

# CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

June 22, 2021

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

Dean \_\_ DeDiemar \_\_ Gage \_\_ Gregorek \_\_ Lampkin \_\_ Ricci \_\_ 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 May 25, 2021, approved as written.

**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/Historic Preservation 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.*

**PLANNING COMMISSION ITEMS**

**B. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-016:** A Development Plan to construct a 74-foot collocated monopine wireless communications facility (T-Mobile and Verizon) on 0.176-acre of land located at 617 East Park Street within the IL (Light Industrial) 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) provided certain conditions are met; (APN: 1049-233-13) submitted by Joel Taubman, Crown Castle Towers. **This item was continued from the April 27, 2021 Planning Commission hearing.**

**1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15332

**2. File No. PDEV20-016 (Development Plan)**

Motion to Approve/Deny

**C. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-003:** An Amendment to the California Commerce Center Specific Plan, changing

the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by City Council on January 27, 2010. This application 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: 0211-222-66) **submitted by Vogel Properties, Inc. This item was continued from the May 25, 2021 Planning commission meeting. City Council action is required.**

**D. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE**

**NO. PDEV20-008:** A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan (File No. PGPA06-001) EIR (SCH# 2008101140), certified by City Council on January 27, 2010. This application 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: 0211-222-66) **submitted by Vogel Properties, Inc.**

**1. CEQA Determination**

Motion to recommend Approval/Denial of an Addendum to a previous EIR

**2. File No. PSPA20-003 (Specific Plan Amendment)**

Motion to recommend Approval/Denial

**3. File No. PDEV20-008 (Development Plan)**

Motion to Approve/Deny

**E. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE**

**NO. PDEV19-031:** A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. Staff is recommending the adoption of a Mitigated Negative Declaration of environmental effects for the project. 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: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos**

**1. CEQA Determination**

Motion to Approve/Deny a Mitigated Negative Declaration

**2. File No. PDEV19-031 (Development Plan)**

Motion to Approve/Deny

**F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV21-010:** A Development Plan to construct a 1,400,000 square-foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079) was certified by the City Council on February 2, 2021. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Areas of Ontario International Airport and Chino Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP) and the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport; (APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02) **submitted by Prologis.**

**1. CEQA Determination**

No action necessary – use of previous EIR

**2. File No. PDEV21-010 (Development Plan)**

Motion to Approve/Deny

**MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION**

- 1) Old Business
  - Reports From Subcommittees
    - Historic Preservation (Standing): Did not meet on June 10, 2021.
- 2) New Business
- 3) Nominations for Special Recognition

**DIRECTOR’S REPORT**

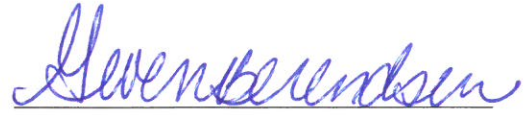
- 1) Monthly Activity Report

*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 **June 18, 2021**, 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



Rudy Zeledon, Planning Director  
Planning/Historic Preservation  
Commission Secretary

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

**MINUTES**

**May 25, 2021**

<b>CONTENTS</b>	<b>PAGE</b>
PLEDGE OF ALLEGIANCE.....	2
ANNOUNCEMENTS .....	2
PUBLIC COMMENTS .....	3
CONSENT CALENDAR	
A-01. Minutes of April 27, 2021 .....	3
A-02. File No. PDEV20-005 .....	3
PUBLIC HEARINGS	
B. File No. PHP21-008.....	3
C. File No. PUD21-001 .....	5
D. File Nos. PHP21-003, PMTT21-004 and PDEV21-008.....	5
E. File No. PSPA20-003.....	8
F. File No. PDEV20-008.....	8
G. File No. PSPA20-006.....	8
H. File No. PMTT20-012 (TTM 20389) .....	9
I. File Nos. PDEV18-022 and PCUP18-021 .....	10
MATTERS FROM THE PLANNING COMMISSION .....	19
DIRECTOR’S REPORT .....	19
ADJOURNMENT .....	19

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

**MINUTES**

**May 25, 2021**

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

**COMMISSIONERS**

**Present:** Chairman Gage, Vice-Chairman Willoughby, DeDiemar, Gregorek, Lampkin, and Ricci

**Absent:** None

**OTHERS PRESENT:** Planning Director Zeledon, City Attorney Otto, Principal Planner Mercier, Sustainability Manager Ruddins, Senior Planner Ayala, Senior Planner Mejia, Associate Planner Aguilo, Associate Planner Antuna, Associate Planner Chen, Assistant City Engineer Lee, Fire Chief Gerken, Officer Paine, and Planning Secretary Berendsen

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Ricci.

**ANNOUNCEMENTS**

Mr. Zeledon stated that Item A-02 received a letter from Supporters' Alliance for Environmental Responsibility ("SAFER") withdrawing their previous comments regarding this project. He also stated that Items E & F are requesting to be continued to the June 22, 2021 meeting, to give the applicant time to address CEQA comments received by Supporters' Alliance for Environmental Responsibility ("SAFER"). He explained that Items C & D would be presented together, as well as Items G & H will be presented together.

Mr. Willoughby stated he would like to open and close tonight's meeting in honor and memory of Mr. James Downs, a past Commissioner, who served on this board for many years and was an advocate for the City of Ontario, who recently passed away.

Mr. Lampkin stated this is his first in person meeting and wanted to express his appreciation of the confidence in him to take on this position. He stated he didn't have the opportunity to work with Mr. Downs, and what he has discovered is that the people on the commission are very knowledgeable and know the direction the city would like to go in and he expressed his condolences to the Downs family and his thanks for this opportunity.

Mr. Gage stated he would like to open the historic part of this meeting in remembrance of Beverly Cleary, a well-known author, who has a historic connection to the city. He stated that she came to Ontario in 1934, to attend Chaffey Jr. College which was free at that time, where she mentioned in her memoirs, was where she found her passion for writing. He stated she lived in the College Park District and when she first arrived in Ontario and drove up Euclid Ave., she could smell the oranges.

## PUBLIC COMMENTS

Xochitl stated she had sent in a public comment and read her public comment, and Ms. Mejia read it in Spanish.

My name is Xochitl and I am here today to bring attention in providing information to our community members in a fair and just way. I am here to advocate for those individuals who cannot make it here in person because they are given incorrect or misleading information. When members of communities want to be heard, the city and committees have a responsibility to do their best to encourage involvement and not suppress any one voice. This morning at 6 am, the website stated that this meeting will be held via zoom. Within a matter of hours, the website changed and now not available le in English at all. My request is that this committee and all committees refrain from suppressing the communities voice. Thank You for understanding and your future cooperation. #equalinformationforall

She then stated she is an advocate for the citizens, for better communication within the community. She stated since Ontario was incorporated in 1891 the demographic has changed and the rate of growth within the city is changing and not everyone is aware of all the happenings. She stated with so much happening at once it is hard to attend all the meetings and she requests these meetings be made available via zoom and email or phone call communications for public comments, for those who are unable to attend or are fearful of attending. She stated she lives close to the boarder of Chino and ever decision effect different areas of the community and with each project comes more traffic issues and more trucks using neighborhood streets and more bottlenecking to leave or arrive. She stated to please create a platform where all residents can be heard safely.

Tom Burciaga stated he wanted to tell the commission they are doing a great job for the city of Ontario and welcomed Mr. Lampkin to the Commission. He stated it is important to have the right people in these positions, who have the passion for the city, this city which is his city and expressed he is thankful and appreciative.

## CONSENT CALENDAR ITEMS

### **A-01. MINUTES APPROVAL**

**A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-005:** A Development Plan to construct a 256,711 square foot industrial building on 11.3 acres of land located at 875 West State Street, within the IL (Light Industrial) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), which was certified by City Council on January 27, 2010. This application 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: 1011-161-04 and 1011-161-05) **submitted by Inland Harbor LLC. This item was continued from the April 27, 2021 Planning Commission meeting.**

*It was moved by DeDiemar, seconded by Lampkin, to approve the Consent Calendar, including the Planning/Historic Preservation Minutes for April 27, 2021, as written and the Development Plan, File No. PDEV20-005, subject to the conditions of approval. The motion was passed unanimously 6 -0.*

## HISTORIC PRESERVATION / PLANNING COMMISSION PUBLIC HEARING ITEMS

**B. TWENTY-FIRST ANNUAL MODEL COLONY AWARDS FILE NO. PHP21-008:** A request for the Historic Preservation Commission to accept the nominations for the Twenty-first Annual Model Colony Awards; **submitted by City of Ontario. City Council presentation of Awards.**



Associate Planner Antuna, presented the staff report. She stated that City Council proclaimed May Historic Preservation Month in Ontario with a theme of “Preserving the Past and Embracing the Future.” She described the nominations for the Model Colony Awards: Award of Merit to Dr. Jerome Titus Home, Award of Merit to the Starbucks in-fill in downtown Euclid Ave., and the George Chaffey Memorial Award to Robert Gregorek. She stated that staff is recommending the Planning Commission approve File No. PHP21-008, Model Colony Nominations, pursuant to the facts and reasons contained in the staff report.

### **PUBLIC TESTIMONY**

Richard Galvez congratulated the presentation and stated these point out the position of the Commission on improving the quality of life in the Historic part of the city and when other items come forward the commission will be tested on preserving the quality of life for all the citizens of Ontario. He stated these three items are excellent for the history of the city.

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

Mr. Willoughby stated the Model Colony Awards are always a highlight for the commission and the planning department and the city. He stated we have quite a few historic properties in the city and the residents do such a great job in maintaining them and it is a pleasure to see them coming before us and with Mr. Gregorek leaving in a few months, these are worthy of the recognition and he thanked the staff for keeping everything in line.

Mr. Gregorek stated he is thankful for the Model Colony Award program and for the state allowing the Planning Commissioners to be Historic Commission as well, as Ontario is one of the few cities with this and we know how to separate the two where we must. He stated Historic Preservation has come a long way, from going through inventory and cutting it down to those that were worthy and had to make some tough decision to make sure we had the most noteworthy structures that contributed to the historic nature that is important to the city. He stated there is a lot of work still to be done and resources that staff still bring up. He expressed his thankfulness for all the staff and commissioners in the past and present that have brought it to this point.

Mr. Ricci stated that Mr. Gregorek has been a tremendous influence on him and the historic commission and is the longest seated commissioner in Ontario history, who has seen the developments throughout the years and he had a hand in it and he is a renowned geologist and has had to reclude himself from several project because he worked on them and had his hands in the development, and he has his roots here in the city. He stated he is grateful for him and Bob is going to be missed.

Mr. Gage stated that he has served with Commissioner Gregorek for many years and has seen him in action, as a part of the Historic Preservation, helping to coordinate and get things together and be part of the 78 Mills Act Contracts, of people investing in their historic homes and Bob was always a part of this steadfast and a compliment to Historic Preservation and is worthy of this honor.

### **HISTORIC PRESERVATION PLANNING COMMISSION ACTION**

*Acting as the Historic Preservation Commission, it was moved by Willoughby, seconded by Ricci, to approve the Nominations for the Model Colony Merit Awards, File No. PHP21-008. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.*

*Acting as the Historic Preservation Commission, it was moved by Ricci, seconded by Lampkin, to approve the Nomination for the Model Colony George Chaffey Memorial Award, File No. PHP21-008. Roll call vote: AYES, DeDiemar, Gage, Lampkin, Ricci,*

*and Willoughby; NOES, none; RECUSE, Gregorek; ABSENT, none. The motion was carried 5 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT AMENDMENT REVIEW FOR FILE NO. PUD21-001:** An Amendment to the Emporia Family Housing Planned Unit Development to expand the project area from approximately 2.80 acres of land to 4.95 acres of land, establish minimum building setbacks from Palm Avenue and Transit Street rights-of-way, modify minimum parking requirements, allow on-street loading, and update the planting palette. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. This application 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: 1049-051-04, 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC. City Council action is required.**
- D. **ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS, TENTATIVE PARCEL MAP, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PHP21-003, PMTT21-004 AND PDEV21-008:** A Certificate of Appropriateness (File No. PHP21-003) to demolish 2 historic Tier III buildings located within the project site and a Tentative Parcel Map (File No. PMTT21-004/TPM 20339) to consolidate 4 lots and the vacation of an adjoining section of Fern Avenue, for a total of 2.15 acres of land, in conjunction with a Development Plan (File No. PDEV21-008) to construct 50 multiple-family affordable housing dwelling units, generally located at the northwest and southwest corners of Emporia Street and Palm Avenue, within LUA2-N (Arts District-North) and LUA-3 (Holt Boulevard District) of the MU-1 (Downtown Mixed-Use) zoning district. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. This application 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: 1049-054-02, 1049-054-03, 1049-054-04, 1049-054-06, 1049-059-06, and 1049-059-07) **submitted by The Related Companies of California, LLC.**

Senior Planner Ayala presented the staff report. She described the history of the original PUD and the Amendment to expand the area. She stated that Phase I was completed in 2020 and the two historic properties involved in the Phase II that would be demoed. She described the Amendment to the Emporia Family Housing PUD, the circulation plan, parking requirements, parcel map, and the portion of Fern Ave. being vacated to connect phase I & II, site plan, landscape plan, including open space and floor plans, proposed elevations, architectural style, community building, recreation area. She explained the need to demolish the two building and the need for a Certificate of Appropriateness, and the Mitigation prior to demo permits being issued. She stated that staff is recommending the Planning Commission recommend approval of the Addendum and File No. PUD21-001, and approve the Certificate of Appropriateness, File No. PHP21-003, the Tentative Parcel Map, File No. PMTT21-004, and the Development Plan, File No. PDEV21-008, pursuant to the facts and reasons contained in the staff report.

Ms. DeDiemar wanted to know if the American Legion building is currently occupied.

Ms. Ayala stated yes, it is occupied.

Ms. DeDiemar wanted to know what the American Legion is planning to do.

Ms. Ayala stated they would be relocating to another site in Ontario.

Ms. DeDiemar wanted to know if they agreed with this move.

Ms. Ayala stated yes.

Mr. Willoughby wanted to know how the parking is working in Phase I and if it is fully occupied.

Ms. Ayala stated that Phase I is fully occupied and 53 onsite spaces that are available with Phase I haven't been assigned and they have found that most households are one vehicle

Mr. Willoughby wanted to know if the commission had ever approved adjacent off-site parking for a development before.

Mr. Zeledon stated yes, we have in the past, the code allows for it within 1500 feet of project sight.

Mr. Willoughby wanted to know if the parking would be covered or open.

Ms. Ayala stated they will all be open parking.

Mr. Lampkin wanted to know if the parking lot to the south would include security.

Ms. Ayala stated that part of the Conditions of Approval the applicant would have to submit a full security plan and that they will be gating of the south parking and have video cameras, as in Phase I, and she deferred any further clarification to the applicant.

Mr. Gage wanted to clarify that less parking needed for lower income projects?

Ms. Ayala stated that Emporia Phase I is an example that demonstrates that for affordable housing there are less vehicles used, due to lower household incomes.

Mr. Zeledon stated that this is work force housing and it is right off Holt Blvd., which is a heavily used transit corridor, one of the heaviest used in San Bernardino and provides opportunities for the residents to us transit, which we want to encourage.

### **PUBLIC TESTIMONY**

Randy Mai, the applicant with Related California stated he was here to answer questions. He stated that with affordable housing the need for parking is less likely to need the spaces, and they plan the community accordingly. He stated that in order to get tax dollars for these projects they need to be in areas that have easy access to transportation and transit, and that in Phase I they included a bus stop on Holt Blvd.

Mr. Lampkin wanted to know if like in Emporia Phase I where they preserved the history, will Emporia Phase II also preserve the history.

Mr. Mai stated that in Phase II along Emporia Street in the landscape area there will be pedestals that will speak to the history of the area, just like on Transit Street in Phase I.

Mr. Lampkin wanted to know the security plan for the parking area to the south.

Mr. Mai stated there would be security cameras and gated access for tenants.

Mr. Lampkin wanted to know if that parking area would also be for visitor parking.

Mr. Mai stated that visitor parking is located on street.

Mr. Willoughby wanted to clarify that the off-site parking would be fenced and gated.

Mr. Mai stated that is correct.

Mr. Willoughby wanted to know if there would be storage for each unit.

Mr. Mai stated there would be individual storage for each unit.

Mr. Willoughby wanted to know if both Phases would have access to the pool.

Mr. Mai stated yes, that is correct, both Phases would have access.

Mr. Willoughby wanted to clarify the same is true of the club house.

Mr. Mai stated that is correct.

Richard Galvez spoke and congratulated the developer and stated that low income housing is needed in Ontario, as the median rent is \$2500 and very expensive, and these projects give my children opportunity to stay in Ontario, and he hopes the commission will continue to support these types of projects.

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

Mr. Gage stated he appreciated Mr. Galvez's comments. He stated he is usually a stickler for parking and we do need affordable housing in Ontario, and the downtown area is changing and we need affordable housing to keep our citizens here. He stated he likes the idea of connecting the two projects and a nice tot lot. He stated he has parking reservations but there is transportation nearby and will be for this project.

Mr. Lampkin also stated his appreciation to Mr. Galvez. He stated that this project shows that low income housing doesn't have to look a certain way and is glad they are expanding what is an impressive project. He stated that there are workforce programs being offered in Phase I to help residents and that he is appreciative of these types of efforts to keep residents in the city.

Mr. Willoughby stated that the affordable housing like in Phase I and another project on east side of town, that are showing the quality that Ontario can produce for our residents and more of it is needed, and glad to hear how the parking is working in Phase I, as there were concerns about the parking. He also thanked staff and the developer for a great project.

### **PLANNING COMMISSION ACTION**

*It was moved by Willoughby, seconded by Lampkin, to recommend adoption of a resolution to approve the Addendum, and the Planned Unit Development Amendment, File No. PUD21-001, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.*

*It was moved by Willoughby, seconded by Ricci, to adopt a resolution to approve the Certificate of Appropriateness, File No., PHP21-003, the Tentative Parcel Map, File*

*No. PMTT21-004 and the Development Plan, File No. PDEV21-008, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.*

- E. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-003:** An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. This application 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: 0211-222-66) **submitted by Vogel Properties, Inc. City Council action is required.**
- F. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-008:** A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) for this project. This application 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: 0211-222-66) **submitted by Vogel Properties, Inc.**

Applicant is requesting that this item be continued to the June 22, 2021 Planning Commission meeting.

#### **PLANNING COMMISSION ACTION**

*It was moved by Gregorek, seconded by Willoughby, to continue the Addendum, the Specific Plan Amendment, File No. PSPA20-003, and the Development Plan, File No. PDEV20-008, to the June 22, 2021 Planning Commission meeting. The motion was unanimously carried 6 to 0.*

- G. **ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA20-006:** An Amendment to the Subarea 29 Specific Plan to increase the overall density within Planning Area 27 (Cluster Homes – 7-14 du/ac) from 4.8 to 4.9 dwelling units per gross acre and establish a new residential product type (Motorcourt Cluster D – 8-Plex). Planning Area 27 is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009) for this project. This application 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). The project site is also located within the Airport Influence area 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; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC. City Council action is required.**

- H. ENVIRONMENTAL ASSESSMENT AND TENTATIVE TRACT MAP REVIEW FOR FILE NO. PMTT20-012 (TM 20389):** A Tentative Tract Map (TTM 20389) to subdivide 5.99 acres of land into one numbered lot and three lettered lots for condominium purposes. The project is bounded by Merrill Avenue to the north, Southern California Edison easement to the west, and the San Bernardino County Flood Control District and the City of Eastvale to the south. Staff has prepared an Addendum to the Subarea 29 Specific Plan Environmental Impact Report (State Clearinghouse No. 2004011009) for this project. This application 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). The project site is also located within the Airport Influence area 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; (APN: 0218-331-42) **submitted by SL Ontario Development Company, LLC.**

Associate Planner Aguilo presented the staff report. She described the project site and the land use map for the Specific Plan, the surrounding area and the changes to the Specific Plan, adding the Motorcourt Cluster 8 plex. She described the tentative tract map and the conceptual site plan. She stated that staff is recommending the Planning Commission recommend approval of the Addendum and File No. PSPA20-006, and approve the Tentative Tract Map, File No. PMTT20-012, pursuant to the facts and reasons contained in the staff report.

#### **PUBLIC TESTIMONY**

Mr. Sage McCleve, the applicant, representing SL Development thanked staff and stated he was available to answer questions.

Mr. Gage wanted to know why the increase in density.

Mr. McCleve stated this is a challenging site with the site being bordered by the SCE easement, and they wanted to reduce the powerline interaction, and with the 8 pack Motorcourt cluster they were able to have only 10 homes that will back on to the power lines.

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

There was no Planning Commission deliberation.

#### **PLANNING COMMISSION ACTION**

*It was moved by Lampkin, seconded by DeDiemar, to recommend adoption of a resolution to approve the Addendum, and the Specific Plan Amendment, File No.*

*PSPA20-006, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.*

*It was moved by Ricci, seconded by Gregorek, to adopt a resolution to approve the Tentative Tract Map, File No., PMTT20-012, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gage, Gregorek, Lampkin, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 6 to 0.*

- I. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV18-022 AND PCUP18-021:** A Development Plan (File No. PDEV18-022) to construct a 6,870 square foot industrial building in conjunction with a Conditional Use Permit (File No. PCUP18-021) to establish and operate a towing service and short-term storage of automobiles, vans, light trucks, and tractor trucks on 3.1 acres of land located at 580 East Belmont Street, within the IL (Light Industrial) 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: 1049-491-01, 1049-491-02 and 1049-491-03) **submitted by Four Sisters Enterprises LLC.**

Principal Planner Mercier presented the staff report. He described the property and the surrounding area. He described the Land Use map in the Policy plan and the timeline history of the project. He described the site plan, accesses, landscape, the fuel tank location which in the COAs is requiring the fuel tank be moved away from the existing homes, floor plan, elevations, and perspective drawings. He described the proposed operations including office hours, customers service hours and towing hours, the vehicles being used, security and the contract with Ontario Police Department, including the current contract which would require special inspection of this facility and approval by PD. He explained the healthy risk assessment that was done, the traffic assessment comparing other options and the noise assessment that was completed. He described the notifications sent to the areas in English and Spanish and the community meetings and the issues brought forth at that meeting, including reduction of property value, safety concerns, location of the fuel tank, increased traffic, and the HRA being biased, and relocation of the project. He stated that staff is recommending the Planning Commission approve the Conditional Use Permit, File No. PCUP18-021, and the Development Plan, File No. PDEV18-022, pursuant to the facts and reasons contained in the staff report.

Ms. DeDiemar wanted to know with the property having an industrial land use since 1947, how did the residential get put there.

Mr. Zeledon stated the vacant land had the land use prior to construction of the residential and that was before the airport was developed but with the expansion of the airport those areas remain industrial because it is meant as a transition buffer area.

Ms. DeDiemar wanted to know if residents when they purchased their homes, were apprised to the abutment to industrial.

Mr. Zeledon stated that it's hard to tell, but most likely no, and explained that we currently have disclosures with new development regarding these issues, but that was not the case back when these homes were developed and they were probably not notified it was zoned industrial.

Ms. DeDiemar wanted to know if the property has always been vacant.

Mr. Zeledon stated there was a commercial industrial use project to the north, and then there was a development brought forward, but was never constructed and the property has been vacant since the late eighties or nineties.

Ms. DeDiemar wanted to clarify that there industrial there before and that this would be a second use.

Mr. Zeledon stated yes.

Mr. Willoughby wanted to clarify that 2 HRAs were done.

Mr. Zeledon stated just one HRA was done.

Mr. Willoughby wanted to clarify that the Fire Department had reviewed and approved the use of the fuel tank for this project.

Mr. Zeledon stated yes that Fire had looked at the fuel tank for the project and is recommending approval of it.

Mr. Willoughby wanted to know if they thought of making Phillips the access point, or was it a conscious effort to take the access off Belmont.

Mr. Zeledon stated having residential surrounding the project it made sense to have all the traffic off Belmont across from industrial to limit the impacts to the residential.

Mr. Willoughby wanted to clarify there would be restricted access off Sultana.

Mr. Zeledon stated that the project is conditioned that they would use Campus not Sultana.

Mr. Willoughby wanted to know how often train spur was used.

Mr. Zeledon stated that he doesn't have stats but it does stop on the intersections sometimes and it provides service to some of the other industrial uses in the area.

Mr. Lampkin wanted clarity regarding the community concerns about students walking back and forth from their residents to school, and what the area looks now and what it would look like if the project is approved, in regard to safety.

Mr. Zeledon stated the project would provide frontage improvements on Phillips Street, which aren't improved now, which would include landscape and 5 foot sidewalks, which would provide pedestrian connectivity and make a safer condition, as basically there is just dirt there now. He stated they would also have to improve the frontage along Belmont and Sultana.

Mr. Lampkin wanted to know if a property value assessment was done would they have to take into consideration the zoning and potential uses.

Mr. Zeledon stated we don't really get into property values, but typically when we get calls from brokers regarding the zoning on property, they take into account the potential uses and the zoning is also disclosed, but it's not being evaluating on the project going in right now, but the potential uses for the zoning.

Mr. Lampkin wanted to know if the industrial zoning was in place since 1947, was the light industrial



overlay in the area also placed there since 1947.

Mr. Zeledon stated no that the light industrial overlay is to the west of the property, because they are in the safety impact zone of the airport, but this property is in the noise impact area only and the overlay was put in with the General Plan update in 2010.

Mr. Lampkin wanted to clarify what the landscape coverage minimum requirement was.

Mr. Zeledon stated that for corner properties it is 15 percent.

Mr. Ricci wanted to know if the east side of property would have sidewalks put in as well.

Mr. Zeledon stated the portion between the project site and Monterey would remain the same, as there is a rail easement there.

Mr. Ricci wanted to know if the north side of Belmont is currently lighted.

Mr. Zeledon stated there is lighting on the north side, but the project will be required to update the lighting to meet the spacing requirements.

Mr. Ricci wanted to clarify that lighting would be improved all the way around the property.

Mr. Zeledon stated that is correct.

Mr. Gregorek wanted to know why the fuel tank would be above ground.

Mr. Zeledon stated that is a question for the applicant, but most likely because it is cheaper to put it above ground.

Mr. Lampkin wanted to know if any data was collected regarding calls for service from PD to the property in its current state.

Mr. Zeledon stated there is code case related incidents such as homelessness and illegal dumping to the property but nothing that he knows of relating to crime, however PD may be able to answer that question.

Ms. DeDiemar wanted to know who made the estimate of the number of trips.

Mr. Zeledon stated they had the applicant look at all his facilities and do an analysis of the average trip traffic, and our own traffic division came up with 34 per day for industrial use, but the analysis was done from actual data from the applicant.

Mr. Gage wanted to know why this project needs a CUP.

Mr. Zeledon stated that this is not an outright permitted use here, because of the nature of the use which could have impacts to the surrounding residents, and that any project would require a CUP because of noise, parking, hours of operation, or alcohol, and they look at all the impacts, and mitigate the impacts, rather than an outright permitted use.

Mr. Gage stated that City Council sent this back to the Planning Commission because of new information and wanted to know what that new information is.

Mr. Zeledon stated that when the applicant came in staff was given the hours of operation and the scope of the operation but when it went to City Council, the applicant provided new information regarding towing semi-trucks to the site and 24 hour operations, so City Council wanted it to come back to staff and

give a full picture of the operation and give the public the opportunity to comment on it, so that everything would be transparent with the project.

Mr. Willoughby wanted to clarify that a CUP gives the city more oversight on the operations, because there are certain conditions assigned to them.

Mr. Zeledon stated that is correct.

### **PUBLIC TESTIMONY**

Mr. Manny Acosta, the applicant with Pepe's towing stated he is excited about this project, to be able to service the Police Department and the citizens and he is here to answer any questions.

Ms. DeDiemar wanted to know why they were told this would be an 8-5 operation when that information was inaccurate.

Mr. Acosta stated the business hours are 8-5, for people to pick up their vehicles, but the towing service is always in service 24 hours, when working with law enforcement agencies and that it was a misunderstanding between office and towing hours.

Ms. DeDiemar wanted to know how would the commission know that.

Mr. Acosta stated it was a miss-interpretation.

Mr. Willoughby wanted to know if the towing trucks would be stationed here all day or are they stationed other places around town, to get an idea of truck trips.

Mr. Acosta stated that they stage the trucks throughout the city for response time, as they pride themselves on responding quickly, so as not to keep the officers waiting.

Mr. Willoughby wanted to clarify that they would not be coming in and out of the tow yard unless they were dropping off a vehicle.

Mr. Acosta stated that is correct.

Mr. Willoughby wanted to clarify that the trip generation information supplied was based on their other tow yards.

Mr. Acosta stated yes, and that they rely on the traffic studies done, and he believes there were two risk assessment studies done and both came back favorable to low traffic in the area.

Mr. Willoughby wanted to clarify that the towing of heavy equipment was very limited.

Mr. Acosta stated yes, it is very low.

Mr. Lampkin wanted to know why the fuel tank would be above ground.

Mr. Acosta stated it is an environmental concern to have them above ground and the cost well, but the tanks are so well built and they extremely safe and solid. He stated they have never had a problem with their other sites, and the Fire Department is hands on to make sure they stay safe and clean and diesel is not a combustible liquid, it is a lot safer.

Mr. Lampkin wanted to know during off hours what protocol would be put into effect to mitigate the

noise.

Mr. Acosta stated at night keep the trucks off sight and they won't use access except on Belmont, and diesel vehicle not as loud as they use to be and trucks are quiet.

Mr. Lampkin wanted to know if he had communicated with the community regarding their input on the site plan and architecture and if there was any landscaping by the railroad track and the brick wall on the east side elevation and why only 15% landscaping.

Mr. Acosta stated that they are just following the code.

Mr. Lampkin wanted to know if they have concerns regarding graffiti on that wall.

Mr. Acosta stated they take care of it immediately, and that some of the other yards get graffiti sometimes but they take care of it, and at the other sight in the city it is not a problem, and they have a lot of wall that runs along the railroad.

Mr. Ricci wanted to clarify that for sound mitigation there was a switch to turn off the backup beepers.

Mr. Acosta stated yes.

Mr. Ricci wanted to clarify that all the vehicles are diesel.

Mr. Acosta stated yes, they are all diesel.

Mr. Ricci wanted to know if they are newer models purchased after the EPA standards had changed.

Mr. Acosta stated they are all within five years, for all the trucks.

Mr. Gage wanted to know if noise mitigation had changed with the truck washing area.

Mr. Acosta stated there was a specific study done for this and it turned out low.

Mr. Gage wanted to know if the insurance allows for backup beeping to be turned off.

Mr. Acosta stated it has never been an issue with the insurance, they do it for their own safety, not an insurance requirement.

Mr. Gage wanted to know if they would have noise from dogs.

Mr. Acosta stated there would be no dogs on the property, they would have security.

Mr. Gage asked if he agreed to all the Conditions of Approval for the project.

Mr. Acosta stated yes.

Mr. Ricci asked if he was okay with the condition to move the fuel tank.

Mr. Acosta stated yes.

Mr. Willoughby wanted to clarify the color of the building.

Mr. Zeledon stated it would be the tan color the illustration of the 3D perspective was to give an idea of

the building and it would be more of an earth tone.

Mr. Acosta stated when we first applied all agencies sat together to discuss the project and the Police Department was part of that and they had no concerns, and we are in excellent standing with PD.

Mr. Zeledon stated there was a Spanish interpreter available.

Mr. Richard Galvez stated this is a beautiful project and something that would go well in every neighborhood in the city. He stated it's about the quality of life and the mission statement that states quality of life is what's important for the citizens. He stated when he moved here 1982 on Belmont by Bonview, that is the land that has been left behind by the city, from Belmont to Phillips those areas are an eye sore. He stated we need to look at what's best for the residents and that the applicant has 3 other areas that are already established, and those neighborhoods didn't get involved or were too scared to take on city hall, but we have to look at the quality of life that we want our residents to have throughout the city, and it be the same in all areas. He stated their properties are their investment and to bring a junk yard to their neighborhood, tells these residents that they haven't been forgotten and not bring projects that will bring death.

Wayna Gomez at 908 W. Elm St., stated she came to support the community and represent those that couldn't be here or were afraid to be here because of intimidation and retaliation from project attorneys and sometimes city officials, and she wants to represent the people of the community. She stated there are 3 schools in that neighborhood and all of us want our residents to live in a healthy community and have a quality of life. She stated where she lives, she wouldn't want a tow truck operation to come in and effect the property values and add noise and this is a community that has been forgotten. She stated this is not a bad project but it is not for this community that has homes in the area. She stated that she hoped the commission would think about our communities and about their health and safety and with what happened with the fireworks and having the chemicals there, and with the recycling nearby that has fires frequently, that's scary and could be dangerous. She stated these people should be able to have the same pride of ownership as anywhere else in the city. She stated that she heard Mr. Acosta talk about the improvements that are going to be done, but has anyone seen what the property looks like lately all overgrown and unkept, and someone owns the property now and who is going to make sure the promises of these modifications are kept up and why can't the city improve this residential area. She stated this is really an area that has been forgotten.

Celina Lopez at 3045 S. Archibald, brought her three year old daughter Halina, to talk about what she likes to do at the park. She stated her daughter likes walking in our area in South Ontario and we have beautiful parks and don't have to worry about a tow yard in our neighborhood. She stated that she lived about a mile away from this area and this is where our ancestors live and how they are being pushed away by unsafe projects and caved in by industrial projects, and they are the people who have built Ontario and have lived there for 40 -50 years and they can't fight the fight of a tow yard. She stated that she received a cease and desist order from Mr. Acosta's attorneys on February 23<sup>rd</sup> regarding two items: for saying peachy and an article she posted from the Daily Bulletin on social media, which is public record. She stated Mr. Acosta uses intimidation and that on March 30<sup>th</sup> he went to the residents and said he could build whatever he wanted and he intimidated the residents, and is this how projects get pushed forward. She stated we need to consider projects that are quality of life projects and that she advocates for anyone not having a quality of life. She stated they are not against this project, just not in this area. She stated that there has been the ability to change the zoning all this time and the city never did, and they did not explore other options, and the commissioners and the city have failed this community.

Rev. Mondo Miona lives on Third Ave., and stated he doesn't agree with this project and he has lived in city for over 25 year and they are building in the heart of the city of Ontario and he is disappointed with this, and with building warehouses on the east side and more commercial buildings close to this area. He stated he has his family here and enjoys this area and it's a healthy area, but not for this project. He stated he was working around the neighborhood and talking with the people and they don't know about this meeting and he told them what is being built here and most of the people don't know.

Marcela who lives on the corner of Fern and Phillips, wanted to come and express her support for the community, in opposition of the project and that she is an Ontario resident who loves everything about Ontario, loves the employees and the community members. She stated she is excited they want to expand their business, great city to have that business, and she wants their tax money in the city, but the location needs to be reconsidered. She stated that the trip analysis compared it to other kinds of projects, but it wasn't compared to green spaces which would be less, and expressed that the city has a 294 acre deficit of green parks and that people of color are three times more likely to live in an area that is nature deprived. She stated the need to develop projects that benefit our children and the generations of people that live there and reconsider and relocate. She wanted to know why a green space area can't be a transition between residential and industrial areas. She stated that diesel engines add to the production of damaging ozone that impacts trees and vegetation and we need to have something that will impact the city in a positive way, and think of other alternatives like art walls and parks would make more of a difference. She expressed the need for the Commissioners to choose Ontario and develop stuff that will enrich all of us. She stated she wanted to be a voice for those that couldn't stay.

Xochitl who resides in the area at Euclid and Walnut, was here to advocate for communication, but after hearing the people speak and not what people who live in the community want and these are pillars of the community and their voice needs to be heard. She stated this project isn't something for a community. She also questioned the trip numbers within a 24 hours period to the yard, and stated they need to be looked, because how is it a viable business with only just short of 3 trips, which doesn't make sense and she pointed out that it states the business hours are from 8-5, unless they make an appointment after hours and who's to stop them from making those appointments. She stated that with the project the community is going to get safer sidewalks and lights, but it only comes with a business being built and why isn't this being offered to the community as a standard of living, rather than with a business. She asked why isn't a project like the low income housing project presented earlier being offered and maybe a land swap could be made for housing in that area versus a tow yard and she believes there is more to be done and the environmental issues need to be looked at, especially the chemicals used to clean the fuel tank and see what it does to the water system, as we are in a well system in Ontario that could get contaminated very easily. She stated there is still more homework to be done and they need to find an alternative, maybe more housing and not a junk lot.

The applicant declined to rebut.

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

Mr. Lampkin asked the city attorney if we have a legal liability for not letting the property owner develop the property when they meet all the requirements.

Ms. Otto stated the city does have an obligation to allow a property owner to build on the property with

an allowable use, and there is a CUP involved and the commission could say they are not satisfied with the findings and there is no legal obligation, if the findings cannot be met.

Mr. Lampkin stated it was mentioned about utilizing the space for green space, and he wanted to know are there parks nearby and if there was a park space here who would maintain it.

Mr. Zeledon stated the property is zoned light industrial and to rezone that to open space is highly unlikely because of the airport impacts and the same thing with residential, and the only conducive uses are light industrial. He stated Bonview park is about a ¼ mile away and when the 2010 General Plan was done, we realized it is also impacted by noise from the airport. He stated this is not a land use issue but a zoning issue, but realistically going to commercial, open space, or residential would be difficult because of the airport impacts.

Mr. Lampkin wanted to clarify that residential would not go well because of the airport impacts.

Mr. Zeledon stated that is correct, and that as projects come through it is our job to make sure that they meet code and are safe and add value to the neighborhoods, and we try to get the most out of each project to add aesthetics and value to the community.

Mr. Lampkin thanked Officer Paine for his service and stated he wanted to know if PD has had issues with the property in its current state and would having a business there change that.

Officer Paine stated that the most typical calls would be for illegal dumping or trespassing.

Mr. Lampkin wanted to know if there was illegal dumping is there a cost to the city.

Officer Paine stated they would call it in to the city yard and they roll a crew out to clean the mess up.

Mr. Ricci wanted to clarify that diesel fuel has a higher flash point.

Chief Gerken stated that is correct it has a higher flash point of about 136 degrees Fahrenheit and is extremely safe, because it doesn't just ignite, like gasoline.

Mr. Ricci thanked him for their service with the fireworks incident.

Mr. Willoughby wanted to know if there is a pollution and containment plan for the diesel fuel if it leaks out.

Chief Gerken stated that above ground fuel tanks are regulated through the city with a permitting process as well as through the county agency that inspects the above ground storage units and has standards in place for accidental release and they must adhere to those standards.

Mr. Lampkin stated these decisions are difficult, especially when you have the residents that want what they want and there is a property owner that can build and there are rules that go with that. The city of Ontario has this history of zoning and we must look at that history as to why it is the way it is. He stated that his concern is the safety of what is there now, no sidewalks, railroad tracks with no safety features and the resident's concerns that we are trying to have conditions to mitigate those or the alternative of having nothing there and it's not safe as it is and it helps mitigate crime and dumping on an empty lot, that comes at the city's expense.

Mr. Gregorek stated it's a difficult decision but with the airport it has a great effect of what we can do and we have CUP to keep them inline and if they don't tow the line, we have recourse, and if there are violations being documented and it comes back and we need to revoke the CUP, we can and with the sidewalks and safety precautions going in, he would be in favor of this.

Mr. Willoughby stated that Bonview Park, the Dorothy Quesada Community Center and De Anza park are all in the area, and we would all like to see more parks but that takes money to maintain them. He stated we also have the FAA to deal with and if we knew what the airport area would become 74 years ago, we would most likely not have any homes there and as PD has mentioned there is illegal dumping that exists now. He stated with a CUP if the conditions aren't followed, we can always revoke the CUP. He stated that we want things to be run properly and this is a difficult decision, but an industrial project was approved in 2007 that would have generated a lot more trips and issues than this, and we have to make the hard decisions based upon zoning and the other requirements and issues regarding a piece of property.

Ms. DeDiemar stated the Planning Commission has to represent the residents and the community and the Planning Department has done an excellent job meeting the requirements and she was satisfied with how they have addressed the concerns of the residents, however she would have the same concerns if she lived there. She stated that going from vacant lot to something that will impact the community and even though the land use is permitted, there are things that the residents will never like or except and this is a very old use and probably two generations from the people who moved in next to that allowed land use and she is sympathetic to the concerns of the residents. She is troubled that they feel that nobody cares about their concerns, and if that were true there wouldn't be this meeting tonight and she has seen that Pepe's towing met the minimum requirements but doesn't see any good faith effort, to go beyond the minimum requirements, to address the concerns or to extend a hand to help the residents adjust to this use. She is asking the Planning Department if they can hold another meeting to see if they can work out some of these issues and to make the Planning Commission decision easier for everyone to accept.

Mr. Gage thanked the residents and apologized for its placement on the agenda and commended the Planning Department for having community meeting to get community input and the input and meetings and the effort to mitigate every concern the residents have. He stated he has a lot of concern when this many people come out, and he really listened to a lot of you and one person asked why there can't be curbs and landscape on a city street without a development, certainly in places without the developer paying for them. He stated with noise 8-5 operation by appt goes past those time and 24 hour basis for operation and haven't mitigated all the noise and certainly 2 tows a day is questionable and over the years CUPs are hard to stop and really find evidence to turn it around. He stated that he can't vote for this project

Mr. Ricci thanked the residents of the community for staying and being engaged and we want people to be passionate about these projects. He stated that while representing the community something that stuck with him was a project that came to us in August and looked like a really good project and really nice people, then it went back and forth and the community came out and spoke out against it and the applicant ended up writing a letter and stated they felt bullied by the community and withdrew their application. He expressed that he doesn't want us to be not excepting of a business owner that wants to expand his business and the planning department has done mitigation of what can be done to make this project better. He stated that everyone would like to have a park in their neighborhood, but we have an applicant that is willing to put in the infrastructure and incur the cost and unfortunately we are limited to what can be put there and yet if we put in more residential there would be more trips a day. He stated what he doesn't want to say that this is a property that he purchased and he isn't able to build. He stated he would love to see a park but not in standing with the airport use and people need to comprehend and understand what can go in here and turning down an applicant that is willing to incur the cost of making the neighborhood safer. He stated he would be in favor of the project.

Mr. Lampkin stated that he feels for the residents that came in today and the CUP if there are violations encourage residents to do what you can to engage and see residents start to have these conversations outside of these meeting to work with the business owners and work together.

Mr. Willoughby stated he would like to add that he has heard that this commission isn't interested in

certain parts of this community and this is his 11<sup>th</sup> year on the commission, and we are a committee that is concerned for every part of the city, there was another project that came in for this area but we didn't feel this was a fit and turned it down and when you look at the land use and codes and staff has done their due diligence to make it work with mitigations and this Commission and Council and Planning Department are concerned about every area of the city.

### **PLANNING COMMISSION ACTION**

*It was moved by Lampkin, seconded by Gregorek, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP18-021, and the Development Plan, File No. PDEV18-022, subject to conditions of approval. Roll call vote: AYES, DeDietmar, Gregorek, Lampkin, Ricci, and Willoughby; NOES, Gage; RECUSE, none; ABSENT, none. The motion was carried 5 to 1.*

### **MATTERS FROM THE PLANNING COMMISSION**

#### **Old Business Reports From Subcommittees**

**Historic Preservation (Standing):** This subcommittee met on May 13, 2021. Model Colony Awards and Certificate of Appropriateness for the American Legion building.

**Development Code Review (Ad-hoc):** This subcommittee did not meet.

**Zoning General Plan Consistency (Ad-hoc):** This subcommittee did not meet.

#### **New Business**

None at this time.

### **NOMINATIONS FOR SPECIAL RECOGNITION**

None at this time.

### **DIRECTOR'S REPORT**

Mr. Zeledon stated the Monthly Activity Reports for April are in their packets.

### **ADJOURNMENT**

Willoughby motioned to adjourn the meeting in memory of Commissioner Downs, seconded by Gregorek. The meeting was adjourned at 10:08 PM, to the next meeting on June 22, 2021.

---

Secretary Pro Tempore

---

Chairman, Planning Commission



**FILE NO:** PDEV20-016

**SUBJECT:** A Development Plan to construct a 74-foot tall collocated monopine wireless communications facility (T-Mobile and Verizon) on a 0.176-acre property located at 617 East Park Street, within the IL (Light Industrial) zoning district (APN: 1049-233-13); **submitted by Joel Taubman, Crown Castle Towers.**

**PROPERTY OWNERS:** Albert & Marie Pattison

**RECOMMENDED ACTION:** That the Planning Commission consider and approve File No. PDEV20-016, 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 a 0.176-acre property located at 617 East Park Street, within the IL (Light Industrial) zoning district, and is depicted in Figure 1: Project Location, below. The property to the north of the Project site is within the IL (Light Industrial) zoning district and is developed with an industrial building. The property to the east is within the IL (Light Industrial) zoning district and is developed with an industrial building and parking lot. The property to the south is within the IL (Light Industrial) zoning district and is under construction for an industrial warehouse. The property to the west is within the IL (Light Industrial) zoning district and is partially developed with an industrial building and partially vacant. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

**PROJECT ANALYSIS:**

(1) Background — On December 20, 2010, the Planning Commission approved a wireless telecommunications facility (File No. PDEV10-003) on property located at 617 East Sunkist Street (See Exhibit A—Project Location Map, attached). The facility was approved as an 80-foot tall collocated (Verizon and T-Mobile) stealth "monopine" and



**Figure 1: Project Location**

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	06/24/2020

Hearing Body	Date	Decision	Action
DAB	04/19/2021	Approval	Recommend
PC	06/22/2021		Final
CC			

accompanying 300 square foot equipment enclosure, located toward the rear of an existing cold storage industrial warehouse and adjacent to an existing, active railroad spur.

On April 28, 2020, a Development Plan (File No. PDEV19-050) was approved to raze and redevelop the property at 617 East Sunkist Street, including demolition of the cold storage warehouse, monopine, and equipment enclosure and construction of a new industrial warehouse building. The approved layout could not support the siting of the existing monopine and equipment enclosure, so a temporary facility was established on a neighboring subject property. On June 30, 2020, the Zoning Administrator approved a Temporary Use Permit (File No. PTUP20-026) to establish a temporary 55-foot high non-stealth wireless facility on the Project Site.

On June 24, 2020, the Applicant applied for Development Plan (File No. PDEV20-016) approval to construct a permanent 74-foot tall, collocated monopine on the subject Project site, to replace the wireless facility that was removed from 617 East Sunkist Street, and to re-establish wireless telecommunications service to the surrounding area (see Exhibit F—Propagation Maps, attached).

On April 19, 2021, the Development Advisory Board reviewed the Project and made a recommendation to the Planning Commission to approve the Project. The Project application was then scheduled for the April 27, 2021, Planning Commission meeting for consideration.

On April 26, 2021, the Applicant requested continuance of the Project from the April 27, 2021, Planning Commission hearing date, to the June 22, 2021, Planning Commission meeting, to allow for additional time to address new requests made by the landlord. On May 10, 2021, the Applicant submitted revised plans showing the following modifications:

- Relocate and reduce the footprint of the wireless facility's wrought-iron fence enclosure;
- Relocate the access drive from the eastern portion of the site to the western portion and eliminate wrought iron fencing enclosing the access drive;
- Change tree species of from Canary Island Pine to Afghan Pine; and,
- Make a request to reduce the number of trees from three to two due to the small telecom easement area and desire to provide adequate spacing for the trees and unencumbered access to the site.

Staff reviewed the revised plans and determined that the modifications were minor in scope, that the Development Advisory Board recommendation on April 19, 2021 was still applicable to the Project, and that the Project may remain on the June 22, 2021, Planning Commission agenda for consideration.

(2) Site Design, Site Access, and Building Layout — The telecommunications equipment and related 1,057.5 square foot enclosure is proposed to be sited toward the rear of the narrow lot to allow for future development of the site (see Exhibit B—Revised Site Plan, attached). Access to the site will be provided by an improved driveway to be accessible from Park Street. The landlord of the site shared preliminary, proprietary plans with the Applicant, outlining the potential development of a small building on the Project site. As such, the telecommunications facility has been sited to avoid any future conflict or disruption from the potential development. Continuous access for maintenance of the telecommunications equipment and enclosure, by means of direct access and/or easements, has been made a condition of approval of this Project.

The Ontario Development Code established a multi-tier review system for wireless telecommunications facilities. The Project is considered a Tier 3 Review, which requires Development Plan review and approval by the Development Advisory Board and the Planning Commission, as the Project does not meet the provisions of the less-intensive Tier 1 or Tier 2 review. While the Project is of a stealth design and is to be located within a nonresidential zoning district, the facility will be located less than 500 feet from an existing residential zoning district. The LDR-5 (Low-Density Residential – 2.1 to 5.0 du/ac) zoning district is located approximately 325 feet west of the Project site, on the opposite side of the railroad tracks (see Figure 2, below).

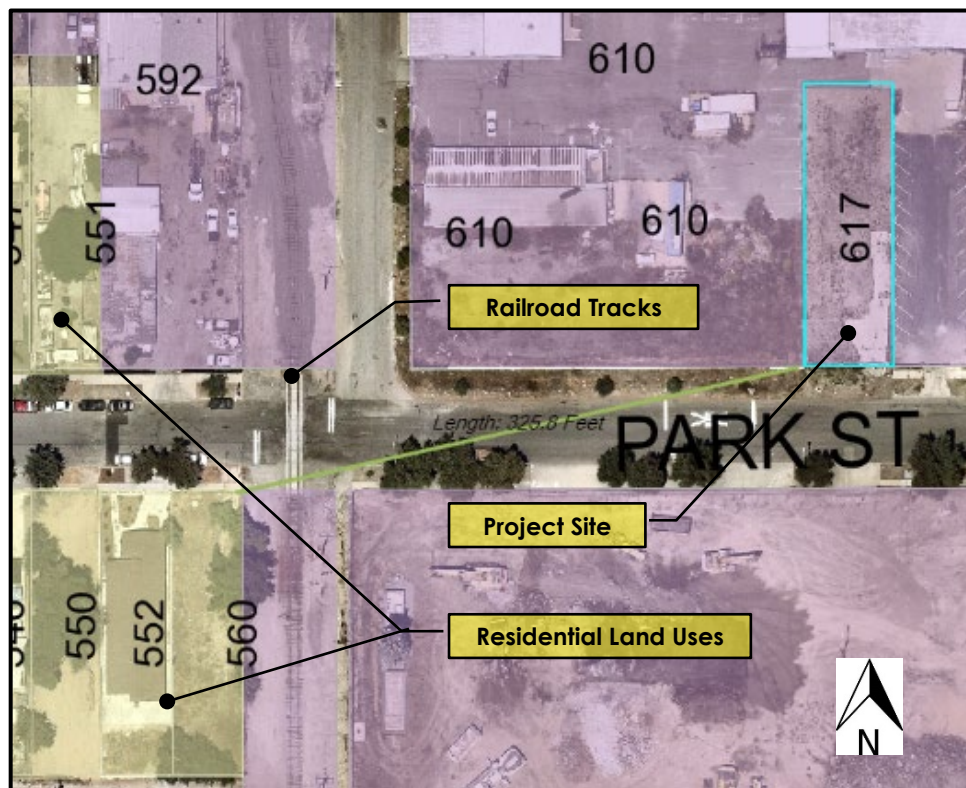


Figure 2: Proximity of Residential Land Use Districts

(3) Parking — The Ontario Development Code requires one off-street parking space to be provided for wireless carrier personnel to be able to access and maintain the site. One off-street parking space has been provided, meeting the minimum parking requirement.

(4) Design — The Applicant has proposed a “monopine” design for the telecommunications facility (See Exhibit C—Revised Elevation, attached). A monopine mimics the shape and appearance of pine trees and uses faux branches and foliage to screen the equipment and facility from public view. The telecommunications facility will be 74 feet in height, with branches extending five to seven feet above the radio units and their mounting brackets to provide as natural an appearance as possible. Branches are also required to protrude horizontally beyond the radio units and mounting brackets to screen the equipment. The radio units will be screened with “pine socks”, or pieces of foliage designed to mask the units. The “trunk” will be covered in faux bark to further the appearance of the tree.

The facility includes a 23.5-foot by 45-foot equipment enclosure, to be constructed of wrought-iron fencing. The equipment enclosure serves to protect the monopine and its related ground-mounted equipment, such as backup generators and equipment cabinets, from vandalism. The facility, which will be set back approximately 140 feet from the street, will be screened from public view by landscaping and eventually by a building, should the property owner move forward with development of the site.

The facility is located within Safety Zone 3 of the Ontario International Airport, and has been evaluated and found to be in keeping with the Ontario International Airport Land Use Compatibility Plan, provided certain conditions are met, including all regulations of the Federal Aviation Administration (“FAA”). The height limit for Safety Zone 3 is 65 feet, and the Project will exceed this height, thus requiring additional FAA review. While it has been found by the FAA that the height of the tower is acceptable (attached herein to the conditions of approval), the Project has been conditioned to consult with the FAA for additional review and approval regarding the construction and ongoing operation of the proposed wireless telecommunications facility. The Applicant shall adhere to all conditions set forth by the FAA Aeronautical Study 2020-AWP-4077-OE for a Determination of No Hazard for a permanent structure, including filing any applicable forms with the FAA prior to equipment operation.

(5) Landscaping — The Development Code requires wireless telecommunications facilities to be landscaped, including appropriate screening trees and plantings. The Applicant proposes *Pinus brutia* (Afghan Pine) as the screening tree and a Holly Oak for the parkway tree, as they are compatible with the overall visual aesthetic of the surrounding area (see Exhibit E—Revised Landscape Plan). Appropriate anchoring measures and irrigation details have also been included on the plans. The Applicant has been conditioned to work with the Landscape Division and Planning Department in the plan check process to finalize the number, size, and placement of the trees.

(6) Utilities (drainage, sewer) — As a condition of placing the wireless facility at the proposed location, the property owner is requiring the Applicant to install a sewer lateral to facilitate future development of the Project site. The sewer line will be installed and maintained in place until such time that the property owner develops the remainder of the parcel.

**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
- Pursue City's Goals and Objectives by Working with Other Governmental

Agencies

(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:**

- 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.

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

### **Community Design Element:**

- 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.
- CD2-9 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.
- CD2-13 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.
- 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 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, 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. 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 ALUCP, provided certain conditions are met. The Project as proposed exceeds the height limit for Safety Zone 3 of the Ontario Airport. As such, a Determination of No Hazard to Air Navigation has been filed by the Applicant with the Federal Aviation Administration ("FAA") and has been conditioned to follow all necessary procedures and regulations set forth by the FAA for the construction and ongoing operation of the facility. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

**ENVIRONMENTAL REVIEW:** 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, which consists of projects that are consistent with the applicable general plan designation and general plan policies, as well as applicable zoning designation and regulations; which occurs within city limits on a project site of no more than five acres and is substantially surrounded by urban uses; which serves as no value as habitat for endangered, rare, or threatened species; which will not result in any significant effects relating to traffic, noise, air or water quality; and which can be adequately served by all required utilities and public services.

**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
Site:	Vacant	Industrial (0.55 FAR)	IL (Light Industrial)	N/A
North:	Industrial	Industrial (0.55 FAR)	IL (Light Industrial)	N/A
South:	Warehouse (Under Construction)	Industrial (0.55 FAR)	IL (Light Industrial)	N/A
East:	Industrial/parking lot	Industrial (0.55 FAR)	IL (Light Industrial)	N/A
West:	Industrial/vacant	Industrial (0.55 FAR)	IL (Light Industrial)	N/A

**General Site & Building Statistics**

<b>Item</b>	<b>Proposed</b>	<b>Min./Max. Standard</b>	<b>Meets Y/N</b>
Project Area:	1,057.5 square feet	N/A	Y
Lot/Parcel Size:	0.176 square feet	N/A	Y
Building Area:	N/A	N/A	Y
Floor Area Ratio:	N/A	N/A	Y
Building Height:	74 feet	75 feet (Max.)	Y

**Off-Street Parking:**

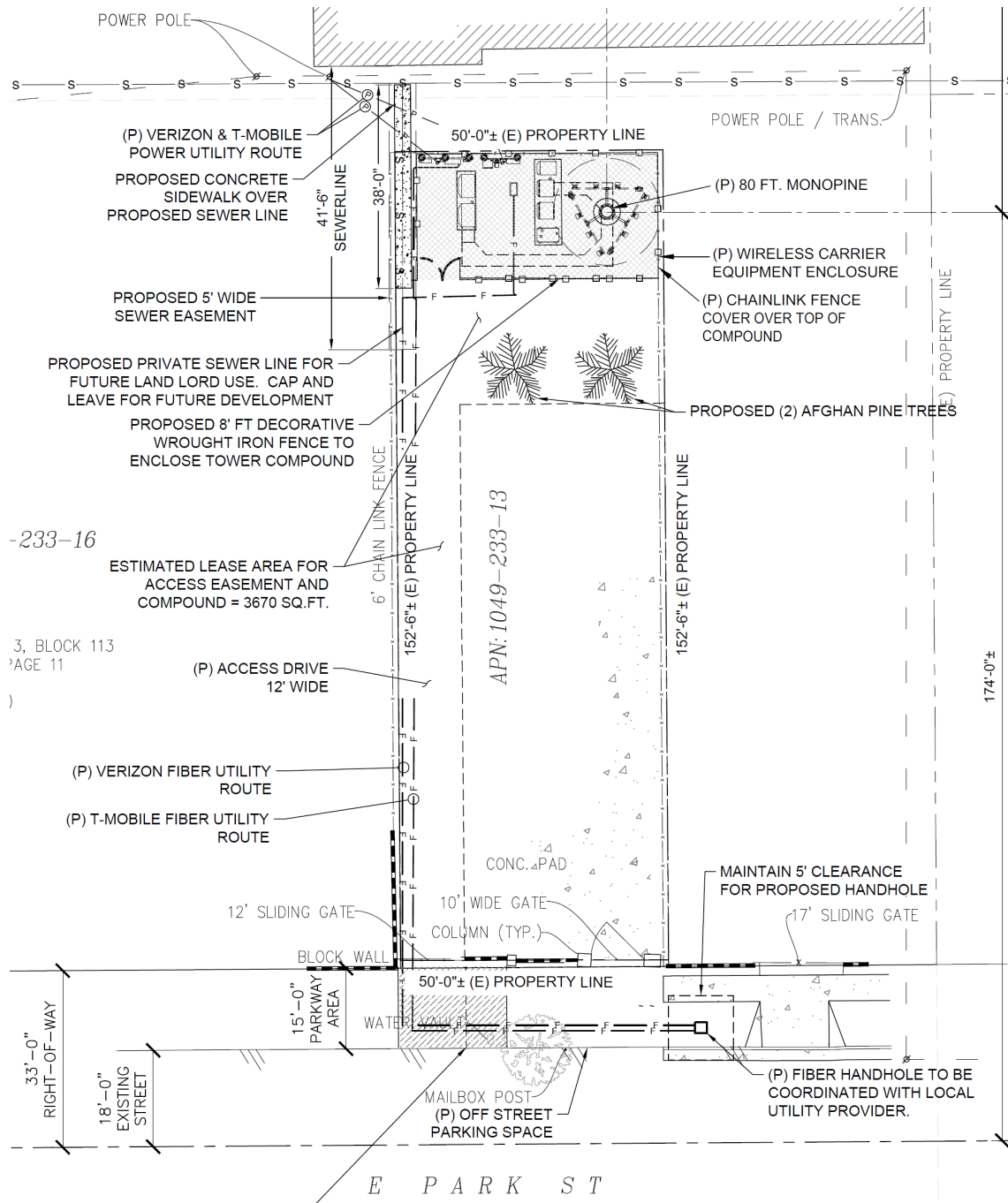
<b>Type of Use</b>	<b>Building Area</b>	<b>Parking Ratio</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
Wireless telecom facility	N/A	One space per facility	1	1
TOTAL				1



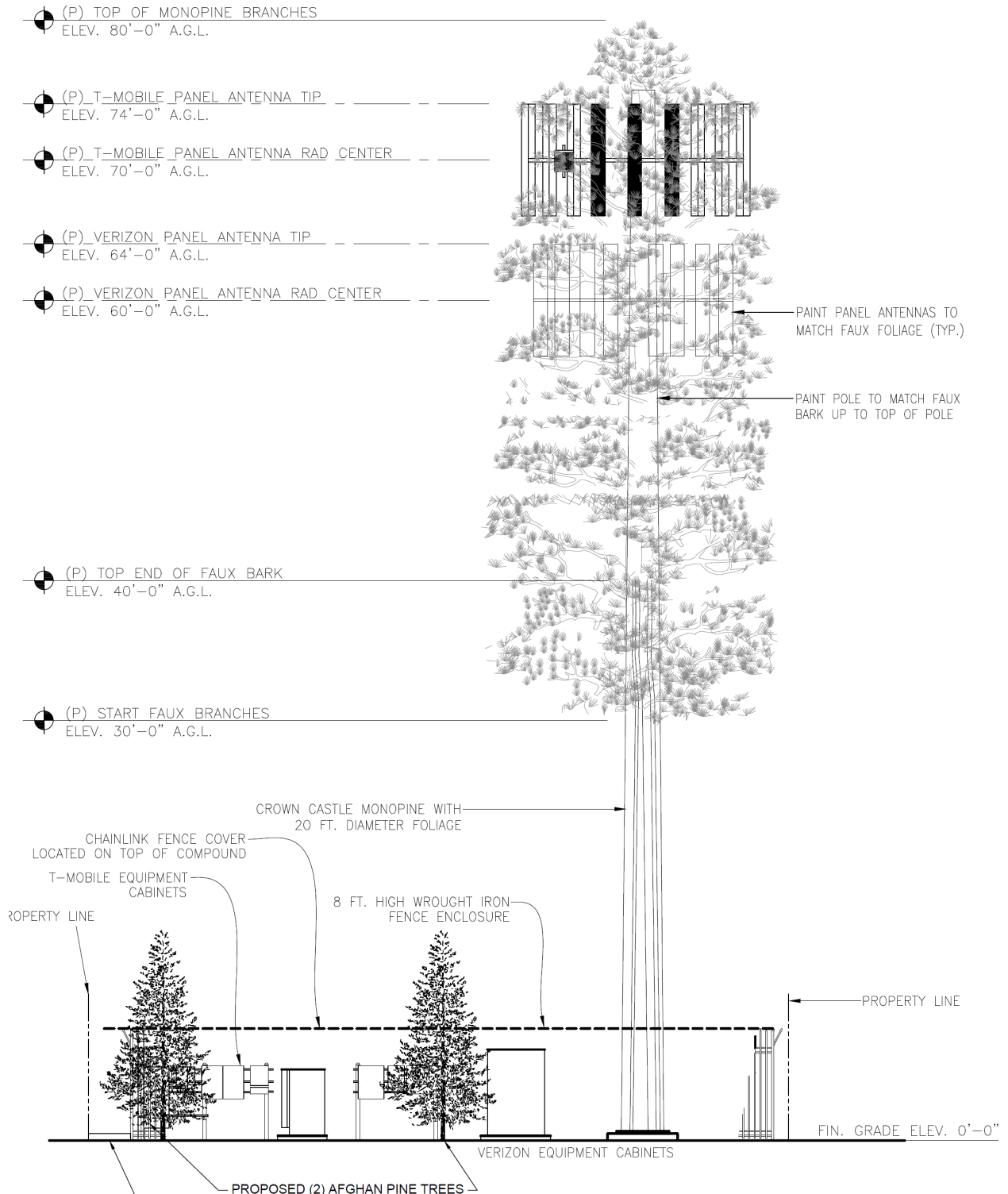
**Exhibit A—PROJECT LOCATION MAP**



**Exhibit B—REVISED SITE PLAN**



**Exhibit C—REVISED ELEVATION**



**Exhibit D—PHOTO SIMULATIONS**



**Existing**



**Proposed**

**VIEW FROM PARK STREET, LOOKING NORTH**

***Exhibit D—PHOTO SIMULATIONS (CONTINUED)***



**Existing**



**Proposed**

**VIEW FROM CAMPUS AVENUE LOOKING WEST**

**Exhibit D—PHOTO SIMULATIONS (CONTINUED)**



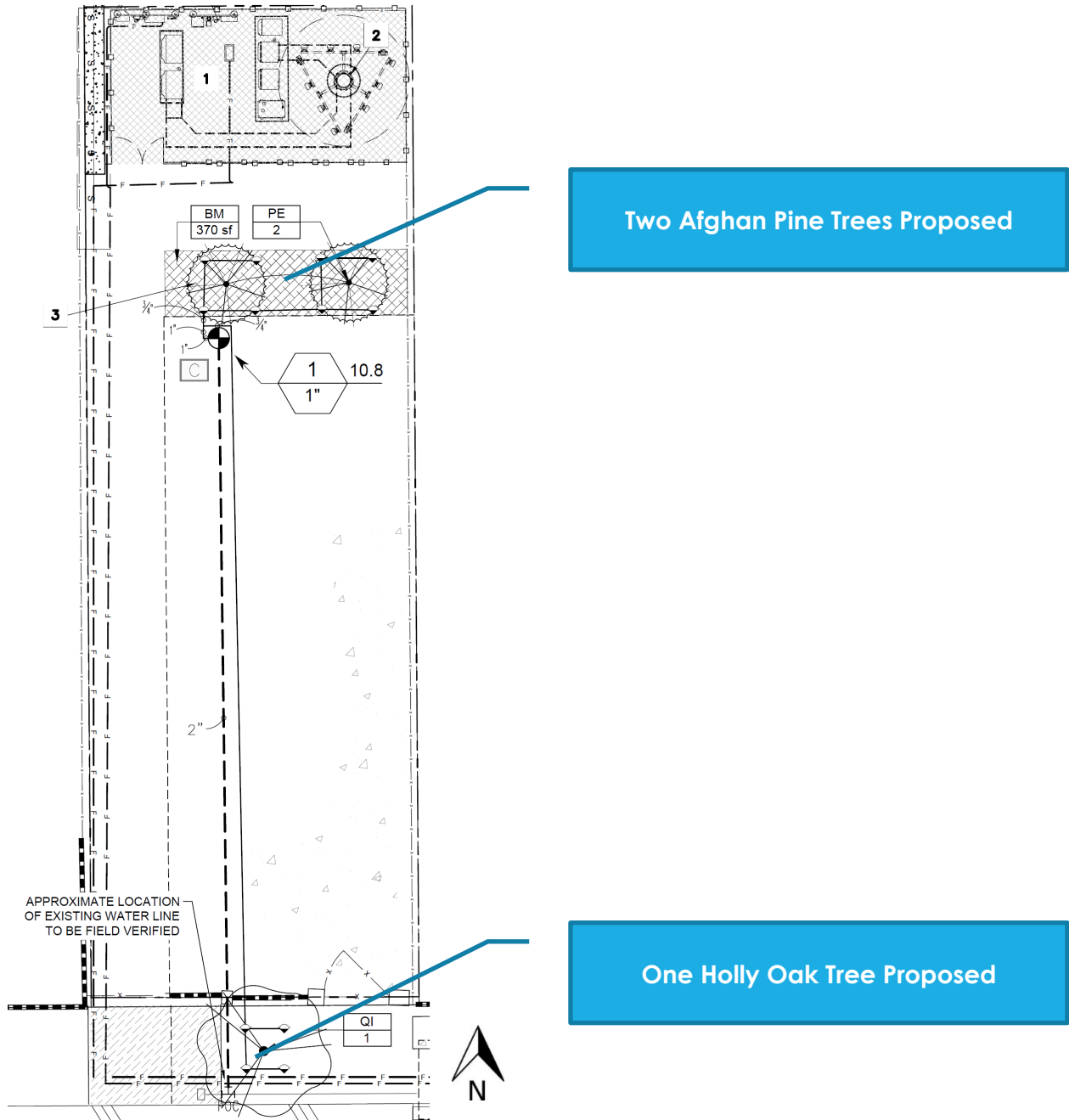
**Existing**



**Proposed**

**VIEW FROM PARK STREET LOOKING NORTHWEST**

**Exhibit E—REVISED LANDSCAPE PLAN**



**Exhibit F—PROPAGATION MAPS**





RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-016, A DEVELOPMENT PLAN TO CONSTRUCT A 74-FOOT TALL COLLOCATED MONOPINE WIRELESS COMMUNICATIONS FACILITY (T-MOBILE AND VERIZON) ON A 0.176-ACRE PROPERTY LOCATED AT 617 EAST PARK STREET, WITHIN THE IL (LIGHT INDUSTRIAL) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1049-233-13.

WHEREAS, Crown Castle Towers ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-016, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to a 0.176-acre property located at 617 East Park Street, within the IL (Light Industrial) zoning district, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the IL (Light Industrial) zoning district and is developed with an industrial building. The property to the east is within the IL (Light Industrial) zoning district and is developed with an industrial building and parking lot. The property to the south is within the IL (Light Industrial) zoning district and is under construction for an industrial warehouse. The property to the west is within the IL (Light Industrial) zoning district and is partially developed with an industrial building and partially vacant; and

WHEREAS, on December 20, 2010, the Planning Commission approved an 80-foot tall "monopine" wireless telecommunications facility (File No. PDEV10-003) on property located at 617 East Sunkist Street; and

WHEREAS, on April 28, 2020, a Development Plan (File No. PDEV19-050) was approved to raze and redevelop the property at 617 East Sunkist Street, including demolition of a cold storage facility, monopine, and equipment enclosure, and a temporary wireless telecommunications facility was established on a neighboring Project site; and

WHEREAS, on June 30, 2020, the Zoning Administrator approved a Temporary Use Permit (File No. PTUP20-026) to allow the temporary installation of a 55-foot tall non-stealth wireless telecommunications facility Project site; and

WHEREAS, on June 24, 2020, the Applicant applied for Development Plan (File No. PDEV20-016) approval to construct a permanent 74-foot tall, collocated monopine on the Project site, to replace the wireless facility that was removed from 617 East Sunkist

Street, and to re-establish wireless telecommunications service to the surrounding area;  
and

WHEREAS, the telecommunications equipment and related 1,057.5 square foot enclosure will be accessible from a driveway along Park Street, and has been sited to the rear of the lot to allow for future development of the site; and

WHEREAS, the Project as proposed requires Tier 3 telecommunications facility review, as the facility is proposed to be located within 500 feet of an existing residential zoning district (an approximate 325-foot distance); and

WHEREAS, the Applicant has proposed a “monopine” design for the facility, which mimics the shape and appearance of pine trees and uses faux branches and foliage to screen the equipment and facility from public view. The telecommunications facility will be 74 feet in height, with branches extending five to seven feet above the radio units and their mounting brackets to provide as natural an appearance as possible. Branches are also required to protrude horizontally beyond the radio units and mounting brackets to screen the equipment, along with the usage of “pine socks”, or pieces of foliage designed to mask the units and the usage of faux bark for the “trunk”; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "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 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 (hereinafter referred to as "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. The facility is located within Safety Zone 3 of the Ontario International Airport and has been evaluated and found to be in keeping with the Ontario International Airport Land Use Compatibility Plan, provided certain conditions are met, including all regulations of the Federal Aviation Administration ("FAA"). The height limit for Safety Zone 3 is 65 feet, and the Project will exceed this height, thus requiring additional FAA review. While it has been found by the FAA that the height of the tower is acceptable (attached herein to the conditions of approval), the Project has been conditioned to consult with the FAA for additional clearance regarding the construction and ongoing operation of the proposed wireless telecommunications facility. The applicant shall adhere to all conditions set forth by the FAA Aeronautical Study 2020-AWP-4077-OE for a Determination of No Hazard for a permanent structure, including filing any applicable forms with the FAA prior to equipment operation; 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 April 19, 2021, 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. DAB21-017, recommending that the Planning Commission approve the Application; and

WHEREAS, on April 26, 2021, the applicant submitted a request to continue the project from the April 27, 2021 Planning Commission hearing date to the June 22, 2021 date, to allow for additional time to address and accommodate new requests to the site plan made by the landlord; and

WHEREAS, on April 27, 2021, the Planning Commission of the City of Ontario voted to continue the subject Project to the June 22, 2021, Planning Commission hearing; and

WHEREAS, on June 22, 2021, 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 authority 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 has 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 the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects that are consistent with the applicable general plan designation and general plan policies, as well as applicable zoning designation and regulations; which occurs within city limits on a project site of no more than five acres and is substantially surrounded by urban uses; which serves as no value as habitat for endangered, rare, or threatened species; which will not result in any significant effects relating to traffic, noise, air or water quality; and which can be adequately served by all required utilities and public services; 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: Housing Element Compliance.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority 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, 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 3: Ontario International Airport Land Use Compatibility Plan (“ALUCP”) Compliance.** The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 authority 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. The Project as proposed exceeds the height limit for Safety Zone 3 of the Ontario Airport. As such, a Determination of No Hazard to Air Navigation has been filed by the applicant with the Federal Aviation Administration (“FAA”), and has been conditioned to follow all necessary procedures and regulations set forth by the FAA for the construction and ongoing operation of the facility.

**SECTION 4: *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 Sections 1 through 3, 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 Industrial (0.55 FAR) land use district of the Policy Plan Land Use Map, and the Light Industrial zoning district. 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 proposed stealth “monopine” design will help to reduce visual impact of the facility to the surrounding neighborhood, and the location within an industrial zoning district is preferential to placement within a residential zoning district. Further, the facility previously existed on a neighboring property, and was displaced to the Project site.

(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 IL (Light Industrial) zoning district, including standards relative to the particular land use proposed (monopine wireless telecommunications facility), 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 as proposed meets all Code standards and will not impact surrounding properties above and beyond what currently exists with other land uses in the vicinity.

(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 Development Code are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [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 Development Code. The Project site is currently vacant and has been proposed as a viable development site for the relocation of a similar facility from a neighboring site. With the Project's conditions of approval, the Project will improve upon the vacant site and ensure that the facility remain secured from public nuisances.

(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 Development Code 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 (monopine wireless telecommunications facility). 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 Development Code.

**SECTION 5: 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 6: 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 7: 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 8: 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 22nd day of June, 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the 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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore



**ATTACHMENT A:**

**File No. PDEV20-016  
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:** April 27, 2021

**File No:** PDEV20-016

**Project Description:** A Development Plan to construct a 74-foot collocated monopine wireless communications facility (T-Mobile and Verizon) on 0.176 acres of land located at 617 East Park Street within the IL (Light Industrial) zoning district (APN: 1049-233-13); **submitted by Joel Taubman, Crown Castle Towers.**

**Prepared By:** Alexis Vaughn, Assistant Planner  
Phone: 909.395.2416 (direct)  
Email: [avaughn@ontarioca.gov](mailto: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)     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)     Three live trees shall be planted as screening for the facility (Canary Island Pine or similar, per the discretion of the Landscape Division).

**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 City of Ontario Development Code Division 6.03 (Off-Street Parking and Loading).

**2.6**     Site Lighting.

(a)     The facility shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the facility, and shall be operated by a photocell switch.

(b)     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 Equipment.

(a)     All ground-mounted utility equipment and structures, such as tanks, transformers, HVAC equipment, and backflow prevention devices, shall be adequately screened through the use of landscaping and 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**     Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

**2.10**    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).

## **2.11 Environmental Review.**

**(a)** The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, and meets all of the following conditions:

**(i)** The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

**(ii)** The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;

**(iii)** The project site has no value as habitat for endangered, rare, or threatened species;

**(iv)** Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

**(v)** The Project site can be adequately served by all required utilities and public services.

**(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 Exemption (NOE) filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which shall be forwarded to the San Bernardino County Clerk of the Board of Supervisors, along with all applicable environmental forms/notices, pursuant to the requirements of the California Environmental Quality Act (CEQA). 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)** A robust cross section and branch density chart/schedule, which clearly illustrate and indicate that all mechanical apparatuses and antennae will be sufficiently screened from public view, shall be provided within the plan check submittal package. The branch density shall meet all Development Code standards as related to wireless telecommunications facilities for monopine designs.

**(b)** The monopine shall include heavy, dense foliage with a minimum branch count of three branches per lineal foot of trunk height. Branches shall be randomly dispersed and of different lengths to provide a natural appearance. Branch density shall be consistent throughout the tree and shall not be concentrated in any one area. The branches shall have a natural shape and appearance, as depicted in Exhibit D: Photo Simulations, attached to the agenda report.

**(c)** Simulated bark shall extend the entire length of the pole (trunk), or the branch count shall be increased so that the pole is not visible.

**(d)** Branches and foliage shall extend beyond an antenna array a minimum of two feet horizontally and seven feet vertically, in order to adequately camouflage the array, antennas, and bracketry. In addition, antennas and supporting bracketry shall be wrapped in artificial pine foliage.

**(e)** The size and spread of antenna arrays shall be the minimum necessary to ensure that they are adequately camouflaged. All antennas shall be fully concealed within the branches. Furthermore, all wires and connectors shall be fully concealed within the trunk, and all unused ports (for co-location) shall have covers installed.

**(f)** The applicant is required to maintain the project site. Any diseased or dead vegetation shall be removed and replaced. Any damage or wear to the monopine's features, such as bark, branches, and leaves/needles, or to the equipment enclosure, must be repaired or replaced in a timely manner so as to maintain the proper concealment of the telecommunications equipment.

**(g)** Continuous access to the site for maintenance of the monopine and related equipment and enclosure shall be preserved. The applicant shall coordinate with the landlord for access and/or easements as needed. Future development of the remainder of the site must allow for maintenance access of the monopine and related equipment.

**(h)** The Police Department has required that a secure barrier top, such as a sturdy metal mesh or chain link, be provided for the site enclosure to prevent persons from climbing into the facility.

**(i)** The applicant shall work with all reviewing departments in the Plan Check process to ensure that all Departmental requirements are satisfied.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV20-016  
 Address: 617 East Park  
 APN: 1049-233-16  
 Existing Land Use: Vacant  
 Proposed Land Use: Construct an 81 foot tall wireless facility (monopine)  
 Site Acreage: 0.17acres Proposed Structure Height: 81 FT  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Alexis Vaughn  
 Date: 12/23/2020  
 CD No.: 2020-017  
 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 checked="" type="checkbox"/> 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 checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input checked="" type="checkbox"/> Zone 3	<input type="radio"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>65 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 provided the attached conditions are met.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2020-017  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

1. The maximum height limit for the project site is 65 feet and as such, any construction equipment such as cranes or any other equipment exceeding 65 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.
2. The applicant shall adhere to the conditions set forth in FAA Aeronautical Study 2020-AWP-4077-OE for a Determination of No Hazard for a permanent structure.



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2020-AWP-4077-OE

Issued Date: 05/11/2020

Michelle Perry  
 Crown Castle Towers 06-2 LLC  
 2055 S. Stearman Drive  
 Chandler, AZ 85286

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:            Antenna Tower 831289 Tropicana  
 Location:            Ontario, CA  
 Latitude:            34-03-34.12N NAD 83  
 Longitude:           117-38-33.79W  
 Heights:             974 feet site elevation (SE)  
                           81 feet above ground level (AGL)  
                           1055 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

**See attachment for additional condition(s) or information.**

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 L Change 2.

This determination expires on 11/11/2021 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.
- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.



NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination of No Hazard is granted provided the following conditional statement is included in the proponent's construction permit or license to radiate:

Upon receipt of notification from the Federal Communications Commission that harmful interference is being caused by the licensee's (permittee's) transmitter, the licensee (permittee) shall either immediately reduce the power to the point of no interference, cease operation, or take such immediate corrective action as is necessary to eliminate the harmful interference. This condition expires after 1 year of interference-free operation.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at (206) 231-2990, or paul.holmquist@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2020-AWP-4077-OE.

**Signature Control No: 436088696-439601065**

( DNE )

Paul Holmquist  
Specialist

Attachment(s)  
Additional Information  
Frequency Data

## **Additional information for ASN 2020-AWP-4077-OE**

At a distance of 2.1 nautical miles from transmitter site spurious emissions signal levels from proposed transmitters must be less than -104 dBm in the 108-137, 225-400 MHz frequency bands.

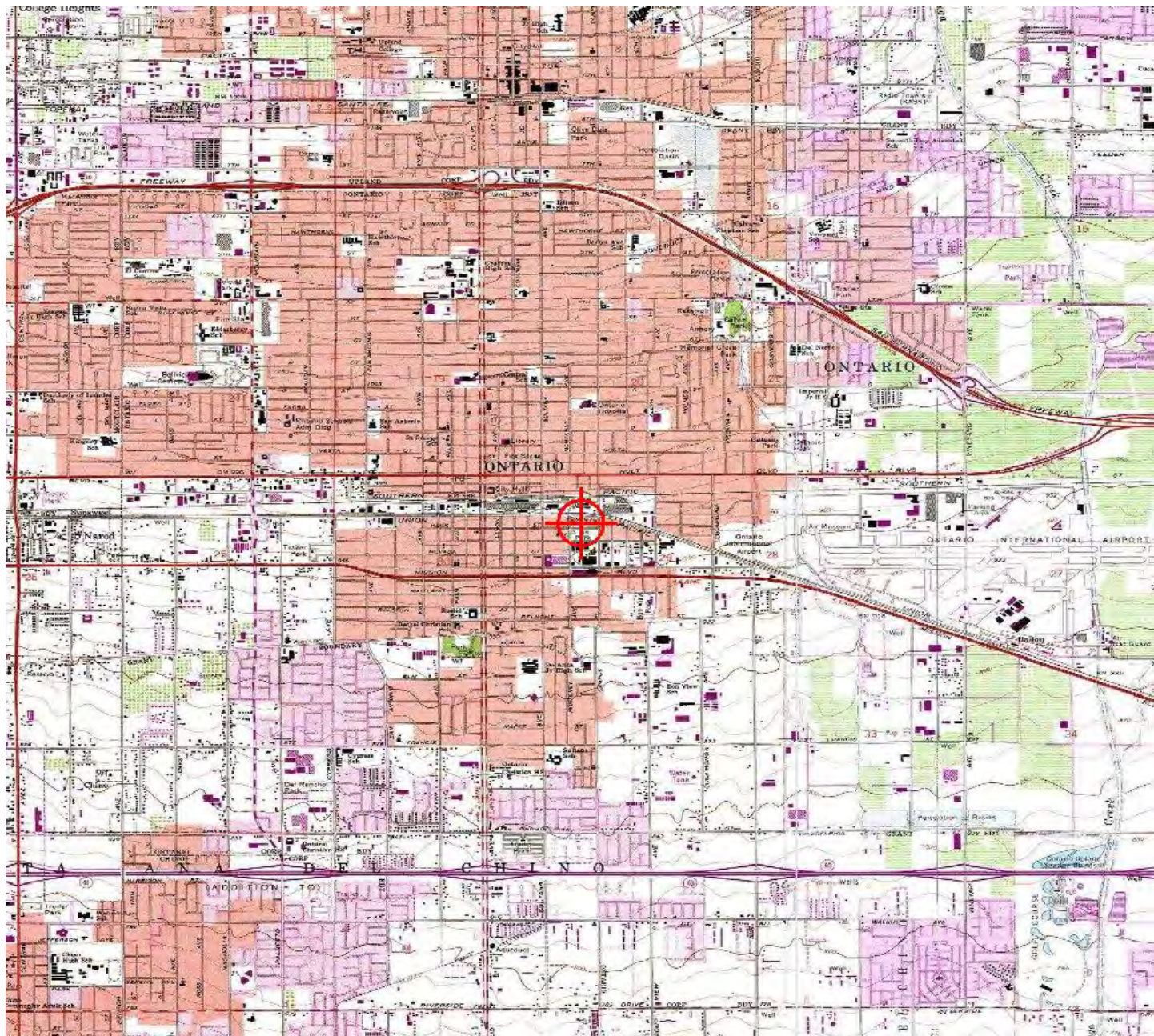
At a distance of 2.4 nautical miles from the site emissions from the 2496-2690 MHz transmitters must be less than -155 dBm in the 2700-3100 MHz Surveillance Radar frequency band.

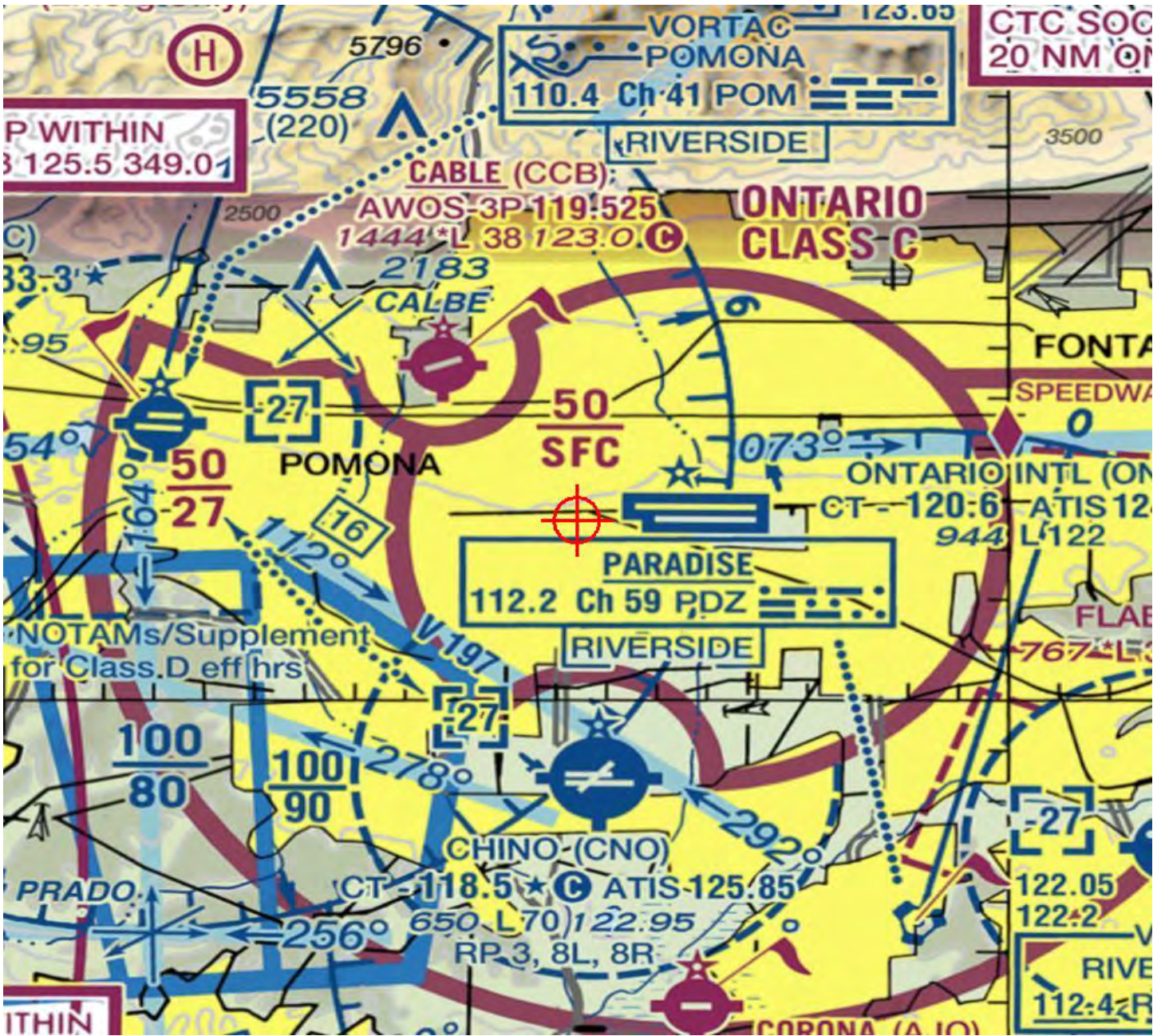
At a distance of 2.4 nautical miles from the site emissions from the 2496-2690 MHz transmitters must be less than -155 dBm in the 2700-3100 MHz Surveillance Radar frequency band.

**Frequency Data for ASN 2020-AWP-4077-OE**

<b>LOW FREQUENCY</b>	<b>HIGH FREQUENCY</b>	<b>FREQUENCY UNIT</b>	<b>ERP</b>	<b>ERP UNIT</b>
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W

TOPO Map for ASN 2020-AWP-4077-OE







# CITY OF ONTARIO MEMORANDUM

## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Information Technology & Management Services Department Conditions incorporated)

**PROJECT ENGINEER:** Antonio Alejos, Assistant Engineer *AA* (909) 395-2384


**PROJECT PLANNER:** Alexis Vaughn, Assistant Planner (909) 395-2416


**DAB MEETING DATE:** April 19<sup>th</sup>, 2021

**PROJECT NAME/DESCRIPTION:** PDEV20-016, a Development Plan to construct an 81-foot mono-pine wireless communications facility (T-Mobile and Verizon), in conjunction with a Minor Variance request to deviate from the maximum Development Code standard for height, from 75 feet to 81 feet, on 0.176 acres of land.

**LOCATION:** 617 East Park Street (APN: 1049-233-13)

**APPLICANT:** Crown Castle Towers 06-2, LLC

**REVIEWED BY:**   
Raymond Lee, P.E.  
Assistant City Engineer 2/30/21  
Date

**APPROVED BY:**   
Khoi Do, P.E.  
City Engineer 3-30-21  
Date

**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE LISTED BELOW. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT. SEE ATTACHED EXHIBIT 'A' FOR PLAN CHECK SUBMITTAL REQUIREMENTS.**

- 
1. The applicant/developer shall construct a modified driveway approach per City Standard Drawing Number 1203.
  2. The applicant/developer shall install the proposed private sewer line to the existing 8-inch public sewer main within the Public Sewer Easement behind the property and equip a clean-out behind the property line per the latest City Standard Drawing Number 2003.
  3. The applicant/developer shall install all proposed dry utilities within the public right-of-way per City Standard Drawing Number 1303.

**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

---

**Project Number: PDEV20-016**

**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.  **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6.  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).
7.  **Two (2) sets of Site plans with proposed public street improvements**
8.  **Three (3) sets of Wet 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)**
9.  **Two (2) 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)**
10.  Other: \_\_\_\_\_



# CITY OF ONTARIO MEMORANDUM



---

**DATE:** May 12, 2021  
**TO:** Antonio Alejos, Engineering  
**CC:** Alexis Vaughn, Planning  
**FROM:** Ryan Wishner, Utilities Engineering  
**SUBJECT:** Peter Tran  
DAB #2 - Utilities Comments (**#7645, 7646**)  
**PROJECT NO.:** PDEV20-016, PVAR20-002 (Monopine Wireless, 617 E Park Street)

---

## BRIEF DESCRIPTION

*Construct Monopine Wireless tower at 617 E Park Street.*

---

## THIS SUBMITTAL IS COMPLETE AND RECOMMENDED FOR APPROVAL.

---

**CONDITIONS OF APPROVAL:** *The Ontario Municipal Utilities Company (OMUC) recommends this application for approval subject to the conditions outlined below and compliance with the City's Design Development Guidelines, Specifications Design Criteria, and City Standards.*

### **Sewer Conditions:**

1. Sewer Easement: The segment of the proposed sewer running between the PUE that contains the existing sewer and the project's property line must have a private easement.
2. Public and Private Utilities: Only the sewer lateral per City Standard 2003 within the city's existing PUE shall be Public. Everything upstream of the sewer lateral and outside of the existing PUE shall be private.





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Alexis Vaughn, Assistant Planner  
Planning Department

**FROM:** Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** July 20, 2020

**SUBJECT:** PDEV20-016 – A Development Plan to construct an 81-foot monopine wireless communications facility (T-Mobile and Verizon), in conjunction with a Minor Variance request to deviate from the maximum Development Code standard for height, from 75 feet to 81 feet, on 0.176 acres of land located at 617 East Park Street within the IL (Light Industrial) zoning district (APN: 1049-233-13). Related File: PVAR20-002.

- 
- The plan **does** adequately address the departmental concerns at this time.
- Report below.

---

### **CONDITIONS OF APPROVAL:**

8. Hand-portable fire extinguishers are required to be installed PRIOR to occupancy. Contact the Bureau of Fire Prevention Bureau during the latter stages of construction to determine the exact number, type and placement required per Ontario Fire Department Standard #C-001. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
9. "No Parking/Fire Lane" signs and /or Red Painted Curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would encroach on the 24-foot clear width requirement per Ontario Fire Department. Install per Ontario Fire Department Standards #B-001 and #B-004. (Available upon request from the Fire Department or on the internet at <http://www.ci.ontario.ca.us/index.cfm/34762>)
10. 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. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Said numbers shall contrast with their background. (See Section 9-1 6.06 Street Naming and Street Address Numbering of the Ontario Municipal Code and Ontario Fire Department Standards #H-003 and #H-002.)

21. 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.
28. The developer shall transmit a copy of these requirements to his on-site contractor to foster a mutual understanding between on-site personnel and the Fire Marshal's office. It is highly recommended that the developer and fire protection designer obtain a copy of the Ontario Fire Department Fire Protection System Information Checklist to aid in system design. Development Advisory Board comments are to be included on the construction drawing.

ADDITIONAL COMMENTS:

If the equipment cabinets are to contain any stationary storage battery systems, said systems shall comply with section 608 of the 2016 California Fire Code

For copies of Ontario Fire Department Standards please access the City of Ontario web site at [www.ci.ontario.ca.us](http://www.ci.ontario.ca.us), click on Fire Department and then on forms.



# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
Rudy Zeledon, Planning Director (Copy of memo only)  
Diane Ayala, Advanced Planning Division (Copy of memo only)  
Charity Hernandez, Economic Development  
James Caro, Building Official  
Khoi Do, City Engineer  
Jamie Richardson, Landscape Planning Division  
Ahmed Aly, Municipal Utility Company  
Gabriel Gutierrez, Police Department  
Mike Gerken, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Eric Woosley, Engineering/NPDES  
Robin Lucero, Code Enforcement (Copy of memo only)  
Jimmy Chang, IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: March 15, 2021

SUBJECT: FILE #: PDEV20-016 Finance Acct#:

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

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 75-foot tall collocated monopine wireless telecommunications facility (T-Mobile and Verizon) on 0.176-acre of land located at 617 East Park Street, within the IL (Light Industrial) zoning district. (APN: 1049-233-13).

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.

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

<b>DAB CONDITIONS OF APPROVAL</b>	
Sign Off	
	05/24/21
Philip Marino, Associate Landscape Planner	Date

Reviewer's Name: <b>Philip Marino, Associate Landscape Planner</b>	Phone: <b>(909) 395-2237</b>
---	---------------------------------

D.A.B. File No.: PDEV20-016	Case Planner: Alexis Vaughn
--------------------------------	--------------------------------

Project Name and Location:  
 Monopine Tower  
 617 Park

Applicant/Representative:  
[Rachael.davidson@jacobs.com](mailto:Rachael.davidson@jacobs.com)  
 2600 Michelson Dr., Ste. 500  
 Irvine, CA 92612

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan dated 05/11/21 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan dated ( ) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE**

**Preliminary Plan comments 07/21/20**

- Add tree planting detail including root ball anchors such as Duckbill and guyed with nylon webbing.
- After a project's entitlement approval, the applicant shall pay all applicable fees at a rate established by resolution of the City Council. Typical fees are:
  - Plan Check—less than 5 acres .....\$1,561.00
  - Inspection—Construction (up to 3 inspections).....\$600.00

**Preliminary Plan comments 03/10/21**

- Sheet L-1; provide an irrigation backflow and detail. Backflow prevention devices and pipes shall be painted green and locate in a locking enclosure.
- Sheet L-1; provide tree bubbler detail. Tree bubblers shall be installed on each side of the rootball for consistent wetting, 3' from tree trunk. Tree bubblers shall not overspray onto paving or spray tree stakes.
- Sheet L-1; Use the Hunter Solar Panel Kit for the node irrigation controller.

**Preliminary Plan comments 05/24/21**

- Sheet L-1; three screening trees will be required. Coordinate with landscape architect for final location. 2-48" and 1-60" box. Space trees 20'-30' apart.
- Sheet L-1; add tree planting detail including root ball anchors such as Duckbill and guyed with nylon webbing.

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

**FILE NOS:** PSPA20-003 and PDEV20-008

**SUBJECT:** An Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003), changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, in conjunction with a Development Plan (File No. PDEV20-008) to construct a 200,291-square foot industrial building located at the northeast corner of Haven Avenue and Airport Drive; (APN: 0211-222-66) **submitted by Vogel Properties, Inc. City Council action is required.**

**PROPERTY OWNER:** Vogel Properties, Inc.

**RECOMMENDED ACTION:** That the Planning Commission consider and adopt the following:

[1] A resolution recommending that the City Council approve the use of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); and


[2] A resolution recommending that the City Council approve the amendment to the California Commerce Center Specific Plan, File No. PSPA20-003, pursuant to the facts and reasons contained in this staff report and the attached resolution; and

[3] A resolution approving the Development Plan, File No. PDEV20-008, pursuant to the facts and reasons contained in this staff report, the resolution, and subject to the conditions of approval.

**PROJECT SETTING:** The project site is comprised of 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed



**Figure 1: Project Location**

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	03/27/2020

Hearing Body	Date	Decision	Action
DAB	05/17/2021	Approval	Recommend
PC	06/22/2021		Recommend/ Final
CC	07/20/2021		Final

Light Industrial land use district of the California Commerce Center Specific Plan, and is depicted in Figure 1: Project Location, above. The project site is currently developed as a parking lot. Land uses immediately surrounding the project site include commercial to the north; industrial to the east, and vacant land to the south and west. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

### **PROJECT ANALYSIS:**

(1) Background — The project site was developed in 1999 as a privately-owned long-term parking lot to accommodate customers from Ontario International Airport. The site is presently developed with two structures totaling 1,500 square feet, including a toll booth and a modular office building. The Applicant will no longer operate the site as a parking lot.

On March 27, 2020, the Applicant submitted an amendment to the California Commerce Center Specific Plan (File No. PSPA20-003) to change the land use designation of the Project site from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (0.55 FAR) land uses, in conjunction with a Development Plan application (File No. PDEV20-008), which proposes to develop the Project site with an industrial warehouse building.

On May 17, 2021, the Development Advisory Board ("DAB") conducted a hearing to consider the Development Plan, and concluded the hearing, voting to recommend that the Planning Commission approve the Application subject to conditions of approval, which are included as attachments to the Planning Commission resolutions.

On May 25, 2021, the Planning Department received a letter (see Attachment A - Lozeau Drury SAFER Letter) from Richard Drury, of Lozeau Drury LLP, on behalf of the Supporters Alliance for Environmental Responsibility ("SAFER") with concerns and comments on the adequacy of the project's CEQA environmental determination to prepare an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). The Project was continued to the June 22, 2021 Planning Commission Meeting to allow the applicant and staff additional time to address comments and concerns raised by "SAFER".

(2) Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003) — To date, the City has been processing land use changes within Specific Plans to achieve consistency with the Policy Plan Land Use Plan on an as needed basis, when new development projects are proposed, and land use inconsistencies must be addressed. The subject site presently has a Specific Plan land use designation of Commercial/Food/Hotel, which is inconsistent with the Industrial land use designation assigned to the property by the Policy Plan Land Use Plan. To establish consistency

between the two land use plans and facilitate the proposed Development Plan application, the Specific Plan Amendment will change the land use designation from Commercial/Food/Hotel to Light Industrial, (See Exhibits B and C: Existing and Proposed California Commerce Center Specific Plan Land Use). Furthermore, the Policy Plan Land Use Map designates properties surrounding the project site (immediately to east and south) for Industrial land uses, providing further land use consistency within the immediate vicinity of the project site.

(3) Development Plan (File No. PDEV20-008)

(a) Site Design/Building Layout — The applicant is proposing to construct a 200,291-square foot industrial building with a floor area ratio ("FAR") of 0.43. The rectangular-shaped building is located along the northern portion of the site, with the front of the building and office entry located at the southwest corner of the building and oriented to the west, facing Haven Avenue. The building is setback approximately 95 feet from the north (rear) property line, approximately 140 feet from the south (Airport Drive) property line, 73 feet from the west (Haven Avenue) property line, and 3 feet from the east (interior) property line. The project will provide off-street parking along the northern, western, and southern portions of the site, in addition to a smaller parking area located at the southeast corner of the site to serve warehouse employees (see Exhibit D—Site Plan, attached).

A yard area designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is located on the south side of the proposed building. The yard area will be screened from public street views by a combination of landscaping and 14-foot high tilt-up screen walls with view-obstructing gates that have been designed to match the architecture and color scheme of the proposed building (see Exhibit E—Elevations – Industrial Warehouse Building, attached). An outdoor employee patio area has been provided on-site, located adjacent to the building's western office entry.

(b) Site Access/Circulation — The Project has two points of vehicular access along Airport Drive, including a 30-foot wide driveway located near the southwest corner of the site and a 50-foot wide driveway located near the southeast corner of the site, which will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot. A 24-foot wide drive-aisle is proposed along the western, northern, and southern portions of the site, connecting the two points of street access and two emergency access drives located on the northeast and southeast portions of the site. The emergency access drives will be gated and will connect to the adjoining property's north-south running drive aisle. To provide access to the emergency drive aisle from the adjoining property, the project has been conditioned to provide a reciprocal access agreement between the two property owners (see Exhibit D—Site Plan, attached).

(c) Parking — The Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The industrial building requires a total of 111 off-street parking spaces, and 140 spaces have

been provided. In addition, a minimum of one tractor-trailer parking space for each 4 dock-high loading spaces is required to be provided. There are 25 dock-high loading doors proposed, requiring 7 tractor-trailer parking spaces. The project is providing 22 tractor-trailer parking spaces, exceeding the minimum requirement.

(d) Traffic Impact Analysis — A focused Traffic Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers ("ITE") Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips ("ADT"), including 146 fewer A.M. peak hour trips, and 719 fewer P.M. peak hour trips (see Table 1: Net Difference in Trip Generation, below).

**Table 1: Net Difference in Trip Generation**

Land Use <sup>1</sup>	Qty	Unit <sup>2</sup>	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
<b>Proposed Project</b>														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
<b>Total</b>		TSF		423			33	10	43			14	35	49
<b>Designated Land Use</b>														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
<b>Net Difference</b>				<b>-7,183</b>			<b>-84</b>	<b>-62</b>	<b>-146</b>			<b>-355</b>	<b>-364</b>	<b>-719</b>

1: Rates from ITE Trip Generation (10th Edition, 2017)  
 2: TSF = Thousand Square Feet

(e) Architecture — The proposed industrial warehouse building will be of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, horizontal reveals, color blocking, clerestory windows with clear anodized aluminum mullions and blue glazing, and steel canopies over the main office entries and first story windows (see Exhibit E—Elevations, attached). The mechanical equipment will be roof-mounted and obscured from public view by parapet walls and equipment screens, if necessary, which will be incorporated into the design of the building architecture. Staff believes that the proposed project illustrates the type of high-quality



architecture that is promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas;
- Articulation in the building parapet/roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall;
- A mix of exterior materials, finishes and fixtures;
- Base and top treatments defined by changes in color, materials, and recessed wall areas; and
- An architectural design that ensures that the building's massing, proportion, color palette, and architectural detailing are consistent throughout all four building elevations.

(f) Landscaping — The project provides landscaping along the Haven Avenue and Airport Drive frontages, around the project perimeter, and tractor-trailer yard area. The Development Code requires that the project provide a minimum 15 percent landscape coverage, which has been provided. Moreover, a combination of 24-inch, 36-inch, and 48-inch box accent and shade trees will be provided throughout the project site, in addition to a variety of shrubs and groundcovers that are low water usage and drought tolerant. The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site (see Exhibit F—Landscape Plan, attached).

(g) Utilities (drainage, sewer) — Public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes on-site run-off will be collected by a catch basin and conveyed to an underground infiltration system located within the tractor-trailer courtyard area. Any overflow drainage will be conveyed to 30-inch on-site storm drain that connects to a 60-inch storm drain located within Airport Drive.

**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

- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)

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.

(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:**

- 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.

### **Community Economics Element:**

- 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 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.

- CD2-7 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.
- CD2-12 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.
  - 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.
- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.
- 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.
- CD5-1 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 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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

**ENVIRONMENTAL REVIEW:** Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140). The Addendum concluded that the Specific Plan Amendment and the Development Plan introduces no new significant environmental impacts.

Approval of the Development Plan is contingent upon City Council approval of the Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003).

**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Parking Lot	Industrial	California Commerce Specific Plan	Proposed Light Industrial
North	Retail (Costco and Starbucks)	Office/Commercial	Ontario Gateway Specific Plan	Mixed Use and Office
South	Vacant	Industrial	California Commerce Specific Plan	Light Industrial
East	Industrial Warehouse	Industrial	California Commerce Specific Plan	Rail Industrial
West	Vacant	Airport	ONT – Ontario International Airport	N/A

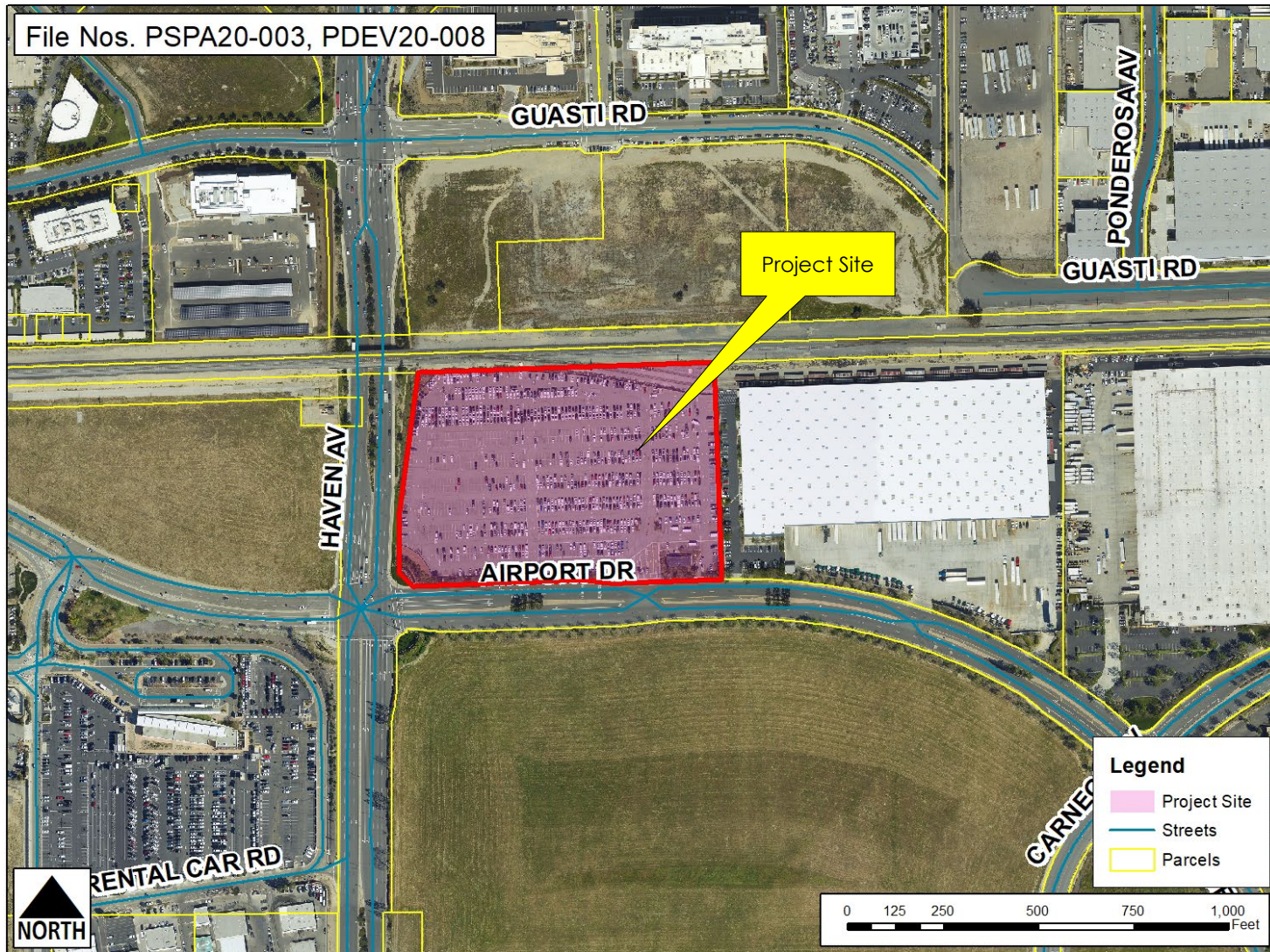
**General Site & Building Statistics**

Item	Proposed	Min./Max. Standard	Meets Y/N
Project Area:	10.64 ac	N/A	Y
Lot/Parcel Size:	463,478 SF	43,560 SF (Min.)	Y
Building Area:	200,291 SF	N/A	Y
Floor Area Ratio:	0.43	0.55 (Max.)	Y
Building Height:	50 FT	120 FT (Max.)	Y

**Off-Street Parking:**

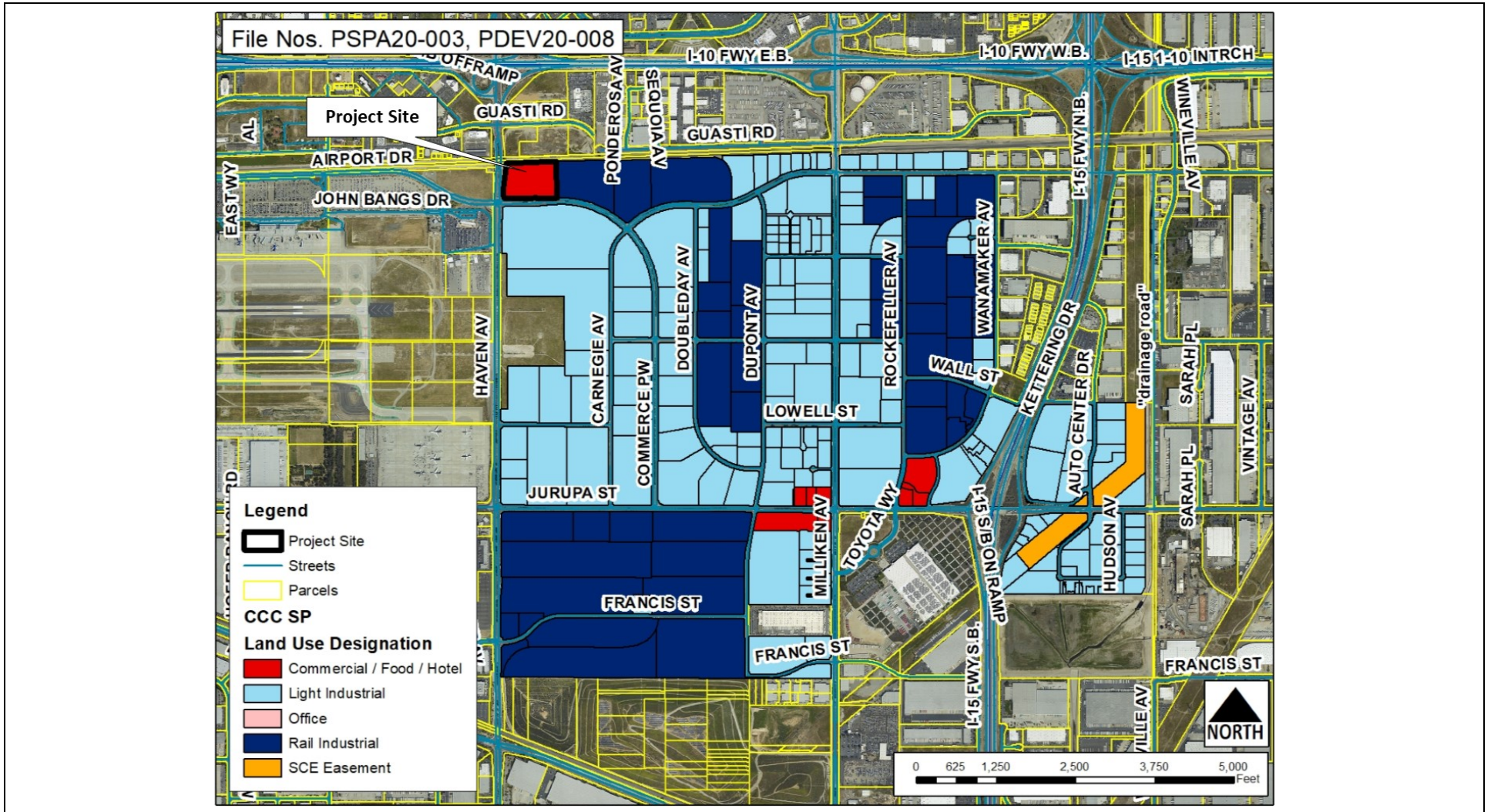
Type of Use	Building Area	Parking Ratio	Spaces Required	Spaces Provided
Warehouse/Distribution	200,291 SF	One space per 1,000 SF (0.001/SF) for portion of GFA < 20,000 SF, plus 0.5 space per 1,000 SF (0.0005/SF) for GFA > 20,000 SF;	111	140
		One tractor-trailer parking space per 4 dock-high loading doors (25 dock-high loading doors proposed)	7	22
Office	2,500 SF + 2,500 Mezzanine	Parking required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building GFA.	0	0
<b>TOTAL (excludes tractor-trailer spaces)</b>			111	140

**Exhibit A—PROJECT LOCATION MAP**

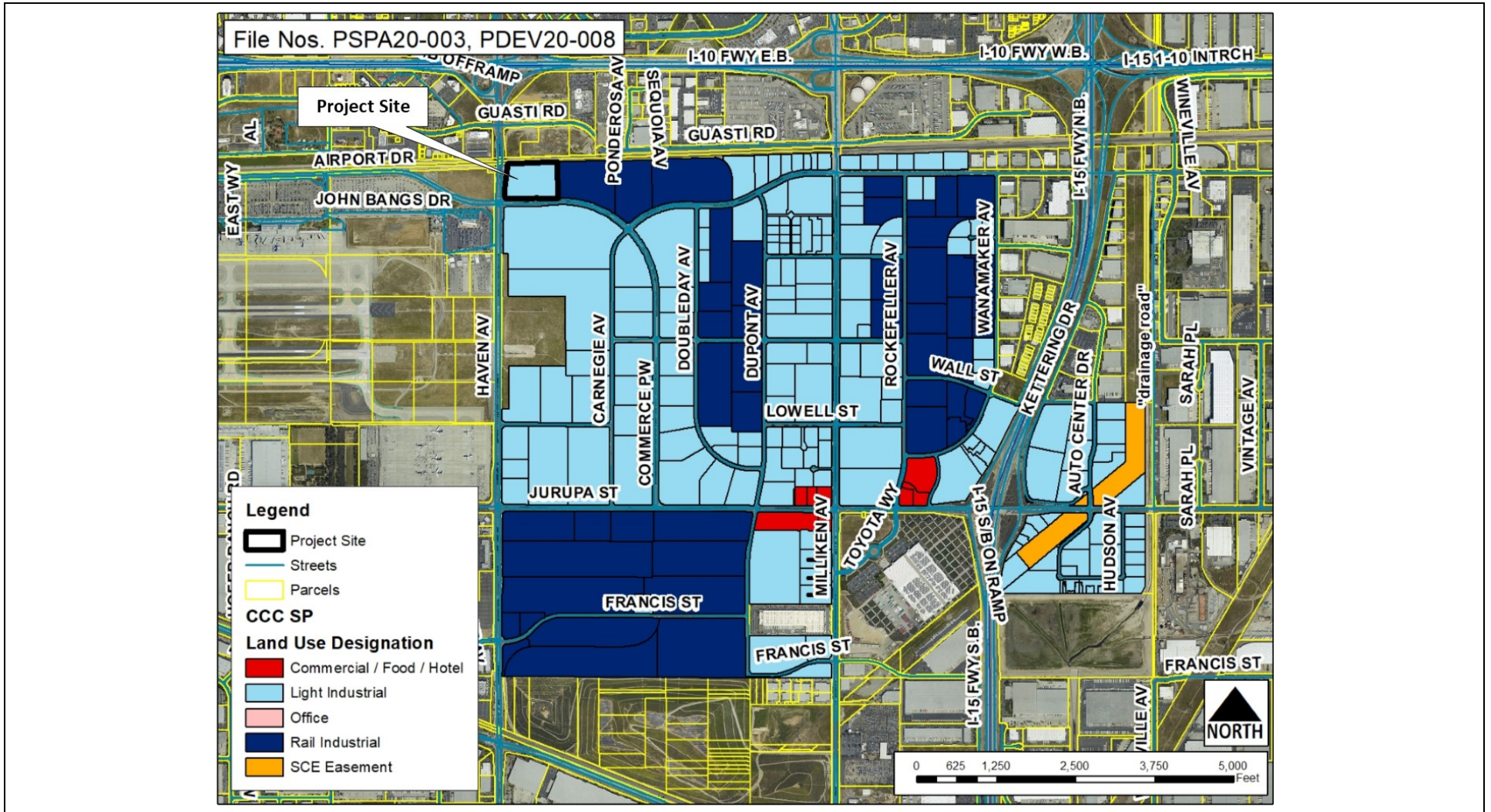




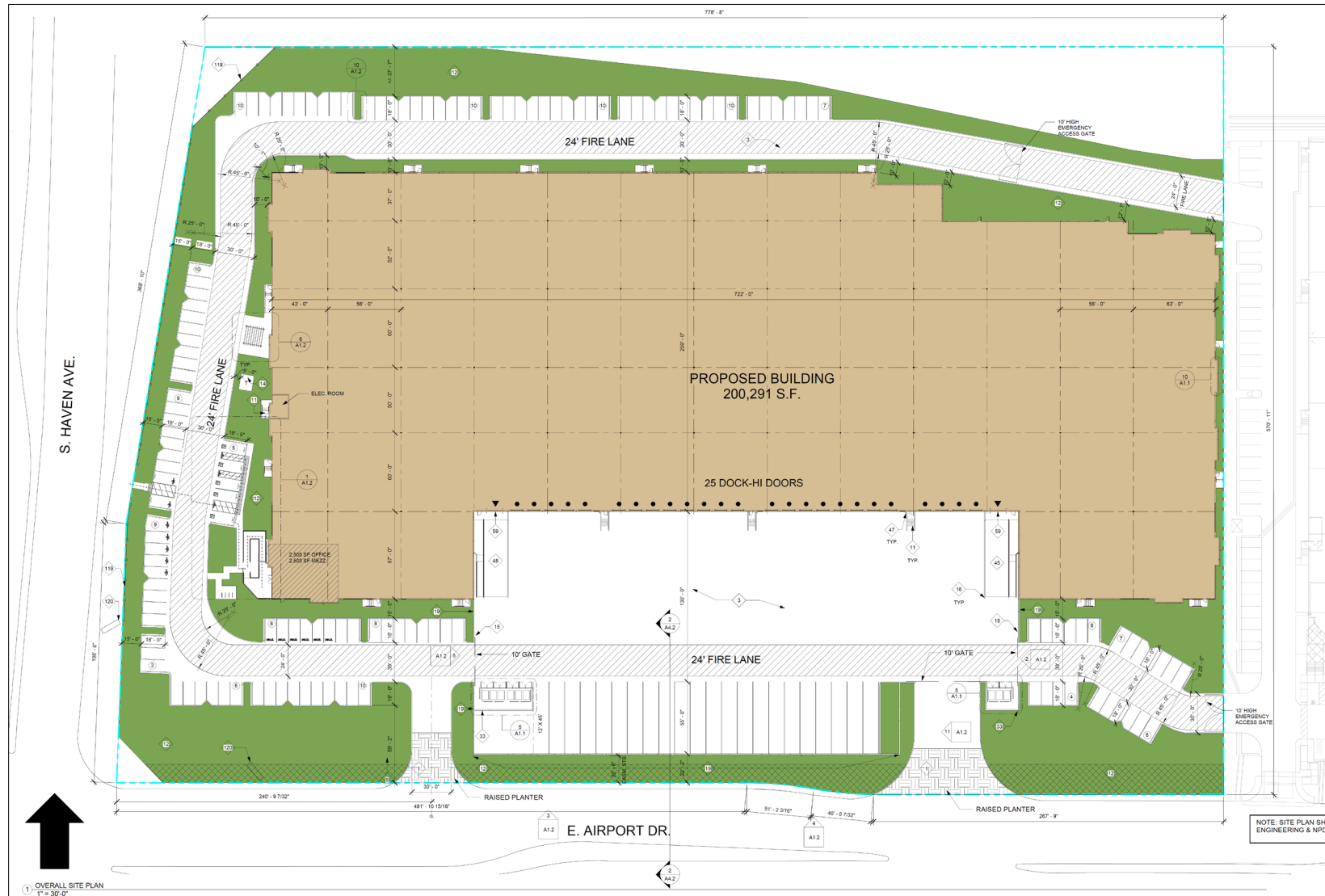
**Exhibit B— Existing – California Commerce Center Specific Plan Land Use Plan**



**Exhibit C— Proposed – California Commerce Center Specific Plan Land Use Plan**



**Exhibit D—SITE PLAN**



**Exhibit E—EXTERIOR ELEVATIONS**



North Elevation



South Elevation

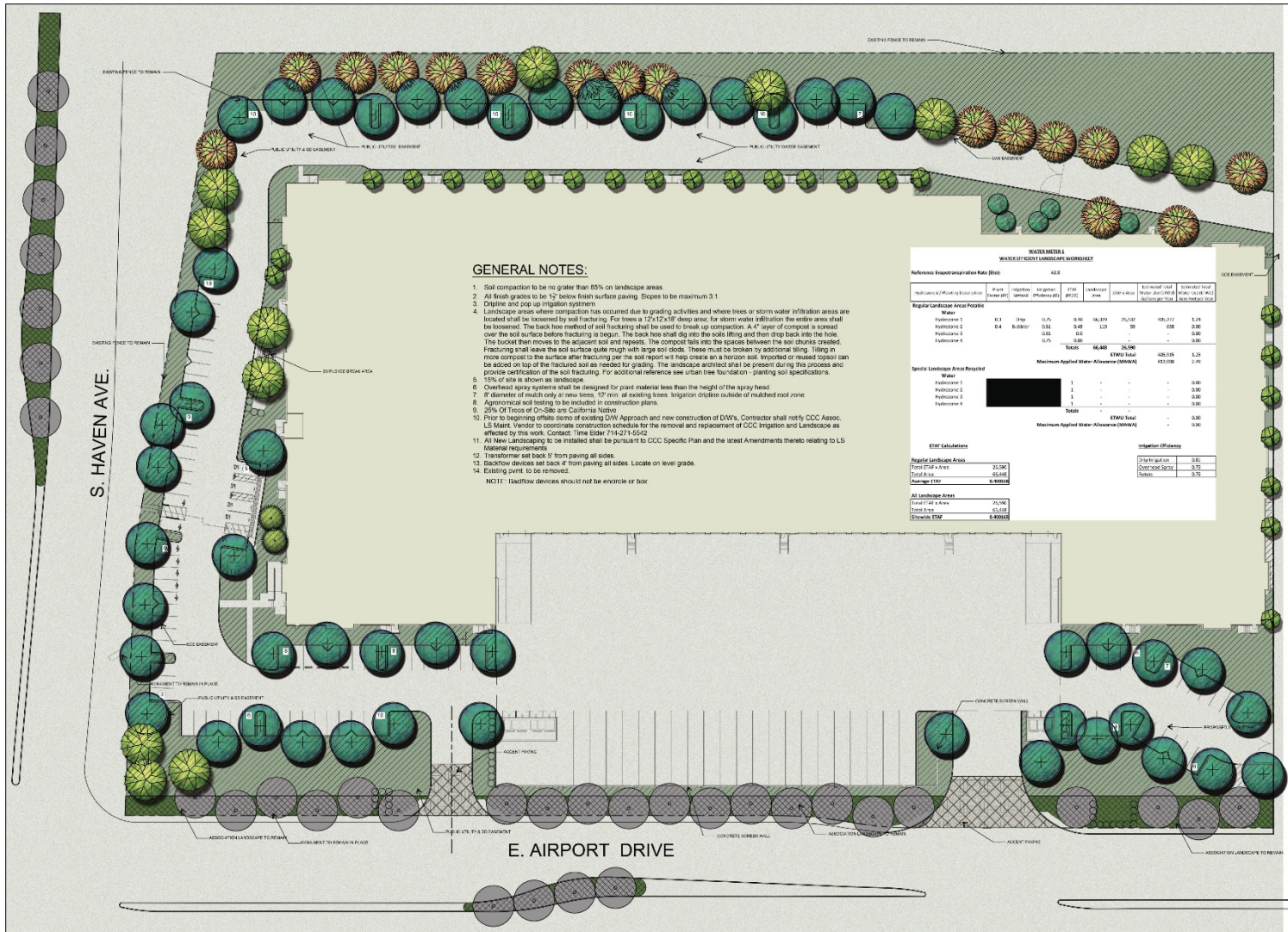


East Elevation



West Elevation

### Exhibit F—LANDSCAPE PLAN





T 510.836.4200  
F 510.836.4205

1939 Harrison Street, Ste. 150  
Oakland, CA 94612

www.lozeaudrury.com  
richard@lozeaudrury.com

**VIA EMAIL and OVERNIGHT MAIL**

May 25, 2021

Honorable Members of the Planning Commission  
City of Ontario  
Ontario City Hall  
303 East B Street  
Ontario, CA 91764  
[planningdirector@ontarioca.gov](mailto:planningdirector@ontarioca.gov)

Rudy Zeledon, Director  
City of Ontario Planning Department  
303 East B Street  
Ontario, CA 91764  
[planningdirector@ontarioca.gov](mailto:planningdirector@ontarioca.gov)

Denny D.Chen, Associate Planner  
City of Ontario Planning Department  
303 East B Street  
Ontario, CA 91764  
[dchen@ontarioca.gov](mailto:dchen@ontarioca.gov)

**Re: Comment on CEQA Addendum for Vogel Properties Warehouse,  
Planning Commission Agenda Items E and F (File No. PSPA20-003;  
PDEV 20-008)**

Honorable Planning Commissioners, Director Zeledon and Mr. Chen,

I am writing on behalf of Supporters Alliance for Environmental Responsibility ("SAFER") regarding the 200,291 square foot warehouse project proposed to be located at the northeast corner of Haven Avenue and Airport Drive (APN 0211-222-66) ("Project") proposed by Vogel Properties, Inc., including a Specific Plan Amendment changing the land use designation from Commercial/Food/Hotel to Light Industrial (PSPA 20-003); a development plan to construct a 200,291 square foot industrial building on 10.64 acres of land (PDEV 20-008), and an Addendum under the California Environmental Quality Act ("CEQA") to The Ontario Plan environmental impact report, which was certified in 2010 ("2010 TOP EIR").

The City's proposed CEQA Addendum is inadequate because the Project was not analyzed in the 2010 TOP EIR at all. The Ontario Plan is the General Plan for the entire City of Ontario, and the 2010 TOP EIR analyzed environmental impacts at an extremely general level - not at a project-specific level. The proposed Project will generate large amounts of diesel heavy truck traffic, construction emissions, diesel yard equipment such as fork lifts, noise from truck traffic and back-up beepers, and many other impacts. None of these project-specific impacts were analyzed in the 2010 TOP

EIR. These impacts must be analyzed and mitigated in a project-level environmental impact report ("EIR").

## I. LEGAL STANDARD

CEQA contains a strong presumption in favor of requiring a lead agency to prepare an EIR. This presumption is reflected in the fair argument standard. Under that standard, a lead agency must prepare an EIR whenever substantial evidence in the whole record before the agency supports a fair argument that a project may have a significant effect on the environment. (Pub. Res. Code § 21082.2; *Laurel Heights Improvement Ass'n v. Regents of the University of California* (1993) ("*Laurel Heights II*") 6 Cal.4th 1112, 1123; *No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68, 75, 82; *Quail Botanical Gardens v. City of Encinitas* (1994) 29 Cal.App.4th 1597, 1602.)

### A. Preparation of an Addendum Under CEQA

The City contends that the Project was already analyzed in the 2010 TOP EIR. However, the 2010 TOP EIR does not even mention this Project. Furthermore, even if the 2010 TOP EIR analyzed this Project (which it did not), a Supplemental EIR ("SEIR") would be required pursuant to CEQA section 21166 and CEQA Guidelines section 15162. At the very least a CEQA addendum should have been prepared pursuant to CEQA Guidelines section 15164.

Section 15164(a) of the State CEQA Guidelines states that "[t]he lead agency or a responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred." (14 CCR § 15164(a).) Pursuant to Section 15162(a) of the State CEQA Guidelines, "[w]hen an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project" unless the agency determines one or more of the following exists:

- 1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the

previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(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 project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

(14 CCR § 15162(a).)

## **B. Tiering Under CEQA**

CEQA permits agencies to 'tier' EIRs, in which general matters and environmental effects are considered in an EIR "prepared for a policy, plan, program or ordinance followed by narrower or site-specific [EIRs] which incorporate by reference the discussion in any prior [EIR] and which concentrate on the environmental effects which (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior [EIR]." (Cal. Pub. Res. Code ("PRC") § 21068.5.) "[T]iering is appropriate when it helps a public agency to focus upon the issues ripe for decision at each level of environmental review and in order to exclude duplicative analysis of environmental effects examined in previous [EIRs]." (Id. § 21093.) The initial general policy-oriented EIR is called a programmatic EIR ("PEIR") and offers the advantage of allowing "the lead agency to consider broad policy alternatives and program wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts." (14 CCR § 15168(a).) CEQA regulations strongly promote tiering of EIRs, stating that "[EIRs] shall be tiered whenever feasible, as determined by the lead agency." (PRC § 21093.)

"Later activities in the program must be examined in light of the program EIR to determine whether an additional environmental document must be prepared." (14 CCR § 15168(c).) The first consideration is whether the activity proposed is covered by the PEIR. (Id. § 15168(c)(2).) If a later project is outside the scope of the program, then it is treated as a separate project and the PEIR may not be relied upon in further review. (See *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1320-21.) The second consideration is whether the "later activity would have effects that were not examined in the program EIR." (14 CCR § 15168(c)(1).) A PEIR may only serve "to the extent that it contemplates and adequately analyzes the potential environmental



impacts of the project . . ." (*Sierra Nevada Conservation v. County of El Dorado* (2012) 202 Cal.App.4th 1156, 1171 [quoting *Citizens for Responsible Equitable Env'tl. Dev. v. City of San Diego Redevelopment Agency* (2005) 134 Cal.App.4th 598, 615].) If the PEIR does not evaluate the environmental impacts of the project, a tiered EIR must be completed before the project is approved. (*Id.* at 1184.)

For these inquiries, the "fair argument test" applies. (*Sierra Club*, 6 Cal.App.4th at 1318; see also *Sierra Club v. County of San Diego* (2014) 231 Cal.App.4th 1152, 1164 ("when a prior EIR has been prepared and certified for a program or plan, the question for a court reviewing an agency's decision not to use a tiered EIR for a later project 'is one of law, i.e., 'the sufficiency of the evidence to support a fair argument.'" [quoting *Sierra Club*, 6 Cal.App.4th at 1318]).) Under the fair argument test, a new EIR must be prepared "whenever it can be fairly argued on the basis of substantial evidence that the project may have significant environmental impact. (*Sierra Club*, 6 Cal.App.4th at 1316 [quotations and citations omitted].) When applying the fair argument test, "deference to the agency's determination is not appropriate and its decision not to require an EIR can be upheld only when there is no credible evidence to the contrary." (*Id.* at 1318.) "[I]f there is substantial evidence in the record that the later project may arguably have a significant adverse effect on the environment which was not examined in the prior program EIR, doubts must be resolved in favor of environmental review and the agency must prepare a new tiered EIR, notwithstanding the existence of contrary evidence." (*Id.* at 1319.)

## II. DISCUSSION

### A. THE CITY CANNOT APPROVE THE PROJECT BECAUSE NO EIR OR NEGATIVE DECLARATION HAS BEEN ADOPTED FOR THIS PROJECT.

Most obviously, the City may not approve the Project because the proposed Project has not been subject to CEQA review and no EIR or negative declaration has ever been adopted for the project.

As the California Supreme Court explained in *San Mateo Gardens*, subsequent CEQA review provisions "can apply only if the project has been subject to initial review; they can have no application if the agency has proposed a new project that has not previously been subject to review." (*Friends of Coll. of San Mateo Gardens v. San Mateo County Cmty. Coll. Dist.* ("*San Mateo Gardens*") (2016) 1 Cal.5th 937, 950.) Agencies can prepare addenda for project modifications or revisions and avoid further environmental review, but only if the project has a previously certified EIR. (See *Save our Heritage v. City of San Diego* (2018) 28 Cal.App.5th 656, 667.) Further, the Resource Agency designed the CEQA Guideline's addendum provision as a device to "mak[e] minor corrections in EIRs without recirculating the EIR." (*Id.* at 664-65 [referencing Resources Agency, Amendments to the State CEQA Guidelines, Text of Adopted Amendments with Statement of Reasons (Dec. 30, 1982), 100-01].)

The City contends that the Project was analyzed in the 2010 TOP EIR. However, this Project is nowhere mentioned in the 2010 TOP EIR. CEQA Guideline section 15164 requires agencies to prepare an addendum to an EIR or negative declaration if none of the conditions in Guideline section 15162 have occurred. (14 CCR § 15164(a).) However, Guideline section 15162 only applies if an EIR or negative declaration has been adopted for a project, allowing an agency to avoid preparing a "subsequent EIR . . . for that **project**" unless one or more of the listed conditions apply. (Id. [emphasis added].) Therefore, an agency can only prepare an addendum and avoid preparing an EIR for a project that has already undergone CEQA review, and for which an EIR has been certified or a negative declaration has been adopted for, so long as one of the conditions does not apply.

Here, the proposed Project has never undergone CEQA review. The proposed project was not mentioned or discussed in the 2010 TOP EIR and was not considered in the initial CEQA review the City points to for its use of the addendum provision. The City can therefore not rely on the 2010 TOP EIR to avoid CEQA review for the Project. Further, the proposed Project does not modify or revise the 2010 TOP EIR. In fact, the Project has no impact at all on the 2010 TOP EIR.

Since the City cannot rely on CEQA section 21166, or CEQA Guidelines sections 15162 or 15164 to avoid CEQA review for this Project, the Project must therefore undergo CEQA review and follow the tiering process.

## **B. CEQA REQUIRES THE CITY TO PREPARE A TIERED EIR FOR THE PROJECT.**

The 2010 TOP EIR was a programmatic EIR, not a project-specific EIR, which the CEQA Guidelines define as an "EIR [which] examines the environmental impacts of a specific development project." (14 CCR § 15161.) The 2010 TOP EIR was programmatic EIR for the City's General Plan, governing zoning across the entire City. The CEQA Guidelines define a programmatic EIR as:

. . . an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- (1) Geographically,
- (2) As logical parts in the chain of contemplated actions,
- (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

(14 CCR § 15168.) Thus, instead of proceeding under the provisions of CEQA Guidelines sections 15162 or 15164, the City should have proceeded under section 15168 provisions for subsequent analysis for a Program EIR.

It has long been established that a General Plan EIR is not a project-specific EIR and does not eliminate the need to prepare project-specific EIRs for particular projects. (*Environmental Planning & Information Council v. County of El Dorado* (1982) 131 Cal.App.3d 350; *Woodward Park Homeowners Assn., Inc. v. City of Fresno* (2007) 149 Cal. App. 4th 683, 698). The General Plan EIR simply does not analyze the impacts of specific projects.

The instant Project is nowhere described in the TOP EIR or any other CEQA document. Without a clear and accurate description of the proposed Project, there is no CEQA review at all. As the Court of Appeal recently affirmed, “[a]n accurate, stable, and [consistent] project description is the *sin[e] qua non* of an informative and legally sufficient EIR’ because a shifting project description may confuse the public and public decision-makers, thus vitiating the EIR’s usefulness as a vehicle for intelligent public participation. Accordingly, a project description ‘should be sufficiently detailed to provide a foundation for a complete analysis of the environmental impacts,’ and it should include all project components and ‘apprise the parties of the true scope of the project.’” (*Stoothermillenniumhollywood.com v. City of Los Angeles*, 39 Cal. App. 5th 1, (2019) (“*Millenium*”); quoting, *County of Inyo v. City of Los Angeles* (1977) 71 Cal.App.3d 185.) Put simply, since the instant Project is not described in any prior CEQA document, there has been no adequate CEQA review for the Project. There would have been no way for the public to intelligently comment on the Project in 2010 because the Project was not described, discussed or proposed at that time. See, *Millenium; Washoe Meadows Community v. Dept. of Parks & Recreation* (2017) 17 Cal.App.5th 277.

SAFER hereby requests that the City prepare an environmental impact report ("EIR") to analyze the significant environmental impacts of the Project and to propose all feasible mitigation measures and alternatives to reduce those impacts. The City may not rely on the 2010 TOP EIR for several reasons, including but not limited to the following:

- The 2010 TOP EIR did not analyze this Project. It conducted only very broad program level analysis and did not analyze Project-level impacts. A prior CEQA document may only be used for a later project that is "essentially the same project" as was analyzed in the prior document. *Sierra Club v. County of Sonoma* (1992) 6 Cal.App.4th 1307, 1320; *American Canyon Community v. American Canyon*, 145 Cal.App.4th 1062. The 2010 EIR did not analyze the Project at all.
- The 2010 TOP EIR included mitigation measures that were never implemented, including traffic mitigation measures. Since the City has failed to implement the

mitigation measures required by the 2010 EIR, it may not now rely on that document. See, *Katzeff v. Dept. of Forestry* (2010) 181 Cal.App.4th 601, 611, 614; *Lincoln Place Tenants v. City of Los Angeles* (2005) 130 Cal.App.4th 1491, 1507 n22.

- The Project will have significant environmental impacts that were not analyzed in the 2010 TOP EIR. For example, the Project will have significant air quality, traffic and noise impacts from diesel trucks and other sources that would not have existed in the former Commercial/Food/Hotel land use designation.
- CEQA was amended to require traffic analysis using vehicle miles travelled (VMT) rather than level of service (LOS). CEQA Guidelines Section 15064.3. By July 1, 2020, all CEQA lead agencies must analyze a project's transportation impacts using vehicle miles traveled (VMT). VMT measures the per capita number of car trips generated by a project and distances cars will travel to and from a project, rather than congestion levels at intersections (level of service or "LOS," graded on a scale of A – F). The 2010 TOP EIR used LOS analysis, not VMT. The Project's traffic impacts must be analyzed under the new VMT methodology consistent with Section 15064.3.
- There are many mitigation measures that are now feasible that were not feasible or did not exist in 2009, when the 2010 TOP EIR was prepared. For example, the Project could offset its air pollution and greenhouse gas emissions in part by installing solar photovoltaic panels, operating only 2010 or better diesel trucks, and many other measures that were not feasible in 2009. The Addendum recommends the use of only Tier 3 construction equipment. (Addendum 18, 49). However, Tier 4 equipment became available in 2015 and is now readily available. Tier 4 equipment is about 85% cleaner than Tier 3 equipment and would dramatically reduce the Project's air quality impacts. A new EIR is required to analyze these measures.
- The TOP EIR did not analyze energy impacts at all. (Addendum 21). The CEQA Addendum contains a short one paragraph energy analysis which fails to comply with CEQA's informational requirements. A new EIR is required to analyze the Project's energy impacts and to propose feasible mitigation measures such as solar panels, vehicle electrification, etc.
- There are numerous changed circumstances that have occurred since 2010 that require renewed environmental review. For example, traffic in the area is much heavier not than in 2009, when the area was at the height of a recession, population has grown in the area, etc.

**C. EVEN IF THE 2010 TOP EIR IS STILL RELEVANT TO THE PROJECT, A TIERED EIR IS REQUIRED TO MITIGATE THE SIGNIFICANT UNAVOIDABLE IMPACTS OF THE PROGRAM IDENTIFIED IN THE 2010 TOP EIR.**

The 2010 TOP EIR concluded that the program would have significant unavoidable impacts in the areas of:

- Agricultural Resources;
- Air Quality (including VOC, CO, NOx, PM-10, PM-2.5);
- Cultural Resources;
- Climate Change;
- Noise;
- Traffic.

(2010 TOP Draft EIR, pp. 1-19 through 1-36).

Since the overall program will have significant unavoidable impacts, the City must prepare a project-level supplemental EIR for the proposed Project to determine whether mitigation measures exist to reduce the significant unavoidable impacts identified in the 2010 TOP EIR.

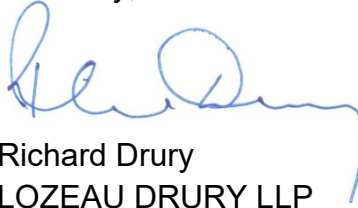
In the case of *Communities for a Better Environment v. Cal. Resources Agency* (2002) 103 Cal.App.4th 98, 122-125, the court of appeal held that when a "first tier" EIR admits a significant, unavoidable environmental impact, then the agency must prepare second tier EIRs for later phases of the project to ensure that those unmitigated impacts are "mitigated or avoided." (*Id.* citing CEQA Guidelines §15152(f)). The court reasoned that the unmitigated impacts were not "adequately addressed" in the first tier EIR since they were not "mitigated or avoided." (*Id.*) Thus, significant effects disclosed in first tier EIRs will trigger second tier EIRs unless such effects have been "adequately addressed," in a way that ensures the effects will be "mitigated or avoided." (*Id.*) Such a second tier EIR is required, even if the impact still cannot be fully mitigated and a statement of overriding considerations will be required. The court explained, "The requirement of a statement of overriding considerations is central to CEQA's role as a public accountability statute; it requires public officials, in approving environmental detrimental projects, to justify their decisions based on counterbalancing social, economic or other benefits, and to point to substantial evidence in support." (*Id.* at 124-125). The court specifically rejected a prior version of the CEQA guidelines regarding tiering that would have allowed a statement of overriding considerations for a program-level project to be used for a later specific project within that program. (*Communities for a Better Env't v. California Res. Agency* (2001) 103 Cal.App.4th 98, 124, disapproved on other grounds by *Berkeley Hillside Pres. v. City of Berkeley* (2015) 60 Cal.4th 1086.) Even though "a prior EIR's analysis of environmental effects may be subject to being incorporated in a later EIR for a later, more specific project, the responsible public

officials must still go on the record and explain specifically why they are approving the later project despite its significant unavoidable impacts." (*Id.*, pp. 124-25.)

### III. CONCLUSION

For the above and other reasons, the City must prepare an EIR to analyze and mitigate the impacts of the Project. The City may not rely on the decade-old 2010 TOP EIR, which did not even analyze the proposed Project.

Sincerely,



Richard Drury  
LOZEAU DRURY LLP

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVE THE USE OF AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT, PURSUANT TO THE REQUIREMENTS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NOS. PSPA20-003 AND PDEV20-008

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of an Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003), changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, in conjunction with a Development Plan (File No. PDEV20-008) to construct a 200,291 square foot industrial building located at the northeast corner of Haven Avenue and Airport Drive, in the City of Ontario, California (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT (Ontario International Airport) zoning district and is currently vacant; and

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010, (hereinafter referred to as "Certified EIR") in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario has prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the EIR Addendum concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

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

WHEREAS, the City of Ontario is the lead agency on the Project, and the Planning Commission is the recommending authority for the requested approval to construct and otherwise undertake the Project; and

WHEREAS, the Planning Commission has reviewed and considered the EIR Addendum for the Project, has concluded that none of the conditions requiring preparation of a subsequent or supplemental EIR have occurred, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

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

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

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

**SECTION 1: Environmental Determination and Findings.** As the recommending authority 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 environmental impacts of the Project were reviewed in conjunction with an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 in conjunction with File No. PGPA06-001;



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

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

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

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

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

**SECTION 2: *Additional Environmental Review Not Required.*** Based on the Addendum, all related 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 Environmental Impact Report is not required for the Project, as the Project:

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

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

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

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

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

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

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

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

**SECTION 4: Indemnification.** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

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

**SECTION 6: Certification to Adoption.** The 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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the 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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**  
**Addendum to The Ontario Plan**  
**Environmental Impact Report**

*(Addendum to follow this page)*



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

## California Environmental Quality Act Addendum to The Ontario Plan Environmental Impact Report

**Project Title/File Nos.:** PSPA20-003 and PDEV20-008

**Lead Agency:** City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036

**Contact Person:** Jeanie Irene Aguilo, Associate Planner, 909-395-2418

**Project Sponsor:** William Vogel, Vogel Properties, Inc., 3000 Paseo Tesoro, Walnut, CA 91789

**Project Location:** The project site is located in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 and 2, below, the project site is located on Assessor Parcel Number (APN): 0211-222-66, which is comprised of 10.64 acres of land located on the northeast corner of Airport Drive and Haven Avenue.

Figure 1: REGIONAL LOCATION MAP

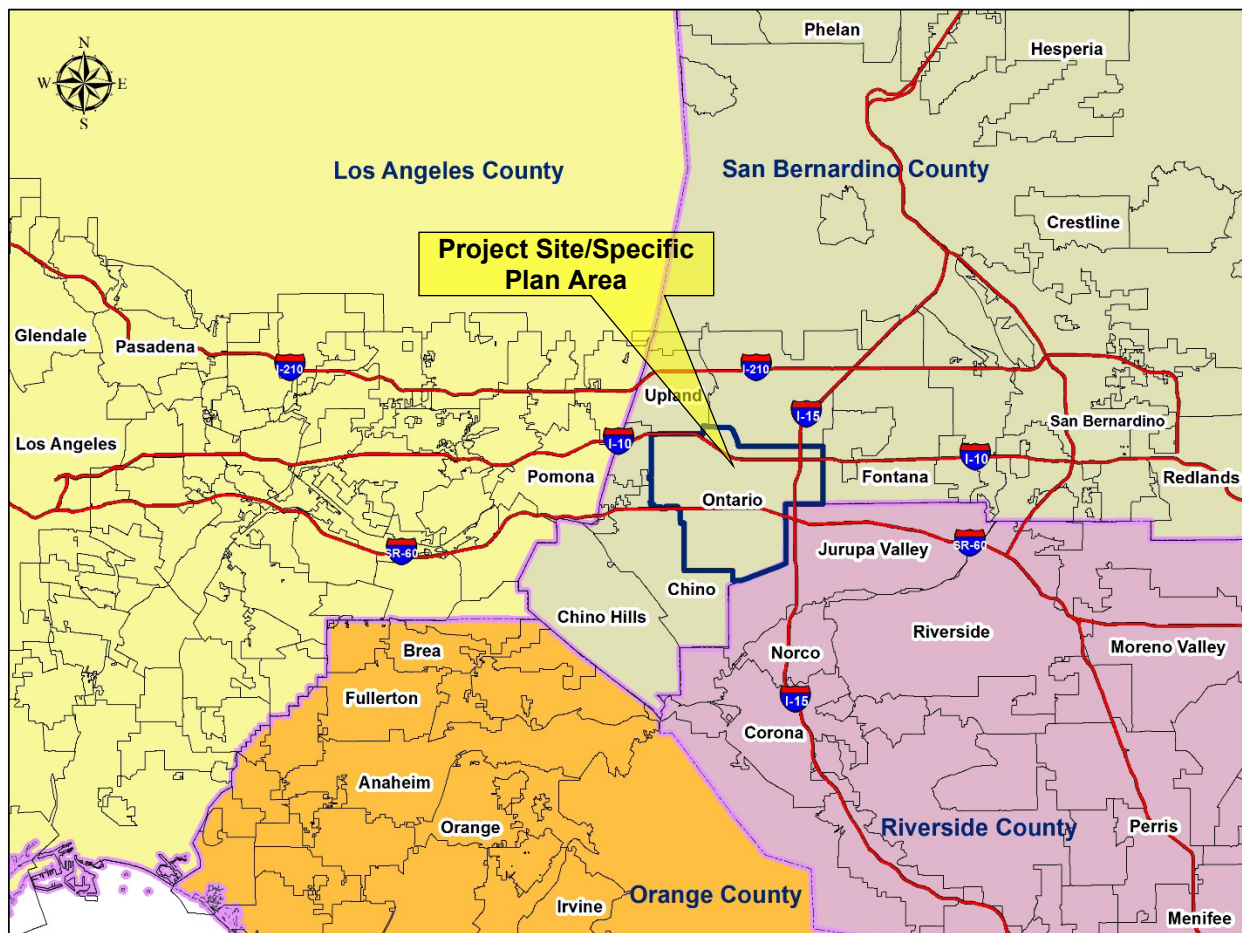
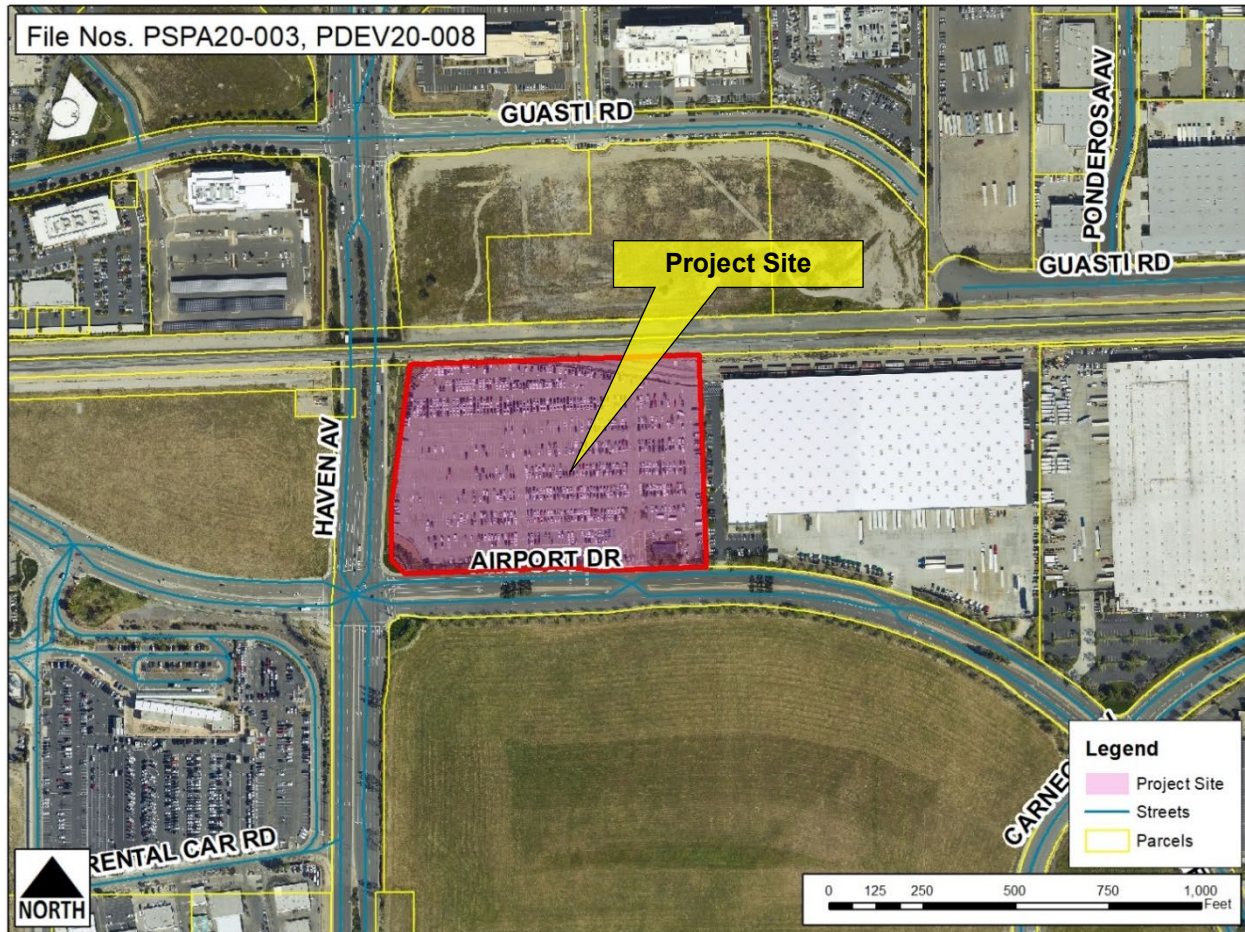


Figure 2: VICINITY MAP



**General Plan Designation:** Industrial (0.55 FAR)

**Zoning:**

1. Existing – California Commerce Center Specific Plan, Commercial/Food/Hotel land use district
2. Proposed – California Commerce Center Specific Plan, Light Industrial land use district

**Description of Project:** The project proposes the following entitlements:

1. An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation; and
2. A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan.

The California Commerce Center Specific Plan and Environmental Impact Report No. 81-4 (EIR) was adopted and certified by the City Council on May 17, 1984, with a Statement of Overriding Considerations. The Specific Plan encompasses approximately 1,500 acres of land generally located north of the SR-60 Pomona Freeway, South of Mission, Boulevard, east of Haven Avenue and west of Doubleday Street. The Specific Plan Amendment will include the following revisions to the Specific Plan:

- Any graphic, table, and/or text that currently identifies the Project Site of 10.64 acres of land from Commercial/Food/Hotel, will be changed to Light Industrial.

**Project Setting:** The project site is comprised of 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive. The site slopes to the south and is presently developed as a parking lot with two structures totaling 1,500 square feet that consist of a toll booth and modular office building. The site is surrounded by commercial development to the north, vacant land to the south and west, and industrial warehouse to the east, as shown in the table below.

**Surrounding Land Uses:**

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
<b>Site:</b>	Parking Lot	Industrial	California Commerce Specific Plan	Proposed Light Industrial
<b>North:</b>	Retail (Costco and Starbucks)	Office/Commercial	Ontario Gateway Specific Plan	Mixed Use and Office
<b>South:</b>	Vacant	Industrial	California Commerce Specific Plan	Light Industrial
<b>East:</b>	Industrial Warehouse	Industrial	California Commerce Specific Plan	Rail Industrial
<b>West:</b>	Vacant	Airport	ONT – Ontario International Airport	N/A

**Background:** On January 27, 2010, the Ontario City Council adopted The Ontario Plan (“TOP”). TOP serves as the framework for the City’s business plan and provides a foundation for the City to operate as a municipal corporation that consists of six (6) distinct components: 1) Vision; 2) Governance Manual; 3) Policy Plan; 4) Council Priorities; 5) Implementation; and 6) Tracking and Feedback. The Policy Plan component of TOP meets the functional and legal mandate of a General Plan and contains nine elements: Land Use, Housing, Parks and Recreation, Environmental Resources, Community Economics, Safety, Mobility, Community Design and Social Resources.

An Environmental Impact Report (“EIR”) was prepared for TOP (State Clearinghouse No. 2008101140) and certified by the City Council on January 27, 2010 (hereinafter referred to as “Certified EIR”), which included Mitigation, Findings and a Statement of Overriding Considerations pursuant to the requirements of the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (“CEQA”). The Certified EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan, and in the Policy Plan and impacts resultant of population and employment growth in the City. The subject site was analyzed in the Certified EIR as Industrial (see Exhibit A: Existing – California Commerce Center Specific Plan Land Use Plan) to be consistent with the industrial uses to the south, east, and west of the subject site. The significant unavoidable adverse impacts that were identified in Certified EIR included agriculture resources, air quality, cultural resources, greenhouse gas emissions, noise, and transportation/traffic.

**Analysis:** According to the California Environmental Quality Act Guidelines Section 15164, an Addendum to a previously certified EIR may be used if some changes or additions are necessary, but none of the conditions described in Section 15162 requiring the preparation of a subsequent Negative Declaration or EIR have occurred. The CEQA Guidelines require that a brief explanation be provided to support the findings that no subsequent EIR or Negative Declaration are needed for further discretionary approval. These findings are described below:

- Required Finding: Substantial changes are not proposed for the project that will require major revisions of the previous EIR due to the involvement of new, significant environmental effects or a substantial*



*increase in the severity of previously identified effects.*

Substantial changes are not proposed by the project and project implementation will not require revisions to TOP EIR. TOP EIR analyzed the direct and physical changes in the environment that would be caused by TOP; focusing on changes to land use associated with the buildout of the proposed land use plan. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation.

A focused Traffic Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips, as shown in Table1: Net Difference in Trip Generation, below.

**Table1: Net Difference in Trip Generation**

Land Use <sup>1</sup>	Qty	Unit <sup>2</sup>	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
<b>Proposed Project</b>														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
<b>Total</b>		TSF		423			33	10	43			14	35	49
<b>Designated Land Use</b>														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
<b>Net Difference</b>				-7,183			-84	-62	-146			-355	-364	-719

1: Rates from ITE Trip Generation (10th Edition, 2017)  
 2: TSF = Thousand Square Feet

Since the proposed Specific Plan Amendment will bring the project site in conformance with TOP and planned buildout and the proposed project will be consistent with the impacts originally analyzed in TOP EIR, no revisions to TOP EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

- 2) *Required Finding: Substantial changes have not occurred with respect to the circumstances under which the project is undertaken, that would require major revisions of the previous Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.*

Substantial changes have not occurred with respect to the circumstances under which the project was undertaken, that would require major revisions to TOP EIR. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use

designation. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

- 3) *Required Finding. No new information has been provided that would indicate that the proposed project would result in one or more significant effects not discussed in the previous EIR.*

No new information has been provided that would indicate the proposed project would result in any new significant effects not previously discussed in TOP EIR. Therefore, no proposed changes or revisions to the EIR are required. In addition, all previously adopted mitigation measures are a condition of project approval and are incorporated herein by reference. The attached Initial Study provides an analysis of the Project and verification that the Project will not cause environmental impacts such that any of the circumstances identified in State CEQA Guidelines Section 15162 are present.

**CEQA Requirements for an Addendum:** If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency may: (1) prepare a subsequent EIR if the criteria of State CEQA Guidelines Section 15162(a) are met, (2) prepare a subsequent negative declaration, (3) prepare an addendum, or (4) prepare no further documentation. (State CEQA Guidelines Section 15162(b)). When only minor technical changes or additions to the negative declaration are necessary and none of the conditions described in section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, CEQA allows the lead agency to prepare and adopt an addendum. (State CEQA Guidelines Section 15164(b).)

Under Section 15162, a subsequent EIR or negative declaration is required only when:

1) Substantial changes are proposed in the project which will require major revisions of the previous negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the negative declaration due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the negative declaration was adopted, shows any of the following:

a) The project will have one or more significant effects not discussed in the previous negative declaration;

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

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 project proponents decline to adopt the mitigation measure or alternative; or

d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, if the Project does not result in any of the circumstances listed in Section 15162 (i.e., no new or substantially greater significant impacts), the City may properly adopt an addendum to the Certified EIR.

**Conclusion:** TOP EIR, certified by City Council on January 27, 2010, was prepared as a Program EIR in accordance with CEQA, the State CEQA Guidelines, and the City's Rules for the Implementation of CEQA and in accordance with Section 15121(a) of the State CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3). TOP EIR considered the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, TOP EIR focused on impacts from changes to land use associated with buildout of the City's Land Use Plan, within the Policy Plan, and impacts from the resulting population and employment growth in the City. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation. As described on page 4, the amount of development anticipated at buildout will be consistent with the Certified EIR. Subsequent activities within TOP Program EIR have been evaluated to determine whether an additional CEQA document needs to be prepared.

Accordingly, and based on the findings and information contained in the Certified EIR, the analysis above, the attached Initial Study, and CEQA statute and State CEQA Guidelines, including Sections 15164 and 15162, the Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary, nor is there a need for any additional mitigation measures; therefore, pursuant to State CEQA Guidelines Section 15164, the Ontario City Council hereby adopts this Addendum to the Certified EIR.

**Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement):** None

**Tribal Consultation:** Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?  Yes  No

If "yes," has consultation begun?  Yes  No  Completed

### ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.


- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Geology / Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions  | <input type="checkbox"/> Hazards & Hazardous Materials  | <input type="checkbox"/> Hydrology / Water Quality          |
| <input type="checkbox"/> Land Use / Planning       | <input type="checkbox"/> Mineral Resources              | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population / Housing      | <input type="checkbox"/> Public Services                | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation            | <input type="checkbox"/> Utilities / Service Systems    | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> Energy                             |

### DETERMINATION (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
Signature

Jeanie Irene Aguilo, Associate Planner  
Printed Name and Title

May 10, 2021  
Date

City of Ontario – Planning Department  
For

## EVALUATION OF ENVIRONMENTAL IMPACTS

---

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

a) Earlier Analyses Used. Identify and state where they are available for review.

b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant with Mitigation</i>	<i>Less Than Significant Impact</i>	<i>Impacts Previously Analyzed in TOP EIR</i>
<b>1. AESTHETICS.</b> Would the project:				
<b>a.</b> Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>2. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:				

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>a.</b> Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
<b>a.</b> Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:				
<b>a.</b> Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>c.</b> Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5. CULTURAL RESOURCES.</b> Would the project:				
<b>a.</b> Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6. ENERGY.</b> Would the project:				
<b>a.</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. GEOLOGY AND SOILS.</b> Would the project:				
<b>a.</b> Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i.</b> Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iii.</b> Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iv.</b> Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>b.</b> Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. GREENHOUSE GAS EMISSIONS.</b> Would the project:				
<b>a.</b> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
<b>a.</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>f.</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>g.</b> Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
<b>a.</b> Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i.</b> result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iii.</b> create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iv.</b> impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11. LAND USE AND PLANNING.</b> Would the project:				
<b>a.</b> Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. MINERAL RESOURCES.</b> Would the project:				
<b>a.</b> Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation</b>	<b>Less Than Significant Impact</b>	<b>Impacts Previously Analyzed in TOP EIR</b>
<b>13. NOISE.</b> Would the project result in:				
<b>a.</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>14. POPULATION AND HOUSING.</b> Would the project:				
<b>a.</b> Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. PUBLIC SERVICES.</b> Would the project:				
<b>a.</b> Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
<b>i.</b> Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iii.</b> Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iv.</b> Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>v.</b> Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>16. RECREATION.</b> Would the project:				
<b>a.</b> Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
<b>17. TRANSPORTATION.</b> Would the project:				
<b>a.</b> Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18. TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
<b>a.</b> Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>19. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
<b>a.</b> Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	Impacts Previously Analyzed in TOP EIR
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>20. WILDFIRES.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>Note:</b> Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.</p> <p><b>Reference:</b> Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; <i>Sundstrom v. County of Mendocino</i> (1988) 202 Cal.App.3d 296; <i>Leonoff v. Monterey Board of Supervisors</i> (1990) 222 Cal.App.3d 1337; <i>Eureka Citizens for Responsible Govt. v. City of Eureka</i> (2007) 147 Cal.App.4th 357; <i>Protect the Historic Amador Waterways v. Amador Water Agency</i> (2004) 116 Cal.App.4th 1099, 1109; <i>San Franciscans Upholding the Downtown Plan v. City and County of San Francisco</i> (2002) 102 Cal.App.4th 656.</p>				

## EXPLANATION OF ISSUES

### 1. AESTHETICS. Would the project:

#### a. Have a substantial adverse effect on a scenic vista?

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains. The project site is located at the northeast corner of Haven Avenue and Airport Drive, a major north-south principal arterial street and east-west arterial street, respectfully, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. The proposed Amendment to California Commerce Center Specific Plan to change the land use designations for 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial, will not result in adverse environmental impacts with regard to views of the San Gabriel Mountains. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

#### b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east to west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result in adverse environmental impacts.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

#### c. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is located in an area that is characterized by Industrial and commercial development and is surrounded by urban land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with an Industrial Warehouse/Distribution facility, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan), as well as with the Industrial development in the surrounding area. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP FEIR. No changes or additions to TOP FEIR analyses are necessary.

#### d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion of Effects: The proposed land use change itself will not cause lighting to be installed in the Project. New lighting will be introduced to the site with the development of a proposed 200,291-square foot industrial building. Pursuant to the requirements of the City's Development Code, on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage.

Site lighting plans will be subject to review by the Planning Department and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**2. AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

**a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

**Discussion of Effects:** The site is presently developed as a parking lot and does not contain any agricultural uses. Further, the site is identified as Urban and Built-up Land on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. As a result, no adverse environmental impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

**Discussion of Effects:** The project site is not zoned for agricultural use. The proposed Development Plan to construct a 200,291-square foot industrial building is consistent with the Light Industrial development standards of California Commerce Specific Plan. Furthermore, there are no Williamson Act contracts in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with Williamson Act contracts.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

**Discussion of Effects:** The project proposes an Amendment to California Commerce Center Specific Plan changing the land use designation on 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial. This would not result in the rezoning of forest land, timberland, or timberland zoned Timberland Production because such land use designations do not exist within the City of Ontario. Therefore, no impacts to forest or timberland are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Result in the loss of forest land or conversion of forest land to non-forest use?**

**Discussion of Effects:** There is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

**e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Discussion of Effects: The project proposes an Amendment to California Commerce Center Specific Plan changing the land use designation on 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial, therefore is not designated as Farmland. The project site is presently developed as a parking lot and there are no agricultural uses occurring onsite. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use.

Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither TOP nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

**3. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

**a. Conflict with or obstruct implementation of the applicable air quality plan?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The project will not conflict with or obstruct implementation of any air quality plan. As noted in the Certified EIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin.

The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. Mitigation (Mitigation Measure 5.3-2) has been adopted by the City that requires fugitive dust control measures pursuant to SCAQMD's Rule 403, use of Tier 3 construction equipment, proper service and maintenance of construction equipment, limiting nonessential idling of construction equipment, and use of Super-Compliant VOC paints for coating and architectural surfaces. Any future development proposals on the project site will be required to comply with Mitigation Measure 5.3-2. No new impacts beyond those identified in the Certified EIR would result from Project implementation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because the Project will provide land use consistency with the Official Land Use Map (Exhibit LU-01) of the Policy Plan component of TOP. The proposed California Commerce Center Specific Plan land use Amendment from Commercial/Food/Hotel to Light Industrial will bring the project site in conformance with the Industrial land use designation of TOP. Mitigation (Mitigation Measure 5.3-1) has already been adopted by the City that would facilitate continued City cooperation with the SCAQMD and SCAG to achieve regional air quality improvement goals, promote energy conservation design and development techniques, encourage alternative modes of transportation, and implement transportation demand strategies. The project will comply with the air quality standards of the Certified EIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)].

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Expose sensitive receptors to substantial pollutant concentrations?**

**Discussion of Effects:** Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project will not expose sensitive receptors to any increase in pollutant concentrations because there are no sensitive receptors located within close proximity of the project site. Further, there is limited potential for sensitive receptors to be located within close proximity of the site because the project site will be zoned Light Industrial within the California Commerce Center Specific Plan at the time of project approval. The types of uses that would potentially impact sensitive receptors would not be supported on the property pursuant to the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and zoning designations on the property. Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

**Discussion of Effects:** The subject site was previously analyzed by TOP EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The uses proposed on the subject site, as well as those permitted within the proposed Light Industrial land use district of the California Commerce Center Specific Plan, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified EIR analyses are necessary.

**4. BIOLOGICAL RESOURCES.** Would the project:

**a. Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?**

**Discussion of Effects:** The subject site was previously analyzed by the Certified EIR as Industrial and is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. The project site is located within an area that has not 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 Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated beyond those previously identified in the TOP EIR are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified analyses are necessary.

**b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**



Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The site is presently developed as a parking lot that is surrounded on the north by commercial development, industrial development to the east, and vacant land to the west and south. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. As a result, no adverse environmental impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**5. CULTURAL RESOURCES.** Would the project:

**a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

Discussion of Effects: The subject site was previously analyzed by TOP EIR as Industrial and is surrounded by commercial development to the north, industrial development to the east, and vacant land to the west and south. The subject site is presently developed as a parking lot and does not contain any buildings or structures constructed more than 50 years ago and cannot be considered for eligibility for listing in the California Register of Historic Resources. Therefore, no adverse impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

**Discussion of Effects:** The Certified EIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. Figure 5.5-2 of the Certified EIR shows that the Project site has not been surveyed for archeological resources. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will be moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Disturb any human remains, including those interred outside of formal cemeteries?**

**Discussion of Effects:** The proposed project is in an area that has been previously disturbed by human activity. No known religious or sacred sites exist within the Project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**6. ENERGY** Would the project:

**a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

**Discussion of Effects:** Energy was not analyzed in the Certified TOP EIR but has been included as part of the 2019 revisions to the State CEQA Guidelines. Implementation of the Project would not substantially increase the demand for electricity and natural gas at the Project site and gasoline consumption in the region during construction and operation. Implementation of the Project will require compliance with CALGreen Building Code (CCR Title 24, Part 11). Moreover, the Project includes a sample Greenhouse Gas Reduction Measure Screening Table for Commercial and Industrial Development. The Screening Table includes measures energy efficient development, indoor space efficiency measures, building efficiency measures, renewable energy measures, and water conservation measures. Measures that would reduce electricity consumption include, but are not limited to: greatly enhanced window insulation, an enhanced cool-roof, an improved efficiency heating, ventilation, and air conditioning ("HVAC") system, blower doors HERS verified Envelope leakage or equivalent, enhanced duct insulation, Energy Star commercial appliances, water efficient landscaping and irrigation systems, and water-efficient toilets and faucets.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts. No changes or additions to the Certified EIR analyses are necessary.

**7. GEOLOGY & SOILS.** Would the project:

**a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

**i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**ii. Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Certified EIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will comply with the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**iii. Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in the Certified EIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**iv. Landslides?**

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Result in substantial soil erosion or the loss of topsoil?**

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the

project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial and eolian soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

Discussion of Effects: The City of Ontario is underlain by deposits of Quaternary and Upper-Pleistocene sediments deposited during the Pliocene and early Pleistocene time, Quaternary Older Alluvial sediments may contain significant, nonrenewable, paleontological resources and are, therefore, considered to have high sensitivity at depths of 10 feet or more below ground surface. In addition, the Certified TOP EIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. While no adverse impacts are anticipated, standard conditions have been imposed on the Project that in the event of unanticipated paleontological resources are identified during excavation, construction activities will not continue or will be moved to other parts of the Project site and a qualified paleontologist shall be contacted to determine significance of these resources. If the find is determined to be significant, avoidance or other appropriate measures shall be implemented.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**8. GREENHOUSE GAS EMISSIONS.** Would the project:

**a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

**Discussion of Effects:** The subject site was previously analyzed by the Certified EIR as an industrial use. Additionally, the impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases ("GHGs") was analyzed in the Certified EIR. According to the EIR, this impact would be significant and unavoidable (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan's significant and unavoidable impacts, including that concerning the emission of greenhouse gases. The proposed Amendment to California Commerce Center Specific Plan to change the land use designations for 10.64 acres of land, from Commercial/Food/Hotel to Light Industrial will not create significantly greater impacts than were identified in the Certified EIR. The Project includes a sample GHG Reduction Measures Screening Threshold Table, which provides guidance in measuring the reduction of greenhouse gas ("GHG") emissions attributable to certain design and construction measures incorporated into development projects. The analysis, methodology, and significance determination (thresholds) are based upon the City's Climate Action Plan ("CAP"), which includes GHG emission inventories (2008 and 2020 forecasts), a year 2020 emission reduction target, the goals and policies to reach the target, together with the Addendum prepared for the CAP. The Screening Table assigns points for each option incorporated into a project as mitigation or a project design feature (collectively referred to as "feature"). The point values correspond to the minimum emissions reduction expected from each feature. The menu of features allows maximum flexibility and options for how development projects can implement the GHG reduction measures. The point levels are based upon improvements compared to 2008 emission levels of efficiency. Projects that garner at least 100 points will be consistent with the reduction quantities anticipated in the City's CAP. As such, those projects that garner a total of 100 points or greater would not require quantification of project specific GHG emissions. Consistent with CEQA Guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions. As shown in the Project GHG Reduction Measures Screening Table, the Project garners a total of 116 points, and is therefore consistent with the reduction quantities anticipated in the City's CAP. Therefore, quantification of Project-specific GHG emissions is not required.

Additionally, pursuant to Public Resources Code Section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in the Certified EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in the Certified EIR; (3) the proposed project is consistent with The Ontario Plan. The proposed impacts of the project were already analyzed in the Certified EIR and the project will be built to current energy efficient standards. Potential impacts of project implementation will be less than significant with mitigation already required under the Certified EIR and current energy efficiency standards. No changes or additions to the Certified EIR analyses are necessary.

**Mitigation Required:** No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to TOP EIR analyses are necessary. The mitigation measures adopted as part of TOP EIR adequately address any potential significant impacts and there is no need for any additional mitigation measures. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations.

**b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

**Discussion of Effects:** The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed Project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among

other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, State, and federal regulations. In addition, the proposed Project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15 percent), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6 and energy efficient design, efficient irrigation systems, electric vehicle charging stations, and compliance with Title 24 of the California Code of Regulations. The Project is consistent with the City's Climate Action Plan. Therefore, the proposed Project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**9. HAZARDS & HAZARDOUS MATERIALS.** Would the project:

**a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Discussion of Effects: The subject site was previously analyzed by TOP EIR as an industrial use. The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?**

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances, or waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: The Project was reviewed and found to be 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. The Project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project’s low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise. Therefore, the project will not result in any new or substantially different hazards and hazardous materials impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

The entire City is located within the Airport Influence Area (AIA) of ONT and the location of the Safety Impact Zones are reflected in Policy Map 2-2 of the ONT ALUCP. The project site is located outside the ONT Safety Zones. The project site is also located outside of the Chino Airport Influence Area. The Project is consistent with the policies and criteria of the ONT ALUCP, and therefore, would not result in a safety hazard for people residing or working in the project area. Consequently, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from every day and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**10. HYDROLOGY & WATER QUALITY.** Would the project:

**a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (“NPDES”) General Industrial

Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance. Furthermore, any future applicant to develop the site would be required to submit a Preliminary Water Quality Management Plan ("PWQMP"), which would establish the site's compliance with storm water discharge and water quality management requirements. The PWQMP will include site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment and evapotranspiration. The PWQMP would include the use of an underground stormwater infiltration system for the site. Any overflow drainage from future development of the site will be conveyed to the public street by way of parkway culverts.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

**Discussion of Effects:** The subject site was previously analyzed by the Certified EIR as an industrial use. No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property was included in the Certified EIR analysis. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

**Mitigation:** No additional mitigation required.

**c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

**i. Result in substantial erosion or siltation on- or off-site?**

**Discussion of Effects:** It is not anticipated that the Project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site, nor will the proposed Project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the Project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**ii. Substantially increase the rate or amount of surface runoff water in a manner which would result in flooding on- or off-site?**

**Discussion of Effects:** The proposed Project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.



**iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. The stormwater flows will enter an existing storm pipe in Jurupa Street. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" ("WQMP"), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**iv. Impede or redirect flood flows?**

Discussion of Effects: Urbanization in the areas surrounding the project site have resulted in increased responsiveness of the basin to rainfall. The increase in impervious surfaces such as roofs, roads, and parking lots has resulted in a decrease in groundwater infiltration and larger storm surges. The project site is not impacted by offsite flows. The project site is not located in a FEMA Firm Panel designated Flood Zone Risk, and according to the United States Fish and Wildlife Service National Wetlands Inventory ("NWI") no wetlands exist on the property. The Project could lead to the conversion of permeable surfaces to impermeable surfaces such as parking areas and building foundation areas. Any future development on the Project site would discharge onsite flows into an existing storm drain facility. As such, the proposed project would not impede or redirect flood flows. With adherence to existing federal, state, and local regulation no changes to the existing flood flows would occur.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

Discussion of Effects: Impacts associated with flooding are primarily related to the construction or placement of structures in areas prone to flooding including within an unprotected 100-year flood zone, and in areas susceptible to high tides, tsunamis, seiches, mudflows or sea level rise. Specifically, structures placed in flood prone areas, if flooded, would be damaged, and could subject people to injury or death. The National Flood Insurance Act of 1968 requires the identification of floodplain areas and establishment of flood-risk zones within those areas. FEMA administers the programs and coordinates with communities to establish effective floodplain management standards. According to FEMA, the Project is not located in a known floodplain. Furthermore, this area is not known to flood and is not typically subjected to flooding. The Project site is not located in a floodplain as shown in Figure S-2 of TOP. The Project site is in an urbanized area that is developed with commercial and industrial buildings. No wetlands have been mapped on the project site according to the NWI. According to the FEMA, the Project is not located in an area that is subject to flood hazard, tsunami, or seiche zones. The project site is located over 60 miles east of the Pacific Ocean and is not located in a mapped tsunami zone. Therefore, the project would not have a significant risk of flood hazard, tsunami, seiche zones, release of pollutants due to project inundation.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

Discussion of Effects: The Regional Water Quality Control Board's Basin Plan is designed to preserve and enhance water quality and protect the beneficial uses of all regional waters. Specifically, the

Basin Plan (i) designates beneficial uses for surface and ground waters, (ii) sets narrative and numerical objectives that must be attained or maintained to protect the designated beneficial uses and conform to the state's anti-degradation policy, and (iii) describes implementation programs to protect all waters in the region. Development allowed by the Project would be required to adhere to requirements of the water quality control plan, including all existing regulation and permitting requirements. This would include the incorporation of best management practices ("BMPs") to protect water quality during construction and operational periods. Development of the Project would be subject to all existing water quality regulations and programs, as described in the regulatory section above, including all applicable construction permits. Existing General Plan policies related to water quality would also be applicable to the Project. Implementation of these policies, in conjunction with compliance with existing regulatory programs, would ensure that water quality impacts related to the Project would be less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**11. LAND USE & PLANNING.** Would the project:

**a. Physically divide an established community?**

Discussion of Effects: The project site is located in an area that is currently developed with urban land uses. This project will be of similar design and size to surrounding developments. No adverse impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use. The proposed project does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**12. MINERAL RESOURCES.** Would the project:

**a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area; therefore, the project will not result in any new or substantially different mineral resources impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**13. NOISE.** Would the project result in:

**a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR an industrial use and the Project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12); therefore, the project will not result in any new or substantially different noise impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an industrial use and the uses associated with this project normally do not induce groundborne vibrations. As such, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. For a project located within the vicinity of a private airstrip or the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The proposed Amendment was reviewed and found to be 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. According to the Safety Element, the project is located within the 60-70CNEL noise contour; therefore, the project will not result in any new or substantially different noise impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary. or substantially different impacts, other than those previously considered and addressed in the Certified TOP EIR. No changes or additions to the Certified TOP EIR analyses are necessary.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**14. POPULATION & HOUSING.** Would the project:

**a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR an industrial use and is consistent with General Plan land use designations and would not induce significant population growth. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site does not contain existing housing. The project site is presently developed as a parking lot. Implementation of the project will result in the development of an industrial building; therefore no impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**15. PUBLIC SERVICES.** Would the project:

**a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

**i. Fire protection?**

**Discussion of Effects:** The site is in a developed area currently served by the Ontario Fire Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**ii. Police protection?**

**Discussion of Effects:** The site is in a developed area, currently served by the Ontario Police Department. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**iii. Schools?**

**Discussion of Effects:** Upon development, the Project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. No impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**iv. Parks?**

**Discussion of Effects:** The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**v. Other public facilities?**

**Discussion of Effects:** The site is in a developed area, currently served by the City of Ontario. The Project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**16. RECREATION.** Would the project:

**a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: This project is not proposing any new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: This project is not proposing any new housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**17. TRANSPORTATION.** Would the project:

**a. Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

Discussion of Effects: The subject site was previously analyzed by the Certified EIR as an Industrial land use and is in an area that is mostly developed with all street improvements existing. A focused Traffic Analysis was prepared for the project site that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at an FAR of 0.55 (warehouse/small ancillary office). The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips.

Therefore, the traffic impacts will be consistent with and less than the traffic impacts projected and analyzed under the Certified EIR. The project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

Discussion of Effects: CEQA Guidelines Section 15064.3 subdivision (b) has been included in the 2018 CEQA Guidelines as part of the implementation of SB 743 which requires local jurisdictions to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) methodologies for the purpose of determining the significance of traffic impacts under CEQA. Also, as part of the implementation of SB 743 local jurisdiction were given until July 1, 2020 to develop and implement thresholds of significance criteria and methodologies for evaluating VMT under the new SB 743 requirements. The City of Ontario has adopted and established a VMT analysis threshold or analysis methodology based on our Policy Plan (General Plan) baseline. However, the project was submitted prior to the adoption of the threshold and therefore not subject to the adopted thresholds. Subsequently, The Ontario Plan EIR analyzed VMT, as part of the GHG analysis. The Ontario Plan (TOP) is consistent with the RTP/SCS for the Southern California region. The SBTAM model has incorporated TOP buildout which was then incorporated into the SCAG model in developing the RTP/SCS for the region. The thresholds used in these models can be found in the tool created for SBCTA that analyzes the various threshold options. TOP to establish VMT thresholds since this option has already been found to be consistent with the RTP/SCS and these land use assumptions have been incorporated into the SBTAM and SCAG's regional models. The screening tool created for use in San Bernardino County can be utilized for locations within Ontario where additional

analysis is not required, and the City thresholds be used for projects where additional analysis is required. If mitigation measures are included for the project and the VMT brought down below the established threshold (City average), then the project can be determined to have less than a significant impact on transportation (in terms of CEQA).

Subsequently, a focused Traffic Analysis was prepared for the project site that compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use at a FAR of 0.55 (warehouse/small ancillary office). The Traffic Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips. Therefore, impacts with respect to CEQA Guidelines Section 15064.3(b) are less than significant.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Discussion of Effects: The Project is in an area that is mostly developed. All street improvements are complete, and the Development Plan (File No. PDEV20-008) will be required to construct right-of-way improvements along the project frontages. The Project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Result in inadequate emergency access?**

Discussion of Effects: Development of the Project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**e. Result in inadequate parking capacity?**

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**18. TRIBAL CULTURAL RESOURCES.** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

**a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

Discussion of Effects: The subject site was previously analyzed by the TOP FEIR as an industrial use and is not listed in the California Register of Historic Resources or local register of historical resources. Development of the site will not create greater impacts than were identified in the Certified TOP FEIR.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Discussion of Effects: The subject site is not listed in the California Register of Historic Resources. No consultation had been initiated and no impacts are anticipated through Project implementation.

Mitigation: No new mitigation measures are required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**19. UTILITIES AND SERVICE SYSTEMS.** Would the project:

**a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).**

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Discussion of Effects: The Project site is served by the City of Ontario water system. There is currently sufficient water supply available to the City of Ontario to serve this Project as per the findings of Certified TOP EIR. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Discussion of Effects: City of Ontario serves the Project site. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. No impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to analyses are necessary.

**e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

Discussion of Effects: This Project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**20. WILDFIRE.** If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

**a. Substantially impair an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

Discussion of Effects: The Project site is not located in or near a state responsibility area nor is it located in or near lands classified as very high fire hazard severity zones. Therefore, no impacts are anticipated.

Mitigation: No new mitigation measures required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**21. MANDATORY FINDINGS OF SIGNIFICANCE.**

**a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**



**Discussion of Effects:** The proposed Project does not have the potential to reduce wildlife habitat and threaten a wildlife species; therefore, no environmental impacts resulting from the Project are anticipated.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?**

**Discussion of Effects:** The Project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)**

**Discussion of Effects:** The Project does not have impacts that are cumulatively considerable.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

**d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

**Discussion of Effects:** The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

**Mitigation:** No additional mitigation required. The Project will not result in any new, increased or substantially different impacts, other than those previously considered and addressed in the Certified EIR. No changes or additions to the Certified EIR analyses are necessary.

## **EARLIER ANALYSES**

---

*(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):*

- 1) **Earlier Analyses Used.** Identify earlier analyses used and state where they are available for review.
  - a) The Ontario Plan Final EIR
  - b) The Ontario Plan
  - c) California Commerce Center Specific Plan (File No. 2591-SP) Adopted May 17, 1983
  - d) California Commerce Center Specific Plan EIR No. 81-4 Certified May 17, 1983
  - e) City of Ontario Official Zoning Map
  - f) City of Ontario Development Code
  - g) Ontario International Airport Land Use Compatibility Plan
  - h) Ontario International Airport Land Use Compatibility Plan Negative Declaration (SCH 2011011081)
  - i) TJW Engineering, Inc. – 3555 E. Airport Drive Focused Traffic Impact Analysis – August 27, 2020, included as Attachment B, Traffic Impact Analysis, of this Addendum)

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

### **MITIGATION MEASURES**

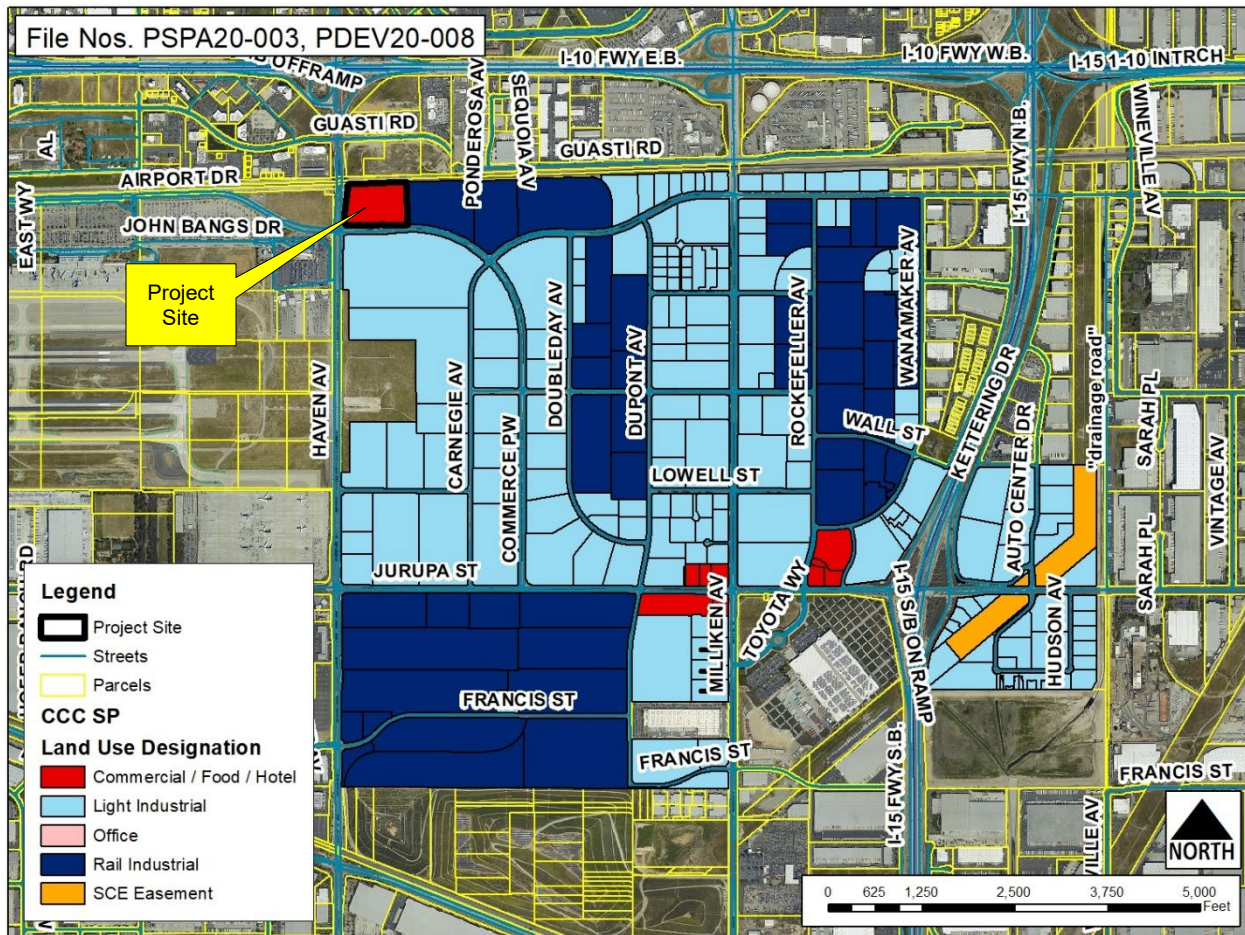
---

*(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)*

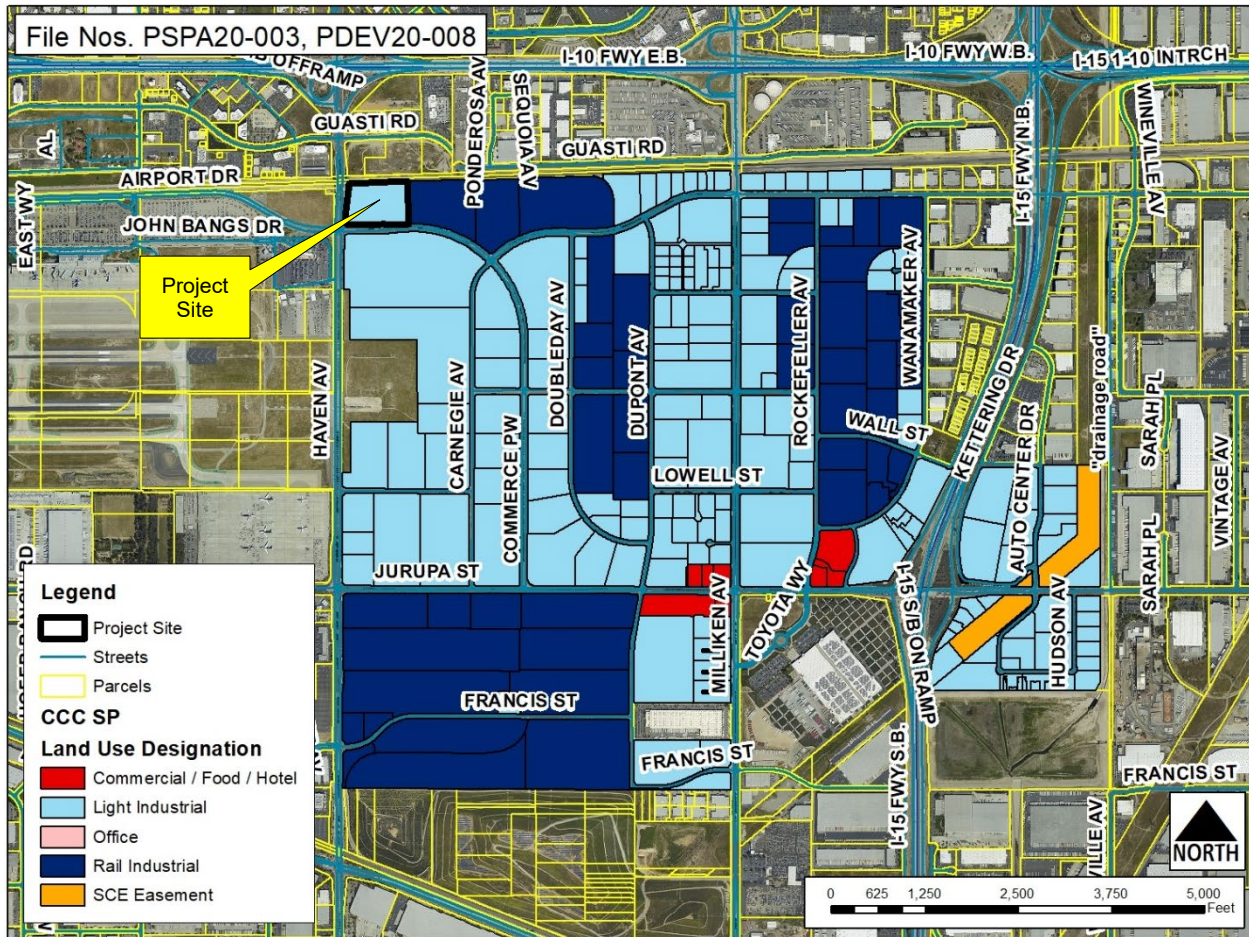
The Mitigation Measures contained in the Certified EIR adequately mitigate the impacts of the proposed Project. These mitigation measures are contained in the Mitigation Monitoring Program, included as Attachment A of this Addendum.

No additional mitigation beyond that previously imposed is required.

### Exhibit A: PSPA20-003 EXISTING – CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



### Exhibit B: PSPA20-003 PROPOSED – CALIFORNIA COMMERCE CENTER SPECIFIC PLAN LAND USE PLAN



# **Attachment A:** **Mitigation Monitoring Program for** **The Ontario Plan Environmental Impact Report**

## **1. Introduction**

---

### **1.1 PURPOSE OF MITIGATION MONITORING PROGRAM**

This Mitigation Monitoring Program has been developed to provide a vehicle by which to monitor mitigation measures and conditions of approval outlined in The Ontario Plan Environmental Impact Report (EIR), State Clearinghouse No. 2008101140. The Mitigation Monitoring Program has been prepared in conformance with Section 21081.6 of the Public Resources Code and City of Ontario Monitoring Requirements. Section 21081.6 states:

(a) When making the findings required by paragraph (1) of subdivision subsection (a) of Section 21081 or when adopting a mitigated negative declaration pursuant to paragraph (2) of subdivision (c) of Section 21080, the following requirements shall apply:

(1) The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes which have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

(2) The lead agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based.

(b) A public agency shall provide that measures to mitigate or avoid significant effects on the environment are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents which address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other public project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

(c) Prior to the close of the public review period for a draft environmental impact report or mitigated negative declaration, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either submit to the lead agency complete and detailed performance objectives for mitigation measures which would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures which mitigate impacts to resources which are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance by a responsible agency or agency having jurisdiction over natural resources affected by a project with that requirement shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

## 1.2 PROJECT SUMMARY

The proposed project is the preparation of The Ontario Plan, which consists of a Vision, Governance Manual, Policy Plan, City Council Priorities, Implementation Plans, and Tracking and Feedback. The Ontario Plan integrates components of city governance documents into a single guidance system that shapes the community 20 years or more into the future.

(a) The Ontario **Vision** describes the future community of Ontario. Its basic purpose is to improve the quality of life for the people of Ontario. It is the rationale and motivation for everything the City does.

(b) The **Governance Manual** describes the foundation for conducting the public's business on behalf of the present and future people of Ontario. It explains how The Ontario Plan is a tool for decision-making and communication.

(c) **City Council Priorities** define the short-term direction in City actions and initiatives. They are the primary means for exercising leadership in carrying out The Plan and realizing the Vision.

(d) The **Policy Plan** connects intent with action through the broad range of Goals and Policies that would guide the long-term growth and development required for the City to achieve its Vision. It also satisfies the California Government Code requirement for a general plan. Figure 3-6, *Proposed Land Use Plan*, shows the proposed General Plan land use designations that guide and regulate land use patterns, distributions, densities and intensities in the City of Ontario, including residential employment, retail, recreation, and public uses.

(e) **Implementation** consists of actions taken to carry out Plan policies. This includes initiatives by the City and decisions on public and private development projects.

(f) **Tracking and Feedback** allows the City to learn from experience and redirect efforts.

Pursuant to CEQA Guidelines Section 15064(d), the EIR considers the direct physical changes and reasonably foreseeable indirect physical changes in the environment that would be caused by The Ontario Plan. Consequently, the EIR focuses on impacts from changes to land use associated with buildout of the Proposed Land Use Plan, within the Policy Plan, and impacts from the resultant population and employment growth in the City. The Ontario Plan Proposed Land Use Plan for the ultimate development of the City is not linked to a timeline. However, for the purpose of this environmental analysis, buildout of the Proposed Land Use Plan is forecast for the year 2035.

## 1.3 PROJECT LOCATION

The City of Ontario is in the southwestern corner of San Bernardino County and is surrounded by the Cities of Chino and Montclair, and unincorporated areas of San Bernardino County to the west; the Cities of Upland and Rancho Cucamonga to the north; the City of Fontana and unincorporated land in San Bernardino County to the east; and unincorporated Riverside County land to the south. The City is in the central part of the Upper Santa Ana River Valley. This portion of the valley is bounded by the San Gabriel Mountains to the north; the Chino Hills, Puente Hills, and San Jose Hills to the west; the Santa Ana River to the south; and Lytle Creek Wash on the east.

The City comprises approximately 50 square miles (31,958 acres), which includes the 8,200-acre New Model Colony (NMC) in the southern portion of the City (formerly the City's Sphere of Influence). The northern urbanized portion of the City is known as the Original Model Colony (OMC). The City is generally bounded by Benson Avenue and Euclid Avenue on the west; Interstate 10 (I-10), 8th Street, and 4th Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south. Regional circulation to and through the City is provided by I-10 and State Route 60 (SR-60) east-west, and by I-15 and SR-83 (Euclid Avenue) north-south.

## **1.4 ENVIRONMENTAL IMPACTS**

The environmental document for this project is a “program EIR” as defined by State CEQA Guidelines (Section 15161, California Code of Regulations, Title 14, Division 6, Chapter 3). As provided in Section 15168 of the State CEQA Guidelines, a Program EIR may be prepared on a series of actions that may be characterized as one large project that are related either 1) geographically; 2) as logical parts of a chain of contemplated events; 3) in connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or 4) as individual activities carried out under the same authorizing statutory or regulatory authority and have generally similar environmental effects that can be mitigated in similar ways.

Although the legally required contents of a Program EIR are the same as those of a Project EIR, Program EIRs are typically more conceptual and may contain a more general discussion of impacts, alternatives, and mitigation measures than a Project EIR. Once a Program EIR has been prepared, subsequent activities within the program must be evaluated to determine whether an additional CEQA document needs to be prepared. However, if the Program EIR addresses the program’s effects as specifically and comprehensively as possible, many subsequent activities could be found to be within the Program EIR scope and additional environmental documents may not be required (Guidelines Section 15168[c]). When a Program EIR is relied on for a subsequent activity, the lead agency must incorporate feasible mitigation measures and alternatives developed in the Program EIR into the subsequent activities (Guidelines Section 15168[c][1]). If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. Pursuant to Sections 15126.2 and 15126.4 of the State CEQA Guidelines, the EIR should identify any potentially significant adverse impacts and recommend mitigation that would reduce or eliminate these impacts to levels of insignificance.

### **1.4.1 Impacts Considered Less Than Significant**

Ten environmental categories are identified as having less than significant impacts that do not require mitigation. These categories are:

- Aesthetics
- Biological Resources
- Geology/Soils
- Hazards & Hazardous Materials
- Hydrology/Water Quality
- Land Use & Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation

### **1.4.2 Potentially Significant Adverse Impacts That Can Be Mitigated, Avoided, or Substantially Lessened**

The following have been identified as potentially resulting in significant adverse impacts that can be mitigated, avoided, or substantially lessened:

- Cultural Resources: Mitigation Measures 5-2 through 5-4 would reduce archeological and prehistoric cultural resource impacts to less than significant.
- Noise: Mitigation Measure 12-3 would ensure that any new vibration-sensitive structures near the Union Pacific Railroad or Southern California Regional Rail Authority right-of-way would be constructed so that train-related vibration would not be perceptible and operational vibration impacts would be less than significant.
- Utilities and Service Systems: Mitigation Measures 17-1 through 17-4 would reduce impacts on water supply and demand from buildout of The Ontario Plan to less than significant.

### **1.4.3 Unavoidable Significant Adverse Impacts**

There are six environmental categories considered to have impacts that would be significant and unavoidable and would not be lessened through mitigation.

#### **Agricultural Resources**

Buildout of The Ontario Plan 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, impacts to Farmland would remain significant and unavoidable.

There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of The Ontario Plan 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, impacts to Williamson Act contracts would remain significant and unavoidable.

Development of the City in accordance with The Ontario Plan 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 and impacts would remain significant and unavoidable.

#### **Air Quality**

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, this impact would remain significant and unavoidable.

Construction activities associated with buildout of The Ontario Plan 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 ozone (O<sub>3</sub>), coarse inhalable particulate matter (PM<sub>10</sub>), and fine inhalable particulate matter (PM<sub>2.5</sub>); and potentially elevate concentrations of air pollutants at sensitive receptors. Mitigation Measure 3-1 would reduce The Ontario Plan's short-term construction-related volatile organic compounds (VOC), carbon monoxide (CO), oxides of nitrogen (NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub> emissions but they would not be reduced to levels below the SCAQMD's regional thresholds and they would not reduce these impacts to less than significant. Consequently, construction air pollutant emissions generated by buildout of The Ontario Plan would remain significant and unavoidable.

Buildout of The Ontario Plan would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O<sub>3</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub>. Mitigation Measure 3-2 would reduce long-term operational emissions of VOC, CO, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> related to the buildout of The Ontario Plan but they would not reduce these emissions to levels below the SCAQMD's regional significance thresholds and impacts would not be less than significant. Consequently, operational impacts from buildout of The Ontario Plan would remain significant and unavoidable.



Approval of residential and other sensitive land uses within 500 feet of Interstate-10, Interstate-15, or State Route-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Mitigation Measure 3-3 would reduce impacts related to the exposure of sensitive receptors (residential and other sensitive land uses) to diesel particulate matter because of their placement near freeways within the City. However, it would not reduce this impact to be less than significant.

Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors and impacts would remain significant and unavoidable.

### **Cultural Resources**

Although protective regulations are in place and preservation policies are included in The Ontario Plan, 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, demolition of historical resources categorized under the Ordinance as Tier III could potentially be impacted with implementation of the Proposed Land Use Plan. Consequently, Tier III historic resource impacts would remain significant and unavoidable.

### **Global Climate Change**

Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. Greenhouse gas (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. Mitigation Measures 6-1 through 6-6 would act to reduce the contributions of The Ontario Plan to global climate change but they would not reduce the impacts to less than significant.

### **Noise**

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, impacts would remain significant and unavoidable.

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. Mitigation Measure 12-1 would decrease the exposure of sensitive receptors to excessive noise levels within 65 dBA CNEL contours, whether near Los Angeles/Ontario International Airport (LAONT) or other noise-producing areas such as freeways and railroads, but it would not reduce these impacts to less than significant.

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. Mitigation Measure 12-2 would reduce the impacts caused by construction-related vibrations on sensitive receptors but it would not reduce the impact to less than significant.

Impact 5.12-5. Significant. 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. Mitigation Measure 12-4 calls for the use of noise-reducing techniques during construction projects that would impact nearby sensitive receptors, such as the use of temporary sound walls and reduced unnecessary truck idling. However, these impacts would not be reduced to levels considered less than significant.

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, impacts would remain significant and unavoidable.

### **Transportation and Traffic**

The increased development and population growth associated with the buildout of the Proposed Land Use Plan would cause deficient levels of service at area intersections without implementation of the recommended lane geometry improvements. In addition, buildout of the Proposed Land Use Plan would also cumulatively contribute to the cumulatively significant freeway level of service impact that is already projected to occur in the future. Mitigation Measure 16-1 would require the buildout of The Ontario Plan to be consistent with the traffic study prepared by Kimley-Horn and Associates. This traffic study indicates the appropriate lane geometry for area intersections. This would allow for intersections to have LOS values of E or above, but it would not improve the cumulative freeway LOS standards to appropriate levels. The City has no jurisdiction over Caltrans projects, such as freeway improvements. Therefore, the impacts related to cumulative LOS deficiencies on freeways would not be reduced to levels considered less than significant.

## **2. Mitigation Monitoring Process**

---

### **2.1 MITIGATION MONITORING PROGRAM ORGANIZATION**

CEQA requires that a reporting or monitoring program be adopted for the conditions of project approval that are necessary to mitigate or avoid significant effects on the environment (Public Resources Code 21081.6). The mitigation monitoring and reporting program is designed to ensure compliance with adopted mitigation measures during project implementation. For each mitigation measure recommended in the Environmental Impact Report, specifications are made herein that identify the action required and the monitoring that must occur. In addition, a responsible agency is identified for verifying compliance with individual conditions of approval contained in the Mitigation Monitoring Program (MMP). In order to effectively track and document the status of mitigation measures, a mitigation matrix has been prepared and includes:

- Responsibility for implementation
- Timing
- Responsibility for monitoring
- Monitor

Mitigation measure timing of verification has been apportioned into several specific timing increments. Of these, the most common are:

- Prior to project approval
- Prior to issuance of grading permit(s)
- During construction

Information pertaining to compliance with mitigation measures or any necessary modifications or refinements will be documented in the comments portion of the matrix.

### **2.2 MITIGATION MONITORING PROCEDURES**

The City of Ontario Planning Department is the designated lead agency for the Mitigation Monitoring and Reporting Program. The City of Ontario includes the Mitigation Measures within the Special Conditions of Approval. The City is responsible for review of all monitoring reports, enforcement actions, and document disposition. The Planning Department shall designate a Project Mitigation Monitor for the proposed project.

#### **2.2.1 In-Field Monitoring**

The Responsible Monitoring Party shall exercise caution and professional practices at all times when monitoring construction. Protective wear (hard hats, glasses, etc.) shall be worn at all times in construction areas. Injuries shall be reported immediately to the Project Mitigation Monitor.

#### **2.2.2 Coordination with Contractors**

The construction manager/superintendent is responsible for coordination of contractors and for contractor completion of required measures in accordance with the provisions of this program.

#### **2.2.3 Recognized Experts**

The use of recognized experts as a component of the monitoring team is required to ensure compliance with scientific and engineering mitigation measures. While the recognized experts assess

compliance with required mitigation measures, consultation with the City of Ontario planning staff shall take place in the event of a dispute.

#### **2.2.4 Enforcement**

Agencies may enforce conditions of approval through their existing police power, using stop-work orders, fines, infraction citations, loss of entitlements, refusal to issue building permits or certificates of use and occupancy or, in some cases, notice of violation for tax purposes. Criminal misdemeanor sanctions could be available where the agency has adopted an ordinance requiring compliance with the monitoring program, similar to the provision in many zoning ordinances that affirm the enforcement power to bring suit against violators of the ordinances.

### **3. Mitigation Monitoring Requirements**

---

#### **3.1 CATEGORIZED MITIGATION MEASURES/MATRIX**

Project-specific mitigation measures have been categorized in matrix format, as shown in Table 3-1. The matrix identifies the environmental factor, specific mitigation measures, schedule, and responsible monitor. The mitigation matrix will serve as the basis for scheduling the implementation of, and compliance with, all mitigation measures.

#### **3.2 IN-FIELD MONITORING**

Project monitors and technical subconsultants shall exercise caution and professional practices at all times when monitoring implementation of mitigation measures. Protective wear (e.g., hard hat, glasses) shall be worn at all times in construction areas. Injuries shall be immediately reported to the mitigation monitoring committee.

#### **3.3 DATABASE MANAGEMENT**

All mitigation monitoring reports, letters, and memos shall be prepared using Microsoft Word software on IBM-compatible PCs and processed according to the City's Environmental Compliance Program.

#### **3.4 COORDINATION WITH CONTRACTORS**

The construction manager is responsible for coordination of contractors and for contractor completion of required mitigation measures.

#### **3.5 LONG-TERM MONITORING**

Long-term monitoring related to several mitigation measures will be required, including fire safety inspections. Post-construction fire inspections are conducted on a routine basis by the Ontario Fire Department.

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<b>5.3 AIR QUALITY</b>				
<p><b>3-1</b> The City of Ontario Building Department shall require that all new construction projects incorporate feasible mitigation measures to reduce air quality emissions. Potential measures shall be incorporated as conditions of approval for a project and may include:</p> <ul style="list-style-type: none"> <li>• Requiring fugitive dust control measures that exceed South Coast Air Quality Management District's Rule 403, such as:               <ul style="list-style-type: none"> <li>○ Requiring use of nontoxic soil stabilizers to reduce wind erosion.</li> <li>○ Applying water every four hours to active soil-disturbing activities.</li> <li>○ Tarping and/or maintaining a minimum of 24 inches of freeboard on trucks hauling dirt, sand, soil, or other loose materials.</li> </ul> </li> <li>• Using construction equipment rated by the United States Environmental Protection Agency as having Tier 3 or higher exhaust emission limits.</li> <li>• Ensuring construction equipment is properly serviced and maintained to the manufacturer's standards.</li> <li>• Limiting nonessential idling of construction equipment to no more than five consecutive minutes.</li> <li>• Using Super-Compliant VOC paints for coating of architectural surfaces whenever possible. A list of Super-Compliant architectural coating manufactures can be found on the South Coast Air Quality Management District's website at:  <a href="http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf">http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf</a> .</li> </ul>	<p>City of Ontario Building Department in coordination with the landowner/project applicant's construction contractor</p>	<p>During construction</p>	<p>City of Ontario Building and Department and Developer/Contractor</p>	

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<b>3-2</b> The City of Ontario shall evaluate new development proposals within the City and require all developments to include access or linkages to alternative modes of transportation, such as transit stops, bike paths, and/or pedestrian paths (e.g., sidewalks).	City of Ontario Planning/Engineering Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
<b>3-3</b> The City of Ontario shall evaluate new development proposals within the City for potential incompatibilities with regard to the California Air Resources Board's <i>Air Quality and Land Use Handbook: A Community Health Perspective</i> (April 2005). New development that is inconsistent with the recommended buffer distances shall only be approved if feasible mitigation measures, such as high efficiency Minimum Efficiency Reporting Value filters have been incorporated into the project design to protect future sensitive receptors from harmful concentrations of air pollutants as a result of proximity to existing air pollution sources.	City of Ontario Planning Department in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
<b>5.5 CULTURAL RESOURCES</b>				
<b>5-1</b> Historic or potentially historic resources in the City shall be evaluated for historic significance through the City's tier system prior to the issuance of plan or development approvals.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
<b>5-2</b> In areas of documented or inferred archaeological and/or paleontological resource presence, City staff shall require applicants for development permits to provide studies to document the presence/absence of such resources. On properties where resources are identified, such studies shall provide a detailed mitigation plan, including a monitoring program and recovery and/or in situ preservation plan, based on the recommendations of a qualified cultural preservation expert. The mitigation plan shall include the following requirements:	City of Ontario Planning Department in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning Department	

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Archaeologists and/or paleontologist shall be retained for the project and will be on call during grading and other significant ground-disturbing activities.</li> <li>• Should any cultural resources be discovered, no further grading shall occur in the area of the discovery until the Planning Director or designee is satisfied that adequate provisions are in place to protect these resources.</li> <li>• Unanticipated discoveries shall be evaluated for significance by a San Bernardino County Certified Professional Archaeologist/Paleontologist. If significance criteria are met, then the project shall be required to perform data recovery, professional identification, radiocarbon dates, and other special studies; submit materials to a museum for permanent curation; and provide a comprehensive final report including catalog with museum numbers.</li> </ul>				
<p><b>5-3</b> Upon receipt of an application for a Specific Plan or a project that requires a General Plan amendment subject to CEQA and is within the City's jurisdiction, the City's representative shall consult with the relevant tribe(s)' representative(s) to determine if the proposed project is within a culturally sensitive area to the tribe. If sufficient evidence is provided to reasonably ascertain that the site is within a [tribal] culturally sensitive area, then a cultural resources assessment prepared by an archaeologist shall be required. The findings of the cultural resources assessment shall be incorporated into the CEQA documentation. A copy of the report shall be forwarded to the tribe(s). If mitigation is recommended in the CEQA document, the procedure described in Mitigation Measure 5-4 shall be followed.</p>	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
<p><b>5-4</b> Prior to the issuance of grading permits for a Specific Plan or project that requires a General Plan amendment for which the CEQA document defines cultural resource mitigation for potential tribal resources, the project applicant</p>	City of Ontario Planning Department in coordination with the	Prior to issuance of grading permit(s)	City of Ontario Planning Department	



<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
shall contact the designated tribe(s) to notify them of the grading, excavation, and monitoring program. The applicant shall coordinate with the City of Ontario and the tribal representative(s) to develop mitigation measures that address the designation, responsibilities, and participation of tribal monitors during grading, excavation, and ground-disturbing activities; scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The City of Ontario shall be the final arbiter of the conditions for projects within the City's jurisdiction.	Landowner/Project Applicant			
<b>5.6 Global Climate Change</b>				
<p><b>6-1</b> The City of Ontario shall prepare a Climate Action Plan within 18 months after adopting The Ontario Plan. The goal of the Climate Action Plan shall be to reduce GHG emissions from all activities within the City boundaries to support the State's efforts under AB 32 and to mitigate the impact of climate change on the City, State, and world. Once completed, the City shall update The Ontario Plan and associated policies, as necessary, to be consistent with the Climate Action Plan and prepare a subsequent or supplemental Environmental Impact Report, if new significant impacts are identified. The Climate Action Plan shall include the following:</p> <ul style="list-style-type: none"> <li>• <b>Emission Inventories:</b> The City shall establish GHG emissions inventories including emissions from all sectors within the City, using methods approved by, or consistent with guidance from, the CARB; the City shall update inventories every 3 years or as determined by state standards to incorporate improved methods, better data, and more accurate tools and methods, and to assess progress. If the City is not on-schedule to achieve the GHG reduction targets, additional measured shall be implemented, as identified in the CAP.</li> </ul>	City of Ontario	Within 18 months of adopting The Ontario Plan	City of Ontario Planning Department/ Municipal Utilities Agency (MUA)	

**Table 3-1  
 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ The City shall establish a baseline inventory of GHG emissions including municipal emissions, and emissions from all business sectors and the community.</li> <li>○ The City shall define a “business as usual” scenario of municipal, economic, and community activities, and prepare a projected inventory for 2020 based on that scenario.</li> <li>● <b>Emission Targets:</b> The City will develop Plans to reduce or encourage reductions in GHG emissions from all sectors within the City:               <ul style="list-style-type: none"> <li>○ A Municipal Climate Action Plan which shall include measures to reduce GHG emissions from municipal activities by at least 30 percent by 2020 compared to the "business as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32.</li> <li>○ A Business Climate Action Plan in collaboration with the business community, which shall include measures to reduce GHG emissions from business activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" business emissions.</li> <li>○ A Community Climate Action Plan in collaboration with the stakeholders from the community at large, which shall include measures reduce GHG emissions from community activities, and which shall seek to reduce emissions by at least 30 percent by 2020 compared to "business as usual" community emissions.</li> </ul> </li> </ul>				
<p><b>6-2</b> The Climate Action Plan shall include specific measures to achieve the GHG emissions reduction targets identified in Mitigation Measure 6-1. The Climate Action Plan shall quantify the approximate greenhouse gas emissions reductions of each measure and measures shall be</p>	<p>City of Ontario Planning Department</p>	<p>Within 18 months of adopting The Ontario Plan</p>	<p>City of Ontario Planning Department</p>	

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p>enforceable. Measures listed below, along with others, shall be considered during the development of the Climate Action Plan (CAP):</p> <ul style="list-style-type: none"> <li>• Require all new or renovated municipal buildings to seek Silver or higher Leadership in Energy and Environmental Design (LEED) standard, or compliance with similar green building rating criteria.</li> <li>• Require all municipal fleet purchases to be fuel efficient vehicles for their intended use based on the fuel type, design, size, and cost efficiency.</li> <li>• Require that new development projects in Ontario that require demolition prepare a demolition plan to reduce waste by recycling and/or salvaging a nonhazardous construction and demolition debris.</li> <li>• Require that new developments design buildings to be energy efficient by siting buildings to take advantage of shade, prevailing winds, landscaping, and sun screening to reduce energy required for cooling.</li> <li>• Require that cool roofs for non-residential development and cool pavement to be incorporated into the site/building design for new development where appropriate.</li> <li>• Evaluate the feasibility of implementing a Public Transit Fee to support Omnitrans in developing additional transit service in the City.</li> <li>• Require diesel emission reduction strategies to eliminate and/or reduce idling at truck stops, warehouses, and distribution facilities throughout the City.</li> <li>• Install energy efficient lighting and lighting control systems in all municipal buildings.</li> <li>• Require all new traffic lights installed be energy efficient traffic signals.</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Require the use of reclaimed water for landscape irrigation in all new development and on public property where such connections are within the service boundaries of the City's reclaimed water system.</li> <li>• Require all new landscaping irrigation systems installed within the City to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors.</li> <li>• Conduct energy efficiency audits of existing municipal buildings by checking, repairing, and readjusting heating, ventilation, and air conditioning systems, lighting, water heating equipment, insulation, and weatherization.</li> <li>• Ensure that its local Climate Action, Land Use, Housing, and Transportation Plans are aligned with, support, and enhance any regional plans that have been developed consistent with state guidance to achieve reductions in GHG emissions.</li> <li>• Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.</li> <li>• Reduce heat gain from pavement and other similar hardscaping.</li> <li>• Work with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking.</li> <li>• Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Facilitate employment opportunities that minimize the need for private vehicle trips, by:               <ul style="list-style-type: none"> <li>○ Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.</li> <li>○ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.</li> </ul> </li> <li>• Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events.</li> <li>• Support and promote the use of low-and zero-emission vehicles, by:               <ul style="list-style-type: none"> <li>○ Encouraging the necessary infrastructure to facilitate the use of zero- emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.</li> <li>○ Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).</li> <li>○ Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.</li> <li>○ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.</li> </ul> </li> <li>• Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient green building practices where not prohibited by Airport Land Use Compatibility Plan (ALUCP)/Federal Aviation Administration (FAA).</li> <li>• Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.</li> <li>• Support the use of green building practices by:               <ul style="list-style-type: none"> <li>○ Providing information, marketing, training, and technical assistance about green building practices.</li> <li>○ Adopting a Green Building ordinance with guidelines for green building practices in residential and commercial development.</li> <li>○ Adopt energy efficiency performance standards for buildings designed to achieve a greater reduction in energy and water use than currently required by state law, including:                   <ul style="list-style-type: none"> <li>○ Standards for the installation of "cool roofs".</li> <li>○ Standards for improved overall efficiency of lighting systems.</li> <li>○ Requirements for the use of Energy Star appliances and fixtures in discretionary new development.</li> </ul> </li> </ul> </li> <li>• Encourage the performance of energy audits for residential and commercial buildings prior to completion of sale, and that audit results and information about opportunities for energy efficiency improvements be presented to the buyer.</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Establish policies and programs that facilitate the siting of new renewable energy generation.</li> <li>• Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.</li> <li>• Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:               <ul style="list-style-type: none"> <li>○ Conducting energy audits.</li> <li>○ Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.</li> <li>○ Implementing an energy tracking and management system for its municipal facilities.</li> <li>○ Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.</li> <li>○ Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.</li> <li>○ Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).</li> <li>○ Installing Energy Star® appliances and energy-efficient vending machines.</li> <li>○ Improving water use efficiency, including a schedule to replace or retrofit system components</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p>with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).</p> <ul style="list-style-type: none"> <li>○ Installing irrigation control systems which maximize water use efficiency and minimize off- peak use.</li> <li>○ Adopting an accelerated replacement schedule for energy inefficient systems and components.</li> <li>● Ensure that staff receives appropriate training and support to implement objectives and policies to reduce GHG emissions, including:             <ul style="list-style-type: none"> <li>○ Providing energy efficiency training to design, engineering, building operations, and maintenance staff.</li> <li>○ Providing information on energy use and management, including data from the tracking and management system, to managers and others making decisions that influence energy use.</li> <li>○ Providing energy design review services to departments undertaking new construction or renovation projects, to facilitate compliance with LEED standards.</li> </ul> </li> <li>● Maximize efficiency at drinking water treatment, pumping, and distribution facilities, including development of off-peak demand schedules for heavy commercial and industrial users.</li> <li>● Establish a replacement policy and schedule to replace fleet vehicles and equipment with the most fuel-efficient vehicles practical, including gasoline hybrid and alternative fuel or electric models.</li> <li>● Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of</li> </ul>				



<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p>electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.</p> <ul style="list-style-type: none"> <li>• Implement measures to reduce employee vehicle trips and to mitigate emissions impacts from municipal travel.</li> <li>• Conduct a comprehensive inventory and analysis of the urban forest, and coordinate tree maintenance responsibilities with all responsible departments, consistent with best management practices.</li> <li>• Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping and will install or replace vegetation with drought-tolerant, low- maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects.</li> <li>• Implement enhanced programs to divert solid waste from landfill operations, by:               <ul style="list-style-type: none"> <li>○ Establishing a diversion target which meets or exceeds AB 939 requirements.</li> <li>○ Promoting and expanding recycling programs, purchasing policies, and employee education to reduce the amount of waste produced.</li> </ul> </li> <li>• Reduce per capita water consumption consistent with state law by 2020.</li> <li>• Establish a water conservation plan that may include such policies and actions as:               <ul style="list-style-type: none"> <li>○ Maintaining and refining the City's tiered rate structure for water use.</li> <li>○ Establishing restrictions on time of use for landscape watering, or other demand management strategies.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.</li> <li>• Establish programs and policies to increase the use of recycled water, including:               <ul style="list-style-type: none"> <li>○ Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.</li> </ul> </li> <li>• Ensure that building standards and permit approval processes promote and support water conservation, by:               <ul style="list-style-type: none"> <li>○ Establishing building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).</li> <li>○ Establishing menus and checklists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low-flow toilets and shower heads, moisture-sensing irrigation, and other such advances.</li> </ul> </li> <li>• Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall schedule recycling drop-off events and neighborhood chipping/mulching days.</li> <li>• Organize workshops on steps to increase energy efficiency in the home or business, such as weatherizing the home or building envelope, installing smart lighting systems, and how to conduct a self-audit for energy use and efficiency.</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p><b>6-3</b> The City of Ontario will amend the Municipal Code within 18 months after adopting The Ontario Plan, with provisions implementing the following GHG emission reduction concepts:</p> <ul style="list-style-type: none"> <li>• Increase densities in urban core areas to support public transit, by, among other means:               <ul style="list-style-type: none"> <li>○ Removing barriers to the development of accessory dwelling units in existing residential neighborhoods.</li> </ul> </li> <li>• Reduce required road width standards wherever feasible to calm traffic and encourage alternative modes of transportation.</li> <li>• Add bicycle facilities to city streets and public spaces, where feasible.</li> <li>• Promote infill, mixed-use, and higher density development, and provide incentives to support the creation of affordable housing in mixed use zones.</li> <li>• Plan for and create incentives for mixed-use development.</li> <li>• Identify sites suitable for mixed-use development and establish appropriate site- specific standards to accommodate mixed uses which could include:               <ul style="list-style-type: none"> <li>○ Increasing allowable building height or allow height limit bonuses, in appropriate areas and where safe to do so.</li> <li>○ Allowing flexibility in applying development standards (such as FAR2 and lot coverage) based on the location, type, and size of the units, and the design of the development.</li> <li>○ Allowing reduced and shared parking based on the use mix, and availability of and proximity to public transit stops.</li> </ul> </li> </ul>	<p>City of Ontario Planning Department</p>	<p>Within 18 months of adopting The Ontario Plan</p>	<p>City of Ontario Planning Department</p>	

**Table 3-1  
 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Allowing for tandem parking, shared parking and off-site parking leases.</li> <li>• Enable prototype mixed-use structures for use in neighborhood center zones that can be adapted to new uses over time with minimal internal remodeling.</li> <li>• Identify and facilitate the inclusion of complementary land uses not already present in local zoning districts, such as supermarkets, parks and recreational fields, schools in neighborhoods, and residential uses in business districts, to reduce the vehicle miles traveled and promote bicycling and walking to these uses.</li> <li>• Revise zoning ordinance(s) to allow local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers to minimize midday vehicle use.</li> <li>• Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.</li> <li>• Implement a Housing Overlay Zone for residential properties at transit centers and along transit corridors. This may include average minimum residential densities of 25 units per acre within one quarter miles of transit centers; average minimum densities of 15 units per acre within one quarter mile of transit corridors; and minimum FAR of 0.5:1 for non- residential uses within a quarter mile of transit centers or corridors.</li> <li>• Identify transit centers appropriate for mixed-use development, and promote transit-oriented, mixed-use development within these targeted areas, by:               <ul style="list-style-type: none"> <li>○ Providing maximum parking standards and flexible building height limitations.</li> <li>○ Providing density bonus programs.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.</li> <li>○ Discouraging auto-oriented development.</li> <li>• Ensure new development is designed to make public transit a viable choice for residents, including:               <ul style="list-style-type: none"> <li>○ Locating medium to high density development near activity centers that can be served efficiently by public transit and alternative transportation modes.</li> <li>○ Locating medium to high density development near streets served by public transit whenever feasible.</li> <li>○ Linking neighborhoods to bus stops by continuous sidewalks or pedestrian paths.</li> </ul> </li> <li>• Develop form-based community design standards to be applied to development projects and land use plans, for areas designated mixed-use.</li> <li>• Create and preserve distinct, identifiable neighborhoods whose characteristics support pedestrian travel, especially within, but not limited to, mixed-use and transit-oriented development areas, by:               <ul style="list-style-type: none"> <li>○ Designing or maintaining neighborhoods where the neighborhood amenities can be reached in approximately five minutes of walking.</li> <li>○ Encouraging pedestrian-only streets and/or plazas within developments, and destinations that may be reached conveniently by public transportation, walking, or bicycling.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Allowing flexible parking strategies in neighborhood activity centers to foster a pedestrian-oriented streetscape.</li> <li>○ Providing continuous sidewalks with shade trees and landscape strips to separate pedestrians from traffic.</li> <li>○ Encouraging neighborhood parks and recreational centers near concentrations of residential areas (preferably within one quarter mile) and include pedestrian walkways and bicycle paths that encourage non- motorized travel.</li> <li>● Ensure pedestrian access to activities and services, especially within, but not limited to, mixed-use and transit- oriented development areas, by:             <ul style="list-style-type: none"> <li>○ Ensuring new development that provides pedestrian connections in as many locations as possible to adjacent development, arterial streets, and thoroughfares.</li> <li>○ Ensuring a balanced mix of housing, workplaces, shopping, recreational opportunities, and institutional uses, including mixed-use structures.</li> <li>○ Locating schools in neighborhoods, within safe and easy walking distances of residences served.</li> <li>○ Encouraging new development in which primary entrances are pedestrian entrances, with automobile entrances and parking located to the rear.</li> <li>○ Supporting development where automobile access to buildings does not impede pedestrian access, by consolidating driveways between buildings or developing alley access.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Utilizing street parking as a buffer between sidewalk pedestrian traffic and the automobile portion of the roadway.</li> <li>○ Prioritizing the physical development of pedestrian connectors for existing areas that do not meet established connectivity standards.</li> <li>• Mitigate climate change by decreasing heat gain from pavement and other hard surfaces associated with infrastructure.</li> <li>• Reduce heat gain from pavement and other similar hardscaping, by:               <ul style="list-style-type: none"> <li>○ Including low-water landscaping in place of hardscaping around transportation infrastructure and in parking areas.</li> <li>○ Establishing standards that provide for pervious pavement options.</li> <li>○ Removing obstacles to natural, drought tolerant landscaping and low-water landscaping.</li> </ul> </li> <li>• Coordinate with appropriate agencies to create an interconnected transportation system that allows a shift in travel from private passenger vehicles to alternative modes, including public transit, ride sharing, car-sharing, bicycling and walking, including, but not limited to:               <ul style="list-style-type: none"> <li>○ Providing safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.</li> </ul> </li> <li>• Upgrade and maintain the following transit system infrastructure to enhance public use, including:               <ul style="list-style-type: none"> <li>○ Ensuring transit stops and bus lanes are safe, convenient, clean and efficient.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Ensuring transit stops have clearly marked street-level designation and are accessible.</li> <li>○ Ensuring transit stops are safe, sheltered, benches are clean, and lighting is adequate.</li> <li>○ Working with transit providers to place transit stations along transit corridors within mixed-use or transit- oriented development areas at intervals appropriate for the mode of transit.</li> <li>● Facilitate employment opportunities that minimize the need for private vehicle trips, by:               <ul style="list-style-type: none"> <li>○ Amending zoning ordinances and the Development Code to include live/work sites and satellite work centers in appropriate locations.</li> <li>○ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.</li> </ul> </li> <li>● Establish standards for new development and redevelopment projects to support bicycle use, including:               <ul style="list-style-type: none"> <li>○ Amending the Development Code to include standards for pedestrian and bicyclist accommodations, including:                   <ul style="list-style-type: none"> <li>➤ Providing access for pedestrians and bicyclist to public transportation through construction of dedicated paths, where feasible.</li> </ul> </li> <li>○ Requiring new development and redevelopment projects to include bicycle facilities, as appropriate with the new land use, including:                   <ul style="list-style-type: none"> <li>➤ Where feasible, promote the construction of weatherproof bicycle facilities and at a minimum, provide bicycle racks or covered, secure parking near the building entrances.</li> </ul> </li> </ul> </li> </ul>				



**Table 3-1  
 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Establish a network of multi-use trails to facilitate direct off- street bicycle and pedestrian travel and will provide bike racks along these trails at secure, lighted locations.</li> <li>• Establish policies and programs to reduce onsite parking demand and promote ride-sharing and public transit at large events.</li> <li>• Require new commercial and retail developments to provide prioritized parking for electric vehicles and vehicles using alternative fuels.</li> <li>• Support and promote the use of low-and zero-emission vehicles (NEV), by:               <ul style="list-style-type: none"> <li>○ Encouraging the necessary infrastructure to facilitate the use of zero- emission vehicles and clean alternative fuels, such as electric vehicle charging facilities and conveniently located alternative fueling stations.</li> <li>○ Encouraging new construction to include vehicle access to properly wired outdoor receptacles to accommodate ZEV and/or plug in electric hybrids (PHEV).</li> <li>○ Encouraging transportation fleet standards to achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.</li> <li>○ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.</li> </ul> </li> <li>• Establish green building requirements and standards for new development and redevelopment projects, and work to provide incentives for green building practices and remove barriers that impede their use.</li> <li>• Allow increased height limits and/or flexibility in other standards for projects that incorporate energy efficient</li> </ul>				

**Table 3-1  
 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p>green building practices where not prohibited by ALUCP/FAA.</p> <ul style="list-style-type: none"> <li>• Identify and remove regulatory or procedural barriers to implementing green building practices within its jurisdiction, such as updating codes, guidelines, and zoning, and ensure that all plan review and building inspection staff are trained in green building materials, practices, and techniques.</li> <li>• Support the use of green building practices by:               <ul style="list-style-type: none"> <li>○ Establishing guidelines for green building practices in residential and commercial development.</li> <li>○ Providing incentives, which may include reduction in development fees, administrative fees, and/or expedited permit processing for projects that use green building practices.</li> </ul> </li> <li>• Adopt energy efficiency performance standards for buildings that achieve a greater reduction in energy and water use than otherwise required by current state law, including:               <ul style="list-style-type: none"> <li>○ Standards for the installation of "cool roofs".</li> <li>○ Standards for improved overall efficiency of lighting systems.</li> <li>○ Requirements for the use of Energy Star appliances and fixtures in discretionary new development.</li> <li>○ Requirements for new residential lots and/or structures to be arranged and oriented to maximize effective use of passive solar energy.</li> </ul> </li> <li>• Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>• Identify possible sites for production of renewable energy (such as solar, wind, small hydro, and biogas).</li> <li>• Identify and remove or otherwise address barriers to renewable energy production, including:               <ul style="list-style-type: none"> <li>○ Reviewing and revising building and development codes, design guidelines, and zoning ordinances to remove renewable energy production barriers.</li> <li>○ Working with related agencies, such as fire, water, health and others that may have policies or requirements that adversely impact the development or use of renewable energy technologies.</li> <li>○ Developing protocols for safe storage of renewable and alternative energy products with the potential to leak, ignite or explode, such as biodiesel, hydrogen, and/or compressed air.</li> </ul> </li> <li>• Allow renewable energy projects in areas zoned for open space, where consistent with the Land Use element, and other uses and values.</li> <li>• Promote and encourage renewable energy generation, and co-generation projects where feasible and appropriate.</li> <li>• Require that, where feasible, all new buildings be constructed to allow for easy, cost-effective installation of solar energy systems in the future, using such “solar-ready” features as:               <ul style="list-style-type: none"> <li>○ Optimal roof orientation (between 20 to 55 degrees from the horizontal), with sufficient south-sloped roof surface, where such buildings architecture and construction are designed for sloped roofs.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Clear access without obstructions (chimneys, heating and plumbing vents, etc.) on the south sloped roof.</li> <li>○ Roof framing that will support the addition of solar panels.</li> <li>○ Installation of electrical conduit to accept solar electric system wiring.</li> <li>○ Installation of plumbing to support a solar hot water system and provision of space for a solar hot water storage tank.</li> <li>• Require that any building constructed in whole or in part with City funds incorporate passive solar design features, such as daylighting and passive solar heating, where feasible.</li> <li>• Prepare and implement a comprehensive plan to improve energy efficiency of municipal facilities, including:               <ul style="list-style-type: none"> <li>○ Conducting energy audits.</li> <li>○ Retrofitting municipal facilities for energy efficiency where feasible and when remodeling or replacing components, including increased insulation, installing green or reflective roofs and low-emissive window glass.</li> <li>○ Implementing an energy tracking and management system for its municipal facilities.</li> <li>○ Installing energy-efficient exit signs, street signs, and traffic lighting, subject to life/safety considerations.</li> <li>○ Installing energy-efficient lighting retrofits and occupancy sensors, and institute a "lights out at night" policy, subject to life/safety considerations.</li> </ul> </li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Retrofitting heating and cooling systems to optimize efficiency (e.g., replace chillers, boilers, fans, pumps, belts, etc.).</li> <li>○ Installing Energy Star® appliances and energy-efficient vending machines.</li> <li>○ Improving water use efficiency, including a schedule to replace or retrofit system components with high- efficiency units (i.e., ultra-low-flow toilets, fixtures, etc.).</li> <li>○ Installing irrigation control systems maximizing water use efficiency and minimizing off- peak use.</li> <li>○ Adopting an accelerated replacement schedule for energy inefficient systems and components.</li> <li>● Require that any newly constructed, purchased, or leased municipal space meet minimum standards, such as:             <ul style="list-style-type: none"> <li>○ The Energy Star® New Homes Program established by U.S. EPA.</li> <li>○ The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.</li> </ul> </li> <li>● Reduce per capita water consumption consistent with state law by 2020.</li> <li>● Establish a water conservation plan that may include such policies and actions as:             <ul style="list-style-type: none"> <li>○ Maintaining and refining the City's tiered rate structure for water use.</li> <li>○ Establishing restrictions on time of use for landscape watering, or other demand management strategies.</li> </ul> </li> </ul>				

**Table 3-1  
 Mitigation Monitoring Requirements**

<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.</li> <li>● The City will establish programs and policies to increase the use of recycled water, including:               <ul style="list-style-type: none"> <li>○ Promoting the use of recycled water for agricultural, industrial, and irrigation purposes, including grey water systems for residential irrigation.</li> </ul> </li> <li>● Ensure that building standards and permit approval processes promote and support water conservation, by:               <ul style="list-style-type: none"> <li>○ Establishing building design guidelines and criteria to promote water-efficient building design, including minimizing the amount of non-roof impervious surfaces around the building(s).</li> <li>○ Establishing menus and check-lists for developers and contractors to ensure water-efficient infrastructure and technology are used in new construction, including low- flow toilets and shower heads, moisture-sensing irrigation, and other such advances.</li> </ul> </li> <li>● Install water-efficient landscapes and irrigation, including:               <ul style="list-style-type: none"> <li>○ Requiring planting drought-tolerant and native species and covering exposed dirt with moisture-retaining mulch or other materials such as decomposed granite.</li> <li>○ Requiring the installation of water-efficient irrigation systems and devices, including advanced technology such as moisture-sensing irrigation controls.</li> </ul> </li> <li>● Promote the planting of shade trees and establish shade tree guidelines and specifications, including:</li> </ul>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<ul style="list-style-type: none"> <li>○ Establishing guidelines for tree planting based on the land use (residential, commercial, parking lots, etc.).</li> <li>○ Establishing guidelines for tree types based on species size, branching patterns, whether deciduous or evergreen, whether roots are invasive, etc.</li> <li>○ Establishing tree guidelines for placement, including distance from structures, density of planting, and orientation relative to structures and the sun.</li> <li>● Develop an Urban Forestry Program to consolidate policies and ordinances regarding tree planting, maintenance, and removal, including:               <ul style="list-style-type: none"> <li>○ Establishing guidelines for tree planting, including criteria for selecting deciduous or evergreen trees low-VOC- producing trees, and emphasizing the use of drought- tolerant native trees and vegetation.</li> </ul> </li> </ul>				
<b>6-4</b> Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).	City of Ontario Planning Department	Prior to adoption of the Climate Action Plan	City of Ontario Planning Department	
<b>6-5</b> Pursuant to a goal of overall consistency with the Sustainable Communities Strategies, the City of Ontario shall evaluate new development for consistency with the development pattern set forth in the Sustainable Communities Strategies plan, upon adoption of the plan by the Southern California Association of Governments.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
<b>6-6</b> The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	
<b>5.12 NOISE</b>				

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p><b>12-1</b> Prior to the issuance of building permits for any project that involves a noise-sensitive use within the 65 dBA CNEL contour along major roadways, freeways, railroads, or the Los Angeles/Ontario International Airport, the project property owner/developers shall retain an acoustical engineer to conduct an acoustic analysis and identify, where appropriate, site design features (e.g., setbacks, berms, or sound walls) and/or required building acoustical improvements (e.g., sound transmission class rated windows, doors, and attic baffling), to ensure compliance with the City's Noise Compatibility Criteria and the California State Building Code and California Noise Insulation Standards (Title 24 and 21 of the California Code of Regulations).</p>	<p>City of Ontario Planning/Building Department in coordination with the Landowner/Project Applicant</p>	<p>Prior to individual project approvals</p>	<p>City of Ontario Planning/Building Department</p>	
<p><b>12-2</b> Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near sensitive receptors shall be evaluated for potential vibration impacts. If construction-related vibration is determined to be perceptible at vibration-sensitive uses (i.e., exceed the Federal Transit Administration vibration-annoyance criteria of 78 VdB during the daytime), additional requirements, such as use of less vibration intensive equipment or construction techniques, shall be implemented during construction (e.g., drilled piles to eliminate use of vibration-intensive pile driver).</p>	<p>City of Ontario Planning/Building/MUA Department in coordination with the Landowner/Project Applicant's construction contractor</p>	<p>During construction</p>	<p>City of Ontario Building/MUA Department</p>	
<p><b>12-3</b> Prior to the issuance of building permits for any project that involves a vibration-sensitive use directly adjacent to the Union Pacific Railroad or Southern California Regional Rail Authority main lines shall retain an acoustical engineer to evaluate potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, or steel, or masonry materials to ensure that levels of vibration amplification are within acceptable limits to building occupants, shall be implemented. Pursuant to the Federal Transit Administration vibration-annoyance criteria, these acceptable limits are 78 VdB during the daytime and 72 VdB</p>	<p>City of Ontario Planning/Building Department with collaboration with the Landowner/Project Applicant</p>	<p>Prior to individual project approvals</p>	<p>City of Ontario Building Department</p>	



<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.				
<b>12-4</b> Construction activities associated with new development that occurs near sensitive receptors shall be evaluated for potential noise impacts. Mitigation measures such as installation of temporary sound barriers for adjacent construction activities that occur adjacent to occupied noise-sensitive structures, equipping construction equipment with mufflers, and reducing non-essential idling of construction equipment to no more than five minutes shall be incorporated into the construction operations to reduce construction-related noise to the extent feasible.	City of Ontario Building/Planning/MUA Department in coordination with the Landowner/Project Applicant's construction contractor	During construction	City of Ontario Building/Planning/MUA Department	
<b>5.16 TRANSPORTATION AND CIRCULATION</b>				
<b>16-1</b> The Mobility Element of the Ontario Plan shall be consistent with the traffic study prepared by Kimley-Horn and Associates in 2009. Table 5.16-6 in Section 5.16, <i>Transportation and Traffic</i> , shows the recommended lane geometry for the Proposed Land Use Plan.	City of Ontario Engineering/Planning Department	Ongoing	City of Ontario Engineering/Planning Department	
<b>5.17 UTILITIES AND SERVICE SYSTEMS</b>				
<b>17-1</b> The City shall include a policy in the Policy Plan that requires water conservation measures for development projects to improve water use efficiency and reduce overall water demand. Reduce potable water demand, through conservation measures, including but not limited to: <ul style="list-style-type: none"> <li>• Work cooperatively with all developers to incorporate conservation measures into project designs (such as those recommended by the California Urban Water Conservation Council).</li> <li>• Continue to develop and implement drought contingency plans to assist citizens and businesses</li> </ul>	City of Ontario Planning/MUA Department	Ongoing	City of Ontario Planning/MUA/Engineering Department	

<b>Table 3-1 Mitigation Monitoring Requirements</b>				
<b>Mitigation Measure</b>	<b>Responsibility for Implementation</b>	<b>Timing</b>	<b>Responsibility for Monitoring</b>	<b>Monitor (Signature Required) (Date of Compliance)</b>
<p>reduce water use during water shortages and emergencies.</p> <ul style="list-style-type: none"> <li>Revise the City Code to include a Water-Efficient Landscape Ordinance to encourage or, as appropriate, require the use of water-efficient landscaping consistent with AB 1881.</li> </ul>				
<p><b>17-2</b> The City shall include a policy in the Policy Plan that maximizes the use of recycled water as an irrigation (nonpotable) source for landscaping, parks, and other irrigation opportunities in all areas of the City and requires use of recycled water in dual-system office and industrial uses in selected urban areas of the City, where available and feasible.</p>	<p>City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department</p>	<p>Ongoing</p>	<p>City of Ontario Planning/MUA/Engineering Department</p>	
<p><b>17-3</b> The City shall include a policy in the Policy Plan that the City participate through the Chino Basin Water Master and the Inland Empire Utilities Agency in regional efforts to develop finding additional sources of water for groundwater recharge, such as capture of stormwater runoff, recycled water, or other sources to ensure that the Chino Basin stays in long-term hydraulic balance and sustainability and that adequate additional local water sources would be available to increase the flexibility of the City's water supply.</p>	<p>City of Ontario Planning Department in coordination with City of Ontario MUA/Engineering Department</p>	<p>Ongoing</p>	<p>City of Ontario Planning/MUA/Engineering Department</p>	

**ATTACHMENT B:**  
**Traffic Impact Analysis**

*(Document to follow this page)*



**TJW ENGINEERING, INC.**  
TRAFFIC ENGINEERING &  
TRANSPORTATION PLANNING  
CONSULTANTS

August 27, 2020

Mr. William D. Vogel  
VOGEL PROPERTIES, INC.  
300 Paseo Tesoro  
Walnut, CA 91789

**Subject: 3555 E Airport Drive Focused Traffic Analysis, City of Ontario**

Dear Mr. Vogel,

TJW ENGINEERING, INC. (TJW) is pleased to present you with this focused traffic analysis for the proposed 3555 E. Airport Drive Project. The proposed project is located at the northeast corner of the intersection of Airport Drive and Haven Avenue in the City of Ontario.

This focused traffic analysis has been prepared to analyze project trip generation and assess the performance of a single westbound right turn lane compared to dual westbound right turn lanes at the intersection of Airport Drive and Haven Avenue. This report is being submitted to you for review and forwarding to the City of Ontario.

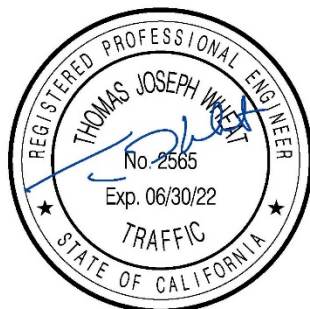
Please contact us at (949) 878-3509 if you have any questions regarding this analysis.

Sincerely,

Thomas Wheat, PE, TE  
President

David Chew, PTP  
Transportation Planner

Registered Civil Engineer #69467  
Registered Traffic Engineer #2565



Jeffrey Chinchilla, PE  
Project Engineer

6 Venture, Suite 225 | Irvine, California 92618 | t: (949) 878-3509  
[www.tjwengineering.com](http://www.tjwengineering.com)

## 1.1 PROJECT DESCRIPTION

The project is located at the northeast corner of the intersection of Airport Drive and Haven Avenue in the City of Ontario. According to the California Commerce Center Specific Plan, the site's current designated land use is Commercial/Food/Hotel. The proposed project would change the designated land use to Industrial.

The proposed project consists of 201,491 square foot building consisting of 198,991 square feet of warehouse use and 5,000 square feet of office use. Site access is planned along Airport Drive via one full-access driveway and one right-in-right-out driveway. The proposed project is anticipated to be built and generating trips in 2022. The proposed project location and project site plan are provided in the appendix.

## 1.2 PROJECT TRIP GENERATION ANALYSIS

Trip generation represents the amount of traffic, both inbound and outbound, produced by a development. Determining trip generation for a proposed project is based on projecting the amount of traffic that the specific land uses being proposed will produce. Industry standard *Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition, 2017)* trip generation rates were used to determine trip generation for the proposed project land uses.

**Table 1** summarizes the projected AM peak hour, PM peak hour and daily trip generation of the proposed project. The proposed project is projected to generate 423 daily trips, 43 AM peak hour trips, and 49 PM peak hour trips.

According to the California Commerce Center Specific Plan, the site's current designated land use is Commercial/Food/Hotel. The proposed project would change the designated land use to Industrial. Due to the change in land use, a trip generation analysis has been prepared to determine net differences in trip generation forecasts. **Table 2** summarizes the projected net difference between the proposed project trip generation and the California Commerce Center Specific Plan land use designation trip generation. A projected net difference of -7,183 daily trips, -146 AM peak hour trips, and -719 PM peak hour trips is expected between designated and proposed land uses.

**Table 1**  
*Proposed Project Trip Generation*

Proposed Land Use <sup>1</sup>	Qty	Unit <sup>2</sup>	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
<b>Total</b>	<b>201.49</b>	<b>TSF</b>		<b>423</b>			<b>33</b>	<b>10</b>	<b>43</b>			<b>14</b>	<b>35</b>	<b>49</b>

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

**Table 2**  
*Net Difference in Trip Generation*

Land Use <sup>1</sup>	Qty	Unit <sup>2</sup>	Daily Trips (ADTs)		AM Peak Hour					PM Peak Hour				
			Rate	Volume	Rate	In:Out Split	Volume			Rate	In:Out Split	Volume		
							In	Out	Total			In	Out	Total
<b>Proposed Project</b>														
Warehousing (150)	196.49	TSF	1.74	342	0.17	77:23	25	8	33	0.19	27:73	10	27	37
Small Office (712)	5.00	TSF	16.19	81	1.92	83:17	8	2	10	2.45	32:68	4	8	12
Total		TSF		423			33	10	43			14	35	49
<b>Designated Land Use</b>														
Shopping Center/Commercial (820)	201.49	TSF	37.75	7,606	0.94	62:38	117	72	189	3.81	48:52	369	399	768
<b>Net Difference</b>				<b>-7,183</b>			<b>-84</b>	<b>-62</b>	<b>-146</b>			<b>-355</b>	<b>-364</b>	<b>-719</b>

1: Rates from ITE Trip Generation (10th Edition, 2017)

2: TSF = Thousand Square Feet

## 1.2 INTERSECTION ANALYSIS METHODOLOGY

Level of Service (LOS) is commonly used to describe the quality of flow on roadways and at intersections using a range of LOS from LOS A (free flow with little congestion) to LOS F (severely congested conditions). The definitions for LOS for interruption of traffic flow differ depending on the type of traffic control (traffic signal, unsignalized intersection with side street stops, unsignalized intersection with all-way stops). The *Highway Capacity Manual (HCM) 6* (Transportation Research Board, 2016) methodology expresses the LOS of an intersection in terms of delay time for the intersection approaches. The HCM methodology utilizes different procedures for different types of intersection control.

The City of Ontario and Caltrans traffic impact study guidelines require signalized intersection operations be analyzed utilizing the HCM 6<sup>th</sup> Edition methodology. Intersection LOS for signalized intersections is based on the intersections average control delay for all movements at the intersection during the peak hour. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay.

**Table 3** describes the general characteristics of traffic flow and accompanying delay ranges at signalized intersections.

**Table 3**  
*HCM – LOS & Delay Ranges – Signalized Intersections*

Level Of Service	Description	Delay (in seconds)
A	Very favorable progression; most vehicles arrive during green signal and do not stop. Short cycle lengths.	0 – 10.00
B	Good progression, short cycle lengths. More vehicles stop than for LOS A.	10.01 – 20.00
C	Fair progression; longer cycle lengths. Individual cycle failures may begin to appear. The number of vehicles stopping is significant, though many vehicles still pass through without stopping.	20.01 – 35.00
D	Progression less favorable, longer cycle length and high flow/capacity ratio. The proportion of vehicles that pass through without stopping diminishes. Individual cycle failures are obvious.	35.01 – 55.00
E	Severe congestion with some long standing queues on critical approaches. Poor progression, long cycle lengths and high flow/capacity ratio. Individual cycle failures are frequent.	55.01 – 80.00
F	Very poor progression, long cycle lengths and many individual cycle failures. Arrival flow rates exceed capacity of intersection.	> 80.01

Source: Transportation Research Board, *Highway Capacity Manual*, HCM6 Edition (Washington D.C., 2016).

Collected peak hour traffic volumes have been adjusted using a peak hour factor (PHF) to reflect peak 15-minute volumes. It is a common practice in LOS analysis to conservatively use a peak 15-minute flow rate applied to the entire hour to derive flow rates in vehicles per hour that are used in the LOS analysis. The PHF is the relationship between the peak 15-minute flow rate and the full hourly volume.  $PHF = \frac{\text{Hourly Volume}}{\text{Peak 15-minute flow rate}}$



[4 \* Peak 15-Minute Volume]. The use of a 15-minute PHF produces a more detailed and conservative analysis compared to analyzing vehicles per hour. Existing PHFs, obtained from the existing traffic counts have been used for all analysis scenarios in this study.

### 1.3 TRAFFIC COUNTS AND VOLUME DEVELOPMENT

Due to the ongoing effects of COVID-19, traffic volumes have been lower than average. To account for abnormal traffic volumes, a 2% growth rate was applied to historical traffic counts from November of 2019 to establish existing 2020 volumes. A growth rate of 2% was applied to existing 2020 volumes to develop project opening year and buildout year volumes.

Existing (2020) = [Historical (2019) Counts \* 1.02<sup>1</sup>]

Project Opening Year (2022) = [Existing (2020) Volumes \* 1.02<sup>2</sup>]

Buildout Year (2040) = [Existing (2020 Volumes) \* 1.02<sup>20</sup>]

Traffic volumes were converted into Passenger Car Equivalent (PCEs) utilizing the following factors:

- 2-axle trucks: 2.0 PCE
- 3-axle trucks: 2.5 PCE
- 4+ axle trucks: 3.0 PCE

### 1.4 PROJECT OPENING YEAR (2022) CONDITIONS LANE CONFIGURATION ANALYSIS

The *City of Ontario General Plan Update Transportation Technical Report* recommends the following westbound approach configuration for the intersection of Airport Drive and Haven Avenue:

- 2 left turn lanes, 3 through lanes, and 2 right turn lanes.

Due to the decrease in projected trip generation, a lane configuration analysis was conducted to determine the need for two right turn lanes as recommended in the *Transportation Technical Report*.

*Project opening year* conditions AM and PM peak hour intersection analysis is shown in **Table 4**. Calculations are based on the lane configuration shown in **Exhibit 1**. **Exhibit 1** also shows *project opening year* AM and PM peak hour volumes at the study intersection of Airport Drive and Haven Avenue. HCM analysis sheets are provided in the appendix.

Traffic operations are evaluated for the following time periods:

- Weekday AM Peak Hour occurring within 7:00 AM to 9:00 AM; and
- Weekday PM Peak Hour occurring within 4:00 PM to 6:00 PM.

**Table 4**  
*Intersection Analysis – Opening Year Conditions*

Intersection		Control Type	Peak Hour	Opening Year Conditions				
				1 WBR Lanes		2 WBR Lanes		
				Delay <sup>1</sup>	LOS	Delay <sup>1</sup>	LOS	
1	Airport Dr	Haven Ave	Signal	AM	32.5	C	32.1	C
				PM	53.8	D	44.2	D

1: Delay shown in seconds per vehicle. Per the Highway Capacity Manual 6<sup>th</sup> Edition, overall average delay and LOS are shown for signalized intersections.  
Note: WBR = Westbound Right

Policy 12.2 of the *City of Ontario General Plan Infrastructure Element* indicates that LOS E should be maintained at intersections. As shown in **Table 4**, the study intersection is projected to operate at an acceptable LOS during the AM and PM peak hours for *opening year* conditions for both single and dual westbound right lane configurations.

### 1.5 BUILDOUT YEAR (2040) CONDITIONS LANE CONFIGURATION ANALYSIS

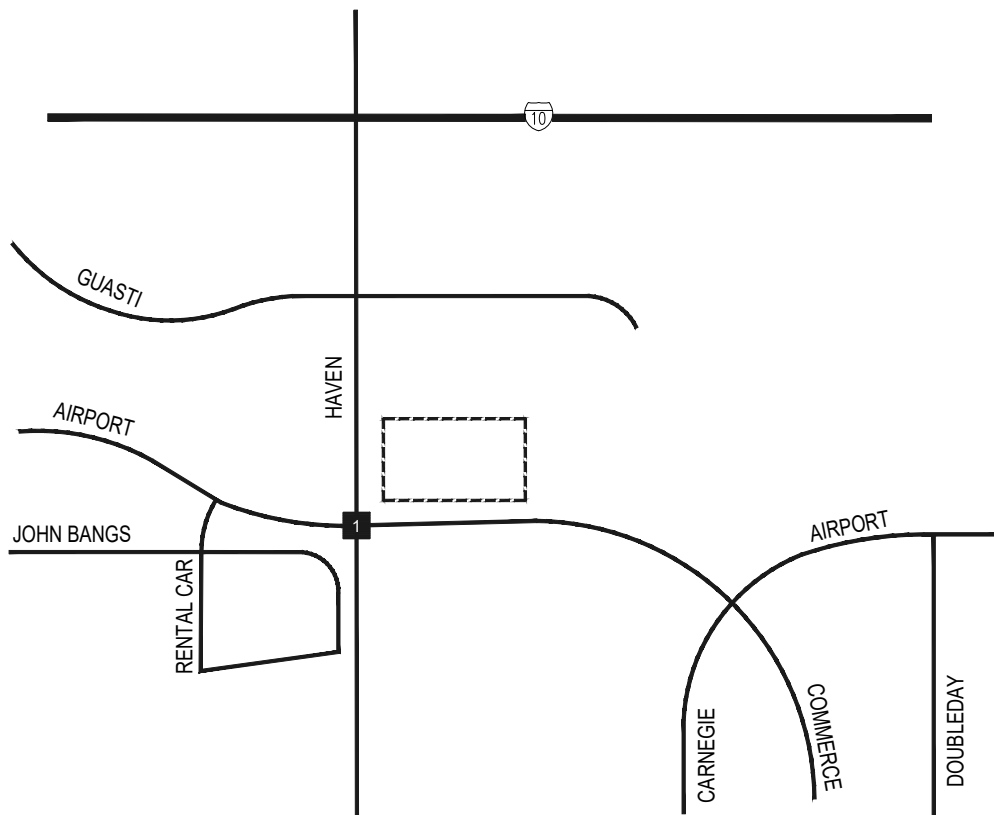
*Buildout year* conditions AM and PM peak hour intersection analysis is shown in **Table 5**. Calculations are based on the lane geometry shown in **Exhibit 2**. **Exhibit 2** also shows *buildout year* AM and PM peak hour volumes at the study intersection. HCM analysis sheets are provided in the appendix.

**Table 5**  
*Intersection Analysis – Buildout Year Conditions*

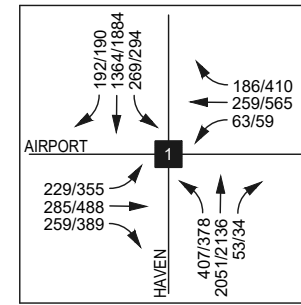
Intersection		Control Type	Peak Hour	Buildout Year Conditions				
				1 WBR Lanes		2 WBR Lanes		
				Delay <sup>1</sup>	LOS	Delay <sup>1</sup>	LOS	
1	Airport Dr	Haven Ave	Signal	AM	43.9	D	40.5	D
				PM	75.8	E	67.4	E

1: Delay shown in seconds per vehicle. Per the Highway Capacity Manual 6<sup>th</sup> Edition, overall average delay and LOS are shown for signalized intersections.  
Note: WBR = Westbound Right

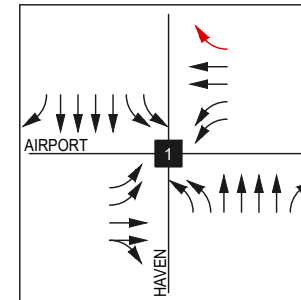
Policy 12.2 of the *City of Ontario General Plan Infrastructure Element* indicates that LOS E should be maintained at intersections. As shown in **Table 5**, the study intersection is projected to operate at an acceptable LOS during the AM and PM peak hours for *buildout year* conditions for both single and dual westbound right lane configurations.



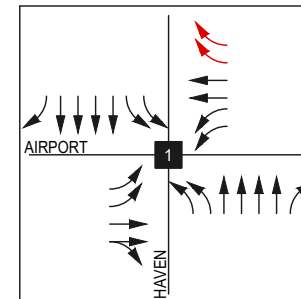
- Legend:
- XX/XX AM/PM Peak Hour Volumes
  - ← Existing Lane
  - ↪ Westbound Right Turn Lane
  - Signal-Controlled Intersection
  - Project Site



TRAFFIC VOLUMES



LANE GEOMETRY (1 WBR)

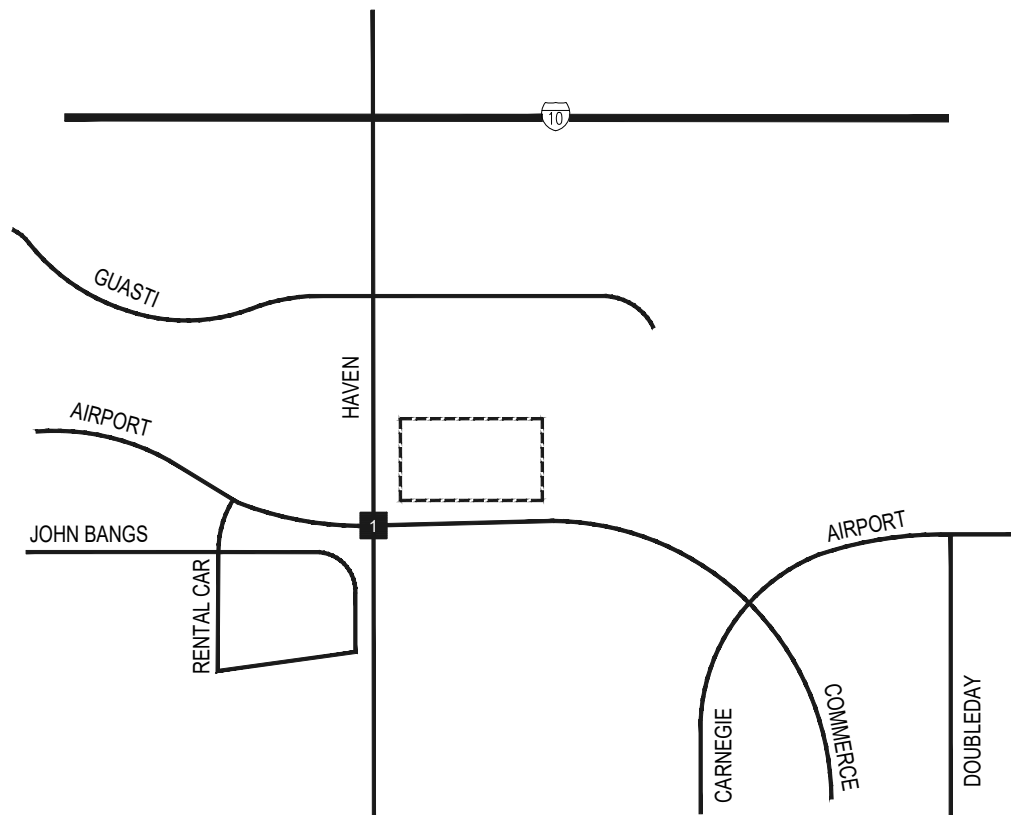


LANE GEOMETRY (2 WBR)

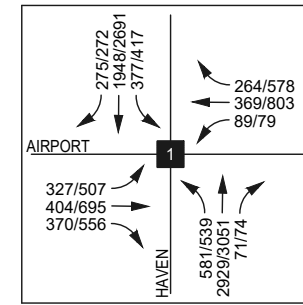


**Exhibit 1: Project Opening Year (2022) AM/PM Peak Hour Volumes and Lane Geometry**

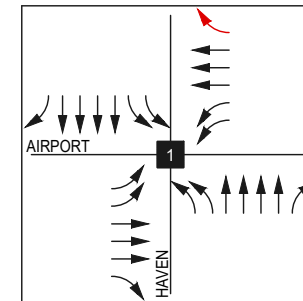




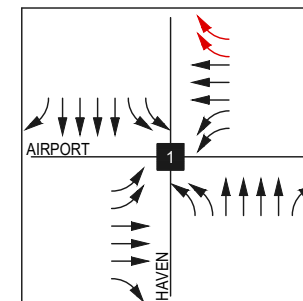
- Legend:
- XX/XX AM/PM Peak Hour Volumes
  - ← Existing Lane
  - ↪ Westbound Right Turn Lane
  - Signal-Controlled Intersection
  - Project Site



TRAFFIC VOLUMES



LANE GEOMETRY (1 WBR)



LANE GEOMETRY (2 WBR)



## Exhibit 2: Buildout Year (2040) AM/PM Peak Hour Volumes and Lane Geometry

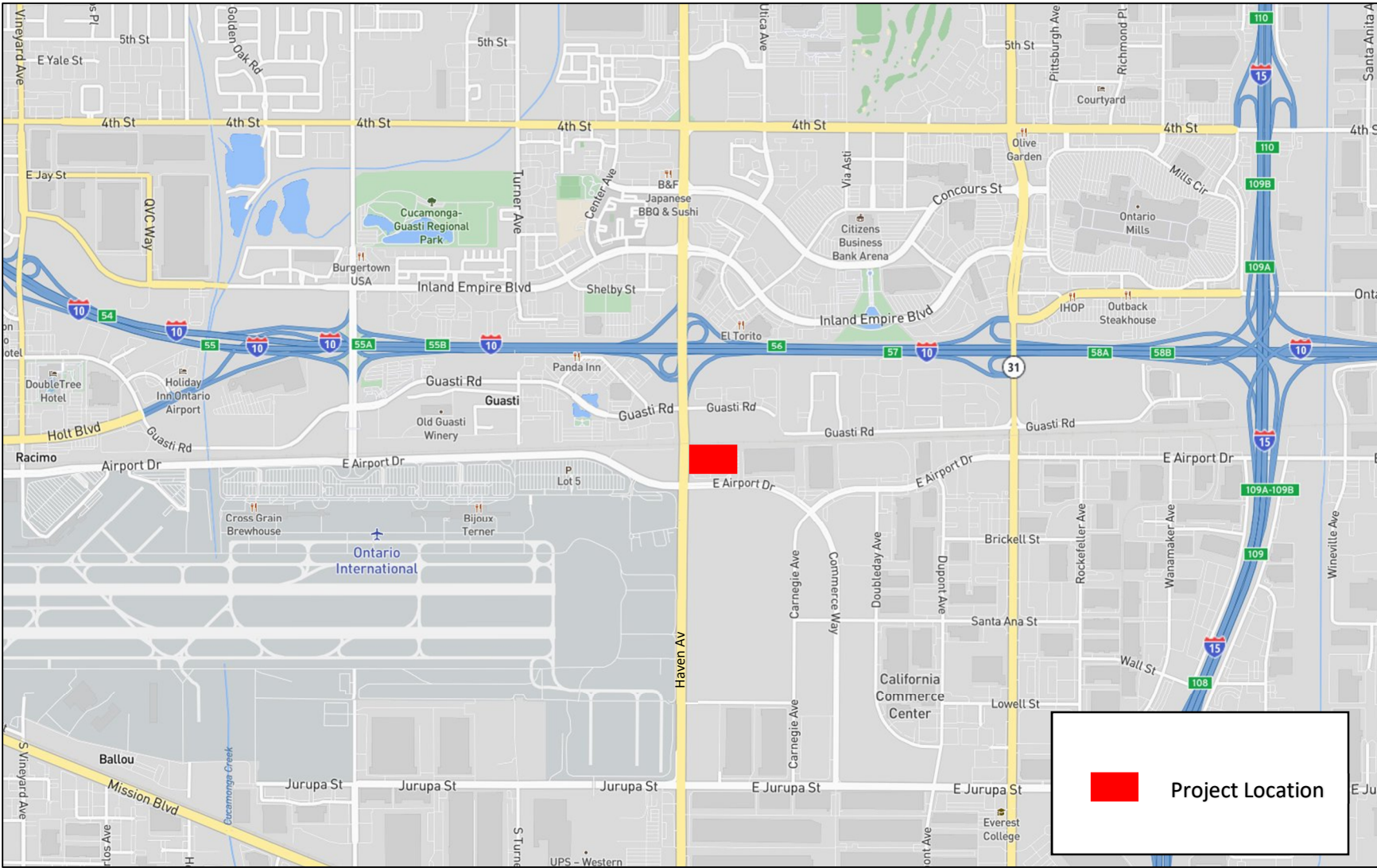


## 1.6 CONCLUSION

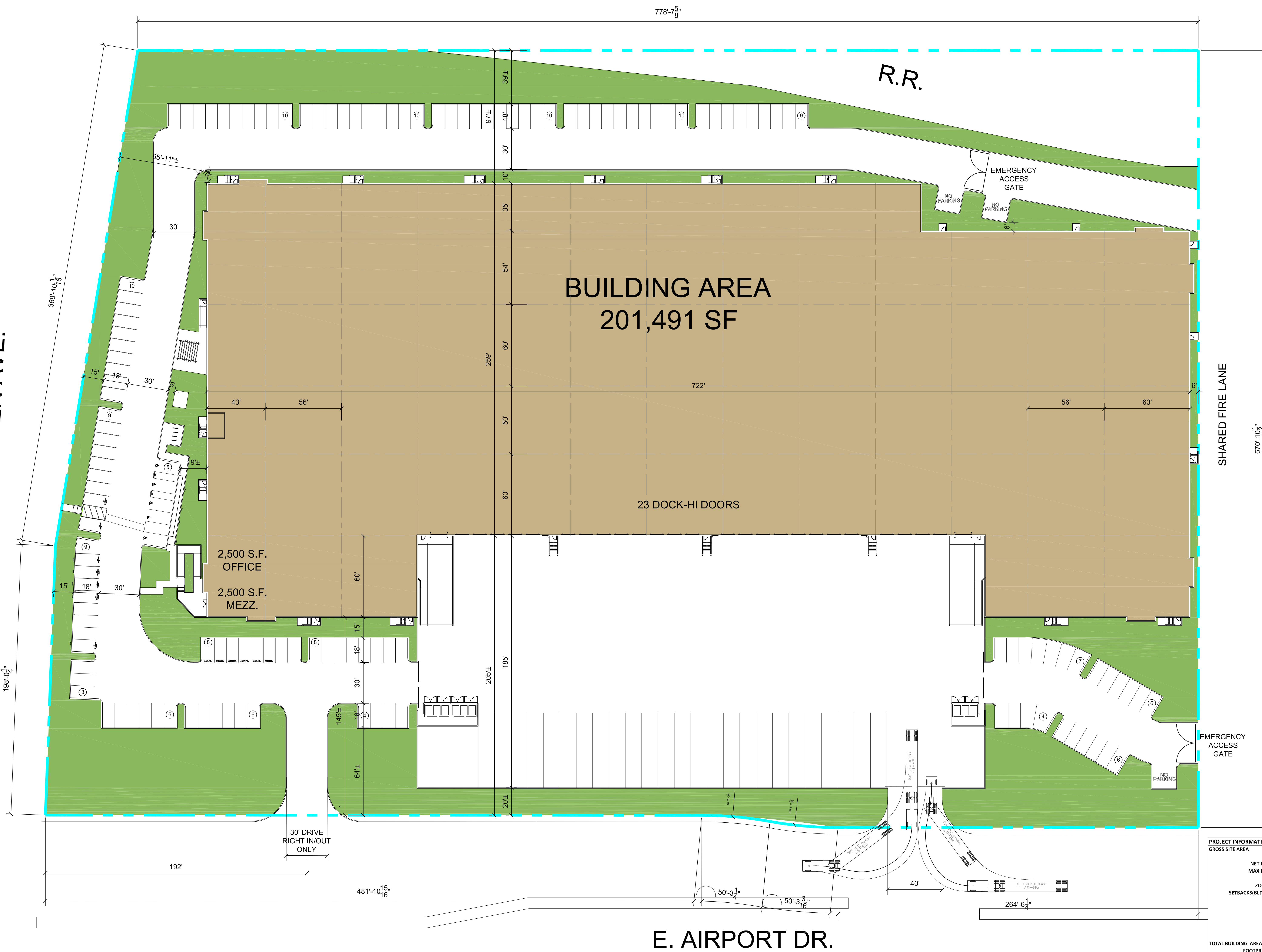
The proposed project would change the designated land use from Commercial/Food/Hotel to Industrial. A projected net difference of -7,183 daily trips, -146 AM peak hour trips, and -719 PM peak hour trips is anticipated between designated and proposed land uses.

The *City of Ontario General Plan Update Transportation Technical Report* recommends westbound dual right turn lanes at the intersection of Airport Drive/Haven Avenue. To determine if the decrease in projected trip generation would continue to warrant a second right turn lane, the intersection was analyzed with single and dual westbound right turn lane configurations. Lane configurations were analyzed for *project opening year* and *buildout year* conditions. The analysis results indicate that the intersection will operate at an acceptable LOS for *project opening year* and *buildout year* conditions with either single or dual westbound right turn lanes.

## **APPENDIX**



S. HAVEN AVE.



E. AIRPORT DR.

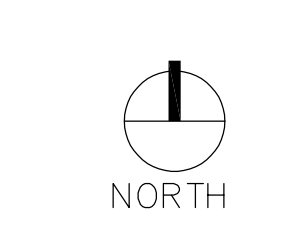
A CONCEPTUAL SITE PLAN  
SCALE: 1" = 60'

PROJECT INFORMATION		SCH 2	07.13.2020
GROSS SITE AREA	10.65 AC		469,978
NET FAR		43.4%	
MAX FAR		55.0%	
ZONE:		(I-1) INDUSTRIAL LIGHT	
SETBACKS(BLDG):			
	STREET FRONT BLDG. SETBACK (E. AIRPORT DR.)		35'
	STREET SIDE BLDG. SETBACK (S. HAVEN AVE.)		45'
	STREET FRONT LANDSCAPE SETBACK		20'
	STREET SIDE LANDSCAPE SETBACK (S. HAVEN AVE.)		15'
	INT/REAR SETBACK		0'
TOTAL BUILDING AREA			201,491 SF
FOOTPRINT			198,991 SF
	WAREHOUSE		196,491
	OFFICE		2,500
MEZZANINE			2,500
	OFFICE		2,500
TOTAL PARKING REQUIRED (9' x 18')			131
	WAREHOUSE @ 1/1,000 UP TO 20K		20
	WAREHOUSE @ 1/2,000 OVER 20K		91
	OFFICE @ 1/250 IF OVER 10%		20
PARKING PROVIDED (9' x 18')			140
	STANDARD		122
	ADA		5
	EV VAN ADA		1
	EV ADA		1
	EV		5
	CLEAN AIR		6
	TRAILER PROVIDED (12X45)		25
LANDSCAPE	REQUIRED	15.0%	69,597 SF
	PROVIDED	18.1%	83,752 SF

PROJECT VOGEL HAVEN - 3525 E AIRPORT DR  
ONTARIO, CA  
SCHEME 2  
SITE PLAN

HERDMAN  
ARCHITECTURE + DESIGN  
16201 Scientific Way  
Irvine, CA 92618  
www.HerdmanRierson.com  
714.389.2800  
info@HerdmanRierson.com

A19-2147  
07.13.2020



CONCEPTUAL  
SITE PLAN



TRAFFIC COUNTS

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

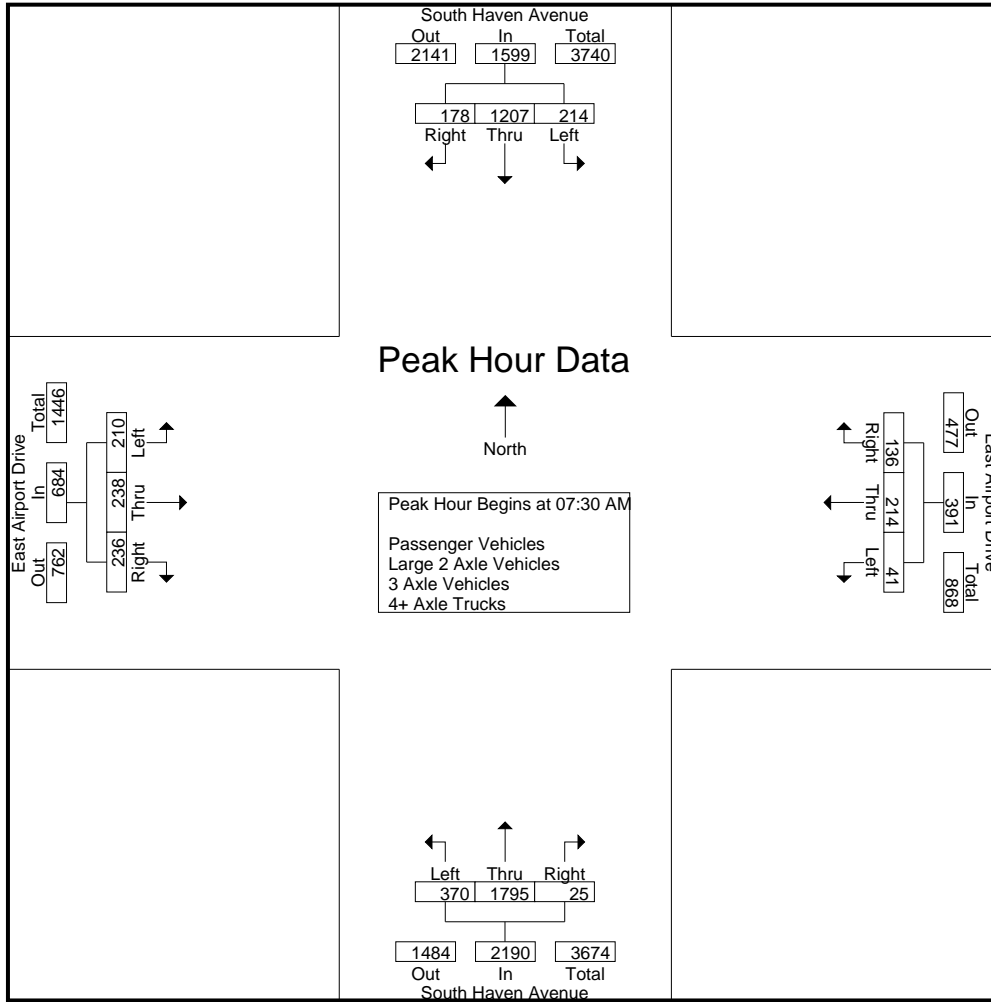
Groups Printed- Passenger Vehicles - Large 2 Axle Vehicles - 3 Axle Vehicles - 4+ Axle Trucks

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
06:00 AM	30	170	43	243	4	30	7	41	27	126	6	159	25	20	15	60	503
06:15 AM	24	204	34	262	3	23	14	40	42	198	2	242	30	23	25	78	622
06:30 AM	37	270	35	342	8	23	14	45	43	236	6	285	24	37	43	104	776
06:45 AM	53	271	39	363	5	46	23	74	54	281	6	341	36	46	47	129	907
Total	144	915	151	1210	20	122	58	200	166	841	20	1027	115	126	130	371	2808
07:00 AM	40	313	33	386	7	30	29	66	70	303	5	378	24	32	41	97	927
07:15 AM	35	294	44	373	3	36	19	58	60	346	4	410	35	44	49	128	969
07:30 AM	45	316	36	397	14	60	32	106	89	439	6	534	57	79	61	197	1234
07:45 AM	80	306	48	434	13	52	35	100	88	474	6	568	60	77	70	207	1309
Total	200	1229	161	1590	37	178	115	330	307	1562	21	1890	176	232	221	629	4439
08:00 AM	45	328	53	426	10	62	31	103	93	449	4	546	47	43	54	144	1219
08:15 AM	44	257	41	342	4	40	38	82	100	433	9	542	46	39	51	136	1102
08:30 AM	47	268	50	365	6	40	38	84	104	454	6	564	53	36	48	137	1150
08:45 AM	39	260	47	346	7	37	24	68	77	422	12	511	64	36	53	153	1078
Total	175	1113	191	1479	27	179	131	337	374	1758	31	2163	210	154	206	570	4549
Grand Total	519	3257	503	4279	84	479	304	867	847	4161	72	5080	501	512	557	1570	11796
Apprch %	12.1	76.1	11.8		9.7	55.2	35.1		16.7	81.9	1.4		31.9	32.6	35.5		
Total %	4.4	27.6	4.3	36.3	0.7	4.1	2.6	7.3	7.2	35.3	0.6	43.1	4.2	4.3	4.7	13.3	
Passenger Vehicles	487	3097	495	4079	63	424	251	738	832	3883	53	4768	494	464	547	1505	11090
% Passenger Vehicles	93.8	95.1	98.4	95.3	75	88.5	82.6	85.1	98.2	93.3	73.6	93.9	98.6	90.6	98.2	95.9	94
Large 2 Axle Vehicles	9	57	5	71	4	37	11	52	7	133	1	141	2	28	3	33	297
% Large 2 Axle Vehicles	1.7	1.8	1	1.7	4.8	7.7	3.6	6	0.8	3.2	1.4	2.8	0.4	5.5	0.5	2.1	2.5
3 Axle Vehicles	7	24	0	31	2	6	6	14	2	26	1	29	3	11	2	16	90
% 3 Axle Vehicles	1.3	0.7	0	0.7	2.4	1.3	2	1.6	0.2	0.6	1.4	0.6	0.6	2.1	0.4	1	0.8
4+ Axle Trucks	16	79	3	98	15	12	36	63	6	119	17	142	2	9	5	16	319
% 4+ Axle Trucks	3.1	2.4	0.6	2.3	17.9	2.5	11.8	7.3	0.7	2.9	23.6	2.8	0.4	1.8	0.9	1	2.7

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 06:00 AM to 08:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	45	316	36	397	14	60	32	106	89	439	6	534	57	79	61	197	1234
07:45 AM	80	306	48	434	13	52	35	100	88	474	6	568	60	77	70	207	1309
08:00 AM	45	328	53	426	10	62	31	103	93	449	4	546	47	43	54	144	1219
08:15 AM	44	257	41	342	4	40	38	82	100	433	9	542	46	39	51	136	1102
Total Volume	214	1207	178	1599	41	214	136	391	370	1795	25	2190	210	238	236	684	4864
% App. Total	13.4	75.5	11.1		10.5	54.7	34.8		16.9	82	1.1		30.7	34.8	34.5		
PHF	.669	.920	.840	.921	.732	.863	.895	.922	.925	.947	.694	.964	.875	.753	.843	.826	.929

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 06:00 AM to 08:45 AM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	07:15 AM				07:30 AM				07:45 AM				07:30 AM			
+0 mins.	35	294	44	373	14	60	32	106	88	474	6	568	57	79	61	197
+15 mins.	45	316	36	397	13	52	35	100	93	449	4	546	60	77	70	207
+30 mins.	80	306	48	434	10	62	31	103	100	433	9	542	47	43	54	144
+45 mins.	45	328	53	426	4	40	38	82	104	454	6	564	46	39	51	136
Total Volume	205	1244	181	1630	41	214	136	391	385	1810	25	2220	210	238	236	684
% App. Total	12.6	76.3	11.1		10.5	54.7	34.8		17.3	81.5	1.1		30.7	34.8	34.5	
PHF	.641	.948	.854	.939	.732	.863	.895	.922	.925	.955	.694	.977	.875	.753	.843	.826

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

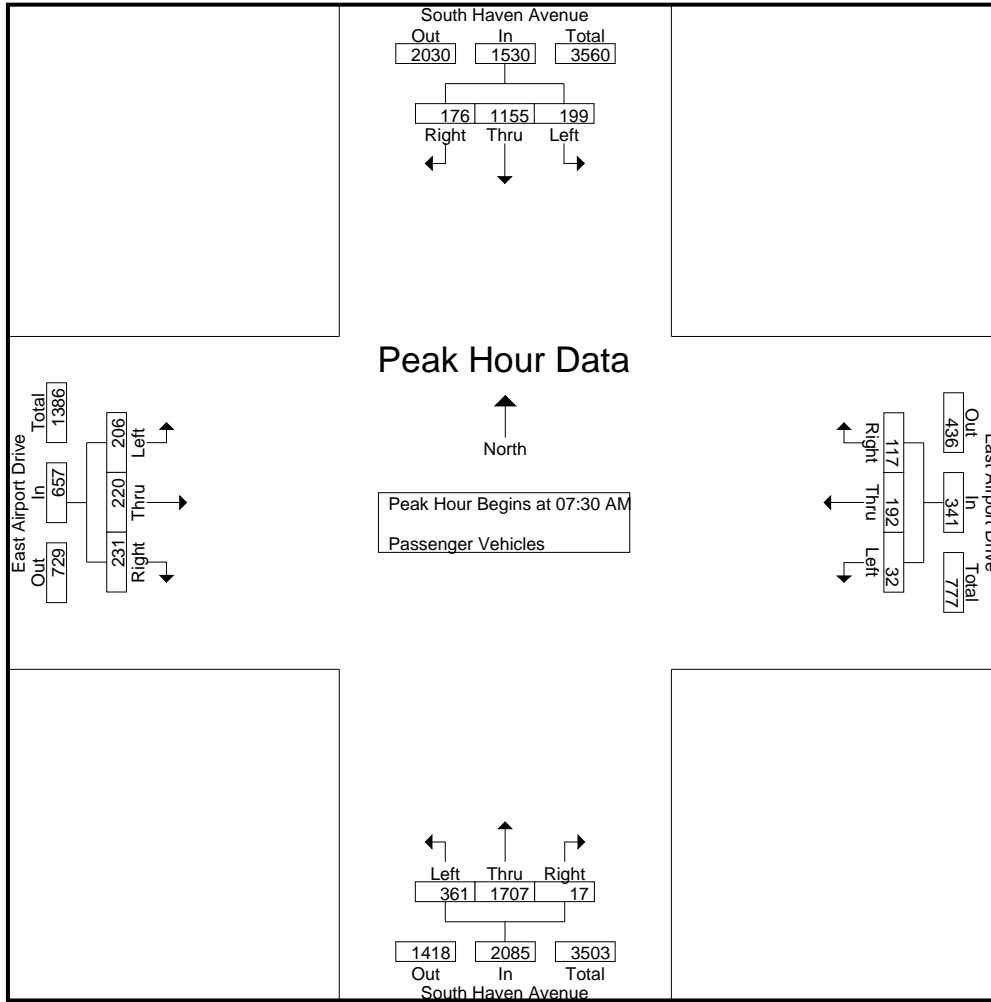
Groups Printed- Passenger Vehicles

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
06:00 AM	27	159	43	229	2	28	5	35	27	110	4	141	24	17	14	55	460
06:15 AM	22	193	33	248	2	20	9	31	42	174	0	216	30	22	25	77	572
06:30 AM	37	255	34	326	6	19	11	36	41	210	5	256	23	30	43	96	714
06:45 AM	50	259	37	346	5	38	19	62	52	259	5	316	36	44	46	126	850
Total	136	866	147	1149	15	105	44	164	162	753	14	929	113	113	128	354	2596
07:00 AM	39	304	33	376	6	28	26	60	70	286	5	361	24	29	41	94	891
07:15 AM	34	281	44	359	2	34	14	50	60	326	4	390	35	42	48	125	924
07:30 AM	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192	1171
07:45 AM	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198	1249
Total	189	1191	160	1540	29	162	96	287	300	1483	16	1799	175	218	216	609	4235
08:00 AM	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136	1152
08:15 AM	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131	1041
08:30 AM	47	246	48	341	2	34	33	69	102	417	3	522	53	29	46	128	1060
08:45 AM	32	245	47	324	6	31	17	54	77	394	10	481	63	31	53	147	1006
Total	162	1040	188	1390	19	157	111	287	370	1647	23	2040	206	133	203	542	4259
Grand Total	487	3097	495	4079	63	424	251	738	832	3883	53	4768	494	464	547	1505	11090
Apprch %	11.9	75.9	12.1		8.5	57.5	34		17.4	81.4	1.1		32.8	30.8	36.3		
Total %	4.4	27.9	4.5	36.8	0.6	3.8	2.3	6.7	7.5	35	0.5	43	4.5	4.2	4.9	13.6	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192	1171
07:45 AM	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198	1249
08:00 AM	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136	1152
08:15 AM	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131	1041
Total Volume	199	1155	176	1530	32	192	117	341	361	1707	17	2085	206	220	231	657	4613
% App. Total	13	75.5	11.5		9.4	56.3	34.3		17.3	81.9	0.8		31.4	33.5	35.2		
PHF	.655	.928	.846	.906	.727	.857	.886	.927	.903	.940	.607	.962	.873	.724	.849	.830	.923

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	40	308	35	383	11	53	26	90	84	417	5	506	57	76	59	192
+15 mins.	76	298	48	422	10	47	30	87	86	454	2	542	59	71	68	198
+30 mins.	41	311	52	404	8	56	28	92	91	426	3	520	46	37	53	136
+45 mins.	42	238	41	321	3	36	33	72	100	410	7	517	44	36	51	131
Total Volume	199	1155	176	1530	32	192	117	341	361	1707	17	2085	206	220	231	657
% App. Total	13	75.5	11.5		9.4	56.3	34.3		17.3	81.9	0.8		31.4	33.5	35.2	
PHF	.655	.928	.846	.906	.727	.857	.886	.927	.903	.940	.607	.962	.873	.724	.849	.830

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

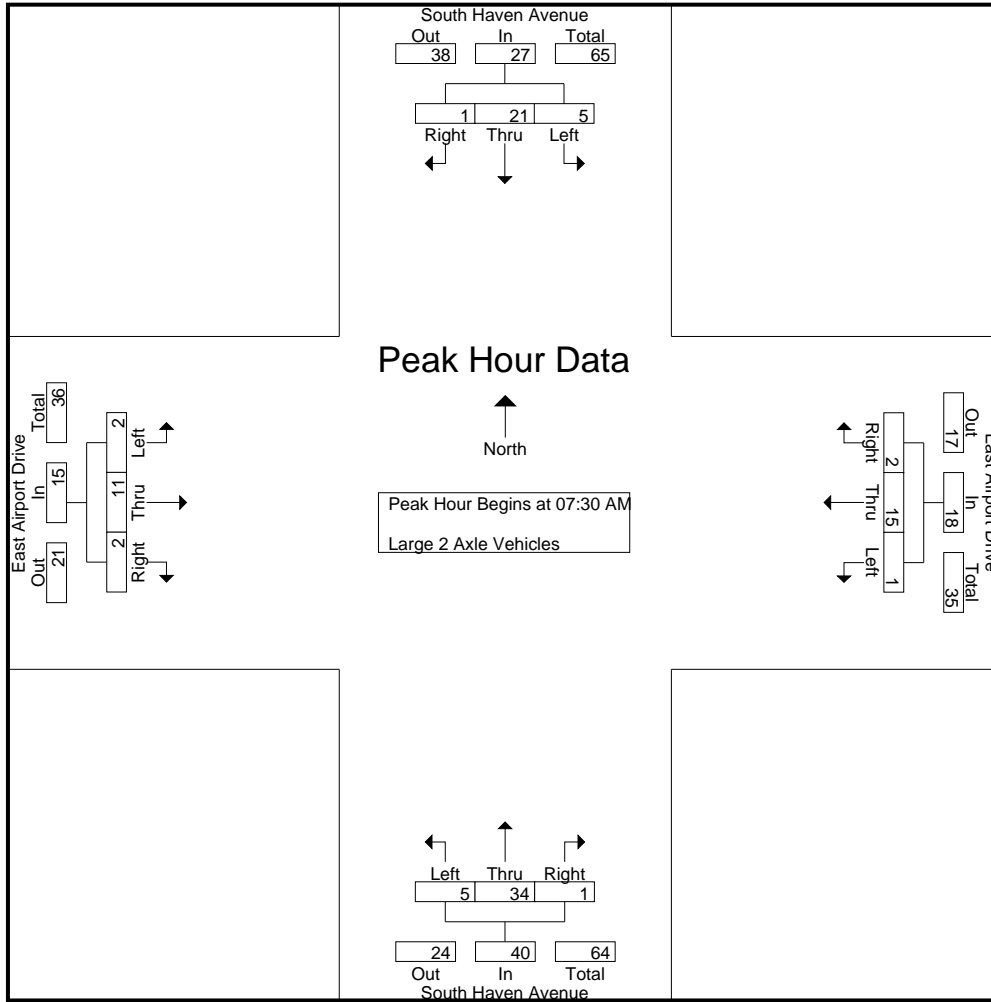
Groups Printed- Large 2 Axle Vehicles

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
06:00 AM	1	1	0	2	0	2	0	2	0	6	0	6	0	3	0	3	13
06:15 AM	0	3	0	3	1	1	0	2	0	9	0	9	0	0	0	0	14
06:30 AM	0	4	0	4	1	4	0	5	1	13	0	14	0	3	0	3	26
06:45 AM	0	5	2	7	0	5	0	5	0	11	0	11	0	2	0	2	25
Total	1	13	2	16	2	12	0	14	1	39	0	40	0	8	0	8	78
07:00 AM	0	3	0	3	0	1	2	3	0	5	0	5	0	2	0	2	13
07:15 AM	0	7	0	7	0	1	4	5	0	10	0	10	0	2	0	2	24
07:30 AM	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3	25
07:45 AM	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6	22
Total	1	19	1	21	0	9	6	15	3	31	1	35	0	11	2	13	84
08:00 AM	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2	27
08:15 AM	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4	26
08:30 AM	0	9	2	11	1	6	1	8	1	28	0	29	0	3	1	4	52
08:45 AM	3	4	0	7	0	2	2	4	0	17	0	17	0	2	0	2	30
Total	7	25	2	34	2	16	5	23	3	63	0	66	2	9	1	12	135
Grand Total	9	57	5	71	4	37	11	52	7	133	1	141	2	28	3	33	297
Apprch %	12.7	80.3	7		7.7	71.2	21.2		5	94.3	0.7		6.1	84.8	9.1		
Total %	3	19.2	1.7	23.9	1.3	12.5	3.7	17.5	2.4	44.8	0.3	47.5	0.7	9.4	1	11.1	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3	25
07:45 AM	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6	22
08:00 AM	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2	27
08:15 AM	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4	26
Total Volume	5	21	1	27	1	15	2	18	5	34	1	40	2	11	2	15	100
% App. Total	18.5	77.8	3.7		5.6	83.3	11.1		12.5	85	2.5		13.3	73.3	13.3		
PHF	.417	.583	.250	.675	.250	.750	.500	.750	.625	.773	.250	.769	.250	.688	.250	.625	.926

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	0	5	1	6	0	5	0	5	2	9	0	11	0	3	0	3
+15 mins.	1	4	0	5	0	2	0	2	1	7	1	9	0	4	2	6
+30 mins.	3	3	0	6	0	5	1	6	2	11	0	13	0	2	0	2
+45 mins.	1	9	0	10	1	3	1	5	0	7	0	7	2	2	0	4
Total Volume	5	21	1	27	1	15	2	18	5	34	1	40	2	11	2	15
% App. Total	18.5	77.8	3.7		5.6	83.3	11.1		12.5	85	2.5		13.3	73.3	13.3	
PHF	.417	.583	.250	.675	.250	.750	.500	.750	.625	.773	.250	.769	.250	.688	.250	.625

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

Groups Printed- 3 Axle Vehicles

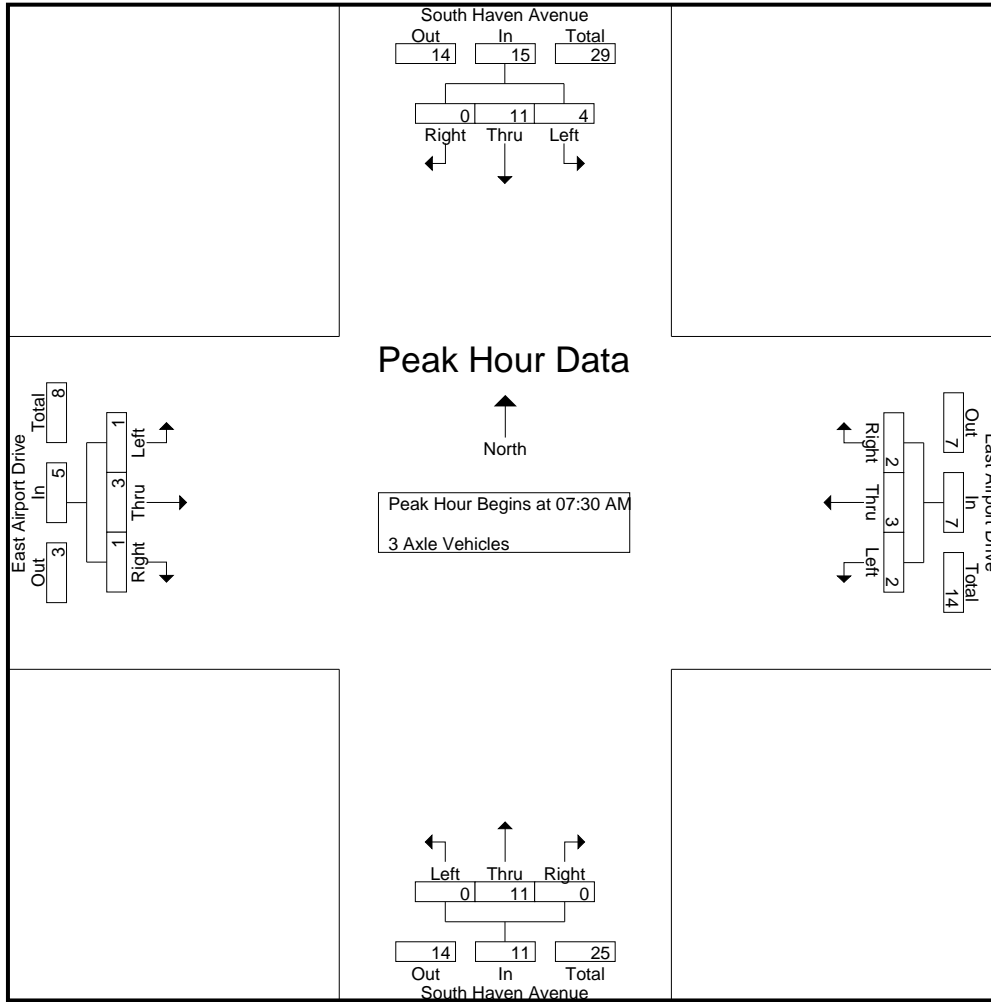
Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
06:00 AM	1	1	0	2	0	0	0	0	0	1	0	1	1	0	1	2	5
06:15 AM	0	2	0	2	0	1	1	2	0	2	0	2	0	0	0	0	6
06:30 AM	0	1	0	1	0	0	0	0	0	6	0	6	0	4	0	4	11
06:45 AM	0	2	0	2	0	2	1	3	2	3	1	6	0	0	0	0	11
Total	1	6	0	7	0	3	2	5	2	12	1	15	1	4	1	6	33
07:00 AM	0	1	0	1	0	0	0	0	0	1	0	1	0	1	0	1	3
07:15 AM	0	0	0	0	0	0	0	0	0	1	0	1	0	0	0	0	1
07:30 AM	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1	5
07:45 AM	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1	12
Total	4	3	0	7	1	1	1	3	0	8	0	8	0	2	1	3	21
08:00 AM	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2	13
08:15 AM	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1	8
08:30 AM	0	2	0	2	0	0	0	0	0	1	0	1	0	1	0	1	4
08:45 AM	2	4	0	6	0	0	2	2	0	0	0	0	1	2	0	3	11
Total	2	15	0	17	1	2	3	6	0	6	0	6	2	5	0	7	36
Grand Total	7	24	0	31	2	6	6	14	2	26	1	29	3	11	2	16	90
Apprch %	22.6	77.4	0		14.3	42.9	42.9		6.9	89.7	3.4		18.8	68.8	12.5		
Total %	7.8	26.7	0	34.4	2.2	6.7	6.7	15.6	2.2	28.9	1.1	32.2	3.3	12.2	2.2	17.8	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1	5
07:45 AM	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1	12
08:00 AM	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2	13
08:15 AM	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1	8
Total Volume	4	11	0	15	2	3	2	7	0	11	0	11	1	3	1	5	38
% App. Total	26.7	73.3	0		28.6	42.9	28.6		0	100	0		20	60	20		
PHF	.333	.458	.000	.625	.500	.750	.500	.583	.000	.458	.000	.458	.250	.750	.250	.625	.731



City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	3	1	0	4	0	0	0	0	0	0	0	0	0	0	1	1
+15 mins.	1	1	0	2	1	1	1	3	0	6	0	6	0	1	0	1
+30 mins.	0	6	0	6	1	1	0	2	0	3	0	3	1	1	0	2
+45 mins.	0	3	0	3	0	1	1	2	0	2	0	2	0	1	0	1
Total Volume	4	11	0	15	2	3	2	7	0	11	0	11	1	3	1	5
% App. Total	26.7	73.3	0		28.6	42.9	28.6		0	100	0		20	60	20	
PHF	.333	.458	.000	.625	.500	.750	.500	.583	.000	.458	.000	.458	.250	.750	.250	.625

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

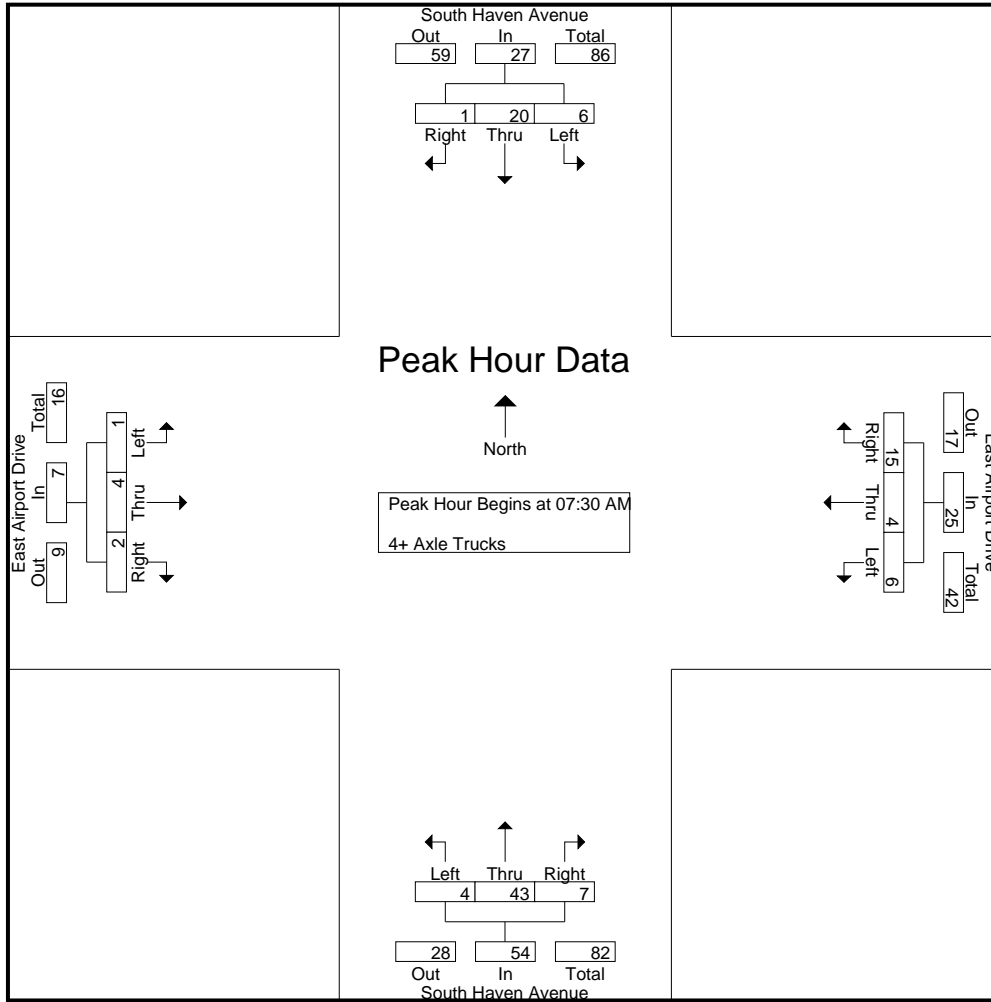
Groups Printed- 4+ Axle Trucks

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
06:00 AM	1	9	0	10	2	0	2	4	0	9	2	11	0	0	0	0	25
06:15 AM	2	6	1	9	0	1	4	5	0	13	2	15	0	1	0	1	30
06:30 AM	0	10	1	11	1	0	3	4	1	7	1	9	1	0	0	1	25
06:45 AM	3	5	0	8	0	1	3	4	0	8	0	8	0	0	1	1	21
Total	6	30	2	38	3	2	12	17	1	37	5	43	1	1	1	3	101
07:00 AM	1	5	0	6	1	1	1	3	0	11	0	11	0	0	0	0	20
07:15 AM	1	6	0	7	1	1	1	3	0	9	0	9	0	0	1	1	20
07:30 AM	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1	33
07:45 AM	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2	26
Total	6	16	0	22	7	6	12	25	4	40	4	48	1	1	2	4	99
08:00 AM	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4	27
08:15 AM	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0	27
08:30 AM	0	11	0	11	3	0	4	7	1	8	3	12	0	3	1	4	34
08:45 AM	2	7	0	9	1	4	3	8	0	11	2	13	0	1	0	1	31
Total	4	33	1	38	5	4	12	21	1	42	8	51	0	7	2	9	119
Grand Total	16	79	3	98	15	12	36	63	6	119	17	142	2	9	5	16	319
Apprch %	16.3	80.6	3.1		23.8	19	57.1		4.2	83.8	12		12.5	56.2	31.2		
Total %	5	24.8	0.9	30.7	4.7	3.8	11.3	19.7	1.9	37.3	5.3	44.5	0.6	2.8	1.6	5	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 07:30 AM																	
07:30 AM	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1	33
07:45 AM	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2	26
08:00 AM	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4	27
08:15 AM	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0	27
Total Volume	6	20	1	27	6	4	15	25	4	43	7	54	1	4	2	7	113
% App. Total	22.2	74.1	3.7		24	16	60		7.4	79.6	13		14.3	57.1	28.6		
PHF	.750	.625	.250	.675	.500	.500	.625	.568	.333	.768	.583	.794	.250	.333	.500	.438	.856

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport AM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 07:30 AM to 08:15 AM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	07:30 AM				07:30 AM				07:30 AM				07:30 AM			
+0 mins.	2	2	0	4	3	2	6	11	3	13	1	17	0	0	1	1
+15 mins.	2	3	0	5	2	2	4	8	1	7	3	11	1	1	0	2
+30 mins.	1	8	1	10	1	0	2	3	0	9	1	10	0	3	1	4
+45 mins.	1	7	0	8	0	0	3	3	0	14	2	16	0	0	0	0
Total Volume	6	20	1	27	6	4	15	25	4	43	7	54	1	4	2	7
% App. Total	22.2	74.1	3.7		24	16	60		7.4	79.6	13		14.3	57.1	28.6	
PHF	.750	.625	.250	.675	.500	.500	.625	.568	.333	.768	.583	.794	.250	.333	.500	.438

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

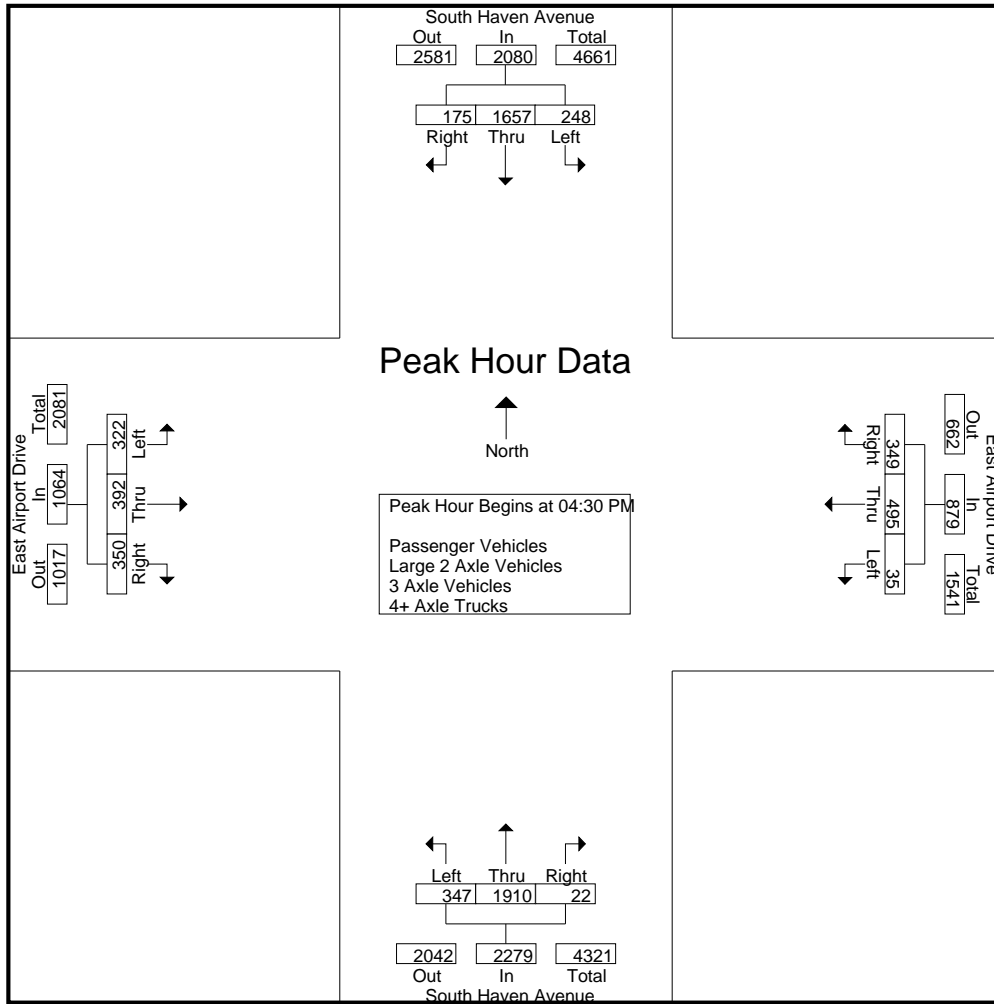
Groups Printed- Passenger Vehicles - Large 2 Axle Vehicles - 3 Axle Vehicles - 4+ Axle Trucks

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	40	357	37	434	24	106	95	225	88	546	10	644	76	95	52	223	1526
04:15 PM	52	339	37	428	4	99	73	176	91	508	15	614	61	88	103	252	1470
04:30 PM	55	386	45	486	8	120	97	225	77	511	2	590	79	92	63	234	1535
04:45 PM	53	413	31	497	7	121	76	204	82	497	4	583	71	98	91	260	1544
Total	200	1495	150	1845	43	446	341	830	338	2062	31	2431	287	373	309	969	6075
05:00 PM	75	389	49	513	5	125	91	221	101	452	7	560	71	87	97	255	1549
05:15 PM	65	469	50	584	15	129	85	229	87	450	9	546	101	115	99	315	1674
05:30 PM	36	355	45	436	16	115	56	187	87	522	7	616	55	126	109	290	1529
05:45 PM	42	340	42	424	18	91	63	172	65	390	1	456	84	101	63	248	1300
Total	218	1553	186	1957	54	460	295	809	340	1814	24	2178	311	429	368	1108	6052
Grand Total	418	3048	336	3802	97	906	636	1639	678	3876	55	4609	598	802	677	2077	12127
Apprch %	11	80.2	8.8		5.9	55.3	38.8		14.7	84.1	1.2		28.8	38.6	32.6		
Total %	3.4	25.1	2.8	31.4	0.8	7.5	5.2	13.5	5.6	32	0.5	38	4.9	6.6	5.6	17.1	
Passenger Vehicles	390	2878	328	3596	85	863	613	1561	658	3721	42	4421	585	722	648	1955	11533
% Passenger Vehicles	93.3	94.4	97.6	94.6	87.6	95.3	96.4	95.2	97.1	96	76.4	95.9	97.8	90	95.7	94.1	95.1
Large 2 Axle Vehicles	10	78	4	92	6	22	4	32	10	47	3	60	9	45	19	73	257
% Large 2 Axle Vehicles	2.4	2.6	1.2	2.4	6.2	2.4	0.6	2	1.5	1.2	5.5	1.3	1.5	5.6	2.8	3.5	2.1
3 Axle Vehicles	6	14	2	22	2	6	2	10	5	21	2	28	0	18	4	22	82
% 3 Axle Vehicles	1.4	0.5	0.6	0.6	2.1	0.7	0.3	0.6	0.7	0.5	3.6	0.6	0	2.2	0.6	1.1	0.7
4+ Axle Trucks	12	78	2	92	4	15	17	36	5	87	8	100	4	17	6	27	255
% 4+ Axle Trucks	2.9	2.6	0.6	2.4	4.1	1.7	2.7	2.2	0.7	2.2	14.5	2.2	0.7	2.1	0.9	1.3	2.1

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	55	386	45	486	8	120	97	225	77	511	2	590	79	92	63	234	1535
04:45 PM	53	413	31	497	7	121	76	204	82	497	4	583	71	98	91	260	1544
05:00 PM	75	389	49	513	5	125	91	221	101	452	7	560	71	87	97	255	1549
05:15 PM	65	469	50	584	15	129	85	229	87	450	9	546	101	115	99	315	1674
Total Volume	248	1657	175	2080	35	495	349	879	347	1910	22	2279	322	392	350	1064	6302
% App. Total	11.9	79.7	8.4		4	56.3	39.7		15.2	83.8	1		30.3	36.8	32.9		
PHF	.827	.883	.875	.890	.583	.959	.899	.960	.859	.934	.611	.966	.797	.852	.884	.844	.941

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 04:00 PM to 05:45 PM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:00 PM				04:45 PM			
+0 mins.	55	386	45	486	8	120	97	225	88	546	10	644	71	98	91	260
+15 mins.	53	413	31	497	7	121	76	204	91	508	15	614	71	87	97	255
+30 mins.	75	389	49	513	5	125	91	221	77	511	2	590	101	115	99	315
+45 mins.	65	469	50	584	15	129	85	229	82	497	4	583	55	126	109	290
Total Volume	248	1657	175	2080	35	495	349	879	338	2062	31	2431	298	426	396	1120
% App. Total	11.9	79.7	8.4		4	56.3	39.7		13.9	84.8	1.3		26.6	38	35.4	
PHF	.827	.883	.875	.890	.583	.959	.899	.960	.929	.944	.517	.944	.738	.845	.908	.889

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

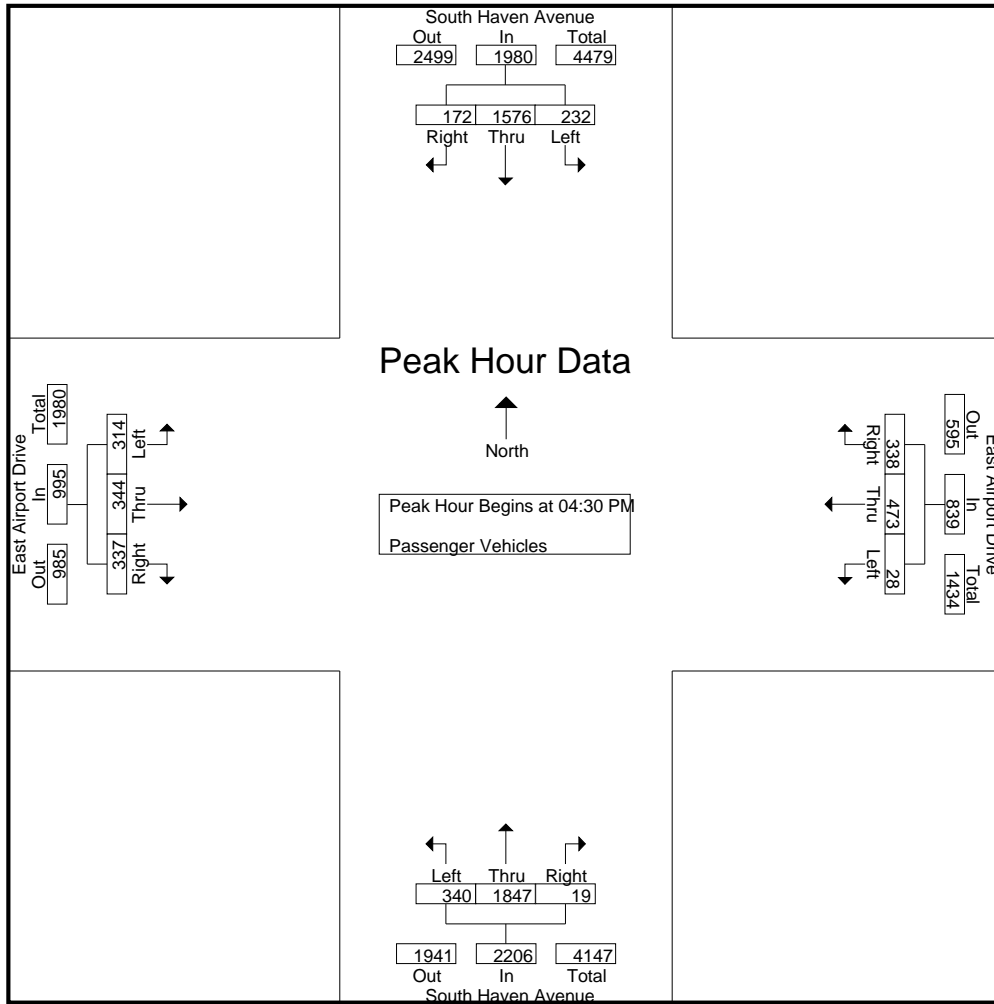
Groups Printed- Passenger Vehicles

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	40	341	36	417	24	100	93	217	86	520	4	610	72	87	51	210	1454
04:15 PM	45	318	35	398	4	94	71	169	83	481	12	576	61	82	100	243	1386
04:30 PM	49	369	44	462	7	114	92	213	75	496	2	573	75	83	62	220	1468
04:45 PM	50	387	30	467	5	114	73	192	80	489	4	573	71	89	88	248	1480
Total	184	1415	145	1744	40	422	329	791	324	1986	22	2332	279	341	301	921	5788
05:00 PM	73	369	48	490	5	121	89	215	100	432	5	537	68	74	93	235	1477
05:15 PM	60	451	50	561	11	124	84	219	85	430	8	523	100	98	94	292	1595
05:30 PM	35	330	44	409	15	110	51	176	84	500	6	590	54	117	103	274	1449
05:45 PM	38	313	41	392	14	86	60	160	65	373	1	439	84	92	57	233	1224
Total	206	1463	183	1852	45	441	284	770	334	1735	20	2089	306	381	347	1034	5745
Grand Total	390	2878	328	3596	85	863	613	1561	658	3721	42	4421	585	722	648	1955	11533
Apprch %	10.8	80	9.1		5.4	55.3	39.3		14.9	84.2	1		29.9	36.9	33.1		
Total %	3.4	25	2.8	31.2	0.7	7.5	5.3	13.5	5.7	32.3	0.4	38.3	5.1	6.3	5.6	17	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	49	369	44	462	7	114	92	213	75	496	2	573	75	83	62	220	1468
04:45 PM	50	387	30	467	5	114	73	192	80	489	4	573	71	89	88	248	1480
05:00 PM	73	369	48	490	5	121	89	215	100	432	5	537	68	74	93	235	1477
05:15 PM	60	451	50	561	11	124	84	219	85	430	8	523	100	98	94	292	1595
Total Volume	232	1576	172	1980	28	473	338	839	340	1847	19	2206	314	344	337	995	6020
% App. Total	11.7	79.6	8.7		3.3	56.4	40.3		15.4	83.7	0.9		31.6	34.6	33.9		
PHF	.795	.874	.860	.882	.636	.954	.918	.958	.850	.931	.594	.962	.785	.878	.896	.852	.944

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	49	369	44	462	7	114	92	213	75	496	2	573	75	83	62	220
+15 mins.	50	387	30	467	5	114	73	192	80	489	4	573	71	89	88	248
+30 mins.	73	369	48	490	5	121	89	215	100	432	5	537	68	74	93	235
+45 mins.	60	451	50	561	11	124	84	219	85	430	8	523	100	98	94	292
Total Volume	232	1576	172	1980	28	473	338	839	340	1847	19	2206	314	344	337	995
% App. Total	11.7	79.6	8.7		3.3	56.4	40.3		15.4	83.7	0.9		31.6	34.6	33.9	
PHF	.795	.874	.860	.882	.636	.954	.918	.958	.850	.931	.594	.962	.785	.878	.896	.852

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

Groups Printed- Large 2 Axle Vehicles

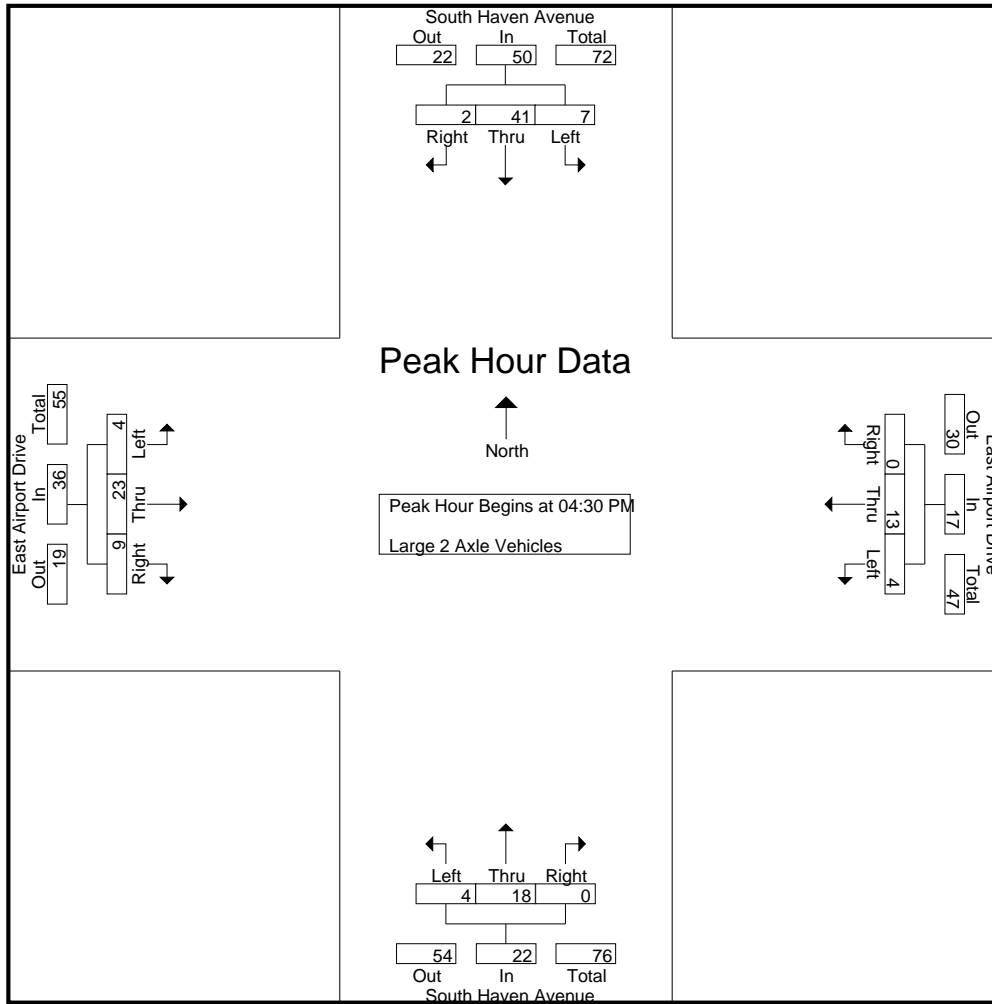
Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	0	4	0	4	0	2	1	3	1	8	3	12	4	5	1	10	29
04:15 PM	3	6	0	9	0	3	0	3	4	8	0	12	0	5	0	5	29
04:30 PM	3	8	1	12	1	4	0	5	1	4	0	5	1	5	0	6	28
04:45 PM	1	9	0	10	2	4	0	6	2	5	0	7	0	4	3	7	30
Total	7	27	1	35	3	13	1	17	8	25	3	36	5	19	4	28	116
05:00 PM	0	15	1	16	0	2	0	2	0	2	0	2	2	9	2	13	33
05:15 PM	3	9	0	12	1	3	0	4	1	7	0	8	1	5	4	10	34
05:30 PM	0	13	1	14	1	2	1	4	1	5	0	6	1	5	6	12	36
05:45 PM	0	14	1	15	1	2	2	5	0	8	0	8	0	7	3	10	38
Total	3	51	3	57	3	9	3	15	2	22	0	24	4	26	15	45	141
Grand Total	10	78	4	92	6	22	4	32	10	47	3	60	9	45	19	73	257
Apprch %	10.9	84.8	4.3		18.8	68.8	12.5		16.7	78.3	5		12.3	61.6	26		
Total %	3.9	30.4	1.6	35.8	2.3	8.6	1.6	12.5	3.9	18.3	1.2	23.3	3.5	17.5	7.4	28.4	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	3	8	1	12	1	4	0	5	1	4	0	5	1	5	0	6	28
04:45 PM	1	9	0	10	2	4	0	6	2	5	0	7	0	4	3	7	30
05:00 PM	0	15	1	16	0	2	0	2	0	2	0	2	2	9	2	13	33
05:15 PM	3	9	0	12	1	3	0	4	1	7	0	8	1	5	4	10	34
Total Volume	7	41	2	50	4	13	0	17	4	18	0	22	4	23	9	36	125
% App. Total	14	82	4		23.5	76.5	0		18.2	81.8	0		11.1	63.9	25		
PHF	.583	.683	.500	.781	.500	.813	.000	.708	.500	.643	.000	.688	.500	.639	.563	.692	.919



City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	3	8	1	12	1	4	0	5	1	4	0	5	1	5	0	6
+15 mins.	1	9	0	10	2	4	0	6	2	5	0	7	0	4	3	7
+30 mins.	0	15	1	16	0	2	0	2	0	2	0	2	2	9	2	13
+45 mins.	3	9	0	12	1	3	0	4	1	7	0	8	1	5	4	10
Total Volume	7	41	2	50	4	13	0	17	4	18	0	22	4	23	9	36
% App. Total	14	82	4		23.5	76.5	0		18.2	81.8	0		11.1	63.9	25	
PHF	.583	.683	.500	.781	.500	.813	.000	.708	.500	.643	.000	.688	.500	.639	.563	.692

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

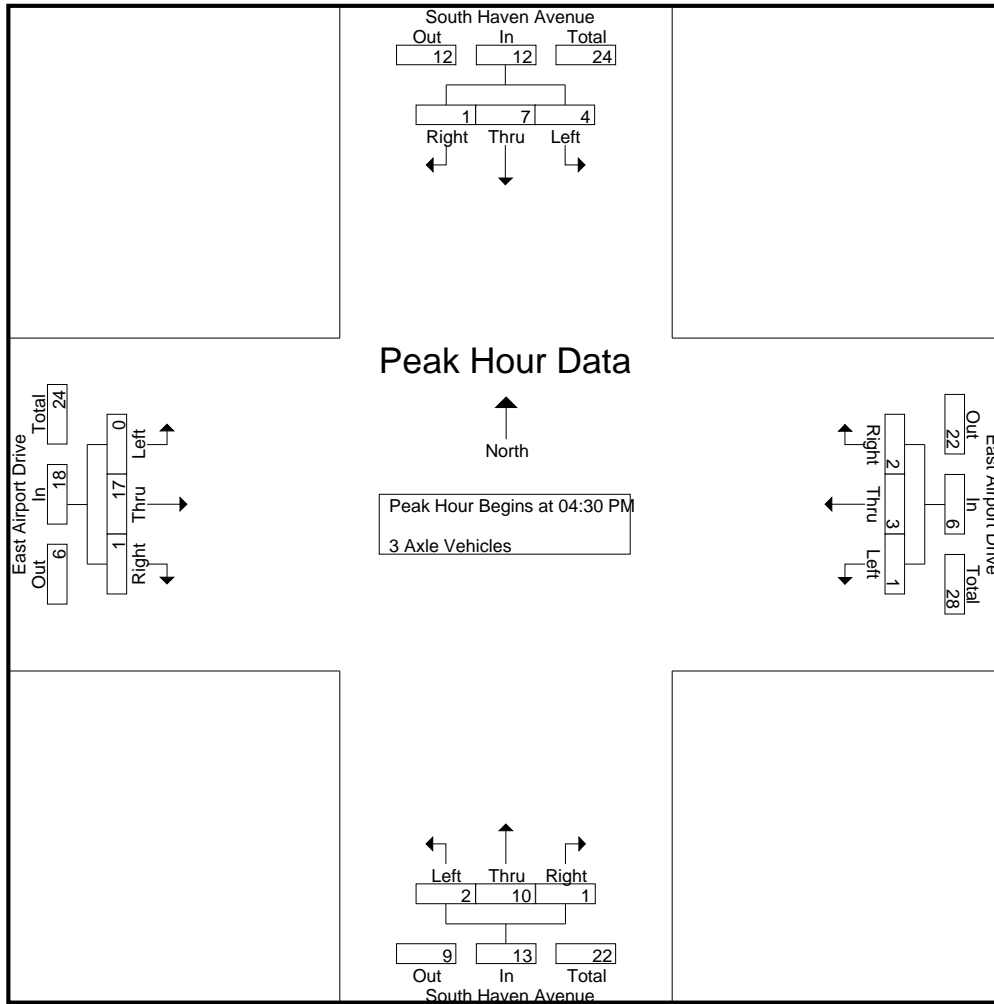
Groups Printed- 3 Axle Vehicles

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	0	1	0	1	0	2	0	2	1	5	0	6	0	1	0	1	10
04:15 PM	2	1	1	4	0	0	0	0	2	0	1	3	0	0	1	1	8
04:30 PM	1	2	0	3	0	2	1	3	1	3	0	4	0	2	0	2	12
04:45 PM	2	3	1	6	0	0	0	0	0	0	0	0	0	2	0	2	8
Total	5	7	2	14	0	4	1	5	4	8	1	13	0	5	1	6	38
05:00 PM	1	0	0	1	0	0	1	1	1	4	1	6	0	2	1	3	11
05:15 PM	0	2	0	2	1	1	0	2	0	3	0	3	0	11	0	11	18
05:30 PM	0	0	0	0	0	0	0	0	0	6	0	6	0	0	0	0	6
05:45 PM	0	5	0	5	1	1	0	2	0	0	0	0	0	0	2	2	9
Total	1	7	0	8	2	2	1	5	1	13	1	15	0	13	3	16	44
Grand Total	6	14	2	22	2	6	2	10	5	21	2	28	0	18	4	22	82
Apprch %	27.3	63.6	9.1		20	60	20		17.9	75	7.1		0	81.8	18.2		
Total %	7.3	17.1	2.4	26.8	2.4	7.3	2.4	12.2	6.1	25.6	2.4	34.1	0	22	4.9	26.8	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	1	2	0	3	0	2	1	3	1	3	0	4	0	2	0	2	12
04:45 PM	2	3	1	6	0	0	0	0	0	0	0	0	0	2	0	2	8
05:00 PM	1	0	0	1	0	0	1	1	1	4	1	6	0	2	1	3	11
05:15 PM	0	2	0	2	1	1	0	2	0	3	0	3	0	11	0	11	18
Total Volume	4	7	1	12	1	3	2	6	2	10	1	13	0	17	1	18	49
% App. Total	33.3	58.3	8.3		16.7	50	33.3		15.4	76.9	7.7		0	94.4	5.6		
PHF	.500	.583	.250	.500	.250	.375	.500	.500	.500	.625	.250	.542	.000	.386	.250	.409	.681

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2



Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:

	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	1	2	0	3	0	2	1	3	1	3	0	4	0	2	0	2
+15 mins.	2	3	1	6	0	0	0	0	0	0	0	0	0	2	0	2
+30 mins.	1	0	0	1	0	0	1	1	1	4	1	6	0	2	1	3
+45 mins.	0	2	0	2	1	1	0	2	0	3	0	3	0	11	0	11
Total Volume	4	7	1	12	1	3	2	6	2	10	1	13	0	17	1	18
% App. Total	33.3	58.3	8.3		16.7	50	33.3		15.4	76.9	7.7		0	94.4	5.6	
PHF	.500	.583	.250	.500	.250	.375	.500	.500	.500	.625	.250	.542	.000	.386	.250	.409

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 1

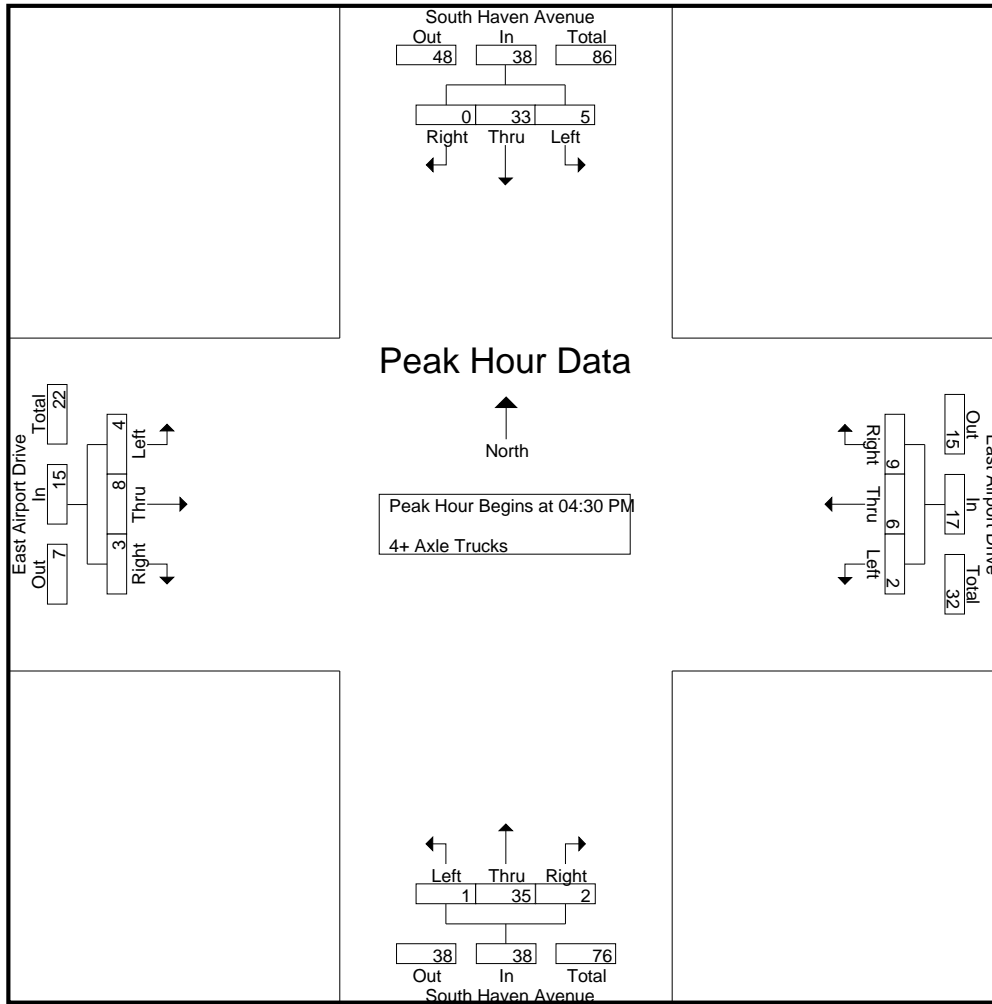
Groups Printed- 4+ Axle Trucks

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
04:00 PM	0	11	1	12	0	2	1	3	0	13	3	16	0	2	0	2	33
04:15 PM	2	14	1	17	0	2	2	4	2	19	2	23	0	1	2	3	47
04:30 PM	2	7	0	9	0	0	4	4	0	8	0	8	3	2	1	6	27
04:45 PM	0	14	0	14	0	3	3	6	0	3	0	3	0	3	0	3	26
Total	4	46	2	52	0	7	10	17	2	43	5	50	3	8	3	14	133
05:00 PM	1	5	0	6	0	2	1	3	0	14	1	15	1	2	1	4	28
05:15 PM	2	7	0	9	2	1	1	4	1	10	1	12	0	1	1	2	27
05:30 PM	1	12	0	13	0	3	4	7	2	11	1	14	0	4	0	4	38
05:45 PM	4	8	0	12	2	2	1	5	0	9	0	9	0	2	1	3	29
Total	8	32	0	40	4	8	7	19	3	44	3	50	1	9	3	13	122
Grand Total	12	78	2	92	4	15	17	36	5	87	8	100	4	17	6	27	255
Apprch %	13	84.8	2.2		11.1	41.7	47.2		5	87	8		14.8	63	22.2		
Total %	4.7	30.6	0.8	36.1	1.6	5.9	6.7	14.1	2	34.1	3.1	39.2	1.6	6.7	2.4	10.6	

Start Time	South Haven Avenue Southbound				East Airport Drive Westbound				South Haven Avenue Northbound				East Airport Drive Eastbound				Int. Total
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:30 PM																	
04:30 PM	2	7	0	9	0	0	4	4	0	8	0	8	3	2	1	6	27
04:45 PM	0	14	0	14	0	3	3	6	0	3	0	3	0	3	0	3	26
05:00 PM	1	5	0	6	0	2	1	3	0	14	1	15	1	2	1	4	28
05:15 PM	2	7	0	9	2	1	1	4	1	10	1	12	0	1	1	2	27
Total Volume	5	33	0	38	2	6	9	17	1	35	2	38	4	8	3	15	108
% App. Total	13.2	86.8	0		11.8	35.3	52.9		2.6	92.1	5.3		26.7	53.3	20		
PHF	.625	.589	.000	.679	.250	.500	.563	.708	.250	.625	.500	.633	.333	.667	.750	.625	.964

City of Ontario  
 N/S: South Haven Avenue  
 E/W: East Airport Drive  
 Weather: Clear

File Name : 12\_ONT\_S Haven\_Airport PM  
 Site Code : 99919787  
 Start Date : 11/7/2019  
 Page No : 2




































Peak Hour Analysis From 04:30 PM to 05:15 PM - Peak 1 of 1  
 Peak Hour for Each Approach Begins at:


































	04:30 PM				04:30 PM				04:30 PM				04:30 PM			
+0 mins.	2	7	0	9	0	0	4	4	0	8	0	8	3	2	1	6
+15 mins.	0	14	0	14	0	3	3	6	0	3	0	3	0	3	0	3
+30 mins.	1	5	0	6	0	2	1	3	0	14	1	15	1	2	1	4
+45 mins.	2	7	0	9	2	1	1	4	1	10	1	12	0	1	1	2
Total Volume	5	33	0	38	2	6	9	17	1	35	2	38	4	8	3	15
% App. Total	13.2	86.8	0		11.8	35.3	52.9		2.6	92.1	5.3		26.7	53.3	20	
PHF	.625	.589	.000	.679	.250	.500	.563	.708	.250	.625	.500	.633	.333	.667	.750	.625

HCM ANALYSIS WORKSHEETS

3555 E Airport Drive Focused Traffic Analysis Project Opening Year AM Peak Hour Conditions  
 1: Haven Ave & Airport Dr HCM 6th Signalized Intersection Summary

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	 		 	 		 	  		 	  	
Traffic Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Future Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	246	306	278	68	278	200	438	2205	57	289	1467	206
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	333	403	357	164	629	281	428	2843	700	305	2616	644
Arrive On Green	0.09	0.22	0.22	0.05	0.17	0.17	0.12	0.43	0.43	0.09	0.40	0.40
Sat Flow, veh/h	3510	1811	1605	3510	3610	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	246	305	279	68	278	200	438	2205	57	289	1467	206
Grp Sat Flow(s),veh/h/ln	1755	1805	1611	1755	1805	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	5.9	13.6	14.0	1.6	5.9	10.1	10.5	24.8	1.8	7.1	15.0	7.6
Cycle Q Clear(g_c), s	5.9	13.6	14.0	1.6	5.9	10.1	10.5	24.8	1.8	7.1	15.0	7.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	333	402	359	164	629	281	428	2843	700	305	2616	644
V/C Ratio(X)	0.74	0.76	0.78	0.42	0.44	0.71	1.02	0.78	0.08	0.95	0.56	0.32
Avail Cap(c_a), veh/h	517	775	691	204	1227	547	428	2843	700	305	2616	644
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	38.0	31.3	31.5	40.0	31.8	33.6	37.9	20.8	14.3	39.2	20.0	17.8
Incr Delay (d2), s/veh	3.2	3.0	3.7	1.7	0.5	3.4	49.9	2.1	0.2	37.4	0.9	1.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.5	5.8	5.4	0.7	2.5	4.0	7.1	8.4	0.6	4.5	5.3	2.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	41.2	34.3	35.2	41.6	32.3	36.9	87.7	22.9	14.5	76.5	20.9	19.1
LnGrp LOS	D	C	D	D	C	D	F	C	B	E	C	B
Approach Vol, veh/h		830			546			2700			1962	
Approach Delay, s/veh		36.6			35.2			33.2			28.9	
Approach LOS		D			D			C			C	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.0	42.0	8.5	23.7	15.0	39.0	12.7	19.5				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	10.5	34.5	12.7	29.3				
Max Q Clear Time (g_c+I1), s	9.1	26.8	3.6	16.0	12.5	17.0	7.9	12.1				
Green Ext Time (p_c), s	0.0	8.8	0.0	3.2	0.0	9.9	0.3	2.1				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				32.5								
HCM 6th LOS				C								
























3555 E Airport Drive Focused Traffic Analysis Project Opening Year PM Peak Hour Conditions  
 1: Haven Ave & Airport Dr HCM 6th Signalized Intersection Summary

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	 		 	 		 	  		 	  	
Traffic Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Future Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	378	519	414	63	601	436	402	2272	36	313	2004	202
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	445	673	536	142	960	428	403	2362	582	254	2085	514
Arrive On Green	0.13	0.35	0.35	0.04	0.27	0.27	0.11	0.36	0.36	0.07	0.32	0.32
Sat Flow, veh/h	3510	1909	1522	3510	3610	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	378	491	442	63	601	436	402	2272	36	313	2004	202
Grp Sat Flow(s),veh/h/ln	1755	1805	1626	1755	1805	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.9	25.1	25.1	1.8	15.2	27.6	11.9	35.3	1.5	7.5	31.2	10.1
Cycle Q Clear(g_c), s	10.9	25.1	25.1	1.8	15.2	27.6	11.9	35.3	1.5	7.5	31.2	10.1
Prop In Lane	1.00		0.94	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	445	636	573	142	960	428	403	2362	582	254	2085	514
V/C Ratio(X)	0.85	0.77	0.77	0.44	0.63	1.02	1.00	0.96	0.06	1.23	0.96	0.39
Avail Cap(c_a), veh/h	487	644	580	169	960	428	403	2362	582	254	2085	514
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	44.3	29.9	29.9	48.6	33.5	38.1	45.9	32.4	21.6	48.1	34.7	27.5
Incr Delay (d2), s/veh	12.5	5.7	6.3	2.2	1.3	48.1	44.4	11.5	0.2	134.3	12.5	2.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.3	11.0	10.0	0.8	6.5	16.0	7.4	14.4	0.6	7.9	13.4	4.0
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	56.8	35.6	36.2	50.8	34.8	86.1	90.3	43.9	21.8	182.5	47.1	29.8
LnGrp LOS	E	D	D	D	C	F	F	D	C	F	D	C
Approach Vol, veh/h		1311			1100			2710			2519	
Approach Delay, s/veh		41.9			56.1			50.5			62.6	
Approach LOS		D			E			D			E	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.0	42.0	8.7	41.1	16.4	37.6	17.6	32.1				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	11.9	33.1	14.4	27.6				
Max Q Clear Time (g_c+I1), s	9.5	37.3	3.8	27.1	13.9	33.2	12.9	29.6				
Green Ext Time (p_c), s	0.0	0.2	0.0	3.9	0.0	0.0	0.2	0.0				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			53.8									
HCM 6th LOS			D									


























3555 E Airport Drive Focused Traffic Analysis  
1: Haven Ave & Airport Dr

HCM 6th Signalized Intersection Summary  
Project Opening Year AM Peak Hour Conditions (2WBR)

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Future Volume (veh/h)	229	285	259	63	259	186	407	2051	53	269	1364	192
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	246	306	278	68	278	200	438	2205	57	289	1467	206
Peak Hour Factor	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93	0.93
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	333	403	357	164	629	740	428	2843	700	305	2616	644
Arrive On Green	0.09	0.22	0.22	0.05	0.17	0.17	0.12	0.43	0.43	0.09	0.40	0.40
Sat Flow, veh/h	3510	1811	1605	3510	3610	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	246	305	279	68	278	200	438	2205	57	289	1467	206
Grp Sat Flow(s),veh/h/ln	1755	1805	1611	1755	1805	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	5.9	13.6	14.0	1.6	5.9	4.8	10.5	24.8	1.8	7.1	15.0	7.6
Cycle Q Clear(g_c), s	5.9	13.6	14.0	1.6	5.9	4.8	10.5	24.8	1.8	7.1	15.0	7.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	333	402	359	164	629	740	428	2843	700	305	2616	644
V/C Ratio(X)	0.74	0.76	0.78	0.42	0.44	0.27	1.02	0.78	0.08	0.95	0.56	0.32
Avail Cap(c_a), veh/h	517	775	691	204	1227	1210	428	2843	700	305	2616	644
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	38.0	31.3	31.5	40.0	31.8	25.3	37.9	20.8	14.3	39.2	20.0	17.8
Incr Delay (d2), s/veh	3.2	3.0	3.7	1.7	0.5	0.2	49.9	2.1	0.2	37.4	0.9	1.3
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	2.5	5.8	5.4	0.7	2.5	1.5	7.1	8.4	0.6	4.5	5.3	2.8
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	41.2	34.3	35.2	41.6	32.3	25.5	87.7	22.9	14.5	76.5	20.9	19.1
LnGrp LOS	D	C	D	D	C	C	F	C	B	E	C	B
Approach Vol, veh/h		830			546			2700			1962	
Approach Delay, s/veh		36.6			31.0			33.2			28.9	
Approach LOS		D			C			C			C	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.0	42.0	8.5	23.7	15.0	39.0	12.7	19.5				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	10.5	34.5	12.7	29.3				
Max Q Clear Time (g_c+I1), s	9.1	26.8	3.6	16.0	12.5	17.0	7.9	7.9				
Green Ext Time (p_c), s	0.0	8.8	0.0	3.2	0.0	9.9	0.3	2.3				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay				32.1								
HCM 6th LOS				C								





































3555 E Airport Drive Focused Traffic Analysis  
1: Haven Ave & Airport Dr

HCM 6th Signalized Intersection Summary  
Project Opening Year PM Peak Hour Conditions (2WBR)

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Future Volume (veh/h)	355	488	389	59	565	410	378	2136	34	294	1884	190
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	378	519	414	63	601	436	402	2272	36	313	2004	202
Peak Hour Factor	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94	0.94
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	451	602	480	147	826	648	426	2500	616	269	2207	544
Arrive On Green	0.13	0.32	0.32	0.04	0.23	0.23	0.12	0.38	0.38	0.08	0.34	0.34
Sat Flow, veh/h	3510	1909	1522	3510	3610	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	378	491	442	63	601	436	402	2272	36	313	2004	202
Grp Sat Flow(s),veh/h/ln	1755	1805	1626	1755	1805	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.3	25.1	25.1	1.7	15.1	13.7	11.1	32.3	1.4	7.5	28.7	9.3
Cycle Q Clear(g_c), s	10.3	25.1	25.1	1.7	15.1	13.7	11.1	32.3	1.4	7.5	28.7	9.3
Prop In Lane	1.00		0.94	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	451	570	513	147	826	648	426	2500	616	269	2207	544
V/C Ratio(X)	0.84	0.86	0.86	0.43	0.73	0.67	0.94	0.91	0.06	1.17	0.91	0.37
Avail Cap(c_a), veh/h	516	681	614	179	1016	798	426	2500	616	269	2207	544
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	41.7	31.5	31.5	45.8	35.0	34.5	42.7	28.6	19.1	45.3	31.0	24.6
Incr Delay (d2), s/veh	10.5	9.6	10.5	2.0	2.1	1.6	29.6	6.2	0.2	107.2	6.9	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	4.9	11.5	10.5	0.8	6.5	4.6	6.3	12.2	0.5	7.1	11.5	3.6
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	52.2	41.1	42.1	47.8	37.0	36.1	72.4	34.9	19.3	152.5	37.9	26.5
LnGrp LOS	D	D	D	D	D	D	E	C	B	F	D	C
Approach Vol, veh/h		1311			1100			2710			2519	
Approach Delay, s/veh		44.6			37.3			40.2			51.2	
Approach LOS		D			D			D			D	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	12.0	42.0	8.6	35.4	16.4	37.6	17.1	26.9				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	7.5	37.5	5.0	37.0	11.9	33.1	14.4	27.6				
Max Q Clear Time (g_c+I1), s	9.5	34.3	3.7	27.1	13.1	30.7	12.3	17.1				
Green Ext Time (p_c), s	0.0	3.0	0.0	3.9	0.0	2.2	0.3	4.0				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			44.2									
HCM 6th LOS			D									

3555 E Airport Drive Focused Traffic Analysis  
1: Haven Ave & Airport Dr

Buildout Year AM Peak Hour Conditions  
HCM 6th Signalized Intersection Summary

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	  		 	  		 	  		 	  	
Traffic Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Future Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	394	1246	684	138	868	449	648	3018	744	391	2539	625
Arrive On Green	0.11	0.24	0.24	0.04	0.17	0.17	0.18	0.46	0.46	0.11	0.39	0.39
Sat Flow, veh/h	3510	5187	1610	3510	5187	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	11.1	7.8	21.0	3.1	7.8	17.3	19.8	53.4	3.0	13.1	31.7	15.4
Cycle Q Clear(g_c), s	11.1	7.8	21.0	3.1	7.8	17.3	19.8	53.4	3.0	13.1	31.7	15.4
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	394	1246	684	138	868	449	648	3018	744	391	2539	625
V/C Ratio(X)	0.83	0.32	0.54	0.64	0.42	0.59	0.90	0.97	0.10	0.96	0.77	0.44
Avail Cap(c_a), veh/h	543	1571	785	144	981	484	730	3018	744	391	2539	625
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	53.1	38.2	26.2	57.8	45.6	38.0	48.7	32.1	18.5	54.0	32.5	27.5
Incr Delay (d2), s/veh	7.7	0.1	0.7	9.0	0.3	1.6	12.8	10.8	0.3	36.2	2.3	2.2
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.2	3.2	7.8	1.5	3.3	6.8	9.4	21.2	1.1	7.6	12.3	6.1
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	60.8	38.4	26.9	66.8	45.9	39.6	61.5	42.9	18.8	90.2	34.8	29.8
LnGrp LOS	E	D	C	E	D	D	E	D	B	F	C	C
Approach Vol, veh/h		1101			722			3581			2600	
Approach Delay, s/veh		41.2			46.2			45.4			42.3	
Approach LOS		D			D			D			D	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	18.1	60.9	9.3	33.8	27.1	51.9	18.2	24.9				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.6	56.4	5.0	37.0	25.4	44.6	18.9	23.1				
Max Q Clear Time (g_c+I1), s	15.1	55.4	5.1	23.0	21.8	33.7	13.1	19.3				
Green Ext Time (p_c), s	0.0	1.0	0.0	3.2	0.8	8.8	0.6	1.2				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			43.9									
HCM 6th LOS			D									
<b>Notes</b>												
User approved changes to right turn type.												



































3555 E Airport Drive Focused Traffic Analysis  
1: Haven Ave & Airport Dr

Buildout Year PM Peak Hour Conditions  
HCM 6th Signalized Intersection Summary

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Future Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	510	1432	682	123	861	459	517	2852	703	419	2668	657
Arrive On Green	0.15	0.28	0.28	0.04	0.17	0.17	0.15	0.44	0.44	0.12	0.41	0.41
Sat Flow, veh/h	3510	5187	1610	3510	5187	1610	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1610	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	58.9	2.3	16.0	55.1	16.2
Cycle Q Clear(g_c), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	58.9	2.3	16.0	55.1	16.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	510	1432	682	123	861	459	517	2852	703	419	2668	657
V/C Ratio(X)	0.99	0.49	0.82	0.64	0.93	1.26	1.04	1.07	0.07	1.00	1.01	0.41
Avail Cap(c_a), veh/h	510	1432	682	130	861	459	517	2852	703	419	2668	657
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	57.6	40.9	34.3	64.3	55.6	48.2	57.5	38.0	22.1	59.4	40.0	28.5
Incr Delay (d2), s/veh	38.4	0.3	7.6	9.5	16.8	133.1	50.8	39.2	0.2	42.9	19.6	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	11.1	6.3	16.8	1.5	10.1	31.9	12.1	29.4	0.9	9.5	24.6	6.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.1	41.1	41.9	73.8	72.3	181.4	108.4	77.3	22.3	102.3	59.5	30.4
LnGrp LOS	F	D	D	E	E	F	F	F	C	F	F	C
Approach Vol, veh/h		1758			1460			3637			3380	
Approach Delay, s/veh		57.2			115.6			81.2			62.5	
Approach LOS		E			F			F			E	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	20.6	63.4	9.2	41.8	24.4	59.6	24.1	26.9				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	16.1	58.9	5.0	37.0	19.9	55.1	19.6	22.4				
Max Q Clear Time (g_c+I1), s	18.0	60.9	5.0	39.3	21.9	57.1	21.5	24.4				
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			75.8									
HCM 6th LOS			E									

























3555 E Airport Drive Focused Traffic Analysis  
1: Haven Ave & Airport Dr

HCM 6th Signalized Intersection Summary  
Buildout Year AM Peak Hour Conditions (2 WBR)

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations	 	  		  	  	 	 	  	 			
Traffic Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Future Volume (veh/h)	327	404	370	89	369	264	581	2929	71	377	1948	275
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	396	1143	654	140	765	742	652	3099	763	401	2632	648
Arrive On Green	0.11	0.22	0.22	0.04	0.15	0.15	0.19	0.47	0.47	0.11	0.40	0.40
Sat Flow, veh/h	3510	5187	1610	3510	5187	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	327	404	370	89	369	264	581	2929	71	377	1948	275
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	10.8	7.8	21.1	3.0	7.8	9.0	19.2	50.8	2.9	12.7	30.2	14.6
Cycle Q Clear(g_c), s	10.8	7.8	21.1	3.0	7.8	9.0	19.2	50.8	2.9	12.7	30.2	14.6
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	396	1143	654	140	765	742	652	3099	763	401	2632	648
V/C Ratio(X)	0.83	0.35	0.57	0.64	0.48	0.36	0.89	0.95	0.09	0.94	0.74	0.42
Avail Cap(c_a), veh/h	558	1613	800	148	1007	874	750	3099	763	401	2632	648
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	51.6	39.2	27.2	56.3	46.5	35.7	47.3	29.8	17.2	52.3	30.2	25.6
Incr Delay (d2), s/veh	7.0	0.2	0.8	8.1	0.5	0.3	11.8	7.6	0.2	30.0	1.9	2.0
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	5.0	3.2	7.9	1.4	3.3	3.1	9.0	19.4	1.1	7.1	11.6	5.7
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	58.6	39.4	28.0	64.4	47.0	36.0	59.0	37.5	17.4	82.2	32.2	27.6
LnGrp LOS	E	D	C	E	D	D	E	D	B	F	C	C
Approach Vol, veh/h		1101			722			3581			2600	
Approach Delay, s/veh		41.3			45.1			40.6			38.9	
Approach LOS		D			D			D			D	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	18.1	60.9	9.2	30.7	26.6	52.4	17.9	22.0				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	13.6	56.4	5.0	37.0	25.4	44.6	18.9	23.1				
Max Q Clear Time (g_c+I1), s	14.7	52.8	5.0	23.1	21.2	32.2	12.8	11.0				
Green Ext Time (p_c), s	0.0	3.5	0.0	3.1	0.9	9.8	0.6	2.6				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			40.5									
HCM 6th LOS			D									

3555 E Airport Drive Focused Traffic Analysis  
1: Haven Ave & Airport Dr

HCM 6th Signalized Intersection Summary  
Buildout Year PM Peak Hour Conditions (2 WBR)

												
Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations												
Traffic Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Future Volume (veh/h)	507	695	556	79	803	578	539	3051	47	417	2691	272
Initial Q (Qb), veh	0	0	0	0	0	0	0	0	0	0	0	0
Ped-Bike Adj(A_pbT)	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Parking Bus, Adj	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Work Zone On Approach		No			No			No			No	
Adj Sat Flow, veh/h/ln	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900	1900
Adj Flow Rate, veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Peak Hour Factor	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Percent Heavy Veh, %	0	0	0	0	0	0	0	0	0	0	0	0
Cap, veh/h	510	1432	682	123	861	796	517	2881	710	403	2668	657
Arrive On Green	0.15	0.28	0.28	0.04	0.17	0.17	0.15	0.44	0.44	0.11	0.41	0.41
Sat Flow, veh/h	3510	5187	1610	3510	5187	2834	3510	6536	1610	3510	6536	1610
Grp Volume(v), veh/h	507	695	556	79	803	578	539	3051	47	417	2691	272
Grp Sat Flow(s),veh/h/ln	1755	1729	1610	1755	1729	1417	1755	1634	1610	1755	1634	1610
Q Serve(g_s), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	59.5	2.3	15.5	55.1	16.2
Cycle Q Clear(g_c), s	19.5	15.1	37.3	3.0	20.6	22.4	19.9	59.5	2.3	15.5	55.1	16.2
Prop In Lane	1.00		1.00	1.00		1.00	1.00		1.00	1.00		1.00
Lane Grp Cap(c), veh/h	510	1432	682	123	861	796	517	2881	710	403	2668	657
V/C Ratio(X)	0.99	0.49	0.82	0.64	0.93	0.73	1.04	1.06	0.07	1.03	1.01	0.41
Avail Cap(c_a), veh/h	510	1432	682	130	861	796	517	2881	710	403	2668	657
HCM Platoon Ratio	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Upstream Filter(I)	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00	1.00
Uniform Delay (d), s/veh	57.6	40.9	34.3	64.3	55.6	43.9	57.5	37.7	21.7	59.7	40.0	28.5
Incr Delay (d2), s/veh	38.4	0.3	7.6	9.5	16.8	3.3	50.8	35.1	0.2	54.0	19.6	1.9
Initial Q Delay(d3),s/veh	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
%ile BackOfQ(50%),veh/ln	11.1	6.3	16.8	1.5	10.1	8.9	12.1	28.8	0.9	9.8	24.6	6.4
Unsig. Movement Delay, s/veh												
LnGrp Delay(d),s/veh	96.1	41.1	41.9	73.8	72.3	47.2	108.4	72.8	21.9	113.8	59.5	30.4
LnGrp LOS	F	D	D	E	E	D	F	F	C	F	F	C
Approach Vol, veh/h		1758			1460			3637			3380	
Approach Delay, s/veh		57.2			62.5			77.4			63.9	
Approach LOS		E			E			E			E	
Timer - Assigned Phs	1	2	3	4	5	6	7	8				
Phs Duration (G+Y+Rc), s	20.0	64.0	9.2	41.8	24.4	59.6	24.1	26.9				
Change Period (Y+Rc), s	4.5	4.5	4.5	4.5	4.5	4.5	4.5	4.5				
Max Green Setting (Gmax), s	15.5	59.5	5.0	37.0	19.9	55.1	19.6	22.4				
Max Q Clear Time (g_c+I1), s	17.5	61.5	5.0	39.3	21.9	57.1	21.5	24.4				
Green Ext Time (p_c), s	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0				
<b>Intersection Summary</b>												
HCM 6th Ctrl Delay			67.4									
HCM 6th LOS			E									

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVE FILE NO. PSPA20-003, AN AMENDMENT TO THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, CHANGING THE LAND USE DESIGNATION ON 10.64 ACRES OF LAND FROM COMMERCIAL/FOOD/HOTEL TO LIGHT INDUSTRIAL, TO BE CONSISTENT WITH THE ONTARIO PLAN POLICY PLAN (GENERAL PLAN) INDUSTRIAL (0.55 FAR) LAND USE DESIGNATION, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE, WITHIN THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-222-66.

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA20-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.64 acres of land generally located on the southeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use designation of the California Commerce Center Specific Plan and is developed as a parking lot; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with a retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT (Ontario International Airport) zoning district and is currently vacant; and

WHEREAS, the Specific Plan Amendment will change the land use designation on the subject site from Commercial/Food/Hotel to Light Industrial within the California Commerce Center Specific Plan, to be consistent with The Ontario Plan Policy Plan (General Plan), which designates the subject site for Industrial (maximum 0.55 FAR) land uses; and

WHEREAS, a focused Traffic Impact Analysis was prepared for the project site by TJW Engineering (Dated: August 27, 2020), which compared the trip generation between the existing California Commerce Center Specific Plan Commercial/Food/Hotel land use designation (shopping center/commercial) versus the proposed Light Industrial land use

at a FAR of 0.55 (warehouse/small ancillary office). The trip generation analysis utilized the Industry standard Institute of Transportation Engineers (“ITE”) Trip Generation Manual (10th Edition, 2017) to determine trip generation rates for the existing and proposed land uses and represents the amount of traffic, both inbound and outbound, produced by each land use. The Traffic Impact Analysis concluded that proposed change in land use from Commercial/Food/Hotel to Light Industrial would result in a net difference of 7,183 fewer Average Daily Trips (ADT) trips, including 146 fewer AM peak hour trips, and 719 fewer PM peak hour trips; and

WHEREAS, the Applicant submitted a Development Plan (File No. PDEV20-008) in conjunction with the Amendment to the Specific Plan Amendment to facilitate the construction of a 200,291-square foot industrial building and approval of the Development Plan would not be final and conclusive until such time that the City Council approves the subject Specific Plan Amendment and related Addendum to The Ontario Plan Environmental Impact Report; and

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as “Certified EIR”), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as “EIR Addendum”) in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an EIR Addendum 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 make recommendation to the City Council 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 (hereinafter referred to as "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 17, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Addendum and the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-022, recommending that the Planning Commission recommend the City Council approve the Addendum and Decision No. DAB21-023, recommending the Planning Commission approve the Project (File No. PDEV20-008); and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the Project to the June 22, 2021 hearing date; and

WHEREAS, as the first action on the Project, on June 22, 2021, the Planning Commission issued a Resolution recommending the City Council adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on June 22, 2021, 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 Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

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

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

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

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

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

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

**SECTION 2: *Subsequent or Supplemental Environmental Review Not Required.*** Based on the EIR Addendum, all related 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 Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

**SECTION 3: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending authority for the Project, the Planning Commission finds that based upon 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, 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 authority 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 Sections 1 and 4, above, the Planning Commission hereby concludes as follows:

(1) ***The proposed Specific Plan, or amendment thereto, 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 California Commerce Center Specific Plan amendment will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan Light Industrial land use designation. The proposed amendment will accommodate the construction of industrial land uses within the Specific Plan which is consistent with goals, policies, plans and City Council priorities of The Ontario Plan.

(2) ***The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.*** The proposed amendment to the California Commerce Center Specific Plan will provide consistency between the Policy Plan Land Use Plan and the California Commerce Center Specific Plan proposed Light Industrial land use designation. The proposed Specific Plan Amendment will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. The land use change will provide Light Industrial uses within the California Commerce Center Specific Plan, which is consistent

with the type and intensity of development specified in The Ontario Plan and evaluated by The Ontario Plan Environmental Impact Report.

(3) ***In the case of an application affecting specific property, the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses.*** The proposed amendment will accommodate the construction of industrial land uses. Furthermore, the properties surrounding the project site (immediately to east and south) are currently assigned the Industrial (0.55 FAR) land use designation, providing further land use consistency within the immediate vicinity of the project site which will establish a harmonious relationship between the existing surrounding land uses and planned uses within the specific plan.

(4) ***In the case of an application affecting specific property, the subject site is physically suitable, including, but not limited to, parcel size, shape, access, and availability of utilities, for the request and anticipated development.*** The subject site is physically suitable to accommodate the proposed light industrial land use. The California Commerce Center Specific Plan amendment includes development standards to facilitate the proposed industrial land use, which will be developed with an adequate lot size, access, and utilities to serve the project site.

**SECTION 6: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 5, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL 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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the 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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PSPA20-003  
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:** May 25, 2021

**File No:** PSPA20-003

**Related Files:** PDEV20-008

**Project Description:** An Amendment to the California Commerce Center Specific Plan, changing the land use designation on 10.64 acres of land from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation, located at the northeast corner of Haven Avenue and Airport Drive, within the California Commerce Center Specific Plan (APN: 0211-222-66); **submitted by Vogel Properties, Inc.**

**Prepared By:** Jeanie Irene Aguilo, Associate Planner  
Phone: 909.395.2418 (direct)  
Email: jaguilo@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 Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). 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.

2.3 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.

## 2.4 Tribal Consultation Conditions.

(a) Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 – SB18 (the “Tribe” or the “Consulting Tribe”). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a “historical resource” or “unique archaeological resource,” time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

(b) Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery

excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

**2.5**     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.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-008, A DEVELOPMENT PLAN TO CONSTRUCT A 200,291-SQUARE FOOT INDUSTRIAL BUILDING ON 10.64 ACRES OF LAND, LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE, WITHIN THE PROPOSED LIGHT INDUSTRIAL LAND USE DISTRICT OF THE CALIFORNIA COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0211-222-66.

WHEREAS, VOGEL PROPERTIES, INC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 10.64 acres of land generally located on the southeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use designation of the California Commerce Center Specific Plan and is developed as a parking lot; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use designation of the Ontario Gateway Specific Plan and is developed with a retail land uses (Costco and Starbucks). The property to the east is within the Rail Industrial land use designation of the California Commerce Center Specific Plan and is developed with industrial land uses. The property to the south is within the Light Industrial land use designation of the California Commerce Center Specific Plan and is currently vacant. The property to the west is within the ONT zoning district and is currently vacant; and

WHEREAS, the project site is comprised of 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan zoning district. The project site is currently developed as a parking lot. Land uses immediately surrounding the project site include commercial to the north; industrial to the east, and vacant land to the south and west; and

WHEREAS, project site was developed in 1999 as a privately-owned long-term parking lot to accommodate customers from Ontario International Airport. The site is presently developed with two structures totaling 1,500 square feet that consist of a toll booth and modular office building; and

WHEREAS, March 27, 2020, the Applicant submitted a Development Plan Application (File No. PDEV20-008), to develop the project site with an industrial

warehouse building, in conjunction with an amendment to the California Commerce Center Specific Plan (File No. PSPA20-003) to change the land use designation of the project site from Commercial/Food/Hotel to Light Industrial, to be consistent with The Ontario Plan Policy Plan (General Plan) Industrial (0.55 FAR) land use designation; and

WHEREAS, approval of the Development Plan would not be final and conclusive until such time that the City Council approves the related Specific Plan Amendment and the related Addendum to The Ontario Plan Environmental Impact Report; and

WHEREAS, the applicant is proposing to construct a 200,291-square foot industrial building with a floor area ratio ("FAR") of 0.43. The rectangular-shaped building is located along the northern portion of the site, with the front of the building and office entry located at the southwest corner of the building, and oriented to the west, facing Haven Avenue; and

WHEREAS, the building is setback approximately 95 feet from the north (rear) property line, approximately 140 feet from the south (Airport Drive) property line, 73 feet from the west (Haven Avenue) property line, and 3 feet from the east (interior) property line; and

WHEREAS, the project will provide off-street parking along the northern, western, and southern portions of the site, in addition to a smaller parking area located at the southeast corner of the site to serve warehouse employees; and

WHEREAS, a yard area, designed for tractor-trailer parking, truck maneuvering, loading activities, and outdoor staging, is centrally located on the project site immediately south of the proposed building; and

WHEREAS, the Project has two points of vehicular access along Airport Drive, including a 30-foot wide driveway located near the southwest corner of the site and a 50-foot wide driveway located near the southeast corner of the site, which will be shared by both standard vehicles and tractor-trailers accessing the yard area and parking lot; and

WHEREAS, the Project has provided off-street parking pursuant to the "Warehouse and Distribution" parking standards specified in the Development Code. The industrial building requires a total of 111 off-street parking spaces, and 140 spaces have been provided. In addition, a minimum of 7 tractor-trailer parking spaces are required and 22 tractor-trailer parking spaces have been provided, exceeding the minimum requirements; and

WHEREAS, the proposed industrial warehouse building will be of concrete tilt-up construction. Architecturally, the building incorporates smooth-painted concrete, horizontal reveals, color blocking, clerestory windows with clear anodized aluminum

mullions and blue glazing, and steel canopies over the main office entries and first story windows. Additionally, mechanical equipment will be roof-mounted and obscured from public view by parapet walls; and

WHEREAS, the project provides landscaping along the Haven Avenue and Airport Drive frontages, around the project perimeter, and tractor-trailer yard area. The Development Code requires that the project provide a minimum 15 percent landscape coverage, which has been provided; and

WHEREAS, public utilities (water and sewer) are available to serve the project. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes on-site run-off will be collected by a catch basin and conveyed to an underground infiltration system located within the tractor-trailer courtyard area. Any overflow drainage will be conveyed to 30-inch on-site storm drain that connects to a 60-inch storm drain located within Airport Drive; and

WHEREAS, The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified on January 27, 2010 (hereinafter referred to as "Certified EIR"), in which development and use of the Project site was discussed; and

WHEREAS, the Planning Director of the City of Ontario prepared and approved for attachment to the certified Environmental Impact Report, an Addendum to the Certified EIR (hereinafter referred to as "EIR Addendum") in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, the environmental impacts of this project were thoroughly analyzed in the EIR Addendum, which concluded that implementation of the Project could result in a number of significant effects on the environment that were previously analyzed in the Certified EIR, and that the Certified EIR identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

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

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act — Public Resources Code Section 21000 et seq. — (hereinafter referred to as "CEQA") and an EIR Addendum 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 (hereinafter referred to as "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 17, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Addendum and the Project, and concluded said hearing on that date, voting to issue Decision No. DAB21-022, recommending that the Planning Commission recommend the City Council approve the Application and Decision No. DAB21-023, recommending the Planning Commission approve the Project, File No. PDEV20-008; and

WHEREAS, on May 25, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and continued the Project to the June 22, 2021 hearing date; and

WHEREAS, as the first action on the Project, on June 22, 2021, the Planning Commission issued a Resolution recommending the City Council adopt the EIR Addendum, finding that the proposed Project introduces no new significant environmental

impacts and applying all previously adopted mitigation measures to the Project, which were incorporated by reference; and

WHEREAS, on June 22, 2021, 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 Addendum, the initial study, and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

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

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

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

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

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



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

**SECTION 2: Subsequent or Supplemental Environmental Review Not Required.** Based on the EIR Addendum, all related 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 Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

**SECTION 3: 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 upon 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, 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 Sections 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 Industrial land use district of the Policy Plan Land Use Map, and the proposed Light Industrial land use district of the California Commerce Center 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 proposed Light Industrial land use district of the California Commerce Center Specific Plan zoning district, including standards relative to the particular land use proposed (industrial), 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; 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 Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the California Commerce Center 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 California Commerce Center 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 California Commerce Center 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 (industrial). As a result of this review, the Development Advisory Board 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 California Commerce Center 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. If the City Council does not approve the Amendment to the California Commerce Center Specific Plan (File No. PSPA20-003), this resolution should become null and void and of no further force and effect.

**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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the 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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV20-008  
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:** May 17, 2021

**File No:** PDEV20-008

**Related Files:** PSPA20-003

**Project Description:** A Development Plan to construct a 200,291-square foot industrial building on 10.64 acres of land located at the northeast corner of Haven Avenue and Airport Drive, within the proposed Light Industrial land use district of the California Commerce Center Specific Plan. (APN: 0211-222-66); **submitted by Vogel Properties, Inc.**

**Prepared By:** Jeanie Irene Aguilo, Associate Planner  
Phone: 909.395.2418 (direct)  
Email: jaguilo@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.** 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)    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 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 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.

(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).

(f)    Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

**2.6**    Outdoor Loading and Storage Areas.

(a)    Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b)    Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.



(c) Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

(d) Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

(i) Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

(ii) Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

(e) The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

<i>Screen Wall Height</i>	<i>Minimum Gate Height</i>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

**2.7** Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

**2.8** 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.

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

**2.10** Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.0 (Sign Regulations).

**2.11** 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).

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

(a) Reciprocal Easement Agreement shall ensure reciprocal access between the project site and the adjacent parcel.

(b) Reciprocal Easement Agreement shall be prepared for the Project and shall be recorded prior to the issuance of a building permit.

**2.13** Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with an **Addendum to The Ontario Plan Environmental Impact Report**, certified by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001 (City Council Resolution No. 2010-006). 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.

**2.14** 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.

**2.15** 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.

**2.16** Tribal Consultation Conditions.

(a) Prior to the commencement of any ground disturbing activity at the project site, the project applicant shall retain a Native American Monitor approved by the Gabrieleno Band of Mission Indians-Kizh Nation – the tribe that consulted on this project pursuant to Assembly Bill A52 – SB18 (the "Tribe" or the "Consulting Tribe"). A copy of the executed contract shall be submitted to the City of Ontario Planning and Building Department prior to the issuance of any permit necessary to commence a ground-disturbing activity. The Tribal monitor will only be present on-site during the construction phases that involve ground-disturbing activities. Ground disturbing activities are defined by the Tribe as activities that may include, but are not limited to, pavement removal, potholing or auguring, grubbing, tree removals, boring, grading, excavation, drilling, and trenching, within the project area. The Tribal Monitor will complete daily monitoring logs that will provide descriptions of the day's activities, including construction activities, locations, soil, and any cultural materials identified. The on-site monitoring shall end when all ground-disturbing activities on the Project Site are completed, or when the Tribal Representatives and Tribal Monitor have indicated that all upcoming ground-disturbing activities at the Project Site have little to no potential for impacting Tribal Cultural Resources. Upon discovery of any Tribal Cultural Resources, construction activities shall cease in the immediate vicinity of the find (not less than the surrounding 100 feet) until the find can be assessed. All Tribal Cultural Resources unearthed by project activities shall be evaluated by the qualified archaeologist and Tribal monitor approved by the Consulting Tribe. If the resources are Native American in origin, the Consulting Tribe will retain it/them in the form and/or manner the Tribe deems appropriate, for educational, cultural and/or historic purposes. If human remains and/or grave goods are discovered or recognized at the Project Site, all ground disturbance shall immediately cease, and the county coroner shall be notified per Public Resources Code Section 5097.98, and Health & Safety Code Section 7050.5. Human remains and grave/burial goods shall be treated alike per California Public Resources Code section 5097.98(d)(1) and (2). Work may continue on other parts of the Project Site while evaluation and, if necessary, mitigation takes place (CEQA Guidelines Section 15064.5[f]). If a non-Native American resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time allotment and funding sufficient to allow for implementation of avoidance measures, or appropriate mitigation, must be available. The treatment plan established for the resources shall be in accordance with CEQA Guidelines Section 15064.5(f) for historical resources and PRC Sections 21083.2(b) for unique archaeological resources.

(b) Preservation in place (i.e., avoidance) is the preferred manner of treatment. If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

**2.17** Additional Requirements.

(a) The approval of File No. PDEV20-008 shall be final and conclusive upon the approval of File No. PSPA20-003 by the City Council.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV20-008</u></b>  <b>RELATED FILE NO(S). _____</b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: <u>  </u> / <u>  </u> / <u>  </u>	

CITY PROJECT ENGINEER & PHONE NO: Eric Woosley, PE (909) 395-2134 *EW*

CITY PROJECT PLANNER & PHONE NO: Jeanie Aguilo (909) 395-2418

DAB MEETING DATE: May 17, 2021

PROJECT NAME / DESCRIPTION: PDEV20-008 a Development Plan to construct a 237,398-square feet industrial building on 10.64 acres of land within the Commercial/Food/Hotel land use district of the California Commerce Center Specific Plan

LOCATION: Northeast corner of Haven Avenue and Airport Drive

APPLICANT: Vogel Haven

REVIEWED BY: Raymond Lee      5/6/21  
 Raymond Lee, P.E.      Date  
 Assistant City Engineer

APPROVED BY: Khoi Do      5-6-21  
 Khoi Do, P.E.      Date  
 City Engineer



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) 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 OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.**

**1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:** Check When Complete

- 1.01 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 \_\_\_\_\_.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
 \_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 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](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 Financial 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](http://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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 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/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF 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 Parcel Map No. 15162 in Map Book 185, Pages 84-85.**
- 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](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, non-interference letter 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)
  - Utility Companies (Southern California Gas, etc.) for any easements within the limits of the subject project.**
- 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):** 
  1. **A 20' Public Utilities Easement (PUE) for the existing 18" water main along the northern portion of the property.**
  2. **A 20' PUE for the existing public sewer main along the northerly property limits.**

**Each easement shall follow the alignment of the utility with reference to the centerline.**
- 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 100% 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. Storm Drain Development Impact Fee, approximately \$238,229.60, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 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	Haven Avenue	Airport Drive	Street 3	Street 4
<b>Curb and Gutter</b>	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> <b>Replace damaged</b> <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input type="checkbox"/> New; ___ ft. from C/L <input checked="" type="checkbox"/> <b>Replace damaged</b> <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
<b>AC Pavement</b>	<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	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen ___ additional feet along frontage, including pavm't transitions
<b>PCC Pavement (Truck Route Only)</b>	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input checked="" type="checkbox"/> <b>New</b> <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Drive Approach</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> <b>New</b> <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<input checked="" type="checkbox"/> <b>New</b> <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input type="checkbox"/> New <input checked="" type="checkbox"/> <b>Remove and replace</b>	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>ADA Access Ramp</b>	<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
<b>Parkway</b>	<input checked="" type="checkbox"/> <b>Trees</b> <input checked="" type="checkbox"/> <b>Landscaping (w/irrigation)</b>	<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)
<b>Raised Landscaped Median</b>	<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
<b>Fire Hydrant</b>	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> <b>New / Upgrade</b> <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



<b>Sewer (see Sec. 2.C)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water (see Sec. 2.D)</b>	<input type="checkbox"/> Main <input type="checkbox"/> Service	<input type="checkbox"/> Main <input checked="" 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 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 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
<b>Street Light (see Sec. 2.F)</b>	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" 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
<b>Bus Stop Pad or Turn-out (see Sec. 2.F)</b>	<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	<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 type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Fiber Optics (see Sec. 2.K)</b>	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input checked="" type="checkbox"/> Conduit / Appurtenances	<input type="checkbox"/> Conduit / Appurtenances	<input 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: \_\_\_\_\_

- 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 **An 8-inch sewer main is available for connection by this project in Airport Drive. (Ref: Sewer plan bar code: S13223)**
- 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 proposed sewer monitoring manhole shall be located on private property immediately behind the property line in place of the proposed sewer cleanout.**
  - 2. **The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit ([https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/industrial\\_wastewater\\_permit\\_application.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/industrial_wastewater_permit_application.pdf)). Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact: Michael Birmelin, Environmental Programs Manager  
[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)  
Phone: (909) 395-2661**
  - 3. **As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

**D. WATER**

- 2.27 **A 16-inch water main is available for connection by this project in Airport Drive. (Ref: Water plan bar code: W10280)**
- 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. **Upgrade the existing two fire hydrants to current city standard with breakaway check valves on Airport Drive.**
  - 2. **Construct one new fire hydrant near the intersection of Haven Avenue and Airport Drive on Airport Drive.**
  - 3. **The proposed fire hydrant, east of the proposed easterly driveway of the project, must be connected the directly to the public water main in the street and cannot be attached to the downstream of the proposed DCDA.**
  - 4. **Construct two new fire hydrants along Haven Avenue.**



**E. RECYCLED WATER**

- 2.30 **No recycled water main is available for connection by this project in Airport Drive or Haven Avenue.**   
**(Ref: Recycled Water plan bar code: N/A)**
- 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. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the 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) 395-2647 regarding this requirement.
- 2.34 Other conditions: \_\_\_\_\_

**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 construct concrete approach for all lanes in the westbound direction along Airport Drive since Airport Drive is a truck route in accordance with the City of Ontario Standard Drawing No. 1207.**
  - 2. **The Applicant/Developer shall pay an in-lieu fee, approximately \$51,168, for the construction of one-fourth of the concrete intersection of Haven Avenue and Airport Drive.**
  - 3. **The Applicant/Developer shall be responsible to design and construct a bus turnout on the east side of Haven Avenue north of Airport Drive for the existing bus stop to the satisfaction of the City Engineer and Omnitrans. The design shall be in accordance with Omnitrans' Bus Stop Design Guidelines.**
  - 4. **The Applicant/Developer shall be responsible to replace any existing streetlight fixtures along the property frontages of Haven Avenue, including the median and Airport Drive with the current City-approved LED equivalent fixture. Please refer to the Traffic and Transportation Design Guidelines Section 1.4-Street Light Plans.**



**G. DRAINAGE / HYDROLOGY**

- 2.38 **A 72-inch storm drain main is available to accept flows from this project in Airport Drive. (Ref: Storm Drain plan bar code: D10145)**
- 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.
- 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.
- 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.
- 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.
- 2.43 Other conditions: \_\_\_\_\_

**H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)**

- 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.
- 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 **Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.**
- 2.47 Other conditions: \_\_\_\_\_



#### J. SPECIAL DISTRICTS

- 2.48 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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

#### K. FIBER OPTIC

- 2.50 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.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

#### L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:   
<https://www.ontarioca.gov/OMUC/IntegratedWaste>
- 2.53 Other conditions:
1. **Final Solid Waste Handling Plan (SWHP):** Prior to approval of any building permits, submit a final SWHP with the Precise Grading Plan for review and approval of Ontario Municipal Utilities Company.
  2. **Trash Enclosures (TE):** Per the proposed building square footage, this site is required to construct three TEs. Each TE to accommodate three 4-cy yard bins. Each bin is 5'x7' in dimensions.
  3. **Integrated Waste Management Report (IWMR):** Prior to approval of the Precise Grading Plan, submit to OMUC for review and approval, an Integrated Waste Management Report (IWMR) that complies with the IWMR Requirements.



**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) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).

**4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01 Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02 Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03 The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04 Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



## EXHIBIT 'A'

### ENGINEERING DEPARTMENT First Plan Check Submittal Checklist

---

Project Number: PDEV20-008

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.  **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6.  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).
7.  **Three (3) sets of Public Street improvement plan with street cross-sections**
8.  Three (3) sets of Private Street improvement plan with street cross-sections
9.  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)
10.  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)
11.  Four (4) sets of Public Sewer improvement plan
12.  Five (5) sets of Public Storm Drain improvement plan
13.  Three (3) sets of Public Street Light improvement plan
14.  Three (3) sets of Signing and Striping improvement plan
15.  **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16.  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)
17.  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.
18.  **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19.  One (1) copy of Hydrology/Drainage study
20.  **One (1) copy of Soils/Geology report**





- 21.  Payment for Final Map/Parcel Map processing fee
- 22.  Three (3) copies of Final Map/Parcel Map
- 23.  One (1) copy of approved Tentative Map
- 24.  **One (1) copy of Preliminary Title Report (current within 30 days)**
- 25.  One (1) copy of Traverse Closure Calculations
- 26.  **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.**
- 27.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 28.  Other: \_\_\_\_\_



## UTILITIES SYSTEMS MAP (USM) REQUIREMENTS:

*The USM shall meet, at a minimum, the following requirements:*

1. **USM Content and Format:** The Utilities Systems Maps shall show all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems. This plan should include:
  - a. **Format:** The Utilities Systems plan at a minimum 1:100 scale (or large engineering scale as appropriate to show needed details) that clearly shows each existing and proposed utility and its relative location. This includes property lines, right-of-way, public utility easements, but should not include underlying existing topography, just proposed general grades. Use appropriate colors for each Utility type: blue for Potable Water; purple for Recycled Water; green for Sanitary Sewer; yellow-brown for storm Drain.
  - b. **Services and Laterals:** All Proposed Utility Service laterals for each parcel (potable water domestic, recycled water irrigation, potable/recycled water for process water, and sewer) and any associated appurtenances.
    - i. **Meter and Backflow Device Locations:** Show all proposed meters and required backflow devices located per City Standards (Water Services and Meters; Backflow Devices). Meters should be located in public rights-of-way or PUEs; either at the R/W (or PUE) line for curb adjacent sidewalks or at back of curb for all other cases. All water connections that serve more than one residential unit are required to have a backflow device installed behind the meter.
  - c. **Cross Sections (if applicable, for project construction new public mains):** Scaled cross sections showing the utility layout on the Utility Systems Map (Utility Plan) for each public street, private street and Public Utility Easement (PUE). The cross sections shall show the location and size of each utility and annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).
  - d. **Points of Connections:** The locations of the points of connections to the existing utility systems, which can include breaks between the map area and the connection points with descriptions of the pipe size, type, use (pressure zone for water), and distance. An inset map can be used in addition to this to help provide clarity.
  - e. **Water Demand Table (if applicable, for projects within Ontario Ranch/NMC):** Add a Water Demand Table to the Utility Systems Map (Utility Plan) that calculates the project's domestic water use based on land use category (residential, commercial, and OS-R/Parks) and the number of units. The table shall state demand in terms of Average Daily Demand (ADD from Table 4-8 of the Water Master Plan) and Water Demand Equivalents (WDE / Net MDD from Exhibit C-2R of the NMC Construction Agreement; WDEs only if NMC). It should also identify the quantity of units in each category and the specific lots that are included in that category. Please Note that master planned lines are designed using gross acreage densities for all projected water use from residential categories.
    - i. See Attached Sheet for WDT Example.
  - f. **Phasing Plan (if applicable):** As separate exhibits, provide a proposed phasing plan showing the phasing of the infrastructure and the number and type (TOP land use category) of units in each phase.
    - i. All phases must have: a connection to public sewer; a two separate looped connections to the potable water system, where no one closing of a main segment results in any part of any of any phase being without potable water.



- ii. For public water mains in all phases, dead-end water lines (temporary or permanent) are limited to serving 28 dwelling units or a maximum of 600 linear feet, whichever comes first. Otherwise a looped water system with at least two (2) points of connection to the primary public system is required.
  
- g. Private Onsite Systems versus Public Systems within PUEs for Residential Tract Map Project *if applicable*: the following requirements apply when delineating between Private and Public Systems:
  - i. Current Standard Drawing No. 1304 remains applicable and minimum health separation must be met.
  - ii. Public water mains will be accepted in longer alleys when it serves more than 6 meters.
  - iii. Public sewer mains will be accepted in alleys where the water is public.
  - iv. Public dead-end water mains will require a blow-off at the end and the alley should be designed to accommodate runoff from required water main flushing operations.
  - v. Public sewer mains in alleys will require a manhole at both ends of the main.
  - vi. Public meters serving more than one single family residential unit are considered as multifamily service with master meter and require: a backflow device after the meter, private HOA sub-metering for each unit, and a separate Fire Service with DCDA to provide private onsite fire service.



## SOLID WASTE HANDLING PLAN (SWHP) REQUIREMENTS:

*The SWHP shall meet, at a minimum, the following requirements:*

1. **SWHP Content and Format:** The Solid Waste Handling Plan shall demonstrate compliance with the Services Standards in the City's Solid Waste Planning Manual (available online at: <http://www.ontarioca.gov/government-departments-municipal-utilities-company/integrated-waste>) and shall contain, at a minimum, the following elements:
  - a. A statement identifying the Service Requirements being used (e.g. Single Family Detached with automated cans, Multi-family/ Commercial/Industrial with bins and enclosures, etc.) and describing the solid waste handling operation (*for instance, will there be scouting services, etc.*).
  - b. A table utilizing the metrics on Page 8 of the Planning Manual and calculating the volume (gallons or cubic yards), quantity, and service schedule for each type of can and bin required for each Service Category (refuse, recycled, etc.).
  - c. An Engineering Site Plan drawn to scale that shows:
    - i. Minimum plan scale of scale of 1:100. Larger scales are preferred and should be scaled to fill the sheet and show as much detail as clearly as possible on one sheet; multiple sheets may be used if entire project area cannot fit on one sheet at 1:100 scale.
    - ii. A detail of the Solid Waste Vehicle with dimensions and annotation that states the minimum turning radii and path of travel widths actually being used on the plan.
    - iii. The Solid Waste Vehicle turning movements and paths of travel in each direction of travel and at all intersections. All paths of travel shall be 15 feet wide minimum.
    - iv. All parking stalls and parallel parking spaces along all streets, alleys, or aisles.
    - v. All proposed curbs and areas designated and striped/signed as "No Parking".
    - vi. All proposed trash enclosures and the ADA paths of travel from the buildings.
    - vii. A detail for each enclosure footprint delineating the number and size of the bins in order to demonstrate that the enclosure is adequately sized and oriented, if enclosures and bins are proposed.
    - viii. All proposed locations of automated cans shown as a 26-inch by 26-inch can pad with 20-inches between can pads and 40-inches between can pads and Parking spaces, mailboxes and other obstructions (Can Collection Area). Can Collection Areas shall be located along designated paths of travel and cannot be located along dead end alleys, motor courts, driveways, or private streets; use multi-family standards for enclosures in these cases.
2. **Can Collection Area (CCA) Locations:** If CCAs are being proposed in lieu of bin enclosures for residential units located along dead end alleys, motor courts, driveways, or private streets, then the SWHP shall comply with the following requirements:
  - a. CCAs cannot conflict or compete with potential parking areas. Proposed CCAs must be designated as "no parking" at all times with appropriate striping and signage.
  - b. Each residential unit must have a designated CCA and each CCA must delineated with markings so that its location and the unit it is designated for are easily identifiable.
  - c. Solid Waste Handling Plan shall include a detail showing how the CCAs will be delineated and identifiable.



3. **Private Third Party Hauler:** If any Solid Waste Collections are going to be provided by a private third party hauler, include on the SWHP:
- a. A statement describing the service.
  - b. The names, contact information, and City of Ontario Commercial Recycler Collection Permit numbers of all private third party haulers. Note: all private third party organics and recycling haulers must be formally approved and permitted by the City of Ontario and meet City Code requirements, otherwise the City must provide the collection services. If the third party haulers do not have a City of Ontario Commercial Recycler Collection Permit, state if the third party hauler is charging a fee for service.
  - c. Show & label staging and collection areas for private third party haulers.

**CITY OF ONTARIO  
LANDSCAPE PLANNING  
DIVISION**

303 East "B" Street, Ontario, CA 91764

**DAB CONDITIONS OF APPROVAL**

**Sign Off**

	02/24/2021
Jamie Richardson, Sr. Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Sr. Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
--	---------------------------------

D.A.B. File No.: PDEV20-008	Case Planner: Jeanie Aguilo
--------------------------------	--------------------------------

Project Name and Location: Vogel Industrial Bldg. NEC Haven Ave and Airport Drive	
Applicant/Representative: Herdman Architecture and Design, Inc. 16201 Scientific Way Irvine, CA 92618	

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 02/09/2021) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.**  
Landscape construction plans with plan check number may be emailed [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)  
**DIGITAL SUBMITTALS MUST BE 10MB OR LESS.**

**Civil/ Site Plans**

1. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
  - a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
  - c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
  - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
2. ~~Increase the landscape planter along the east.~~ There are adjacent trees within 15' of this building and will be impacted by construction. **Include these trees in the inventory. Identify mitigation/protection measures. Landscape, trees and irrigation will be required to be replaced and repaired along the eastern property line. Parking lot trees will be required to be installed on adjacent property if removed.**

**Landscape Plans**

3. Do not encircle or box in the backflow devices, show as masses and duplicate masses in other locations on regular intervals.
4. Dimension all planters to have a minimum 5' wide inside dimension with 6" curbs and 12" wide

curbs where parking spaces are adjacent to planters.

5. Provide additional trees throughout the landscape planter along the northern property line.
6. Locate trees 50% of canopy width from walls, buildings, and existing trees.
7. Show 25% of trees as California native (*Platanus racemosa*, *Quercus agrifolia*, *Quercus wislizenii*, *Quercus douglasii*, *Cercis occidentalis* etc.) in appropriate locations.
8. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
9. 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. Landscape construction plans with building permit number for plan check may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Irene Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** April 3, 2020  
**SUBJECT:** PDEV20-008

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

---

### Conditions of Approval

1. Project Address will be 3525 E Airport Dr.
2. Standard Conditions of Approval apply.

KS:lr





# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner  
Planning Department

**FROM:** Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** April 8, 2020

**SUBJECT:** PDEV20-008 – A Development Plan to construct a 237,398-square foot industrial building on 10.64 acres of land located at the northeast corner Haven Avenue and Airport Drive, within the Commercial/Food/Hotel land use district of the California Commerce Center Specific Plan (APN: 0211-222-66). Related File: PSPA20-003.

- 
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
- 

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: III B
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 237,398 Sq. Ft.
- D. Number of Stories: 1 with Mezzanine
- E. Total Square Footage: 237,398 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): S

## **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](http://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.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) 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 4000 gallons per minute (g.p.m.) for 4 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.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The 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**

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard. 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.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and Fire Department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

## **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. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. 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.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

## **6.0 OTHER SPECIAL USES**

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.
- ☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Associate Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** April 6, 2020

**SUBJECT:** PDEV20-008- A DEVELOPMENT PLAN TO CONSRUCT ONE INDUSTRIAL BUILDING TOTALING 237,398 SQUARE FEET LOCATED AT THE NORTHEAST CORNER OF HAVEN AVENUE AND AIRPORT DRIVE.

---

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Associated letters shall also be included.
- First floor common stairwells shall be constructed to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Emily Hernandez at (909) 408-1755 with any questions or concerns regarding these conditions.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PSPA20-003 & PDEV20-008

Address: Northeast Corner of Haven Avenue & Airport Drive

APN: 0211-222-66

Existing Land Use: Parking Lot

Proposed Land Use: An SPA to change the Commercial/Food/Hotel land use to Industrial and Dev. Plan to construct 1 industrial building totaling 237, 398 SF

Site Acreage: 10.64 Proposed Structure Height: 50 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Jeanie Aguilo

Date: 12/23/2020

CD No.: 2020-021

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 checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input checked="" type="checkbox"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 60 - 65 dB CNEL	<input checked="" type="checkbox"/> Airspace Avigation Easement Area	
<input type="radio"/> Zone 4		Allowable Height: <u>120 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.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2020-021  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

1. The maximum height limit for the project site is 120 feet and as such, any construction equipment such as cranes or any other equipment exceeding 120 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.

**FILE NO:** PDEV19-031

**SUBJECT:** A Development Plan to construct a five-story, 49-unit apartment building (Magnolia Apartments) on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district; (APNs: 1011-371-15 and 1011-371-16) **submitted by Pedro Maltos.**


**PROPERTY OWNER:** Pedro Maltos

**RECOMMENDED ACTION:** That the Planning Commission consider and adopt a Mitigated Negative Declaration and approve File No. PDEV19-031, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

**PROJECT SETTING:** The project site is comprised of 1.58 acres of land located at 890 South Magnolia Avenue, located within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acres) zoning district, and is depicted in Figure 1: Project Location, below. The subject property is currently developed with a single-family dwelling and a commercial nursery. The site is relatively flat, with a gentle slope to the south of just over one percent. The property to the north of the Project site is within the HDR-45 (High Density Residential 25.1 to 45.0 DU/Acres) land use district and is developed with four-story, multiple-family dwellings. The properties to the east and west are within the MDR-18 (Medium Density Residential 11.1 to 25.0 DU/Acre) zone and are developed with two-story, multiple-family dwellings. The property to the south is within the AR-2 (Residential Agriculture 0 to 2 DU/Acre) zone and is developed with a single-family home. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the



**Figure 1: Project Location**

Case Planner:	Luis E. Batres
Planning Director Approval:	
Submittal Date:	06/5/19

Hearing Body	Date	Decision	Action
DAB	06/21/21	Approval	Recommend
PC	06/22/21		Final
CC			



“Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.

**PROJECT ANALYSIS:**

(1) Background—On June 5, 2019, the Applicant submitted a Development Plan (File No. PDEV19-031) application for the construction of a five-story, 49-unit apartment building (Magnolia Apartments) on the above-described Project site.

On June 21, 2021, the Development Advisory Board (DAB) of the City of Ontario conducted a hearing to consider the Development Plan, and concluded the hearing voting to recommend that the Planning Commission approve the Application subject to conditions of approval, which have been included with the Planning Commission resolutions.

(2) Site Design/Building Layout—The 49-unit apartment building has an L-shape configuration and is situated along the southeast portion of the 1.58-acre lot, with the east elevation oriented towards Magnolia Avenue. The common open recreational amenity area is located at the center of the site, with the surface parking distributed along the north and west sides of the building.

The building will be five-stories in height (67-feet), with four floors of residential over one-level of at-grade podium structured parking. Additional common recreational amenities will be incorporated within the second and third floors of the building. The Project is proposed at a density of 31 dwellings per acre, consistent with the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) land use designation.

The north, west and south property lines will feature a decorative 6-foot tall block wall designed to match the architecture design of the building (see Exhibits B: Site Plan, attached).

As demonstrated in the table below, five floor plans will be provided that will range in size from 789 to 1,173 square feet (see Exhibits E to I: Floor Plans, attached):

**Table 1: Floor Plan Summary**

<b>Plan No.</b>	<b>Area (in SF)</b>	<b>No. Units</b>	<b>No. Bedrooms</b>	<b>No. Baths</b>
A	789	3	1	1
B	834	9	1	1
C	1,007	6	2	2
D	1,062	18	2	2
E	1,173	13	2	2

(3) Site Access/Circulation —The Project is designed with one point of vehicular ingress and egress from Magnolia Avenue, by way of a 30-foot wide driveway and a 26-foot wide drive that is located at the northeast area of the site. The 26-foot wide drive aisle loops around the interior of the site, providing access to the surface parking lot and podium parking structure. One-way access into the at-grade podium parking structure will be provided at the garage entry, located along the southwest area of the building, with a one-way exit located along the northeast area of the building (see Exhibits B: Site Plan, attached). A 26-foot wide drive aisle will accommodate the one-way access through the parking structure. Pedestrian access into the building will be provided at the northeast area of building through a lobby entry and on the west side of the building, from Magnolia Avenue, through a street entry. The residential units will be accessed through interior corridors, which are accessible by stairs and an elevator located in the lobby, located at the parking structure level.

(4) Parking —The Ontario Development Code requires the project to provide off-street parking at the rate of 1.75 spaces per dwelling unit for one-bedroom units with one covered space (garage or carport), two spaces per dwelling unit for two-bedroom units with one covered space (garage or carport), and one guest parking space for every four dwelling units. A total of 108 off-street parking spaces are required for the project, which includes 13 guest parking spaces. The project will provide 108 parking spaces, in compliance with the Development Code off-street parking requirements. Off-street parking has been provided in the form of a one-level at-grade podium parking structure and uncovered surface parking. Parking will be composed of 53 spaces within the podium parking structure and 55 spaces within the uncovered surface parking lot.

(5) Architecture —The project proposes a Spanish Contemporary architectural design, exemplifying the type of high-quality architecture promoted by the Ontario Development Code and The Ontario Plan (see Figure 2: Magnolia Avenue Perspective & Exhibits C & D- Perspectives, attached). The mass and scale of the building is designed to be proportionate to the site. The varying stacked massing of the building, articulated roof line and the two and three story step downs at the corners (northeast and south east) of the building, provides visual interest and helps soften the pedestrian interface between the building façade and the street frontage along Magnolia Avenue. Special attention was given to the colors, materials, massing, building form, and architectural details. This is exemplified by the use of:

- Articulation in the building's roof line;
- Flat and gable roof lines;
- Architectural towers;
- Stone veneer along the first and second floors;
- Malibu S-file roof;
- An exterior smooth stucco finish;
- Decorative metal railings at all balconies along the second, third, fourth and fifth floors;
- Decorative metal canopies over key architectural elements and windows;

- Precast concrete trim around doors and windows;
- Decorative faux wood trellis at the second and third floors within the outdoor recreation deck area;
- Decorative metal mesh over the exterior of the parking structure openings;
- A decorative roofline trim; and
- Several exterior building colors.



**Figure 2: Magnolia Avenue Perspective**

(6) Landscaping —The project exceeds the minimum landscape requirements established by the Development Code (see Figure 3: Landscape Plan & Exhibit O: Landscape Plan Details, attached). The project will provide an average of 66 square feet of private open space per unit (50 sq. ft. minimum required), in the form of private balconies, and 259 square feet of common open space for each unit (250 sq. ft. minimum required). The common open space (totaling 12,670 square feet) will be provided as follows:

- Ground Floor — The ground floor recreation common open area will be located at the center of the surface parking area (northwest side of the building). This area will include a 20' x 20' decorative steel picnic shelter, decorative metal outdoor benches, open play turf area, children's play structure, decorative lighting, decorative paving, and BBQ area.
- Second Floor — Floor will include an open deck area with a decorative overhead metal trellis, gymnasium, kitchen area and restrooms.

- Third Floor — Floor will include an exercise room, open deck with an overhead decorative trellis, restrooms, and a multi-purpose room, to be used for social gatherings.

In addition, the project will provide a 13-foot wide landscape setback along the Magnolia Avenue frontage (east property line), a 6-foot wide landscape setback along the north property line, a 12-foot wide landscape setback along the south property line and a 5.5-foot wide landscape setback along the west property line. Furthermore, the project will also provide landscaping throughout the interior area of the parking lot. The plant pallet will consist of a mix of shade trees, ground cover and shrubs. At key areas of the project, accent planting is featured, including Canary Island Pine, Brisbane Box, Date Palms, California Fan Palms, California Sycamore, Western Redbud, Paperback, Italian Cypress, Japanese Blueberry, Water Gum and Carolina Laurel Cherry.



**Figure 3: Landscape Plan**

(7) Utilities (drainage, sewer) —Public utilities (water and sewer) are available to serve the project. Additionally, the applicant has submitted a Preliminary Water Quality Management Plan (PWQMP), which establishes the project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development (LID) best management practices (BMPs), such as retention and infiltration, bio treatment, and evapotranspiration. The PWQMP proposes to install stormtech infiltration chambers under the parking lot area along the western portion of the surface parking lot.

**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) 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.

- H2-5 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.

- 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.

### **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.

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ 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.

➤ CD5-1 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 49 and density 31 DU/Acre specified in the Available Land Inventory.

**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, 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. 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 ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

**ENVIRONMENTAL REVIEW:** The application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. The environmental documentation for this project is available for review at the Planning Department public counter.

**CONDITIONS OF APPROVAL:** See the department reports included with the attached resolutions.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	Existing Land Use	General Plan Designation	Zoning Designation	Specific Plan Land Use
Site	Single-Family Home & Commercial Nursery	High Density Residential (25.1 – 45.0 du/ac)	HDR-45 (High Density Residential - 25.1 to 45.0 du/ac)	N/A
North	Four-Story, Multiple-Family Dwellings	High Density Residential (25.1 – 45.0 du/ac)	HDR-45 (High Density Residential - 25.1 to 45.0 du/ac)	N/A
South	Single Family Home	Rural Residential (0-2 du/ac)	AR-2 (Residential Agriculture - 0-2 du/ac)	N/A
East	Two-Story Multiple-Family Dwellings	Medium Density Residential (11.1 -25.0 du/ac) & Rural Residential (0-2 du/ac)	MDR-18 (Medium Density Residential 11.1 – 25.0 du/ac)	N/A
West	Two-Story Multiple-Family Dwellings	Medium Density Residential (11.1 - 25.0 du/ac)	MDR-18 (Medium Density Residential - 11.1 to 25.0 du/ac)	N/A

**General Site & Building Statistics**

Item	Required Min./Max.	Provided (Ranges)	Meets Y/N
Project area (in acres):	1 Acre	1.58 Acres	Y
Maximum project density (dwelling units/ac):	25.1 to 45.0 DU/Acre	31.01 DU/Acre	Y
Front yard setback (in FT):	10'	13'	Y
Side yard setback (north) (in FT):	5'	6'	Y
Side yard setback (south) (in FT):	5'	12'	Y
Rear yard setback (in FT):	5'	5.5'	Y
Maximum height (in FT):	75'	66'	Y
Parking – resident:	108	108	Y
Parking – guest:	13	13	Y
Open space – private:	50 Sq. Ft.	66 Sq. Ft.	Y
Open space – common:	250 Sq. Ft. Per Unit	259 Sq. Ft. Per Unit	Y

**TECHNICAL APPENDIX:**

**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>	40	49	Y
<i>Total no. of buildings</i>	1	1	Y
<i>No. units per building</i>	49	49	Y

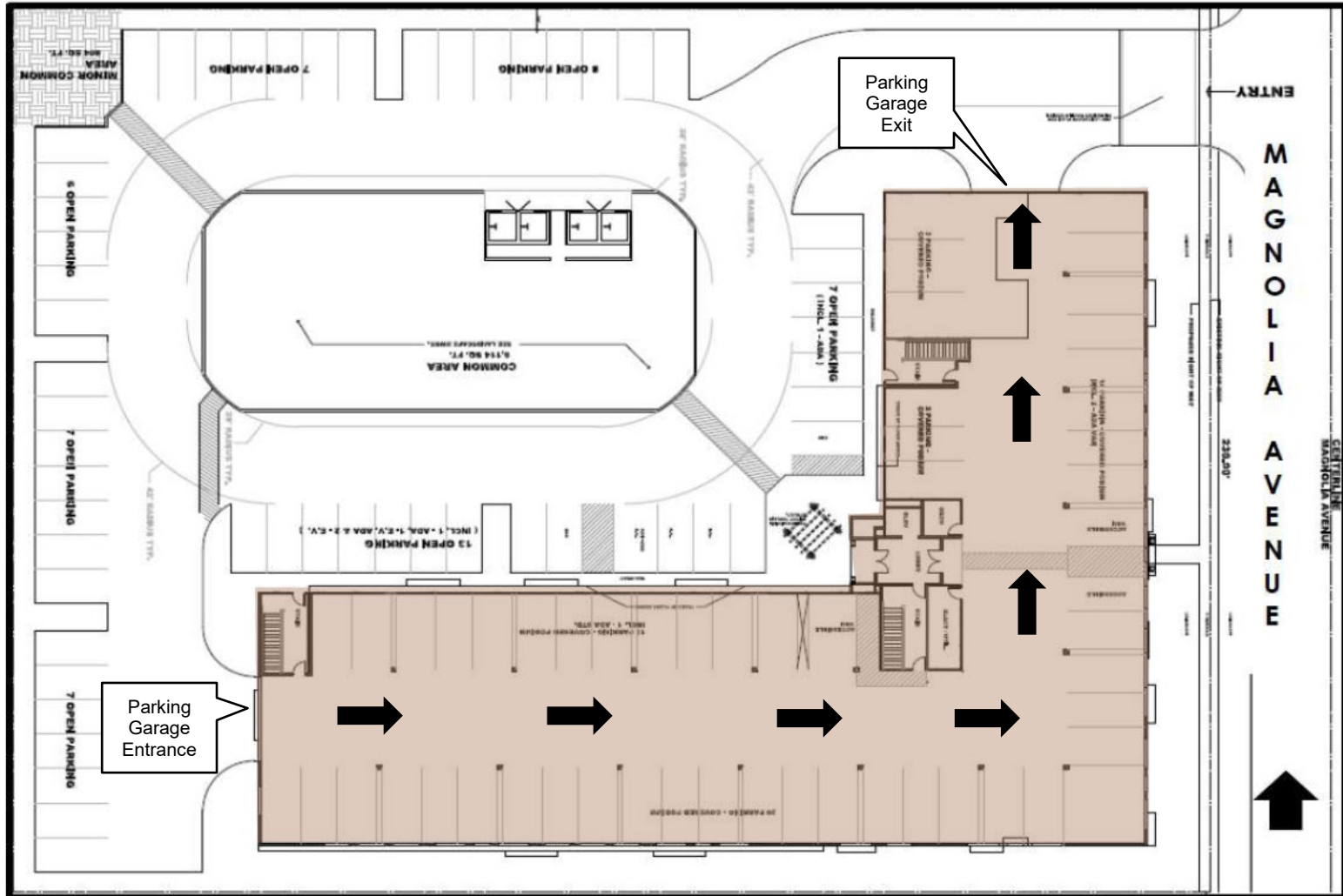
**Dwelling Unit Statistics:**

<i>Floor Plan Type</i>	<i>Size (in SF)</i>	<i>No. Bedrooms</i>	<i>No. Bathrooms</i>	<i>No. Units</i>	<i>Private Open Space (in FT)</i>
A	789	1	1	3	66
B	834	1	1	9	66
C	1,007	2	2	6	66
D	1,062	2	2	18	66
E	1,173	2	2	13	66

**Exhibit A—PROJECT LOCATION**



Exhibit B—SITE PLAN



**Exhibit C—PERSPECTIVE**

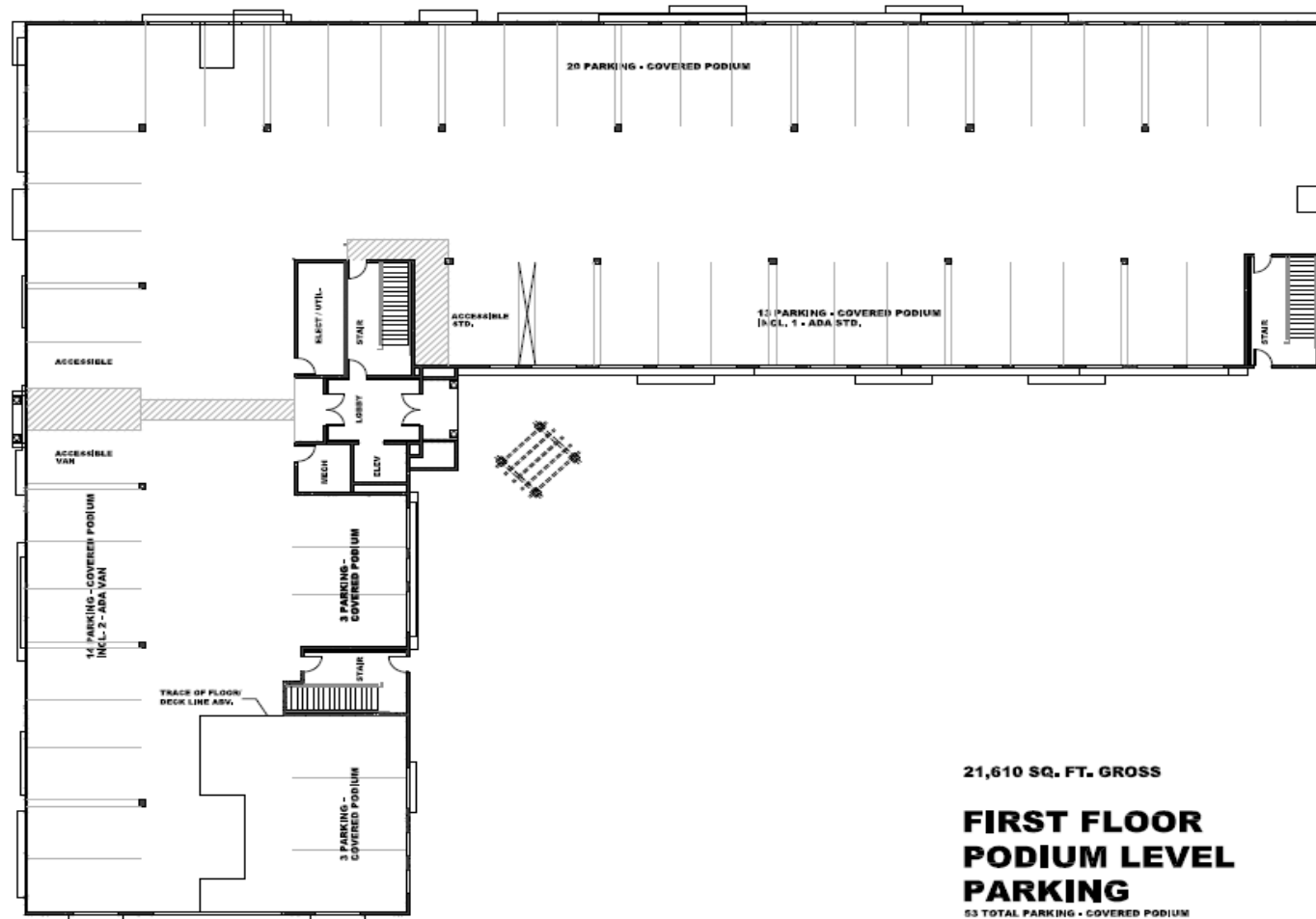


**Exhibit D—PERSPECTIVE**

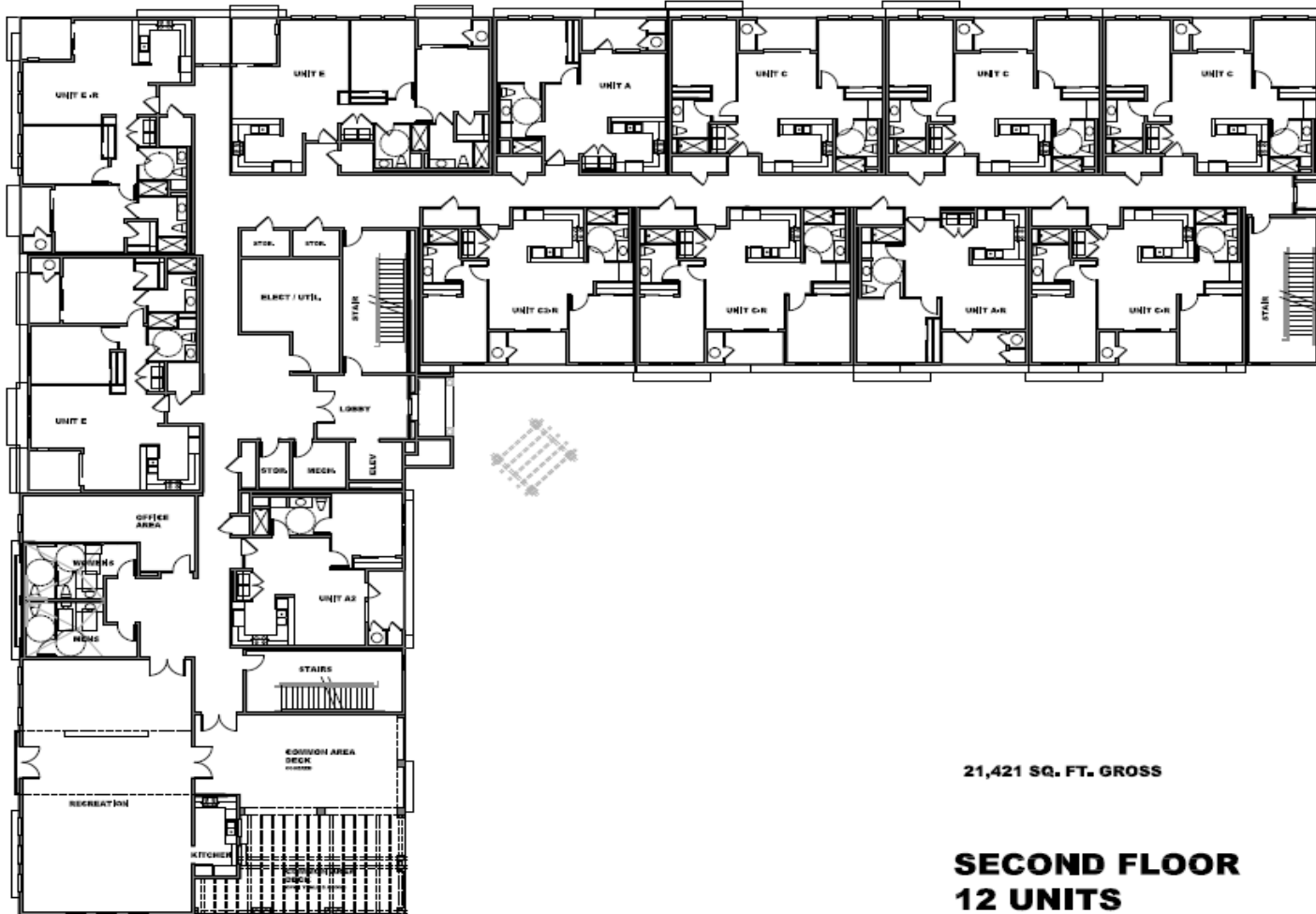




**Exhibit E—1<sup>ST</sup> FLOOR PLAN**



**Exhibit F—2<sup>ND</sup> FLOOR PLAN**

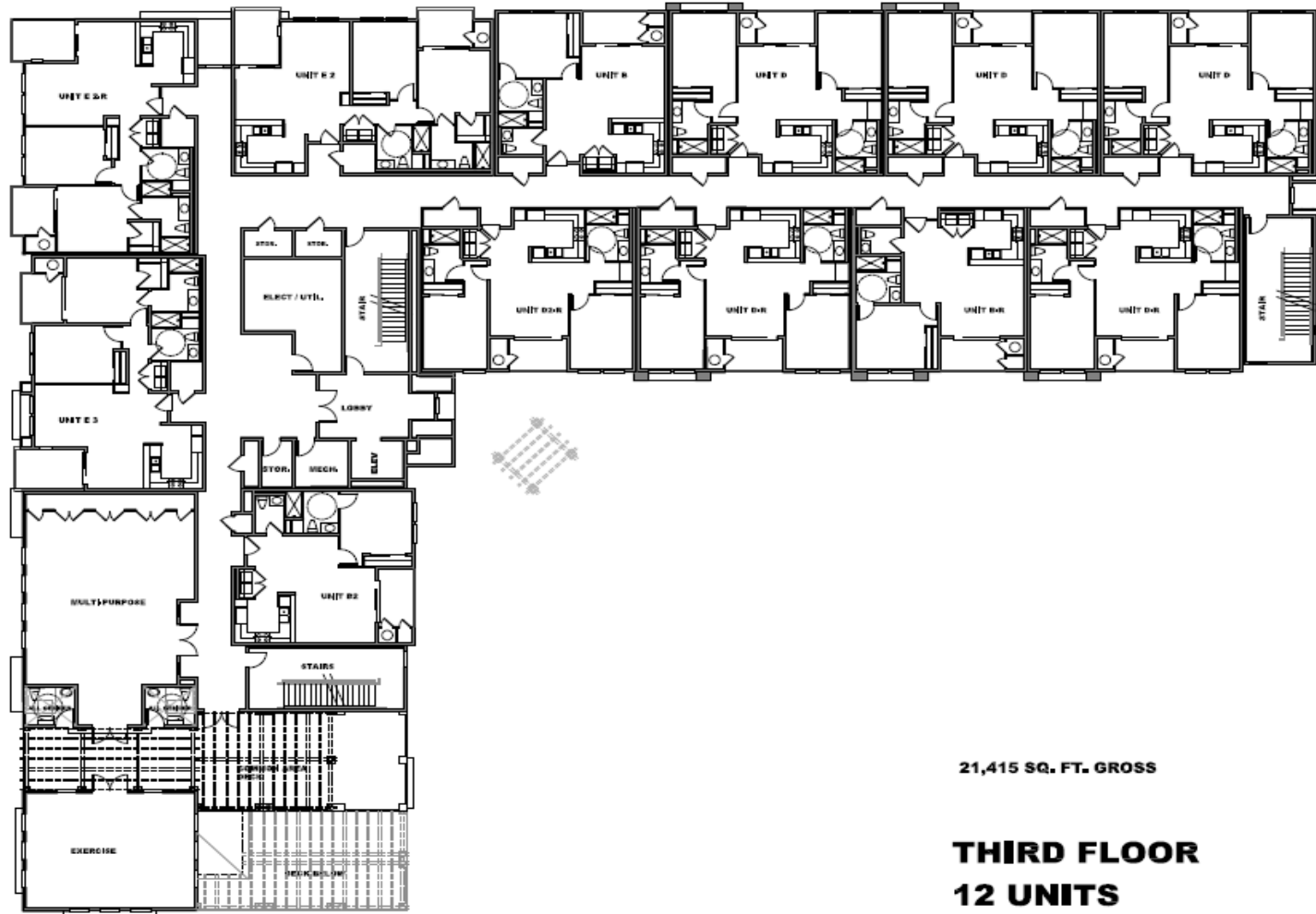


21,421 SQ. FT. GROSS

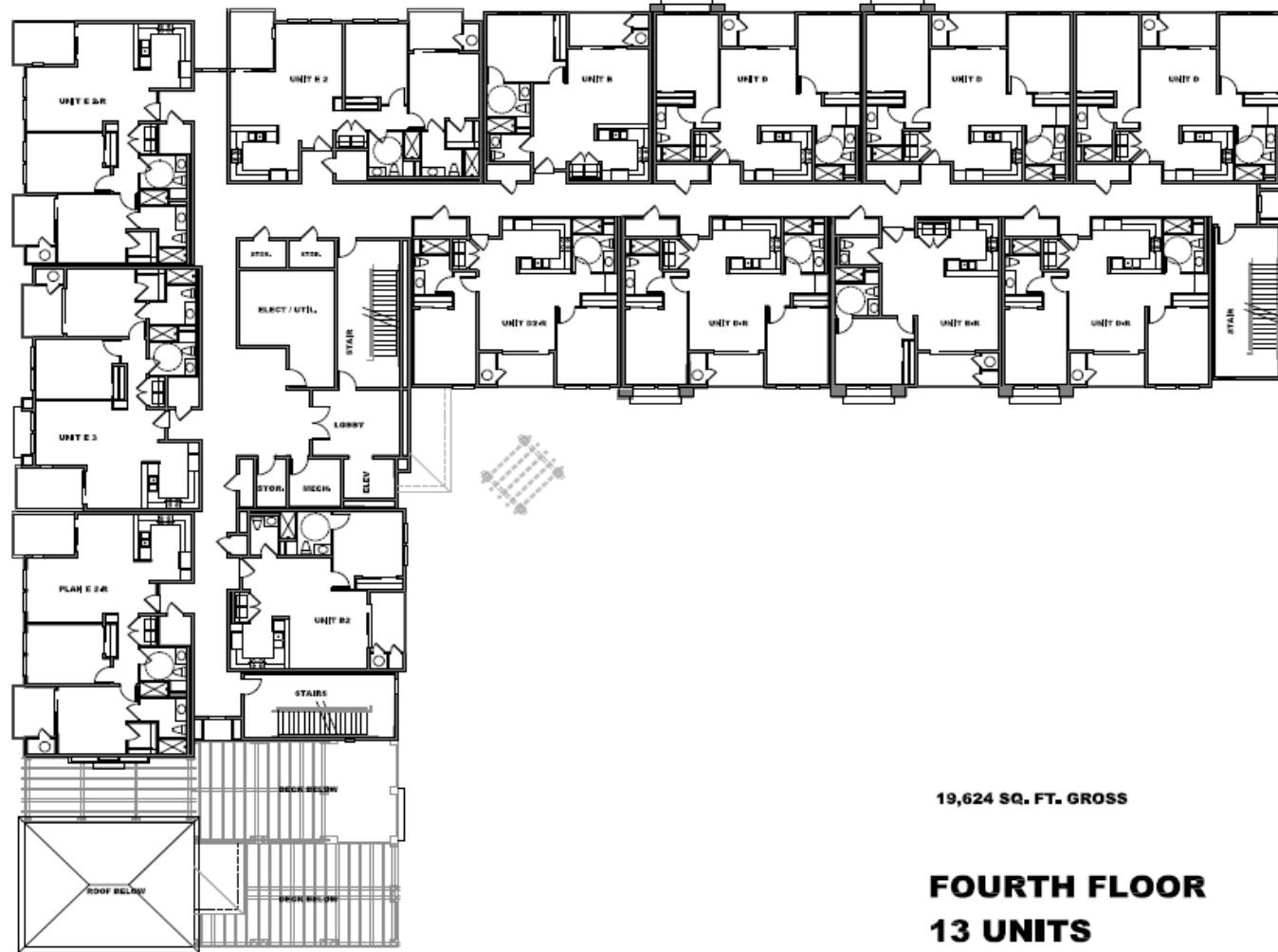
**SECOND FLOOR  
12 UNITS**

1/8" = 1'-0"

**Exhibit G—3rd FLOOR PLAN**



**Exhibit H—4th FLOOR PLAN**



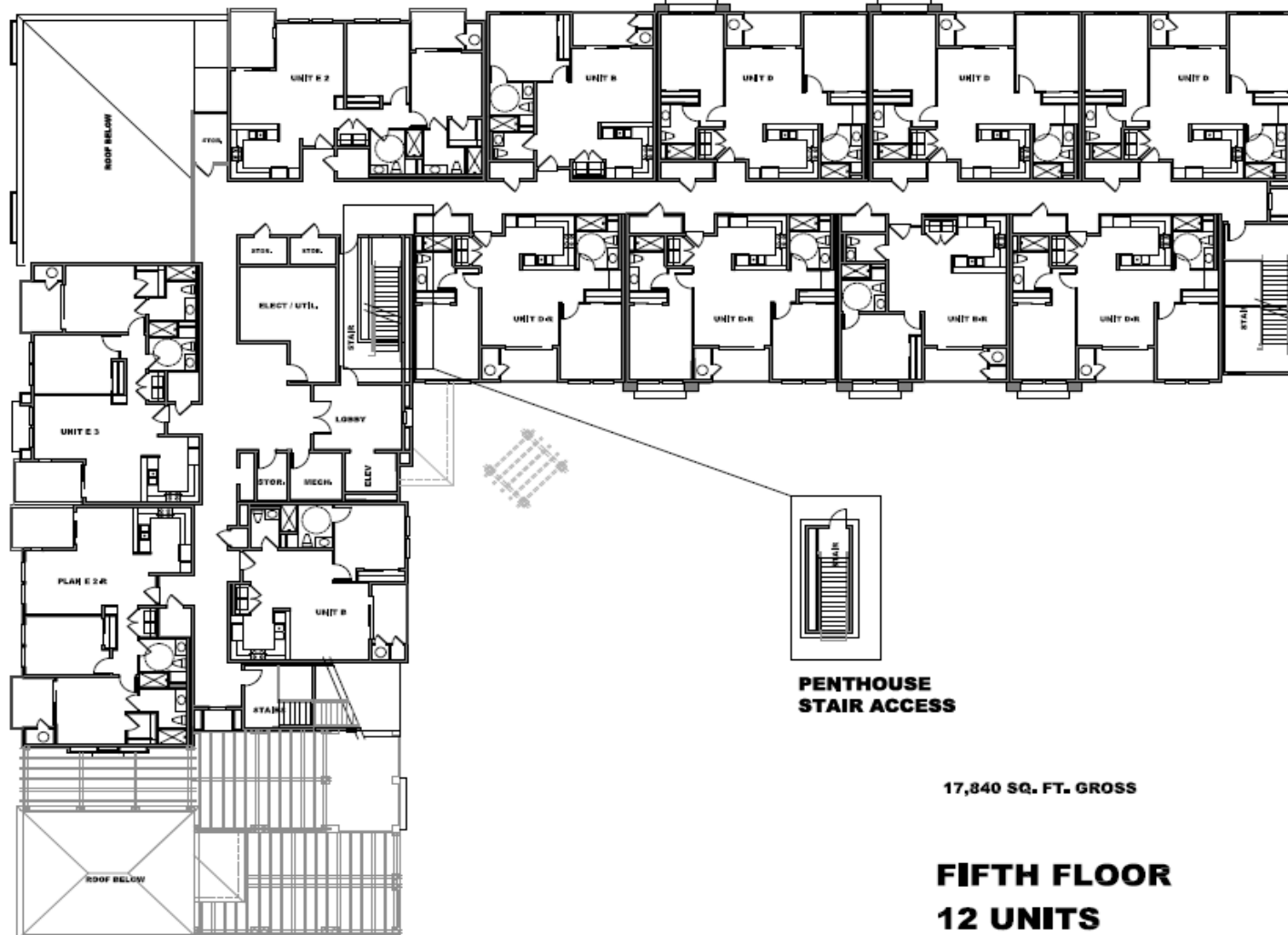
**19,624 SQ. FT. GROSS**

**FOURTH FLOOR**

**13 UNITS**

**1/8" = 1'-0"**

**Exhibit I—5th FLOOR PLAN**



***Exhibit J—EAST ELEVATION (MAGNOLIA AVENUE STREET FRONTAGE)***



**Exhibit K—SOUTH ELEVATION**



**Exhibit L—WEST ELEVATION**





***Exhibit M—NORTH ELEVATION***

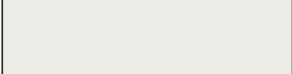


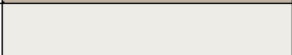

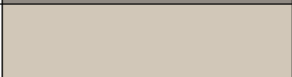
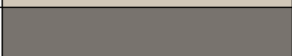

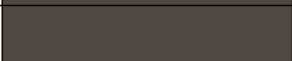
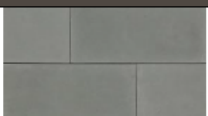
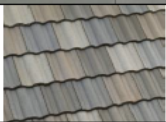


**Exhibit N—LANDSCAPE PLAN**





**Exhibit P—COLOR SCHEDULE**

	<u>COLOR</u>	<u>SCHEME</u>
STUCCO PAINT MATCH (A) (PARAPET, FASCIA & CORBEL) (SMOOTH FINISH)		SW 7005 PURE WHITE
STUCCO TRIM & PRECAST PAINT MATCH USED WITH STUCCO (A)		SW 7017 DORIAN GRAY
STUCCO PAINT MATCH (B) (PARAPET, FASCIA & CORBEL) SMOOTH FINISH		SW 7037 BALANCED BEIGE
STUCCO TRIM & PRECAST PAINT MATCH USED WITH STUCCO (B)		SW 7005 PURE WHITE
STUCCO PAINT MATCH (C) (PARAPET, FASCIA & CORBEL) SMOOTH FINISH		SW 7018 DOVETAIL
STUCCO TRIM, PRECAST CONCRETE BAND & PRECAST PAINT MATCH USED WITH STUCCO (C)		SW 7036 ACCESSIBLE BEIGE
DOORS		SW 7109 GAUNTLET GRAY
WIRE MESH, WROUGHT IRON RAILINGS & WOOD TRELLIS		SW 7020 BLACK FOX
FLASHING		BRONZE
STONE		FOGGY MEADOW LONGITUDE 24
ROOF MALIBU "S" TILE		SCM 8805

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO APPROVING A MITIGATED NEGATIVE DECLARATION IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO PDEV19-031—APNS: 1011-371-15 & 1011-371-16.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for circulation, a Mitigated Negative Declaration for File No. PDEV19-031 (hereinafter referred to as “MND”), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with state and local guidelines implementing said Act, all as amended to date (collectively referred to as “CEQA”); and

WHEREAS, File No. PDEV19-031 analyzed under the MND consists of a Development Plan to construct a four-story, 49-Unit Multiple-Family Dwellings (Magnolia Apartments), over one-level of at-grade podium structured parking, for a total of 5-stories, on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acres) zoning district, in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the MND concluded that implementation of the Project could result in a number of significant effects on the environment and identified mitigation measures that would reduce each of those significant effects to a less-than-significant level; and

WHEREAS, in connection with the approval of a project involving the preparation of a MND that identifies one or more significant environmental effects, CEQA requires the approving authority of the lead agency to incorporate feasible mitigation measures that would reduce those significant environment effects to a less-than-significant level; and

WHEREAS, whenever a lead agency approves a project requiring the implementation of measures to mitigate or avoid significant effects on the environment, CEQA also requires a lead agency to adopt a Mitigation Monitoring and Reporting Program to ensure compliance with the mitigation measures during project implementation, and such a Mitigation Monitoring and Reporting Program has been prepared for the Project for consideration by the approving authority of the City of Ontario as lead agency for the Project (hereinafter referred to as the “MMRP”); and

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

WHEREAS, the Planning Commission has reviewed and considered the MND and related MMRP for the Project, and intends to take actions on the Project in compliance with CEQA and state and local guidelines implementing CEQA; and

WHEREAS, the MND and related MMRP for the Project are on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, are available for inspection by any interested person at that location and are, by this reference, incorporated into this Resolution as if fully set forth herein.

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 MND and the administrative record for the Project, including all written and oral evidence provided during the comment period. Based upon the facts and information contained in the MND and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

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

(2) The MND contains a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission; and

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

(4) All environmental impacts of the Project are either insignificant or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the MND and the related MMRP.

**SECTION 2: Planning Commission Action.** The Planning Commission does hereby find that based upon the entire record of proceedings before it, and all information received, that there is no substantial evidence that the Project will have a significant effect on the environment and does hereby adopt the MND and related MMRP prepared for the Project, attached hereto as "Attachment A," and incorporated herein by this reference.

**SECTION 3: 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 4: 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 5: 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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the Planning Commission

Planning Commission Resolution  
File No. PDEV19-031  
June 22, 2021  
Page 4

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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore



**ATTACHMENT A:**

***Mitigated Negative Declaration and Mitigation  
Monitoring and Reporting Program***

*(Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program  
follows this page)*



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

## California Environmental Quality Act Initial Study

1. Project Title/File No.: PDEV19-031
2. Lead Agency: City of Ontario, 303 East "B" Street, Ontario, California 91764, (909) 395-2036
3. Contact Person: Luis Batres, Senior Planner, [Lbatres@ontarioca.gov](mailto:Lbatres@ontarioca.gov), (909) 395-2431
4. Project Sponsor: Mr. Pedro Maltos, 3841 Saint James Circle, Baldwin Park, CA. 91706
5. Project Location: The project site is in southwestern San Bernardino County, within the City of Ontario. The City of Ontario is located approximately 40 miles from downtown Los Angeles, 20 miles from downtown San Bernardino, and 30 miles from Orange County. As illustrated on Figures 1 through 3, below, the project site is located at 890 South Magnolia Avenue (APN's: 1011-371-15 & 1011-371-16).

Figure 1: REGIONAL LOCATION MAP

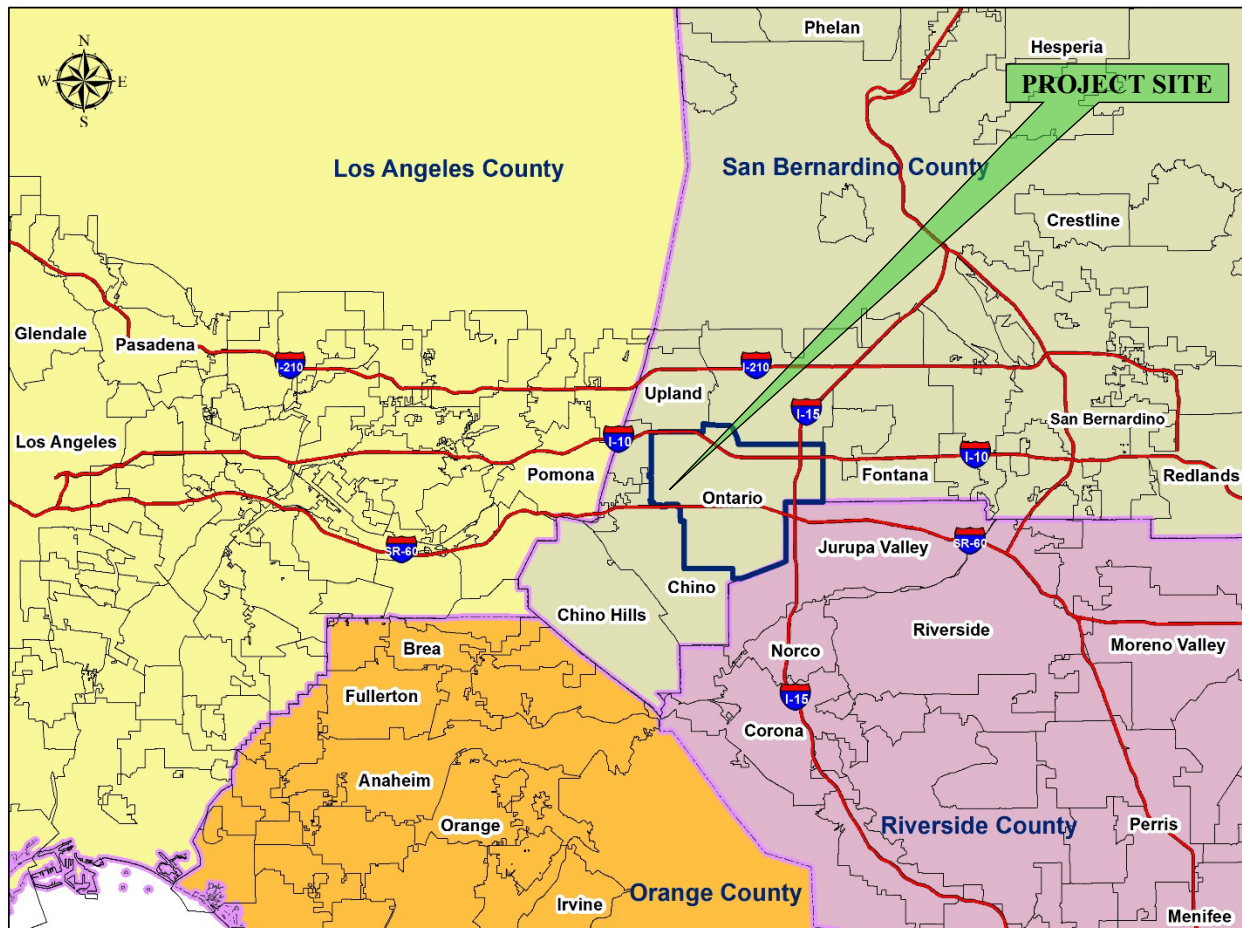


Figure 2: AERIAL PHOTOGRAPH



Figure 3: SITE PLAN



6. General Plan Designation: High Density Residential (HDR)
7. Zoning: HDR-45 (25.1 to 45.0 du / ac)
8. Description of Project: A Development Plan to construct a four-story, 49-unit multiple-family dwellings (Magnolia Apartments), over one-level of at-grade podium structured parking, for a total of 5-stories, on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district.
9. Project Setting: The project site is currently used as a commercial nursery and has a single-family home on the site that will be demolished to make space for the proposed project.
10. Surrounding Land Uses:

	<b>Existing Land Use</b>	<b>General Plan Designation</b>	<b>Zoning Designation</b>	<b>Specific Plan Land Use</b>
Site:	Single-Family Home & Commercial Nursery	High Density Residential (25.1 – 45.0 du/ac)	HDR-45 (High Density Residential - 25.1 to 45.0 du/ac)	N/A
North:	Four-Story Multiple-Family Dwellings	High Density Residential (25.1 – 45.0 du/ac)	HDR-45 (High Density Residential - 25.1 to 45.0 du/ac)	N/A
South:	Single Family Home	Rural Residential (0-2 du/ac)	AR-2 (Residential-Agriculture - 0-2 du/ac)	N/A
East:	Two-Story Multiple-Family Dwellings	Medium Density Residential (11.1 -25.0 du/ac) & Rural Residential (0-2 du/ac)	MDR-18 (Medium Density Residential 11.1 – 25.0 du/ac)	N/A
West:	Two-Story Multiple-Family Dwellings	Medium Density Residential (11.1 - 25.0 du/ac)	MDR-18 (Medium Density Residential - 11.1 to 25.0 du/ac)	N/A

11. Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement):  
None
12. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?  Yes  No  
If “yes”, has consultation begun?  Yes  No  Completed

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality               |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources             | <input type="checkbox"/> Geology / Soils           |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials  | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning      | <input type="checkbox"/> Mineral Resources              | <input type="checkbox"/> Noise                     |
| <input type="checkbox"/> Population / Housing     | <input type="checkbox"/> Public Services                | <input type="checkbox"/> Recreation                |

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Transportation            | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Tribal Cultural Resources | <input type="checkbox"/> Wildfire                    | <input type="checkbox"/> Energy                             |

**DETERMINATION (To be completed by the Lead Agency)**

Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ Signature	_____ Date
<u>Luis E. Batres, Senior Planner</u> Printed Name and Title	<u>City of Ontario-Planning Department</u> For

**EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from the "Earlier Analyses" Section may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D). In this case, a brief

discussion should identify the following:

- a. Earlier Analyses Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
  7. Supporting Information Sources. A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
  8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
  9. The explanation of each issue should identify:
    - a. The significance criteria or threshold, if any, used to evaluate each question; and
    - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>1. AESTHETICS.</b> Would the project:				
<b>a.</b> Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><b>2. AGRICULTURE AND FOREST RESOURCES.</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest protocols adopted by the California Air Resources Board. Would the project:</p>				
<p><b>a.</b> Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b.</b> Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>c.</b> Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>d.</b> Result in the loss of forest land or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>e.</b> Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>3. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p><b>a.</b> Conflict with or obstruct implementation of the applicable air quality plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b.</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>c.</b> Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. BIOLOGICAL RESOURCES.</b> Would the project:				
<b>a.</b> Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>5. CULTURAL RESOURCES.</b> Would the project:				
<b>a.</b> Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>6. ENERGY.</b> Would the project:				
<b>a.</b> Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7. GEOLOGY AND SOILS.</b> Would the project:				
<b>a.</b> Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i.</b> Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iii.</b> Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>iv.</b> Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c.</b> Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Be located on expansive soil, as defined in Table 18 1 B of the Uniform Building Code, creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>8. GREENHOUSE GAS EMISSIONS.</b> Would the project:				
<b>a.</b> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>b.</b> Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9. HAZARDS AND HAZARDOUS MATERIALS.</b>				
Would the project:				
<b>a.</b> Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b.</b> Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f.</b> Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>g.</b> Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
<b>a.</b> Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>b.</b> Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>e.</b> Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11. LAND USE AND PLANNING.</b> Would the project:				
<b>a.</b> Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. MINERAL RESOURCES.</b> Would the project:				
<b>a.</b> Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>b.</b> Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. NOISE.</b> Would the project result in:				
<b>a.</b> Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>14. POPULATION AND HOUSING.</b> Would the project:				
<b>a.</b> Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b.</b> Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>15. PUBLIC SERVICES.</b> Would the project:				
<b>a.</b> Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
<b>i.</b> Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>ii.</b> Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>iii.</b> Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>iv.</b> Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>v.</b> Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>16. RECREATION.</b> Would the project:				

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>a.</b> Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b.</b> Does the project include recreational facilities or require the construction or expansion of recreational facilities which have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>17. TRANSPORTATION/TRAFFIC.</b> Would the project:				
<b>a.</b> Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Conflict or be inconsistent with CEQA Guidelines section 15064.3 <sup>1</sup> or will conflict with an applicable congestion management program, including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c.</b> Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d.</b> Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18. TRIBAL CULTURAL RESOURCES.</b> Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is				
<b>a.</b> Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<sup>1</sup> CEQA Guidelines section 15064.3(c) provides that a lead agency “may elect to be governed by the provisions” of the section immediately; otherwise, the section’s provisions apply July 1, 2020. Here, the District has not elected to be governed by Section 15064.3. Accordingly, an analysis of vehicles miles traveled (VMT) is not necessary to determine whether a proposed project will have a significant transportation impact.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<p><b>b.</b> A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>19. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:</p>				
<p><b>a.</b> Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b.</b> Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>c.</b> Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>d.</b> Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>e.</b> Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>20. WILDFIRES.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
<p><b>a.</b> Substantially impair an adopted emergency response plan or emergency evacuation plan?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>b.</b> Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p><b>c.</b> Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
<b>d.</b> Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>21. MANDATORY FINDINGS OF SIGNIFICANCE.</b>				
<b>a.</b> Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b.</b> Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c.</b> Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: Authority cited: Public Resources Code sections 21083, 21083.05, 21083.09.

Reference: Gov. Code section 65088.4; Public Resources Code sections 21073, 21074, 21080(c), 21080.1, 21080.3, 21080.3.1, 21080.3.2, 21082.3, 21083, 21083.3, 21083.5, 21084.2, 21084.3, 21093, 21094, 21095 and 21151; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th 1099, 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

**EXPLANATION OF ISSUES**

**1. AESTHETICS.** Would the project:

**a. Have a substantial adverse effect on a scenic vista?**

Discussion of Effects: The Policy Plan (General Plan) does not identify scenic vistas within the City. However, the Policy Plan (Policy CD1-5) requires all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project site is located at Magnolia Avenue, not a major north-south arterial street. Therefore, no adverse impacts are anticipated in relation to the project.

Mitigation: None required.

**b. Substantially damage scenic resources, including, but not limited to, tress, rock outcroppings and historic buildings within a state scenic highway?**

Discussion of Effects: The City of Ontario is served by three freeways: I-10, I-15, and SR-60. I-10 and SR-60 traverse the northern and central portion of the City, respectively, in an east-west direction. I-15 traverses the northeastern portion of the City in a north-south direction. These segments of I-10, I-15, and SR-60 have not been officially designated as scenic highways by the California Department of Transportation. In addition, there are no historic buildings, or any scenic resources identified on or in the vicinity of the project site. Therefore, it will not result



in adverse environmental impacts.

Mitigation: None required.

**c. Substantially degrade the existing visual character or quality of the site and its surroundings?**

Discussion of Effects: The project would not degrade the existing visual character or quality of the site or its surroundings. The project site is in an area that is characterized by single family and multi-family residential developments and is surrounded by urban land uses. In addition, the property to the north of the project site is already developed with a 4-story residential apartment complex, so no new impacts are being introduced to the area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?**

Discussion of Effects: New lighting will be introduced to the site with the development of the project. Pursuant to the requirements of the City's Development Code, project on-site lighting will be shielded, diffused or indirect, to avoid glare to pedestrians or motorists. In addition, lighting fixtures will be selected and located to confine the area of illumination to within the project site and minimize light spillage. In addition, site lighting plans will be subject to review by the Planning and Police Department prior to issuance of building permits (pursuant to the City's Building Security Ordinance). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**2. AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

**a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

Discussion of Effects: The site is presently developed with a single-family home and much of the project site is currently being used as a commercial nursery. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

**b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?**

Discussion of Effects: The project site is not zoned for agricultural use. The project site zoned is HDR-45, which allows 25.1 to 45.0 units per acre. The propose development is proposing to develop the site with 49-units, which is 31 units per acre. Therefore, no impacts to agricultural uses are anticipated.

Mitigation: None required.

**c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

Discussion of Effects: The project is zoned HDR-45, which allows 25.1 to 45.0 units per acre. The proposed project is consistent with the Land Use Element (Figure LU-6) of the Policy Plan (General Plan) and the development standards and allowed land uses of the HDR-45 zone. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**d. Result in the loss of forest land or conversion of forest land to non-forest use?**

Discussion of Effects: There is currently no land in the City of Ontario that qualifies as forest land as defined

in Public Resources Code section 12220(g). Neither the Ontario Plan (TOP) nor the City's Zoning Code provide designations for forest land. Consequently, the proposed project would not result in the loss or conversion of forest land.

Mitigation: None required.

**e. Involve other changes in the existing environment, which, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Discussion of Effects: The project site is currently zoned HDR-45, which allows 25.1 to 45.0 units per acre. The proposed development is proposing to develop the site with 49-units, which is 31 units per acre. The project site is currently developed with a single-family home, and the site is used as a commercial nursery. As a result, to the extent that the project would result in changes to the existing environment those changes would not result in loss of Farmland to non-agricultural use. Additionally, there is currently no land in the City of Ontario that qualifies as forest land as defined in Public Resources Code Section 12220(g). Neither the Ontario Plan nor the City's Zoning Code provide designations for forest land. Consequently, to the extent that the proposed project would result in changes to the existing environment, those changes would not impact forest land.

Mitigation Required: None required.

**3. AIR QUALITY.** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

**a. Conflict with or obstruct implementation of the applicable air quality plan?**

Discussion of Effects: The project will not conflict with or obstruct implementation of any air quality plan. As noted in The Ontario Plan FEIR (Section 5.3), pollutant levels in the Ontario area already exceed Federal and State standards. To reduce pollutant levels, the City of Ontario is actively participating in efforts to enhance air quality by implementing Control Measures in the Air Quality Management Plan for local jurisdictions within the South Coast Air Basin. The proposed project is consistent with The Ontario Plan, for which the EIR was prepared and impacts evaluated. Furthermore, the project is consistent with the City's participation in the Air Quality Management Plan and, because of the project's limited size and scope, will not conflict with or obstruct implementation of the plan. However, out of an abundance of caution, the project will use low emission fuel, use low VOC architectural coatings and implement an alternative transportation program (which may include incentives to participate in carpool or vanpool) as recommended by the South Coast Air Quality Management District's Air Quality modeling program.

Mitigation: None required.

**b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

Discussion of Effects: The project will not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment under an applicable federal or state ambient air quality because of the limited size and scope of the project. Although no impacts are anticipated, the project will still comply with the air quality standards of the TOP FEIR and the SCAQMD resulting in impacts that are less than significant [please refer to Sections 3(a) and 3(b)]. Short term air quality impacts will result from construction related activities associated with construction activity, such as excavation and grading, machinery and equipment emissions, vehicle emissions from construction employees, etc. The daily emissions of nitrogen oxides and particulates from resulting grading and vehicular emissions may exceed threshold levels of the South Coast Air Quality Management District (SCAQMD).

Mitigation: The following fugitive dust mitigation measures shall be required:

**i.** Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.

**ii.** Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:

**(1)** Scheduling receipt of construction materials to non-peak travel periods.

- (2) Routing construction traffic through areas of least impact sensitivity.
  - (3) Limiting lane closures and detours to off-peak travel periods.
  - (4) Providing rideshare incentives for contractor and subcontractor personnel.
- iii. After clearing, grading or earth moving:
- (1) Seed and water until plant cover is established;
  - (2) Spread soil binders;
  - (3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
  - (4) Reduce “spill-over” effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.
- iv. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.

**c. Expose sensitive receptors to substantial pollutant concentrations?**

Discussion of Effects: Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, childcare centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within one-quarter mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401.

The project site is located across and next to single-family homes, however, measures have been incorporated to the design of the project to mitigate any negative impacts. In addition, the project site will be located next to an existing 4-story tall residential apartment complex to the north, therefore, it will not be introducing anything new into the area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**d. Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?**

Discussion of Effects: The use proposed on the subject site (49-unit residential apartment complex), as well as those permitted within the HDR-45 (25.1 to 45.0 d/a) zoning district, do not create objectionable odors. Further, the project shall comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**4. BIOLOGICAL RESOURCES.** Would the project:

**a. Have a substantial adverse effect, either directly or through habitat modifications, on any 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 Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The project site is located within an area that has not 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 Game or the U.S. Fish and Wildlife Service. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Discussion of Effects: The site does not contain any riparian habitat or other sensitive natural community identified by the Department of Fish & Game or Fish & Wildlife Service. Therefore, no adverse environmental impacts

are anticipated.

Mitigation: None required.

**c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Discussion of Effects: No wetland habitat is present on site. Therefore, project implementation would have no impact on these resources.

Mitigation: None required.

**d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Discussion of Effects: The site has no native resident or migratory fish or wildlife. The site is currently used as a commercial nursery and is also developed with a single-family home. Therefore, project implementation would have no impact on these resources.

Mitigation: None required.

**e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

Discussion of Effects: The City of Ontario does not have any ordinances protecting biological resources. Further, the site does not contain any mature trees necessitating the need for preservation. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

**f. Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or state habitat conservation plan?**

Discussion of Effects: The site is not part of an adopted HCP, NCCP or other approved habitat conservation plans. As a result, no adverse environmental impacts are anticipated.

Mitigation: None required.

**5. CULTURAL RESOURCES.** Would the project:

**a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?**

Discussion of Effects:

The project site is developed with a single-family home that has been found not to have historical significance by our Historical Preservation Division. Therefore, no adverse impacts are anticipated

Mitigation: None required.

**b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

Discussion of Effects: The Ontario Plan FEIR (Section 5.5) indicates no archeological sites or resources have been recorded in the City with the Archeological Information Center at San Bernardino County Museum. However, only about 10 percent of the City of Ontario has been adequately surveyed for prehistoric or historic archaeology. While no adverse impacts to archeological resources are anticipated at this site due to its urbanized nature, standard conditions have been imposed on the project that in the event of unanticipated archeological discoveries, construction activities will not continue or will moved to other parts of the project site and a qualified archaeologist shall be contacted to determine significance of these resources. If the find is discovered to be historical or unique archaeological resources, as defined in Section 15064.5 of the CEQA Guidelines, avoidance or other appropriate measures shall be implemented.

Mitigation: None required.

**c. Disturb any human remains, including those interred outside of dedicated cemeteries?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development, as the site is developed with a single-family home. No known religious or sacred sites exist within the project area. Thus, human remains are not expected to be encountered during any construction activities. However, in the unlikely event that human remains are discovered, existing regulations, including the California Public Resources Code Section 5097.98, would afford protection for human remains discovered during development activities. Furthermore, standard conditions have been imposed on the project that in the event of unanticipated discoveries of human remains are identified during excavation, construction activities, the area shall not be disturbed until any required investigation is completed by the County Coroner and/or Native American consultation has been completed, if deemed applicable.

Mitigation: None required.

**6. ENERGY.** Would the project:

**a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

**b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

Discussion of Effects: The main forms of available energy supply are electricity, natural gas, and oil. A description of the 2016 California Green Building Standards Code and the Building Energy Efficiency Standards, with which the proposed project would be required to comply, as well as discussions regarding the proposed project's potential effects related to energy demand during construction and operations are provided below.

California Green Building Standards Code

The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC), which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of electric vehicles charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELO), or a local ordinance, whichever is more stringent to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and
- For some single-family and low-rise residential development developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s). Certain residential developments, including those developments that are subject to substantial shading, rendering the use of on-site solar photovoltaic systems infeasible, are exempted from the foregoing requirement.

Building Energy Efficiency Standards

The 2016 Building Energy Efficiency Standards is a portion of the CBSC, which expands upon energy efficiency measures from the 2013 Building Energy Efficiency Standards resulting in a 28 percent reduction in energy consumption from the 2013 standards for structures. Energy reductions relative to previous Building Energy Efficiency Standards are achieved through various regulations including requirements for the use of high-efficacy lighting, improved water heating system efficiency, and high-performance attics and walls.

Mitigation: None required.

**7. GEOLOGY & SOILS.** Would the project:

**a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:**

**i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Ontario Plan FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. Given that the closest fault zone is located more than ten miles from the project site, fault rupture within the project area is not likely. All development will comply with the Uniform Building Code seismic design standards to reduce geologic hazard susceptibility. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**ii. Strong seismic ground shaking?**

Discussion of Effects: There are no active faults known on the site and the project site is located outside the Fault Rapture Hazard Zone (formerly Alquist-Priolo Zone). The Land Use Plan (Figure LU-6) of the Policy Plan (General Plan) FEIR (Section 5.7/Figure 5.7-2) identifies eight active or potentially active fault zones near the City. The closest fault zone is located more than ten miles from the project site. The proximity of the site to the active faults will result in ground shaking during moderate to severe seismic events. All construction will be following the California Building Code, the Ontario Municipal Code, The Ontario Plan and all other ordinances adopted by the City related to construction and safety. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**iii. Seismic-related ground failure, including liquefaction?**

Discussion of Effects: As identified in the TOP FEIR (Section 5.7), groundwater saturation of sediments is required for earthquake induced liquefaction. In general, groundwater depths shallower than 10 feet to the surface can cause the highest liquefaction susceptibility. Depth to ground water at the project site during the winter months is estimated to be between 250 to 450 feet below ground surface. Therefore, the liquefaction potential within the project area is minimal. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required.

**iv. Landslides?**

Discussion of Effects: The project would not expose people or structures to potential adverse effects, including the risk of loss, injury, or death involving landslides because the relatively flat topography of the project site (less than 2 percent slope across the City) makes the chance of landslides remote. Implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal Code would reduce impacts to a less than significant level.

Mitigation: None required.

**b. Result in substantial soil erosion or the loss of topsoil?**

Discussion of Effects: The project will not result in significant soil erosion or loss of topsoil because of the previously disturbed and developed nature of the project site and the limited size and scope of the project. Grading increases the potential for erosion by removing protective vegetation, changing natural drainage patterns, and constructing slopes. However, compliance with the California Building Code and review of grading plans by the City Engineer will ensure no significant impacts will occur. In addition, the City requires an erosion/dust control plan for projects located within this area. Implementation of a NPDES program, the Environmental Resource Element of the Policy Plan (General Plan) strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: The following mitigation measures shall be implemented:

- i. Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.
- ii. Fugitive dust generated during cleaning, grading, earth moving, or excavation should be controlled by regular watering, paving of construction roads, or other dust-preventative measures.
- iii. After clearing, grading, or earth moving:
  - (1) Seed and water until plant cover is established;
  - (2) Spread soil binders;
  - (3) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind; and
  - (4) Sweep streets if silt is carried to adjacent public thoroughfares.
- iv. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

**c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?**

Discussion of Effects: The project would not result in the location of development on a geologic unit or soil that is unstable, or that would become unstable because as previously discussed, the potential for liquefaction and landslides associated with the project is less than significant. The Ontario Plan FEIR (Section 5.7) indicates that subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. Further, implementation of The Ontario Plan strategies, Uniform Building Code and Ontario Municipal code would reduce impacts to a less than significant level.

Mitigation: None required.

**d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?**

Discussion of Effects: The majority of Ontario, including the project site, is located on alluvial soil deposits. These types of soils are not considered to be expansive. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?**

Discussion of Effects: The area is served by the local sewer system and the use of alternative systems is not necessary. There will be no impact to the sewage system.

Mitigation: None required.

**8. GREENHOUSE GAS EMISSIONS.** Would the project:

**a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Discussion of Effects: The impact of buildout of The Ontario Plan on the environment due to the emission of greenhouse gases (“GHGs”) was analyzed in the Environmental Impact Report (“EIR”) for the Policy Plan (General Plan). According to the EIR, this impact would be significant and unavoidable. (Re-circulated Portions of the Ontario Plan Draft Environmental Impact Report, p. 2-118.) This EIR was certified by the City on January 27, 2010, at which time a statement of overriding considerations was also adopted for The Ontario Plan’s significant and unavoidable impacts, including that concerning the emission of greenhouse gases.

Pursuant to Public Resources Code section 21083.3, this impact need not be analyzed further, because (1) the proposed project would result in an impact that was previously analyzed in The Ontario Plan EIR, which was certified by the City; (2) the proposed project would not result in any greenhouse gas impacts that were not addressed in The Ontario Plan EIR; (3) the proposed project is consistent with The Ontario Plan.

As part of the City’s certification of The Ontario Plan EIR and its adoption of The Ontario Plan, the City

adopted mitigation measures 6-1 through 6-6 regarding the significant and unavoidable impact relating to GHG emissions. These mitigation measures, in summary, required:

MM 6-1. The City is required to prepare a Climate Action Plan (CAP).

MM 6-2. The City is required to consider for inclusion in the CAP a list of emission reduction measures.

MM 6-3. The City is required to amend its Municipal Code to incorporate a list of emission reduction concepts.

MM 6-4. The City is required to consider the emission reduction measures and concepts contained in MMs 6-2 and 6-3 when reviewing new development prior to adoption of the CAP.

MM 6-5. The City is required to evaluate new development for consistency with the Sustainable Communities Strategy, upon adoption by the Southern California Association of Governments.

MM 6-6. The City is required to participate in San Bernardino County's Green Valley Initiative.

While Public Resources Code section 21083.3 requires that relevant mitigation measures from a General Plan EIR be imposed on a project that is invoking that section's limited exemption from CEQA, these mitigation measures impose obligations on the City, not applicants, and hence are not directly relevant. However, the mitigation proposed below carries out, on a project-level, the intent of The Ontario Plan's mitigation on this subject.

Mitigation Required: The following mitigation measures shall be required:

i. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

ii. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;

iii. Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors;

iv. Reduce heat gain from pavement and other similar hardscaping;

**b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

Discussion of Effects: The proposed project is consistent with The Ontario Plan Goal ER 4 of improving air quality by, among other things, implementation of Policy ER4-3, regarding the reduction of greenhouse gas emissions in accordance with regional, state and federal regulations. In addition, the proposed project is consistent with the policies outlined in Section 5.6.4 of the Environmental Impact Report for The Ontario Plan, which aims to reduce the City's contribution of greenhouse gas emissions at build-out by fifteen (15%), because the project is upholding the applicable City's adopted mitigation measures as represented in 6-1 through 6-6. Therefore, the proposed project does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing emissions of greenhouse gases.

Mitigation Required: None required.

**9. HAZARDS & HAZARDOUS MATERIALS.** Would the project:

**a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?**

Discussion of Effects: The project is not anticipated to involve the transport, use or disposal of hazardous materials during either construction or project implementation. Therefore, no adverse impacts are anticipated. However, in the unlikely event of an accident, implementation of the strategies included in The Ontario Plan will decrease the potential for health and safety risks from hazardous materials to a less than significant impact.

Mitigation: None required.

**b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?**



Discussion of Effects: The proposed project does not include the use of hazardous materials or volatile fuels. In addition, there are no known stationary commercial or industrial land uses within close proximity to the subject site, which use/store hazardous materials to the extent that they would pose a significant hazard to visitors/occupants to the subject site, in the event of an upset condition resulting in the release of a hazardous material.

Mitigation: None required

**c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?**

Discussion of Effects: The proposed project does not include the use, emissions or handling of hazardous or acutely hazardous materials, substances or waste. Therefore, no impacts are anticipated.

Mitigation: None required.

**d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

Discussion of Effects: The proposed project site is not listed on the hazardous materials site compiled pursuant to Government Code Section 65962.5. Therefore, the project would not create a hazard to the public or the environment and no impact is anticipated.

Mitigation: None required.

**e. For a project located within the safety zone of the airport land use compatibility plan for ONT or Chino Airports, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: According to Land Use Element (Exhibit LU-06 Airport Environs) of the Policy Plan (General Plan), the proposed site is located within the airport land use plan. However, the project will not result in a safety hazard for people working or residing in the project area because it will not obstruct aircraft maneuvering because of the project's low elevation and the architectural style of the project. Additionally, the Land Use Compatibility Guidelines for Noise Impacts (Table LU-08) shows the proposed use as normally accepted in the 65 CNEL. The proposed use will comply with standards for mitigating noise. Therefore, any impacts would be reduced to a less than significant level.

Mitigation: None required.

**f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required.

**g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

Discussion of Effects: The City's Safety Element, as contained within The Ontario Plan, includes policies and procedures to be administered in the event of a disaster. The Ontario Plan seeks interdepartmental and inter-jurisdictional coordination and collaboration to be prepared for, respond to and recover from everyday and disaster emergencies. In addition, the project will comply with the requirements of the Ontario Fire Department and all City requirements for fire and other emergency access. Because the project is required to comply with all applicable City codes, any impacts would be reduced to a less than significant level.

Mitigation: None required.

**h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

Discussion of Effects: The project site is not located in or near wildlands. Therefore, no impacts are anticipated.

Mitigation: None required.

**10. HYDROLOGY & WATER QUALITY.** Would the project:

**a. Violate any other water quality standards or waste discharge requirements or potential for discharge of storm water pollutants from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas?**

Discussion of Effects: The project site is served by City water and sewer service and will not affect water quality standards or waste discharge requirements. Discharge of storm water pollutants from areas of materials storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing, waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work) areas could result in a temporary increase in the amount of suspended solids, trash and debris, oil and grease, organic compounds, pesticides, nutrients, heavy metals and bacteria pathogens in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide National Pollutant Discharge Elimination System (NPDES) General Industrial Activities Stormwater Permit, the San Bernardino County Area-Wide Urban Runoff Permit (MS4 permit) and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)). This would reduce any impacts to below a level of significance.

Mitigation: None required.

**b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?**

Discussion of Effects: No increases in the current amount of water flow to the project site are anticipated, and the proposed project will not deplete groundwater supplies, nor will it interfere with recharge. The water use associated with the proposed use of the property will be negligible. The development of the site will require the grading of the site and excavation is expected to be less than three feet and would not affect the existing aquifer, estimated to be about 230 to 250 feet below the ground surface. No adverse impacts are anticipated.

Mitigation: None required.

**c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site or volume of storm water runoff to cause environmental harm or potential for significant increases in erosion of the project site or surrounding areas?**

Discussion of Effects: It is not anticipated that the project would alter the drainage pattern of the site or area, in a manner that would result in erosion, siltation or flooding on-or-off site nor will the proposed project increase the erosion of the subject site or surrounding areas. The existing drainage pattern of the project site will not be altered, and it will have no significant impact on downstream hydrology. Stormwater generated by the project will be discharged in compliance with the statewide NPDES General Construction Activities Stormwater Permit and San Bernardino County MS4 permit requirements. With the full implementation of a Storm Water Pollution Prevention Plan developed in compliance with the General Construction Activities Permit requirements, the Best Management Practices included in the SWPPP, and a stormwater monitoring program would reduce any impacts to below a level of significance. No streams or streambeds are present on the site. No changes in erosion off-site are anticipated.

Mitigation: None required.

**d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site or potential for significant changes in the flow velocity or volume of storm water runoff to cause environmental harm?**

Discussion of Effects: The proposed project is not anticipated to increase the flow velocity or volume of storm water runoff to cause environmental harm from the site and will not create a burden on existing infrastructure. Furthermore, with the implementation of an approved Water Quality Management Plan developed for the site, in compliance with the San Bernardino County MS4 Permit requirements, stormwater runoff volume shall be reduced to below a level of significance.

Mitigation: None required.

**e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water**

**drainage systems or provide substantial additional sources of polluted runoff (a&b) during construction and/or post-construction activity?**

Discussion of Effects: It is not anticipated that the project would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or create or contribute stormwater runoff pollutants during construction and/or post-construction activity. Pursuant to the requirements of The Ontario Plan, the City's Development Code, and the San Bernardino County MS4 Permit's "Water Quality Management Plan" (WQMP), individual developments must provide site drainage and WQMP plans according to guidelines established by the City's Engineering Department. If master drainage facilities are not in place at the time of project development, then standard engineering practices for controlling post-development runoff may be required, which could include the construction of on-site storm water detention and/or retention/infiltration facilities. Therefore, no impacts are anticipated.

Mitigation: None required.

**f. Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?**

Discussion of Effects: Activities associated with the construction period, could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts. The site is required to comply with the statewide NPDES General Construction Permit and the City of Ontario's Municipal Code (Title 6, Chapter 6 (Stormwater Drainage System)) to minimize water pollution. Thus, it is anticipated that there is no potential for discharges of stormwater during construction that will affect the beneficial uses of the receiving waters. However, with the General Construction Permit requirement and implementation of the policies in The Ontario Plan, any impacts associated with the project would be less than significant.

Mitigation: None required.

**g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

Discussion of Effects: The project site is not located within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. Therefore, no impacts are anticipated.

Mitigation: None required.

**h. Place within a 100-year flood hazard area, structures that would impede or redirect flood flows?**

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of the Policy Plan (General Plan), the site lies outside of the 100-year flood hazard area. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?**

Discussion of Effects: As identified in the Safety Element (Exhibit S-2) of The Ontario Plan, the site lies outside of the 100-year flood hazard area. No levees or dams are located near the project site. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**j. Expose people or structures to inundation by seiche, tsunami or mudflow?**

Discussion of Effects: There are no lakes or substantial reservoirs near the project site; therefore, impacts from seiche are not anticipated. The City of Ontario has relatively flat topography, less than two percent across the City, and the chance of mudflow is remote. Therefore, no impacts are anticipated.

Mitigation: None required.

**11. LAND USE & PLANNING. Would the project:**

**a. Physically divide an established community?**

Discussion of Effects: The project site is in an area that is currently developed with urban land uses. This project will be of similar design and size to other surrounding developments. Therefore, no adverse impacts are

anticipated.

Mitigation: None required.

**b. Conflict with applicable land use plan, policy or regulation of agencies with jurisdiction over the project (including, but not limited to general plan, airport land use compatibility plan, specific plan, or development code) adopted for the purpose of avoiding or mitigation an environmental effect?**

Discussion of Effects: The proposed project is consistent with The Ontario Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Mitigation: None required.

**c. Conflict with any applicable habitat conservation plan or natural community conservation plan?**

Discussion of Effects: There are no adopted habitat conservation plans in the project area. As such no conflicts or impacts are anticipated.

Mitigation: None required.

**12. MINERAL RESOURCES.** Would the project:

**a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

Discussion of Effects: The project site is located within a mostly developed area surrounded by urban land uses. There are no known mineral resources in the area. Therefore, no impacts are anticipated.

Mitigation: None required.

**b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?**

Discussion of Effects: There are no known mineral resources in the area. No impacts are anticipated.

Mitigation: None required.

**13. NOISE.** Would the project result in:

**a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?**

Discussion of Effects: The project will not expose people to or generate noise levels in excess of standards as established in The Ontario Plan FEIR (Section 5.12). No additional analysis will be required at the time of site development review.

Mitigation: None required.

**b. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?**

Discussion of Effects: The uses associated with this project normally do not induce ground borne vibrations. As such, no impacts are anticipated.

Mitigation: None required.

**c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: The project will not be a significant noise generator and will not cause a substantial permanent increase in ambient noise levels because of the limited size and scope of the project. Moreover, the proposed use will be required to operate within the noise levels permitted for multi-family residential development, pursuant to City of Ontario Development Code. Therefore, no increase in noise levels out of the norm for multi-family residential developments within the vicinity of the project are anticipated.

Mitigation: None required.

**d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

Discussion of Effects: Temporary construction activities will minimally impact ambient noise levels. All

construction machinery will be maintained according to industry standards to help minimize the impacts. Normal activities associated with the project are unlikely to increase ambient noise levels.

Mitigation: None required.

**e. For a project located within the noise impact zones of the airport land use compatibility plan for ONT and Chino Airports, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: According to the Safety Element in The Ontario Plan, the proposed site is located within the airport land use plan. However, the project is located within the acceptable 60-65 dB CNEL noise contour. Therefore, no impacts are anticipated.

Mitigation: None required.

**f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

Discussion of Effects: The project site is not located within the vicinity of a private airstrip. Therefore, no impacts are anticipated.

Mitigation: None required.

**14. POPULATION & HOUSING.** Would the project:

**a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of road or other infrastructure)?**

Discussion of Effects: The project is in a developed area and will not induce population growth. Therefore, no impacts are anticipated

Mitigation: None required.

**b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site is currently developed with a single-family home and the site is also used as a commercial nursery. Therefore, no impacts are anticipated.

Mitigation: None required.

**c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site is currently developed with a single-family home and the site is also used as a commercial nursery. Therefore, no impacts are anticipated.

Mitigation: None required.

**15. PUBLIC SERVICES.** Would the project:

**a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

**i. Fire protection?**

Discussion of Effects: The site is in a developed area currently served by the Ontario Fire Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

**ii. Police protection?**

Discussion of Effects: The site is in a developed area, currently served by the Ontario Police Department. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a

decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

**iii. Schools?**

Discussion of Effects: The project will be required to pay school fees as prescribed by state law prior to the issuance of building permits. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

**iv. Parks?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. No impacts are anticipated.

Mitigation: None required.

**v. Other public facilities?**

Discussion of Effects: The site is in a developed area, currently served by the City of Ontario. The project will not require the construction of any new facilities or alteration of any existing facilities or cause a decline in the levels of service, which could cause the need to construct new facilities. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

**16. RECREATION.** Would the project:

**a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

Discussion of Effects: This project is proposing the development of a 49-unit multiple-family dwellings (apartments), however, it is being required to provide recreational amenities per our Ontario Development Code requirements. This includes private and common open space. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

**b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that have an adverse physical effect on the environment?**

Discussion of Effects: This project is proposing the development of 49-unit multiple-family dwellings (apartments), per our Ontario Development Code requirements. This includes private and common open space. In addition, the project will be required to pay impact fees to the City, if any new may be required in the future. Therefore, no impacts are anticipated.

Mitigation: None required.

**17. TRANSPORTATION/TRAFFIC.** Would the project:

**a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, considering all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited?**

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The number of vehicle trips per day is not expected to be increased significantly. Therefore, the project will not create a substantial increase in the number of vehicle trips, traffic volume or congestion at intersections. Less than significant impacts are anticipated.

Mitigation: None required.

**b. Conflict with an applicable congestion management program, including, but not limited to, level of service standard and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

Discussion of Effects: The project is in an area that is mostly developed with all street improvements existing. The project will not conflict with an applicable congestion management program or negatively impact the level of service standards on adjacent arterials, as the number of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Less than significant impacts are anticipated.

Mitigation: None required.

**c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

Discussion of Effects: The project will not create a substantial safety risk or interfere with air traffic patterns at Ontario International Airport as it is under the height restrictions for the area. No impacts are anticipated.

Mitigation: None required.

**d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

Discussion of Effects: The project is in an area that is mostly developed. All street improvements are complete, and no alterations are proposed for adjacent intersections or arterials. The project will, therefore, not create a substantial increase in hazards due to a design feature. No impacts are anticipated.

Mitigation: None required.

**e. Result in inadequate emergency access?**

Discussion of Effects: The project will be designed to provide access for all emergency vehicles and will therefore not create an inadequate emergency access. No impacts are anticipated.

Mitigation: None required.

**f. Result in inadequate parking capacity?**

Discussion of Effects: The project is required to meet parking standards established by the Ontario Development Code and will therefore not create an inadequate parking capacity. No impacts are anticipated.

Mitigation: None required.

**g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?**

Discussion of Effects: The project does not conflict with any transportation policies, plans or programs. Therefore, no impacts are anticipated.

Mitigation: None required.

**18. TRIBAL CULTURAL RESOURCES.** Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

**a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

Discussion of Effects: The project is not listed as a Historical Resource.

Mitigation: None

**b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

Discussion of Effects: The project is not listed as a public resource.

Mitigation: None

**19. UTILITIES AND SERVICE SYSTEMS.** Would the project:

**a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. Therefore, no impacts are anticipated.

Mitigation: None required.

**b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. The project will therefore not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. Therefore, no impacts are anticipated.

Mitigation: None required.

**c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Discussion of Effects: The proposed project is served by the City of Ontario. The project is required to meet the requirements of the Ontario Engineering Department regarding storm drain facilities. Therefore, no impacts are anticipated.

Mitigation: None required.

**d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the City shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et seq. (SB 610), and the requirements of Government Code Section 664737 (SB 221).**

Discussion of Effects: The project is served by the City of Ontario water system. There is currently a sufficient water supply available to the City of Ontario to serve this project. Therefore, no impacts are anticipated.

Mitigation: None required.

**e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

Discussion of Effects: The proposed project is served by the City of Ontario sewer system, which has waste treated by the Inland Empire Utilities Agency at the RP-1 treatment plant. RP-1 is not at capacity and this project will not cause RP-1 to exceed capacity. Therefore, no impacts are anticipated.

Mitigation: None required.

**f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

Discussion of Effects: City of Ontario serves the proposed project. Currently, the City of Ontario contracts with a waste disposal company that transports trash to a landfill with sufficient capacity to handle the City's solid waste disposal needs. Therefore, no impacts are anticipated.

Mitigation: None required.

**g. Comply with federal, state, and local statutes and regulations related to solid waste?**

Discussion of Effects: This project complies with federal, state, and local statutes and regulations regarding solid waste. Therefore, no impacts are anticipated.

Mitigation: None required.

**20. MANDATORY FINDINGS OF SIGNIFICANCE.**

**a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat or a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or**



**endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?**

Discussion of Effects: The proposed project does not have the potential to reduce wildlife habitat and threaten a wildlife species. The site is currently developed with a single-family home; therefore, no impacts are anticipated.

Mitigation: None required.

**b. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?**

Discussion of Effects: The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.

Mitigation: None required.

**c. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project, and the effects of probable future projects.)**

Discussion of Effects: The project does not have impacts that are cumulatively considerable.

Mitigation: None required.

**d. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

Discussion of Effects: The project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

Mitigation: None required.

## **EARLIER ANALYZES**

*(Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration. Section 15063(c)(3)(D)):*

1) Earlier Analyzes Used. Identify earlier analyzes used and state where they are available for review.

- a) The Ontario Plan Final EIR
- b) The Ontario Plan
- c) City of Ontario Zoning

All documents listed above are on file with the City of Ontario Planning Department, 303 East "B" Street, Ontario, California 91764, (909) 395-2036.

2) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards.

## **MITIGATION MEASURES**

*(For effects that are "Less than Significant with Mitigation Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.)*

1. **Air Quality**—The following fugitive dust mitigation measures shall be required:

a. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.

**b.** Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures:

- i.** Scheduling receipt of construction materials to non-peak travel periods.
- ii.** Routing construction traffic through areas of least impact sensitivity.
- iii.** Limiting lane closures and detours to off-peak travel periods.
- iv.** Providing rideshare incentives for contractor and subcontractor personnel.

**c.** After clearing, grading or earth moving:

- i.** Seed and water until plant cover is established;
  - ii.** Spread soil binders;
  - iii.** Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind;
- and

**iv.** Reduce “spill-over” effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.

**d.** Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.

**2. Geology and Soils**—The following mitigation measures shall be implemented:

**a.** Prior to issuance of grading permits, the applicant shall submit an erosion control plan to reduce wind erosion impacts.

**b.** Fugitive dust generated during cleaning, grading, earth moving, or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.

**c.** After clearing, grading, or earth moving:

- i.** Seed and water until plant cover is established;
  - ii.** Spread soil binders;
  - iii.** Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind;
- and

**d.** Sweep streets if silt is carried to adjacent public thoroughfares.

**e.** Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

**3. Greenhouse Gas Emissions**—The following mitigation measures shall be implemented:

**a.** The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR’s MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project:

**i.** Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects;

**ii.** Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors;

**iii.** Reduce heat gain from pavement and other similar hardscaping;

## **MITIGATION MONITORING AND REPORTING PROGRAM**

**Project File No.:** PDEV19-031

**Project Sponsor:** Mr. Pedro Maltos, 3841 Saint James Circle, Baldwin Park, CA. 91706

**Lead Agency/Contact Person:** Luis Batres, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2431

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<b>1. AIR QUALITY</b>						
a. Use of dust control during clearing, grading and construction. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures. If freshwater resources are too precious to waste on dust control, availability of brackish or reclaimed water sources shall be investigated. Soil disturbance shall be terminated when high winds (25 mph or greater) make dust control extremely difficult.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
b. Minimization of construction interference with regional non-project traffic movement. Impacts shall be reduced to below a level of significance by the following mitigation measures: i. Scheduling receipt of construction materials to non-peak travel periods. ii. Routing construction traffic through areas of least impact sensitivity. iii. Limiting lane closures and detours to off-peak travel periods. iv. Providing rideshare incentives for contractor and subcontractor personnel.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c. After clearing, grading or earth moving: i. Seed and water until plant cover is established. ii. Spread soil binders. iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv. Reduce "spill-over" effects by washing vehicles entering public roadways from dirt off road project areas and washing/sweeping project access to public roadways on an adequate schedule.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d. Emissions control from on-site equipment through a routine, mandatory program of low-emission tune-ups.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

<i>Mitigation Measures/Implementing Action</i>	<i>Responsible for Monitoring</i>	<i>Monitoring Frequency</i>	<i>Timing of Verification</i>	<i>Method of Verification</i>	<i>Verified (Initial/Date)</i>	<i>Sanctions for Non-Compliance</i>
<b>2. GEOLOGY &amp; SOILS</b>						
a. The applicant shall submit an erosion control plan to reduce wind erosion impacts.	Building Dept, Planning Dept & Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
b. Fugitive dust generated during cleaning, grading, earth moving or excavation shall be controlled by regular watering, paving of construction roads, or other dust-preventative measures.	Building Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
c. After clearing, grading, or earth moving: i. Seed and water until plant cover is established. ii. Spread soil binders. iii. Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind. iv. Sweep streets if silt is carried to adjacent public thoroughfares	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit
d. Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.	Engineering Dept	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
<b>3. GREENHOUSE GAS EMISSIONS</b>						
a. The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR's MM 6-2 and 6-3, and has determined that the following actions apply and shall be undertaken by the applicant in connection with the project: i. Evaluate existing landscaping and options to convert reflective and impervious surfaces to landscaping, and install or replace vegetation with drought-tolerant, low-maintenance native species or edible landscaping that can also provide shade and reduce heat-island effects. ii. Require all new landscaping irrigation systems installed to be automated, high-efficient irrigation systems to reduce water use and require use of bubbler irrigation; low-angle, low-flow spray heads; or moisture sensors. iii. Reduce heat gain from pavement and other similar hardscaping.	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order; or withhold building permit

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-031, A DEVELOPMENT PLAN TO CONSTRUCT A FOUR-STORY, 49-UNIT MULTIPLE-FAMILY DWELLINGS (MAGNOLIA APARTMENTS), OVER ONE-LEVEL OF AT-GRADE PODIUM STRUCTURED PARKING, FOR A TOTAL OF 5-STORIES, ON 1.58 ACRES OF LAND LOCATED AT 890 SOUTH MAGNOLIA AVENUE, WITHIN THE HDR-45 (HIGH DENSITY RESIDENTIAL- 25.1 TO 45.0 DU/AC) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1011-371-15 & 1011-371-16.

WHEREAS, PEDRO MALTOS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-031, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zone and is presently improved with a Single-Family Home. The project site is composed of two parcels that will be consolidated into one through a Lot Line Adjustment that will be processed concurrently with the Development Plan; and

WHEREAS, the property to the north of the Project site is within the HDR-45 (25.1 to 45.0 DU/Acre) zoning district and is developed with a 75-unit, fourth-story, multiple-family dwellings. The property to the east is within the MDR-18 (11.1 to 25.0 DU/Acre) zoning district and is developed with two-story multiple-family dwellings. The property to the south is within the AR-2 (0-2 DU/Acre) zoning district and is developed with a one-story single-family home. The property to the west is within the MDR-18 (11.1 to 25.0 DU/Acre) zoning district and is developed with two-story multiple-family dwellings; and

WHEREAS, the subject property is currently developed with a single-family home, and the site is being used as a commercial nursery. The site is relatively flat, with a gentle north to south slope of just over one percent; and

WHEREAS, the Development Plan proposes to construct one L-shape, five-story (67-feet in height), 49-unit multiple-family dwellings (Magnolia Apartments) on 1.58 acres of land. The project will consist of four floors of residential dwellings, over one-level of at-grade podium structured parking (53 covered parking spaces); and

WHEREAS, the Project is proposed at a density of 31 dwellings per acre, consistent with the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) land use designation; and

WHEREAS, the project will provide 108 parking spaces, in compliance with the Development Code multi-family off-street parking requirements. Off-street parking has been provided in the form of a one-level at-grade podium parking structure and uncovered surface parking. Parking will be composed of 53 spaces within the podium parking structure and 55 spaces within the uncovered surface parking lot; and

WHEREAS, the project exceeds the minimum landscape requirements established by the Development Code. The project will provide an average of 66 square feet of private open space per unit (50 square foot minimum required), in the form of private balconies, and 259 square feet of common open space for each unit (250 square foot minimum required); and

WHEREAS, the project proposes a Spanish Contemporary architectural design, exemplifying the type of high-quality architecture promoted by the Ontario Development Code and The Ontario Plan; and

WHEREAS, the Project has been designed with one point of vehicular access along Magnolia Avenue, with ample maneuvering access. The development is not proposed to be a gated community. Ingress access to the at-grade podium parking structure will be located along the southwest portion of the building, through a 26-foot wide drive aisle. Egress from the parking structure will be along the northeast portion of the building; and

WHEREAS, the project will provide five floor plans (one and two-bedroom units), that will range in size from 789 to 1,173 square feet; and

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

WHEREAS, an initial study has been prepared which analyzed the environmental impacts of the proposed Project. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, an Initial Study/Mitigated Negative Declaration (hereinafter referred to as "MND") and Mitigation Monitoring and Reporting Program (hereinafter referred to as "MMRP") were prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

WHEREAS, the MND was made available to the public and to all interested agencies for review and comment pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; 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 (hereinafter referred to as "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 June 21, 2021, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, MND, and MMRP, prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of no significance, and concluded said hearing on that date, recommending that the Planning Commission issue a MND and MMRP, and approve the Application; and

WHEREAS, on June 22, 2021, the Planning Commission of the City of Ontario conducted a hearing to consider the MND and MMRP, and the Project, and concluded said hearing on that date; and

WHEREAS, as the first action on the Project, on June 22, 2021, the Planning Commission approved a resolution adopting a MND and MMRP, each prepared pursuant to CEQA, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance, and 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: 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 upon 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 49 and density 31 units per acre specified in the Available Land Inventory.

**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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 authority 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: 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 Sections 1 and 2, 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 (High Density Residential) land use district of the Policy Plan Land Use Map, and the HDR-4 (High Density Residential – 25.1 to 45.0 du/ac) zoning district. 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. In addition, the proposed development will comply with all the Development Guidelines of the HDR-45 zone, and is not requesting any Variances; 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 to be consistent with the requirements of the City of Ontario Development Code and the HDR-45 (High Density Residential – 25.1 to 45.0 du/ac) zoning district, including standards relative to the particular land use proposed, 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. Approval of the project will result in the development of a 49-unit residential apartment complex. The project will include full on-site and off-site infrastructure improvements that will improve the street frontage along Magnolia Street. In addition, the proposed density of 31 units per acre is consistent with the minimum density requirement of the HDR-45 zone; 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 Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; [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. In addition, the project includes full on-site and off-site improvements and the project will improve the quality of the existing site. In addition, the proposed project will provide much needed housing which will also allow the City to comply with our Housing Element housing needs; 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

Development Code 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. 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 Ontario Development Code.

**SECTION 4: Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 through 3, 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 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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the 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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV19-031  
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:** June 21, 2021

**File No:** PDEV19-031

**Project Description:** A Development Plan to construct a four-story, 49-unit multiple-family dwellings (Magnolia Apartments), over one-level of at-grade podium structured parking, for a total of 5-stories, on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 du/ac) zoning district. (APN's: 1011-371-15 and 1011-371-16); **submitted by Pedro Maltos.**

**Prepared By:** Luis E. Batres, Senior Planner   
Phone: 909.395.2431 (direct)  
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 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)     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 Ontario Development Code Division 6.02 (Walls, Fences and Obstructions).

(a)     Any damage to existing block wall along the north property line shall be repaired to industry standards. If existing block wall does not match new proposed walls, existing wall shall be plastered and painted to match the new walls. The height of new and existing walls shall be a minimum of 6-feet, measured from finished grade.

**2.5**     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)     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.

(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).

(f)     Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

(g)     All required guest parking shall be located within the same general area.

**2.6**     Outdoor Loading and Storage Areas.

(a) Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

(b) Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

**2.7** Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

**2.8** 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.

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

**2.10** Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

(a) Any proposed monument signs will also require the review and approval from the Landscape Division.

**2.11** 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).

**2.12** Environmental Review.

(a) The Application is a project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 Et Seq.) ("CEQA") and an initial study has been prepared to determine possible environmental impacts. On the basis of the initial study, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of insignificance, a Mitigated Negative Declaration was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. Furthermore, to ensure that the mitigation measures are implemented, a Mitigation Monitoring and Reporting Program has been prepared for the Project pursuant to CEQA Guidelines Section 15097, which specifies responsible agencies/departments, monitoring frequency, timing and method of verification and possible sanctions for non-compliance with mitigation measures. All mitigation measures listed in the Mitigation Monitoring and Reporting Program 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) Location of gas meters shall be located away from public views and they shall also be screened with landscaping and or a combination of a decorative block wall and landscaping.

(b) Trash enclosure decorative trellis shall be constructed of steel or a similar material, in addition, all proposed trellis elements on the site shall also be constructed of steel or a similar material.

(c) Applicant shall work with staff during the plan check process to add a few more up-lighting fixtures along the east side of the building.

(d) Along the east building elevation, the Applicant shall work with staff during the plan check process to project out the front main entry area three additional feet and one foot along the west elevation.

(e) All community area restrooms shall feature baby changing tables.

(f) Any proposed false windows shall feature some type of glazing, such as spandrel or other similar material that gives the look of a real window.

(g) All primary architectural towers shall feature two small recess areas and not one, along the upper portion of the towers.

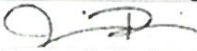
(h) Applicant shall work with staff during the plan check process to add two additional decorative metal canopies over upper level windows along the east elevation and three windows along the south elevation.

(i) Applicant shall incorporate decorative sconce lighting fixture to the main entry areas of the building to enhance entry areas in the PM hour. Fixtures selected shall go with the propose architecture style.

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

**CONDITIONS OF APPROVAL**

Sign Off

  
 Jamie Richardson, Sr. Landscape Planner

4/30/21  
 Date

Reviewer's Name:  
**Jamie Richardson, Sr. Landscape Planner**

Phone:  
**(909) 395-2615**

D.A.B. File No.:  
 PDEV19-031

Case Planner:  
 Luis Batres

Project Name and Location:  
 Magnolia Condominiums

890 S Magnolia Ave

Applicant/Representative:

LSA Architecture Inc – Chuck Steichen [csteichen@lsaarchitecture.com](mailto:csteichen@lsaarchitecture.com) (949) 873-5255

1901 Newport Blvd, Suite 350

Costa Mesa, CA 92627

<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 4/2/21) 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.</b>
<input type="checkbox"/>	<b>A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.</b>

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.**  
 Landscape construction plans with plan check number may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)  
**DIGITAL SUBMITTALS MUST BE 10MB OR LESS.**

**Civil/ Site Plans**

1. Appraised value from the tree inventory is \$9,053; payment can be made to the City of Ontario Historic Preservation Fund. Coordinate payment with the Landscape planning Division.
2. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
3. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Show backflow devices set back 4' from paving all sides. Locate on level grade.
5. Show location of gas meters.

**Landscape Plan**

6. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
7. 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.
8. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
9. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
10. 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.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Engineering Services Division [Land Development Section and Environmental Section], Traffic & Transportation Division, Ontario Municipal Utilities Company and Broadband Operations & Investment and Revenue Resources Department Conditions incorporated)

<input checked="" type="checkbox"/> <b>DEVELOPMENT PLAN</b> <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> TRACT MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES
<b>PROJECT FILE NO. <u>PDEV19-031</u></b> RELATED FILE NO(S). _____	
<input checked="" type="checkbox"/> <b>ORIGINAL</b> <input type="checkbox"/> REVISED: __/__/__	

**CITY PROJECT ENGINEER & PHONE NO:**      Antonio Alejos      (909) 395-2384

**CITY PROJECT PLANNER & PHONE NO:**      Luis Batres      (909) 395-2431

**DAB MEETING DATE:**      June 7<sup>th</sup>, 2021

**PROJECT NAME / DESCRIPTION:**      PDEV19-031, a Development Plan to construct a 49-unit multiple-family development, over podium structure parking on 1.58 acres of land.

**LOCATION:**      890 South Magnolia Avenue

**APPLICANT:**      Pedro Maltos

**REVIEWED BY:**      Raymond Lee      5/27/21  
    Raymond Lee, P.E.      Date  
    Assistant City Engineer

**APPROVED BY:**      Khoi Do      5-27-21  
    Khoi Do, P.E.      Date  
    City Engineer



THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) 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 OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

**1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:** Check When Complete

- 1.01 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 \_\_\_\_\_.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
\_\_\_\_\_
- 1.03 Restrict vehicular access to the site as follows: \_\_\_\_\_
- 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](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 Financial 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](http://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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 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/Tract Map No. \_\_\_\_\_ pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF 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 March 4<sup>th</sup>, 1972.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment to merge the northerly parcel (APN 1011-371-15) and southerly parcel (APN 1011-371-16) 
  - 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](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: Non-interference Letter required from each easement holder listed in the title report**
- 2.10 **Dedicate to the City of Ontario the right-of-way described below:** 

**3-feet on the Magnolia Avenue property frontage for an ultimate right-of-way of 33-feet from street centerline.**

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 100% 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.**

Project File No. PDEV19-031  
Project Engineer: Antonio Alejos  
DAB Date: 6/7/2021



- 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. Final fee shall be determined based on the approved site plan.**
- 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	Magnolia Av	Street 2	Street 3	Street 4
<b>Curb and Gutter</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New; 20-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
<b>AC Pavement</b> (see Sec. 2.F)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 4-ft 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
<b>PCC Pavement</b> (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
<b>Drive Approach</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New <input checked="" type="checkbox"/> In-fill existing driveways	<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
<b>Sidewalk</b> (see Sec. 2.F)	<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
<b>ADA Access Ramp</b>	<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
<b>Parkway</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> Trees <input checked="" 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)
<b>Raised Landscaped Median</b>	<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
<b>Fire Hydrant</b> (see Sec. 2.D)	<input checked="" type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation	<input type="checkbox"/> New <input type="checkbox"/> Relocation
<b>Sewer</b> (see Sec. 2.C)	<input checked="" type="checkbox"/> Two (2) laterals w/ clean-outs behind PL	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral



<b>Water</b> (see Sec. 2.D)	<input checked="" type="checkbox"/> One (1) service for Domestic Use w/ Meter & Backflow <input checked="" type="checkbox"/> One (1) service for Irrigation Use w/ Meter & Backflow <input checked="" type="checkbox"/> One (1) service for Fire Use w/ DCDA	<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 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
<b>Traffic Signing and Striping</b> (see Sec. 2.F)	<input checked="" type="checkbox"/> New "No Parking Any Time" signs <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
<b>Street Light</b> (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
<b>Storm Drain</b> (see Sec. 2G)	<input checked="" type="checkbox"/> New under sidewalk drain <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
<b>Fiber Optics</b> (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 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
<b>Removal of Improvements</b>	<input checked="" type="checkbox"/> Remove existing curb & curb/gutter	_____ _____ _____	_____ _____ _____	_____ _____ _____
<b>Other Improvements</b>	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____



**Specific notes for improvements listed in Item no. 2.17, above:**

- a. If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.
- b. Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.

- 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): **Magnolia Avenue - Minimum limits of construction shall be along the entire property frontage, from street centerline to curb/gutter.**
- 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 **An 8-inch sewer main is available for connection by this project in Magnolia Avenue. (Ref: Sewer DWG No.: S12721)**
- 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:** 
  - a. **The applicant/developer shall install two (2) new sewer laterals to the existing 8-inch public sewer main in Magnolia Avenue and equip each lateral with a clean-out behind the property line per the latest City Design Guidelines/Standard Drawings.**

**D. WATER**

- 2.27 **An 8-inch water main is available for connection by this project in Magnolia Avenue. (Ref: Water DWG No.: W12194)**
- 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:** 
  - a. **The applicant/developer shall install a domestic water service to the existing 8-inch domestic water main in Magnolia Avenue and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.**
  - b. **The applicant/developer shall install a separate water service (for irrigation purposes only) to the existing 8-inch domestic water main in Magnolia Avenue and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.**



- c. The applicant/developer shall install a fire service to the existing 8-inch domestic water main in Magnolia Avenue and equip a double check detector assembly (DCDA) to the service behind the property line per the latest City Design Guidelines/Standard Drawings.
- d. The applicant/developer shall install a new fire hydrant, along the Magnolia Avenue property frontage, with a break-off check valve per City Standard Drawing Number 4101.

**E. RECYCLED WATER**

- 2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_ (Ref: Recycled Water plan bar code: \_\_\_\_\_)
  - 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. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the 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) 395-2647 regarding this requirement.
- 2.34 Other conditions: \_\_\_\_\_

**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: 
  - a. The applicant/developer shall construct curb & gutter along Magnolia Avenue property frontage per City Standard Drawing Number 1201.
  - b. The applicant/developer shall widen half the street section along Magnolia Avenue property frontage to the ultimate 20-ft from street centerline per City Standard Drawing Number 1052 and to the satisfaction of the City Engineer.
  - c. The applicant/developer shall provide an AC berm transition to the existing narrower street section's curb and gutter to the southern neighboring property per City Standard Drawing Number 1052 and to the satisfaction of the City Engineer.
  - d. The applicant/developer shall construct the proposed driveway approach per City Standard Drawing Number 1204.
  - e. The applicant/developer shall construct new sidewalk along Magnolia Avenue property frontage per City Standard Drawing Number 1209.
  - f. The applicant/developer shall in-fill existing driveway approaches with full height curb/gutter, parkway landscaping and sidewalk per the latest City Design Guidelines/ Standard Drawings and to the satisfaction of the City Engineer.
  - g. The applicant/developer shall install parkway trees/landscaping along Magnolia Avenue property frontage per the Landscape Planning Division Requirements.
  - h. All landscaping, block walls and other obstructions in the parkway shall be compatible with the stopping sight distance requirements per City Standard Drawing Number 1309.



- i. The applicant/developer shall remove all hardscape (concrete, rocks, etc.) from the within the parkway landscape area along the entire property frontage per Landscape Planning Division Requirements.
- e. The applicant/developer shall install "No Parking Anytime" signs with arrows (R28(CA)(L) & (R)) along Magnolia Avenue per the latest City Design Guidelines/Standard Drawings and to the satisfaction of the City Engineer. The parking shall be restricted 40-feet on either side of the proposed driveway.
- j. The applicant/developer shall be responsible to design and construct in-fill public street lights along Magnolia Avenue property frontage. Street lighting shall be LED-type and in accordance with the City's Traffic & Transportation Design Guidelines.

**G. DRAINAGE / HYDROLOGY**

- 2.38 A storm drain main is not available to accept flows from this project. (Ref: Storm Drain DWG No.: None)
- 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.
- 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.
- 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.
- 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.
- 2.43 Other conditions: \_\_\_\_\_

**H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)**

- 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.
- 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 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable



component to facilitate maintenance and cleaning.

- 2.47 Other conditions: \_\_\_\_\_

#### J. SPECIAL DISTRICTS

- 2.48 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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.

- 2.49 Other conditions: \_\_\_\_\_

#### K. FIBER OPTIC

- 2.50 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. Generally located along Magnolia Avenue.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

#### L. INTEGRATED WASTE

- 2.52 Onsite solid waste shall be designed in accordance with the City's Refuse & Recycling Planning Manual located at:

<https://www.ontarioca.gov/OMUC/IntegratedWaste>

- 2.53 Other conditions:
- a. The applicant/developer shall submit a final Solid Waste Handling Plan (SWHP) with the Precise Grading Plan for the Ontario Municipal Utilities Company to review & approve.
    - i. Provide a trash enclosure with four (4) 4-Cubic Yard bins and a solid roof.

For questions on the SWHP and IWMR submittal requirements, please contact:  
Peter Tran, Associate Engineer  
[ptran@ontarioca.gov](mailto:ptran@ontarioca.gov)  
Phone: (909) 395-2677



**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.).**

**4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01 **Complete all Conditions of Approval listed under Sections 1-3 above.**
- 4.02 **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**
- 4.03 **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall include a completed Acceptance and Bond Release Checklist, state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**
- 4.04 **Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.**



## **EXHIBIT 'A'**

### **ENGINEERING DEPARTMENT First Plan Check Submittal Checklist**

---

**Project Number: PDEV19-031**

**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.  **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6.  **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).**
7.  **Three (3) sets of Public Street improvement plan with street cross-sections**
8.  **Three (3) sets of Private Street improvement plan with street cross-sections**
9.  **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)**
10.  **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)**
11.  **Four (4) sets of Public Sewer improvement plan**
12.  **Five (5) sets of Public Storm Drain improvement plan**
13.  **Three (3) sets of Public Street Light Improvement plan**
14.  **Three (3) sets of Signing and Striping improvement plan**
15.  **Three (3) sets of Fiber Optic plan (Include Auto CAD electronic submittal)**
16.  **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)**
17.  **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.**
18.  **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP)**
19.  **One (1) copy of Hydrology/Drainage study**
20.  **One (1) copy of Soils/Geology report**





- 21.  Payment for Final Map/Parcel Map processing fee
- 22.  Three (3) copies of Final Map/Parcel Map
- 23.  One (1) copy of approved Tentative Map
- 24.  One (1) copy of Preliminary Title Report (current within 30 days)
- 25.  One (1) copy of Traverse Closure Calculations
- 26.  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.
- 27.  Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use
- 28.  **Other:**
  - a. **Three (3) copies of the Lot Line Adjustment Form (Include all items in the Lot Line Adjustment Application Checklist)**



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Luis Batres, Senior Planner  
Planning Department

**FROM:** Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** September 10, 2020

**SUBJECT:** PDEV19-031 - A Development Plan to construct 49 multiple-family dwellings on 1.58 acres of land located at 890 South Magnolia Avenue, within the HDR-45 (High Density Residential - 25.1 to 45.0 DU/Acre) zoning district (APNs: 1011-371-15 and 1011-371-16).  
Revision 1.

- 
- The plan **does** adequately address Fire Department requirements at this time.
- See previous report, dated June 18, 2019.
-



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Luis Batres, Senior Planner  
Planning Department

**FROM:** Paul Ehrman, Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** June 18, 2019

**SUBJECT:** PDEV19-031 - A Development Plan approval to construct 49-unit multi-family dwellings on approximately 1.58 acres of land located at 890 S Magnolia Ave, within the High Density Residential (HDR-45) zoning district (APN(s): 1011-371-15 & -16).

- 
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.
- 

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Type V
- B. Type of Roof Materials: Ordinary
- C. Ground Floor Area(s): 21,604 Sq. Ft.
- D. Number of Stories: 5
- E. Total Square Footage: 101,735 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R-3

## **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](http://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.
- 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) 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 4000 gallons per minute (g.p.m.) for 4 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.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The 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

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and location(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard Choose an item.. 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.
- ☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finished) before the building is enclosed.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

## 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. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. 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.
- ☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.
- ☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Luis Batres, Senior Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** June 20, 2019

**SUBJECT:** PDEV19-031: A DEVELOPMENT PLAN TO CONSTRUCT 49-UNIT MULTI-FAMILY DWELLINGS AT 890 S. MAGNOLIA AVENUE

---

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

The Applicant is invited to call Emily Hernandez at (909) 408-1755 regarding any questions or concerns.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Luis Batres, Senior Planner

**FROM:** Officer Emily Hernandez, Police Department

**DATE:** June 20, 2019

**SUBJECT:** PDEV19-031: A DEVELOPMENT PLAN TO CONSTRUCT 49-UNIT  
MULTI-FAMILY DWELLINGS AT 890 S. MAGNOLIA AVENUE

---

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- Rooftop addresses shall be installed on the buildings as stated in the Standard Conditions. The numbers shall be at a minimum 3 feet tall and 1 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street.

The Applicant is invited to call Emily Hernandez at (909) 408-1755 regarding any questions or concerns.



# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV19-031  
 Address: 890 South Magnolia  
 APN: 1011-371-15 & 16  
 Existing Land Use: Single Family Residential  
 Proposed Land Use: Development Plan to construct 49 multi-family units  
 Site Acreage: 1.5 acres Proposed Structure Height: 66 FT  
 ONT-IAC Project Review: n/a  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Luis Batres  
 Date: 7/25/19  
 CD No.: 2019-041  
 PALU No.:

### 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 checked="" type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="radio"/> 65 - 70 dB CNEL	<input checked="" type="checkbox"/> Airspace Obstruction Surfaces	<input type="radio"/> Real Estate Transaction Disclosure
<input type="radio"/> Zone 3	<input checked="" type="checkbox"/> 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.

Airport Planner Signature: 

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2019-041

PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

New Residential land uses are required to have a Recorded Overflight Notification appearing on the Property Deed and Title incorporating the following language:

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

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Luis Batres  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** June 11, 2019  
**SUBJECT:** PDEV19-031

- 
- 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:lr



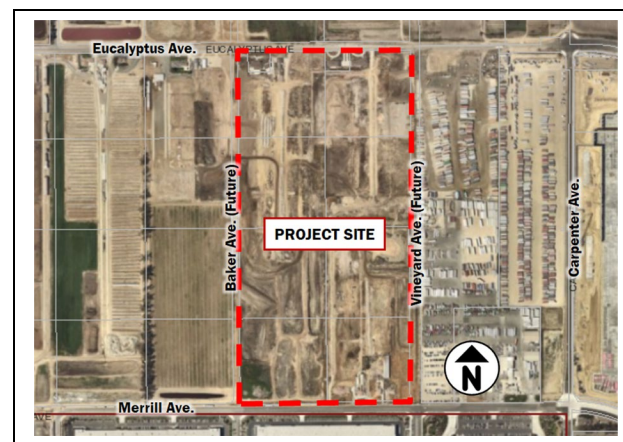
**FILE NO:** PDEV21-010

**SUBJECT:** A Development Plan to construct a 1,400,000 square-foot industrial building on 70.4 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan (APNs: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02); **submitted by Prologis L.P.**


**PROPERTY OWNER:** Prologis, L.P.

**RECOMMENDED ACTION:** That the Planning Commission consider and approve File No. PDEV21-010, 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 70.4 acres of land located south of Eucalyptus Avenue, approximately 1,200 feet west of Carpenter Avenue, within Planning Areas 5 and 5A of the Merrill Commerce Center Specific Plan (“MCCSP”) zoning district, and is depicted in Figure 1: Project Location. The Project site is bordered by Eucalyptus Avenue to the north, Merrill Avenue to the south, future Vineyard Avenue to the east, and future Baker Avenue to the west. The properties to the north of the site are currently developed with agricultural uses and dairies that are located with the SP(AG) zoning district. The properties to the south are located within the City of Chino and developed with industrial buildings. The properties to the east of the Project are improved with a truck terminal facility. The properties to the west are developed with dairy farms. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.



**Figure 1: Project Location**

Case Planner:	Edmelynn V. Hutter, AICP
Planning Director Approval:	
Submittal Date:	March 9, 2021

Hearing Body	Date	Decision	Action
DAB	6/21/2021		Recommend
PC	6/22/2021		Final
CC			

## PROJECT ANALYSIS:

(1) Background — On February 2, 2021, the City Council approved the introduction (first reading) of Ordinance No. 3178 for the MCCSP, adopted Resolution No. R2021-011, certifying the MCCSP Final Environmental Impact Report (“Certified EIR”; State Clearinghouse No. 2019049047), and adopted Resolution No. R2021-012, approving the associated General Plan Amendment (File No. PGPA18-003) establishing the Business Park (0.6 FAR) and Industrial (0.55 FAR) land uses on the project site. On February 16, 2021, the City Council adopted (second reading) Ordinance No. 3178, approving the MCCSP (File No. PSP18-001). The MCCSP establishes the land use designations, development standards, and design guidelines on 376.3 acres of land, which includes the potential development of up to 8,455,000 square feet of industrial and business park development.

On March 23, 2021, the Planning Commission approved Tentative Parcel Map No. 20273, a request to subdivide the Merrill Commerce Center Specific Plan area to create 22 numbered lots, 22 lettered lots, public streets and to facilitate future development of industrial and business park projects. On April 21, 2021, the final parcel map application for Parcel Map No. 20273 (File No. E202100114) was submitted to the Engineering Department for review and processing. At the time of writing this staff report, the final map was under review and anticipated to be presented to the City Council in late Summer or early Fall of 2021 for consideration. Approval of the subject Development Plan is contingent on approval and recordation of final Parcel Map No. 20273.

On March 9, 2021, the applicant submitted a Development Plan (File No. PDEV21-010) to develop Parcels 10, 14, and 15 of Parcel Map No. 20273 with one industrial building, to be used as a fulfillment center, totaling 1,434,010 square feet of leasable area.

The Project is scheduled to be presented to the Development Advisory Board (DAB) on June 21, 2021. Given the close timing of the DAB and Planning Commission hearings, the outcome of the DAB hearing will be included in the staff presentation of this project during the June 22, 2021, the Planning Commission meeting.

(2) Site Design/Building Layout — The proposed development includes a warehouse distribution building, with a footprint of 823,103 square feet and located entirely on Parcel 10 of Parcel Map No. 20273. The building is centrally located on the project site, setback approximately 630 feet from Eucalyptus Avenue, 600 feet from Merrill Avenue, 235 feet from future Vineyard Avenue, and 260 feet from future Baker Avenue. Employee parking lots are located west and south of the building. Truck access and trailer parking are located to the north and east of the building. In the north portion of the site, Parcels 14 and 15 will be improved with the truck entry, truck queuing lanes, guard house structure, and landscaping.

The proposed warehouse building is oriented to face west, towards Baker Avenue. The main entrance and office area will be a single-story structure encompassing 44,941

square feet. This area will include the employee entrance, locker rooms, break rooms, restrooms, recruitment offices, employee training rooms and other ancillary uses.

The main, five-level warehouse building will include areas for warehousing, product processing and packaging, employee breakrooms, restrooms and walkways. The first level also has 68 dock-high loading docks along the north and east building elevations. In addition to breakrooms, restrooms and walkways, Levels 2 through 5 of the building will also have a total of 2,621,880 square feet of robotic storage platforms that are in addition to the building's 1.4 million square feet of leasable floor area. In accordance with the Development Code definition of "Floor Area, Gross", the robotic storage platform is considered a "platform for conveyers, equipment and related workstations" and is not included in the floor-area calculations. The robotic storage platforms will be a restricted area for robotic equipment, automated product handling, conveyers, and associated workstations. Only certain staff, such as maintenance staff, will be allowed in these areas as needed.

(3) Site Access/Circulation — The Project site will be accessible from Baker Avenue to the west and Merrill Avenue to the south. One access point on Baker Avenue will serve as the truck ingress and egress points. Three additional access points on Baker Avenue are for employee use, leading to the parking lot areas and the main building entrance. Two access points along Merrill Avenue are also provided for access to employee parking. Lastly, the project is designed with a truck exit along Vineyard just north of the Merrill Avenue intersection. Vehicle or truck access is not provided along Eucalyptus Avenue.

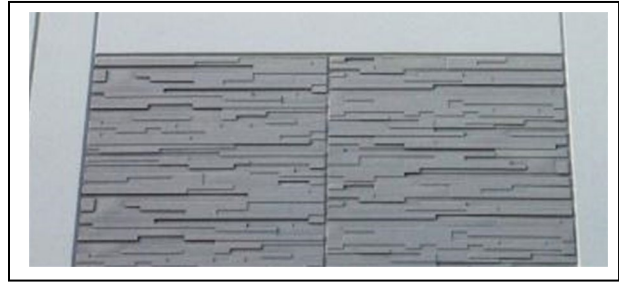
The internal circulation in the employee parking lot areas will include appropriate traffic control measures such as stop bars, speed bumps and dedicated pedestrian paths to maximize safety and efficiency. In addition, all vehicle and truck access points are designed with enhanced paving as required by the Development Code.

(4) Parking — The Project is required to provide 727 parking spaces and 16 trailer parking spaces, based on 1,434,010 square feet of floor area and 65 dock-high loading doors, respectively. The Project provides 1,784 parking spaces for passenger vehicle parking and 367 spaces for trailer parking, exceeding the parking requirements.

<b>Table A: Parking Summary</b>					
<b>Type of Use</b>	<b>Building Area</b>	<b>Trailer Parking</b>		<b>Vehicle Spaces</b>	
		<b>Required</b>	<b>Provided</b>	<b>Required</b>	<b>Provided</b>
Warehouse / Distribution	1,434,010 SF	16	367	727	1,784

The Project also provides 16 spaces for motorcycle parking near the main entrance of the building.

(5) Architecture — The architectural theme of the Project is a Contemporary Architectural style. The proposed building will be constructed with a combination of concrete tilt-up walls and insulated metal panels (Exhibit D – Sample Materials Board). The concrete tilt-up walls will be used as the base of the building, generally covering the first 30 to 40 feet of the building height. The wall material above the concrete tilt-up panels will be insulated metal panels fastened onto steel framing.



**Figure 2: Sample Form Liner**

The main entrance and office area will be constructed with insulated metal panels, though the building corners will have concrete tilt-up walls using form liners with contemporary geometric patterns (Figure 2). The geometric pattern in the tilt-up panels will create visual interest and dimension at the human scale. The proposed color scheme is primarily monochromatic and presented in four gray hues, with a blue accent color at the building entrance and along portions of the building parapet (Exhibit D – Sample Materials Board).

The proposed building will be approximately 95 feet in height and will be taller than other industrial buildings existing and proposed in the area, which are typically limited to maximum 55 or 65 feet tall. Overall, the proposed building footprint is approximately 1,200 feet wide and 700 feet deep, presenting long expanses of building elevations that would be more visible even from further distances. To add variation on the building facades, the east and west elevations have portions of the building protruding from the main wall envelope, creating vertical breaks in the elevation. These protrusions enclose stairwells, electrical rooms, ventilation shafts, and other ancillary spaces that serve to support the main activity of warehousing and distribution.

As conditioned, the Project is required to incorporate additional architectural details on the north and south elevations to increase the visual interest as seen from public view. The Applicant, in coordination with the Planning Department, will revise the design to include additional glazing on the north and south elevations to improve the massing of the building and enhance visual engagement.

(6) Chino Airport Land Use Compatibility Compliance — The project site is located within the Chino Airport Influence Area (AIA). Pursuant to the California Airport Land Use Planning Handbook, the project site is located within Safety Zone 6 (Traffic Pattern/Overflight Zones), as shown on Exhibit E – Chino Airport Safety Zones, attached. Safety Zone 6 is subject to intensity limits (number of people on the site) and open land criteria requirements. The Project shall be required to be consistent with the policies and criteria of the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook.

(7) Landscaping — The MCCSP requires a minimum 10 percent landscape coverage be provided for buildings within the Industrial and Business Park land use districts. As proposed, at least 17 percent landscape coverage has been provided for the Project site, meeting the minimum 10 percent requirement. The Project provide substantial landscaping along the full perimeter of the site, with additional buffering provided along Eucalyptus Avenue (see Exhibit F - Landscape Plan). The landscaping within the project interior is provided adjacent to the building, screen walls, and throughout the parking lot area to soften the appearance of these areas and provide additional shading. The landscape plan incorporates 36-inch box trees, such as palo verde, crepe myrtle, shagbark hickory, pistache, fruitless olive, pine and oak varieties. The project will also incorporate low-water usage and drought-tolerant shrubs and groundcovers throughout the site.

The Project also includes right-of-way improvements (street, curb, gutter, sidewalk, and parkway) along the surrounding streets. The proposed on-site and off-site landscape improvements will assist toward creating a walkable, safe area for pedestrians to access the Project site. A multi-purpose trail and neighborhood edge will also be installed along Merrill and Vineyard Avenues.

The landscape area long Eucalyptus Avenue encompasses at least 2.75 acres of open space and is north of the main truck access and driveway. This open space area presents a unique opportunity for the development to provide a meaningful landscape feature and amenity such as shaded walking paths and respite areas. However, the current conceptual design shows this area with landscaping only and is not intended to be accessed by employees or patrons due to concerns about pedestrians crossing the truck access lanes and driveway. It is staff's opinion that a pedestrian crosswalk at the truck access lanes can be designed to ensure visibility and safety. As conditioned, the Applicant will coordinate with the Planning Department to create a final design that provides a landscape and employee amenity.

(8) Signage — All future signage will be subject to review and approval of a comprehensive sign program for the Specific Plan area. The sign program will facilitate integration of the signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs. Key provisions will include an entry monument, center and tenant identification signage, traffic and wayfinding signs, building signs, secondary monumentation, and visitor and directional signage.

(9) Utilities (drainage, sewer) — The Project will be required to construct infrastructure improvements per the Development Agreement (File No. PDA18-004) and requirements of the MCCSP. Furthermore, the Applicant has submitted a Preliminary Water Quality Management Plan ("PWQMP"), which establishes the Project's compliance with storm water discharge/water quality requirements. The PWQMP includes site design measures that capture runoff and pollutant transport by minimizing impervious surfaces and maximizes low impact development ("LID") best management practices ("BMPs"), such



as retention and infiltration, biotreatment, and evapotranspiration. The PWQMP proposes the use of landscape areas designed as swales and grade to accept runoff, underground storm water retention chambers where downstream landscape areas are limited, surface retention basins to receive impervious area runoff and installation of storm water drywells in detention areas.

**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
- 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:**

➤ 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.

➤ LU1-3 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.

➤ 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.

#### **Community Economics Element:**

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

- 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.
- 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.
  - 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 building.

**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.
- CD2-5 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.
- 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.
- CD2-12 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.
- 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

➤ CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

➤ 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.

➤ CD5-1 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 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, 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. 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 ALUCP. Any special conditions of approval associated with uses near the airport are included in the conditions of approval provided with the attached Resolution.

The project site is also located within the Airport Influence area 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. The proposed was evaluated and found to be consistent with the policies and criteria set forth within the Handbook, subject to conditions.

**ENVIRONMENTAL REVIEW:** The environmental impacts of this project were previously reviewed in conjunction with the Merrill Commerce Center Specific Plan (File no. PSP18-001), for which an Environmental Impact Report (State Clearing House No. 2019049079) was adopted by the City Council on February 2, 2021. 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.

**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>	Agriculture, Dairy, Vacant	Industrial (0.55 FAR), Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan	Industrial, Business Park
<i>North</i>	Agriculture and Dairy	Mixed Use (NMC West) and Medium Density Residential (11.1 – 25 du/ac)	Specific Plan / Agricultural Overlay	N/A
<i>South</i>	Industrial (City of Chino)	Light Industrial (City of Chino)	The Preserve Specific Plan (City of Chino)	Light Industrial (City of Chino)
<i>East</i>	Truck Terminal	Industrial (0.55 FAR), Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan	Industrial, Business Park
<i>West</i>	Dairy	Industrial (0.55 FAR), Business Park (0.6 FAR)	Merrill Commerce Center Specific Plan	Industrial, Business Park

**General Site & Building Statistics**

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	70.44 ac (3,068,366 sf)	N/A	N/A
<i>Lot/Parcel Size:</i>	59.32 ac (Parcel 10) 5.17 (Parcel 14) 5.95 (Parcel 15)	1 ac (Min.)	Y
<i>Building Area:</i>	1,434,010 sf	N/A	N/A
<i>Floor Area Ratio:</i>	0.47	0.55 (Max.)	Y
<i>Building Height:</i>	97 ft	110 ft (Max.)	Y

**Off-Street Parking:**

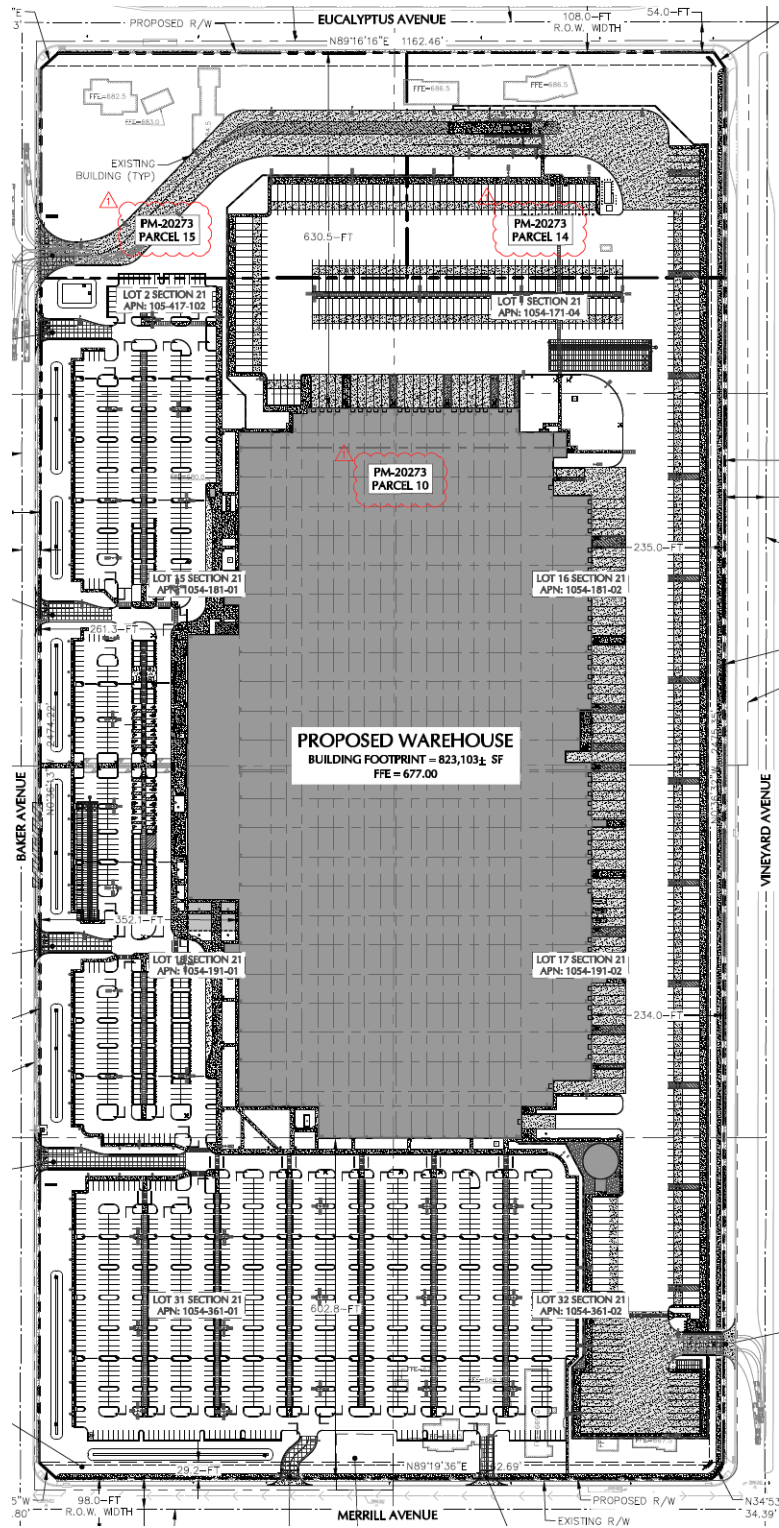
<b>Parking Summary</b>					
<b>Type of Use</b>	<b>Building Area</b>	<b>Trailer Parking</b>		<b>Vehicle Spaces</b>	
		<b>Required</b>	<b>Provided</b>	<b>Required</b>	<b>Provided</b>
Warehouse / Distribution	1,434,010 SF	16	364	727	1,784

**EXHIBIT A—PROJECT LOCATION MAP**

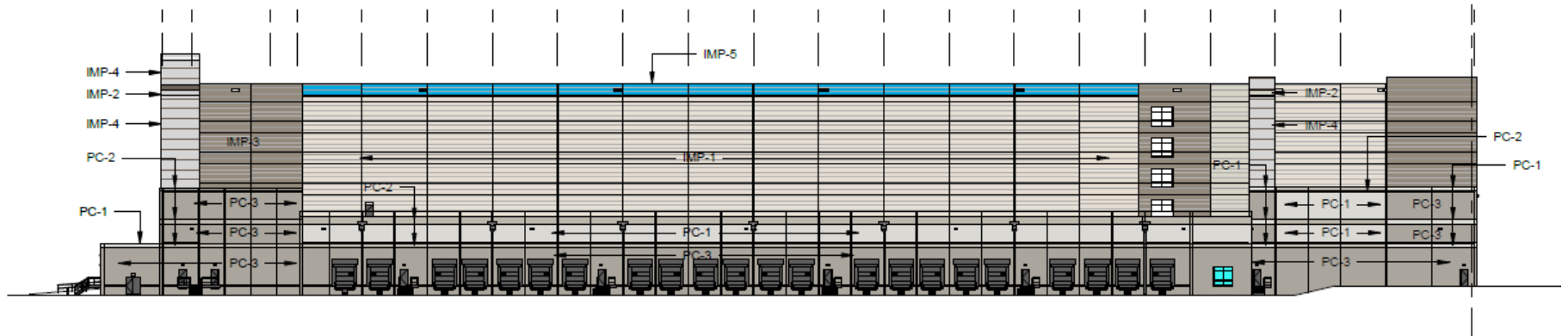




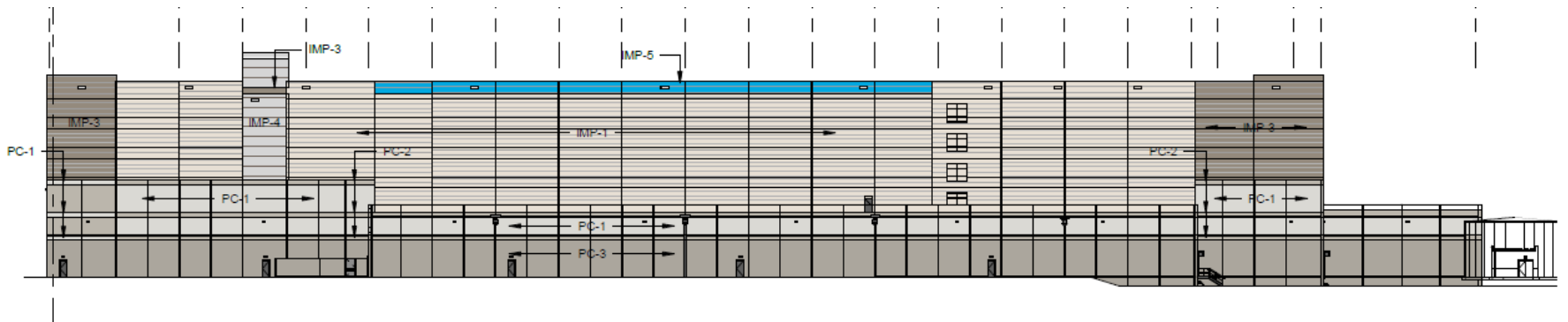
**EXHIBIT B—SITE PLAN**



**EXHIBIT C – BUILDING ELEVATIONS**

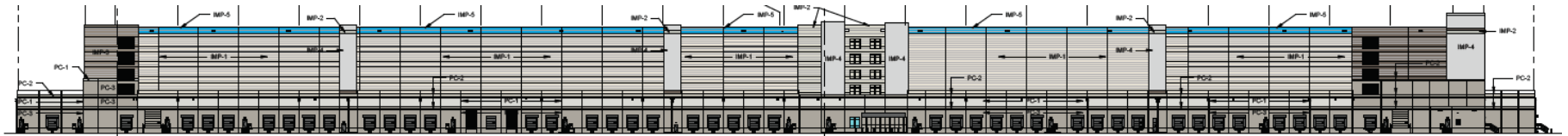


North Elevation

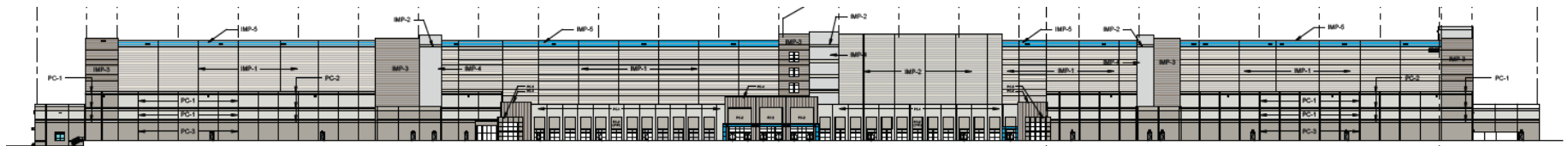


South Elevation

**EXHIBIT C – BUILDING ELEVATIONS (continued)**

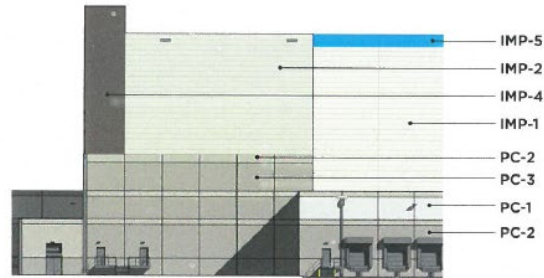


East Elevation



West Elevation

**EXHIBIT D – SAMPLE MATERIALS BOARD**



Enlarged South Elevation



Enlarged West Elevation



South Elevation



West Elevation

**Project Abby**  
 Ontario, CA  
 Preliminary Review Application

Color and Materials Board  
 02.19.2021  
 2200371.00

**PC-1 "SW First Star"**



**PC-2 "SW Mindful Gray"**



**PC-3 "SW Dorian Gray"**

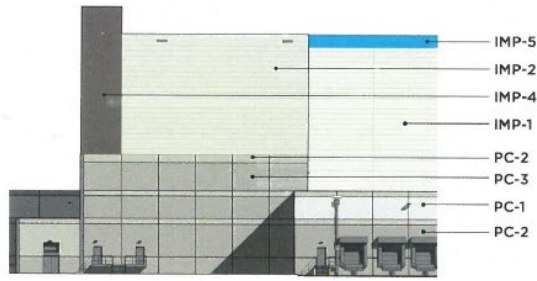


**PC-4 "SW Dove Tail"**



**MACKENZIE.**  
 DESIGN DRIVEN | CLIENT FOCUSED

**EXHIBIT D – SAMPLE MATERIALS BOARD (continued)**



Enlarged South Elevation



Enlarged West Elevation



IMP-3 "Dove Gray"



IMP-4 "Zinc Gray"

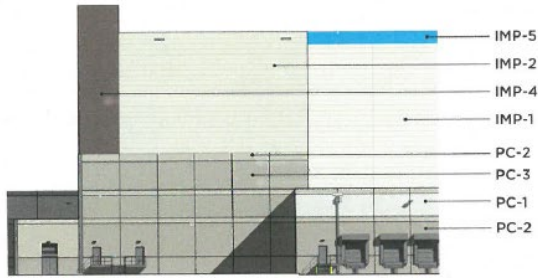


**Project Abby**  
Ontario, CA  
Preliminary Review Application

Color and Materials Board  
02.19.2021  
2200371.00

**MACKENZIE.**  
DESIGN DRIVEN | CLIENT FOCUSED

**EXHIBIT D – SAMPLE MATERIALS BOARD (continued)**



Enlarged South Elevation



Enlarged West Elevation



South Elevation



West Elevation

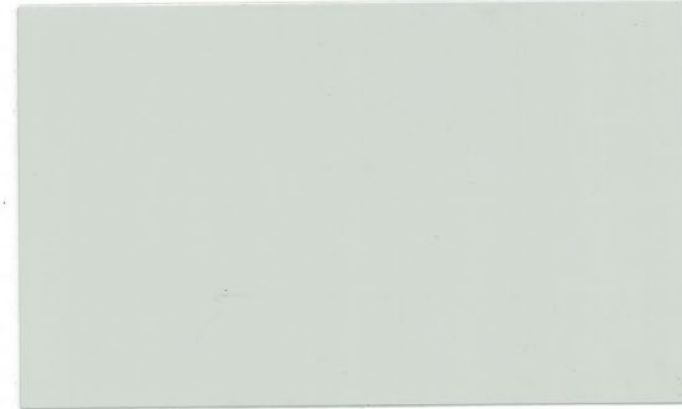
**Project Abby**  
Ontario, CA  
Preliminary Review Application

Color and Materials Board  
02.19.2021  
2200371.00

IMP-1 "Bone White"

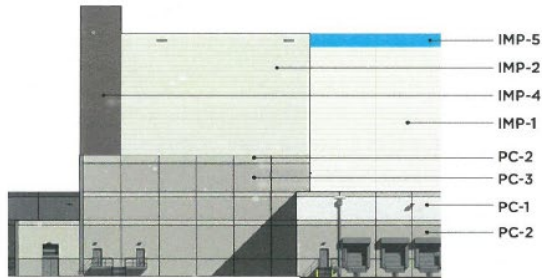


IMP-2 "Drift Wood"



**MACKENZIE.**  
DESIGN DRIVEN | CLIENT FOCUSED

**EXHIBIT D – SAMPLE MATERIALS BOARD (continued)**



Enlarged South Elevation



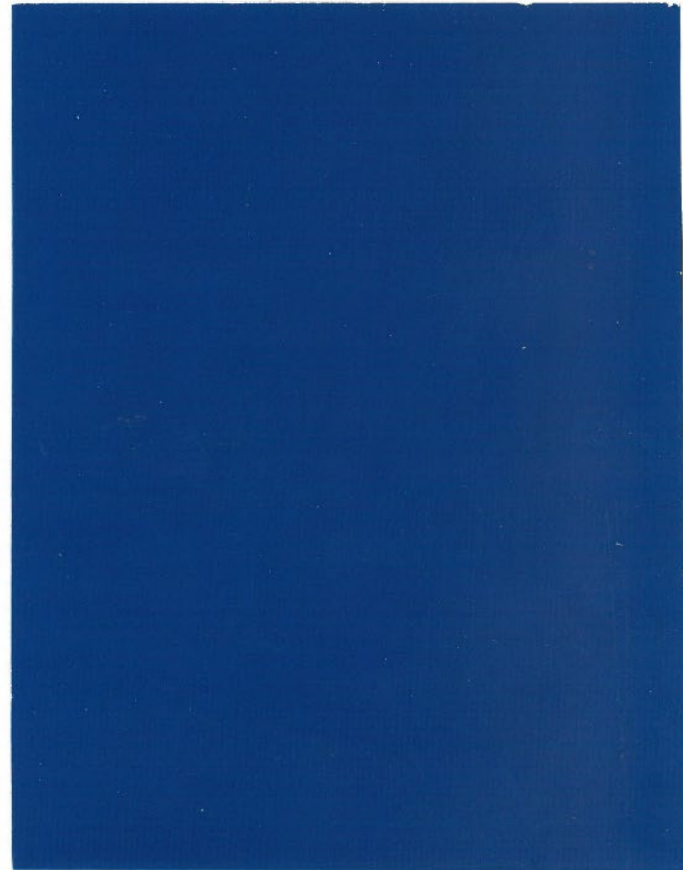
Enlarged West Elevation



**Project Abby**  
Ontario, CA  
Preliminary Review Application

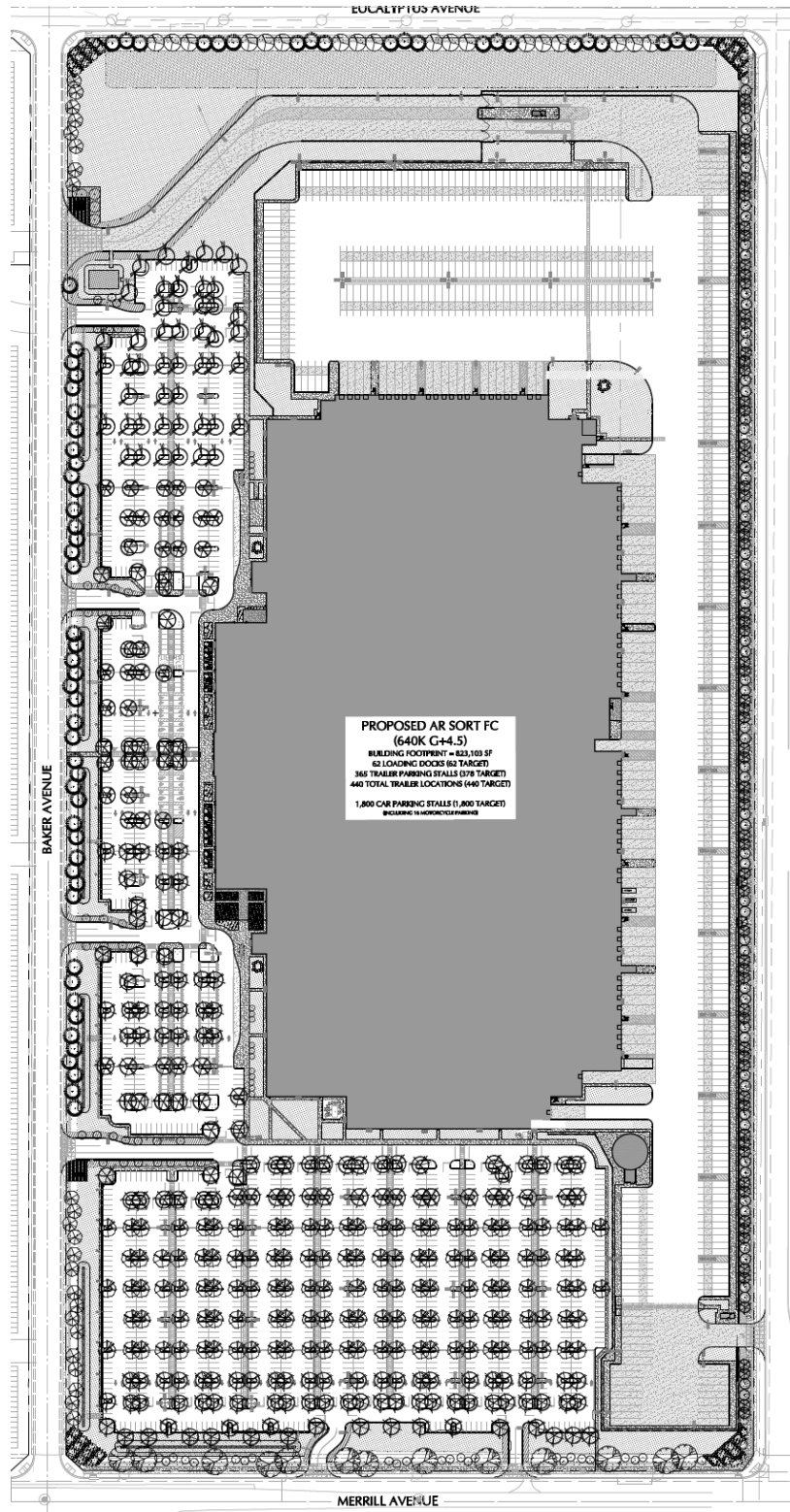
Color and Materials Board  
02.19.2021  
2200371.00

IMP-5 "Pantone 2995C"



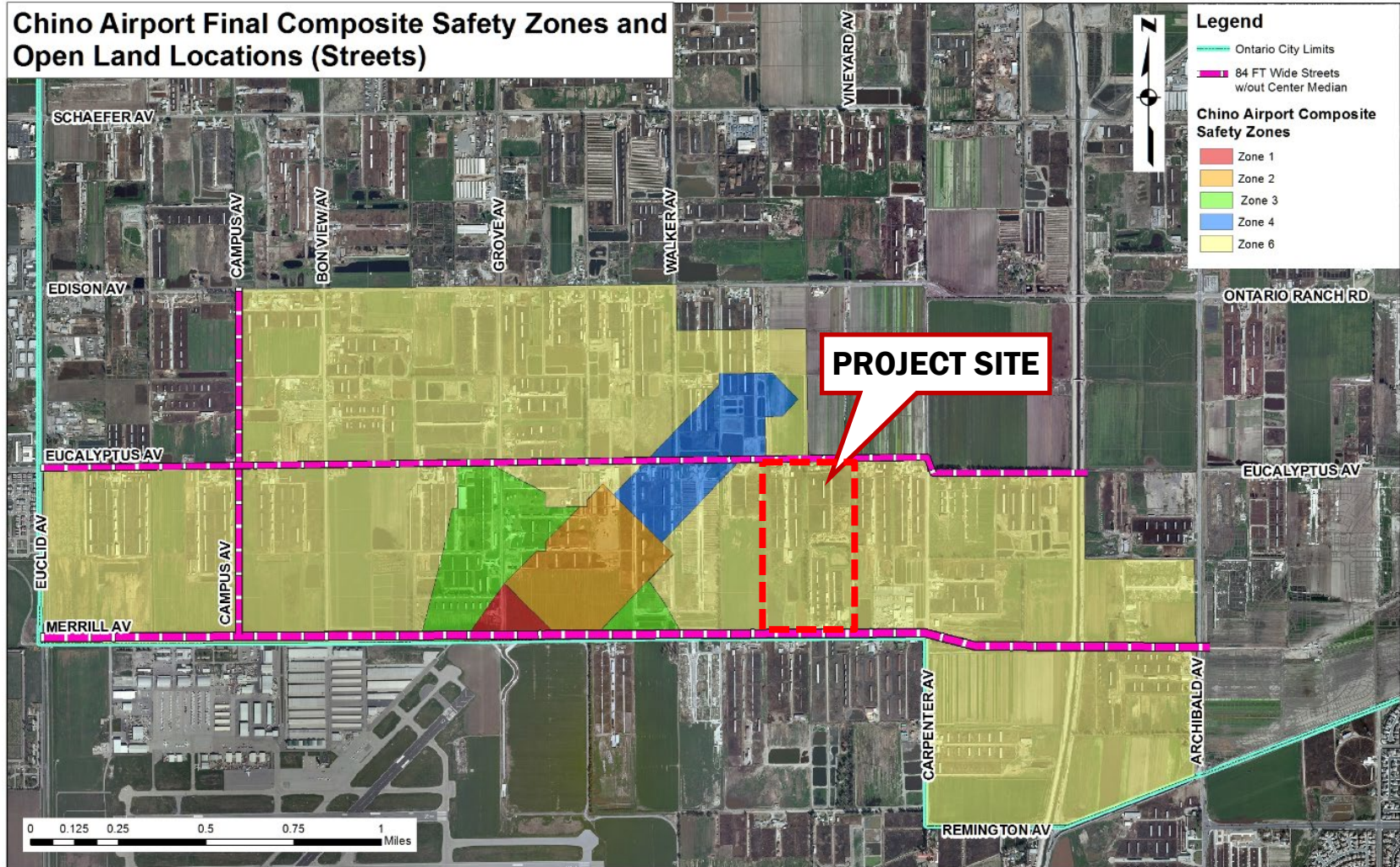
**MACKENZIE.**  
DESIGN DRIVEN | CLIENT FOCUSED

### EXHIBIT E – CONCEPTUAL LANDSCAPE PLAN





**EXHIBIT F – CHINO AIRPORT SAFETY ZONES**



## **Attachment A—Departmental Conditions of Approval**

*(Departmental conditions of approval follow this page)*

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV21-010, A DEVELOPMENT PLAN TO CONSTRUCT A 1,400,000 SQUARE-FOOT INDUSTRIAL BUILDING ON 70.4 ACRES OF LAND (0.47 FAR) LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AND EUCALYPTUS AVENUE, WITHIN THE INDUSTRIAL AND BUSINESS PARK LAND USE DISTRICTS OF THE MERRILL COMMERCE CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02.

WHEREAS, PROLOGIS L.P. ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV21-010, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 70.4 acres of land generally bounded by Eucalyptus Avenue to the north, future Vineyard Avenue to the east, Merrill Avenue to the south and future Baker Avenue to the west, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan ("MCCSP"), and is presently improved with a former dairy and vacant land; and

WHEREAS, the property to the north of the Project site is within the Specific Plan/Agricultural Overlay zoning district and is developed with agriculture and dairy uses. The properties to the east and west are within the Industrial and Business Park land use districts of the MCCSP zoning district and are developed with agricultural/dairy and a truck terminal, respectively. The property to the south is within the City of Chino and Light Industrial land use district of The Preserve Specific Plan zoning district and is developed with industrial uses; and

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

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which an Environmental Impact Report — State Clearinghouse No. 2019049079 — (hereinafter referred to as "Certified EIR") was adopted by the City Council on February 2, 2021, 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, 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 (hereinafter referred to as "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, the project site is also located with the Airport Influence Area of Chino Airport and must be 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, which 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 June 21, 2021, 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. [insert DAB Decision #] recommending the Planning Commission approve [or deny] the Application; and

WHEREAS, on June 22, 2021, 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 authority for the Project, the Planning Commission has reviewed and considered the information contained in the previous Certified EIR and supporting documentation. Based upon the facts and information contained in the previous Certified EIR and supporting documentation, the Planning Commission finds as follows:

(1) The environmental impacts of this project were previously reviewed in conjunction with File Nos. PGPA18-003 and PSP18-001, a General Plan Amendment and Specific Plan for which a Certified EIR was adopted by the City Council on February 2, 2021; and

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

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

(4) The previous Certified EIR 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 Certified EIR, and all mitigation measures previously adopted with the Certified 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 Certified EIR is not required for the Project, as the Project:

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

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

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

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

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

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

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

**SECTION 3: *Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority 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, 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 ALUCP, establishing the Airport Influence Area for Ontario International Airport (hereinafter referred to as “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 authority 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.

The project site is also located within the Airport Influence area 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 the decision-making authority for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation against the 2011 California Airport Land Use Planning Handbook compatibility factors. As a result, the Planning Commission, therefore, finds and determines that the Project, is consistent with the policies and criteria set forth within the Handbook, subject to conditions.

**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 Industrial and Business Park land use districts of the Policy Plan Land Use Map, and the Merrill Commerce Center Specific Plan zoning district. 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.

(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 Merrill Commerce Center Specific Plan zoning district, including standards relative to the particular land use proposed (fulfillment center), 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.

(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 Merrill Commerce Center 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 Merrill Commerce Center Specific Plan.

(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 Merrill Commerce Center 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 ([insert land use]). 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 Merrill Commerce Center 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 22nd day of June 2021, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Rick Gage  
Planning Commission Chairman

ATTEST:

---

Rudy Zeledon  
Planning Director and  
Secretary to the 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 June 22, 2021, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Gwen Berendsen  
Secretary Pro Tempore

**ATTACHMENT A:**

**File No. PDEV21-010  
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:** June 21, 2021

**File No:** PDEV21-010

**Related Files:** PMTT20-010

**Project Description:** A Development Plan to construct a 1,400,000 square-foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenue, within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PGPA18-003 and PSP18-001, for which an Environmental Impact Report (State Clearinghouse No. 2019049079 was certified by the City Council on February 2, 2021; (APN(s): 1054-171-01, 1054-171-02, 1054-171-03, 1054-171-04, 1054-181-01, 1054-181-02, 1054-191-01, 1054-191-02, 1054-361-01, 1054-361-02, 1054-161-02); **submitted by Prologis L.P.**

**Prepared By:** Edmelyne V. Hutter, AICP, Senior Planner  
Phone: 909.395.2429 (direct)  
Email: ehutter@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 Final Parcel Map Approval.** Development Plan approval shall not be final and complete until such time that Final Parcel Map No. 20273 (Engineering Department Plan Check No. E202100114) has been approved by the City Council and recorded with the County of San Bernardino.

**2.2 Time Limits.** 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.

**2.3 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** Architecture. The Project shall incorporate additional architectural details and enhancements as follows:

(a) The North and South Elevations shall be designed with additional glazing in a horizontal alignment along the building façade area, underneath the blue banded parapet. The glazing and mullion design shall match the proposed glazing on the respective elevations. The glazing may be spandrel or true window openings.

(b) The design revisions shall be done in coordination with and approval from the Planning Department.

**2.5** 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) The Applicant shall redesign the landscape area along Eucalyptus Avenue, in coordination with the Planning Department, to incorporate walking paths, respite areas, and other passive amenities.

(d) 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.

(e) 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.

**2.6** Walls and Fences.

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

(b) Walls and fences shall be located to place landscape areas outside of walls and fences to the greatest extent possible, resulting in maximizing the landscape areas visible to the public.

**2.7** 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)** 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, driveway, 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.

**(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).

**(f)** Bicycle parking facilities, including bicycle racks, lockers, and other secure facilities, shall be provided in conjunction with development projects pursuant to current regulations contained in CALGreen (CAC Title 24, Part 11).

**2.8** Outdoor Loading and Storage Areas.

**(a)** Loading facilities shall be designed and constructed pursuant to Development Code Division 6.03 (Off-Street Parking and Loading).

**(b)** Areas designated for off-street parking, loading, and vehicular circulation and maneuvering, shall not be used for the outdoor storage of materials or equipment.

**(c)** Outdoor loading and storage areas, and loading doors, shall be screened from public view pursuant to the requirements of Development Code Paragraph 6.02.025.A.2 (Screening of Outdoor Loading and Storage Areas, and Loading Doors) Et Seq.

**(d)** Outdoor loading and storage areas shall be provided with gates that are view-obstructing by one of the following methods:

**(i)** Construct gates with a perforated metal sheet affixed to the inside of the gate surface (50 percent screen); or

**(ii)** Construct gates with minimum one-inch square tube steel pickets spaced at maximum 2-inches apart.

**(e)** The minimum gate height for screen wall openings shall be established based upon the corresponding wall height, as follows:

<b>Screen Wall Height</b>	<b>Minimum Gate Height</b>
14 feet:	10 feet
12 feet:	9 feet
10 feet:	8 feet
8 feet:	8 feet
6 feet:	6 feet

**2.9** Site Lighting.

(a) All off-street parking facilities shall be provided with nighttime security lighting pursuant to Ontario Municipal Code Section 4-11.08 (Special Residential Building Provisions) and Section 4-11.09 (Special Commercial/Industrial Building Provisions), designed to confine emitted light to the parking areas. Parking facilities shall be lighted from sunset until sunrise, daily, and shall be operated by a photocell switch.

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

**2.10** 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, including but not limited to tanks, transformers, HVAC equipment, and backflow prevention devices, shall be located out of view from public streets or adequately screened through the use of landscaping and/or decorative low garden walls, to the satisfaction of the Planning Director.

(c) The enclosure for ground mounted generators shall be constructed of masonry material and match the design of perimeter walls or adjacent building walls, to the satisfaction of the Planning Director.

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

**2.12** Signs. Prior to approval and issuance of a sign permit, the Applicant shall submit for review and approval a comprehensive sign program, pursuant to Development Code Sections 4.02.075 and 8.01.020.F.

**2.13** 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).

**2.14** Environmental Review.

(a) The environmental impacts of this project were reviewed in conjunction with the Merrill Commerce Center Specific Plan Environmental Impact Report (State Clearinghouse No. 2019049079), certified by the Ontario City Council on February 2, 2021, in conjunction with File Nos. PGPA18-003 (City Council Resolution No. 2021-012) and PSP18-001 (Ordinance No. 3178). 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.

(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.

**2.15** 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.

**2.16** 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.

(c) The applicant shall provide payment for sign program review at the rate established by resolution of the City Council.

**2.17** Additional Requirements.

(a) Parcel Map No. 20273 shall be recorded prior to prior to City approval of precise grading plans.

(b) The Project shall comply with all Federal, State, and local regulations regarding use, transportation, and storage of hazardous materials during construction and project implementation.

(c) Prior to building occupancy, the Project shall record a deed restriction on the property, or properties, documenting the requirement for development to be consistent with the Chino Airport Land Use Compatibility Plan and/or applicable airport related land use intensity requirements in the Development Code.

(d) Future expansion of leasable floor area such as, but not limited to, building additions, conversion of mezzanine floor area, or conversion of platforms for conveyers (robotic storage platforms), shall be subject to review and approval by the Planning Department for compliance with floor-area-ratio requirements.





# CITY OF ONTARIO

## MEMORANDUM

TO: Scott Murphy, Community Development Director  
Rudy Zeledon, Planning Director (Copy of memo only)  
Diane Ayala, Advanced Planning Division (Copy of memo only)  
Charity Hernandez, Economic Development  
Matt Montieth, Building Department  
Raymond Lee, Engineering Department  
Jamie Richardson, Landscape Planning Division  
Dennis Mejia, Municipal Utility Company  
Gabriel Gutierrez, Police Department  
Mike Gerken, Deputy Fire Chief/Fire Marshal  
Jay Bautista, T. E., Traffic/Transportation Manager  
Lorena Mejia, Airport Planning  
Eric Woosley, Engineering/NPDES  
Angela Magana, Community Improvement (Copy of memo only)  
Jimmy Chang, IPA Department

FROM: Edmelynn Hutter, Senior Planner

Revision #1

DATE: May 17, 2021

SUBJECT: FILE #: PDEV21-010

Finance Acct#:

The following project has been resubmitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by .

**PROJECT DESCRIPTION:** A Development Plan to construct a 1,438,926 square foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenues, within the within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan (APNs: 1054-171-01, 1054-171-02, -03 & -04, 1054-181-01 & -02, 1054-191-01 & -02, 1054-361-01 & -02, 1054-161-02). Related File: PSP-18-001 & PMTT20-010 (TPM 20273).

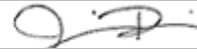
- The plan does adequately address the departmental concerns at this time.
- No comments
  - See previous report for Conditions
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
- The conditions contained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

Department Landscape Planning Division Signature [Signature] Title Landscape Planner Date 5/26/21

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

**CONDITIONS OF APPROVAL**

**Sign Off**



05/26/2021

Jamie Richardson, Sr. Landscape Planner

Date

Reviewer's Name:

**Jamie Richardson, Sr. Landscape Planner**

Phone:

**(909) 395-2615**

D.A.B. File No.:

PDEV21-010

Case Planner:

Edmelynne Hutter

Project Name and Location:

Industrial Building  
 SW Corner of Vineyard Avenue and Eucalyptus Avenue

Applicant/Representative:

Prologis LP  
 3546 Concours Street, Suite 100  
 Ontario, CA 91764



**Preliminary Plans (dated 5/17/2021) 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.**



**Preliminary Plans (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

**A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.**  
 Landscape construction plans with plan check number may be emailed to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)  
**DIGITAL SUBMITTALS MUST BE 10MB OR LESS.**

**Civil/ Site Plans**

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
  - a. New 15-gallon trees min 1" diameter trunk, in addition to trees required.
  - b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
  - c. Upsizing trees on the plan one size larger such as 15 gallons to 24" box, or 24" to 36" box size.
  - d. Monetary value of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100\$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.
3. Parkway tree locations shall be shown on landscape plans. Parkway trees are to be 30' apart. Relocate utilities to minimum clearances to allow parkway trees.
4. Corners: verify dimension and grade for required monumentation.
5. DG trails and parkways at corners (Vineyard and Merrill Ave.) shall have the trail curve into the sidewalk rather than out to the corner ramp; OK to end parkway landscape before corner utilities.
6. Show storm water infiltration areas and show basins and swales to be no greater than 40% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from

- paving for landscape. Remove rip rap and cobble from water quality basin at western entry.
7. Storm water infiltration devices located in landscape areas shall be reviewed and plans approved by the Landscape Planning Division prior to permit issuance. Any storm water devices in parkway areas shall not displace street trees.
  8. Show decorative or enhanced paving at entries.
  9. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
  10. Show backflow devices set back 4' from paving all sides. Locate on level grade
  11. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
  12. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.
  13. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept. Eliminate expanse of concrete at corners.
  14. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
  15. Dimension all planters to have a minimum 5' wide inside dimension.
  16. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
  17. Show outdoor employee break area with table or bench and shade trees on the south and west sides; locate tables and benches in the open lawn area at the north west landscape area.
  18. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.
  19. Work with staff during the plan check process on the "North End Landscaping Concept"; see below for general comments:
    - Provide broad canopy shade trees throughout the open grass area, north west corner of Baker and Eucalyptus.
    - Provide employee break area and include tables and benches in the open grass area, north west corner of Baker and Eucalyptus.
    - Provide employee access to the open areas.
    - Provide vertical screening trees along the "Truck Court Screen Wall" and "Pedestrian Fence."
    - Provide dense plantings of shrubs and groundcovers along the "Pedestrian Fence."
    - Provide details for the "Pedestrian Fence", materials, colors, etc.
    - Extend the "Truck Court Screen Wall" 40' or so it does not align with the interior driveway screen wall to the south.
    - Provide vertical screening trees to the landscape area adjacent to the interior screen wall adjacent to the truck court drive entry. Provide enhanced, dense landscaping of shrubs, vines, and groundcovers.
    - Show ROW and neighborhood edge improvements per the Ontario Ranch Streetscape Master Plan.

## Landscape Plans

20. Provide an arborist report and tree inventory as noted in #1-2.
21. See comments #3-10 and #19 above.
22. Replace plant material: *Carya ovata* (consider an Oak such as *Quercus engelmannii*, *virginiana*, *muhlenbergii*), deciduous shrubs (use long-lived evergreen shrubs appropriate for climate and water use), *Lavandula* (short-lived consider *Salvia clevelandii*), *Lippia* (specify sod), use an approved seed mix for basins and meadow grasses appropriate for southern California; see attached.
23. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
24. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
25. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.
26. Street trees for this project are: Vineyard Ave.; *Celtis sinensis* in the parkway with groupings or clusters of *Pinus elderica* and *Cercis occidentalis* within the neighborhood edge. Eucalyptus Avenue; *Pistacia chinensis* in the parkway and clusters or groupings of *Podocarpus gracilior* and *Pistacia Chinensis* within the neighborhood edge. Merrill Avenue; *Quercus agrifolia* in the parkway and clusters or groupings of *Quercus agrifolia* and *Cercis canadensis* 'Forest Pansy' within the neighborhood edge.
27. Locate trees for shade on buildings, parking lots, seating areas and paving, screen blank walls and adjacent properties where missing, accent trees to entries and driveways, provide visibility to signs, windows and doors. Locate trees 50% of canopy width from walls, buildings, and existing trees.
28. Show parking lot island planters adjacent to trash enclosures for screening.
29. Show ADA access route from the public sidewalk, ADA path to employee break area and ADA path to adjacent industrial buildings within the same development. Include required ADA parking spaces and access aisles.
30. Show appropriate parking lot shade trees with min 30' canopy at maturity. Use trees that are appropriate for planter 5' width in parking lots; consider *Quercus ilex*, *Pistachia chinensis*, *Tristania conferta*.
31. Planting details (for plan check); remove wire basket from tree and shrub planting details, provide tree staking details, detail dripline away from tree trunk, detail stream spray pop-ups a minimum 3' from tree trunk, provide full on center spacing for plant material adjacent to paving. See City of Ontario Landscape Development Standards and tree detail.
32. Call out type of proposed irrigation system (dripline and pop up stream spray tree bubblers with PCS). Include preliminary MAWA calcs. Proposed water use must meet water budget.
33. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
34. Overhead spray systems shall be designed for plant material less than the height of the spray head.
35. Provide a planting list of proposed water efficient plants. Use turfgrass for recreation areas only. Proposed water use must meet water budget.
36. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
37. Provide an appropriate hydroseed plant mix for water quality basins and swales.
38. Show storm water infiltration areas and show basins and swales to be no greater than 40% of the landscape area width to allow for ornamental landscape. Provide a level grade minimum 4' from paving for landscape.
39. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. Remove general specs and notes for amendments and include recommendations from soils report.
40. Call out all fences and walls, materials proposed and heights.
41. Show concrete mowstrips to identify property lines to separate maintenance areas.
42. Construction plans shall be designed and signed by a licensed landscape architect.
43. 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.

44. Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis etc.) in appropriate locations.
45. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See <http://www.ontarioca.gov/landscape-planning/standards>
46. 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.





**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) 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:   
 \_\_\_\_\_ feet on \_\_\_\_\_  
 Property line corner 'cut-back' required at the intersection of \_\_\_\_\_  
 and \_\_\_\_\_.
- 1.02 Dedicate to the City of Ontario, the following easement(s): \_\_\_\_\_   
 \_\_\_\_\_
- 1.03 Restrict vehicular access to approved access points per the tentative Parcel Map and Merrill Commerce Center Specific 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](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 Financial 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](http://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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 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. 20273 pursuant to the Subdivision Map Act and in accordance with the City of Ontario Municipal Code.
- 2.02 Submit a PDF of the recorded map to the City Engineer's office.
- 2.03 Please note that the subject parcels will be recognized parcels in the City of Ontario upon recordation of the Parcel Map.
- 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](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) – Euclid Avenue Improvements
  - 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) – Kimball Avenue sewer connection
  - Other:
    - City of Chino – For any improvements encroaching into their jurisdiction including but not limited to the required Merrill Avenue improvements
  
- 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. Storm Drain Development Impact Fee, approximately \$2,820,273.00, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
  
- 2.16 Other conditions:** 
  - 1. The applicant/developer shall comply with the requirements specified in the Merrill Commerce Center Specific Plan, the Development Agreement (PDA18-004), and the Conditions of Approval for TPM-20273.
  - 2. The applicant/developer shall provide an emergency access easement and blanket reciprocal access easement over all parcels in favor of all parcels.
  - 3. The applicant/developer shall provide a blanket cross lot drainage easements in favor of all parcels.



**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	Merrill Avenue	Eucalyptus Avenue	Baker Avenue	Vineyard Avenue
<b>Curb and Gutter</b>	<input checked="" type="checkbox"/> New; 42 ft. North of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 42 ft. South of C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input checked="" type="checkbox"/> New; 24 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New; 54 ft. from C/L both sides <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
<b>AC Pavement (A)</b>	<input checked="" type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 40 ft. from C/L north, including pavement transitions (B)	<input checked="" type="checkbox"/> Replacement <input type="checkbox"/> Widen 40 ft. from C/L south, including pavement transitions (C)	<input type="checkbox"/> Replacement <input checked="" type="checkbox"/> Widen 20 ft. from C/L both sides along frontage	<input type="checkbox"/> Replacement <input type="checkbox"/> Widen 52 ft. from C/L both sides along frontage
<b>PCC Pavement (Truck Route Only)</b>	<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	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
<b>Drive Approach</b>	<input checked="" 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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Sidewalk</b>	<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
<b>ADA Access Ramp</b>	<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
<b>Parkway</b>	<input checked="" type="checkbox"/> Trees (D) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (D) <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees <input checked="" type="checkbox"/> Landscaping (w/irrigation)	<input checked="" type="checkbox"/> Trees (D) <input checked="" type="checkbox"/> Landscaping (w/irrigation)
<b>Raised Landscaped Median</b>	<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 checked="" type="checkbox"/> New <input type="checkbox"/> Remove and replace
<b>Fire Hydrant</b>	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation



Sewer (see Sec. 2.C)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" 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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service
Recycled Water (see Sec. 2.E)	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Service	<input 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 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	<input checked="" type="checkbox"/> New <input type="checkbox"/> Modify existing
Traffic Signing and Striping (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 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 / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <input type="checkbox"/> Relocation	<input checked="" type="checkbox"/> New / Upgrade <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 checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral	<input checked="" type="checkbox"/> Main <input checked="" 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 (E)	<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 checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate	<input checked="" type="checkbox"/> Underground <input type="checkbox"/> Relocate
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

**Specific notes for improvements listed in item no. 2.17, above:**

- A. Ultimate utilities must be installed concurrently with eligible street improvements in order for the applicant/developer to receive DIF credit.
- B. Unless constructed by others, pavement widening will be required on both sides from the west end of PA4 to Carpenter Avenue. Pavement widening shall extend 30 feet south of C/L to accommodate the ultimate full width pavement. Obtain approval from City of Chino on these improvements. Please note, if the existing Merrill Avenue pavement is not consistent with current pavement standards, it will be required to be



- removed and replaced to be brought up to current standards.
- C. Pavement widening will be required from the west end of PA4 to Carpenter Avenue. Pavement widening shall extend 25 feet north of C/L to accommodate a striped median, one westbound lane, and a 5-foot wide graded shoulder. Please note, if the existing pavement is not consistent with the current pavement standards, it will be required to be removed and replaced to be brought up to current standards.
- D. Includes Neighborhood Edge
- E. Fiber Optic lines will be installed only if needed to serve buildings.

- 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 on Merrill Avenue and Eucalyptus Avenue. 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 This project shall follow the Merrill Commerce Center Utilities System Map, dated 01/14/2021, and any deviation from this plan shall require the Utility Plan to be updated and resubmitted to OMUC for review and approval. A Final USM shall be submitted with all public improvement plan submittals. See Utility Systems Map (USM) Requirements document for details.

**C. SEWER**

- 2.23 A \_\_\_\_\_ inch sewer main is available for connection by this project in \_\_\_\_\_   
 (Ref: Sewer plan bar code: \_\_\_\_\_)
- 2.24 Design and construct sewer main extensions. A sewer main is not available for direct connection. The closest mains are located at the intersections of Merrill Avenue/Carpenter Avenue and Kimball Avenue/Euclid Avenue.
- 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 following sewer system improvements shall be installed per Master Plan and Specific Plan Requirements. Final sewer main sizes and alignments are subject to the findings of the Technical Study:

- A. 36-inch main in Euclid Avenue between Merrill Avenue and Kimball Avenue with a connection to the existing 60-inch IEUA Kimball Interceptor Trunk Sewer main at Kimball Avenue
- B. 36-inch main in Merrill Avenue between Grove Avenue and Euclid Avenue
- C. 30-inch main in Merrill Avenue between Walker Avenue and Grove Avenue
- D. 12-inch main in Merrill Avenue between Baker Avenue and Walker Avenue
- E. 8-inch main in Merrill Avenue from west of Vineyard Avenue to Baker Avenue
- F. 10-inch main in Merrill Avenue from east of Vineyard Avenue to Carpenter Avenue with a connection to the existing Carpenter Trunk Sewer main



G. 8-inch main in Baker Avenue from Eucalyptus Avenue to Merrill Avenue. Extend 8-inch sewer main in Baker Avenue north through the intersection of Eucalyptus Avenue to a point in line with the northern edge of the Right-of-Way. This main will ultimately be extended northward to serve the properties on both sides of Baker Avenue between Eucalyptus Avenue and Edison Avenue

H. 15-inch main in Eucalyptus Avenue between Carpenter Avenue and Vineyard Avenue with a connection to the existing Carpenter Trunk Sewer main

2. The applicant/developer shall submit a written request letter to the City for a new Regional Sewer Connection. The request letter shall include: an exhibit that shows the tributary area of the Regional Connection; the proposed sewer system main connection through the proposed Regional Connection; IEUA record drawing number, station number and manhole number or the connection point; and a plan and profile detail of the manhole connection and any modification proposed to the manhole. Once received from the applicant, the City will request the new Regional Connection from IEUA. If approved by IEUA, the applicant shall be responsible for meeting all terms, conditions, standards, and requirements IEUA has for the Regional Connection.

3. Each Occupant of the building, or units, shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply with all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not limited to including possibly installing a monitoring manhole, clarifier, or other sewer pretreatment equipment.

**D. WATER**

2.27 A \_\_\_\_\_ inch water main is available for connection by this project in \_\_\_\_\_.   
 (Ref: Water plan bar code: \_\_\_\_\_)

2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is located along Carpenter Avenue.

2.29 Other conditions

1. The following potable water system improvements shall be installed per Master Plan and Specific Plan Requirements:

- A. 24-inch main in Eucalyptus Avenue between Carpenter Avenue and Grove Avenue with a connection to the existing 24-inch main in Eucalyptus Avenue
- B. 16-inch main in Merrill Avenue from the west end of PA4 to Vineyard Avenue
- C. 12-inch main in Merrill Avenue between Vineyard Avenue and Carpenter Avenue with a connection to the existing 12-inch main in Merrill Avenue
- D. 12-inch main in Baker Avenue between Eucalyptus Avenue and Merrill Avenue
- E. 16-inch main in Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue

2. Preparation of a hydraulic analysis funded by the developer is typically required in order to confirm that the proposed water infrastructure and associated construction phasing will be able to meet the Master Plan potable water service criteria for the proposed development area. Analyses have been previously prepared for the Ontario Ranch Business Park, including nearby general areas. If the City determines that assumptions in the analysis are no longer valid or sufficient for this proposed development, the applicant will be required to amend the existing analysis prior to approval of any water improvement plans.

3. Pursuant to Section 4.5.2 of the Development Agreement (DA18-004), the Applicant/Developer shall pay the applicable Phase 2 Water Fee.

**E. RECYCLED WATER**

2.30 A \_\_\_\_\_ inch recycled water main is available for connection by this project in \_\_\_\_\_.   
 (Ref: Recycled Water plan bar code: \_\_\_\_\_)



- 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. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the 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) 395-2647 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 for CFD and/or HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Project to meet this requirement, as approved by the City.**
  - 2. **The following recycled water system improvements shall be installed per Master Plan and Specific Plan Requirements:**
    - A. **16-inch main in Eucalyptus Avenue between Carpenter Avenue and Vineyard Avenue with a connection to the existing 16-inch main in Eucalyptus Avenue**
    - B. **12-inch main in Eucalyptus Avenue from the west end of PA4 to Vineyard Avenue**
    - C. **16-inch main in Merrill Avenue from the west end of PA4 to Carpenter Avenue with a connection to the existing 16-inch main in Merrill Avenue**
    - D. **8-inch main in Vineyard Avenue between Eucalyptus Avenue and Merrill Avenue**

**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 perform applicable mitigation measures and operational improvements in accordance with the Merrill Commerce Center Specific Plan TIA by Urban Crossroads dated June 30, 2020, and to the satisfaction of the City Engineer.**
  - 2. **The Applicant/Developer shall be responsible to design and construct street improvements along Baker Avenue, Vineyard Avenue, Eucalyptus Avenue, and Merrill Avenue as specified in these Conditions of Approval. These, and all other street improvements required herein, shall include, but not be limited to, concrete curb and gutter, sidewalk, LED street lights, signing and striping, and parkway landscaping.**
  - 3. **The Applicant/Developer shall be responsible to design and construct the necessary pavement and striping transitions from existing roadway conditions to the widened roadway portions along all project frontages. Striping improvements shall include the removal existing interim signing and striping beyond the project frontage limits and the installation of ultimate signing and striping.**



4. Unless constructed by others, the Applicant/Developer shall be responsible to design and construct the following streets to their ultimate half-width including additional pavement for circulation lanes, and graded shoulder (where applicable) beyond the centerline of the roadway:
  - a. Merrill Avenue from Carpenter Avenue to west of Baker Avenue
  - b. Eucalyptus Avenue from Carpenter Avenue to west of Baker Avenue
  - c. Baker Avenue from Eucalyptus Avenue to Merrill Avenue
  - d. Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue

Additional R/W shall be provided to accommodate additional left turn and right turn lanes at intersections based on required queue lengths per the Merrill Commerce Center Specific Plan TIA by Urban Crossroads. Improvements shall include, but not be limited to concrete curb and gutter, sidewalk, LED street lights, landscaped parkways, signing & striping, and necessary pavement transitions.

5. The Applicant/Developer shall be responsible to design and construct modifications to the existing traffic signal on Merrill Avenue at Carpenter Avenue. The traffic signal modification shall address relocation of any equipment including 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.
6. The Applicant/Developer shall be responsible to design and construct traffic signals at the following intersections:
  - a. Merrill Avenue at Vineyard Avenue
  - b. Merrill Avenue at Baker Avenue
  - c. Baker Avenue at P.A. 4/5 Signalized Entrance
  - d. Vineyard Avenue at P.A. 5/6 Signalized Entrance
  - e. Carpenter Avenue at P.A. 6 Signalized Entrance
  - f. Eucalyptus Avenue at Baker Avenue
  - g. Eucalyptus Avenue at Vineyard Avenue
  - h. Eucalyptus Avenue at Carpenter Avenue

The new traffic signals shall include video detection, 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.

7. Merrill Avenue is designated truck route in the City of Ontario. Unless constructed by others, the Applicant/Developer shall be responsible to design and construct concrete pavement at the following intersections in accordance with City of Ontario Standard Drawing No. 1207:
  - a. Merrill Avenue at Carpenter Avenue
  - b. Merrill Avenue at Vineyard Avenue
  - c. Merrill Avenue at Baker Avenue
8. Proposed driveways onto Vineyard Avenue shall be restricted to right-in/right-out access only unless the driveway located at a signalized intersection. On-site signage and pavement markings shall be provided for driveway access restrictions. Median breaks along Vineyard Avenue shall only be allowed at signalized intersections.
9. Driveways shall be constructed in accordance with City of Ontario Standard Drawing No. 1204. Provide truck turning templates for the site-specific design vehicles. The vehicle shall be capable of making the inbound and outbound maneuvers such that it does not impact more than one lane of traffic.





10. Driveways spacing shall be designed in accordance with Traffic and Transportation Guidelines Access Guidelines.
11. The Applicant/Developer shall be responsible to design and construct in-fill public street lights along its project frontages. Street lighting shall be LED-type and in accordance with the City's Traffic and Transportation Guidelines.
12. The Applicant/Developer shall be responsible to design and construct bus turnouts to serve future stops on the west side of Vineyard Avenue, north of Merrill Avenue (along Parcel 11), south of Eucalyptus Avenue (along Parcel 14), and north of and south of the signalized entrance (departure side) to P.A. 5/6 ( along Parcel 10 & 11) . The bus turnouts shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
13. The Applicant/Developer shall be responsible to design and construct bus pads to serve future stops on the south side of Eucalyptus Avenue, east of Baker Avenue and Vineyard Avenue. The bus pads shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
14. The Applicant/Developer shall be responsible to design and construct a bus pads to serve future stops on the north side of Merrill Avenue, west of Carpenter Avenue, Vineyard Avenue, and Baker Avenue. The bus pads shall be designed in accordance with Omnitrans requirements and to the satisfaction of the City Engineer.
15. The Applicant/Developer's engineer-of-record shall meet with City Engineering staff prior to start of signing and striping, traffic signal, and street lighting design, and develop an interim striping plan that includes any necessary pavement transitions in preparation for the plan check stage.

**G. DRAINAGE / HYDROLOGY**

- 2.38 A \_\_\_\_\_ inch storm drain main is available to accept flows from this project in \_\_\_\_\_.   
 (Ref: Storm Drain plan bar code:\_\_\_\_\_)
- 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.**
- 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project along Merrill Avenue. Design and construct a storm water detention facilities on the project site. Detention is required throughout the site until such time as downstream facilities are constructed and accepted by applicable government agencies such as San Bernardino County Flood Control District and U.S. Army Corps of Engineers. The 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.**
- 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.
- 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.**



- 2.43 Other conditions:**
1. **Design and construct the following storm drain improvements in accordance with the Development Agreement:**
    - A. 13'x 8' RCB on Eucalyptus Avenue from the west end of PA4 to Vineyard Avenue
    - B. 13'x 8' RCB on Vineyard Avenue from Eucalyptus Avenue to Merrill Avenue
    - C. 24" RCP on Baker Avenue from south of Eucalyptus Avenue to Merrill Avenue
    - D. Double 8'x4' RCB on Merrill Avenue from the west end of PA4 to Baker Avenue
    - E. Double 8'x9' RCB on Merrill Avenue from Baker Avenue to Vineyard Avenue
    - F. Double 12'x10' RCB on Merrill Avenue from Vineyard Avenue to the point of connection west of Carpenter Avenue on Merrill Avenue
  2. **Public storm drain improvements shall accommodate for tributary flows in accordance with the City's Master Plan of Drainage.**
  3. **Design and construct all on-site storm drain improvements, which shall be privately owned and maintained.**

**H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)**

- 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.
- 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>. The Preliminary WQMP shall be included as an attachment in the Final WQMP**
- 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning.
- 2.47 Other conditions:**
1. **Design and construct nutrient separating baffle boxes (NSBB) or hydrodynamic separators or equivalent alternative approved devices to satisfy the statewide trash mandate on Grove Avenue north of the Merrill Avenue intersection and on Merrill Avenue west of the Carpenter Avenue intersection.**
  2. **Obtain coverage under the Construction General Permit (CGP). The owner is the legally responsible person (LRP) of the site and shall have a Stormwater Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at <https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml>**



**J. SPECIAL DISTRICTS**

- 2.48 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 four (4) 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 Investment and Revenue Resources at (909) 395-2341 to initiate the CFD application process.
- 2.49 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.50 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. Construct all Fiber Optic improvements included in the Development Agreement (DA18-004), Exhibit F-6, Phase A.
- 2.51 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Broadband Operations Department at (909) 395-2000, regarding this requirement.

**L. Integrated Waste**

- 2.52 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: [https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning\\_manual-2016\\_update\\_0.pdf](https://www.ontarioca.gov/sites/default/files/Ontario-Files/Municipal-Utilities-Company/planning_manual-2016_update_0.pdf)
- 2.53 Other conditions: 
  - 1. Prior to approval of any Building Permits, the Final Solid Waster Handling Plan (SWHP) shall be submitted with the Precise Grading Plan for review and approval.
  - 2. This site shall comply with the Requirements of State Assembly Bill AB1826, which requires organic waste to be diverted and collected separately from recycling and other refuse wastes.
  - 3. At minimum this site requires a trash enclosure sized to store three 4-cubic-yard bins (one for refuse, one for recycling, and one for organics) for each potential office area of each building.
  - 4. Prior to approval of the precise grading plan, submit the Integrated Water Management Report (IWMR) for review and approval. The IWMR shall comply with applicable requirements



**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.).
- 3.07** Other Conditions: 
  - 1. Successfully pass water system start-up and cross-connection tests.
  - 2. Provide evidence demonstrating training of the on-site supervisor or designee as specified in the Recycled Water Engineering Report.
  - 3. The applicant/developer shall enter into a license agreement with the City of Ontario to cover any privately owned and maintained facilities to be located in Neighborhood Edge property including, but not limited to, monument signs and stormwater BMPs.

**4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:**

- 4.01** Complete all Conditions of Approval listed under Sections 1-3 above.
- 4.02** Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.
- 4.03** The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.
- 4.04** Submit record drawings (PDF) for all public improvements identified within Section 2 of these Conditions of Approval.



**EXHIBIT 'A'**  
**ENGINEERING DEPARTMENT**  
**First Plan Check Submittal Checklist**

---

PDEV21-010

**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.  **Include a PDF (electronic submittal) of each required improvement plan at every submittal.**
6.  **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).**
7.  **Three (3) sets of Public Street improvement plan with street cross-sections**
8.  **Three (3) sets of Private Street improvement plan with street cross-sections**
9.  **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)**
10.  **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)**
11.  **Four (4) sets of Public Sewer improvement plan**
12.  **Five (5) sets of Public Storm Drain improvement plan**
13.  **Three (3) sets of Public Street Light improvement plan**
14.  **Three (3) sets of Signing and Striping improvement plan**
15.  **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
16.  **Three (3) sets of Dry Utility plans (e.g. SCE) 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)**
17.  **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.**
18.  **Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).**
19.  **One (1) copy of Hydrology/Drainage study**
20.  **One (1) copy of Soils/Geology report**



21.  Payment for Final Map/Parcel Map processing fee
22.  Three (3) copies of Final Map/Parcel Map
23.  One (1) copy of approved Tentative Map
24.  One (1) copy of Preliminary Title Report (current within 30 days)
25.  One (1) copy of Traverse Closure Calculations
26.  **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.**
27.  **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
28.  Other: \_\_\_\_\_



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Edmelyne Hutter, Senior Planner  
Planning Department

**FROM:** Mike Gerken, Deputy Fire Chief/Fire Marshal  
Fire Department

**DATE:** May 24, 2021

**SUBJECT:** PDEV21-010 - A Development Plan to construct a 1,438,926 square foot industrial building on 70.44 acres of land (0.47 FAR) located at the southwest corner of Vineyard and Eucalyptus Avenues, within the within the Industrial and Business Park land use districts of the Merrill Commerce Center Specific Plan (APNs: 1054-171-01, 1054-171-02, -03 & -04, 1054-181-01 & -02, 1054-191-01 & -02, 1054-361-01 & -02, 1054-161-02). Related File: PSP-18-001 & PMTT20-010 (TPM 20273).

- 
- The plan **does** adequately address Fire Department requirements at this time.
- Standard Conditions of Approval apply, as stated below.

---

### **SITE AND BUILDING FEATURES:**

- A. 2019 CBC Type of Construction: Type IA/IIIB
- B. Type of Roof Materials: Panelized
- C. Ground Floor Area(s): 823,103 Sq. Ft.
- D. Number of Stories: 5
- E. Total Square Footage: 3,842,788 Sq. Ft.
- F. 2019 CBC Occupancy Classification(s): S-1

## **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/Fire/Prevention](http://www.ontarioca.gov/Fire/Prevention).
- ☒ 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.
- ☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.
- ☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.
- ☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.
- ☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) 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 2019 California Fire Code, Appendix B, is 4000 gallons per minute (g.p.m.) for 4 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.
- ☒ 3.3 Buildings that exceed 100,000 square feet in floor area shall provide an onsite looped fire protection water line around the building(s.) The loops shall be required to have two or more points of connection from a public circulating water main.
- ☒ 3.4 The 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

- ☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.
- ☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.
- ☒ 4.3 An automatic fire sprinkler system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 13. 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.
- ☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards. (See 7.0 for further project specific conditions).
- ☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. 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.

- ☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

## **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. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. 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.
- ☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.
- ☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

## **6.0 OTHER SPECIAL USES**

- ☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.
- ☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

## **7.0 PROJECT SPECIFIC CONDITIONS**

- ☒ 7.1 Provide a secondary water storage tank of 540,000 gallons capacity. The tank shall be NFPA 22 compliant and have a maximum 8-hour fill.
- ☒ 7.2 The fire sprinkler heads shall be Reliable N252EC sprinkler heads with a maximum 10' X 10' spacing. The system design shall be 30psi for (8) heads, or a minimum 768sqft area, whichever is greater, with a 500gpm hose stream demand. The other design shall be 10psi for (12) heads,

also with a 500gpm hose demand. This design shall be throughout the building. Provide sprinkler protection in all concealed spaces.

- ☒ 7.3 Provide a minimum of (2) 4-way Fire Department Connections (FDC). Each FDC shall be designed to supply both the city water supply system as well as the tank system piping, or independently should one or the other supplies be non-operational. The FDC's shall be located at the public street curb face, in locations as approved by the Fire Department.
- ☒ 7.4 Provide a manually activated post-fire smoke purge system, which will expedite the clearance of smoke within the building during an emergency incident.
- ☒ 7.5 Provide a one-hour rated fire alarm room near the site entrance area with an exterior access. Include the fire alarm control unit, ERRC equipment, graphic annunciator panel, two-way communication, smoke purge system controls, and other emergency response equipment within the room.
- ☒ 7.6 Provide a Class I automatic wet standpipe system in all required stairwells at all levels, as well as throughout the first floor and mezzanine floor areas. Also, provide hose connections at the fence line going into the robotic warehouse areas near the openings into the areas at levels 2-5. Outlets shall be provided with 2 ½" X 1 ½" reducers with caps and chain.
- ☒ 7.7 Provide 2-way roof hose connections at the roof for each standpipe.
- ☒ 7.8 Provide six rated stairwells (one at each corner, and one in the middle on each side of the longer side of the building). The stairwells shall go to the roof.
- ☒ 7.9 Provide an audible and visual notification system throughout the building. Provide a minimum 15-minute secondary power supply for the fire alarm system with the system in an alarm condition.
- ☒ 7.10 The access roads used for fire department vehicular access to the buildings shall be at least 26 feet wide and located to provide an acceptable climbing angle to the roof level from aerial apparatus. Locate the access road within 15'-20' away and parallel to the building on at least one of the longest sides of the building.
- ☒ 7.11 The required fire flow for the building shall be 4,000gpm at 20psi for a 4-hour duration, and be fed from the city water supply.
- ☒ 7.12 Provide each rated stair enclosure with positive pressurization to prevent the spread of smoke into the enclosures.
- ☒ 7.13 Provide an addressable spot-type smoke detection system throughout all occupiable areas of the building (warehouse, offices, mechanical / electrical rooms, etc.).
- ☒ 7.14 The fire sprinkler design and standpipe design shall be based on the most demanding single water supply, and not consider both water supplies (city supply and water tank) to design the fire sprinkler system and / or standpipe system.

- ☒ 7.15 Provide a minimum 10% cushion in the allowable water supply from the Ontario Hydrant Flow test report.
- ☒ 7.16 The Performance-Based Design exit analysis shall take into account the requirements for travel distances for high piled combustible storage without smoke and heat removal per the 2019 California Fire Code Chapter 32, Table 3206.2 footnote (h) and address how the PBD meets or exceeds these requirements.
- ☒ 7.17 The Performance-Based Design shall take into account the requirements for special fire protection provisions as required by the 2019 California Fire Code Chapter 32, Table 3206.2 footnote (f) and address how the PBD meets or exceeds these requirements.



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Edmelyne Hutter, Senior Planner

**FROM:** Officer Bill Lee, Police Department

**DATE:** March 30, 2021

**SUBJECT:** PDEV21-010- A DEVELOPMENT PLAN TO CONSTRUCT ONE INDUSTRIAL BUILDING TOTALING 3,174,060 SQUARE FEET, LOCATED AT THE SOUTHWEST CORNER OF VINEYARD AVENUE AND EUCALYPTUS AVENUE.

---

The “Standard Conditions of Approval” contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below.

- Required lighting for all walkways, driveways, doorways, parking lots, hallways and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed on the building as stated in the Standard Conditions. The numbers shall be at a minimum 6 feet tall and 2 foot wide, in reflective white paint on a flat black background, and oriented with the bottom of the numbers towards the addressed street. Any associated letters/unit numbers shall also be included.
- First floor common stairwells shall be constructed so as to either allow for visibility through the stairwell risers or to prohibit public access to the areas behind stairwells.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

The Applicant is invited to contact Officer Bill Lee at (909) 408-1672 with any questions or concerns regarding these conditions.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV21-010

Address: Southwest Corner of Vineyard Avenue & Eucalyptus Avenue

APN: 1054-171-01 (02,03 &04) 1054-181-01 & 02, 1054-191-01 & 02, 1054-161-02

Existing Land Use: Vacant

Proposed Land Use: Development Plan to construct 1 Industrial Building totaling 3,174,060 SF

Site Acreage: 78.15 Proposed Structure Height: 95 FT

ONT-IAC Project Review: n/a

Airport Influence Area: ONT & Chino

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Edmelynn Hutter

Date: 6/14/2021

CD No.: 2021-020

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="checkbox"/> High Terrain Zone	<input type="checkbox"/> Avigation Easement Dedication
<input type="radio"/> Zone 1A	<input type="radio"/> 70 - 75 dB CNEL	<input type="checkbox"/> FAA Notification Surfaces	<input type="checkbox"/> Recorded Overflight Notification
<input type="radio"/> Zone 2	<input type="checkbox"/> 65 - 70 dB CNEL	<input type="checkbox"/> Airspace Obstruction Surfaces	<input checked="" type="checkbox"/> Real Estate Transaction Disclosure
<input type="checkbox"/> Zone 3	<input type="checkbox"/> 60 - 65 dB CNEL	<input type="checkbox"/> 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: 110 - 140 FT

## 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.

The project is located within Safety Zone 6 of the Chino Airport Influence Area and subject to the following conditions.

Airport Planner Signature: \_\_\_\_\_

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2021-020  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

1. The project will need to provide a minimum of 10% open land for the project net area of 70.44 acres, 7.0 acres of open land is required and 8.83 acres has been provided.
2. The attached open land exhibit identifies the interior truck yard as an acceptable location for meeting the open land requirements. The area within the truck yard designated for open land shall be remain free of permanent structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires.
3. Project is located within Safety Zone 6 and above ground storage of hazardous materials greater than 6,000 gallons is not allowed.
4. Attached are the land use intensity calculations for the proposed building. Future land uses that deviate from what is currently being approved must meet the policies and criteria of the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport.
5. The maximum height limit for the project site is 110 feet and as such, any construction equipment such as cranes or any other equipment exceeding 110 feet in height will need a determination of "No Hazard" from the FAA. An FAA Form 7460-1 for any temporary objects will need be filed and approved by the FAA prior to operating such equipment on the project site during construction.
6. New development located within any of the Chino Airport Safety Zones are required to have a "Property Located within Chino Airport Safety Zone Notification appearing on the Property Deed and Title incorporating the following language:  
  
NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.) The property is presently located in a Safety Zone which limits land uses and the number of people on site. Land uses are required to meet the policies and criteria of the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics for Chino Airport.
7. The applicant shall adhere to the conditions set forth in FAA Aeronautical Study No's. 2021-AWP-5004-OE, 2021-AWP-5005-OE, 2021-AWP-5006-OE, 2021-AWP-5007-OE, 2021-AWP-5008-OE and 2021-AWP-5009-OE for a Determination of No Hazard to Air Navigation for a permanent structure.





## Intensity Calculations for PDEV21-010

CD No. 2021-020

Proposed Land Use	Land Use SF	Acreage	Safety Zone	ALUCP Load Factor	ALUCP Load Factor	Land Use SF	ALUCP Load Factor
Warehouse	1,434,010		6	1,000	1434	24,840	25
Office	44,941		6	215	209	18,720	87
<b>Totals</b>	<b>1,478,951</b>	<b>70.44</b>			<b>23</b>		<b>112</b>
				<div style="display: flex; justify-content: space-around; align-items: center;"> <div style="border: 2px solid black; padding: 5px; text-align: center;"> <p style="background-color: #003366; color: white; margin: 0;">Sitewide Average Calculation</p> <p style="background-color: #e6f2ff; margin: 0;"><b>23</b></p> </div> <div style="border: 2px solid black; padding: 5px; text-align: center;"> <p style="background-color: #660066; color: white; margin: 0;">Single Acre Intensity Calculation</p> <p style="background-color: #ffe6e6; margin: 0;"><b>112</b></p> </div> </div>			
<p><b>Site Wide Average Calculation</b> is for Zone 6. Chino criteria for Zone 6 allows a maximum of 300 people. The proposed project would generate a site wide average of 23 people as indicated in the calculations above.</p>							
<p><b>Single Acre Intensity Calculation</b> is for Zone 6. Chino single acre criteria for Zone 6 allows a maximum of 1,200 people. The proposed project would generate a single acre intensity of 112 people as indicated in the above calculations.</p>							



Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2021-AWP-5009-OE

Issued Date: 04/22/2021

Thomas Donahue  
 Prologis  
 3546 Concourse St.  
 Suite 100  
 Ontario, CA 91764

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building Stairwell  
 Location: Ontario, CA  
 Latitude: 33-59-07.00N NAD 83  
 Longitude: 117-36-48.00W  
 Heights: 680 feet site elevation (SE)  
 96 feet above ground level (AGL)  
 776 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5009-OE.

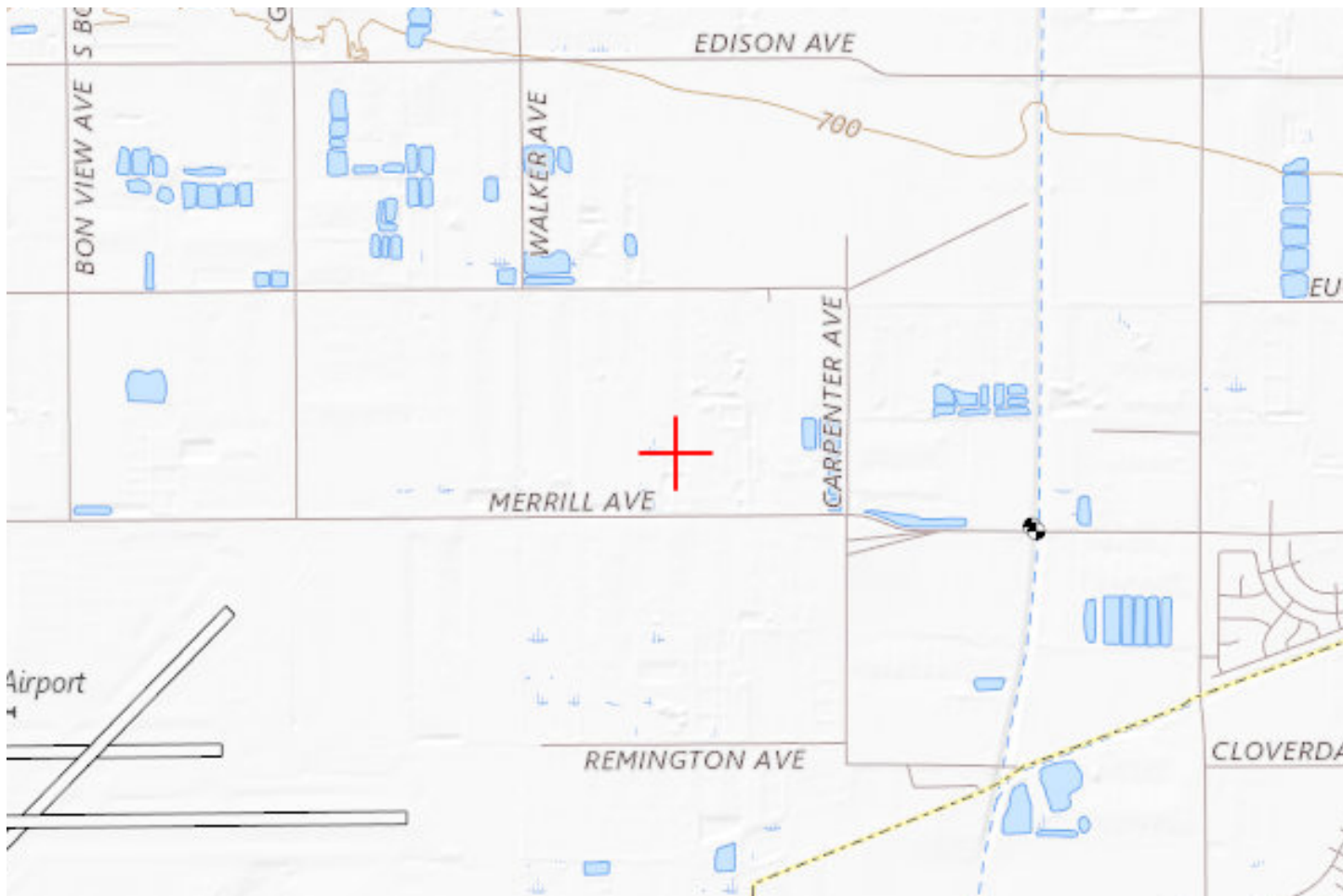
**Signature Control No: 476695789-478641510**

( DNE )

Vivian Vilaro  
Specialist

Attachment(s)  
Map(s)

TOPO Map for ASN 2021-AWP-5009-OE







Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2021-AWP-5006-OE

Issued Date: 04/22/2021

Thomas Donahue  
 Prologis  
 3546 Concours St.  
 Suite 100  
 Ontario, CA 91764

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building SW Corner  
 Location: Ontario, CA  
 Latitude: 33-59-07.00N NAD 83  
 Longitude: 117-36-49.00W  
 Heights: 680 feet site elevation (SE)  
 88 feet above ground level (AGL)  
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5006-OE.

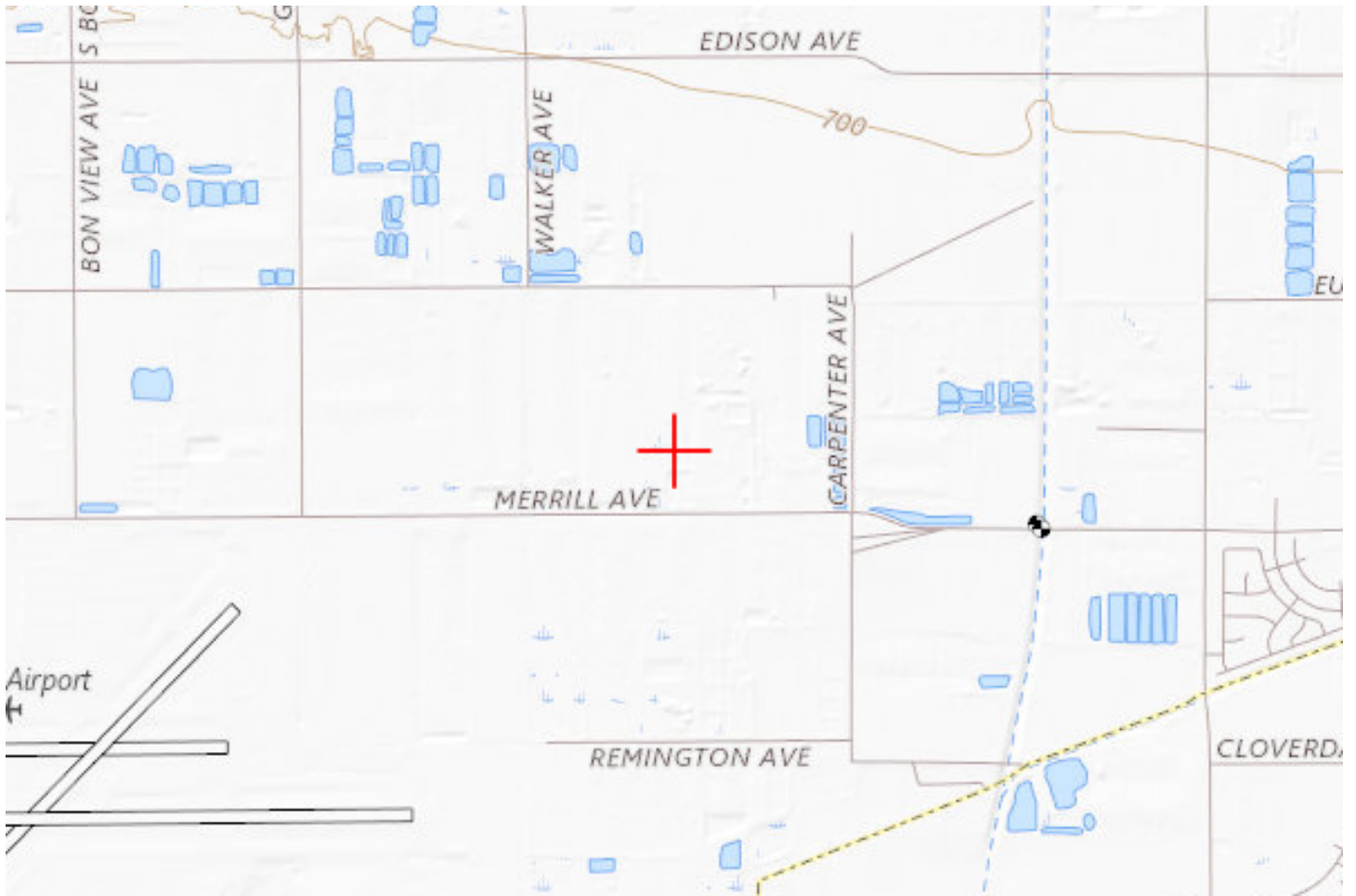
**Signature Control No: 476695786-478641511**

( DNE )

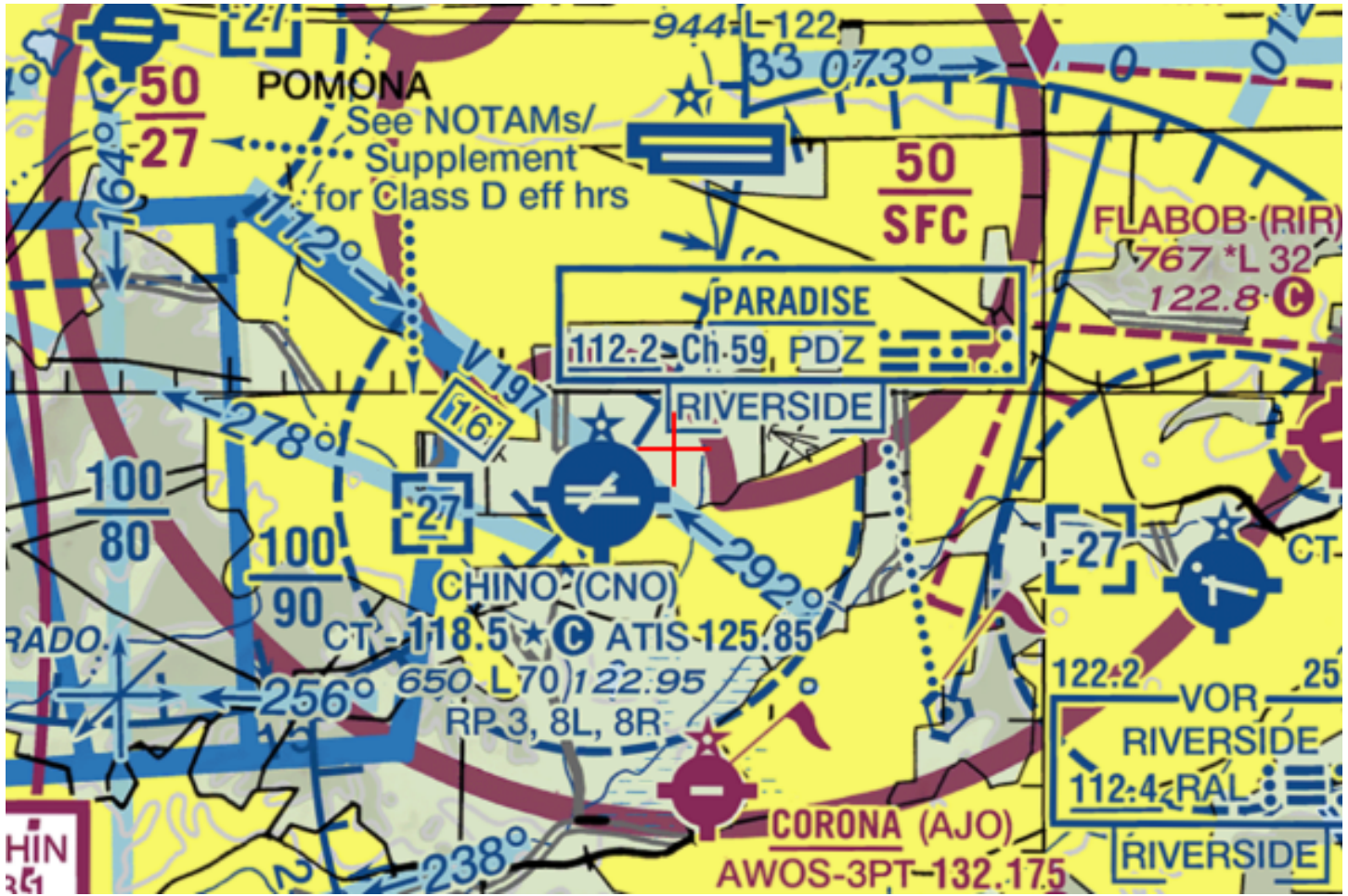
Vivian Vilaro  
Specialist

Attachment(s)  
Map(s)

TOPO Map for ASN 2021-AWP-5006-OE









Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2021-AWP-5008-OE

Issued Date: 04/22/2021

Thomas Donahue  
 Prologis  
 3546 Concours St.  
 Suite 100  
 Ontario, CA 91764

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building Equipment  
 Location: Ontario, CA  
 Latitude: 33-59-14.00N NAD 83  
 Longitude: 117-36-48.00W  
 Heights: 680 feet site elevation (SE)  
 94 feet above ground level (AGL)  
 774 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5008-OE.

**Signature Control No: 476695788-478641512**

( DNE )

Vivian Vilaro  
Specialist

Attachment(s)  
Map(s)

TOPO Map for ASN 2021-AWP-5008-OE







Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2021-AWP-5004-OE

Issued Date: 04/22/2021

Thomas Donahue  
 Prologis  
 3546 Concourse St.  
 Suite 100  
 Ontario, CA 91764

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building NW Corner  
 Location: Ontario, CA  
 Latitude: 33-59-19.00N NAD 83  
 Longitude: 117-36-49.00W  
 Heights: 680 feet site elevation (SE)  
 88 feet above ground level (AGL)  
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5004-OE.

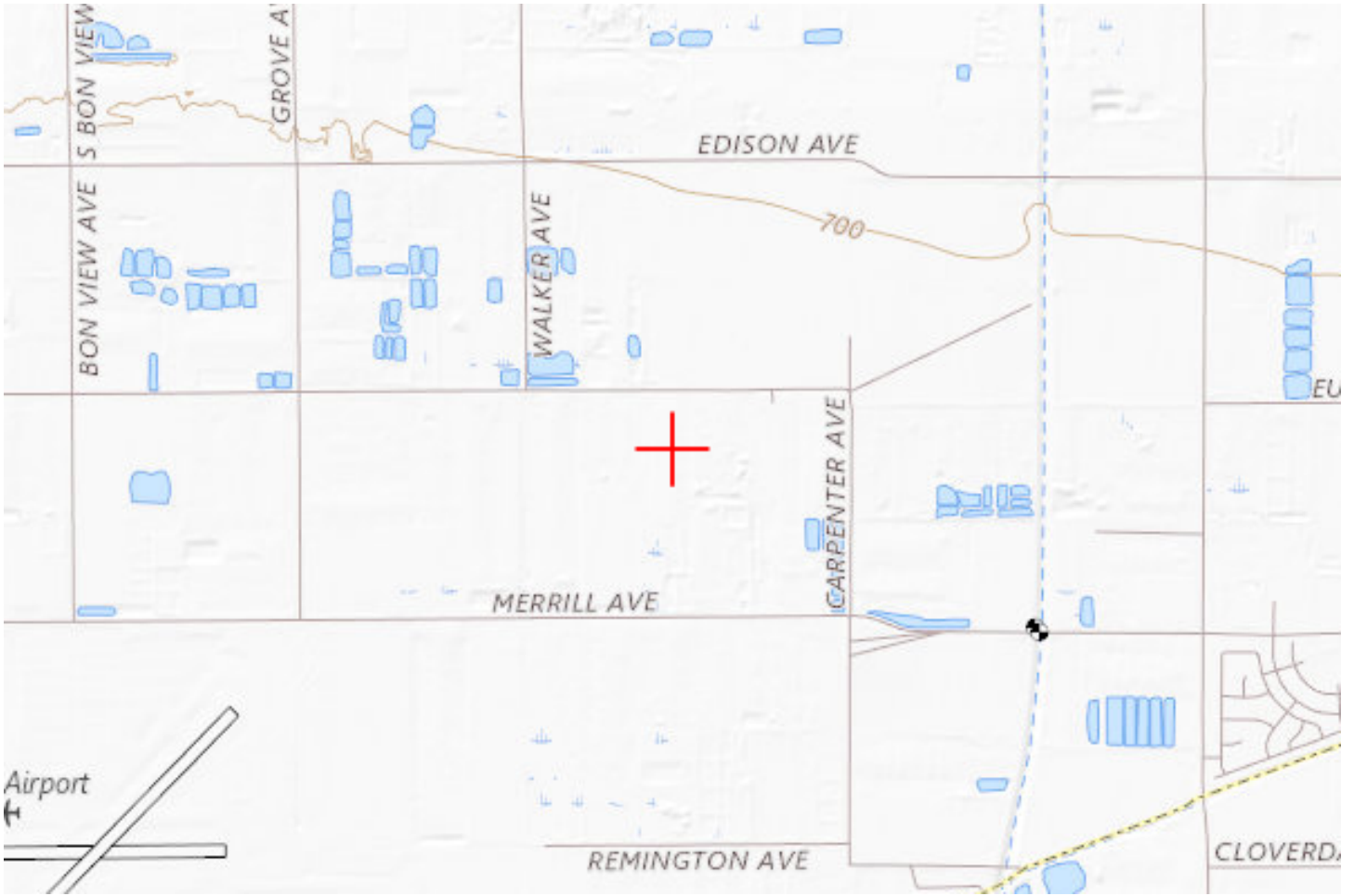
**Signature Control No: 476695784-478641513**

( DNE )

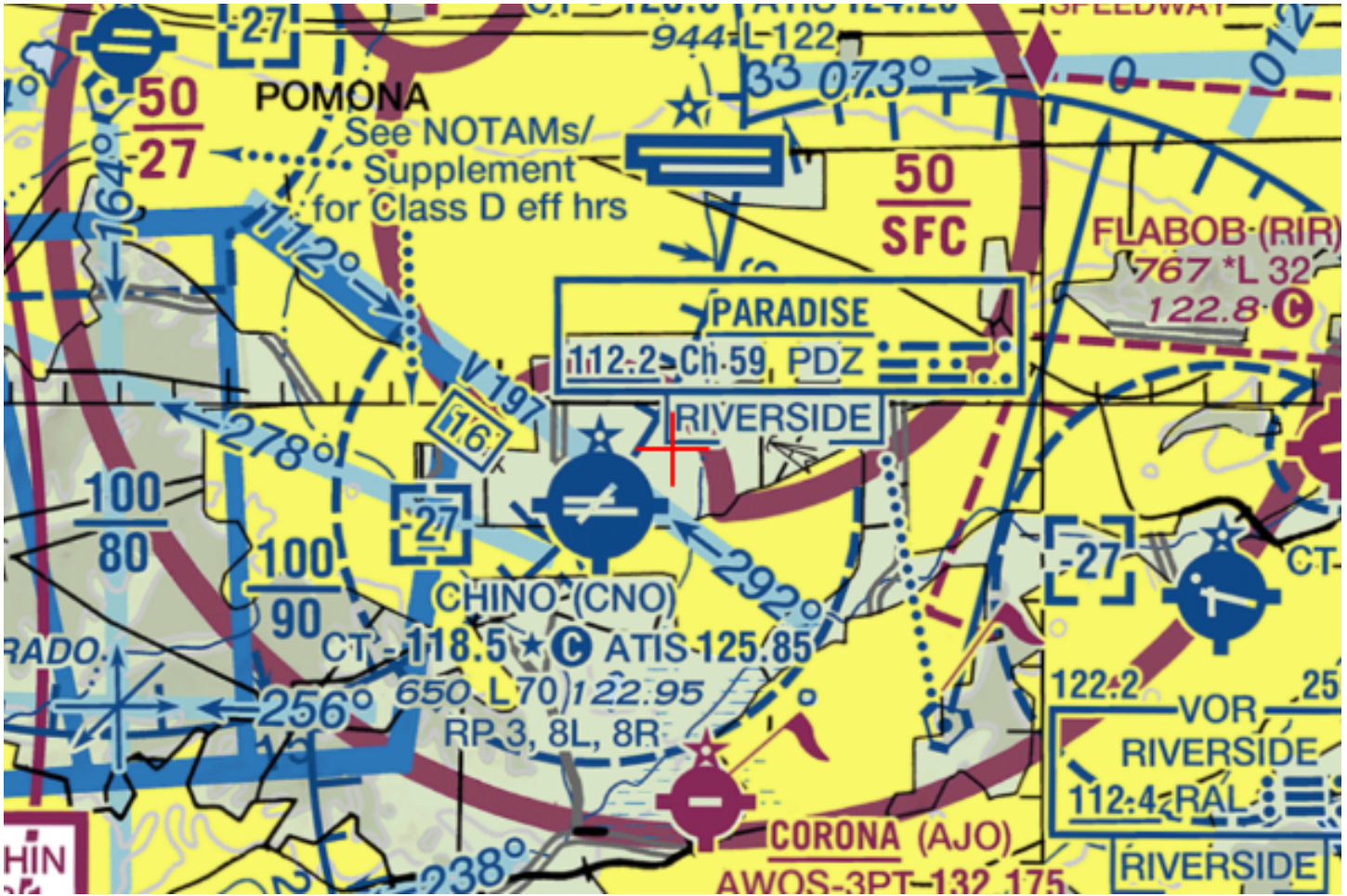
Vivian Vilaro  
Specialist

Attachment(s)  
Map(s)

TOPO Map for ASN 2021-AWP-5004-OE









Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2021-AWP-5007-OE

Issued Date: 04/22/2021

Thomas Donahue  
 Prologis  
 3546 Concours St.  
 Suite 100  
 Ontario, CA 91764

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building SE Corner  
 Location: Ontario, CA  
 Latitude: 33-59-07.00N NAD 83  
 Longitude: 117-36-43.00W  
 Heights: 680 feet site elevation (SE)  
 88 feet above ground level (AGL)  
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5007-OE.

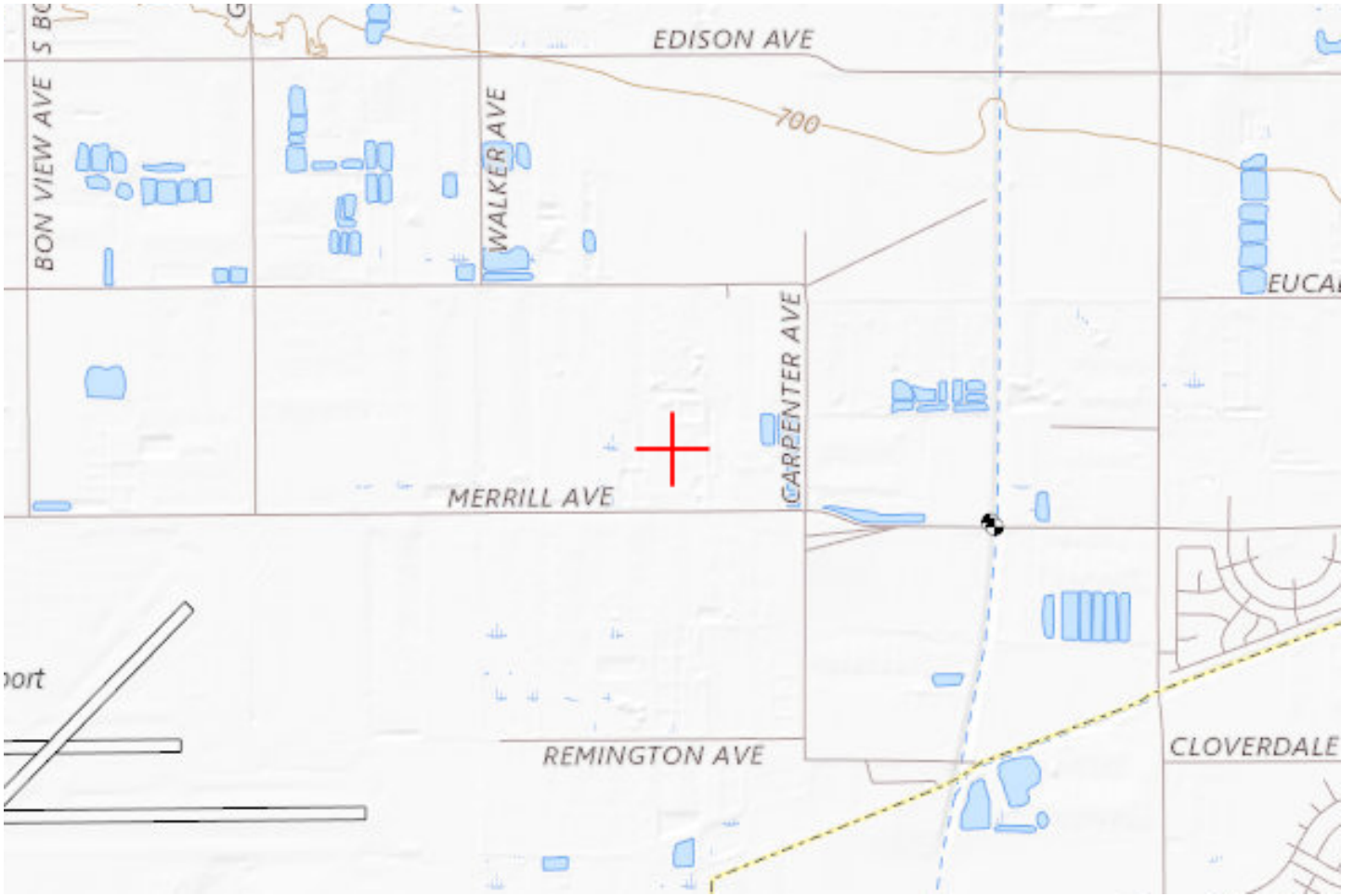
**Signature Control No: 476695787-478641514**

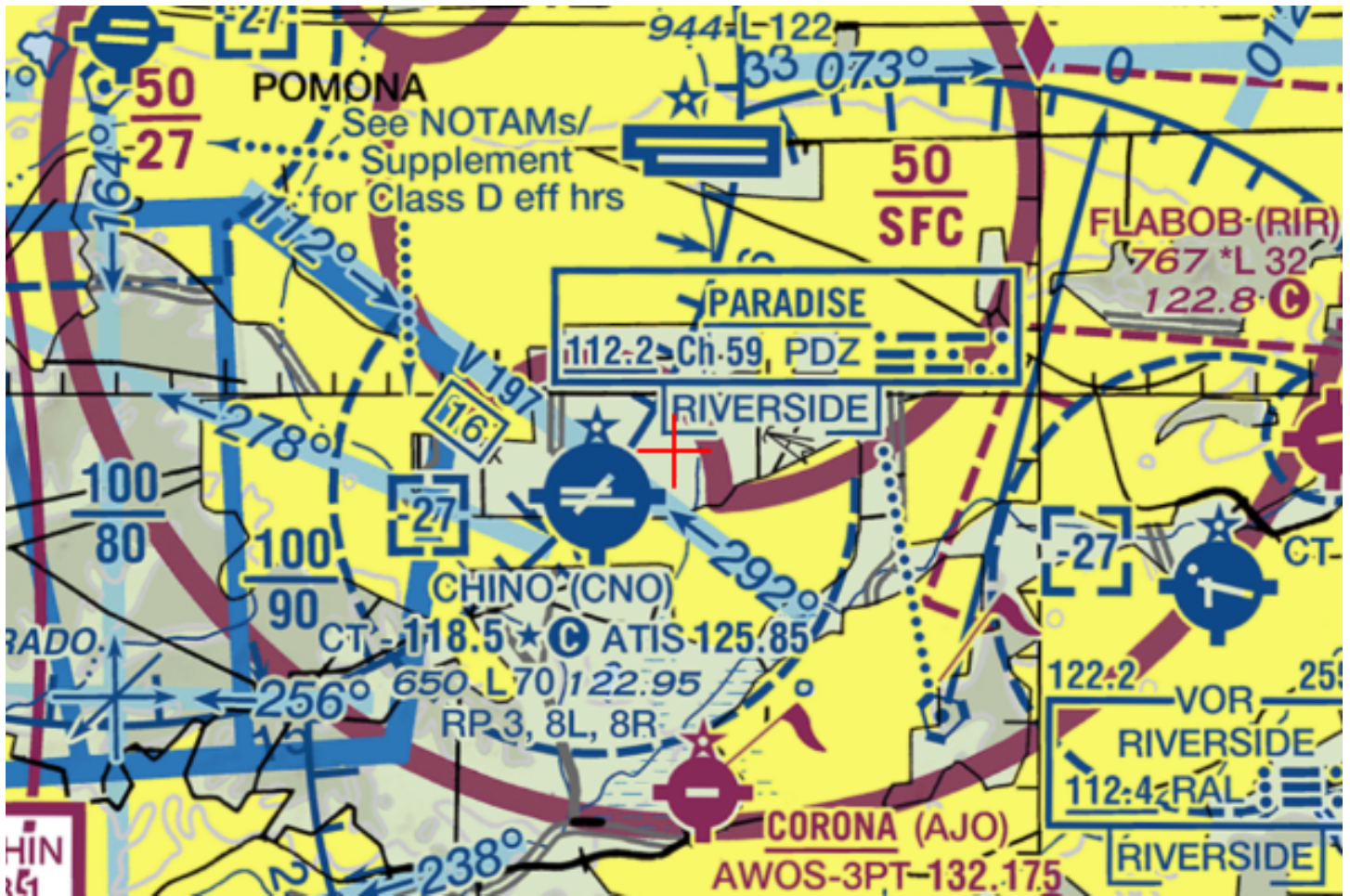
( DNE )

Vivian Vilaro  
Specialist

Attachment(s)  
Map(s)

TOPO Map for ASN 2021-AWP-5007-OE







Mail Processing Center  
 Federal Aviation Administration  
 Southwest Regional Office  
 Obstruction Evaluation Group  
 10101 Hillwood Parkway  
 Fort Worth, TX 76177

Aeronautical Study No.  
 2021-AWP-5005-OE

Issued Date: 04/22/2021

Thomas Donahue  
 Prologis  
 3546 Concourse St.  
 Suite 100  
 Ontario, CA 91764

**\*\* DETERMINATION OF NO HAZARD TO AIR NAVIGATION \*\***

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Proposed Building NE Corner  
 Location: Ontario, CA  
 Latitude: 33-59-19.00N NAD 83  
 Longitude: 117-36-42.00W  
 Heights: 680 feet site elevation (SE)  
 88 feet above ground level (AGL)  
 768 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

- At least 10 days prior to start of construction (7460-2, Part 1)
- Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

The structure considered under this study lies in proximity to an airport and occupants may be subjected to noise from aircraft operating to and from the airport.

This determination expires on 10/22/2022 unless:

- (a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
- (b) extended, revised, or terminated by the issuing office.

- (c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

**NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.**

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, effective 21 Nov 2007, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

If we can be of further assistance, please contact our office at (847) 294-7575, or [vivian.vilaro@faa.gov](mailto:vivian.vilaro@faa.gov). On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2021-AWP-5005-OE.

**Signature Control No: 476695785-478641515**

( DNE )

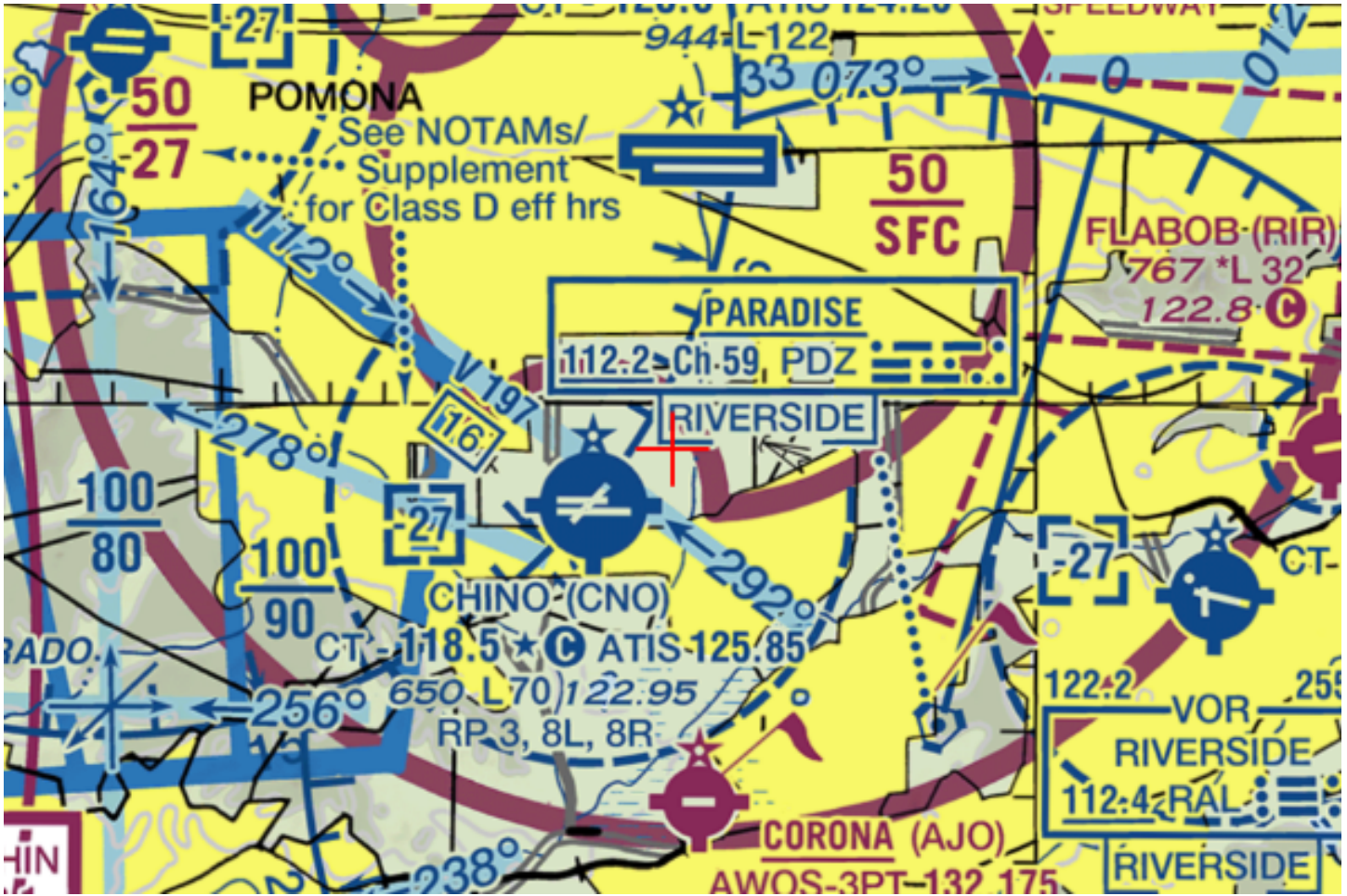
Vivian Vilaro  
Specialist

Attachment(s)  
Map(s)

TOPO Map for ASN 2021-AWP-5005-OE









# CITY OF ONTARIO

## MEMORANDUM

**TO:** Planning Commission

**FROM:** Rudy Zeledon, Planning Director *RZ*

**DATE:** June 22, 2021

**SUBJECT:** Monthly Activity Reports

---

The Monthly Activity Reports were not available at the time of agenda packet distribution. These Reports will be made available at next month's Planning Commission meeting.