Submitted by Festival Life Charities

A Temporary Use Permit for a beer tasting event with DJ Music, hosted by Festival Life Charities Inc., located at Guasti Regional Park, located at 800 North Archibald Avenue.

PTUP17-054:

Submitted by Brookfield Residential

A Temporary Use Permit for a sales office for Brookcal Ontario, LLC, located at 4121 South Cardinale Privado.

PTUP17-055:

Submitted by Dolphine Rents

A Temporary Use Permit for the University of Phoenix Commencement Ceremonies, to be held at Citizen's Business Bank Arena, 4000 East Ontario Center Parkway. The event is to be held on 10/6/2017.

PVER17-056:

Submitted by Jose Mancilla

A Zoning Verification for 337 North Vineyard Avenue (APN: 0110-022-12).

PVER17-057:

Submitted by Sheneetra Scroggins

A Zoning Verification for 3281 and 3450 East Guasti Road (APN: 0210-551-19).

PVER17-058:

Submitted by Anna Bennifield

A Zoning Verification for 1550 and 1600 North Champagne Avenue (APN: 0238-133-16).

PVER17-059:

Submitted by CalBay Development, LLC

A Zoning Verification for APNs: 0113-641-13 and 0113-641-15.

PVER17-060:

Submitted by CalBay Development, LLC

A Zoning Verification for 2345 South Grove Avenue (APN: 0216-081-25).

PVER17-061:

Submitted by David Hernandez

A Zoning Verification for 517 East Holt Boulevard (APN: 1048-522-10).

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PVER17-062:

Submitted by Tammy Pote

A Zoning Verification for 800 East Fifth Street (APN: 1047-493-01).

PVER17-063:

Submitted by The State Life Insurance Company

A Zoning Verification for 302, 320, 350, 360 and 402 South Milliken Avenue (APNs: 0211-222-25, 0211-222-26, 0211-222-27, 0211-222-28, and 0211-222-29).

PVER17-064:

Submitted by Kelly Humphrey

A Zoning Verification for 5171 East Francis Street (APN: 0238-132-24).

PWIL17-008:

Submitted by Oakville Reserve LTD

A Williamson Act Land Conservation Contract (#71-298) nonrenewal on 79.54 acres of land generally located on the east side of Haven Avenue, between Eucalyptus and Edison Avenues, within the SP (Specific Plan) and AG (Agricultural Overlay) zoning districts (APN: 0218-251-06).