

# CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION MEETING AGENDA

April 25, 2017

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

6:30 PM

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**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.*

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## **ROLL CALL**

DeDiemar \_\_ Delman \_\_ Downs \_\_ Gage \_\_ Gregorek \_\_ Reyes \_\_ Willoughby \_\_

## **PLEDGE OF ALLEGIANCE TO THE FLAG**

**ANNOUNCEMENTS**

- 1) Agenda Items
- 2) Commissioner Items

**PUBLIC COMMENTS**

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

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

**CONSENT CALENDAR ITEMS**

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

**A-01. MINUTES APPROVAL**

Planning/Historic Preservation Commission Minutes of March 28, 2017, approved as written.

**PLANNING COMMISSION PUBLIC HEARING ITEMS**

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

**B. ENVIRONMENTAL ASSESSMENT AND PLANNED UNIT DEVELOPMENT REVIEW FOR FILE NO. PUD17-001:**

A Planned Unit Development to establish development standards and guidelines to facilitate the future development of a high density residential apartment project at a density of approximately 25.4 dwelling units per acre on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed Use Downtown) zoning district. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared in conjunction with File No. PGPA06-001, and certified by the City of Ontario City Council on January 27, 2010. The proposed project is located within the Airport Influence Area of

Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 and 1049-052-10) **submitted by Related California. City Council action is required.**

**1. CEQA Determination**

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

**2. File No. PUD17-001 (Planned Unit Development)**

Motion to recommend Approval/Denial

**C. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA17-001:** An Amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. Staff has prepared an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared in conjunction with File No. PGPA06-001, and adopted by City Council on January 27, 2010. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT Airport. (APN: 0210-212-57); **submitted by Architecture Design Collaborative. City Council action is required.**

**1. CEQA Determination**

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

**2. File No. PSPA17-001 (Specific Plan Amendment)**

Motion to recommend Approval/Denial

**D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV16-050 AND PCUP16-023:** A Development Plan (File No. PDEV16-050) and Conditional Use Permit (File No. PCUP16-023) to construct and establish a 4-story, 131-room hotel (The Element Hotel by Westin) totaling 93,177 square feet on approximately 4.5 acres of land, located at 900 North Via Piemonte, within the Piemonte Overlay of The Ontario Center Specific Plan. The environmental impacts of this project were previously analyzed in conjunction with an Addendum to The Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No. PSPA05-003, and was approved by the City Council on March 23, 2006. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provides for the use of a single environmental assessment in situations where

the impacts of subsequent projects are adequately analyzed. This application introduces no new significant environmental impacts. 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 (APN: 0210-204-18); **submitted by Glacier House Hotels. City Council action is required.**

**1. CEQA Determination**

No action necessary – use of previous EIR

**2. File No. PDEV16-050 (Development Plan)**

Motion to recommend Approval/Denial

**3. File No. PCUP16-023 (Conditional Use Permit)**

Motion to recommend Approval/Denial

**E. ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT**

**REVIEW FOR FILE NO. PSPA16-003**: A Specific Plan Amendment to revise the provisions of the Piemonte Overlay of the Ontario Center Specific Plan, including changes to the development concept and regulations, and allowed land uses within the Commercial, Entertainment/Retail Commercial, Office, Special Use, and Residential sub-areas, affecting properties within an irregular-shaped area comprised of approximately 84 acres of land, generally located south of Fourth Street, west of Milliken Avenue, north of Concours Street, and east of Haven Avenue. Staff has prepared a Mitigated Negative Declaration of environmental effects for the proposed project. The project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; (APNs: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, and 0210-204-10); **submitted by Lewis Piemonte Land, LLC, and Pendulum Property Partners. City Council action is required.**

**1. CEQA Determination**

Motion to recommend Approval/Denial of a Mitigated Negative Declaration

**2. File No. PSPA16-003 (Specific Plan Amendment)**

Motion to recommend Approval/Denial

**F. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA17-001:** A Development Code Amendment proposing various clarifications to the Ontario Development Code, modifying certain provisions of Division 1.02 (Development Code Interpretation and Enforcement), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards For Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required.**

**1. CEQA Determination**

No action necessary – Exempt: CEQA Guidelines Section § 15061(b)(3)

**2. File No. PDCA17-001 (Development Code Amendment)**

Motion to recommend Approval/Denial

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

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

**DIRECTOR'S REPORT**

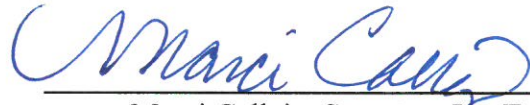
- 1) Monthly Activity Report

*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.*

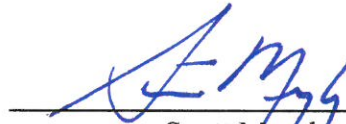
*If you challenge any action of the Planning/Historic Preservation Commission in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at,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



I, Marci Callejo, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **Friday, April 21, 2017**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.



\_\_\_\_\_  
Marci Callejo, Secretary Pro Tempore



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Scott Murphy, Planning Director  
Planning/Historic Preservation  
Commission Secretary

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

**MINUTES**

**March 28, 2017**

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

**MINUTES**

**March 28, 2017**

**REGULAR MEETING:** City Hall, 303 East B Street  
Called to order by Chairman Willoughby at 6:32 PM

**COMMISSIONERS**

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

**Absent:** None

**OTHERS PRESENT:** Planning Director Murphy, City Attorney Rice, Principal Planner Wahlstrom, Principal Planner Zeledon, Senior Planner D. Ayala, Senior Planner Mejia, Senior Planner Mercier, Assistant Planner Antuna, Planning Intern Baez, Assistant City Engineer Do, and Planning Secretary Callejo

**PLEDGE OF ALLEGIANCE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Reyes.

**SPECIAL CEREMONIES**

Mr. Nicola Ricci was recognized for his service as a Planning Commissioner during the years of 2013-2017. Mr. Murphy shared how some may have thought he served during an “easy time” during the recession, but stated that during that time, there were over 200 development applicants that were submitted and over 75 tentative maps. Those projects resulted in millions of square-feet of industrial and thousands of square-feet of residential units being approved and it wasn’t a cake walk. He stated that from a staff perspective, they appreciated his dedication, his always asking questions and his concerns for what was being approved was best for the community. He asked him to come forward, as he was honored with a plaque and cake in the lobby.

Mr. Ricci first wanted to thank God for the abundant blessings in his life. He also thanked his wife Elizabeth who was a former Parks and Recreation Commissioner who prompted him to apply for the Planning Commission. He stated he was grateful to be part of the Commission and wished he could have been on the Commission longer. He said he couldn’t be on the Commission forever, like Bob Gregorek. He thanked Planning Director, Scott Murphy and City Attorney Thomas Rice, stating he especially enjoyed his British accent. He thanked the Planning staff and shared that he thought other cities were jealous of their knowledge and professionalism. He went down the dais thanking each Commissioner starting with Ms. DeDiemar, for her perspective on public art and the museum. Next, he thanked Mr. Delman for being awesome and being a fellow Navy Veteran. He appreciated his historic knowledge of the City that he and his



wife shared through Ontario Heritage. He thanked Mr. Gregorek for being on the Commission for so long and his knowledge in geology. He shared that Mr. Downs was part of many organizations in the City and remembered seeing his name on an Ontario-Montclair School Board plaque when attending a school function for his sons. He told Mr. Gage he will always be remembered for his efforts towards parking. He wished Mr. Reyes the best on the Commission and he thanked Mr. Willoughby for being so gracious, thought he was a very honorable man and he was glad he was able to get to know him. He concluded by thanking his parents, his brother and shared how they moved as a family from Canada and how that experience of seeing development played a role for him as a Commissioner.

Mr. Willoughby also stated he echoed the sentiments of Mr. Murphy and that Mr. Ricci was always concerned about the city, whether in the areas where he lived, the industrial area or in the New Model Colony. He said Mr. Ricci was concerned about the quality of life for the citizens of Ontario. He said as a citizen, he thanked him for his service and looked forward to seeing him at future events within the City.

The Commission gathered for a photo as he was presented with a plaque and took a short break for cake in the main lobby.

### **ANNOUNCEMENTS**

Mr. Delman stated that it was with great sadness that he share Louise Melton passed away that afternoon from a heart attack. He stated Ms. Melton had been on the board and secretary of Ontario Heritage for about the past eight years. He said she was always there to help out, had an active role in the Ontario community and she will be truly missed. He asked that this meeting be dedicated in the memory of Louise Melton.

Mr. Willoughby said that would be fine. He shared he remembered seeing Ms. Melton about a week or so ago at the Ontario Heritage golf tournament fundraiser. He said she was a blessing to Ontario Heritage and his heart went out to the family.

### **PUBLIC COMMENTS**

No one responded from the audience.

### **CONSENT CALENDAR ITEMS**

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

Planning/Historic Preservation Commission Minutes of February 28, 2017, approved as written.

**A-02. ENVIRONMENTAL ASSESSMENT AND STANDARD CONDITIONS OF APPROVAL AMENDMENT REVIEW:** An amendment to the City of Ontario Standard Conditions for new development, to include updates consistent with the 2016 comprehensive update to the Ontario Development Code. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP); **City Initiated. City Council action is required.**

## PLANNING COMMISSION ACTION

*It was moved by DeDiemar, seconded by Gregorek, to approve the Planning Commission Minutes of February 28, 2017, as written. The motion was carried 6 to 0 for the Minutes, Commissioner Downs Abstaining since he was absent at the last meeting and the Standard Conditions of Approval were approved with the motion of 7 to 0.*

## PUBLIC HEARING ITEMS

- B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS. PDEV16-051 & PVAR17-001:** A Development Plan (PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (PVAR17-001) to deviate from minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5-Minor Alterations in Land Use Limitations) and Section 15301 (Class1- Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1015-131-23); **submitted by Sizzler Restaurant/BMW Management.**

Planning Intern, Randy Baez, presented the staff report. Mr. Baez gave the location of the project site and background information. He presented various photos of the existing building and current surrounding properties all zoned Neighborhood Commercial (CN). Mr. Baez pointed out elevations that highlighted the building expansion and site improvements, including a trash enclosure, handicap parking stalls and new landscaping. He shared the expansion meets all parking requirements within the Development Code even with having parking spaces removed for the new trash enclosure. He stated the east building expansion will provide additional seating and reorient the entrance to the southeast part of the building. He said the south addition will provide 10 new booths for 40 patrons and the west addition will provide seating for 30 patrons and janitorial space and mechanical equipment storage. Mr. Baez shared some of the proposed landscaping plans for the site including the types of trees and shrubs. He explained the square-shaped building constructed in the 1970s met the Development Code at the time, which required a 10 foot setback. However, a Variance request was required due to the proposed renovations and additions which exceed the current Development Code requirement of 20 feet. The applicant is requesting a 13 feet, 2 inch setback. He stated the applicant has been working towards rebranding the Sizzler design, with a more “Americana Theme” and showed various elevations of the property including some of the changes with the proposed materials. He stated that staff is recommending the Planning Commission approve File Nos. PVAR17-001 and PDEV16-051, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval.

Mr. Willoughby stated there sounded like an addition of about 70 seats. He questioned what the current seating was and what the new seating will be total with the additions.

Mr. Murphy stated that can be asked of the applicant.

Mr. Willoughby asked if the handicapped entrance will change.

Mr. Baez stated that was correct, the handicapped entrance will be at the new entrance.

### **PUBLIC TESTIMONY**

Tatjana Radojkovic, with Architectronix, located at 250 N. Golden Circle Drive, Suite 205, Santa Ana, CA 92705, the project representative, appeared and spoke. She stated that Bob Christoff, the Sizzler/BMW Management representative was present as well. Ms. Radojkovic stated they support the conditions of approval and would answer any questions.

Mr. Willoughby asked what the current seating capacity and new seating capacity were.

Ms. Radojkovic stated 136 concentrated/fixed seating and dining un-concentrated without fixed seating is 78. So there's a total of 214.

Mr. Willoughby asked if that was new seating.

Ms. Radojkovic said yes, existing is 144.

Mr. Willoughby asked if restrooms would be expanded.

Ms. Radojkovic stated the restrooms are being redesigned for accessibility requirements. She said in the new design there are three toilets in the restroom for women and two toilets and one urinal in the restroom for men.

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

Mr. Gregorek stated he was pleased to see the Sizzler being remodeled, expanded and that it was going to get some new life and a different design. He said he was in total support of it.

Mr. Reyes stated it would be a great addition to that center to see the renovation and he hates to cross City lines to eat. He said he hoped that renovation will spark the rest of the center to be renovated. He said the setback doesn't bother him because it's just lawn there now and the design is very clever.

Mr. Gage said looking at the Variance, going from 20 foot to 13 feet, 2 inches, he doesn't see a problem. He stated it's still a good amount of setback and it will still look fine. He said he was glad there was no variance on parking, especially in that center. He stated there was adequate parking. Yeah! He said he was glad Sizzler was going through "an extreme remodel" and he was going to vote for it.

Mr. Willoughby asked if the existing trash enclosure was being torn out.

Mr. Baez stated the current site does not have a trash enclosure.

Mr. Christoff stated there's a trash area now that will become a drop-off area.

Mr. Delman said he was excited about the contemporary look of the Sizzler and it will bring him back to a Sizzler.

### **PLANNING COMMISSION ACTION**

*It was moved by Delman, seconded by Downs, to adopt resolutions to approve the Variance and Development Plan, File Nos., PVAR17-001 and PDEV16-051, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.*

- C. **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE NO. PDCA16-007:** A Development Code Amendment revising provisions of Development Code Chapter 5.0 (Zoning and Land Use) pertaining to Accessory Dwelling Units (formerly referred to as Second Dwellings), to incorporate recent changes in the State's Accessory Dwelling Unit laws (as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated. City Council action is required. Continued from February 28, 2017.**

Senior Planner, Charles Mercier, presented the staff report. Mr. Mercier stated that several changes went into effect earlier this year, which were made to the State law regarding Accessory Dwelling Units (ADU) requiring the City's Development Code's section, which included Second Units, be amended. He explained some of the changes which were included to be parking requirements, allowed footage for the ADU and ownership versus renting of an ADU. He shared the regulations of what State law and the City are requiring. Regulations allow for the construction of a second unit in conjunction with an existing single-family dwelling, which is located within a single-family or multiple-family residential zoning district within the City. Furthermore, the regulations impose standards on second units that control parking, height, setbacks, lot coverage, architectural review, and size and provides that second units are acted on ministerially, without the need for discretionary review or a hearing. He then went over the details of these regulations. Mr. Mercier stated all the updates within the new provisions and definitions went into State law at the beginning of 2017. He stated that staff is recommending the Planning Commission recommend approval to City Council File No. PDCA16-007, pursuant to the facts and reasons contained in the staff report and attached resolution.

No one responded.

### **PUBLIC TESTIMONY**

No one responded.

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

Mr. Willoughby questioned SB 1069 and if that was in the 1,200 square foot range. He wanted to confirm that the City is allowing up to 850 square feet.

Mr. Murphy stated that the State legislation establishes a maximum of 1,200 square feet. He said in consultation with the City Attorney's office, they found that there were a number of ordinances which have been adopted which have ranges of 800 up to the maximum of 1,200 square feet. He said they felt that if they were within that range, they were in a good position. He said that given the size of the units, 1,200 square feet might be as big or bigger than some of the houses out there. He said they felt comfortable at the 850 square feet and if somebody wants to challenge them, they address it then.

Mr. Reyes asked about a note in the [provisions] about the square footage cannot exceed 50 percent of the existing home or something like that.

Mr. Mercier stated that this applies to integrated ADUs.

Mr. Murphy said that if it is attached to the main unit, it can be 50 percent of the existing home up to 850 square feet.

Mr. Reyes asked why the 850 square feet if the lot is still going to have setbacks requirements.

Mr. Murphy stated that the current Ordinance allows for 650 square feet for a second unit. He said that allowing for 1,200 square feet may be as large or larger than the original house itself. So they wanted to emphasize that this is an Accessory Dwelling use of the property and not a primary use. He said given the range, they felt that 850 square feet was more than the current allotment on the books. He stated that 850 is still a good size for a one or even two-bedroom unit. He said the emphasis would be on accessory and not primary.

Mr. Willoughby asked if the Development Code Amendment would have an effect on other structures on the property. He gave examples like garages or workshops. Are they still required to stay at 650 square feet.

Mr. Murphy stated that was correct. This is strictly dwelling units.

City Attorney, Mr. Rice stated the California Environmental Quality Act (CEQA) section which was being referenced earlier is 21080.17. He said statute applies to ordinances implementing law relating to the construction of second units.

## PLANNING COMMISSION ACTION

*It was moved by Gregorek, seconded by Downs, to recommend adoption of a resolution to approve the Development Code Amendment, File No., PDCA16-007. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.*

## HISTORIC PRESERVATION ITEMS

**D. SEVENTEENTH ANNUAL MODEL COLONY AWARDS FOR FILE NO. PHP17-005: A request for the Historic Preservation Commission to approve the Seventeenth Annual Model Colony Awards; submitted by City of Ontario. City Council presentation of Awards.**

Assistant Planner, Elly Antuna, presented the staff report. Ms. Antuna stated that this would be the seventeenth year for the Model Colony Awards program. She stated this year's theme was "Redefining Preservation" and each nominee presented fit within the theme. She began with stating the George Chaffey Memorial Award nominee was Bellevue Memorial Park. She stated Bellevue Memorial Park is a significant historic cultural resource that consists of 80 acres of beautifully manicured grounds and almost 600 trees. Bellevue has utilized a major solar power system with 16 large panels on the mausoleum roof, significantly reducing electrical costs and uses reclaimed water irrigation. They are great examples of utilizing modern technology to increase energy efficiency in historic places. She also explained they participate in numerous community activities, one being, the Annual Ontario Heritage Cemetery Tour. Ms. Antuna stated the next award was the Award of Merit for the property located at 127 East Fourth Street. She said the house is an excellent example of the Tudor Revival architectural style and was built in 1928 for Harry W. Fredrickson. It is a Contributor to the College Park Historic District. She stated the current property owner purchased the home in 2007 and inherited the Mills Act contract on the property which the previous owner started in 2004. She said the property owner completed the improvements of the contract this year, which included refinishing the original hardwood floors, repairing the original exterior windows and screens and installation of a new HVAC and plumbing. The next Award of Merit goes to 326 and 330 East Fourth Street, an infill project within the College Park Historic District. Ms. Antuna shared the lots at 326 and 330 East Fourth Street originally contained irrigation standpipes, a remnant of the irrigation system for the orchards that the Graber family owned. She stated the Commission may remember in 2016, a Certificate of Appropriateness was approved to allow for the infill project of two single-family residences at this location. She said the property owner took special care throughout the project to ensure the residential infill was appropriate in scale, massing, architecture and design so that the new construction was sensitive to the existing historic neighborhood. She said the home at 326 was constructed in the French Eclectic Revival style and the home at 330 was constructed in the Mediterranean Revival style. Ms. Antuna continued by stating the next Award of Merit was for the property at 214 East Fourth Street. She said this Mediterranean Revival house was built in 1925 for S. Earl Blakeslee, a longtime head of the Music Department at Chaffey High School. This home is a Contributor to the College Park Historic District. She shared the current property owner purchased the home in 1996 and entered into a Mills Act Contract in 2002.

Improvements have included painting, landscaping and reroofing the home. She stated the final nominee is for the Rehabilitation Award for the Sunkist Water Tower. She said the water tower stands as a reminder of the City's Citrus Industry and the Sunkist Plant that was once located at this property site. She said in 2015 a Certificate of Appropriateness, along with a Development Plan, was approved to facilitate the relocation of the water tower to accommodate the construction of a 239,400 square foot industrial building. She shared the water tower was relocated about 120 feet from its relocation and as part of the relocation project, paint analysis was done to allow for an authentic restoration of the tower itself. She said the tower has been hoisted up to its new height of 62 feet to meet Federal Aviation Administration (FAA) regulations. To convey the historic significance of the site, an interpretive sign program is being installed on the site adjacent to the water tower. The interpretative signage will follow National Park Service standards and will describe the history of the citrus industry in Ontario. The Model Colony Awards will be presented at the May 2, 2017 City Council Meeting. She stated that staff is recommending the Planning Commission approve File No. PHP17-005, pursuant to the facts and reasons contained in the staff report.

Mr. Willoughby stated he thought they were all wonderful nominees. He said he remembered the Sunkist Tower and the various Historic Preservation Subcommittee meetings they had for the project. He said because it is such an iconic symbol in the City, he was glad it was preserved and hats off to Majestic for their hard work and to all the other nominees. He said it speaks to Ontario's Historic Heritage and what they do to maintain that.

### **PUBLIC TESTIMONY**

No one responded.

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

Mr. Gage said he wanted to make some comments. He stated the Sunkist Tower is such an important part of Ontario's history. He said he remembers at the All-States Picnic when he was young, Sunkist would setup stands every year and give out free orange juice and lemonade. He said it was certainly a great employer in the City and it's great to see the tower preserved. He commented Bellevue Memorial Park will likely be where he'll spend eternity, but it certainly is a historic graveyard. He said it was great that the walls were lower now so you can see the graveyard better. He shared his positive impressions of the Cemetery Tour and how Richard Delman thought of the idea of having actors of the ones who were buried there. He also congratulated East Fourth Street on being recognized.

Mr. Reyes said in regards to the two homes, it's challenging to design in-fill projects like that, with appeal that matches the neighborhood. He said it would be tempting for any new developer to come in and put the garage upfront and be twenty feet from the street, or whatever the setback is. He said it takes a real strong group of people working together, so thanks to staff and to the developer who did that. He said it's not easy to do and thanked staff for taking the time.

Mr. Gage commented about getting involved in Ontario when a vacant lot was being proposed in the north area of his neighborhood, in the historic district. He said they were looking to put in what he called, "Alta Loma Tract Homes". He stated he got involved and went to public hearings and people were all up in arms. He said an appropriate home did go in and Ontario has come a long way. He was glad to see projects like these approved for infill and vacant lots. He said "Way to go Ontario!"

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

*Acting as the Historic Preservation Commission, it was moved by Downs, seconded by Reyes, to approve the Seventeenth Annual Model Colony Awards, File No. PHP17-005. Roll call vote: AYES, DeDiemar, Delman, Downs, Gage, Gregorek, Reyes, and Willoughby; NOES, none; RECUSE, none; ABSENT, none. The motion was carried 7 to 0.*

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

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

**Historic Preservation (Standing):** This subcommittee met on March 9, 2017.

- *They approved four requests for Tier Determination as an Eligible historic resource on the Ontario Register all along Holt Boulevard in anticipation of its possible widening. The properties included:*
  - *File No. PHP09-019 (Torley's Big Store located at 444 E. Holt Blvd.)*
  - *File No. PHP09-020 (Jacob Lerch House located at 541 E. Holt Blvd.)*
  - *File No. PHP09-031 (Cucamonga Valley Wine Company Bldg. located at 1101 E. Holt Blvd.)*
  - *File No. PHP09-032 (Fountaine Winery Bldg. located at 1264 E. Holt Blvd.)*
- *They approved a request to rescind a Tier Determination and remove two properties from the Ontario Register along Holt Boulevard.*
  - *File No. PHP17-004 (The homes located at 813 and 817 E. Holt Blvd.)*
- *They also made a motion to recommend approval of the Seventeenth Annual Model Colony Awards to the Historic Preservation Commission.*

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

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

#### **New Business**

#### **ELECTION OF OFFICERS**

Chairman Willoughby stated that Mr. Downs and Mr. Gage were not interested in being considered for Chairman.

Ms. DeDiemar nominated Mr. Delman for Chairman.

Mr. Reyes nominated Mr. Willoughby for Chairman.



Mr. Willoughby stated he has already served for two years.

Mr. Murphy stated that under their rules, a Chairman can only serve for two consecutive years and then he/she would need to step down for at least a year.

Mr. Reyes stated he didn't realize he [Willoughby] was unable to serve again, so he changed his nomination to Mr. Delman.

Mr. Gage nominated Ms. DeDiemar since she has not been Chairperson before and wanted her to have the chance.

Mr. Willoughby stated they had two nominations and stated they should take a vote.

Mr. Murphy said, they do have two nominations, but they should probably make sure that both those nominated accept the nominations.

Mr. Murphy asked Mr. Delman if he accepted the nomination.

Mr. Delman accepted the nomination.

Mr. Murphy asked Ms. DeDiemar if she accepted the nomination.

Ms. DeDiemar stated with much gratitude to Mr. Gage, she declined the nomination.

Mr. Willoughby stated they have one nomination and would take a vote.

Mr. Delman was unanimously voted in as Chairman.

Mr. Willoughby asked for nominations for Vice-Chair.

Mr. Delman nominated Mr. Willoughby for Vice-Chair.

Mr. Willoughby asked City Attorney, Mr. Rice if there were any issues with him becoming Vice-Chair after just serving as Chairman.

Mr. Rice stated there were no issues. He could accept the nomination if he chose.

Mr. Willoughby stated very good and asked if there were any other nominations for Vice-Chair.

Ms. DeDiemar stated she motioned for Vice-Chair nominations to be closed.

Mr. Willoughby stated he would gladly accept the Vice-Chair position.

Mr. Willoughby was unanimously voted in as Vice-Chairman.

Mr. Willoughby stated the Election of New Officers was closed.

## **NOMINATIONS FOR SPECIAL RECOGNITION**

None at this time.

Mr. Gage questioned the Gloria's Restaurant on Euclid Avenue.

Mr. Murphy stated it was coming along slowly.

Mr. Willoughby asked if they were still moving forward with the mural on the side wall.

Mr. Murphy stated as far as he knew, it was moving forward.

## **DIRECTOR'S REPORT**

Mr. Murphy stated the monthly activity report was in their packet. He reminded Mr. Delman, it is his opportunity to select subcommittee members. He said those on the Commission who have a particular interest in a subcommittee, to contact Mr. Delman.

Commissioners DeDiemar, Downs and Willoughby gave short summaries of their attendance to the Planning Commissioners Academy hosted by the League of California Cities, March 1-3, 2017 in the LAX Marriott.

- Mr. Downs stated one of the sessions he attended was on parking. He gave an example of parking meters in Old Town Pasadena which generates 1.2 million dollars and these funds help pay for extra police (foot patrol). He said he attended another session called, "How to Build a Successful Downtown" which taking a theme and sticking with it. He gave the example of San Dimas having a "western" theme but now people are getting away from that. He said the current trend is attracting "all types of shoppers". Other sessions included: a legislative update and one specializing on in-fill projects. He said the cities included in the in-fill projects session were Santa Rosa, Santa Barbara and Anaheim. The final session he spoke about was "What Comes Next?" He stated this session talked about development with retail on the bottom portion and residential on the top. He thought it was something their Commission had looked at. He said it talked about mixed-uses and Netzero houses, solar panels and water-wise landscaping, including the attention to trees.
- Ms. DeDiemar stated this was her first opportunity to attend being one of the newest Commissioners. Being so, she attended the sessions intended for new Commissioners. She said that one of the things that was apparent, is that City of Ontario has adopted the best practice to Brief Planning Commissioners prior to the actual Planning Commission meeting, allowing Commissioners to get their questions asked. She said that when the question/answer period of the period came about in one session, she was surprised to hear some of the questions raised by other Commissioners. She stated one question by a Commissioner was "when I am meeting with an applicant, what am I allowed to say and not to say?" She said it gave her an appreciation for the City of Ontario for the best practices they follow, but also for the training and thoroughness they bring for being impartial. She said the Academy was wonderful and helped her see what the future vision

maybe for future development. She stated things that impressed her about future development were multi-family projects, less parking due to the decrease in cars and she wondered as a Commissioner how this will affect her role in Ontario.

- Mr. Willoughby stated it was wonderful. He stated he attended about 10 sessions. He said one of the things he heard a lot about was density bonus law. He said other things he heard a lot of buzz about were the Netzero Plan and the Climate Action Plan. He said there were talks about game changers like Uber, Lift, Airbnb, Plate and Tesla and how all of these have changed the game out there. He said the sessions were from “in-fill projects to “What Planners need to Know about City Finance”. He said it was a great conference and he echoed Ms. DeDiemar’s comments when talking with other Planning Commissioners from other cities, they realized how good they have it in Ontario. He stated some Commissioners are given large notebooks prior to the meeting, given little time to prep. He thanked Mr. Murphy and all of the staff for their support. He thanked the City of Ontario for allowing them to attend.

Mr. Murphy reiterated that Planning Commissioners should not meet with developers and applicants outside of the public hearing, even as an individual. He said if you should feel you absolutely need to meet with them, he would suggest they call him and let him take part in the meeting with them. He said the last thing he would want for them, are claims of something being said of “what did or didn’t happen”. He said that at least if he were in the meeting, there’s a third party witness to what was said. He said however, this is not something he would advocate altogether.

Mr. Murphy also stated that Mr. Willoughby mentioned Airbnb’s and there are things like autonomous cars which can change what happens in the future. He said no one really knows how technology will affect how the future will play out and that is often why we are a step behind and we are constantly doing these updates to the Development Code. He said we don’t want to be the first one to adopt something and find out it flops badly.

Mr. Willoughby stated one of the sessions was on “tiny houses” and how those issues need to be addressed because they’re out there. He said it’s a new and different world that’s changing.

Mr. Gage wanted to thank the City for allowing the Commission to attend the conference and sharing these great things with everyone.

### **ADJOURNMENT**

The meeting was closed in memory of Louse Melton. Delman motioned to adjourn, seconded by DeDiemar. The meeting was adjourned at 8:25 PM.

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Secretary Pro Tempore

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Chairman, Planning Commission



# PLANNING COMMISSION STAFF REPORT

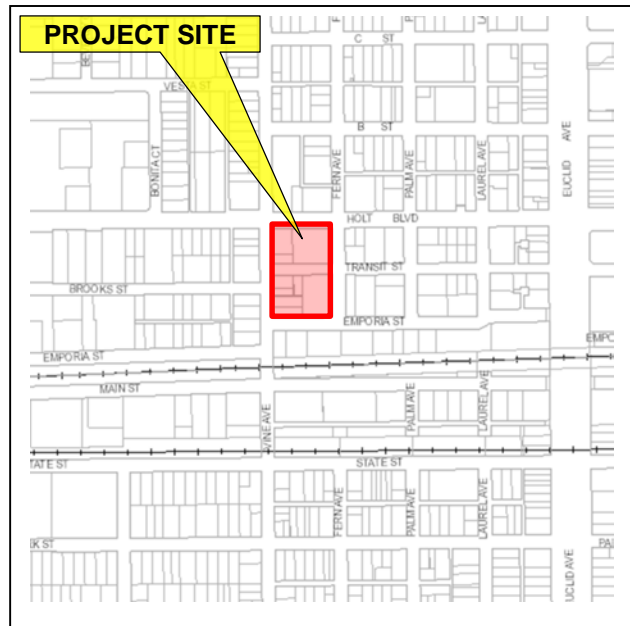
April 25, 2017

**SUBJECT:** A Planned Unit Development (**File No. PUD17-001**) to establish development standards and guidelines to facilitate the future development of a high density residential apartment project at a density of approximately 25.4 dwelling units per acre on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed Use Downtown) zoning district (APNs: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 and 1049-052-10); **submitted by Related California. City Council action is required.**

**PROPERTY OWNER:** City of Ontario

**RECOMMENDED ACTION:** That the Planning Commission recommend the City Council adopt a Mitigated Negative Declaration and approve File No. PUD17-001 pursuant to the facts and reasons contained in the staff report and attached resolutions.

**PROJECT SETTING:** As illustrated in Figure 1 (Project Location Map), the project site is approximately 2.95 acres of land generally located south of Holt Boulevard, east of Fern Avenue, south of Emporia Street, and west of Vine Avenue. Transit Street bisects the project site in an east-west direction and is proposed for vacation to facilitate the future development of the project site.



**Figure 1—PROJECT LOCATION MAP**

The project site encompasses a two-block area within the Mixed Use Land Use District of the Policy Plan (General Plan) and the MU-1 (Downtown Mixed Use) zoning district. Existing land uses on the project site includes a vacant retail building and unimproved property on the northerly block, and undeveloped property on the southerly block, including the former Casa Blanca Hotel site located

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	3/14/2017	PC	4/25/2017		Recommend
Hearing Deadline:	N/A	CC-1	5/23/2017		Introduction
		CC-2	6/6/2017		Final

at the northwest corner of Emporia Street and Fern Avenue, a property that was once notably historic (see Figure 2 (Aerial Photograph), below).



**Figure 2—AERIAL PHOTOGRAPH**

Land uses surrounding the project site are characterized by a mixture of legal nonconforming residential uses and conforming residential and commercial uses across Vine Street to the west; nonconforming single-family residential and light industrial uses, and vacant property to the south; a mix of vacant commercial buildings, office uses, and vacant property across Fern Avenue to the east; and religious assembly and commercial uses across Holt Boulevard to the north. The surrounding existing land uses, Policy Plan (General Plan) and zoning information are summarized in the Technical Appendix Section of this report (see page 13).

### **PROJECT ANALYSIS:**

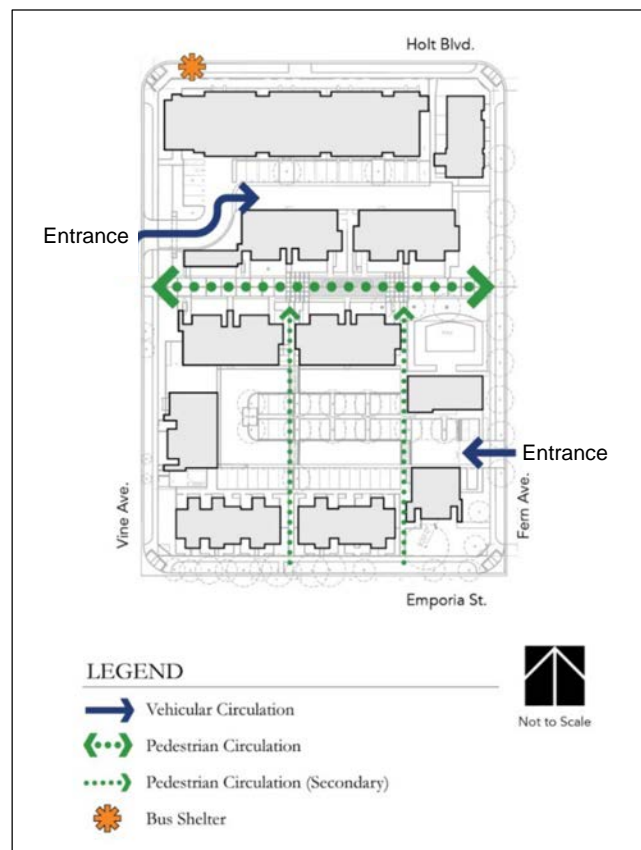
[1] Background — The project site is located within the Center City Redevelopment Project Area, established in 1983. And while the redevelopment practice was eliminated by the State, the Center City Redevelopment Project Area Plan is still on the books. The plan encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan contains goals and policies for the City's original downtown and the Downtown Mixed Use District which further support the goals of the Center City Redevelopment Project Area Plan.

The Center City Redevelopment Project Area Plan envisions revitalization of the City's downtown area, in part, by infusing high-density residential and mixed-use developments into the downtown core. The Ontario Plan ("TOP") was established to further this vision and is intended to create an intensive mixture of retail, office, and residential uses in a pedestrian friendly atmosphere, ensure the historic character of the district is enhanced, and concentrate the most intense/dense development along Euclid Avenue and Holt Boulevard. Furthermore, The Ontario Plan specifies a residential density range of 25 to 75 units per acre and a maximum floor area ratio of 2.0 for commercial office and retail developments within the Downtown Mixed Use District.

TOP specifies that the Downtown Mixed Use District is to be implemented through the approval of an Area Plan or Planned Unit Development (PUD) prior to the development of properties within the District. In compliance with this requirement, the Applicant, Related California, has submitted a PUD document (included as Attachment 1 to the attached Resolution) that is consistent with this vision, and the goals and policies of TOP.

The specific purpose of the PUD is to secure a fuller realization of TOP Policy Plan than would result from the strict application of present zoning district regulations and to promote high standards in urban design; encourage the development of exceptionally high quality, mixed-use, high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and, ensure harmonious relationships with surrounding land uses. A PUD is comparable to a Specific Plan in that it sets development regulations that are unique to a specific area; however, it is also unlike a Specific Plan in that a PUD is typically intended to apply to a single development project or several interrelated development projects which function together as a single, comprehensive project.

[2] Site Design — Two and three-story apartment buildings (75 dwelling units) in townhouse and stacked-flat configurations are allowed by the PUD. Consistent with TOP vision, the PUD proposes a residential development that is pedestrian friendly, designed with more



**Figure 3—CIRCULATION PLAN**

intense/dense three-story buildings focused along the project's Holt Boulevard frontage. The project intensity/density lessens across the site to the south, with smaller 2-story residential buildings proposed along the project's Emporia Street frontage. The resulting overall residential density of the project is 25.4 dwelling units per acre.

As shown in Figure 3 (Circulation Plan), vehicular access onto the site will be from Vine and Fern Avenues. Each dwelling will be provided a private open space area in the form of balconies, decks, patios or yards. Additionally, the PUD provides for common open space to be provided for passive and active recreational uses.

[3] Landscaping — A conceptual landscape plan is required to be submitted with the Development Plan for construction of the project site. The PUD provides a planting palate comprised of "California friendly" planting materials that are compatible with the overall architectural style established by the PUD.

In addition, the PUD recognizes 8 mature Camphor trees and one mature Cork Oak tree on the project site that will remain in place and be incorporated into the overall project design. The Camphor trees are currently located in the right-of-way on Fern Street and Transit Street and the Cork Oak is located at the northwest corner of Emporia Street and Fern Street. These trees existed prior to the demolition of the Casa Blanca Hotel and have been preserved in accordance with the Casa Blanca Hotel Demolition EIR. The PUD requires the preparation of an arborist report for all other existing trees to determine their health and viability. Where feasible, all other existing healthy trees within the project area will be preserved in place.

[4] Parking, Street Improvements and Circulation

[a] *Parking*. The PUD utilizes a combination of on-site and on-street parking to provide an adequate parking supply to meet the anticipated parking demand for the project. All resident parking will be provided on site, while guest parking spaces will be provided on-street. The parking ratios proposed in the PUD are the same as those used for JH Snyder's Town Center Apartments, located immediately south of City Hall, across B Street, which staff has found to be sufficiently parked.

The required number of resident parking spaces is based upon the number of bedrooms per dwelling unit: a minimum of 1.75 on-site parking spaces for each one-bedroom dwelling and two (2) on-site parking spaces for each two or more bedroom dwelling. Resident parking will be either in an attached garage or a combination of assigned carport spaces and uncovered, on-site spaces located in close proximity to dwellings.

In addition to resident parking, a minimum of one on-street guest parking space must be provided for every 6 dwelling units. Based on the length of unobstructed curb adjacent to the project site along Vine and Fern Avenues and Emporia Street, a total of

approximately 37 guest parking spaces would be available. Areas available for on-street guest parking are shown in Figure 4 (On-Street Guest Parking), to the right, providing three-times more guest parking spaces than is required (providing one on-street guest parking space for every 2 dwelling units).

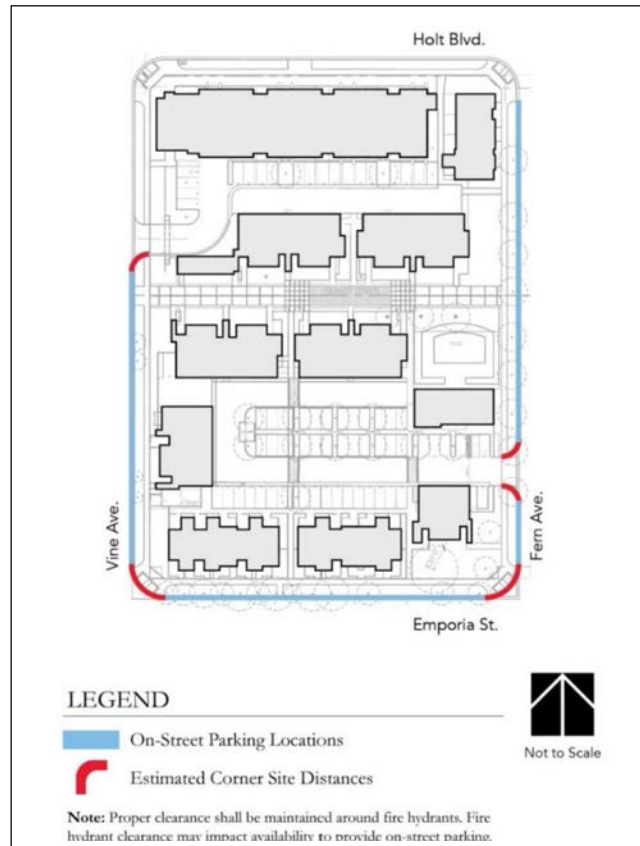
[b] *Street Improvements.* In order to create a single development site, Transit Street, which bisects the project site in an east/west direction, will be vacated. To accommodate existing public storm drains in Transit Street, however, a 30-foot wide storm drain easement will be reserved within the vacated street right-of-way between Vine and Fern Avenues.

In addition to the Transit Street vacation, an additional 20 feet of street dedication is required along Holt Boulevard to accommodate street widening and future median construction. Holt Boulevard median construction cannot occur until additional right-of-way is obtained on the north side of the street; therefore, the developer will be required to pay in-lieu fees to cover the cost for future median improvements.

[c] *Circulation.* The PUD provides for safe pedestrian circulation across the project site by promoting separate pedestrian and vehicular accesses, as shown in Figure 3 (Circulation Plan). The vacation of Transit Street creates an east-west pedestrian paseo, while two, north-south connecting walkways link the residential units, resident and guest parking, and common areas throughout the site.

[d] *Access to Mass Transit.* An existing bus stop is located on the south side of Holt Boulevard, immediately east of Vine Avenue. The PUD requires that a new decorative bus shelter will be installed at this location in conjunction with new development. The shelter design will be consistent with the design of other newer bus shelters constructed in the downtown area over the past 5 to 7 years.

[5] Architectural Character — The architectural character required by the PUD consists of a modern interpretation of the Craftsman style, exemplified through the use of exposed beams, gabled roofs and trellis construction. Large areas of masonry and wood



**Figure 4—ON-STREET GUEST PARKING**



siding with plaster accents will be provided to help enhance this overall architectural theme. Buildings located along Holt Boulevard will have a linear design with enhanced areas of design and color to differentiate units along this street. Street-fronting podium parking will be shielded from view by intensified landscaping and podium walls with screened openings running alongside the north boundary of the site. Buildings along Emporia Avenue will be designed in the cottage-style. The proposed architectural design is exemplified in Figure 5 (Emporia Family Housing Project Architectural Rendering), below.



**Figure 5—EMPORIA FAMILY HOUSING PROJECT ARCHITECTURAL RENDERING**

[6] Historic Resources — Figure 6 (Historic Resources Map) identifies historic resources on and around the project site, which are further described below:

[a] *Casa Blanca Hotel Site*. As described in the “PROJECT SETTING” section of this report, the project site was once the home to the Casa Blanca Hotel, which was razed in 1998 following the certification of an EIR by City Council for the demolition.

[b] *Certificate of Appropriateness Required*. In 2007, the property at 205 and 205 ½ South Vine Avenue was acquired by the City’s Redevelopment Agency. As part of request to demolish both buildings, a request to defer the Certificate of Appropriateness (File No. PHP07-012) for the replacement structure(s) was approved by the Historic Preservation Commission on September 25, 2007. As such, a Certificate of Appropriateness must be approved by the Historic Preservation Commission in conjunction with the Planning Commission approval of a Development Plan on properties within the PUD area. This will ensure a compatible project that will not adversely affect the historic site or adjacent historic properties.

[c] *Split Cobble Stone Curb*. Split cobble stone curb exists within the project area, along portions of Vine and Fern Avenues, and Transit Street. All rock curb locations within



**Figure 6—HISTORIC RESOURCES MAP**

the project area are considered the lowest priority of rock curb classification and may be removed. The PUD requires that the rocks shall be cleaned to the extent possible, and reused on the project site within pedestrian corridors, at driveways into the site, or within the open space 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.

- 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.
  - Policy—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.

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

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

➤ Policy—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.

➤ Policy—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.

➤ Policy—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.

▪ 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.

➤ Policy—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. (Link to Bicycle and Pedestrians Section of the Mobility Element and Policies M2-3 and M2-4)

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

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

### **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.

- Policy—H2-1 *Corridor Housing*. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.

- Policy—H2-2 *Historic Downtown*. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.

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

- Policy—H2-6 *Infill Development*. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.

- Goal—H4 Increased opportunities for low and moderate income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities.

- Policy—H4-3 *Rental Assistance*. We support the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.

- Goal—H5A 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.

- Policy—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

➤ Policy—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.

**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 contains three 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 (75 low income dwelling units proposed, and 46 low income dwelling units required) and density (25.4 DU/Acre proposed, and a minimum of 25.1 DU/Acre required) specified in the Available Land Inventory.

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

**ENVIRONMENTAL REVIEW:** As supported by the analysis presented in the Addendum to The Ontario Plan EIR (copy attached), staff finds that the potential environmental effects of the Emporia Family Housing Project, and associated required discretionary actions, have been adequately addressed in The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared pursuant to the Environmental Quality Act (CEQA) and the CEQA Guidelines promulgated thereunder, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines. The Ontario Plan EIR was originally prepared in conjunction with General Plan Amendment No. PGPA06-001, and was certified by the City of Ontario City Council on January 27, 2010, by Resolution No. 2010-003. The Addendum to The Ontario Plan EIR provides minor changes to The Ontario Plan EIR analysis, which reflect certain facility configurations and development standards presented in the proposed Emporia Family Housing Project. As such, preparation of any further information and analysis (e.g., preparation of a Subsequent or Supplemental EIR) is not warranted.

Pursuant to the requirements of CEQA Sections 15162 and 15164, the following determinations have been clearly established:

[1] Revisions to The Ontario Plan EIR Are Not Required. Based on the analysis and information provided in the Addendum to The Ontario Plan EIR, there is no evidence that changes to The Ontario Plan EIR are required. Comparison of the previous project with the project described in this Addendum indicates that there is no new significant or more severe environmental impact, and that the approval of the project described herein would have the same or reduced impacts as those described in The Ontario Plan EIR.

[2] There is No Substantial Change in Circumstance Requiring Major Revisions to The Ontario Plan EIR. There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to The Ontario Plan EIR.

[3] There is No New Information Showing Greater Significant Effects than Previously Identified in The Ontario Plan EIR. The Addendum to The Ontario Plan EIR has considered all available relevant information to determine whether there is new information, which was not available at the time The Ontario Plan EIR was certified, that may indicate that a new significant effect may occur that was not reported in The Ontario Plan EIR. As supported by the analysis presented in the Addendum to The Ontario Plan EIR, there is no substantial new information, which was not available at the time The Ontario Plan EIR was certified, indicating that there will be a new, significant impact requiring major revisions of The Ontario Plan EIR.

[4] No New Information Showing Ability to Reduce Significant Effects is Identified in The Ontario Plan EIR. The analysis of the Addendum to The Ontario Plan EIR substantiates that there are no significant impacts requiring identification of new or additional alternatives to the project, or consideration of new or additional mitigation measures, in order to reduce one or more of the significant effects identified in The Ontario Plan EIR.

**TECHNICAL APPENDIX:**

<b>Emporia Family Housing Project Planned Unit Development; Surrounding Zoning, Policy Plan &amp; Land Use</b>			
	<b>Existing Land Use</b>	<b>Policy Plan (General Plan)</b>	<b>Zoning Designation</b>
<i>Site</i>	Vacant Building, Vacant Land, and Dog Park	Mixed Use	MU-1 (Mixed Use Downtown)
<i>North</i>	Religious Assembly and Retail Commercial	Mixed Use	MU-1
<i>South</i>	Single-Family Residential, Industrial and Vacant Property	Mixed Use	MU-1
<i>East</i>	Vacant Buildings, Offices, and Vacant Property	Mixed Use	MU-1
<i>West</i>	Retail, Multiple-Family Residential & Single-Family Residential	Mixed Use & Industrial	MU-1 & IL (Light Industrial)

<b>Emporia Family Housing Project Planned Unit Development; General Site &amp; Building Statistics</b>			
<b>Item</b>	<b>Proposed</b>	<b>Min./Max. Standard</b>	<b>Meets Y/N</b>
<i>Project Area (gross):</i>	2.95 acres	N/A	Yes
<i>Project Area (net):</i>	2.81 acres	N/A	Yes
<i>Building Area:</i>	43,534 SF	N/A	Yes
<i>Density:</i>	25.4 DU/Acre	25.1 DU/Acre (Min.)	Yes
<i>Building Height:</i>	43.5 FT	55 FT (Max.)	Yes

<b>Emporia Family Housing Project Planned Unit Development; Off-Street Parking</b>				
<b>Type of Use</b>	<b>No. Units</b>	<b>Parking Ratio</b>	<b>Spaces Required</b>	<b>Spaces Provided</b>
<i>One-bedroom units</i>	13	1.75 spaces per unit (one space in a garage of carport) (on-site)	23	23
<i>Two or more bedroom units</i>	62	2.0 spaces per unit (one space in a garage of carport) (on-site)	124	124
<i>Guest</i>	N/A	1.0 space per every 6 units (on-street)	13	37
<b>TOTAL</b>			160	184



<b>Emporia Family Housing Project Planned Unit Development; General Site &amp; Building Statistics</b>			
<b>Item</b>	<b>Required Min./Max.</b>	<b>Provided (Ranges)</b>	<b>Meets Y/N</b>
<i>Project Area (gross):</i>	2.95 acres	N/A	
<i>Project Area (net):</i>	2.81 acres	N/A	
<i>Building Area:</i>	43,534 SF	N/A	Yes
<i>Project density (dwelling units/ac):</i>	25.1 DU/Acre	25.4 DU/Acre	Yes
<i>Maximum coverage (in %):</i>	100%	35.57%	Yes
<i>Minimum lot size (in SF):</i>	N/A	2.81 acres	Yes
<i>Minimum lot depth (in FT):</i>	N/A	400 FT	Yes
<i>Minimum lot width (in FT):</i>	N/A	270 FT	Yes
<i>Minimum Street Setbacks:</i>			
▪ <i>Holt Boulevard (in FT):</i>	9 FT	9 FT	Yes
▪ <i>Emporia Street (in FT):</i>	5 FT	5 FT	Yes
▪ <i>Vine Avenue (in FT):</i>	5 FT	5 FT	Yes
▪ <i>Fern Avenue (in FT):</i>	5 FT	5 FT	Yes
<i>Minimum Transit Street Easement Setback (in FT):</i>	2 FT	2 FT	Yes
<i>Minimum Building Separations (in FT):</i>	9 FT	9 FT	Yes
<i>Side yard setback (in FT):</i>	10 FT	10 FT	Yes
<i>Rear yard setback (in FT):</i>	10 FT	10 FT	Yes
<i>Drive aisle setback (in FT):</i>	15 FT (from living area)	15 FT (from living area)	Yes
<i>Parking setback (in FT):</i>	5 FT	5 FT	Yes
<i>Principal Building Separations (in FT):</i>	9 FT	9 FT	Yes
<i>Accessory Building Separations (in FT):</i>	5 FT	5 FT	Yes
<i>Maximum height (in FT):</i>	55 FT	45 FT	Yes
<i>Parking – resident:</i>	147 spaces	147 spaces	Yes
<i>Parking – guest:</i>	13 spaces	37 spaces	Yes

<b>Emporia Family Housing Project Planned Unit Development; Dwelling Unit Count</b>			
<b>Item</b>	<b>Required</b>	<b>Provided</b>	<b>Meets Y/N</b>
<i>Total No. of Units:</i>	75	75	Yes
<i>No. Units Per Building:</i>			
▪ <i>Building No. 1</i>	28 (stacked flats)	28	Yes
▪ <i>Building No. 2</i>	4 (townhouses)	4	Yes
▪ <i>Building No. 3</i>	6 (townhouses over flats)	6	Yes
▪ <i>Building No. 4</i>	7 (townhouses over flats)	7	Yes
▪ <i>Building No. 5</i>	6 (townhouses over flats)	6	Yes
▪ <i>Building No. 6</i>	6 (townhouses over flats)	6	Yes
▪ <i>Building No. 7</i>	5 (townhouses over flats)	5	Yes
▪ <i>Building No. 8</i>	5 (townhouses)	5	Yes
▪ <i>Building No. 9</i>	5 (townhouses)	5	Yes
▪ <i>Building No. 10</i>	3 (townhouses over flats)	3	Yes

## Exhibit A



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**

**File No. [Project Title]:** PUD17-001 [Emporia Family Housing]

**Lead Agency:** City of Ontario, 303 East "B" Street, Ontario, California 91764, Phone: 909.395.2036

**Contact Person:** Charles Mercier, Senior Planner; Phone: 909.395.2425

**Project Sponsor:** Related California, c/o R. Stan Smith, 18201 Von Karman Avenue, Suite 900, Irvine, California 92612; Phone: 949.660.7272; Email: [ssmith@related.com](mailto:ssmith@related.com)

#### **Section I—INTRODUCTION**

The City of Ontario City Council certified The Ontario Plan Environmental Impact Report (The Ontario Plan EIR) in conjunction with General Plan Amendment No. PGPA06-001, on January 27, 2010, by Resolution No. 2010-003. This Addendum to The Ontario Plan EIR has been prepared in response to an application for the approval of certain entitlements to facilitate the construction of an affordable multiple-family residential development project (Ontario Emporia Family Housing Project). The project is proposed on approximately 2.95 acres of land generally bordered by Holt Boulevard on the north, Vine Avenue on the west, Emporia Street on the south, and Fern Avenue on the east, and is within a portion of the Downtown Mixed Use Area, as defined on the Policy Plan (General Plan) Land Use Map. Follows, is a summary of the Project, and its relationship to The Ontario Plan EIR.

**A. Background.** As adopted, the Downtown Mixed Use Area is intended for the development of 2,279 residential units at a density ranging from 25 to 75 dwelling units per acre, and 1,512,403 square feet of office and retail space at a 2.0 floor area ratio (FAR), on approximately 112 acres of land. The project described in this Addendum encompasses approximately 2.95 acres of land, accounting for approximately 2.6 percent of the area comprising the Downtown Mixed Use Area.

**B. Project Summary.** The proposed project consists of a request for approval of a Planned Unit Development (PUD) to establish development standards and guidelines for the future development of approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, and the vacation of Transit Street, between Vine and Fern Avenues. The proposed PUD will accommodate the future development of the project site with a high density residential development, at a density of approximately 25.4 dwelling units per acre. The project description is fully described in Section II (Project Description) of this Addendum.

**C. Purpose.** The purpose of this Addendum to The Ontario Plan Environmental Impact Report is to define, describe, compare and contrast potential environmental impacts of the proposed Ontario Emporia Family Housing Project in the context of the environmental impacts associated with The Ontario Plan, as assessed in The Ontario Plan EIR. In so doing, this Addendum will provide documentation for the Ontario Emporia Family Housing Project consistent with the requirements of the California Environmental Quality Act (CEQA).

Section 15164 of the CEQA Guidelines states that an Addendum to an EIR shall be prepared "if some changes or additions [to a Certified EIR] are necessary, but none of the conditions described in [CEQA Guidelines] Section 15162 calling for preparation of a subsequent EIR have occurred." Section 15162 of the CEQA Guidelines identifies the conditions that require preparation of a subsequent EIR, stating that no subsequent EIR shall be prepared for a project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, that one or more of the following conditions are met:

**1.** Substantial changes are proposed in the project that require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; or

2. Substantial changes have occurred with respect to the circumstances under which the project is undertaken 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 the previously identified significant effects; or

3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time the previous EIR was certified, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous EIR;

b. Significant effects previously examined will be substantially more severe than identified 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 proponent declines to adopt the mitigation measures or alternatives;

d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measures or alternatives.

This Addendum to the Certified Ontario Center Specific Plan EIR describes the Project, and substantiates how the potential environmental effects of the Project are appropriately and adequately addressed in The Ontario Plan EIR. The focus of the analysis is the adequacy of the previously Certified EIR relative to the Project in its current environmental context.

**D. Document Organization.** This Addendum is presented in seven sections, as follows:

1. Section I—Introduction of this Addendum provides an overview of the Project, its context, and environmental documentation applicable to the proposed development. A table summarizing impacts and mitigation from the Ontario Center Specific Plan Certified EIR is included in this section and mitigation measures applicable to the Project are identified;

2. Section II—Project Description of this Addendum presents the Project in greater detail, and describes its relationship to existing and anticipated vicinity development;

3. Section III—Basis for This Environmental Analysis of this Addendum presents the scope of this environmental analysis, previous environmental documentation used in preparation of this Addendum, and the environmental topics addressed;

4. Section IV—Determination of this Addendum presents the environmental determination for this Addendum pursuant to the requirements of CEQA Sections 15162 and 15164;

5. Section V—Evaluation of Environmental Impacts and Mitigation Measures of this Addendum presents the Environmental Checklist for the Project;

6. Section VI—Explanation of Issues of this Addendum presents a brief evaluation of the environmental impacts of the proposed Project; and

7. Section VII—The Ontario Plan EIR Mitigation Measures of this Addendum presents the Mitigation Monitoring and Reporting Program for The Ontario Plan EIR, which establishes the mitigation measures that may be applicable to the Project.

**E. Conclusions.** The analysis presented in this document substantiates that The Ontario Plan EIR for the Ontario Center Specific Plan is sufficient to satisfy CEQA requirements for the approval of the proposed Ontario Emporia Family Housing Project. That is, implementation and operation of the Project described herein will not result in any new, different, additional or substantially increased environmental impacts than were previously considered and addressed in The Ontario Plan EIR. Further, the Project will implement all applicable mitigation measures presented in The Ontario Plan EIR. As such, potential environmental impacts of the Project are considered to be adequately and appropriately addressed by analysis presented in The Ontario Plan EIR. The Project does not require any major revision of The Ontario

Plan EIR, nor will the Project result in conditions that would require preparation of a Subsequent or Supplemental EIR as described in Sections 15162 and 15163 respectively of the CEQA Guidelines.

**F. Summary of Impacts and Mitigation Measures from The Ontario Plan Environmental Impact Report.** Attachment 1 (The Ontario Plan Environmental Impact Report Mitigation Measures), which is excerpted from The Ontario Plan Environmental Impact Report (SCH No. 2008101140), includes a summary of impacts and mitigation measures associated with that project. It is the responsibility of the Project to implement all applicable mitigation measures. As substantiated by this Addendum, no new or modified or modified mitigation measures are required.

## Section II—PROJECT DESCRIPTION



**Figure 1—REGIONAL LOCATION MAP**

**A. Location and Setting.** 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 through 3, the project site is generally located south of Holt Boulevard, east of Fern Avenue, south of Emporia Street, and west of Vine Avenue (APNs: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 and 1049-052-10). Transit Street bisects the project site in an east - west direction and is proposed for vacation to facilitate the future development of the project site.

The project site encompasses a two-block area within the Mixed Use Land Use District of the Policy Plan (General Plan) and the MU-1 (Downtown Mixed Use) zoning district. Existing land uses on the project site includes a vacant retail building and unimproved property on the northerly block, and undeveloped property on the southerly block, including the former Casa Blanca Hotel site located at the northwest corner of Emporia Street and Fern Avenue, a property that was once notably historic.

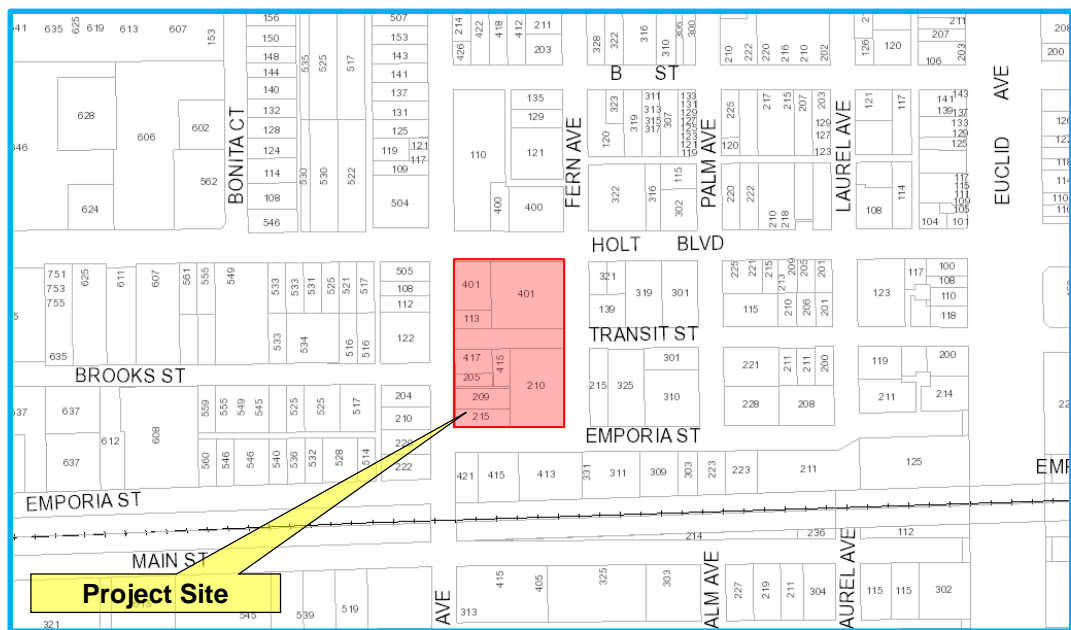
Land uses surrounding the project site are characterized by a mixture of legal nonconforming residential uses and conforming residential and commercial uses across Vine Street to the west; nonconforming single-family residential and light industrial uses, and vacant property to the south; a mix of vacant commercial buildings, office uses, and vacant property across Fern Avenue to the east; and religious assembly and commercial uses across Holt Boulevard to the north. The surrounding existing land uses, Policy Plan (General Plan) and zoning information is summarized below.

Policy Plan (General Plan)		Zoning	Current Land Use
North:	Mixed Use	MU-1 (Mixed Use Downtown)	Religious Assembly and Retail Commercial
South:	Mixed Use	MU-1	Single-Family Residential, Industrial and Vacant Property
East:	Mixed Use	MU-1	Vacant Buildings, Offices, and Vacant Property
West:	Mixed Use & Industrial	MU-1 & IL (Light Industrial)	Retail, Multiple-Family Residential & Single-Family Residential

**B. Cultural Resources Regulatory Setting.** The City of Ontario Historic Preservation Ordinance addresses the alteration of historic resources under the “Certificate of Appropriateness” guidelines that regulate the proposed “demolition, in whole or part” of any historic building. Development Code Section 4.02.040 (Historic Preservation – Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) ranks historic properties under a three-tiered system to determine their significance.

**1.** Tier I properties should not be demolished or significantly altered under any circumstances. Tier I properties are considered Ontario’s most significant historical or cultural resources. In order for a property to be considered a Tier I it must meet the following criteria, [1] be listed as a local Eligible Historical Resource, [2] meet at least one of the criterion in the architecture category and three criteria in the historical category, or [3] be a contributor to a district and meet at least one architecture criterion and three historical criterion.

**2.** Demolition of Tier II properties should be avoided. In order for a property to be considered a Tier II resource, the property must meet the following criteria, (1) be listed, or determined to be eligible for listing, in the National Register of Historic Places, or (2) be listed in the City’s List of Eligible Historic Resources and determined to be eligible for listing in the California Register of Historic Places, or (3) be listed in the City’s List of Eligible Historic Resources and meet at least two of the criterion in either architecture or history categories; and (4) be a contributing structure in a Eligible Historic District where the district meets at least two criterion on either the architecture or historic categories.



**Figure 2—VICINITY MAP**



**Figure 3—AERIAL PHOTOGRAPH**

3. Tier III properties consist of [1] Designated Historic Landmarks; [2] contributing structures in Designated Historic Districts; or [3] historic resources listed in the Ontario Register, as defined in Development Code Section 4.02.045 (Historic Preservation – Rescind or Amend the Status of a Historic Resource). Demolition of these properties should be avoided where possible, but may be appropriate under certain circumstances.

4. The City of Ontario Historic Preservation Commission makes recommendations to the Historic Preservation Subcommittee regarding the Tiers assigned to eligible historic properties. Pursuant to Development Code Section 4.02.040 (Historic Preservation – Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas), the historic resource tiering criteria for individual properties is as follows:

a. Architecture/Form:

(i) The resource is prototypical, or one of the finest examples, of a period, style, architectural movement, or construction in the City of a particular style of architecture, building type, or historical or archeological object. Only preminent examples should be considered. Good representative examples of a style, period or method of construction are not appropriate; or

(ii) The resource is the first, last, only, or one of the finest examples, notable works, or the best surviving work by an architect or designer of major importance to the City, State or Nation.

b. History:

(i) The resource is the location of a historic event(s) that has significantly contributed to the history of the City, State, or Nation;

(ii) The resource is associated with a business, company, or individual that has made a significant cultural, social, or scientific contribution to the City, State, or Nation;

(iii) The resource is identified with a person(s) who has exerted a major influence on the heritage or history of the City, State, or Nation;

(iv) The resource embodies the ideals or principles of the “Model Colony” or furthers the ideals or principals established by the Chaffey Brothers;

(v) The resource has a direct relationship to one of the principal historic contexts in the City’s history, including the “Model Colony,” (includes the Chaffey Brothers, the Ontario Land

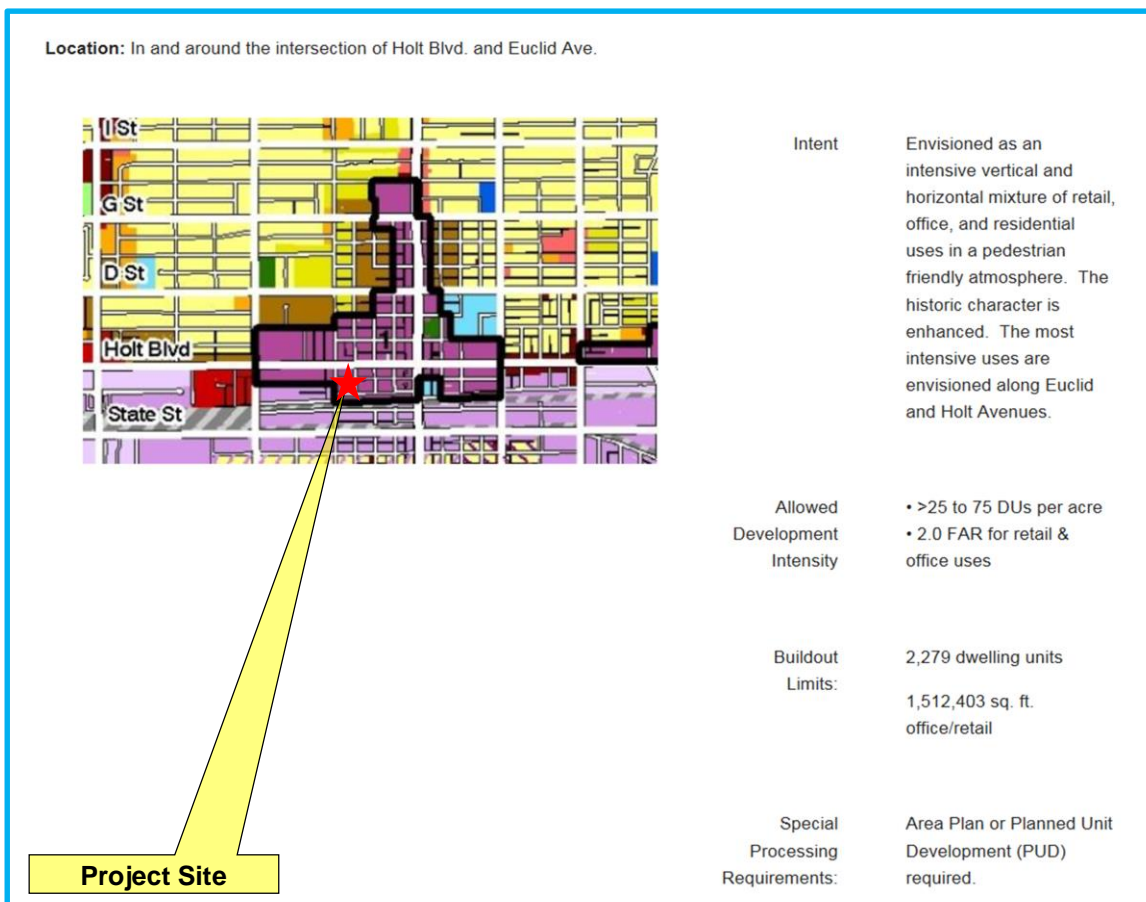
and Improvement Company, or the citrus industry), the Guasti Winery or the wine industry, or the Dairy Preserve or the dairy industry;

(vi) The resource is related with a business, company, or individual significant in the agricultural history of the City; or

(vii) The resource is related to the archeological past of the region.

The project area was once the home to the Casa Blanca Hotel. During Ontario’s early settlement period, the City’s pioneering developers built grand homes facing the rail road tracks along Emporia Avenue, between Vine Avenue and Laurel Avenue. These homes expressed wealth and prosperity to visitors and prospective residents, and business owners. This stretch of Emporia Avenue was referred to as “Developer’s Row.” All of the homes from this development have been demolished, with the exception of the Ford-Collins House, which was relocated from Developer’s Row to its current location at 227 West Main Street. The Ford-Collins House was relocated to make way for the construction of the Casa Blanca Hotel. The Casa Blanca Hotel was constructed in 1915 on South Fern Avenue, between Transit Street and Emporia Avenue. In 1998, an Environmental Impact Report was certified by City Council for the demolition of the Casa Blanca Hotel, and it was subsequently demolished.

In 2007, a Tier III property at 205 and 205 ½ South Vine Avenue, which was developed with two structures, was acquired by the City of Ontario Redevelopment Agency. A Mitigated Negative Declaration (MND) was prepared for the demolition of both structures, and a request to defer the Certificate of Appropriateness (File No. PHP07-012) for the replacement structure, was approved by the City of Ontario Historic Preservation Commission on September 25, 2007. The two structures were demolished during the following year, and all mitigation measures imposed by the MND were completed, excepting the required Certificate of Appropriateness for the approval of the replacement structure.



**Figure 4—DOWNTOWN MIXED USE AREA**



**C. Description of Project:** A request for approval of certain entitlements to facilitate the construction of an affordable multiple-family residential development project (Ontario Emporia Family Housing Project). The project is proposed on approximately 2.95 acres of land within the Downtown Mixed Use Area (see Figure 4—Downtown Mixed Use Area). Requested entitlements include the following:

1. A **Planned Unit Development** establishing standards and guidelines that will govern the development of the project site, and allowing for the vacation of Fern Avenue, between Holt Boulevard and Emporia Street, and Transit Street, between Vine Avenue and Palm Avenue;
2. A **Development Plan** for the construction of 75 multiple-family residential dwelling units at a density of 25.4 dwelling units per acre;
3. A **Tentative Parcel Map** consolidating existing lots into configurations that will accommodate the proposed residential development, and the vacation of Transit Street, between Vine and Fern Avenues;
4. A **Certificate of Appropriateness** to approve the appropriateness of replacement structures that were deferred for the demolition of two historic structures, located at 205 and 205-1/2 South Vine Avenue, pursuant to Development Code Section 4.02.050 (Historic Preservation – Certificates of Appropriateness and Demolition of Historic Resources);
5. A **Demolition Permit** to permit the demolition of the structure located at 113 South Vine Avenue, and determine appropriate hazardous materials (if any) and construction waste reduction measures; and
6. A **Street Vacation** to permit the vacation of a segment of Transit Street, between Vine Avenue on the west and Fern Avenue on the east, and a 30-foot wide storm drain easement will be established to allow an existing public storm drain in Transit Street to remain in place.
7. A **Disposition and Development Agreement (DDA)** with the Related Companies (Developer) for the development of this site as an affordable housing project. It is the intention of the parties that the Authority will sell the site to the Developer to develop a multifamily affordable rental housing project containing a total of the seventy-five dwelling units comprised thirteen 1-bedroom units, 39 two-bedroom units (including one manager's unit), 20 three-bedroom units, and 3 four-bedroom units. The units will be restricted to extremely low-income, very low-income, and low-income, and will have a 55-year covenant recorded against the property to ensure the affordability and maintenance of the development.

**D. Discretionary and Nondiscretionary Approvals Associated with Project.** CEQA Guidelines Section 15124 states in pertinent part that if . . . “a public agency must make more than one decision on a project, all its decisions subject to CEQA should be listed . . .” Discretionary actions necessary to realize the project include, but are not limited to the following:

1. Planned Unit Development approval consistent with the requirements of The Ontario Plan and the Ontario Development Code;
2. Approval of a Development Plan subject to the requirements of the Development Code;
3. Approval of a Tentative and Final Parcel Map subject to the requirements of the Ontario Development Code;
4. Approval of a Certificate of Appropriateness Map subject to the requirements of the Ontario Development Code;
5. Approval of Demolition Permits;
6. Approval of rough and final grading plans;
7. Approval of infrastructure improvement plans, including but not limited to, roads, sewer, water, and storm water management systems; and
8. Approval of architectural and structural building plans; and
9. Approval of landscape and irrigation plans.

**E. Consultation and Permits.** CEQA Guidelines Section 15124 states that environmental documentation should, to the extent known, list other permits or approvals required to implement the Project. Based on the current Project design concept, anticipated permits necessary to realize the proposal will likely include, but are not limited to, the following:

1. Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;
2. Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area; and
3. Various construction, grading, and encroachment permits allowing implementation of the Project.

### **Section III—BASIS FOR THE ENVIRONMENTAL ANALYSIS**

**A. The Ontario Plan and Environmental Impact Report.** The development characteristics of the proposed Ontario Emporia Family Housing Project are similar in scope and intensity to development of the subject site anticipated under requirements of The Ontario Plan Downtown Mixed Use Area (see Figure 4—Downtown Mixed Use Area). Potential environmental impacts of The Ontario Plan Downtown Mixed Use Area were comprehensively assessed in The Ontario Plan EIR. Section VI (Discussion of Issues) summarizes potential environmental impacts of the Project within the context of the environmental analysis presented in The Ontario Plan EIR. As demonstrated by the subsequent environmental analysis, the Project will not result in any new, different, or substantially increased impacts than those that were considered and addressed in The Ontario Plan EIR.

**B. Previous Environmental Documentation and Documents Incorporated by Reference.** CEQA Guidelines Section 15150 permits and encourages that environmental documents incorporate by reference, other documents that provide relevant data. The documents outlined herein are hereby incorporated by reference and the pertinent material from each is summarized throughout this Addendum. All documents incorporated by reference are available for review at Ontario City Hall, 303 East B Street, Ontario, California 91764.

The Ontario Plan Final Environmental Impact Report provides an overall description of City's environmental setting; addresses potential environmental impacts associated with implementation of the Policy Plan (General Plan) Component of The Ontario Plan under build-out conditions; and identifies applicable policies and implementation programs, which act to reduce potentially significant environmental effects resulting from Policy Plan implementation/build-out, and presents a responsive Mitigation Monitoring and Reporting Program (MMRP). The MMRP was developed to avoid or minimize the extent and severity of anticipated impacts of The Ontario Plan.

The information and analysis presented in The Ontario Plan EIR, including the MMRP, provide the basis and context for evaluation of the Ontario Emporia Family Housing Project's potential environmental impacts. As discussed in this Addendum, the Ontario Emporia Family Housing Project will not result in any new or substantially different environmental impacts than were previously considered and addressed in The Ontario Plan EIR. As also presented in this Addendum, the Ontario Emporia Family Housing Project will comply with and implement all applicable mitigation measures presented in The Ontario Plan Environmental Impact Report Mitigation Monitoring Program.

**C. Environmental Topics.** The Ontario Plan EIR addressed the following major environmental topics:

Aesthetics	Noise	Hazards & Hazardous Materials
Air Quality	Recreation	Land Use/Planning
Cultural Resources	Utilities / Service Systems	Mineral Resources
Greenhouse Gas Emissions	Agriculture Resources	Public Services
Hydrology/Water Quality	Biological Resources	Transportation/Traffic
Population/Housing	Geology / Soils	Mandatory Findings

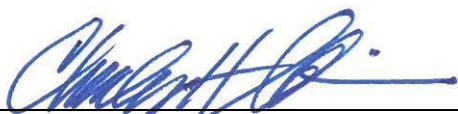
As presented in Attachment 1 (The Ontario Plan EIR Mitigation Measures) of this Addendum, The Ontario Plan EIR imposed mitigation measures for all potentially significant impacts. All applicable mitigation measures identified in Attachment 1 will be implemented by the Ontario Emporia Family Housing Project, to the satisfaction of the City. The analysis provided for each environmental topic in Section V—Environmental Checklist of this Addendum, provides a discussion of the environmental effects, which demonstrates the proposed Project’s consistency with development envisioned under The Ontario Plan, and analyzed in The Ontario Plan EIR. As substantiated in *Section VI—Explanation of Issues* of this Addendum, no new or modified mitigation measures are required for the Emporia Family Housing Project.

#### **Section IV—DETERMINATION**

As supported by the analysis presented in this Addendum, I find that the potential environmental effects of the Emporia Family Housing Project, and associated required discretionary actions, have been adequately addressed in The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared pursuant to the Environmental Quality Act (CEQA) and the CEQA Guidelines promulgated thereunder, the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines. The Ontario Plan EIR was originally prepared in conjunction with General Plan Amendment No. PGPA06-001, and was certified by the City of Ontario City Council on January 27, 2010, by Resolution No. 2010-003. This Addendum to The Ontario Plan EIR provides minor changes to The Ontario Plan EIR analysis, which reflect certain facilities configurations and development standards presented in the proposed Emporia Family Housing Project. As such, preparation of any further information and analysis (e.g., preparation of a Subsequent or Supplemental EIR) is not warranted.

Pursuant to the requirements of CEQA Sections 15162 and 15164, the following determinations have been clearly established:

- A. EIR Revisions Not Required.** Based on the preceding analysis and information, there is no evidence that changes to The Ontario Plan EIR are required. Comparison of the previous project with the project described in this Addendum indicates that there is no new significant or more severe environmental impact, and that the approval of the project described herein would have the same or reduced impacts as those described in The Ontario Plan EIR prepared for The Ontario Plan.
- B. No Substantial Change in Circumstances Requiring Major EIR Revisions.** There is no information in the record or otherwise available that indicates that there are substantial changes in circumstances that would require major changes to The Ontario Plan EIR.
- C. No New Information Showing Greater Significant Effects than Identified in the EIR.** This Addendum has considered all available relevant information to determine whether there is new information, which was not available at the time The Ontario Plan Environmental Impact Report was certified, that may indicate that a new significant effect may occur that was not reported in The Ontario Plan EIR. As supported by the analysis presented in this Addendum, there is no substantial new information, which was not available at the time The Ontario Plan Environmental Impact Report was certified, indicating that there will be a new, significant impact requiring major revisions of The Ontario Plan EIR.
- D. No New Information Showing Ability to Reduce Significant Effects Identified in the EIR.** The Addendum analysis substantiates that there are no significant impacts requiring identification of new or additional alternatives to the project, or consideration of new or additional mitigation measures, in order to reduce one or more of the significant effects identified in The Ontario Plan EIR.



Signature

4/7/2017

Date

Charles H. Mercier, Senior Planner  
Printed Name and Title

City of Ontario Planning Department  
For

## **Section V—EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

### Directions:

- 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.

**Table 1—ENVIRONMENTAL CHECKLIST**

<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> Substantially degrade the existing visual character or quality of the site and its surroundings?	<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>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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Table 1—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors 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:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>
f) 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:				
a) 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) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>6) GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to 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"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Table 1—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water 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>7) GREENHOUSE GAS EMISSIONS.</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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>8) HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) 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) 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"/>
c) 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Table 1—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>9) HYDROLOGY AND WATER QUALITY.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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 increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10) LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**Table 1—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>11) MINERAL RESOURCES.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>12) NOISE.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13) POPULATION AND HOUSING.</b> 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>14) PUBLIC SERVICES.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Table 1—ENVIRONMENTAL CHECKLIST**

<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>15) RECREATION.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>16) TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) 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) 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>17) UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>

Table 1—ENVIRONMENTAL CHECKLIST

Issues	Potentially Significant Impact	Less Than Significant With Mitigation	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18) MANDATORY FINDINGS</b>				
a) 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) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *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 at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

## Section VI—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 that all major north-south arterial streets be designed and redeveloped to feature views of the San Gabriel Mountain. The project is not located adjacent to any major north-south arterial streets, as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Consequently, the Project will not result in any new or substantially different aesthetic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

**Mitigation:** The project does not require additional mitigation measures.

#### 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-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; consequently, the Project will not result in any new or substantially different aesthetic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The

Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 a mix of residential and commercial land uses, 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 a high density residential development, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with the residential and commercial development in the surrounding area. Consequently, the Project will not result in any new or substantially different aesthetic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 proposed project. Pursuant to the requirements of the City's Development Code and the Emporia Family Housing PUD, the project's 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, the Project will not result in any new or substantially different aesthetic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 vacant and does not contain any agricultural uses. Furthermore, 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. Consequently, the Project will not result in any new or substantially different agriculture or forest 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: The project does not require additional mitigation measures.

**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 is zoned MU-1 (Downtown Mixed Use) and is intended for development with a mix of commercial and residential

land uses. The proposed project is consistent with the development standards and allowed land uses of the MU-1 zoning district. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, the Project will not result in any new or substantially different agriculture or forest 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: The project does not require additional mitigation measures.

**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 MU-1 (Downtown Mixed Use), which 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 MU-1 zone and the Emporia Family Housing PUD. Therefore, the Project will not result in any new or substantially different agriculture or forest 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: The project does not require additional mitigation measures.

**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 nor the City's Zoning Code provide designations for forest land. Consequently, the Project will not result in any new or substantially different agriculture or forest 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: The project does not require additional mitigation measures.

**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 MU-1 (Downtown Mixed Use), and is not designated as Farmland. The project site is, for the most part, vacant and there are no agricultural uses occurring on-site. 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, the Project will not result in any new or substantially different agriculture or forest 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: The project does not require additional mitigation measures.

**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. Consequently, the Project will not result in any new or substantially different air quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

Discussion of Effects: The project will result in short term air quality impacts from construction related activities, 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). Consequently, the Project will not result in any new or substantially different air quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**c) 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

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 [refer to Sections 3(a) and 3(b)]. Therefore, the project will not result in any new or substantially different air quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**d) 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 proposes the construction of residential units, a sensitive receptor. There are not, however, any known hot spots or heavy concentrations of pollutants in the area that would expose residents to potential adverse impacts. Therefore, the project will not result in any new or substantially different air quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**e) Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the MU-1 (Downtown Mixed Use) zoning district, do not create objectionable odors. Further, the project will comply with the policies of the Ontario Municipal Code and the Policy Plan (General Plan). Therefore, the project will not result in any new or substantially different air quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different biological 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: The project does not require additional mitigation measures.

**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 Wildlife 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 & Wildlife or Fish & Wildlife Service. Consequently, the project will not result in any new or substantially different biological 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: The project does not require additional mitigation measures.

**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. Consequently, the project will not result in any new or substantially different biological 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: The project does not require additional mitigation measures.

**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 part of a larger urbanized, mixed use area, and there are no wildlife corridors connecting this site to other areas. Therefore, the project will not result in any new or substantially different biological 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: The project does not require additional mitigation measures.

**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; however, the project site contains a number of mature trees necessitating the need for preservation consistent with the City's Tree Preservation Ordinance. Therefore, the project will not result in any new or substantially different biological 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: The project does not require additional mitigation measures.

**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 project site is not part of an adopted HCP, NCCP or other approved habitat conservation plan. Consequently, the project will not result in any new or substantially different biological 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: The project does not require additional mitigation measures.

**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 requires the approval of a Certificate of Appropriateness for the previous demolition of a building (Casa Blanca Hotel) that was constructed more than 50 years of age, for which EIR 97-1 (SCH No. 97101024) was prepared and Certified by the City Council. Therefore, the project will not result in any new or substantially different cultural resources impacts than were previously addressed in the EIR, and no changes or additions to the EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different cultural 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: The project does not require additional mitigation measures.

**c) 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 Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. 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 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. Therefore, the project will not result in any new or substantially different cultural 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: The project does not require additional mitigation measures.



**d) 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 development. 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. Therefore, the project will not result in any new or substantially different cultural 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: The project does not require additional mitigation measures.

**e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resource sites exist within the project area. Thus, tribal artifacts are not expected to be encountered during any excavation, grading, or construction activities. Therefore, the project will not result in any new or substantially different cultural 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: The project does not require additional mitigation measures.

**6) 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, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 in compliance 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, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Consequently, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 Ontario Plan EIR mitigation measures 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. Therefore, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different geology and soils impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**7) 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 Ontario Plan 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 with regard to 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. Therefore, the project will not result in any new or substantially different

greenhouse gas emissions impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 project will not result in any new or substantially different greenhouse gas emissions impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**8) 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. 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.

Mitigation: The project does not require additional mitigation measures.

**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. 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.

Mitigation: The project does not require additional mitigation measures.

**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, 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.

Mitigation: The project does not require additional mitigation measures.

**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 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.

Mitigation: The project does not require additional mitigation measures.

**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, 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.

Mitigation: The project does not require additional mitigation measures.

**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, 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.

Mitigation: The project does not require additional mitigation measures.

**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 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. 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.

Mitigation: The project does not require additional mitigation measures.

**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, 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.

Mitigation: The project does not require additional mitigation measures.

**9) 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. Therefore, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 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, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different hydrology and water quality impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**10) 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 development. The project will become a part of the larger mixed use community. Therefore, the project will not result in any new or substantially different land use and planning impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different land use and planning impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different land use and planning impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.



**11) 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: The project does not require additional mitigation measures.

**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; 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: The project does not require additional mitigation measures.

**12) 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); 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: The project does not require additional mitigation measures.

**b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

Discussion of Effects: The uses associated with this project normally do not induce groundborne vibrations; 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: The project does not require additional mitigation measures.

**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 commercial development, pursuant to City of Ontario Development Code. 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: The project does not require additional mitigation measures.

**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; 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: The project does not require additional mitigation measures.

**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 outside of the 65CNEL 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.

Mitigation: The project does not require additional mitigation measures.

**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, 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: The project does not require additional mitigation measures.

**13) 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 located in a developed area and will not induce population growth. Therefore, the project will not result in any new or substantially different population and housing impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site is currently undeveloped. Therefore, the project will not result in any new or substantially different population and housing impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

Discussion of Effects: The project site is currently undeveloped. Therefore, the project will not result in any new or substantially different population and housing impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**14) 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.

Therefore, the project will not result in any new or substantially different public services impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different public services impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different public services impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different public services impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different public services impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**15) 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 significant new housing or large employment generator that would cause an increase in the use of neighborhood parks or other recreational facilities. Therefore, the project will not result in any new or substantially different recreation impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. Therefore, the project will not result in any new or substantially different recreation impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**16) 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, 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?**

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. Consequently, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 amount of trips to be generated are minimal in comparison to existing capacity in the congestion management program. Therefore, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 [either is outside of areas with FAA-imposed height restrictions, or is under such height restrictions]. Therefore, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Consequently, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Consequently, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Consequently, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different transportation/traffic impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**17) 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 or RP-5 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. Therefore, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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 and which has waste treated by the Inland Empire Utilities Agency at the RP-1 or RP-5 treatment plant. RP-1 or RP-5 is not at capacity and this project will not cause RP-1 or RP-5 to exceed capacity. The project will, therefore, not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. Therefore, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

**Mitigation:** The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

**Mitigation:** The project does not require additional mitigation measures.

**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 or RP-5 treatment plant. RP-1 or RP-5 is not at capacity and this project will not cause RP-1 or RP-5 to exceed capacity. Therefore, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

**Mitigation:** The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

**Mitigation:** The project does not require additional mitigation measures.

**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, the project will not result in any new or substantially different utilities and service systems impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

**Mitigation:** The project does not require additional mitigation measures.

## 18) MANDATORY FINDINGS

**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. Therefore, the project will not result in any new or substantially different environmental impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different environmental impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different environmental impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

**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. Therefore, the project will not result in any new or substantially different environmental impacts than were previously addressed in The Ontario Plan EIR, and no changes or additions to The Ontario Plan EIR analyses are necessary.

Mitigation: The project does not require additional mitigation measures.

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**Attachment 1—THE ONTARIO PLAN EIR MITIGATION MEASURES**

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<b>5.3 AIR QUALITY</b>				
3-1 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: <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:</li> </ul>	City of Ontario Building Department in coordination with the landowner/project applicant construction contractor	During construction	City of Ontario Building Department and Developer/Contractor	

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<a href="http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf">http://www.aqmd.gov/prdas/brochures/Super-Compliant_AIM.pdf</a> .				
3-2 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 and Engineering Departments, in coordination with the landowner/project applicant	Prior to individual project approvals	City of Ontario Planning Department	
3-3 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>				
5-1 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 plan or project approval	City of Ontario Planning Department	
5-2 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	City of Ontario Planning Department in coordination with the Landowner/Project	Prior to individual project approvals	City of Ontario Planning Department	

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<p>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:</p> <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>	Applicant			
<p>5-3 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</p>	City of Ontario Planning Department	Prior to individual project approvals	City of Ontario Planning Department	

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<p>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>				
<p>5-4 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 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.</p>	<p>City of Ontario Planning Department in coordination with the Landowner/Project Applicant</p>	<p>Prior to issuance of grading permit(s)</p>	<p>City of Ontario Planning Department</p>	
<p><b>5.6 GLOBAL CLIMATE CHANGE</b></p>				
<p>6-1 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,</p>	<p>City of Ontario</p>	<p>Within 18 months of adopting The Ontario Plan</p>	<p>City of Ontario Planning Department and Ontario Municipal Utilities Company (OMUC)</p>	

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<p>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 measures shall be implemented, as identified in the CAP.                             <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> </ul> </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</li> </ul> </li> </ul>				

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<p>as usual" municipal emissions (including any reductions required by the California Air Resource Board under AB 32.</p> <ul style="list-style-type: none"> <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>				
<p>6-2 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 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</li> </ul>				

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<p>on the fuel type, design, size, and cost efficiency.</p> <ul style="list-style-type: none"> <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> <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> </ul>				

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<ul style="list-style-type: none"> <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.                         <ul style="list-style-type: none"> <li>➤ Provide safe and convenient access for pedestrians and bicyclists to, across, and along major transit priority streets.</li> </ul> </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</li> </ul> </li> </ul>				



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<p>Development Code to include live/work sites and satellite work centers in appropriate locations.</p> <ul style="list-style-type: none"> <li>▪ Encouraging telecommuting options with new and existing employers, through project review and incentives, as appropriate.</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> <li>▪ Allow increased height limits and/or flexibility in</li> </ul>				

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<p>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).</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>➢ 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</li> </ul>				

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<p>information about opportunities for energy efficiency improvements be presented to the buyer.</p> <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</li> </ul> </li> </ul>				

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<p>energy-efficient vending machines.</p> <ul style="list-style-type: none"> <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 which maximize water use efficiency and minimize off- peak use.</li> <li>➤ Adopting an accelerated replacement schedule for energy inefficient systems and components.</li> </ul> <ul style="list-style-type: none"> <li>▪ Insure 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</li> </ul>				

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<p>gasoline hybrid and alternative fuel or electric models.</p> <ul style="list-style-type: none"> <li>▪ Require the installation of outdoor electrical outlets on buildings to support the use, where practical, of electric lawn and garden equipment, and other tools that would otherwise be run with small gas engines or portable generators.</li> <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> </ul>				

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<ul style="list-style-type: none"> <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> <li>➤ Establishing performance standards for irrigation equipment and water fixtures, consistent with state law.</li> </ul> </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 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>▪ Organize workshops on waste reduction activities for the home or business, such as backyard composting, or office paper recycling, and shall</li> </ul>				

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<p>schedule recycling drop-off events and neighborhood chipping/mulching days.</p> <ul style="list-style-type: none"> <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>				
<p>6-3 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> </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>	

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<ul style="list-style-type: none"> <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> <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</li> </ul>				



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<p>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.</p> <ul style="list-style-type: none"> <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> <li>➤ Establishing guidelines for private and public spaces for transit-oriented and mixed-use development.</li> <li>➤ Discouraging auto-oriented development.</li> </ul> </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</li> </ul>				

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<p>to, mixed-use and transit-oriented development areas, by:</p> <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> <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> </ul> <ul style="list-style-type: none"> <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> </ul> </li> </ul>				

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<ul style="list-style-type: none"> <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> <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</li> </ul>				

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<p>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:</p> <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> <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> <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> </ul> </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</li> </ul> </li> </ul>				

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<p>accommodations, and</p> <ul style="list-style-type: none"> <li>➤ Provide access for pedestrians and bicycles to public transportation through construction of dedicated paths, where feasible.</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 building entrances.</li> </ul> </li> <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</li> </ul> </li> </ul>				

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<p>achieve the lowest emissions possible, using a mix of alternate fuels, PZEV or better fleet mixes.</p> <ul style="list-style-type: none"> <li>➤ Establishing incentives, as appropriate, to taxicab owners to use alternative fuel or gas-electric hybrid vehicles.</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 green building practices where not prohibited by ALUCP/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>➤ 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:</li> </ul>				

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<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> <li>▪ Require that affordable housing development incorporate energy efficient design and features to the maximum extent feasible.</li> <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> </ul>				

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<ul style="list-style-type: none"> <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> <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> </ul> </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</li> </ul> </li> </ul>				



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<p>insulation, installing green or reflective roofs and low-emissive window glass.</p> <ul style="list-style-type: none"> <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 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> </ul> <ul style="list-style-type: none"> <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 US EPA.</li> <li>➤ The incorporation of passive solar design features in new buildings, including daylighting and passive solar heating.</li> </ul> </li> </ul>				

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<ul style="list-style-type: none"> <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> <li>➢ Establishing performance standards for irrigation equipment and water fixtures, consistent with State Law.</li> </ul> </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,</li> </ul>				

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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> <li>▪ Promote the planting of shade trees and establish shade tree guidelines and specifications, including:                             <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> </ul> </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>				
6-4 Measures listed in Mitigation Measure 6-2 and 6-3 shall be considered by the City while reviewing all new	City of Ontario Planning Department	Prior to adoption of the Climate Action	City of Ontario Planning Department	

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development, as appropriate, between the time of adoption of The Ontario Plan and adoption of the Climate Action Plan (CAP).		Plan		
6-5 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 adoption of the Climate Action Plan	City of Ontario Planning Department	
6-6 The City of Ontario shall participate in the County of San Bernardino's Green Valley Initiative.	City of Ontario Planning Department	Prior to adoption of the Climate Action Plan	City of Ontario Planning Department	
<b>5.12 NOISE</b>				
12-1 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).	City of Ontario Planning and Building Departments, in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Planning and Building Departments	
12-2 Individual projects that involve vibration-intensive construction activities, such as pile drivers, jack hammers, and vibratory rollers, occurring near	City of Ontario Planning and Building Departments, and	During construction	City of Ontario Building Department and OMUC	

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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).	OMUC, in coordination with the Landowner/Project Applicant			
12-3 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 during the nighttime for residential uses, 84 VdB for office uses, and 90 VdB for workshops.	City of Ontario Planning and Building Departments, in coordination with the Landowner/Project Applicant	Prior to individual project approvals	City of Ontario Building Department	
12-4 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,	City of Ontario Planning and Building Departments, in coordination with the Landowner/Project Applicant	During construction	City of Ontario Building and Planning Departments, and OMUC	

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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.				
<b>5.16 TRANSPORTATION AND CIRCULATION</b>				
16-1 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 Building and Planning Departments	Ongoing	City of Ontario Building and Planning Departments	
<b>5.17 UTILITIES AND SERVICE SYSTEMS</b>				
17-1 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 reduce water use during water shortages and emergencies.</li> <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>	City of Ontario Planning Department and OMUC	Ongoing	City of Ontario Building and Planning Departments, and OMUC	

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17-2 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.	City of Ontario Planning Department in coordination with City of Ontario Engineering Department and OMUC	Ongoing	City of Ontario Building and Planning Departments, and OMUC	
17-3 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.	City of Ontario Planning Department in coordination with City of Ontario Engineering Department and OMUC	Ongoing	City of Ontario Building and Planning Departments, and OMUC	

## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO. PUD17-001, A PLANNED UNIT DEVELOPMENT TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (MIXED USE DOWNTOWN) ZONING DISTRICT — APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 and 1049-052-10.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan Environmental Impact Report for File No. PUD17-001 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File No. PUD17-001, analyzed under the Initial Study/Environmental Impact Report Addendum, consists of a Planned Unit Development to establish development standards and guidelines to facilitate the future development of a high density residential apartment project at a density of 25.4 dwelling units per acre on 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed Use Downtown) zoning district, in the City of Ontario, California (hereinafter referred to as the "Project"); and

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

WHEREAS, The Ontario Plan Environmental Impact Report (SCH No. 2008101140) was certified on January 27, 2010, in which development and use of the Project site was discussed; and



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

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

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

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

WHEREAS, the Initial Study/Environmental Impact Report Addendum for the Project is on file in the Planning Department, located at 303 East B Street, Ontario, CA 91764, is 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 body for the Project, the Planning Commission has reviewed and considered the information contained in the Initial Study/Environmental Impact Report Addendum 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 Initial Study/Environmental Impact Report Addendum and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The Planning Commission has independently reviewed and analyzed the Initial Study/Environmental Impact Report Addendum and other information in the record, and has considered the information contained therein, prior to acting upon or approving the Project;

b. The Initial Study/Environmental Impact Report Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

c. The Initial Study/Environmental Impact Report Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department, located at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 2: *Additional Environmental Review Not Required.* Based upon the Addendum and all related information presented to the Planning Commission, the Planning Commission finds that the preparation of a subsequent or supplemental EIR is not required for the Project, as the Project:

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

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

c. 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 EIR was certified, that shows any of the following:

1. The project will have one or more significant effects not discussed in the certified EIR; or

2. Significant effects previously examined will be substantially more severe than shown in the certified EIR; or

3. 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

4. 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.* 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 constitute substantial changes to the certified EIR, and does hereby recommends the adoption of the Addendum to the certified EIR, attached hereto as Exhibit A.

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

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

SECTION 6. *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore

## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PUD17-001, A PLANNED UNIT DEVELOPMENT (ATTACHMENT 1) TO ESTABLISH DEVELOPMENT STANDARDS AND GUIDELINES TO FACILITATE THE FUTURE DEVELOPMENT OF A HIGH DENSITY RESIDENTIAL APARTMENT PROJECT AT A DENSITY OF 25.4 DWELLING UNITS PER ACRE ON 2.95 ACRES OF LAND BORDERED BY HOLT BOULEVARD ON THE NORTH, FERN AVENUE ON THE EAST, EMPORIA STREET ON THE SOUTH, AND VINE AVENUE ON THE WEST, WITHIN THE MU-1 (MIXED USE DOWNTOWN) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 1049-051-01, 1049-051-02, 1049-051-03, 1049-052-03, 1049-052-04, 1049-052-05, 1049-052-06, 1049-052-07, 1049-052-08, 1049-052-09 AND 1049-052-10.

WHEREAS, the Related California ("Applicant") has filed an Application for the approval of a Planned Unit Development, File No. PUD17-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed Use Downtown) zoning district, and is presently improved with a vacant commercial building and a dog park, and includes vacant properties; and

WHEREAS, land uses surrounding the project site are characterized by a mixture of legal nonconforming residential uses and conforming residential and commercial uses across Vine Street, to the west, which are zoned MU-1 (Downtown Mixed Use). Nonconforming single-family residential and light industrial uses and vacant property are located across Emporia Street, to the south, and are zoned MU-1 (Downtown Mixed Use). A mix of vacant commercial buildings, office uses, and vacant property are located across Fern Avenue, to the east, and are zoned MU-1 (Downtown Mixed Use). Religious assembly and commercial uses are located across Holt Boulevard, to the north, and are zoned MU-1 (Downtown Mixed Use); and

WHEREAS, the project site is located within the Center City Redevelopment Project Area, established in 1983. The Center City Redevelopment Project Area Plan encourages the development of a high intensity, multi-use central business district. In addition, The Ontario Plan ("TOP") contains goals and policies for the City's original downtown and the Downtown Mixed Use District, which further support the goals of the Center City Redevelopment Project Area Plan; and

WHEREAS, the Center City Redevelopment Project Area Plan envisions revitalization of the City's downtown area, in part, by infusing high-density residential and mixed-use developments into the downtown core. TOP was established to further this vision and is intended to create an intensive mixture of retail, office, and residential uses in a pedestrian friendly atmosphere, ensure the historic character of the district is enhanced, and concentrate the most intense/dense development along Euclid Avenue and Holt Boulevard. Furthermore, TOP specifies a residential density range of 25 to 75 units per acre and a maximum floor area ratio of 2.0 for commercial office and retail developments within the Downtown Mixed Use District; and

WHEREAS, TOP specifies that the Downtown Mixed Use District is to be implemented through the approval of an Area Plan or Planned Unit Development (PUD) prior to the development of properties within the District. In compliance with this requirement, the Applicant has submitted a PUD document that is consistent with this vision, and the goals and policies of TOP; and

WHEREAS, the specific purpose of the PUD is to secure a fuller realization of TOP Policy Plan than would result from the strict application of present zoning district regulations and to promote high standards in urban design; encourage the development of exceptionally high quality, mixed-use, high intensity projects, while establishing regulations and standards for uses with unique regulatory and design needs; and, ensure harmonious relationships with surrounding land uses; and

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

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

WHEREAS, as the first action on the Project, on April 25, 2017, the Planning Commission recommended approval of a resolution adopting an Addendum to The Ontario Plan Environmental Impact Report, prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

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

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

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

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.

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

c. 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.

d. 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.

e. The 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

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

SECTION 2: *Additional Environmental Review Not Required.* Based on the Addendum, all related information presented to the 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:



a. Does not constitute substantial changes to the Environmental Impact Report that will require major revisions to the Environmental Impact Report due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

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

c. Does not contain new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Environmental Impact Report was certified/adopted, that shows any of the following:

1. The project will have one or more significant effects not discussed in the Environmental Impact Report; or

2. Significant effects previously examined will be substantially more severe than shown in the Environmental Impact Report; or

3. 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

4. Mitigation measures or alternatives considerably different from those analyzed in the Environmental Impact Report would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3. Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending 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 contains three 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 (75 low income dwelling units proposed, and 46 low income dwelling units required) and density (25.4 DU/Acre proposed, and a minimum of 25.1 DU/Acre required) specified in the Available Land Inventory.

**SECTION 4.** *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

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

a. The proposed PUD 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.

b. The proposed PUD would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. In the case of an application affecting specific properties, the proposed PUD will not adversely affect the harmonious relationship with adjacent properties and land uses.

d. In the case of an application affecting specific properties, 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.

e. The proposed PUD is superior to that which could be obtained through the application of the Development Code or a 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:

a. RECOMMENDS THE CITY COUNCIL APPROVE the Addendum to The Ontario Plan Environmental Impact Report; and

b. RECOMMENDS THE CITY COUNCIL APPROVE the Emporia Family Housing Planned Unit Development, as described herein and included as Exhibit "A" of this Resolution.

**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 6. Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Richard D. Delman  
Planning Commission Chairman

ATTEST:

---

Scott Murphy  
Planning Director/Secretary of Planning  
Commission

Planning Commission Resolution  
File No. PUD17-001  
April 25, 2017  
Page 7

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore

**Exhibit A:**

**THE EMPORIA FAMILY HOUSING  
PLANNED UNIT DEVELOPMENT**

*(Exhibit A follows this page)*

# Exhibit A

# EMPORIA FAMILY HOUSING

## *Planned Unit Development*

Ontario, California

Prepared by:



March, 2017



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# 1 – Introduction

This document has been prepared to establish development regulations for the Emporia Ontario Family Project site located in the City of Ontario. The project site is approximately 2.95 acres of land, containing a two-block area bordered by Holt Boulevard to the north, Fern Avenue to the east, Emporia Street to the south, and Vine Avenue to the west. Additionally, Transit Street bisects the project site in an east-west direction, (see Exhibit 1-1: Project Location Map).

The project site is located within the Ontario Plan Downtown Mixed Use District, which requires the establishment of a Planned Unit Development (PUD) prior to development. The PUD fulfills the requirements of a Downtown Mixed Use District Planned Unit Development ("PUD"), as set forth in Ontario Development Code Section 4.01.030 (Planned Unit Developments (PUD) and Amendments). Upon approval, this PUD will establish the land use and development standards for the project site. Unless otherwise defined herein, definitions and interpretations contained in the Development Code shall apply to this PUD.

City staff and private developers shall rely upon this PUD to determine whether precise plans for development ("Development Plans") will adequately meet the City's land use and design objectives for this key part of Downtown Ontario. These objectives, defined over the last 20+ years in the Redevelopment Plan for the Center City Redevelopment Project (1983) and The Ontario Plan (2010), are summarized in the proceeding chapters.

Exhibit 1-1: Project Location Map



Not to Scale



## **2 – Objectives**

### **2.1 – The Ontario Plan Objectives**

The Ontario Plan, which includes the City’s General Plan, designates the project area as part of the Downtown Mixed Use District. The Downtown Mixed Use District designation requires approval of an Area Plan or Planned Unit Development to develop the property. Additionally, the designation specifies a residential density range of 25 to 75 units per acre and a maximum floor area ratio (FAR) of 2.0 for office and retail uses.

The intent of this designation is to:

- Create “an intensive vertical and horizontal mixture of retail, office, and residential uses in a pedestrian friendly atmosphere;
- Ensure the historic character is enhanced; and
- Concentrate the most intensive uses along Euclid and Holt Avenues.

The Ontario Plan goals and policies furthered by this Planned Unit Development are as follows:

#### **2.1.1 – Land Use Element Goals & Policies**

- 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.

#### **2.1.2 – Community Design Element Goals & Policies**

- 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.

- 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.
  - ❖ CD2-8 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.
- 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. (Link to Bicycle and Pedestrians Section of the Mobility Element and Policies M2-3 and M2-4)
- CD4 Historic buildings, streets, landscapes and neighborhoods, as well as the story of Ontario's people, businesses, and social and community organizations, that have been preserved and serve as a focal point for civic pride and identity.

### **2.1.3 – Housing Element Goals & Policies**

- 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.
  - ❖ H2-1 Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.
  - ❖ H2-2 Historic Downtown. We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.
  - ❖ H2-5 Housing Design. We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.
  - ❖ H2-6 Infill Development. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.
- H4 Increased opportunities for low and moderate income households and families to afford and maintain quality ownership and rental housing opportunities, including move-up opportunities
  - ❖ H4-3 Rental Assistance. We support the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.
- 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

### **2.1.4 – Community Economics Element Goals & Policies**

- 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.

## **2.2 – Center City Redevelopment Plan Objectives**

The Center City Redevelopment Plan was established to provide a framework and process to guide the development of projects within the study area of the Redevelopment Plan. The following objectives have been identified from the Redevelopment Plan as pertaining to the Planned Unit Development:

- Create a healthy and exciting urban variety, the ability to work, live, shop and play within a small area, combine daytime and nighttime use, and conserve energy and resources through mixed-use land development;
- Create an attractive and pleasant environment in the Project Area through the use of proper design, open space, and other amenities to enhance the aesthetic quality;
- Encourage and facilitate medium and high-density development, including, but not limited to, condominiums, townhouses, apartments and similar compatible uses.
- Maximize the housing opportunities of the residential areas; and
- Provide improvements necessary for the elimination of blight, and provide for the orderly development of commercial, industrial and residential areas within the redevelopment project area.

## **2.3 – Related Emporia Project Objectives**

This Planned Unit Development provides guidelines for development of the project area. The following objectives are intended to provide a general framework for establishing development standards to ensure proper development of the project area:

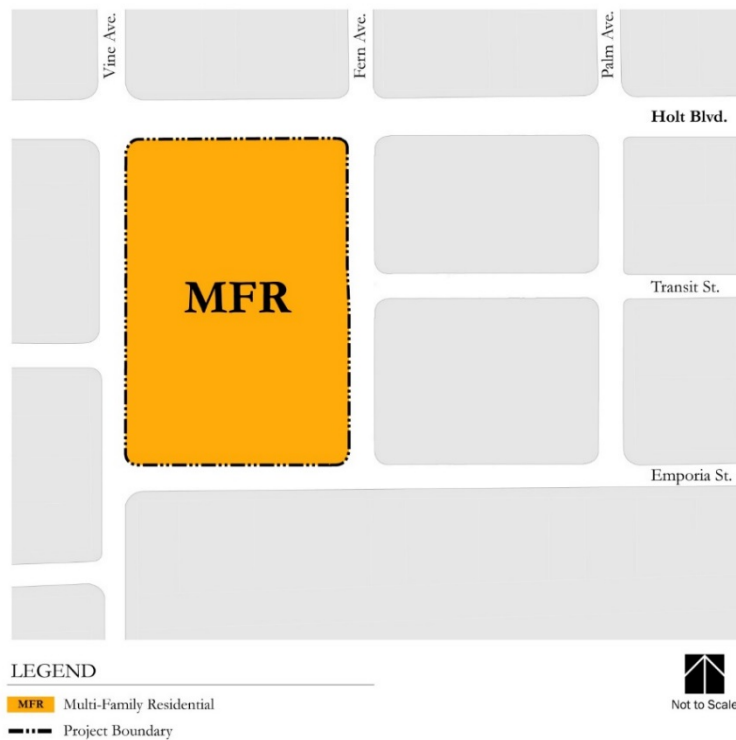
- Develop high quality, affordable rental housing;
- Establish appropriate relationships among new residential neighborhoods as well as with existing adjacent land use; and
- Provide new housing designed for families with children

### 3 – Allowable Uses

The project site is located within the Downtown Mixed Use Area Policy Plan (General Plan) land use district, and the MU-1 (Downtown Mixed-Use) zoning district, which implements the Downtown Mixed Use Area. The MU-1 zoning district is established to accommodate an intensive mixture of vertical and horizontal retail and office uses at a development intensity of up to 2.0 FAR, and residential uses at a density of 25 to 75 dwelling units per acre. Development projects within the MU-1 zoning district are intended to maintain a pedestrian friendly atmosphere, while at the same time enhancing the historic character of the area. The most intensive uses within this district are envisioned along Euclid Avenue and Holt Boulevard.

Consistent with the intent of the Downtown Mixed Use Area and the MU-1 zoning district, the project site is designated for Multiple-Family Residential (MFR) land uses. Exhibit 3-1 (Land Use Plan), below, depicts the Planned Unit Development boundary and land use designation.

**Exhibit 3-1: Land Use Plan**



### **3.1 – Residential Use**

The project site will be developed with high quality, attached housing units, with either two or three levels. The buildings will be a combination of podium-style stacked flat units, with parking beneath, and townhome style units, with first floor garage access.

### **3.2 – Permitted Use Table/List**

The permitted land uses within the Emporia Family Housing PUD are as follows:

- Multiple-family dwellings;
- Recreation facilities ancillary to multiple-family residential development projects, for use by project residents and their guests, including, but not limited to, pools, spas, tennis courts, clubhouse or recreation building, playgrounds or tot lots, and other similar amenities appropriate to serve a multiple-family residential development project;
- Temporary uses (as permitted within the residential districts of the City of Ontario Development Code subject to an Administrative Permit);
- Leasing/Administrative Office (for on-site property and facilities management only);
- Motor vehicle parking ancillary to a multiple-family residential development project; and
- Other land use compatible with multiple-family residential development projects, as determined appropriate by the Zoning Administrator.

Uses may be prohibited through rental contracts/agreements as provided by the project management, unless prohibited by Federal, State, or local laws.

## 4 – Development Regulations

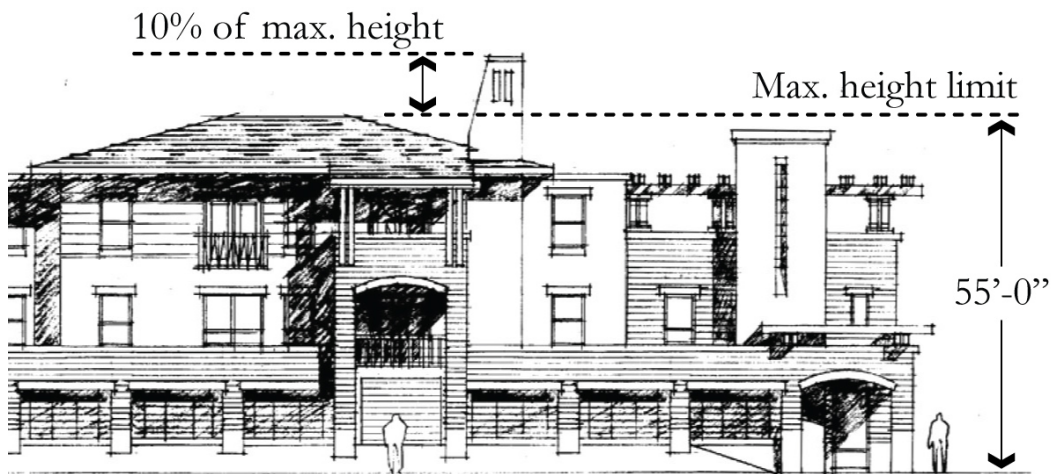
### 4.1 – Residential Density

Residential density shall range from a minimum of 25.1 dwelling units per acre, to a maximum of 75.0 dwelling units per acre.

### 4.2 – Building Height

No structure shall exceed 55 feet in height, except that the maximum height may be exceeded by roof mounted equipment, architectural projections, chimneys, elevator towers, parapet walls and any other roof top structures, by up to 10% of the allowed building height. No rooftop equipment shall be visible from anywhere on the project site, public streets, or adjacent properties, and shall be fully screened with appropriate architectural parapet walls or appropriate roof treatments. Roof-mounted equipment shall not exceed the height of the structures and appurtenances used to screen the equipment.

**Exhibit 4-1: Height Diagram**



### 4.3 – Setbacks

Building setbacks shall be as set forth in Table 4-1 (Minimum Building Setbacks), and shall comply with Exhibit 4-2 (Setback Diagram).

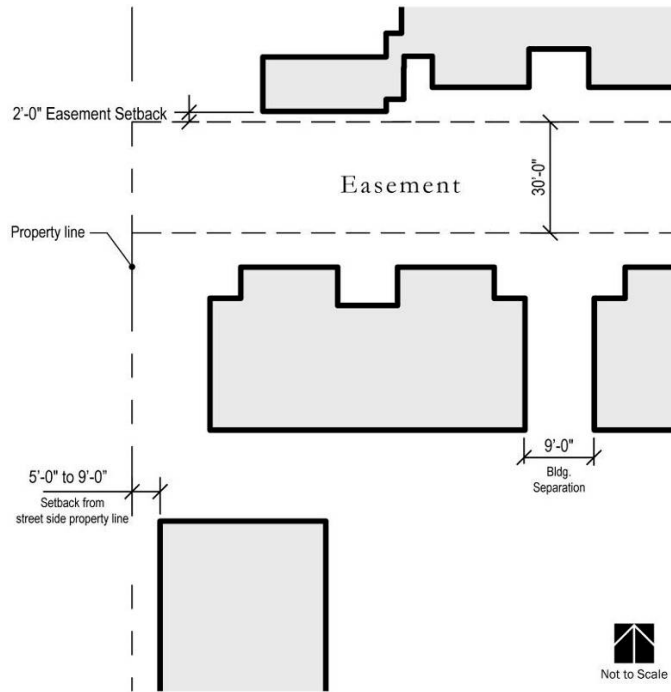
**Table 4-1: Minimum Building Setbacks**

<i>Setback</i>	<i>Distance</i>
Minimum Street Setbacks:	
▪ Holt	9 feet
▪ Emporia	5 feet
▪ Vine	5 feet
▪ Fern	5 feet
Minimum Easement Setback **	2 feet
Minimum Building Separation	9 feet

\*\* 30 foot wide storm drain easement located along vacated Transit Street

Certain types of features and equipment are allowed to encroach into the required setback areas in accordance with Table 4-2 (Encroachments into Setbacks) including but not limited too architectural projections, balconies, and underground utility structures such as electrical transformer vaults. Utility structures may encroach into the public right-of-way and/or public utility easement, subject to the approval of the City Engineer.

**Exhibit 4-2: Setback Diagram**

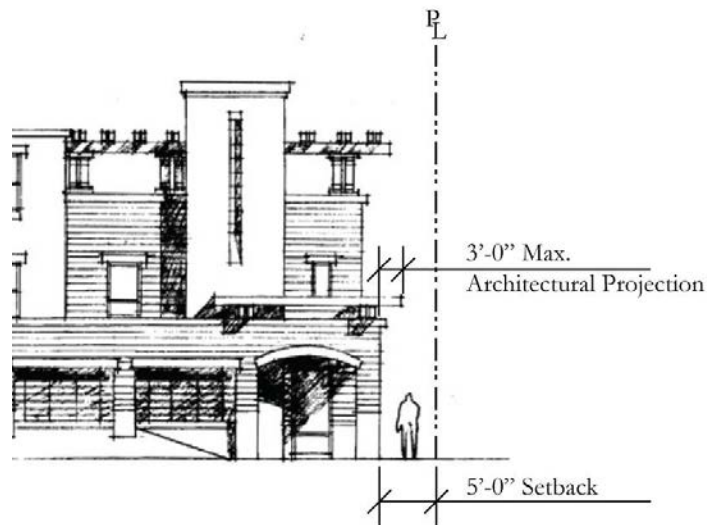


**Table 4-2: Maximum Encroachments into Building Setbacks**

<i>Projection</i>	<i>Encroachment</i>
Architectural Features **	3 feet
Patios **	3 feet
Balconies/Decks **	3 feet
Porches **	3 feet

\*\* No projection may encroach into the storm drain easement

Exhibit 4-3: Projection Diagram



## 4.4 – Open Space

Open space shall be provided for passive and active recreation opportunities within the project site. Two types of open space are required, private and common open space. These open space areas are for the use of the on-site residents and their guests. Required street setback areas are not counted towards common open space requirements.

### 4.4.1 – Private Open Space

Private open space shall be provided for each residential unit in order to provide private outdoor areas which can be enjoyed for the exclusive use by the occupant of the residential unit and their guests. Types of areas considered private open space include balconies, decks, and enclosed patios and yards.

Private open space shall be provided for all residential units, and shall have direct access from each residential unit. Residential units shall have a minimum size of private open space as defined in Table 4-3 (Private Open Space). The space may be provided in multiple areas (e.g. two balconies, a yard and a balcony, etc.), as long as the total area of the spaces meets the minimum private open space requirement for

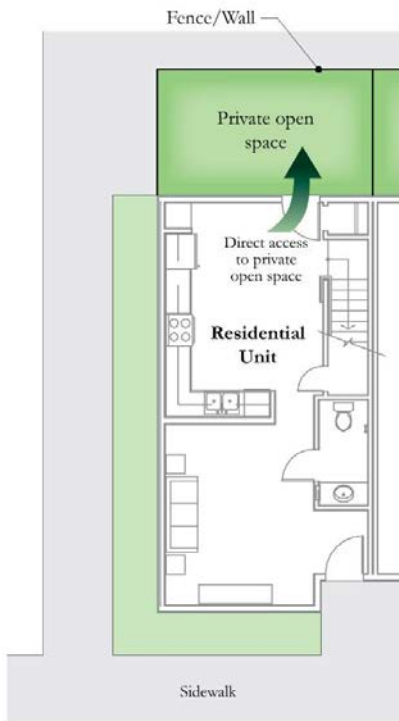
the unit. The minimum dimension for private open space shall be no less than 6 feet in any direction.

**Table 4-3: Private Open Space**

<i>Number of Bedrooms</i>	<i>Open Space (SF)</i>
1	0 **
2	50
3	100
4	160

\*\* 20 square feet for one-bedroom units with balconies fronting on to Holt Boulevard, and 50 square feet for one-bedroom units fronting on to Vine Avenue.

**Exhibit 4-4: Private Open Space Diagram**





**4.4.2 – Common Open Space**

Common open space shall be provided to allow for both passive and active types of recreation, along with site landscape amenities. These areas are for use by project residents and their guests, and may include indoor recreational facilities. Recreational facilities provided pursuant to Section 4.4.3 shall be provided in common open space areas. The amount of required common open space is based on the number of dwellings developed, and shall be provided at the rate of 235 square feet of common open space for each dwelling unit.

Areas not considered common open space include: [1] parking lots; [2] walkways along or between buildings; [3] parking lot landscaping; [4] street setback areas; and [5] other areas not intended for active or passive recreation.

**Exhibit 4-5: Common Open Space**



### **4.4.3 – Recreational Facilities**

Access to recreational facilities is important in multiple-family residential projects, as they provide needed facilities for the residents of the community. These facilities shall be centrally located on the site, making the facilities accessible to all project residents. A total of at least three recreational facilities (indoor or outdoor) shall be provided on-site. The facilities can be comprised of a combination of both similar and different recreational facilities to meet the recreational facilities requirement (e.g. two pools and one playground or one clubhouse, one pool, and one tot lot, etc.). Recreational facilities may be indoor or outdoor, and may include: [1] clubhouses; [2] pools; [3] community buildings; [4] playgrounds or tot lots; and [5] other indoor or outdoor recreational facilities deemed appropriate by the City. All recreational facilities shall be for the exclusive use of project residents and their guests.

## **4.5 – Parking Supply and Demand**

### **4.5.1 – On-Site Resident Parking Requirements**

The number of parking spaces provided is based on the number of bedrooms contained within each dwelling unit, and is subject to the following requirements:

- All required resident parking spaces shall be provided on-site;
- Each dwelling shall have at least one reserved parking space that is clearly marked;
- Reserved parking spaces shall be located within 150 feet of the dwelling it serves;
- At least one covered parking space shall be provided for each dwelling. This can be achieved through use of garages, carports, or tuck-under parking;
- Resident's assigned parking space(s) shall be used for the parking of occupant's operable automobile(s), only;
- Tandem parking is prohibited;
- Required guest parking spaces shall provide the necessary parking for the project leasing office. No separate parking is required for the leasing office; and
- Each dwelling is intended for occupancy by one family, regardless of the bedroom size(s) provided. Parking for dwellings shall be provided on-site, pursuant to the requirements of Table 4-4 (Minimum Parking Requirements), below, except that guest parking may be provided on-street, pursuant to Section 4.5.2 (On-Street Guest Parking Requirements) of this PUD.

**Table 4-4: Minimum Parking Requirements**

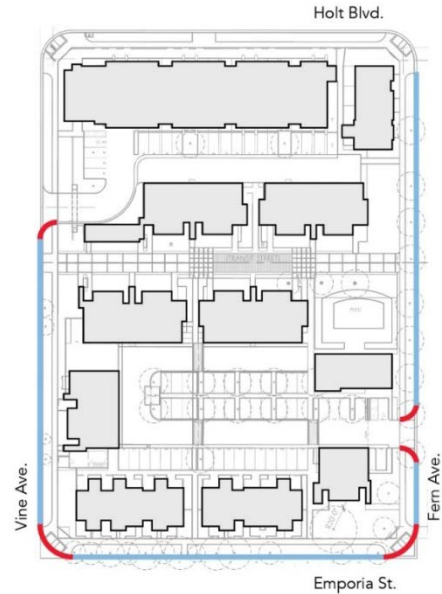
<i>Use</i>	<i>Parking Spaces</i>
Multiple-Family Dwellings: <ul style="list-style-type: none"> <li>▪ One-Bedroom Unit</li> <li>▪ Two or more Bedroom Unit</li> </ul>	1.75 spaces per dwelling (at least one space shall be in a garage or carport)  2.0 spaces per dwelling (at least one space shall be in a garage or carport)
Guest Parking	1 space per 5 dwellings

**4.5.2 – On-Street Guest Parking Requirements**

On-street parking may be utilized to satisfy guest-parking requirements, subject to the following:

- On-street parking may be used to satisfy guest parking requirements only, and shall not be used for required resident parking;
- On-street parking shall only be counted along the public streets surrounding the project site, on the side of the street adjoining the project, excluding Holt Boulevard and any other areas deemed necessary by the City Engineer, for corner sight distance, as shown in Exhibit 4-6 (On-Street Parking Locations Map), right;
- All on-street parking locations shall be subject to approval by the City Engineer; and
- On-street parallel parking spaces shall be calculated by the length of unobstructed curb adjacent to the project site.

**Exhibit 4-6: On-Street Parking Locations Map**



**LEGEND**

- On-Street Parking Locations
- Estimated Corner Site Distances



**Note:** Proper clearance shall be maintained around fire hydrants. Fire hydrant clearance may impact availability to provide on-street parking.

### 4.5.3 – Parking Standards

All parking space size and location requirements shall conform to the standards set forth in Section 6.03.045 (Off-Street Parking Standards) of the Ontario Development Code.

### 4.6 – Vehicular Access

Vehicular access to the site from Holt Boulevard is prohibited. All points of access shall be approved by the City.

### 4.7 – Service Facilities

- Loading/unloading for residential uses and trash pickup service shall be limited to on-site private drive aisles. Location, signage, and any hourly restrictions to be imposed on such areas, shall be subject to approval by the City.
- On-street loading shall be prohibited.
- The number of enclosures, and their precise locations, dimensions, and design shall be provided consistent with City standards.
- Trash enclosures shall be designed to contain separate containers for the collection of refuse and recyclable materials, with an adequate number of containers provided to allow for the collection of both refuse and recyclable materials generated by the development, pursuant to standards established by the Ontario Municipal Utilities Company.
- Trash enclosures shall meet the minimum design standards depicted in the standard drawings adopted by the City, which shall include: [1] a minimum 6-FT high decorative masonry wall, with appropriate view-obstructing gates for container access, [2] separate pedestrian access that is designed to screen the interior of the enclosure from view from the exterior and prevent refuse dispersion, and [3] a decorative overhead roof structure to protect bins containing recyclable materials from adverse environmental conditions, which might render the collected materials unusable, and screen trash bins from view of the upper floors of adjacent dwellings. Furthermore, trash enclosures shall be architecturally enhanced, and shall be consistent with the architectural design of adjacent buildings.
- Trash enclosure dimensions shall be of adequate size to accommodate containers consistent with the City's current methods of collection within the area in which the project is located.

- Signs clearly identifying all recycling and refuse collection areas, and the materials accepted for recycling shall be posted adjacent to all points of access to each trash enclosure.
- Trash enclosures shall be located a minimum of 10 feet from the interior project boundary/property line.
- Particular care shall be given when placing trash enclosures immediately adjacent to dwelling units; however, no trash enclosure shall be located within 10 feet of the livable portion of a structure.
- Trash enclosures shall be bordered by a minimum 5-foot wide planter, and shall be screened with landscaping on all exposed sides, excluding the side with bin access gates.
- All service facilities shall be screened in accordance with the Section 4.9 (Screening) of this Planned Unit Development.

## **4.8 – Landscaping**

### **4.8.1 – Site Landscaping**

A conceptual landscape and irrigation plan shall be submitted along with the Development Plan for this Planned Unit Development. The plan shall specify all landscaping and hardscape for the entire project site. Detailed Landscape and Irrigation Plans shall be required prior to the issuance of building permits. The detailed plans shall show location of ground mounted utility boxes and equipment, along with the methods of screening for these items from the public right-of-way and adjacent residences where possible. The irrigation system shall be designed to utilize recycled water pursuant to State and local codes, ordinances, and laws, and applicable building and plumbing codes.

The landscape and irrigation plan shall be designed with water conservation in mind, utilizing “California friendly” species and drought tolerant planting materials. The landscaping and irrigation shall comply with AB 1881, and all other laws and regulations related to planting materials.

All trees that are to remain on-site shall be properly protected in place during construction to ensure tree health is preserved.

Tree plantings along the Transit Street storm drain easement shall be restricted to those species allowed by the San Bernardino Flood Control District.

### 4.8.2 – Planting Palette

The planting palette shall be comprised of “California friendly” drought tolerant planting materials compatible with the overall architectural style of the Planned Unit Development. The following palette has been established to meet the needs of this Planned Unit Development:

**Table 4-5: Planting Palette**

<i>Botanical Name</i>	<i>Common Name</i>	<i>Size</i>	<i>Comments</i>
<b>TREES</b>			
<b>Vine Street</b>			
Cedrus deodara		Existing	Preserve in Place
Lagerstroemia indica 'Watermelon Red'	Crape Myrtle	24" Box	Matching Standards
Washingtonia filifera	California Fan	18 FT BT	Skinned Trunk
<b>Emporia Street</b>			
Washingtonia filifera		Existing	Preserve in Place
Grevillea		Existing	Preserve in Place
Oak		Existing	Preserve in Place
Grevillea robusta	Silk Oak	24" Box	Matching Standards
Washingtonia filifera	California Fan	18 FT BT	Skinned Trunk
<b>Fern Avenue</b>			
Cinnamomum camphora	Camphor Tree	48" Box	Matching Standards
<b>Holt Boulevard</b>			
Frainus o. 'Raywood'	Raywood Ash	24" Box	Matching Standards
<b>Pedestrian Promenade</b>			
Chitalpa tashkentensis	Chitalpa	24" Box	Matching Standards
Magnolia grandiflora 'Samuel Sommer'	Samuel Sommer Southern Magnolia	36" Box	Matching Standards
Lagerstroemia hybrid 'Tuscarora'	Crape Myrtle	36" Box	Multi Branch
<b>Auto Courts</b>			

**DEVELOPMENT REGULATIONS**

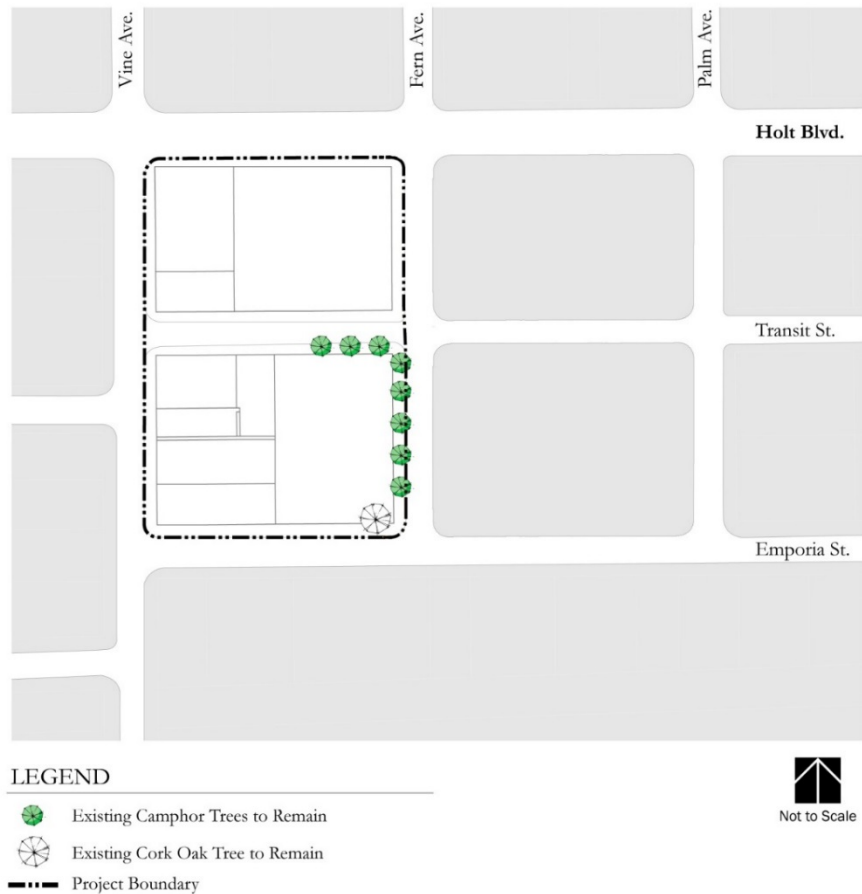
<i>Botanical Name</i>	<i>Common Name</i>	<i>Size</i>	<i>Comments</i>
Quercus virginiana	Southern Live Oak	36" Box	Matching Standards
Platanus acerifolia 'Bloodgood'	London Plane Tree	36" Box	Matching Standards
<b>Accent Trees</b>			
Cercidium 'Azt' (Thornless)	Hybrid Desert Museum	48" Box	Multi Branch
Cupressus sempervirens	Italian Cypress	24" Box	Match Height
Schinus molle	California Pepper	36" Box	Multi Branch
Tipuana tipu	Tipu Tree	48" Box	Matching Standards
Olea europaea 'Swan Hill'	Swan Hill Olive	48" Box	Multi Branch
Phoenix dactylifera	Date Palm	20 FT BT	Diamond Cut trunk

<b>Patio Areas</b>			
Langerstroemia indica	Crape Myrtle	24" Box	Matching Standards
Prosopis chilensis	Chilean Mesquite	24" Box	Matching Standards
Pyrus calleryana 'Bradford'	Ornamental Pear	24" Box	Matching Standards
<b>Building Perimeter</b>			
Tristania conferta	Brisbane Box	15 Gallon	Matching Standards
Pinus eldarica	Afhgan Pine	15 Gallon	Matching Standards
Washingtonia robusta	Mexican Fan	18 FT BT	Skinned Trunk
<b>Parking Lot</b>			
Rhus lancea	African Sumac	24" Box	Matching Standards
<b>VINES</b>			
Parthenocissus tricuspidata	Boston Ivy	1 Gallon	None
Disticus buccinatoria	Blood Red Trumpet Vine	1 Gallon	None
Jasminum polyanthum	Pink Jasmine	1 Gallon	None
Macfadyena unguis-cati	Cat's Claw "Yellow Trumpet Vine"	1 Gallon	None

### 4.8.3 – Tree Removal

Eight mature Camphor trees and one mature Cork Oak tree on site shall remain and be incorporated into the overall design of the development plan. The Camphor trees are currently located in the right-of-way on Fern Street and Transit Street and the Cork Oak is located at the northwest corner of Emporia Street and Fern Street. Approximate location of trees is shown in Exhibit 4-7 (Existing Trees Plan). These trees have been in place prior to the demolition of the Casa Blanca hotel and have been preserved in accordance with the Casa Blanca Hotel Demolition Environmental Impact Report. An arborist report shall be prepared on all other existing trees to determine the health, and where feasible, existing healthy trees in the project area shall be preserved in place.

**Exhibit 4-7: Existing Trees Plan**





#### **4.8.4 – Parking Lot Landscaping**

Parking lot landscaping shall be provided pursuant to Subsection D (Landscaping of Off-Street Parking Facilities) of Ontario Development Code Section 6.05.030 (Required Landscape Areas).

#### **4.8.5 – Compliance with State and Federal Laws**

Provide landscaping and an irrigation system, which promotes the conservation of water as required by the Water Conservation in Landscaping Act of 2006 (AB 1881), commencing with California Government Code Section 65591.

### **4.9 – Screening**

- All roof and ground mounted mechanical equipment shall be screened pursuant to the requirements of the Ontario Development Code.
- Trash enclosures shall be screened with enclosures that are architecturally compatible with the surrounding buildings.
- Screening shall include plant and building materials compatible with the project design so it is well integrated and hidden within the project area.
- Building and plant materials used for screening shall be compatible with the architectural style and planting palette used on the project area.
- All ground level screening shall comply with the requirements of Ontario Development Code Section 6.02.030 (Protection of Intersection Visibility).

#### **4.9.1 – Fences, Walls, and Hedges**

Fences, walls, and hedges shall comply with Section 6.02.030 (Protection of Intersection Visibility) of the Ontario Development Code, Engineering Department corner sight distance standards, and all other applicable city standards. Fences and walls shall be made of decorative materials that are compatible with, or enhance, the overall architectural character of the project. All fences, walls, and hedges shall be in scale with the development, and shall be used for screening, site enhancement, and creating a safer living environment for residents and their guests. All decorative walls, monuments, and/or other similar features, shall not encroach in to the public street right-of-way.

## **5 – Circulation**

### **5.1 – Site Accessibility**

The site shall be designed to promote safety for residents by only allowing limited vehicular and pedestrian access into and across the site. This can be done through building orientation and placement, to minimize the use of gates and fencing; however, amenities shall be properly gated, limiting access to residents and their guests.

### **5.2 – Vehicular Circulation**

The project site should be designed to reduce the number of dead end aisles in the parking lot areas, and provide all guest parking outside of gated areas (on or off-site) to ensure accessibility. Location of drive aisles and entries shall be approved by the City Engineer. Vehicular circulation shall be designed in a way that promotes pedestrian safety and proper access to all parking areas.

### **5.3 – Pedestrian Circulation**

Site design must provide for safe pedestrian circulation across the project site by separating pedestrian areas from areas with vehicular access. This includes, but is not limited to, accessibility from parking lot areas to unit entries, site amenities, and perimeter sidewalk areas. Fencing and gates may be used to limit public access to resident-only areas.

The vacation of Transit Street provides a unique opportunity to create a pedestrian promenade that will connect residential foot traffic between residential units, parking, and community spaces throughout the site. The space should be welcoming and designed with landscape features that help define the walking path across the project area. Since no vehicular traffic will be allowed on this promenade, it is expected that children will be able to play safely throughout the site. Lighting and visibility for enhanced security shall be taken into consideration in designing this area, and shall be compatible with the architectural theme. Buildings should have windows that look on to this open space area to enhance the views of the residences and help create defensible spaces.

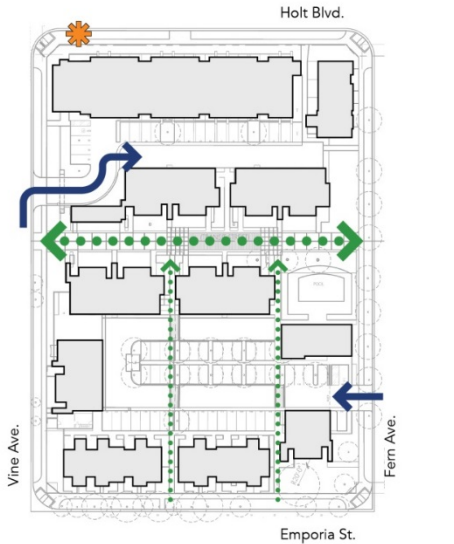
### 5.4 – Access to Mass Transit

An existing bus stop is located on the south side Holt Boulevard just east of Vine Avenue. A new decorative bus shelter with seating and lighting shall be installed at this location at time of project development. The bus shelter design shall be consistent with the design of other shelters in the downtown area (see Figure 5-1 (Bus Shelter)) and shall meet ADA access requirements per City of Ontario and/or OmniTrans Standards, and to the satisfaction of the City Engineer. Additionally, a concrete bus pad for this bus stop shall be incorporated into the public improvements required for the development of the project site.

Figure 5-1: Bus Shelter



Exhibit 5-1: Circulation Plan



- LEGEND
- Vehicular Circulation
  - Pedestrian Circulation
  - Pedestrian Circulation (Secondary)
  - 🌸 Bus Shelter



## 6 – Design Guidelines

The project area is located within Ontario’s historic downtown area, and shall comply with the Downtown Ontario Design Guidelines. The Downtown Ontario Design Guidelines were adopted in 1998 to guide the physical revitalization of Ontario’s historic downtown. The Guidelines provide architectural and design principals, as well as design concepts for downtown districts. The project area is located within the Educational District, a mixed-use area with an educational theme. The Guidelines do not provide specific architectural or design guidance within the Educational District, but do require that development be context sensitive.

The design guidelines provided in this section are designed to be compatible with the Downtown Ontario Design Guidelines, and provide site specific guidance for the development of the project site.

### 6.1 – Building Orientation

Building orientation shall be designed to minimize noise impacts, aide in providing property site safety, create proper accessibility to site amenities and parking, and to maximize views from residential units. Design should also be done in a way to create defensible spaces improving site safety.

- **Exterior:** Orientation towards the exterior of the project area shall be carefully evaluated to ensure a proper relationship.
- **Interior:** Buildings should be clustered in a way that creates defensible spaces providing views of interior open spaces and amenities. For units without garage spaces buildings shall be oriented to create minimal distances from assigned parking spaces to primary or secondary residential unit entries.

### 6.2 – Architectural Character

The architectural design leans toward a current interpretation of the Craftsman style. The design will make use of open ended beams, gabled roofs and trellis construction throughout the site. Large areas of masonry and wood siding with plaster accents will be provided to help enhance this overall architectural theme. Buildings along Holt Blvd will have a linear design with enhanced areas of design and color to differentiate units along this street. Street fronting podium parking will be shielded from view by intensified landscaping and podium walls with screened openings running alongside the north boundary of the site. Buildings along Emporia Avenue will be built with a cottage-style feel. A sample rendering and photographic examples

of the architectural style are provided in Figure 6-1 and Figure 6-2, on the preceding page.

**Figure 6-1: Architectural Rendering**



**Figure 6-2: Architectural Examples**



### **6.3 – Massing and Scale**

All buildings shall be in scale with the surrounding development, with a majority of the building placement to occur toward the boundary of the project site. A prominent building edge shall face Holt Boulevard. Buildings should be 2 to 3 stories in height, containing a varied amount of units in each building, with varying façade planes so as not to create a “monotonous” look.

Amenities and site design shall be developed with the pedestrian scale in mind.

### **6.4 – Architectural Details**

Architectural variations should occur between buildings to help distinguish each building and create variety within the proposed contemporary craftsman style. Architectural details should be consistent with the architectural style of each individual building. Details should complement and enhance openings, and accentuate the overall design of each building. Detailing can be achieved through the use of different colors and materials (brick, siding, etc.) to create interesting elevations.

Awnings should be placed where feasible, over south facing windows, and adequate shade should be provided for outdoor spaces. Coverings should use materials compatible with the building roofing and façade materials, in creating a comprehensive building design. Exposed rafter beams should be integrated into the building design, along with trellises, to help define outdoor spaces.

### **6.5 – Materials and Color**

Materials and colors shall be compatible with, and complementary to, the overall architectural style of the development project. Larger building masses should use a combination of dark and light colors to break up building planes, and use light colored trim to help accentuate roof features. All colors should be complementary and utilize primarily “earth tone” type colors. Materials should be a mixture of stucco, wood, and brick siding, in a variety of complementary colors, and a concrete tile roof material should be used.

### **6.6 – On-Site Streetscapes and Pedestrian Walkways**

Street furniture and decorative paving should be used throughout the project area to enhance architectural design. The use of complementary materials and textures should be used to create a continuity and consistency that is desired throughout the

project area. A variety of decorative elements should be incorporated into the design of the project area, including, but not limited to, benches, tree grates, bike racks, enhanced paving, trash receptacles, and decorative bollards.

A selection of appropriate elements shall consider sidewalk widths, size and spacing of street trees, importance of the pedestrian path, and the requirement to maintain a minimum 4-foot wide walkway for pedestrian movement in all areas. All streetscape features shall comply with the Americans with Disabilities Act (ADA), along with accessibility requirements for public services, such as police and fire.

Figure 6-3: Streetscape Examples



## **6.7 – On-Site Lighting**

Decorative light fixtures compatible with the architectural style of the buildings shall be provided on-site.

A minimum of one footcandle of light shall be provided within parking areas and 0.5 footcandles of light within pedestrian pathways, in compliance with the City of Ontario Police Department standards.

## **6.8 – Signs**

Signs within the project area shall comply with the Division 8.01 (Sign Regulations) of the Ontario Development Code.

## **6.9 – Off-Site Improvements**

All off-site improvements shall be installed in accordance with City standards, and to the satisfaction of the City Engineer.



## **7 – Infrastructure and Utilities**

### **7.1 – Infrastructure**

All improvements and alterations to public infrastructure (sewer, water, recycled water, storm drain, etc.) shall obtain approval from all appropriate agencies. Public sewer and water lines within the project area, on Transit Street, that will only serve the project area once the street is vacated, will not be the maintenance responsibility of the City.

If infiltration is deemed permissible by a licensed geotechnical engineer, on-site storm water drainage facilities shall be provided for capture and infiltration of a 2-yr, 24-hour storm event, consistent with the San Bernardino County Storm Water Program’s Water Quality Management Plan (WQMP) requirements for new residential development. Storm water capture and infiltration facilities may include the utilization of pervious concrete pavers in enhanced paving areas and MaxWell Drywells or underground storm water infiltration chambers, for the remainder of the site.

Upon development of the project site, existing waterlines smaller than 8 inches in diameter fronting the project site along Emporia Street and Vine Avenue shall be upgraded to a minimum of 8 inches. Upon water line upgrade, the existing water line in Transit Street through the project area may be abandoned. An 8 inch water line shall be installed within Fern Avenue from Transit Street, north, to Holt Boulevard.

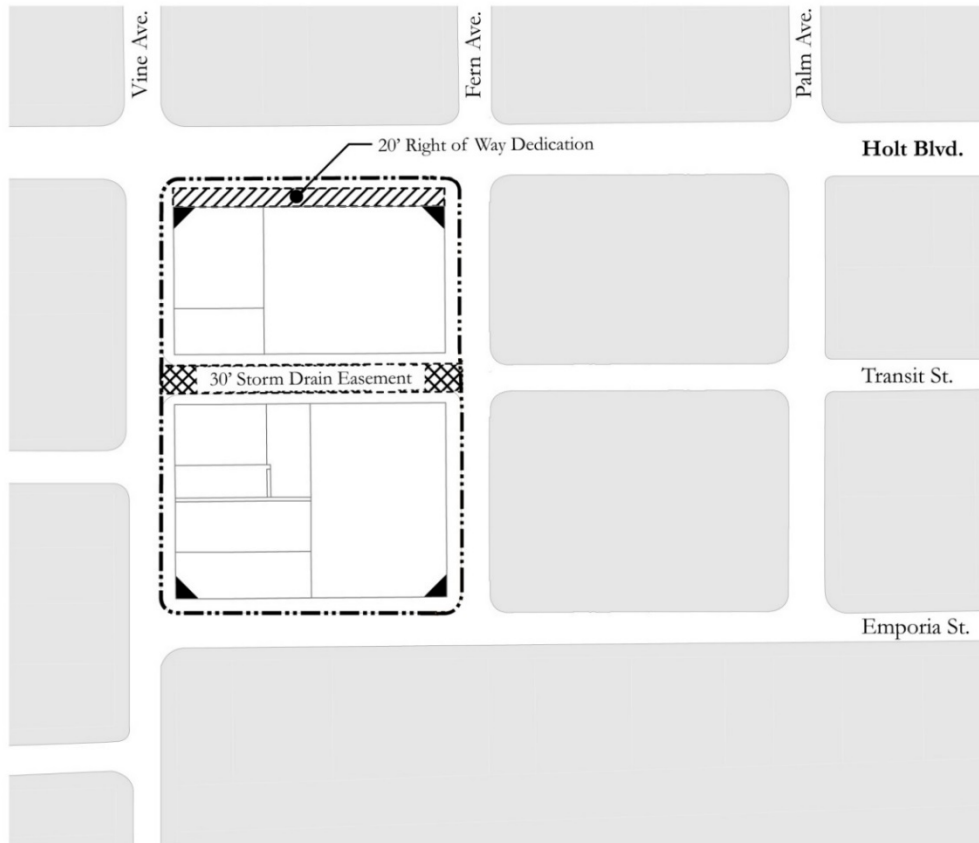
Any connection into the existing storm drain located within Transit Street shall require approval from the County of San Bernardino Flood Control District. See Exhibit 7-1 (Easement & Dedication Locations) for the approximate storm drain location.

### **7.2 – Street Improvements**

Street improvements (street, sidewalk, parkway, curb, gutter, traffic signal, street lights, etc.) shall be constructed with the development of the project site. Improvements will be required on the streets adjacent to the project area including Holt Boulevard, Emporia Street, Fern Avenue, and Vine Avenue. Design and construction of street improvements shall be in accordance with the City standards, and to the satisfaction of the City Engineer. Exhibit 7-2 (Street Sections) identifies the improvements for each street adjacent to the project site.

King standard lighting (City of Ontario Standard Drawing No. 5103) shall be required within the public right-of-way. Upon development of the project site, traffic signal alterations will need to occur to allow for safe and proper traffic movement. Traffic signal modifications shall be required at the intersection of Holt Boulevard and Vine Avenue.

**Exhibit 7-1: Easement & Dedication Locations**



**LEGEND**





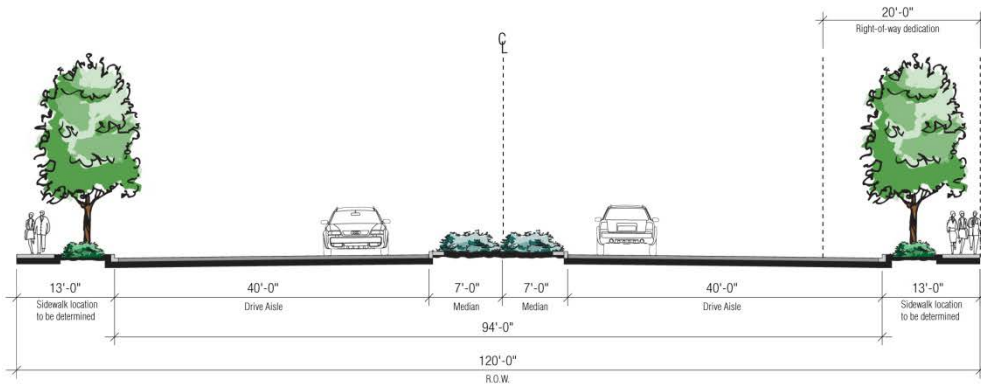
-  Right of Way Dedication
-  Proposed Storm Drain Easement
-  Corner Cut Back Dedication
-  Project Boundary

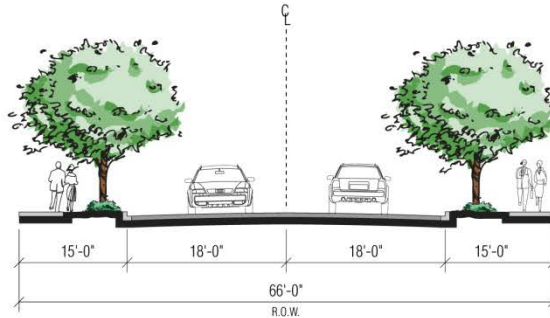


Exhibit 7-2: Street Sections



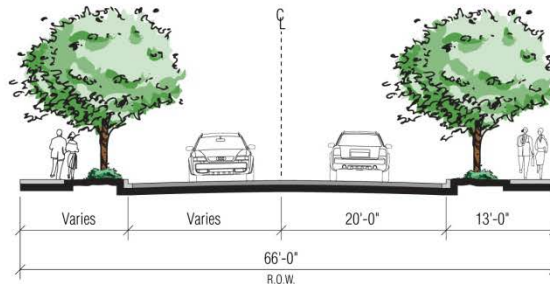
**Divided Arterial Section**

Holt Boulevard  
not to scale



**Local Street Section**

Fern Avenue and Emporia Street  
not to scale



**Local Street Section**

Vine Avenue  
not to scale

Upon development of the project site, the developer shall construct the right-of-way improvements adjacent to the project site, to the centerline of the street (street, curb, gutter, parkway, sidewalk, etc.). Curb returns adjacent to the project site on Holt Boulevard, Vine Avenue, and Fern Avenue, shall be designed and constructed with a minimum 25-foot radius.

Vine Avenue has a varying right-of-way width, in all cases the width shall be 20 feet from centerline to the east curb. The street width variation on Vine Avenue should take place west of the centerline. On Vine Avenue from Emporia Street to Brooks Street the width shall be 36 feet from curb-to-curb, from Brooks Street to Transit Street the width shall be 38 feet from curb-to-curb, and from Transit Street to Holt Boulevard the width shall be 40 feet from curb-to-curb.

Street improvements shall not be required on Transit Street, as the street will be vacated for the consolidation of the project site.

### **7.3 – Public Utilities**

All existing dry utilities (electricity, cable, telephone, gas, etc.) along Transit Street shall be relocated and re-routed to the streets bounding the project area, as required and approved by the affected utility agencies/companies. In the event that relocation of a utility is not feasible, a Public Utility Easement (PUE) shall be reserved for the existing utility(ies) prior to the vacation of Transit Street.

### **7.4 – Street Dedication, Vacation & Easements**

In order to create a single developable project site for the proposed Planned Unit Development, the street that bisects the project site in an east-west direction (Transit Street) will be required to be vacated. The existing sewer lines located within the section of Transit Street to be vacated, may be abandoned upon vacation of the street.

The ultimate Holt Boulevard right-of-way is 60 feet, measured from centerline, and will require an additional 20 feet of street dedication. Corner cut-off areas within the project site will require dedication at the intersection of Holt Boulevard and Fern Avenue, Fern Avenue and Emporia Street, Emporia Street and Vine Avenue, and Vine Avenue and Holt Boulevard, pursuant to Engineering Standard Drawing #1301. The general locations of the street dedications and corner cut-off areas are shown on Exhibit 7-1 (Easement & Dedication Locations).

The proposed 30-foot wide storm drain easement runs along Transit Street to facilitate an existing 7.5-foot by 8-foot reinforced concrete box (RCB). Furthermore, a 30-foot wide storm drain easement, which runs along Fern Avenue, north of Transit

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## **INFRASTRUCTURE AND UTILITIES**

Street, is required to facilitate a reinforced concrete pipe (RCP). The easements will be reserved and accommodated with the development of the project site. The easement locations are shown on Exhibit 7-2: Easement & Dedication Locations.

## 8 – Historic Preservation

All historic structures are subject to the requirements of Ontario Development Code Sections 4.02.040 through 4.02.065, and Division 7.01 (Historic Preservation) of the Ontario Development Code, as applicable.

### 8.1 – Historic Background

The two-block area that comprises this Planned Unit Development, was once home to the Casa Blanca Hotel and Developer’s Row. During Ontario’s early settlement period, several homes were constructed for prominent city pioneers along Emporia Avenue. This stretch of development was referred to as “Developer’s Row.” All of the homes from this development have been demolished, with the exception of the Ford-Collins House which was moved to its current location at 227 West Main Street sometime after 1915, to facilitate the construction of the Casa Blanca Hotel. An Environmental Impact Report was certified by City Council in 1998 for the demolition of the Casa Blanca Hotel.

In 2007, the property at 205 and 205 ½ was acquired by the City’s Redevelopment Agency. A Mitigated Negative Declaration was prepared for the demolition of both buildings. A request to defer the Certificate of Appropriateness (File No. PHP07-012) for the replacement structure was approved by the Historic Preservation Commission on September 25, 2007. Development of the project site will require both Development Plan approval pursuant to Ontario Development Code Section 4.02.025 (Development Plans) and the approval of a Certificate of Appropriateness pursuant to the requirements of Ontario Development Code Section 4.02.050 (Historic Preservation – Certificates of Appropriateness and Demolition of Historic Resources).

### 8.2 – Existing Historic Structures

Remaining within the area of the project site are historic properties located at 201 through 215 South Fern Avenue, The Fallis House, and 310 West Emporia Avenue (American Legion Hall). Location of these properties is shown on Exhibit 8-1 (Historic Resources Map).

### 8.3 – Certificate of Appropriateness

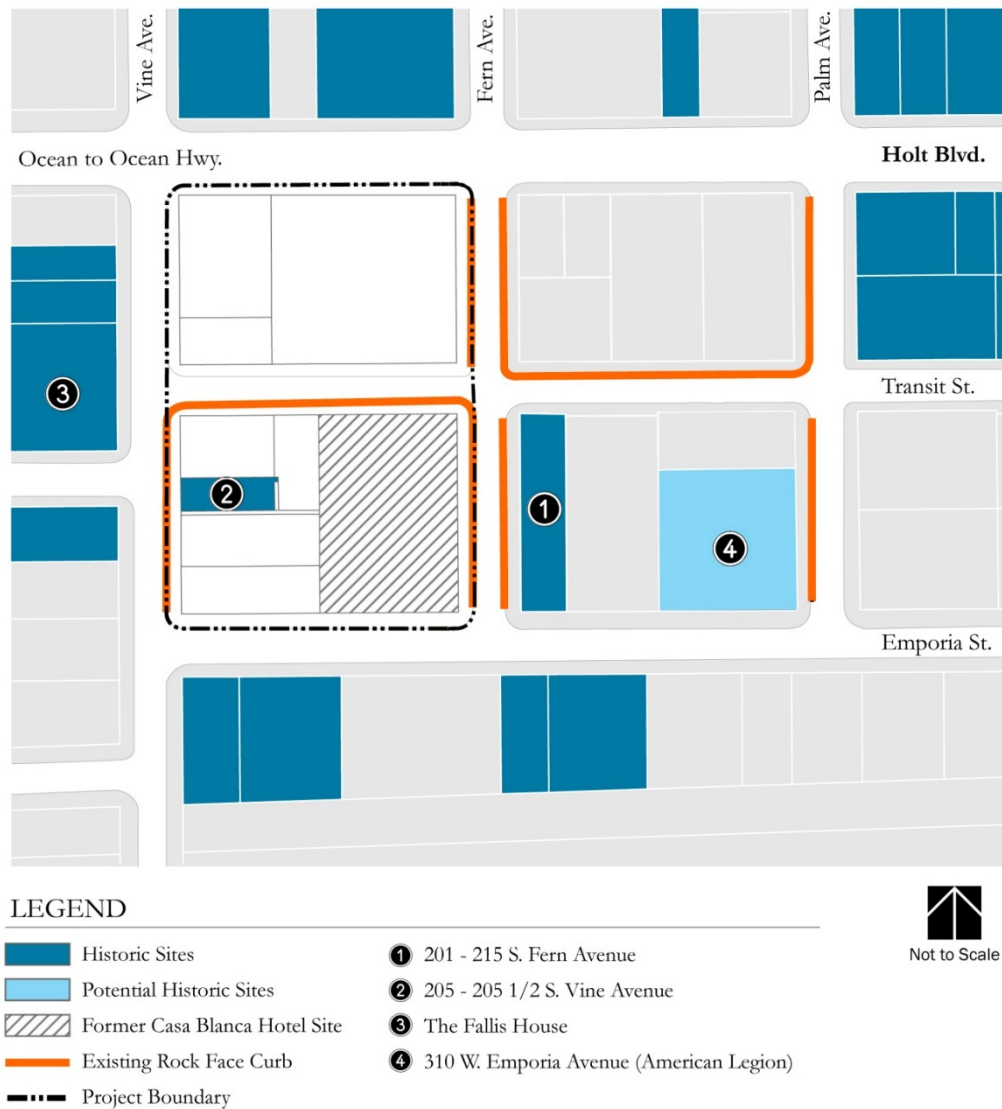
As mentioned in Section 8.1 (Historic Background), above, a Certificate of Appropriateness is required to be submitted along with a Development Plan, to implement this Planned Unit Development. Approval of a Certificate of

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## **HISTORIC PRESERVATION**

Appropriateness is to ensure a compatible project that does not detract from the historic site nor adversely affect adjacent historic properties, such as the Fallis House (Local Landmark No. 1), located at 122 South Vine Avenue, across the street to the west. Locations of adjacent historic properties are shown on Exhibit 8-1 (Historic Resources Map).

Exhibit 8-1: Historic Resources Map



The following mitigation measures shall be imposed on the project prior to the issuance of demolition permits for all Tier III designated historic properties located on the project site:

- An effort to relocate structure must be made (such as running a newspaper ad making the structure available to interested parties).



- HABS/HAER documentation of the historic resource (photos interior and exterior, written physical description of property, plans with dimensioned floor plan, site plan, elevations, and detailed drawings of any character defining-feature).
- Mitigation fees for non-residential structures (\$6.50 per square foot with a cap of \$32,500) shall be paid to the Historic Preservation Mitigation Trust Fund.
- Planning Department to identify salvageable features from the building or site to be reused either in the new project or donated to a local preservation group.

Demolition of any historic building on the project site shall not occur until the Approving Authority has approved a Certificate of Appropriateness for the replacement structure. The Historic Preservation Commission, upon recommendation of the Historic Preservation Subcommittee, may waive the requirement for a replacement structure if the ultimate project proposed for the site of the demolition provides an exceptional benefit to the community. Minimum findings must be made to waive the replacement structure requirements pursuant to the requirements of Ontario Development Code Section 4.02.050 (Historic Preservation – Certificates of Appropriateness and Demolition of Historic Resources).

## **8.4 – Rock Curb**

Split Cobble Stone Curb (Rock Curb) exists along areas of Vine Avenue, Fern Avenue, and Transit Street in the project area. All rock curb locations in the project area are considered the lowest priority of rock curb classification. Due to this classification, the rock curb can be removed. The rocks shall be cleaned to the extent possible (removal of concrete), and temporarily stored on the project site, or at a City facility to be determined and arranged by the Housing Agency. The rocks acquired shall be reused on the project site within pedestrian corridors, at entry points into the site (e.g. drive aisles), or within the open space areas, subject to review and approval of the Planning Department. Rock curb locations can be replaced with standard curb and gutters pursuant to City standards. Locations of the rock curb are shown on Exhibit 8-1 (Historic Resources Map).

Incorporating an interpretative plan should be considered and submitted with the Development Plan submitted to implement this Planned Unit Development. Interpretative elements should be coordinated with the design of the landscape and hardscape plans, to achieve maximum compatibility and functionality. The purpose of the interpretative plan is to convey the historic background and historic significance (such as Developer’s Row, Fallis House, Casa Blanca, and Ocean-to-Ocean Highway—Holt Blvd.) of the project site and surrounding area, through narrative

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## **HISTORIC PRESERVATION**

plaques and photo displays. The salvaged rock curb should be part of the interpretative plan.

## 9 – CEQA Compliance

An Addendum to The Ontario Plan Environmental Impact Report (SCH No. 2008101140), prepared in conjunction with File No. PGPA06-001, and certified by the City of Ontario City Council on January 27, 2010, was prepared for the project.

The Approving Authority for the Project reviewed and considered the information contained in the Addendum, the initial study, and the administrative record for the Project, including all submitted written and oral evidence. Based upon the facts and information contained in the Addendum, the initial study, and the administrative record, including all written and oral evidence, the Approving Authority found as follows:

- The Addendum and administrative record have been completed in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the City of Ontario Local CEQA Guidelines; and
- The Addendum contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Approving Authority; and
- There is no substantial evidence in the administrative record supporting a fair argument that the project may result in significant environmental impacts; and
- The project will not introduce any new significant environmental impacts beyond those previously analyzed in the Environmental Impact Report, and all mitigation measures previously adopted by the Environmental Impact Report, are incorporated herein by this reference.

### 9.1 – Environmental Performance Standards

Due to the proximity of the project area to rail lines and Holt Avenue which are both generators of noise and emissions, standards have been established to mitigate these environmental impacts.

#### 9.1.1 – Noise

To ensure a proper standard of living, noise levels shall not exceed 65 dBA for exterior noise levels and 45 dBA for interior noise levels. In order to achieve these noise levels the following mitigations shall be followed:

- **MM 5.12-1:** Prior to the issuance of building permits, the developer/owner 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 (CCR Titles 24 and 21).

- **MM 5.12-2:** Prior to the issuance of building permits, the developer/owner shall retain an acoustical engineer to evaluate the potential for trains to create perceptible levels of vibration indoors. If vibration-related impacts are found, mitigation measures, such as use of concrete, iron, 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 during the nighttime for residential uses.
- Construction activities shall only occur between the hours of 7:00 AM and 6:00 PM on weekdays, and 9:00 AM and 6:00 PM on Saturdays and Sundays;
- Structural noise attenuation requirements contained in Ontario Municipal Code Title 8, Chapter 15, Article 3 (Building Requirements for New Residential Construction in the 65 CNEL to 70 CNEL Noise Zone) are required to be incorporated into exterior façade units located along the eastern, western, and northern project perimeter.
- Structural noise attenuation requirements contained in Ontario Municipal Code Title 8, Chapter 15, Article 2 (Building Requirements for New Residential Construction in the 70 CNEL to 75 CNEL Noise Zone) are required to be incorporated into exterior façade units located along the southern project perimeter;
- Balconies on exterior façade units located along the project's east, west and north perimeter street frontages shall have a solid balcony barrier of at least 5 feet above the deck height. On exterior façade units located along the project's south perimeter street frontage, no balconies or yard areas shall be permitted; and
- A 6-foot high solid decorative masonry block wall with self-closing, sound insulated gates shall be constructed between the buildings located along the southern edge of the project site. This will ensure exterior noise for outdoor facilities within the project will not exceed 65 dB CNEL.

### **9.1.2 – Air Quality**

- Due to the proximity of the active rail lines to the south of the project area, air quality is a concern for the project site resulting from the diesel emissions from trains. Listed below are standards for reducing the air quality impacts of the diesel emissions.
- All residential living areas shall be equipped with air filtration systems operating under a positive pressure rated at MERV 12 or higher;
- The HOA or property management will replace all unit filters on a routine basis, determined by industry standards for the filter and air conditioning HVAC systems selected;
- The active outdoor recreation areas should be shifted northward where feasible, to provide the greatest possible distance setback from the closest railroad tracks; and
- A dense tree canopy shall be established along the southern site boundary to act as a living bio-filter for particulate air pollution.

## **10 – Administration**

### **10.1 – Items Not Addressed in PUD**

Any terms or regulations pertaining to design, development, subdivision, administration and interpretation, and nonconforming use, structures and, which are not addressed in this PLANNED UNIT DEVELOPMENT, shall be governed by the City of Ontario Development Code.

### **10.2 – Development Applications**

Development Plan approval, pursuant to the requirements of Ontario Development Code Section 4.02.025 (Development Plans), shall be required for the physical alteration of a lot, the construction of a building, or the addition or significant alteration of an existing building. A Development Plan application shall be submitted to the Planning Department on a City application form pursuant to the requirements of Ontario Development Code Division 2.02 (Application Filing and Processing), commencing with Subsection B (Discretionary Permits and Actions) of Section 2.02.015 (Application Processing Procedures).

### **10.3 – Administrative Exceptions**

Minor exceptions to the development standards set forth in this document may be granted by the Zoning Administrator in accordance with Section 4.02.020.C (Administrative Exceptions) of the Ontario Development Code, not to exceed 10 percent from minimum residential setback and separation requirements.

### **10.4 – Severability**

If any portion of this Planned Unit Development is held to be invalid, unconstitutional, or unenforceable by a court of competent jurisdiction, the determination shall not affect the validity of the remaining portions of this Planned Unit Development. Moreover, the decision shall not affect, impair, or nullify this Planned Unit Development, either in whole or in part, and the remainder of this Planned Unit Development shall continue in full force and effect.



# EMPORIA FAMILY HOUSING

*Planned Unit Development*

Ontario, California







# PLANNING COMMISSION STAFF REPORT

April 25, 2017

**SUBJECT:** An Amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. (APN: 0210-212-57); **submitted by Architecture Design Collaborative. City Council action is required.**

**PROPERTY OWNER:** Prime A Investments, LLC

**RECOMMENDED ACTION:** That the Planning Commission recommend that the City Council adopt an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and recommend approval of File No. PSPA17-001, 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 11.22 acres of land located at southeast corner of Haven Avenue and Guasti Road, within the Mixed Use Planning Area of the Ontario Gateway Specific Plan, and is depicted in Figure 1: Project Location, below. The project site is currently vacant and gently slopes from north to south. The properties to the north of the project site are developed with an existing Fletcher Jones Mercedes Benz auto dealer, an Embassy Suites hotel, and a Springhill Suites hotel that is currently under construction. These properties are located within the Entertainment and Auto Planning Areas of the Ontario Gateway Specific Plan. The property to the east is currently vacant and located within the Office Planning Area 2 of the Ontario Gateway Specific Plan. The properties to the south are constructed with a Park-N-Fly airport parking lot and an existing industrial warehouse development and



**Figure 1: Project Location**

Case Planner:	Henry K. Noh	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	N/A	N/A	
Submittal Date:	February 27, 2017	ZA			
Hearing Deadline:	N/A	PC	4/25/17		Recommend
		CC			Final

are located within the Commercial/Food/Hotel land use district of the California Commerce Center Specific Plan. The property to the west is currently vacant and is located within the Office land use designation of the Centrelake Specific Plan.

### **PROJECT ANALYSIS:**

Background — The Ontario Gateway Specific Plan was approved in 2007 and established the standards, regulations and design guidelines for the development of the site. The objectives of the Specific Plan are to:

- Establish a clearly recognizable commercial/office/medical/hotel/business park development that provides an economically viable addition to the City of Ontario, maintains a high quality work and client environment, and enhances the quality of life for present and future residents and visitors in the City of Ontario;
- Respond to the growing demand for hotel and office space in the Ontario region;
- Create a high-quality commercial/office/medical development that attracts businesses and provides employment opportunities to area residents, benefiting the jobs/housing balance and economic base of the City of Ontario by improving employment opportunities for local residents;
- Develop a flexible plan that meets the needs of an ever-changing business market while ensuring compliance with high standards of development to encourage private investment in the area; and
- Establish retail and service uses to serve the needs of local residents and visitors, while providing a variety of sales tax-generating uses to help pay for local public services.

The overall land use and site concept for the Ontario Gateway Specific Plan is to recognize the site's potential for commercial, office, business park, and institutional uses and to take advantage of the excellent freeway access and proximity to Ontario International Airport. The land and development site concept provides for visitor-serving and freeway-serving commercial uses, medical-related uses, hospitality uses, business park uses, and office uses completing the transition of the site from a manufacturing and distributing use to a vibrant visitor, customer, and patient-serving area. With the freeway access at Haven Avenue, convenient access to the site is provided for both employees and clients. In order to allow for development flexibility, the project site is divided into four different planning areas; each area with specific allowed uses. The land use and development site concept plan envisioned in the Ontario Gateway Specific Plan includes the following five planning area categories (**See Exhibit "A": Ontario Gateway Land Use Map**):

- Mixed Use Planning Area;
- Entertainment Planning Area;
- Office Planning Area I;
- Office Planning Area II; and
- Auto Planning Area.

Specific Plan Amendment — The Amendment to the Ontario Gateway Specific Plan proposes to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed Use Planning Area land use designation.

Located on the south side of Guasti Road, the Mixed Use Planning Area of the Specific Plan extends to the Southern Pacific Railroad and is adjacent to Haven Avenue. The Mixed Use Planning Area provides for a hospital complex or a business park with secondary retail and office uses within two different scenarios. Mixed Use *Scenario 1* includes a hospital/medical facility with a parking structure. Ancillary commercial uses may be provided with the medical services. In *Scenario 2*, the focus is a business park with a small retail area for shops and services as the market demands.

Architecture Design Collaborative (“Applicant”) is proposing to develop the 11.22-acre parcel within the Mixed Use Planning Area, located at the southeast corner of Haven Avenue and Guasti Road. Due to current market demands, the applicant is proposing to move forward with Mixed Use *Scenario 2*, based on the project site location, surrounding uses that include hospitality, auto and office uses and having limited commercial, retail and food uses to serve the project site area (north and south of the I-10 Freeway along Haven Avenue). In addition, currently there is a strong market demand from national retailers and restaurants (**See Exhibit “B”: Retail Demand Letter**), including a drive-thru tenant that will be the catalyst to finalize and sign the rest of the interested tenants. Therefore, the Applicant is requesting approval of a Specific Plan Amendment (File No. PSPA17-001) to amend the Ontario Gateway Specific Plan to conditionally permit quick serve restaurants with a drive-thru within the Mixed Use Planning Area land use designation.

The Ontario Gateway Specific Plan Amendment proposes to add drive-thru quick serve restaurants as a conditionally permitted use within the Mixed Use land use district. The Applicant proposes to amend Table 2.B: Permitted Land Use by Planning Area by adding the following category as a conditionally permitted use within the Mixed Use Planning Area (**See Exhibit C: Revised Permitted Land Use Table**):

- Quick serve restaurant with drive-thru.

**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)

**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.

### **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.

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

**HOUSING ELEMENT COMPLIANCE:** The project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

**ENVIRONMENTAL REVIEW:** The 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 and an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010 was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. This Application introduces no new significant environmental impacts. All previously adopted mitigation measures are to be a condition of project approval and are

incorporated herein by reference. The environmental documentation for this project is available for review at the Planning Department public counter.

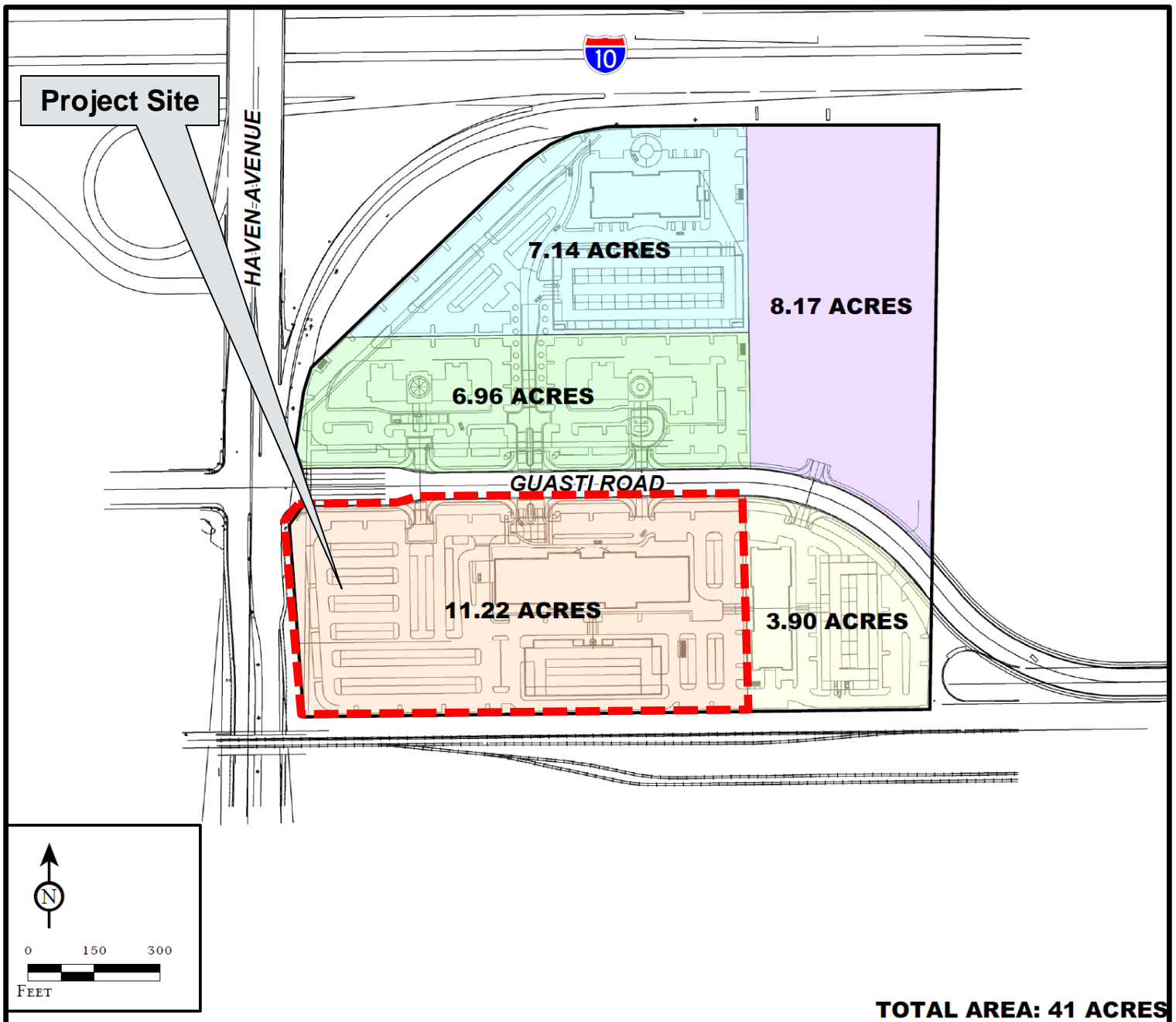
**CONDITIONS OF APPROVAL:** See attached department reports.

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	Office Commercial	Ontario Gateway Specific Plan	Mixed Use
<i>North</i>	Hotel and Auto Dealer	Office Commercial	Ontario Gateway Specific Plan	Entertainment and Auto
<i>South</i>	Parking Lot and Warehouse	Industrial	California Commerce Center	Commercial/Food/Hotel
<i>East</i>	Vacant	Office Commercial	Ontario Gateway Specific Plan	Office Planning Area 2
<i>West</i>	Vacant	Office Commercial	Centrelake Specific Plan	Office

**Exhibit "A": Ontario Gateway Land Use Map**



□ PROJECT BOUNDARY  
 PLANNING AREAS

■ AUTO PLANNING AREA (8.17 ACRES)  
 ■ ENTERTAINMENT PLANNING AREA (6.96 ACRES)

■ MIXED USE PLANNING AREA (11.22 ACRES)  
 ■ OFFICE PLANNING AREA 1 (7.14 ACRES)  
 ■ OFFICE PLANNING AREA 2 (3.90 ACRES)



**Exhibit "B": Retail Demand Letter**



March 30, 2017

Mr. Rudy Zeledon  
303 East B Street  
Ontario, CA 91764

Re: SEC Haven & Guasti – Gateway Square  
Subject: Project Summary and Need for Retail Use

Dear Rudy,

Prime A Investments, LLC (hereafter owner) owns the SEC of Haven & Guasti. This 10.9 acres of vacant land is located on an extremely busy intersection surrounded by dense office, industrial, and hospitality uses. Interstate 10 is just to the north of the intersection and acts as a trade barrier between the limited retail to the north of Interstate 10 and the extremely limited to almost nonexistent retail immediately south of Interstate 10. Immediately across Guasti Rd is an existing Embassy Suites Hotel, Fletcher Jones Mercedes, and a soon to be open Springhill Suites. To the west are several densely-occupied office parks with the only real retail being two sit-down style restaurants between Haven & Archibald.

Initial planning of the 10.9 acres is in-line with the allowed uses in the 2008 Ontario Gateway Specific Plan. Referring to the attached conceptual site plan, we are planning a mixed-use office & light retail project. The office is proposed to be 75,000-80,000sf located on the eastern half of the 10.9 acres and the retail is proposed to be 3-4 free standing buildings estimated at 37,000-40,000sf.

In the last 6-9 months, we have received an overwhelming response from national retail users interested in the retail project. These use types are coffee, cell-phone, bakery/salad, sandwich, pizza, light retail office, and sit down restaurant. At least one of the tenants interested in the Pad A building must have a typically operating drive-thru (as shown) to move forward with the site. Once we have this tenant under lease, the rest of the interested retail tenants will commit to negotiations and finalizing delivery timing. The tenants are recognizable national tenants with several locations in the inland empire, Southern California and across the U.S. These uses are in high demand for this trade area due to the lack of retail amenity for the surround existing uses. During the day, the trade area population swells largely due to the dense office uses. These people literally have no amenity throughout the work day and generally due to time constraints, cannot travel to the Milliken & 4<sup>th</sup> Street area where most of the retail exists.

Additionally, the owner is currently in negotiations with an owner user for the proposed 75,000-80,000sf multi-story office building. The deal structure now would have Reddy Development performing all the entitlement for the mixed-use project, commence construction of the office and retail uses and at the point the building pad and associated site work for the office building is complete, the land would be sold to the office owner-user. Reddy Development would be retained to complete the office building project while also

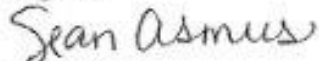
***Exhibit "B": Retail Demand Letter Cont'd.***

completing the retail development. This buyer has expressed concern in moving forward without the reality of this retail development being constructed. Their primary concern is that their several 100 employees will not have any amenity.

The currently submitted specific plan amendment to allow drive thru uses on this property must be approved for the mixed-use project to happen. Reddy Development is poised to move forward swiftly with its entitlement once the specific plan is amended to allow the drive thru use; Allowing approximately 120,000 sf of mixed use to be developed at this location.

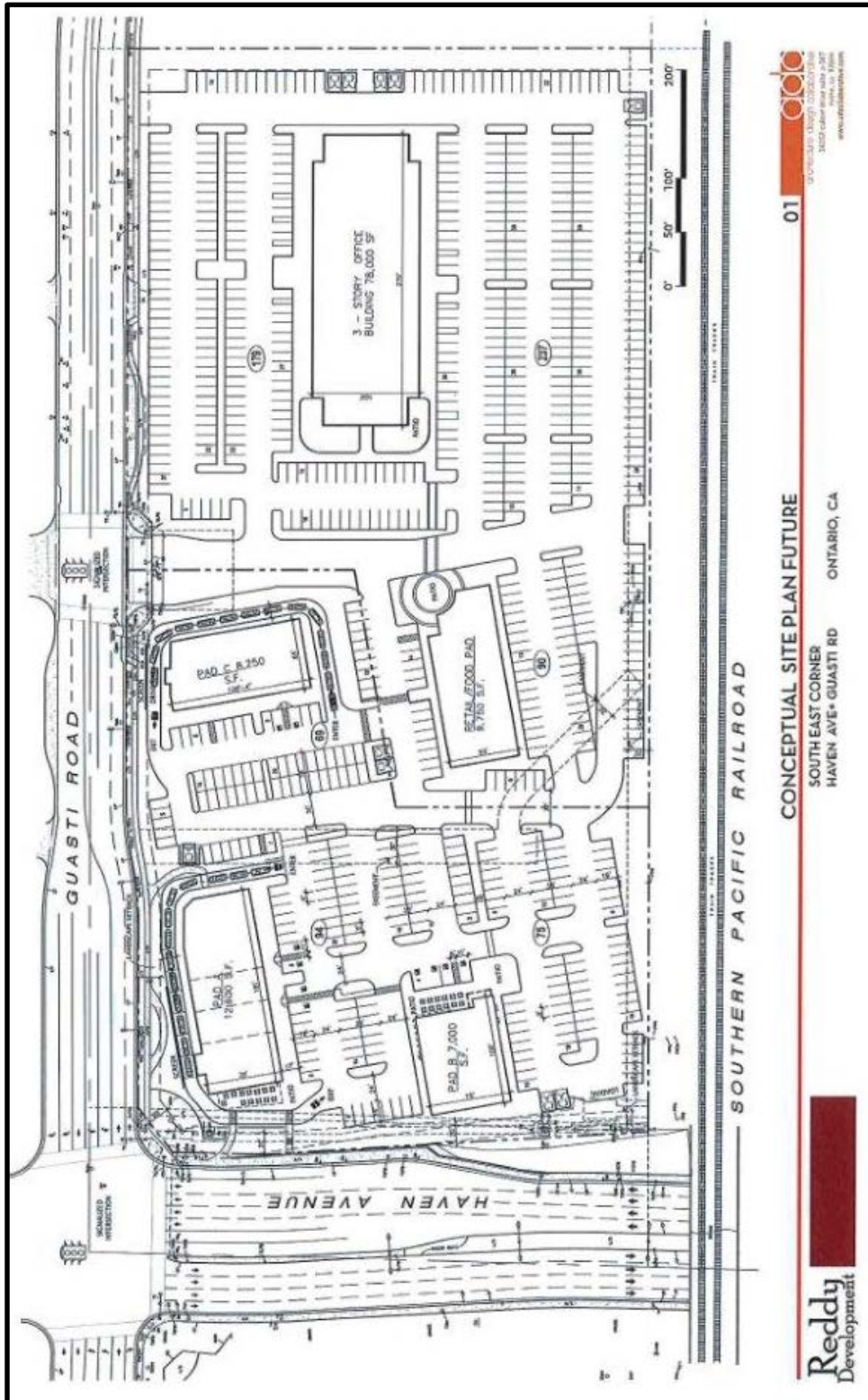
We look forward to completing this process as expeditiously as possible so as not to create any further delays in the project timeline. We are available to answer any questions you might have regarding this project and specifically our need for drive thru use to be allowed.

Regards,

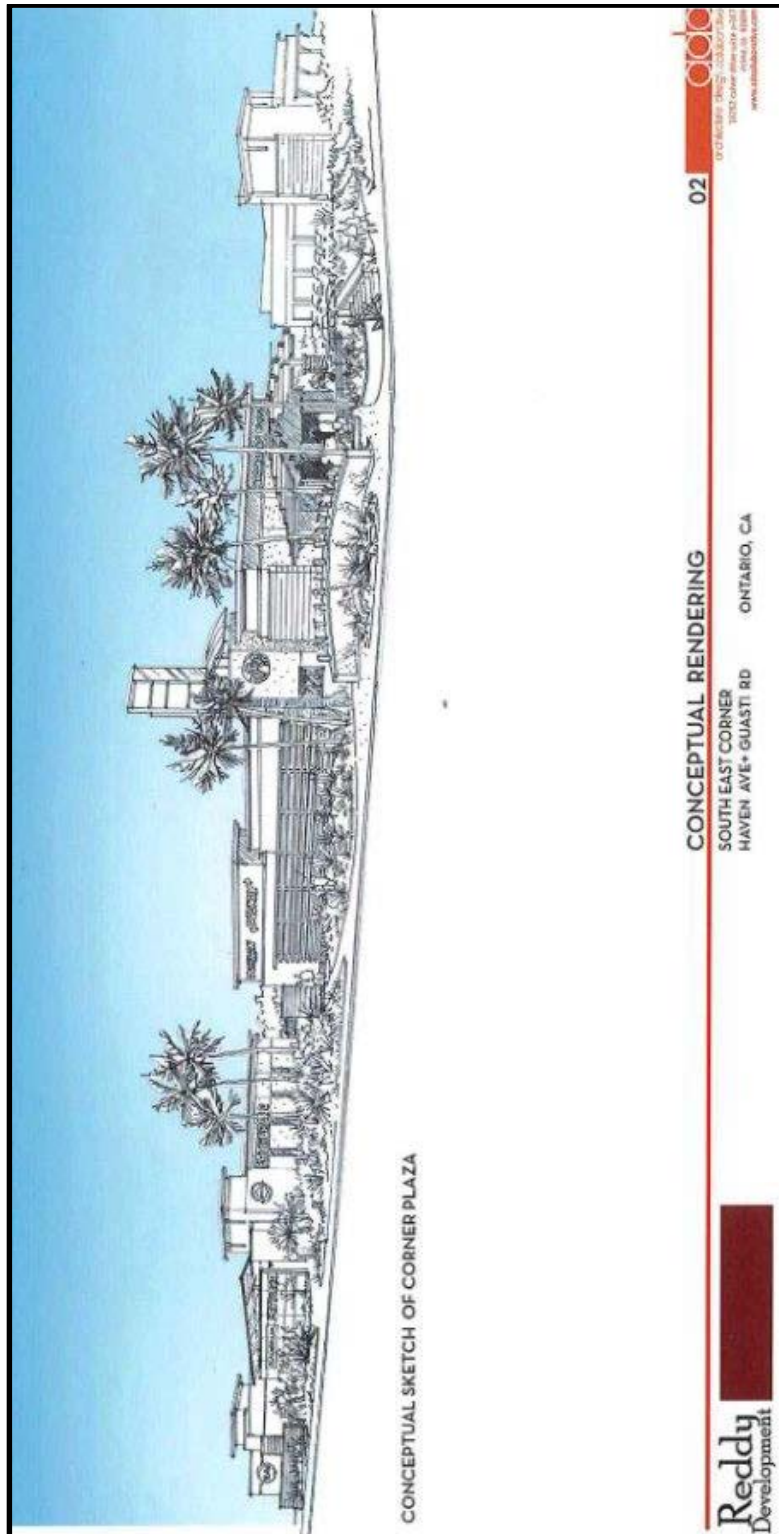


Sean Asmus  
VP of Development

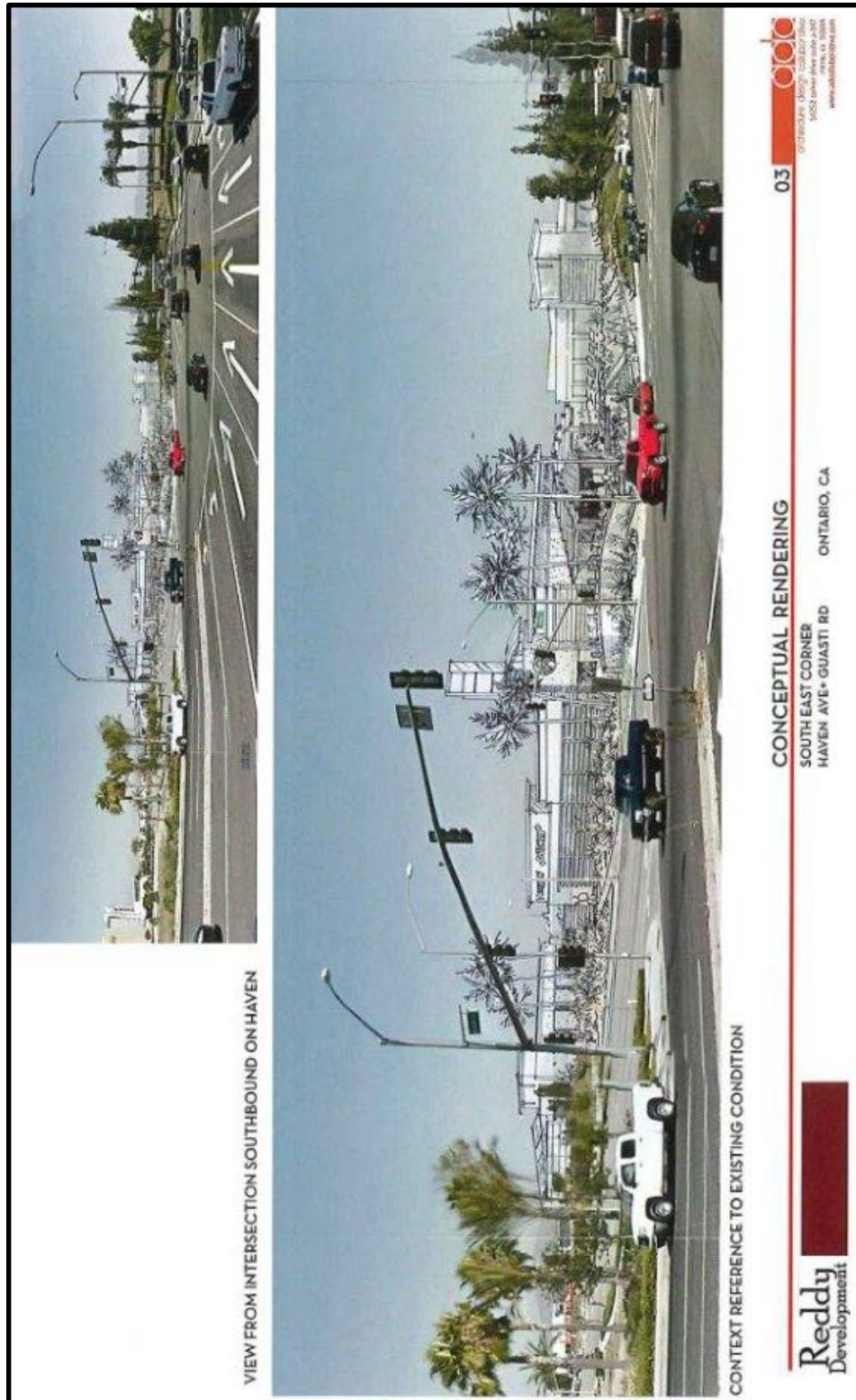
**Exhibit "B": Retail Demand Letter Cont'd.**



**Exhibit "B": Retail Demand Letter Cont'd.**



**Exhibit "B": Retail Demand Letter Cont'd.**



**Exhibit C: Revised Permitted Land Use Table**



**Table 2.B: Permitted Land Uses by Planning Areas**

Uses	Mixed Use Planning Area	Entertainment Planning Area <sup>1</sup>	Office Planning Area 1	Office Planning Area 2 <sup>2</sup>	Auto Planning Area
<b>Food Establishments</b>					
<p><i>Eating Establishments.</i> Activities typically include, but are not limited to, the retail sale from the premises of food or beverages prepared for on-premises consumption. Uses typically include, but are not limited to:</p> <ul style="list-style-type: none"> <li>Full-service restaurants, serving ready-to-eat food and beverages for on-site consumption.</li> </ul>	P	P	P	—	—
<ul style="list-style-type: none"> <li>Cafes/Delicatessen/Sandwich Shop serving food that is usually quickly prepared and beverages for on-site or off-site consumption, with no drive-through facilities.</li> </ul>	P	P	P	—	—
<ul style="list-style-type: none"> <li><b>Quick serve restaurants with drive-through</b></li> </ul>	C	—	—	—	—
<ul style="list-style-type: none"> <li>Mini-Marts</li> </ul>	P	A	A	—	—
<ul style="list-style-type: none"> <li>Ice Cream/Yogurt/Juice/Coffee shop</li> </ul>	P	P	P	—	—
<ul style="list-style-type: none"> <li>Catering establishments, preparing ready-to-eat food for delivery to an off-site location for consumption.</li> </ul>	P	A	P	—	—
<ul style="list-style-type: none"> <li>Banquet Facilities, facilities catering on-site meals to large groups.</li> </ul>	P	P	A	—	—
<p><i>Bar/Cocktail Lounge.</i> Activities typically include, but are not limited to, the preparation and retail sale from the premises of alcoholic beverages prepared for on-premises consumption. Uses typically include, but are not limited to, taverns, bars, and brew-pubs.</p>	C	C	C	—	—
<ul style="list-style-type: none"> <li>Health Club/Gymnasium</li> </ul>	P	A	P	—	—

# California Environmental Quality Act Environmental Checklist Form

**Project Title/File No.:** Ontario Gateway Specific Plan Amendment (File No. PSPA17-001)

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

**Contact Person:** Henry K. Noh, 909-395-2429

**Project Sponsor:** Architecture Design Collaborative, 23231 South Pointe Dr, Laguna Hills, CA 92653

**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 at the southeast corner of Haven Avenue and Guasti Road.

**Figure 1—REGIONAL LOCATION MAP**



**Figure 2—VICINITY MAP**





**General Plan Designation:** Office Commercial (0.75 FAR)

**Zoning:** Ontario Gateway Specific Plan - Mixed Use

**Description of Project:** An Amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road.

**Project Setting:** The project site is currently vacant and gently slopes from north to south and is surrounded by developed urban uses.

**Surrounding Land Uses:**

	<u>Zoning</u>	<u>Current Land Use</u>
▪ North—	Ontario Gateway Specific Plan - Entertainment and Auto	Office Commercial
▪ South—	California Commerce Center - Commercial/Food/Hotel	Industrial
▪ East—	Ontario Gateway Specific Plan - Office Planning Area 2	Office Commercial
▪ West—	Centrelake Specific Plan - Office	Office Commercial

**Other public agencies whose approval is required** (e.g., permits, financing approval or participation agreement): (Insert description)

**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.

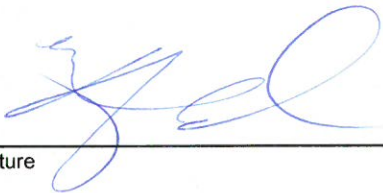
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|--|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture Resources              |
| <input type="checkbox"/> Air Quality                 | <input type="checkbox"/> Biological Resources               |
| <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"/> Population / Housing        | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation / Traffic           |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

**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 Certified The Ontario Plan (TOP) Environmental Impact Report (EIR) pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier Certified EIR, including revisions or mitigation measures that are imposed upon the proposed project, the analysis from the Certified TOP EIR was used as a basis for this Addendum, nothing further is required.



Signature

April 5, 2017  
Date

Henry K. Noh, Senior Planner  
Printed Name and Title

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>No Impact</i>
1) <b>AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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"/>
2) <b>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:				
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>

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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))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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"/>
e) 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"/>
3) <b>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:				
a) 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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) <b>BIOLOGICAL RESOURCES.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>

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f) 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:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) 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"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6) GEOLOGY AND SOILS.</b> Would the project:				
a) Expose people or structures to 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"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water 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>7) GREENHOUSE GAS EMISSIONS.</b> Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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"/>

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8) <b>HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project:				
a) 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) 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"/>
c) 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9) <b>HYDROLOGY AND WATER QUALITY.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
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 increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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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 which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10) LAND USE AND PLANNING.</b> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11) MINERAL RESOURCES.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>12) NOISE.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13) POPULATION AND HOUSING.</b> 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>14) PUBLIC SERVICES.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15) RECREATION.</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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>16) TRANSPORTATION/TRAFFIC.</b> Would the project:				



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a) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
b) 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 checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>17) UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) 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"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18) MANDATORY FINDINGS OF SIGNIFICANCE</b>				

<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>
a) 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) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) 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: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *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 at 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 along Haven Avenue which is a major north-south street as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. Any future development would be required to meet the development standards of the specific plan, which would limit impacts related to obstructing views of the San Gabriel Mountains for properties located south of the project site. 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 proposed project will substantially improve the visual quality of the area through development of the site with a mixed use development, which will be consistent with the design standards of the Ontario Gateway Specific Plan and the policies of the Community Design Element of the Policy Plan (General Plan), as well as with the existing and future development in the surrounding area. Therefore, no adverse impacts are anticipated in relation to the project.

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.

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: 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 vacant 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: 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 is zoned Ontario Gateway Specific Plan – Mixed Use. The proposed project will be required to be consistent with the development standards and allowed land uses of the zone. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

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 Ontario Gateway Specific Plan – Mixed Use. 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 Ontario Gateway Specific Plan 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 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 Ontario Gateway Specific Plan – Mixed Use and is not designated as Farmland. The project site is currently vacant 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 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 be required when developed to 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) **Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

Discussion of Effects: With the future development of the project site, 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) **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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

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)].

Mitigation: None required.

- d) **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 Ontario Gateway Specific Plan – Mixed Use 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: None required.

- e) **Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the Ontario Gateway Specific Plan – Mixed Use 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 is part of a larger vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

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 plan. 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 vacant and does not contain any buildings, structures, or objects. 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) **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 Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. 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 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: None required.

- d) **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 development. 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.

- e) **Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resources exist within the project area.

Mitigation:

6) **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 in compliance 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: 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.

7) **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 with regard to 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.

8) **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.

- 9) **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.

- 10) **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 development. The project will become a part of the larger office and commercial community and will provide needed services to the area. 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.

11) **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.

12) **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 groundborne vibration or groundborne noise levels?**

Discussion of Effects: The uses associated with this project normally do not induce groundborne 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 commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels 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 outside of the 65CNEL 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.

13) **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 located 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 undeveloped. 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 undeveloped. Therefore, no impacts are anticipated.

Mitigation: None required.

14) **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: 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. 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. 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. No impacts are anticipated.

Mitigation: None required.

15) **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 significant 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: 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 not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required.

16) **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, 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?**

Discussion of Effects:

The project proposes to amend the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. The proposed amendment would slightly increase the potential average number of trips generated by a quick serve restaurant with a drive-thru facility (1,000 SF GFA: 83.19 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) versus a quick serve restaurant without a drive-thru facility (1,000 SF GFA: 70.02 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) that equates to approximately 13 average total additional weekday trips for A.M. and P.M. Peak Hour trips per 1,000 Square Feet of Gross Floor Area.

The project site is located within Traffic Analysis Zone (TAZ) - 74 of the previously analyzed TOP EIR traffic study (*Ontario General Plan Update: Transportation Technical Report, Kimley-Horn and Associates, March 19, 2009*). When TOP was originally adopted in 2010, TAZ - 74 included approximately 50 acres of land that had a land use designation of Office Commercial (0.75 FAR: 1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by

1,662 trips. Therefore, Staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8<sup>th</sup> Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. Peak Hours (**Exhibit A – Land Use Traffic Analysis**). Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not 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. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, 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 increase 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 proposes to amend the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. The proposed amendment would slightly increase the potential average number of trips generated by a quick serve restaurant with a drive-thru facility (1,000 SF GFA: 83.19 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) versus a quick serve restaurant without a drive-thru facility (1,000 SF GFA: 70.02 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) that equates to approximately 13 average total additional weekday trips for A.M. and P.M. Peak Hour trips per 1,000 Square Feet of Gross Floor Area.

The project site is located within Traffic Analysis Zone (TAZ) - 74 of the previously analyzed TOP EIR traffic study (*Ontario General Plan Update: Transportation Technical Report, Kimley-Horn and Associates, March 19, 2009*). When TOP was originally adopted in 2010, TAZ - 74 included approximately 50 acres of land that had a land use designation of Office Commercial (0.75 FAR: 1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by 1,662 trips. Therefore, Staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8<sup>th</sup> Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. Peak Hours (**Exhibit A – Land Use Traffic Analysis**). Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not 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. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, 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 amount 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 [either is outside of areas with FAA-imposed height restrictions, or is under such height restrictions]. 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.

17) **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. 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 and 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. 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. 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. 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. 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. 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.

#### 18) 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. 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 proposes to amend the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. The proposed amendment would slightly increase the potential average number of trips generated by a quick serve restaurant with a drive-thru facility (1,000 SF GFA: 83.19 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) versus a quick serve restaurant without a drive-thru facility (1,000 SF GFA: 70.02 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) that equates to approximately 13 average total additional weekday trips for A.M. and P.M. Peak Hour trips per 1,000 Square Feet of Gross Floor Area.

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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 proposes to amend the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. The proposed amendment would slightly increase the potential average number of trips generated by a quick serve restaurant with a drive-thru facility (1,000 SF GFA: 83.19 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) versus a quick serve restaurant without a drive-thru facility (1,000 SF GFA: 70.02 Average Rate for Weekday One Hour Peak A.M. and P.M. Peak Hours) that equates to approximately 13 average total additional weekday trips for A.M. and P.M. Peak Hour trips per 1,000 Square Feet of Gross Floor Area.

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1,639,054 SF), which was subsequently changed in November 2014 (Guasti Ponderosa File No. PGPA14-001) to Business Park (0.6 FAR: 1,311,243 SF). This change in land use reduced the overall potential building square footage by 327,811 SF within TAZ - 74. In addition, the average weekday trip generation rate for Weekday AM and PM Peak Hours Average Trips was reduced by 1,662 trips. Therefore, Staff analyzed the existing and proposed land use buildout trip generation scenarios to determine if the proposed amendment would have a greater impact than what was previously analyzed. The trip generation analyses relied upon the *Trip Generation, 8<sup>th</sup> Edition, Institute of Transportation Engineers (ITE) 2008* to determine the number of trips generated from the project site during Weekday A.M. and P.M. peak hours. The analyses concluded that the proposed Ontario Gateway Specific Plan Amendment, in conjunction with the previous 2014 Guasti Ponderosa GPA would result in 1,530 less trips during Weekday A.M. and P.M. Peak Hours (**Exhibit A – Land Use Traffic Analysis**). Therefore, the analysis concluded that the implementation of the Specific Plan Amendment would not 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. Therefore, the proposed amendment would not result in a greater impact than what was previously analyzed in the adopted TOP FEIR traffic study. Additionally, 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 increase significantly. Therefore, 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
  - d) Ontario Gateway Specific Plan
  - e) Ontario Gateway Specific Plan EIR
  - f) Trip Generation, 8<sup>th</sup> Edition, Institute of Transportation Engineers (ITE) 2008

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.

Comments III.A and C were addressed in The Ontario Plan FEIR and considered a significant adverse effect that could not be mitigated. A statement of overriding considerations was adopted for The Ontario Plan FEIR.

#### 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

3) Sweep streets if silt is carried to adjacent public thoroughfares.

- a) Obtain authorization to discharge storm water under an NPDES construction storm water permit and pay appropriate fees.

4) **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.:** PSPA17-001

**Project Sponsor:** Architecture Design Collaborative, 23231 South Pointe Dr, Laguna Hills, CA 92653

**Lead Agency/Contact Person:** Henry K. Noh, Senior Planner, City of Ontario, Planning Department, 303 East B Street, Ontario, California 91764, (909) 395-2036

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
<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



Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Non-Compliance
<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

**Exhibit A – Land Use Traffic Analysis**  
 Project Traffic Generation Forecast Comparison

Weekday AM and PM Peak Hours Average Rate

Land Use Factors	Average Trip Generation Factors Rate	SF	+/- Total Trips Generated
933: Fast-Food Restaurant w/out Drive-Thru	70.02/1,000 SF	10,000 SF	-700 trips
934: Fast-Food Restaurant w/ Drive-Thru	83.19/1,000 SF	10,000 SF	832 trips
750: Office Park	3.19/1,000 SF	1,639,054 SF	-5,229 trips
770: Business Park	2.72/1,000 SF	1,311,243 SF	3,567 trips
Net Project Trip Generation Forecast			-1,530 trips

**Notes:**

- 1) TOP EIR assumed a 0.75 FAR for Office Commercial.
- 2) TOP EIR assumed a 0.60 FAR for Business Park.
- 3) The Guasti and Ponderosa GPA (File No. PGPA14-001) change approximately 50.17 acres of land from Office Commercial (0.75 FAR) to Business Park (0.6 FAR) within TAZ - 74.
- 4) Analysis assumed a total Square Footage of 10,000 SF for both Fast-Food Restaurants with and w/out Drive Thru.
- 5) The proposed project would result in 1,530 less trips during Weekday AM and PM peak hours for the project area.
- 6) Source: Trip Generation, 8<sup>th</sup> Edition, Institute of Transportation Engineers (ITE) 2008

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF AN ADDENDUM TO THE ONTARIO PLAN ENVIRONMENTAL IMPACT REPORT, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, FOR FILE NO PSPA17-001.

WHEREAS, prior to the adoption of this Resolution, the Planning Director of the City of Ontario prepared an Initial Study, and approved for attachment to the certified Environmental Impact Report, an addendum to The Ontario Plan Environmental Impact Report for File No. PSPA17-001 (hereinafter referred to as "Initial Study/Environmental Impact Report Addendum"), all in accordance with the requirements of the California Environmental Quality Act of 1970, together with State and local guidelines implementing said Act, all as amended to date (collectively referred to as "CEQA"); and

WHEREAS, File No. PSPA17-001 analyzed under the Initial Study/Environmental Impact Report Addendum, consists of an amendment to the Ontario Gateway Specific Plan to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road, in the City of Ontario, California (hereinafter referred to as the "Project"); and

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

WHEREAS, The Ontario Plan Environmental Impact Report (SCH No. 2008101140) was certified on January 27, 2010, in which development and use of the Project site was discussed; and

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

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

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

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

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

NOW, THEREFORE, IT IS HEREBY FOUND, DETERMINED, AND RESOLVED by the 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 Initial Study/Environmental Impact Report Addendum 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 Initial Study/Environmental Impact Report Addendum and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The Planning Commission has independently reviewed and analyzed the Initial Study/Environmental Impact Report Addendum and other information in the record, and has considered the information contained therein, prior to acting upon or approving the Project;

(2) The Initial Study/Environmental Impact Report Addendum prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

(3) The Initial Study/Environmental Impact Report Addendum represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department, located at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 2: *Additional Environmental Review Not Required.* Based upon the Addendum and all related information presented to the Planning Commission, the

Planning Commission finds that the preparation of a subsequent or supplemental EIR is not required for the Project, as the Project:

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

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

c. 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 EIR was certified, that shows any of the following:

1. The project will have one or more significant effects not discussed in the certified EIR; or

2. Significant effects previously examined will be substantially more severe than shown in the certified EIR; or

3. 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

4. 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.*** 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 constitute substantial changes to the certified EIR, and does hereby recommend to the City Council approval of the Addendum to the certified TOP EIR.

**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 Initial Study/Environmental Impact Report Addendum, and all other documents and materials that constitute the record of proceedings on which these findings have been based, are on file 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. The records are available for inspection by any interested person, upon request.

SECTION 6. *Certification to Adoption.* The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25<sup>th</sup> day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PSPA17-001, AN AMENDMENT TO THE ONTARIO GATEWAY SPECIFIC PLAN TO CHANGE TABLE 2.B: PERMITTED LAND USES BY PLANNING AREAS, TO ALLOW DRIVE-THRU QUICK SERVE RESTAURANTS AS A CONDITIONALLY PERMITTED USE WITHIN THE MIXED-USE PLANNING AREA LAND USE DESIGNATION. THE PROJECT SITE IS LOCATED AT THE SOUTHEAST CORNER OF HAVEN AVENUE AND GUASTI ROAD., AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-212-57.

WHEREAS, Architecture Design Collaborative ("Applicant") has filed an Application for the approval of an Amendment to the Ontario Gateway Specific Plan, File No. PSPA17-001, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 11.22 acres of land located southeast corner of Haven Avenue and Guasti Road, within the Mixed Use land use designation of the Ontario Gateway Specific Plan, and is presently vacant; and

WHEREAS, the properties to the north of the project site are developed with an existing Fletcher Jones Mercedes Benz auto dealer and an Embassy Suites hotel, a Springhill Suites hotel that is currently under construction. These properties are located within the Entertainment and Auto Planning Areas of the Ontario Gateway Specific Plan. The property to the east is currently vacant and located within the Office Planning Area 2 of the Ontario Gateway Specific Plan. The properties to the south are constructed with a Park-N-Fly airport parking lot and an existing industrial warehouse development and are located within the Commercial/Food/Hotel land use district of the California Commerce Center Specific Plan. The property to the west is currently vacant and is located within the Office land use designation of the Centrelake Specific Plan; and

WHEREAS, on July 3, 2007, the City Council certified an EIR and a related Mitigation Monitoring and Reporting Program in conjunction with the Ontario Gateway Specific Plan (File No. PSP05-005); and

WHEREAS, on January 27, 2010, the City Council adopted The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) and a related Mitigation Monitoring and Reporting Program in conjunction with File No. PGPA06-001; and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport (ONT), which encompasses lands within parts of San Bernardino,



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

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

WHEREAS, as the first action on the Project, on April 25, 2017, the Planning Commission recommended City Council approval a resolution adopting an Addendum to the previous The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on April 25, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Addendum to the previous The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), the initial study, and the Project, and concluded said hearing on that date; and

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

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

SECTION 1: Environmental Determination and Findings. As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. 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 by the Ontario City Council on January 27, 2010, in conjunction with File No. PGPA06-001.

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

c. 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.

d. 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.

e. The 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

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

SECTION 2: Additional Environmental Review Not Required. Based on the Addendum, all related information presented to the Planning Commission, and the specific findings set forth in Section 1, above, the Planning Commission finds that the preparation of a subsequent or supplemental The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) is not required for the Project, as the Project:

a. Does not constitute substantial changes to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) that will require major revisions to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

b. Does not constitute substantial changes with respect to the circumstances under which The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was prepared, that will require major revisions to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) due to the involvement of new significant environmental effects or a substantial increase in the severity of the previously identified significant effects; and.

c. 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 Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) was certified/adopted, that shows any of the following:

1. The project will have one or more significant effects not discussed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); or

2. Significant effects previously examined will be substantially more severe than shown in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140); or

3. 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

4. Mitigation measures or alternatives considerably different from those analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) would substantially reduce one or more significant effects on the environment, but which the City declined to adopt.

SECTION 3: Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending 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: Airport Land Use Compatibility Plan (ALUCP) Consistency. As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

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

a. The proposed Specific Plan 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 amendment to the Ontario Gateway Specific Plan will amend Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed Use Planning Area land use designation. The proposed amendment is consistent with the following Policy Plan (General Plan) goals and policies. In order to

take advantage opportunities or remove impediments to achieving our Vision, we need the ability to quickly respond to changing market needs. TOP Policy LU3-3 TOP *Land Use Flexibility*, encourages the consideration of uses not typically permitted within a land use category if doing so improves the livability, gathering places and activity nodes.

b. The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City. With the proposed amendments to the Ontario Gateway Specific Plan, the proposed land use will be in conformance with The Ontario Plan (TOP) Policy Plan Land Use Plan and will comply with the Policy Plan goals and policies applicable to the Specific Plan. The proposed amendment to the Ontario Gateway Specific Plan will not be detrimental to the public interest, health, safety, convenience, or general welfare of the City because it will provide commercial, retail and food services to the surrounding area that is surrounded by uses that include hospitality, auto and office uses and has limited commercial, retail and food uses to serve the project site area (north and south of the I-10 Freeway along Haven Avenue).

c. In the case of an application affecting specific property(ies), the proposed Specific Plan, or amendment thereto, will not adversely affect the harmonious relationship with adjacent properties and land uses. The project site is located in an area that will be developed with commercial and office land uses that will be complimentary and harmonious to the surrounding area. Furthermore, the project site will provide additional commercial, retail and food opportunities to the surrounding area (north and south of the I-10 Freeway along Haven Avenue) that currently has limited commercial, retail and food uses.

d. In the case of an application affecting specific property(ies), 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 proposed amendment to the Ontario Gateway Specific Plan will conditionally permit quick serve restaurants with a drive-thru facilities within the Mixed Use Planning Area land use designation. With the approval of the proposed amendment, the proposed project areas will be developed with adequate lot size, access and utilities to serve the project.

**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 APPROVE** the Amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001) herein described Application, subject to each and every condition set forth in the Department reports, attached hereto 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 6: Certification to Adoption. The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25<sup>th</sup> day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission

Planning Commission Resolution  
File No. PSPA17-001  
April 25, 2017  
Page 7

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore

**Exhibit A: Revised Permitted Land Use Table**



**TABLE 2.B: PERMITTED LAND USES by PLANNING AREAS**

Uses	Mixed Use Planning Area	Entertainment Planning Area <sup>1</sup>	Office Planning Area 1	Office Planning Area 2 <sup>2</sup>	Auto Planning Area
<b>Food Establishments</b>					
<p><i>Eating Establishments.</i> Activities typically include, but are not limited to, the retail sale from the premises of food or beverages prepared for on-premises consumption. Uses typically include, but are not limited to:</p> <ul style="list-style-type: none"> <li>▪ Full-service restaurants, serving ready-to-eat food and beverages for on-site consumption.</li> </ul>	P	P	P	—	—
<ul style="list-style-type: none"> <li>▪ Cafes/Delicatessen/Sandwich Shop serving food that is usually quickly prepared and beverages for on-site or off-site consumption, with no drive-through facilities.</li> </ul>	P	P	P	—	—
<ul style="list-style-type: none"> <li>• <b>Quick serve restaurants with drive-through</b></li> </ul>	C	—	—	—	—
<ul style="list-style-type: none"> <li>▪ Mini-Marts</li> </ul>	P	A	A	—	—
<ul style="list-style-type: none"> <li>▪ Ice Cream/Yogurt/Juice/Coffee shop</li> </ul>	P	P	P	—	—
<ul style="list-style-type: none"> <li>▪ Catering establishments, preparing ready-to-eat food for delivery to an off-site location for consumption.</li> </ul>	P	A	P	—	—
<ul style="list-style-type: none"> <li>▪ Banquet Facilities, facilities catering on-site meals to large groups.</li> </ul>	P	P	A	—	—
<p><i>Bar/Cocktail Lounge.</i> Activities typically include, but are not limited to, the preparation and retail sale from the premises of alcoholic beverages prepared for on-premises consumption. Uses typically include, but are not limited to, taverns, bars, and brew-pubs.</p>	C	C	C	—	—
<ul style="list-style-type: none"> <li>▪ Health Club/Gymnasium</li> </ul>	P	A	P	—	—



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 25, 2017

**File No:** PSPA17-001

**Related Files:** N/A

**Project Description:** An Amendment to the Ontario Gateway Specific Plan (File No. PSPA17-001) to change Table 2.B: Permitted Land Uses by Planning Areas, to allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation. The project site is located at the southeast corner of Haven Avenue and Guasti Road. (APN: 0210-212-57); **submitted by Architecture Design Collaborative.**

**Prepared By:** Henry K. Noh, Senior Planner  
Phone: 909.395.2429 (direct)  
Email: hnoh@ontarioca.gov

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

**1.0 Standard Conditions of Approval.** The project shall comply with the *Standard Conditions for New Development*, adopted by City Council Resolution No. 2010-021 on March 16, 2010. 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 Amendment.** The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan Amendment:

- (a) Six 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, PDF and Adobe InDesign copy of the final Specific Plan document, including all required revisions;

**2.2 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 and an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140) prepared in conjunction with File No. PGPA06-001 and adopted by City Council on January 27, 2010 was prepared pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines. This Application introduces no new



significant environmental impacts. All previously adopted mitigation measures are to be a condition of project approval and are incorporated herein by 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** 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.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PSPA17-001  
 Address: Ontario Gateway Specific Plan  
 APN: 0210-212-57  
 Existing Land Use: Vacant  
 Proposed Land Use: Amend Table 2.B and allow drive-thru quick serve restaurants as a conditionally permitted use within the Mixed-Use Planning Area land use designation.  
 Site Acreage: 11.22 ac Proposed Structure Height: n/a  
 ONT-IAC Project Review: N/A  
 Airport Influence Area: ONT

Reviewed By: Lorena Mejia  
 Contact Info: 909-395-2276  
 Project Planner: Henry Noh  
 Date: 4/13/17  
 CD No.: 2017-010  
 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 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: 110 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: 

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Henry Noh  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** March 21, 2017  
**SUBJECT:** PSPA17-001

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1. The plan **does** adequately address the departmental concerns at this time.  
No comments.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Henry Noh, Senior Planner

DATE: March 16, 2017

SUBJECT: FILE #: PSPA17-001 Finance Acct#: SA171

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 **Thursday, March 30, 2017**.

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

**PROJECT DESCRIPTION:** A Specific Plan Amendment to add "drive thru" facilities as a permitted land use within the Mixed Use land use district of the Ontario Gateway Specific Plan, located at the southeast corner of Guasti Road and Haven Avenue (APN: 0210-212-57).

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.

*Building*

Department

Signature

Title

Date



# CITY OF ONTARIO

## MEMORANDUM

TO: "Vacant", Development Director  
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Cathy Wahlstrom, Principal Planner (Copy of memo only)  
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- The plan does adequately address the departmental concerns at this time.
  - No comments
  - Report attached (1 copy and email 1 copy)
  - Standard Conditions of Approval apply
- The plan does not adequately address the departmental concerns.
  - The conditions contained in the attached report must be met prior to scheduling for Development Advisory Board.

*Police*  
Department

*Douglas Sorel*  
Signature

*MANAGEMENT  
ANALYST*  
Title

*3/21/17*  
Date



# PLANNING COMMISSION STAFF REPORT

April 25, 2017

**SUBJECT:** A Development Plan (File No. PDEV16-050) and Conditional Use Permit (File No. PCUP16-023) to construct and establish a 4-story, 131-room hotel totaling 93,177 square feet on approximately 4.5 acres of land, located at 900 North Via Piemonte, within the Urban Commercial land use district and Piemonte Overlay district of the Ontario Center Specific Plan (APN: 210-204-18); **submitted by Glacier House Hotels.**

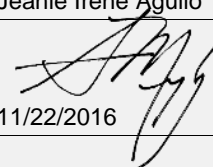
**PROPERTY OWNER:** Piemonte Business Park, LLC

**RECOMMENDED ACTION:** That the Planning Commission approve File No. PDEV16-050, and recommends that the City Council approve File No. PCUP16-023, 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 4.5 acres of land located at the northeast corner of North Via Piemonte and Ontario Center Parkway, at 900 North Via Piemonte, within the Urban Commercial land use district and the Piemonte Overlay district of The Ontario Center Specific Plan, and is depicted in **Figure 1: Project Location**, to the right. The property surrounding the Project site is characterized primarily by urban commercial land uses, with the Citizens Business Bank Arena to the south, a commercial office building to the west, and vacant properties to the north and east. The existing surrounding land uses, zoning and General Plan land use designations are listed in the “Surrounding Zoning & Land Uses” table located in the Technical Appendix of this report.



**Figure 1: Project Location**

Case Planner:	Jeanie Irene Aguilo	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB	04/17/2017	Approved	Recommend
Submittal Date:	11/22/2016	ZA			
Hearing Deadline:		PC	04/25/2017		Recommend
		CC			Final

## **PROJECT ANALYSIS:**

[1] Background — On November 22, 2016, Glacier House Hotels submitted Development Plan (File No. PDEV16-050) and Conditional Use Permit (File No. PCUP16-023) applications to construct and establish a 4-story, 131-room hotel (The Element Hotel by Westin) totaling 93,177 square feet on the 4.5-acre project site, located at the northeast corner of North Via Piemonte and Ontario Center Parkway, at 900 North Via Piemonte.

On April 17, 2017, the Development Advisory Board reviewed the subject application and recommended that the Planning Commission approve the proposed project, subject to the departmental conditions of approval included with this report.

[2] Site Design/Building Layout — The proposed Element Hotel consists of a 4-story, 131-room limited service hotel and includes amenities such as a pool, fitness center, and full service restaurant. The hotel has been designed in an “L”-shaped configuration, to provide maximum exposure to the Via Piemonte and Ontario Center Parkway street frontages and to Citizens Business Bank Arena, located diagonally across the street.

The hotel’s primary entrance faces west, featuring a central tower element that will be visible from both Via Piemonte, directly to the west, and Ontario Center Parkway, to the south. A secondary tower element is integrated into the south elevation, facing Ontario Center Parkway.

The building is situated toward the southwest portion of the site, with a 19.5-foot building setback from the Ontario Center Parkway property line (measured from face-of-curb). The Piemonte Overlay district of The Ontario Center Specific Plan has no setback requirements for rear and side property lines; however, a 100-foot building separation is required for buildings that are 50 to 100 feet in height. An approximate 108-foot separation has been provided between the proposed hotel and the existing office building across Via Piemonte, to the west. Parking will be primarily situated to the northeast of the building (see Exhibit B: Site Plan).

[3] Site Access/Circulation — Primary access to the project site is from Ontario Center Parkway and Via Piemonte. The main hotel entrance faces west and is accessed from Via Piemonte. Guests may access the hotel parking lot from Ontario Center Parkway on the south, as well as from two driveways off the major two-way drive aisle on the north, between Via Piemonte and Via Alba. On-street parking for guest check-in, drop-off, and pick-up is located along Via Piemonte on the west side of the project site, near the main entrance of the hotel.

[4] Parking — The Project has provided off-street parking pursuant to the “Special Use/Hotel Development Regulations” and “Restaurant” parking standards specified in the Piemonte Overlay of The Ontario Center Specific Plan, as shown in the table below. The

minimum off-street parking requirements for the entire site is 167 parking stalls and a total of 174 parking stalls will be provided.

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Special Use/Hotel Land Use</i>	131 rooms	Parking shall be provided at the ratio of one (1) space per hotel room.	131	131
<i>Restaurant</i>	3,565 SF	Parking for restaurant uses shall be provided at the ratio of one (1) space for each 100 square feet of gross floor area.	36	36
<i>Extra Parking</i>				5
<i>TOTAL</i>			167	174

[5] Architecture — The exterior building design is based on the signature Element Hotel by Westin prototype, which incorporates a modern style of clean lines and materials to reflect sustainable or “green” practices. The architecture of the building complements the architecture of the Citizens Business Bank Arena, located southwest of the project site, with its contemporary design and finishes. Exterior building materials include Exterior Insulation and Finish Systems (EIFS), high pressured laminate (HPL) rain screens (Trespa), and aluminum composite (ACM) panels. The base of the hotel includes shades of dark gray EIFS, which wraps around most of the building, encapsulating a majority of the first floor. The remaining floors feature a light tan color, which contrasts with the dark gray EIFS used on the first floor.

The hotel’s primary entrance features a central tower element includes silver aluminum composite material at the center of the tower, with a patina finish incorporated into the tower with porte cochère. Furthermore, high pressure laminate rain screens (Trespa), which features a simulated wood-like finish, further contrasts with the building’s EIFS walls. This treatment is featured on the southern tower and provides horizontal and vertical changes, which breaks up the massing of each elevation. In addition to the wall materials, clear glazing will be utilized throughout the hotel.

The restaurant is located at the southwest corner of the building and includes a separate entrance, a patio with outdoor seating, and low blue glazing that wraps around the corner patio. A cantilevered awning covers the restaurant entrance, matching the porte cochère at the hotel’s main entrance. Additionally, asymmetrical features at the southwest corner of the building further reflect architectural elements of the Citizens Business Bank Arena.

The mechanical equipment for both buildings will be roof-mounted and obscured from public view by parapet walls and, if necessary, equipment screens, which will incorporate design features consistent with the building architecture.



Staff believes that the proposed project illustrates the type of high-quality architecture promoted by the Development Code and the Piemonte Overlay of The Ontario Center Specific Plan. 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; and
- Incorporation of base and top treatments defined by changes in color, materials and recessed wall areas.
- Designed to ensure that it's massing and proportion, along with its colors and architectural detailing, are consistent on all building walls, giving a four-sided (360-degree) appearance.

[6] Landscaping — The project provides substantial landscaping along the Via Piemonte, Via Alba, and Ontario Center Parkway frontages, the balance of the project perimeter, and surrounding the pool and patio areas. The development standards of the Piemonte Overlay requires a minimum 15 percent landscape coverage, which the project substantially exceeds (21.7 percent landscape coverage has been provided). The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site. The landscape plan incorporates a combination of 24–inch box trees along Via Alba, which include California Sycamore and Blue Oak trees, as well as Western Redbud trees north of the pool area. California Pepper trees are placed along Ontario Center Parkway, to the south of the hotel, along with existing pepper trees that will be protected and preserved in place. The landscape plan also indicates 36–inch box trees primarily within the parking lot, including Princeton Sentry Ginkgo, Victorian Box, and Drake Elm trees. In addition, 5-gallon shrubs will be provided throughout the project site, which includes Foxtail Agave, Octopus Agave, Santa Barbara sage, African Boxwood, Grevillea, and Blue Finger plants. A variety of shrubs and groundcovers will also be provided, which are low water usage or drought tolerant (see Exhibit D: Landscape Plan).

[7] Signage — Upon reviewing the Piemonte at Ontario Center Sign Program (File No. PSGP16-001), staff has determined that the project will require a Sign Program Amendment to include regulations reflecting the amount and location of signage shown on the plans. More specifically, the Sign Program Amendment will:

- Provide coordinated signing within a development project;
- Utilize common design elements; and
- Include sign designs with the context of the building and landscape design to form a unified architectural statement.

The Sign Program Amendment may include deviations from the standard requirements within the Development Code, including minor increases in maximum sign area and the number of signs allowed. Staff will work with the applicant to create a Sign Program Amendment that will contribute to the overall design quality of the site and surrounding area. A separate applications will be required to be approved prior to any signage installation.

[8] 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 the use of vegetated swales, which lead to underground stormwater infiltration systems installed for the project. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

[9] Burrowing Owls Survey— Michael Baker International (Michael Baker) had conducted burrowing owl surveys to document the presence or absence of burrowing owls previously observed within the boundaries of the project site. The final survey was conducted on March 20, 2017 indicating there were no burrowing owls observed on the project site. This survey included surveying the Element Hotel project site as well as all of the remaining parcels within the Piemonte at Ontario Center project site. A full report of the surveys can be found within Exhibit E: Results of Burrowing Owl Surveys.

[10] Conditional Use Permit— Pursuant to the City of Ontario's Development Code, new hotels are required to be reviewed under a Conditional Use Permit in conjunction with a Development Plan. The intent of a CUP application and review is to ensure that the proposed use will be operated in a manner consistent with all local regulations, and to ensure the use will not be detrimental to the public health, safety, or welfare, or materially injurious to uses, properties or improvements in the vicinity. The City of Ontario's Development Code describes Conditional Use Permit's as the following: § Sec. 4.02.015.A: *Purpose* – Conditional Use Permits are required to establish a procedure to ensure that a degree of compatibility is maintained with respect to certain uses on certain properties, due to their nature, intensity or size, or to compensate for variations and degrees of technological processes and equipment as related to the generation of noise, smoke, dust, fumes, vibration, odors and other practical hazards. Approval of a CUP requires the Planning Commission establish certain findings which show that the proposed use is consistent with all City of Ontario development codes, land uses and other applicable requirements. Additionally, the use must be compatible with the other surrounding uses; therefore, approving a CUP is discretionary in nature. The required findings along with facts and reasons in support are listed below:

***FINDING A:*** *The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*

The proposed project is consistent with the design guidelines set forth in the Ontario Development Code and the Piemonte Overlay of The Ontario Center Specific Plan. The Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay explicitly indicates the parcel to be developed for a hotel. In addition, the hotel complements the architecture of the Citizens Business Bank Arena with its contemporary design. Therefore, the proposed project is consistent with the project site and the surrounding area.

***FINDING B:*** *The proposed use at the proposed location, and the manner in which it will be operated 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 project is a compatible use with the project site and the surrounding area. The proposed location of the requested Conditional Use Permit, and the proposed conditions under which it will be operated or maintained, will be consistent with the Policy Plan component of The Ontario Plan and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay explicitly indicates the parcel to be developed for a hotel. The Ontario Plan (TOP) identifies the Ontario Airport Metro Area as a Focused Growth Area. This area is envisioned as the most intensive concentration of development in the Inland Empire and includes the Convention Center and hospitality area along Vineyard Avenue; Ontario Mills; Guasti Village, the Events Center, and major office and urban residential centers. The area benefits from major transportation facilities including the I-10 and I-15 freeways, Ontario International Airport, and a variety of transit options. Therefore, the project is consistent with the goals and policies of the Policy Plan (General Plan).

***FINDING C:*** *The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Development Code and the Piemonte Overlay of The Ontario Center Specific Plan.*

The proposed location of the project is in accord with the objectives and purposes of the Ontario Development Code and Piemonte Overlay of The Ontario Center Specific Plan within which the site is located. The use will be operated in accordance with the Ontario Development Code and the use meets the objectives and purposes as required in the Special Use/Hotel (Urban Commercial) land use

designation of the Piemonte Overlay of The Ontario Center Specific Plan. The Piemonte Overlay is intended to provide multiple employment, entertainment, housing, and shopping opportunities, available to residents of the Piemonte Project as well as patrons from the greater Ontario area and surrounding region. The Special Use/Hotel (Urban Commercial) land use designation is intended to maintain a pedestrian friendly atmosphere to reduce reliance on private automobiles.

***FINDING D:*** *The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.*

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

***FINDING E:*** *The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood.*

The project site is located within the Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay of the Ontario Center Specific Plan, for which a hotel is a conditionally permitted use. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not be detrimental or injurious to surrounding property and improvements.

[11] Market Feasibility Report— Pursuant to Development Code requirements, a market feasibility report is required to be prepared for all new proposed hotels. Larry Kaufman, Director of Sales for the Greater Ontario Convention and Visitors Bureau, and the City's Economic Development Agency, have provided information based on the projected demand within the various markets and the growing competition from a variety of hotels. The information provided estimates that the proposed hotel would be successful based upon factors such as future growth in the area, including new office and commercial space, as-well-as future airport expansion. The report includes discussions of other similar hotels in the area, long-term viability and overall demand due to new businesses and activities in and around the City based on the following data:

1. Ontario Hotel RevPAR growth 2016 over 2015 was 10.5%;
2. Average Daily Rate Increased 8.8% in 2016 with solid gains in both transient +8.3% and Group +9.6% Market Segments;
3. Demand has also increased in adjoining Rancho Cucamonga; 2016 Occupancy +1.2%; ADR +8.8%; RevPAR +10%;

4. Midweek week hotel occupancy along the 4<sup>th</sup> Street corridor boarding Ontario and Rancho Cucamonga exceeds 85% on an annual basis indicating an under-supply of rooms in the surrounding area;
5. Mid-week demand is expected to continue to grow with the new businesses moving in along I-10; I-15 and Highway 60. Including: QVC, Amazon and Audi; and;
6. Weekend demand has dramatically grown due to the success of Silver Lakes Sports Complex – Norco (24 soccer/lacrosse fields) and Big League Dreams – Jurupa Valley (7 baseball/softball fields). Both facilities host weekend sports tournaments that regularly attract over 10,000 people each weekend, many requiring overnight hotel accommodations. Due to the concentration of hotels, restaurants and entertainment in Ontario, both sports facilities work with the Greater Ontario Convention and Visitors Bureau to reserve room blocks. Demand has grown dramatically for these weekend event since 2015.

The Greater Ontario Convention and Visitors Bureau and Economic Development Agency believe that the new hotel, supported by a major hotel brand and a room inventory distribution system that corresponds with room demand, will continue to outpace supply in the Ontario market. Additionally, based upon the proposed location within close proximity to the region's demand-drivers, including the Citizens Business Bank Arena and major transportation channels, the proposed hotel would achieve positive results in the market.

**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.

**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.

▪ Goal CE3: Decision-making deliberations that incorporate the full short-term and long-term economic and fiscal implications of proposed City Council actions.

➤ CE3-1 Fiscal Impact Disclosures. We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.

**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.

➤ CD2-7 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 project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

**ENVIRONMENTAL REVIEW:** The environmental impacts of this project were previously analyzed in conjunction with an Addendum to the Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No.

PSPA05-003, and was approved by the City Council on March 23, 2006. This application introduces no new significant environmental impacts.

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

**TECHNICAL APPENDIX:**

**Surrounding Zoning and Land Use:**

	<i>Existing Land Use</i>	<i>General Plan Designation</i>	<i>Zoning Designation</i>	<i>Specific Plan Land Use</i>
<i>Site</i>	Vacant	MU (Mixed-Use)	Ontario Center Specific Plan	Piemonte Overlay – Special Use/Hotel (Urban Commercial)
<i>North</i>	Vacant	MU (Mixed-Use)	Ontario Center Specific Plan	Piemonte Overlay – Residential Over Retail (Urban Commercial)
<i>South</i>	Citizens Business Bank Arena	MU (Mixed-Use)	Ontario Center Specific Plan	Urban Commercial
<i>East</i>	Vacant	MU (Mixed-Use)	Ontario Center Specific Plan	Piemonte Overlay – Office (Urban Commercial)
<i>West</i>	Office Commercial	MU (Mixed-Use)	Ontario Center Specific Plan	Piemonte Overlay – Office (Urban Commercial)

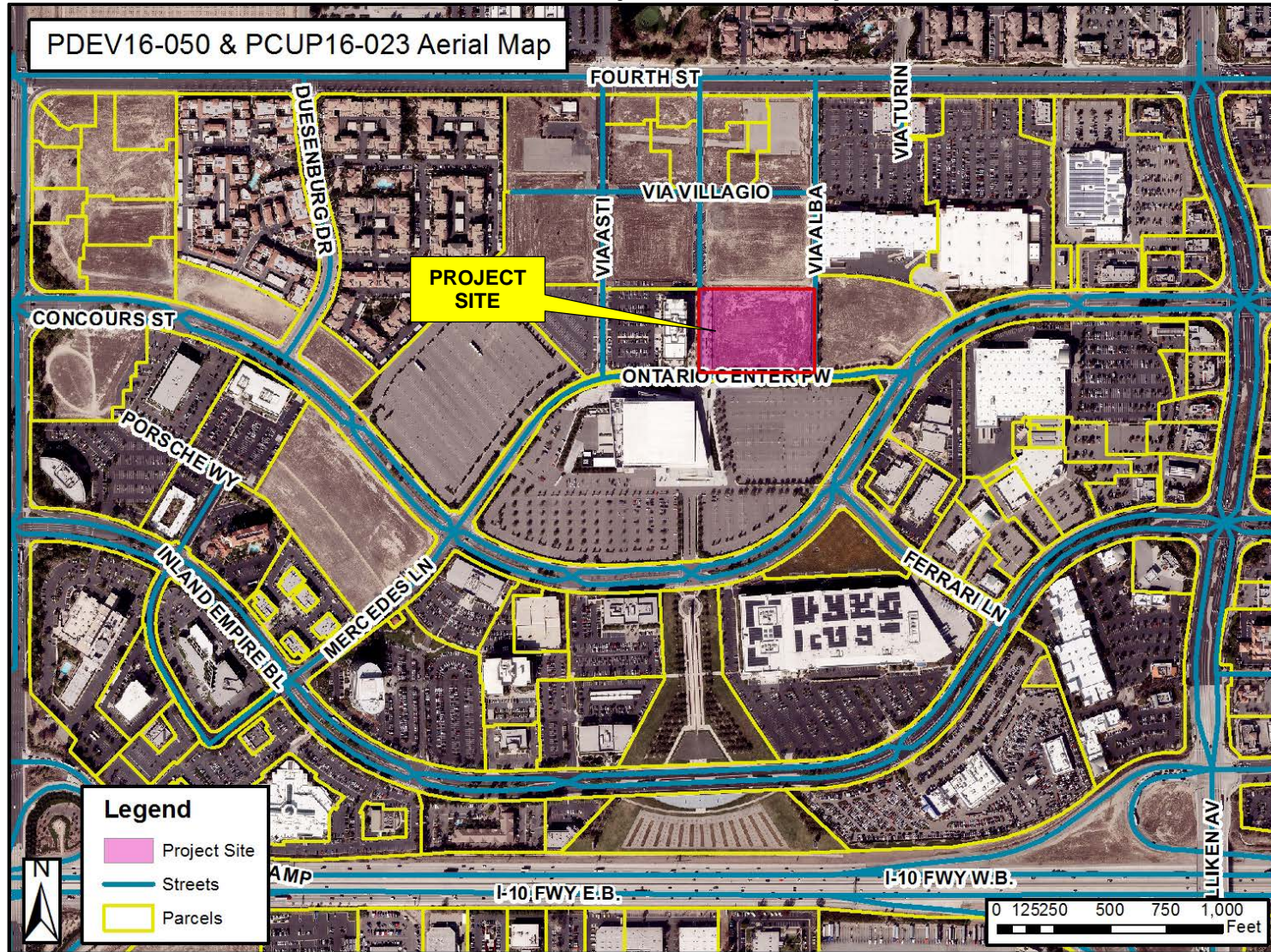
**General Site & Building Statistics**

<i>Item</i>	<i>Proposed</i>	<i>Min./Max. Standard</i>	<i>Meets Y/N</i>
<i>Project Area:</i>	4.5 acres	N/A	
<i>Lot/Parcel Size:</i>	189,486 SF	10,000 SF (Min.)	
<i>Building Area:</i>	86,966 SF	N/A	
<i>Floor Area Ratio:</i>	0.4	0.4 (Max.)	
<i>Building Height:</i>	62 FT	75 FT (Max.)	

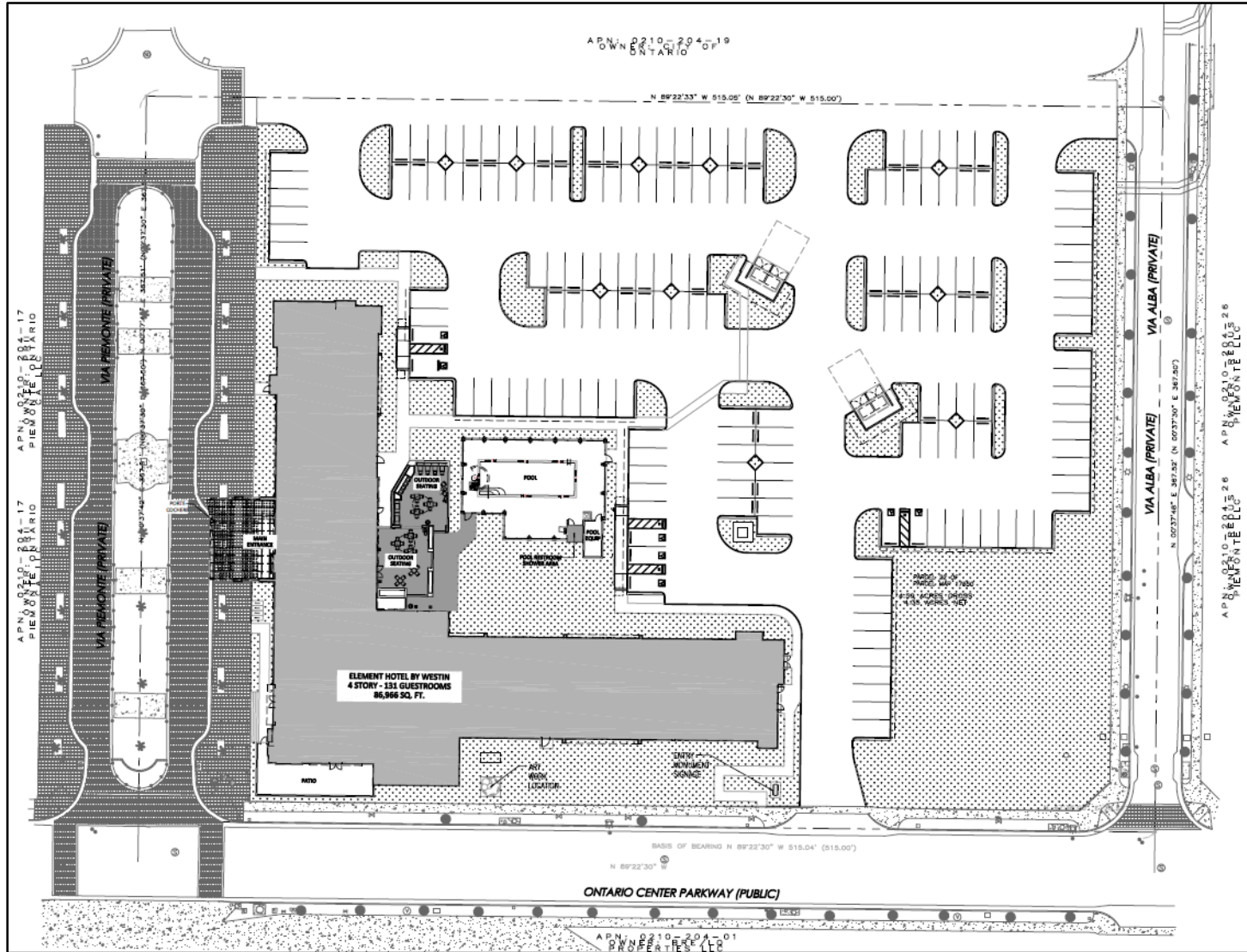
**Off-Street Parking:**

<i>Type of Use</i>	<i>Building Area</i>	<i>Parking Ratio</i>	<i>Spaces Required</i>	<i>Spaces Provided</i>
<i>Special Use/Hotel Land Use</i>	131 rooms	Parking shall be provided at the ratio of one (1) space per hotel room.	131	131
<i>Restaurant</i>	3,565 SF	Parking for restaurant uses shall be provided at the ratio of one (1) space for each 100 square feet of gross floor area.	36	36
<i>Employee Parking</i>		1 space per 2 employees		5
<b>TOTAL</b>			<b>167</b>	<b>174</b>

**Exhibit A: Project Location Map**



**Exhibit B: Site Plan**



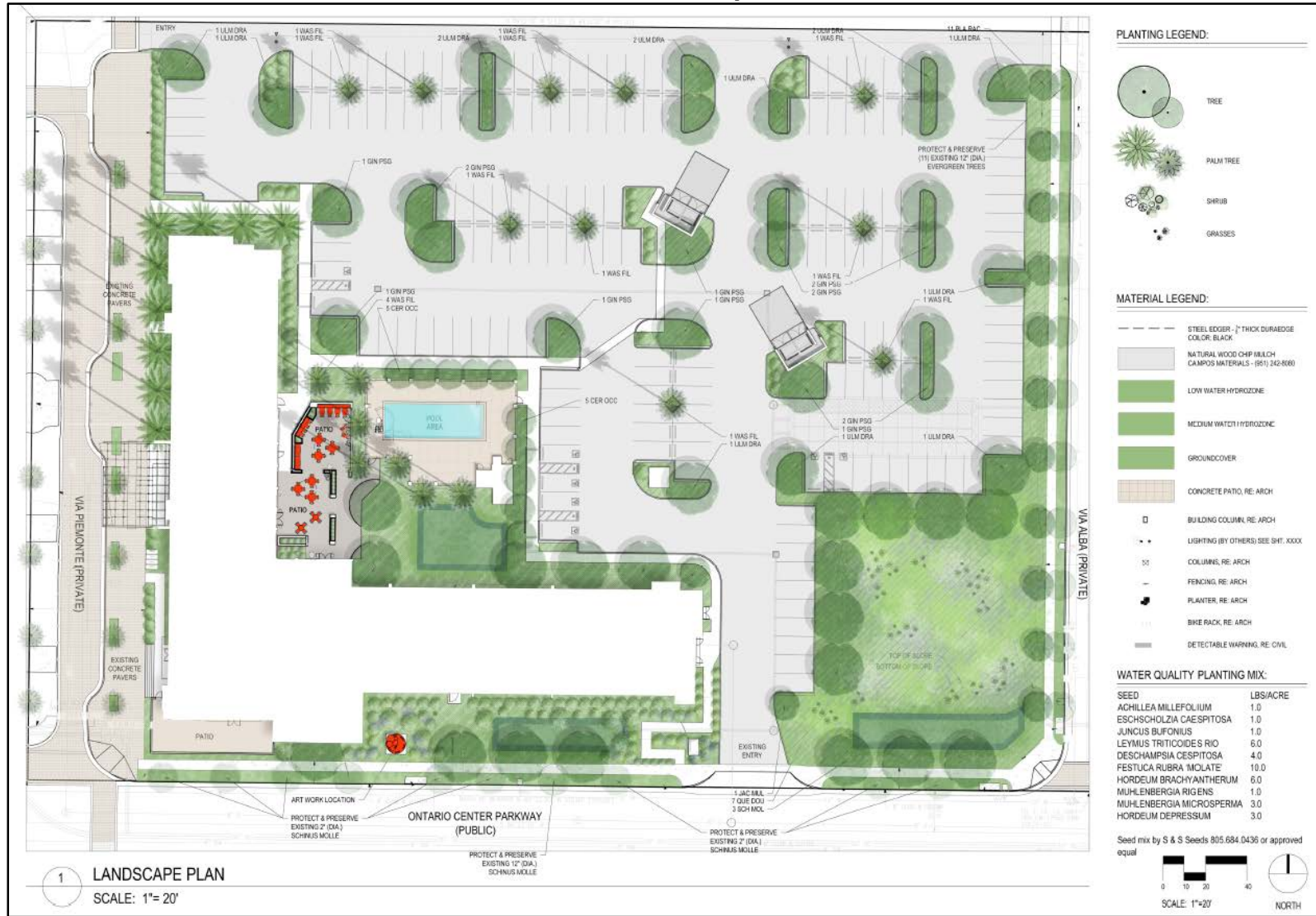
**Exhibit C: Elevations**



**Exhibit C: Elevations (continued)**



**Exhibit D: Landscape Plan**





***Exhibit D: Burrowing Owl Survey***

March 21, 2017

**GLACIER HOUSE HOTELS**

Attn: *Michael Eichner*

5101 North Scottsdale Road

Scottsdale, Arizona 85250

**SUBJECT: Results of Burrowing Owl (*Athene cunicularia*) Surveys for the Element Hotel and Surrounding Piemonte Land located within the Piemonte at Ontario Center Project Area in the City of Ontario, San Bernardino County, California**

Dear Mr. Eichner:

Michael Baker International (Michael Baker) is pleased to submit this report to Glacier House Hotels documenting the results of burrowing owl surveys conducted for the Element House Hotel (project site or site) located within the Piemonte at Ontario Center project area in the City of Ontario, San Bernardino County, California. The surveys were conducted to document the presence or absence of burrowing owls previously observed within the boundaries of the project site. A total of four (4) burrowing owls (one [1] pairs and two [2] singles) had been observed on the project site on August 23, 2016 survey.

Michael Baker Biologists Ashley M. Barton, Thomas C. Millington, and Travis J. McGill conducted an initial burrowing owl survey of the Element Hotel project site on February 21, 2017 and saw a single burrowing owl. Subsequent surveys were conducted daily from March 13 to March 17, 2017 to reconfirm the February 21, 2017 observation and to further record burrowing owl distribution on-site. No burrowing owls were observed on the Element Hotel project site during these subsequent surveys.

A single survey was conducted on March 20, 2017. This survey included surveying the Element Hotel project site as well as all of the remaining parcels within the Piemonte at Ontario Center project site.

**Piemonte Project Location**

The Piemonte at Ontario Center project site is generally located north of Interstate 10, east of Haven Avenue, south of State Route 210, and west of Interstate 15 in the City of Ontario, San Bernardino County, California. The project site is depicted on the Guasti United States Geological Survey (USGS) 7.5-minute topographic quadrangle in Section 24 of Township 1 south, Range 7 west. Specifically, the Element Hotel project site is located north of Ontario Center Parkway, south of 4<sup>th</sup> Street, and west of Via Piemonte within the Piemonte at Ontario Center project area (refer to Exhibit 1, *Element Hotel Project Site*).

## **Methodology**

The Element Hotel project site was surveyed by Michael Baker Biologists Ashley M. Barton, Thomas C. Millington, and Travis J. McGill between 0630 and 0730 hours on February 21, 2017. Following the initial survey, biologist Ashley M. Barton surveyed the Element Hotel project site between 0700 and 0800 daily between March 13 and March 17, 2017. Observations for nesting avian species were made within the Element Hotel project footprint. Finally, the Element Hotel project site and the remaining undeveloped parcels within the Piemonte at Ontario Center was surveyed by biologist Ashley M. Barton between 0800 and 1100 hours on March 20, 2017. The final survey included identifying burrowing owl on the surrounding undeveloped parcels away from the Element Hotel project site within the Piemonte at Ontario Center project area.

Methods to detect the presence of burrowing owl included direct observation, aural detection, and signs of presence including pellets, white wash, feathers, or prey remains. In addition, suitable burrows or nests, including rock piles and non-natural substrates, were thoroughly examined for signs of presence. The location of active, remnant, and occupied burrows were documented, if found.

Areas providing potential habitat for burrowing owl were surveyed for suitable burrows, consisting of natural and non-natural substrates in areas with low, open vegetation. Survey transects were oriented east to west and conducted at 20-meter (approximately 65 feet) intervals to ensure 100 percent visual coverage of all areas in suitable habitat. All transects were walked at a pace that allowed for careful/detailed observation. All burrows encountered were examined for shape, scat, pellets, feathers, tracks, and prey remains.

## **Species Background**

The burrowing owl is currently listed as a California Species of Special Concern. It is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by open vegetation and bare ground. Burrowing owls rarely dig their own burrows and are instead dependent upon the presence of burrowing mammals (e.g., ground squirrels, coyotes, and badgers) whose burrows are used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the distribution of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, dry culverts, and concrete demolition piles. They also require low-growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage as well as watch for predators. In California, the burrowing owl breeding season extends from the beginning of February through the end of August.

## **Survey Results**

The Element Hotel project site is bordered by vacant parcels of land to the north and east, and commercial land uses to the west and south. Several of the Piemonte at Ontario Center parcels consist of vacant land that provide suitable foraging habitat and line-of-sight opportunities favored by burrowing owls (refer to

Exhibit 2, *Survey Results*). In addition, the Piemonte at Ontario Center project site supports California ground squirrel (*Otospermophilus beecheyi*) burrows that provide suitable roosting/nesting opportunities (burrows greater than 4 inches in diameter) for burrowing owls.

A single burrowing owl was observed on the Element Hotel project site during the February 21, 2017 survey. However, all subsequent surveys conducted daily between March 13 and March 17, 2017 to verify the location and status of burrowing owls on the project site were negative.

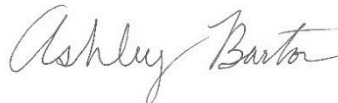
During a final survey on March 20, 2017 of the Element Hotel project site, as well as the remaining undeveloped parcels within the Piemonte at Ontario Center project area, one pair of burrowing owls was observed in the center of an off-site parcel located approximately 530 feet northeast of the Element Hotel project site. No other burrowing owls or burrowing owl sign was observed within the Element Hotel project site or within the Piemonte at Ontario Center project area during the survey.

Please do not hesitate to contact Tom McGill at (909) 974-4907 or [tmcgill@mbakerintl.com](mailto:tmcgill@mbakerintl.com) or Ashley Barton at (909) 974-4962 or [ashley.barton@mbakerintl.com](mailto:ashley.barton@mbakerintl.com) should you have any questions regarding this report.

Sincerely,



Thomas J. McGill, Ph.D.  
Vice President  
Natural Resources



Ashley M. Barton  
Biologist  
Natural Resources

Attachments:

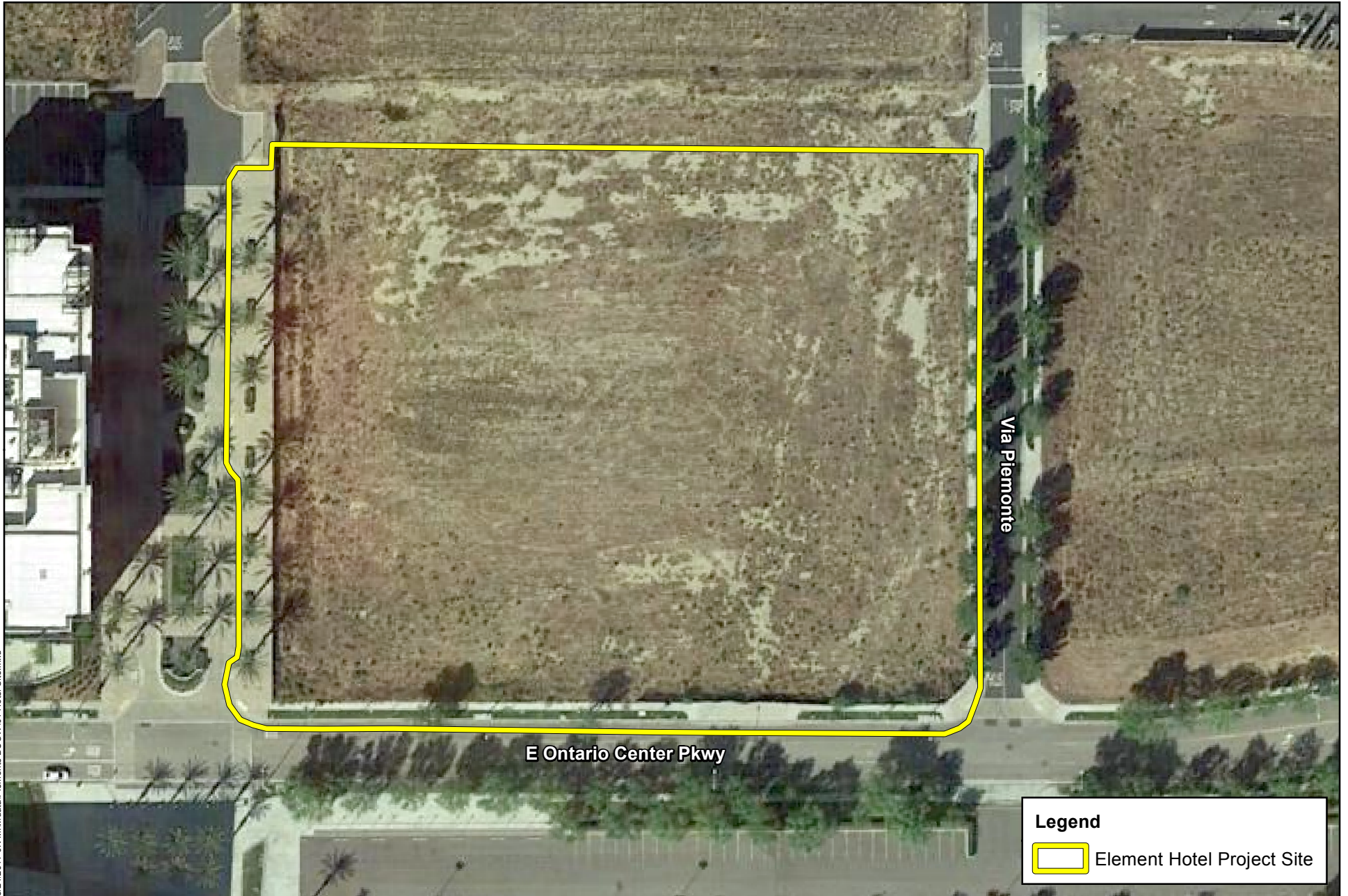
- A. Project Exhibits

**Attachment A**


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Project Exhibits

3/21/2017 JN M:\Mdata\Piemonte BU\OW\01 Hotel Site.mxd

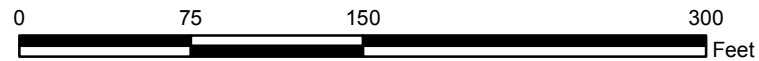


**Legend**

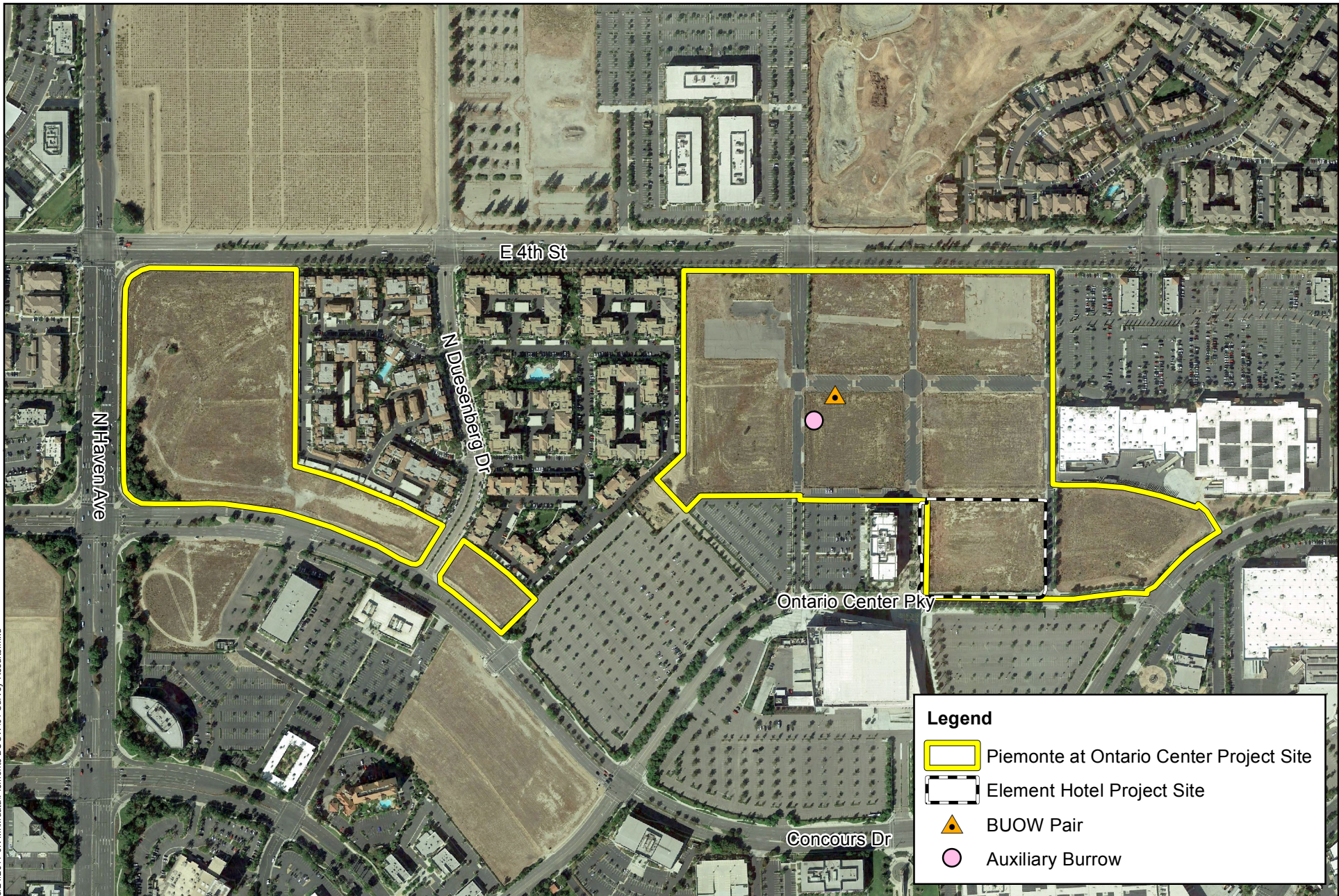
 Element Hotel Project Site

PIEMONTE AT ONTARIO CENTER PROJECT  
BURROWING OWL SURVEYS





# Element Hotel Project Site



3/21/2017 11:00 AM Data\Piemonte BUOW\01 Survey Results.mxd

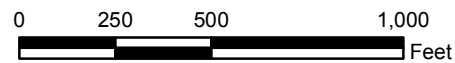


**Legend**

-  Piemonte at Ontario Center Project Site
-  Element Hotel Project Site
-  BUOW Pair
-  Auxiliary Burrow

PIEMONTE AT ONTARIO CENTER PROJECT  
BURROWING OWL SURVEYS

# Survey Results



## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PCUP16-023, A CONDITIONAL USE PERMIT TO ESTABLISH A 93,177 SQUARE FOOT HOTEL (ELEMENT HOTEL) ON 4.5 ACRES OF LAND, LOCATED AT 900 NORTH VIA PIEMONTE, WITHIN THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF— APN: 0210-204-18.

WHEREAS, GLACIER HOUSE HOTELS ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP16-023, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.5 acres of land generally located at 900 North Via Piemonte, within the Piemonte Overlay of The Ontario Center Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Piemonte Overlay – Special Use/Hotel (Urban Commercial) of The Ontario Center Specific Plan and is currently vacant. The property to the east is within the Piemonte Overlay – Office (Urban Commercial) of The Ontario Center Specific Plan and is currently vacant. The property to the south is within the Urban Commercial zoning designation of The Ontario Center Specific Plan and is developed with the Citizens Business Bank Arena. The property to the west is within the Piemonte Overlay – Office (Urban Commercial) of The Ontario Center Specific Plan zoning district and is developed with an office building; and

WHEREAS, the proposed Element Hotel consists of a 4-story, 131-room limited service hotel, which includes amenities such as a pool, fitness center, and full service restaurant. The hotel has been designed in an “L”-shaped configuration to provide maximum exposure to the street frontages on Via Piemonte and Ontario Center Parkway, diagonally across to the Citizens Business Bank Arena; and

WHEREAS, the Project has provided off-street parking pursuant to the “Special Use/Hotel Development Regulations” and “Restaurant” parking standards specified in the Piemonte Overlay of The Ontario Center Specific Plan, as shown in the table below. The minimum off-street parking requirements for the entire site is 167 parking stalls and a total of 174 parking stalls will be provided; and

WHEREAS, the design is based on the signature Element Hotel by Westin prototype, which incorporates a modern style of clean lines and materials to reflect sustainable or “green” practices. The architecture of the building complements the architecture of the Citizens Business Bank Arena, to the southwest of the site, with its



contemporary design and finishes. Exterior building materials include Exterior Insulation and Finish Systems (EIFS), high pressured laminate (HPL) rain screens (Trespa), and aluminum composite (ACM) panels. The base of the hotel includes shades of dark gray EIFS, which wraps around most of the building, encapsulating a majority of the first floor. The remaining floors features a light tan color, which contrasts with the dark gray EIFS used on the first floor; and

WHEREAS, a Development Plan Application (File No. PDEV16-050) was submitted in conjunction with the Conditional Use Permit application to construct a 4-story, 131 room Hotel. The Development Plan Application is contingent upon City Council review and approval of the Conditional Use Permit Application; and

WHEREAS, Pursuant to Development Code, a market feasibility report is required to be prepared for all new proposed hotels. Larry Kaufman, Director of Sales for the Greater Ontario Convention and Visitors Bureau, and City's Economic Development Agency have provided information that, based on the projected demand within the various markets and the growing competition from a variety of hotels, they estimated that the proposed hotel would be successful based upon factors such as future growth, including new office and commercial space, as well as future airport expansion; and

WHEREAS, the Greater Ontario Convention and Visitors Bureau and Economic Development Agency believe that the new hotel supported by a major hotel brand, and a room inventory distribution system that corresponds with room demand, will continue to outpace supply in the Ontario market. Additionally, based upon the proposed location within close proximity to the region's demand-drivers, including the Citizens Business Bank Arena and major transportation channels, the proposed hotel would achieve positive results in the market; and

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

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

WHEREAS, on March 23, 2006, the City Council approved a resolution adopting a previous Addendum to The Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No. PSPA05-003, 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. The proposed project is consistent with the previously adopted Addendum; and

WHEREAS, on April 17, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-014, recommending the Planning Commission approve the Application; and

WHEREAS, on April 25, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project and concluded said hearing on that date; and

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

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

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

a. The environmental impacts of this project were previously reviewed in conjunction with Addendum to The Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No. PSPA05-003, and was approved by the City Council on March 23, 2006.

b. The previous Addendum to The Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

c. 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.

d. 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.

e. The previous Addendum to The Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009) contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

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

**SECTION 2. Housing Element Consistency.** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending 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 3. Airport Land Use Compatibility Plan (ALUCP) Consistency.** As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

**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 Section 1 through 3 above, the Planning Commission hereby concludes as follows:

a. The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the particular zoning or land use district. The proposed project is consistent with the design guidelines set forth in the Ontario Development Code and the Piemonte Overlay of The Ontario Center Specific Plan. The Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay explicitly indicates the parcel to be developed for a hotel. In addition, the hotel complements the architecture of the Citizens Business Bank Arena, to the southwest of the site, with its contemporary design. Therefore, the proposed project is consistent with the project site and the surrounding area.

b. The proposed use at the proposed location, and the manner in which it will be operated 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 project is a compatible use with the project site and the

surrounding area. The proposed location of the requested Conditional Use Permit, and the proposed conditions under which it will be operated or maintained, will be consistent with the Policy Plan component of The Ontario Plan and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay explicitly indicates the parcel to be developed for a hotel. The Ontario Plan (TOP) identifies the Ontario Airport Metro Area as a Focused Growth Area. This area is envisioned as the most intensive concentration of development in the Inland Empire and includes the Convention Center and hospitality area along Vineyard Avenue; Ontario Mills; Guasti Village, the Events Center, and major office and urban residential centers. The area benefits from major transportation facilities including the I-10 and I-15 freeways, Ontario International Airport, and a variety of transit options. Therefore, the project is consistent with the goals and policies of the Policy Plan (General Plan).

c. The proposed use at the proposed location, and the manner in which it will be operated and maintained, is consistent with the objectives and requirements of this Development Code and the Piemonte Overlay of The Ontario Center Specific Plan. The proposed location of the project is in accord with the objectives and purposes of the Ontario Development Code and Piemonte Overlay of The Ontario Center Specific Plan within which the site is located. The use will be operated in accordance with the Ontario Development Code and the use meets the objectives and purposes as required in the Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay of The Ontario Center Specific Plan. The Piemonte Overlay is intended to provide multiple employment, entertainment, housing, and shopping opportunities, available to residents of the Piemonte Project as well as patrons from the greater Ontario area and surrounding region. The Special Use/Hotel (Urban Commercial) land use designation is intended to maintain a pedestrian friendly atmosphere to reduce reliance on private automobiles.

d. The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan. The project site is located within the Airport Influence Area of the Ontario International Airport (ONT), and has been found to be consistent with the policies and criteria set forth within the ALUCP for ONT.

e. The establishment, maintenance, and operation of the proposed use at the proposed location would not be detrimental or injurious to property and improvements within the vicinity, nor would it be detrimental to the health, safety, or general welfare of persons residing or working in the surrounding neighborhood. The project site is located within the Special Use/Hotel (Urban Commercial) land use designation of the Piemonte Overlay of The Ontario Center Specific Plan, for which a hotel is a conditionally permitted use. The project will be conditioned to ensure that it will operate and be properly maintained, therefore the project will not be detrimental or injurious to surrounding property and improvements.

**SECTION 5. *Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 and 4 above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVE the herein described Application subject to each and every condition set forth in the Department Conditions of Approval, attached hereto 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.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore



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***

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**Meeting Date:** April 17, 2017

**File No:** PCUP16-023

**Related Files:** PDEV16-050

**Project Description:** A Conditional Use Permit to establish a 93,177-square foot hotel (Element Hotel) on 4.5 acres of land, located at 900 North Via Piemonte, within the Piemonte Overlay of the Ontario Center Specific Plan (APN: 0210-204-18); **submitted by Glacier House Hotels.**

**Prepared By:** Jeanie Irene Aguilo  
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. 2010-021 on March 16, 2010. 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)** Conditional Use Permit approval shall become null and void one year 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, except that a Variance approved in conjunction with a Development Plan shall have the same time limits as said Development Plan. 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.

## **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.

**(a)** All Project signage shall comply with the requirements of the Piemonte Sign Program (File No. PSGP16-001), Piemonte Overlay of the Ontario Center Specific Plan, and Ontario Development Code Division 8.1 (Sign Regulations).

**(b)** A sign program amendment to the Piemonte Sign Program (File No. PSGP16-001) shall be submitted to the Planning Department for review and approval. The sign program amendment shall be approved prior to the approval of any individual signs.

**(c)** Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

**(d)**

**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 environmental impacts of this project were previously analyzed in conjunction with an Addendum to the Ontario Center EIR, which was prepared in conjunction with File No. PSPA05-003, and was approved by the City Council on March 23, 2006. This application introduces no new

significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.14** Additional Fees.

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

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

**2.15** Additional Requirements.

**(a)** Final design of art sculpture proposed on south portion of site along Ontario Center Parkway shall be subject to Planning Director review and approval.



## ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company  
Information Technology and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <input type="checkbox"/> OTHER	<input type="checkbox"/> PARCEL MAP <input type="checkbox"/> FOR CONDOMINIUM PURPOSES	<input type="checkbox"/> TRACT MAP
<b>PROJECT FILE NO. <u>PDEV16-050</u></b>  <b>RELATED FILE NO(S). <u>PM 17550</u></b>		
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__		

CITY PROJECT ENGINEER & PHONE NO:	Omar Gonzalez, Senior Associate Civil Engineer, (909)395-2147
CITY PROJECT PLANNER & PHONE NO:	Jeanie Anguilo, Assistant Planner, (909)395-2147
DAB MEETING DATE:	April 17, 2017
PROJECT NAME / DESCRIPTION:	A development plan to construct a 4 story, 131 room hotel totaling 92,823 square feet on approximately 4.5 acres, within the Piemonte District of the Ontario Center Specific Plan
LOCATION:	Northeast Corner of Ontario Center Parkway and Via Piemonte
APPLICANT:	Glacier House Hotels
REVIEWED BY:	<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">             Naim Khoury            Associate Engineer         </div> <div style="text-align: center;"> <u>4-6-17</u>            Date         </div> </div>
APPROVED BY:	<div style="display: flex; justify-content: space-between; align-items: flex-end;"> <div style="text-align: center;">             Khoi Do, P.E.            Assistant City Engineer         </div> <div style="text-align: center;"> <u>4-6-17</u>            Date         </div> </div>



**THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2010-021) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP 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 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement.   
 (1) \_\_\_\_\_  
 (2) \_\_\_\_\_
- 1.08 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.
- 1.09 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.
- 1.10 Provide a preliminary title report current to within 30 days.
- 1.11 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and



the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.

- 1.12 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).
- 1.13 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 duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 **Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.**
- 2.07 **Submit a soils/geology report.**
- 2.08 **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: Property Owner's Association (POA) for connection to private storm drain system on Via Alba**

- 2.09 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 \_\_\_\_\_.
- 2.10 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_   
\_\_\_\_\_
- 2.11 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).
- 2.12 **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.**
- 2.13 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.
- 2.14 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.15 Other conditions: \_\_\_\_\_



**B. PUBLIC IMPROVEMENTS**  
 (See attached Exhibit 'A' for plan check submittal requirements.)

- 2.16 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Ontario Center Parkway	Via Piemonte (Private)	Via Alba (Private)	Street 4
Curb and Gutter	<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	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<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
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <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





<b>Sewer</b> (see Sec. 2.C)	<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	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water</b> (see Sec. 2.D)	<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	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Recycled Water</b> (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 checked="" 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</b> (see Sec. 2.F)	<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	<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 type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral (Private connection)	<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
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.15, above: \_\_\_\_\_

2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_



- 2.18 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.
- 2.19 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.
- 2.20 Other conditions:

**C. SEWER**

- 2.21 **An 8 inch sewer main is available for connection by this project in Ontario Center Parkway. (Ref: Sewer plan bar code: S13831). New manhole shall be constructed at point of connection.**
- 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.23 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.
- 2.24 **Other conditions:** 
  1. **The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not to limited to including: installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application, please contact:**

**Sheldon Yu, Sr. Associate Civil Engineer**  
[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)

**D. WATER**

- 2.25 **A 12 inch water main is available for connection by this project in Ontario Center Parkway (Ref: Water plan bar code: W13054; W13055)**
- 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.27 **Other conditions:** 
  1. **Private fire service line at the northern boundary of the project shall be maintained and operated by the Owner**

**E. RECYCLED WATER**

- 2.28 **An 8 inch recycled water main is available for connection by this project in Via Alba. (Ref: Recycled Water plan bar code:P10075)**
- 2.29 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**



- 2.30 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.
  - 2.31 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.**
- 2.32 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.33 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
- 2.34 **Other conditions:**
- 1. **Reciprocal access shall be required to be maintained between the proposed project site and the undeveloped area north of the proposed project site.**
- 2. **Existing parking restrictions along Ontario Center Parkway are to remain in place upon development of the project site.**
- 3. **The applicant/developer shall replace existing streetlight fixtures with City-approved LED equivalent fixtures, along Ontario Center Parkway. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans for LED fixture requirements.**
- 4. **The applicant/developer's engineer of record shall meet with City Engineering staff prior to starting the street lighting design.**

**G. DRAINAGE / HYDROLOGY**

- 2.35 **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.**
- 2.36 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.
- 2.37 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.
- 2.38 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.
- 2.39 **Pay Storm Drain Development Impact Fee, approximately \$92,000, Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.40 Other conditions: \_\_\_\_\_



**H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)**

- 2.41 401 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.
- 2.42 **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>.**
- 2.43 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.44 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.45 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.46 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Ontario Center Parkway, see Fiber Optic Exhibit herein.** 
  1. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
  2. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
  3. Building Entrance (Multi-family and Commercial) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
  4. Multi-Family Unit Telecommunications Room - Location of telecommunications room is conceptual. Terminate no less than 5 inches above the finished floor adjacent to the wall in the telecomm/electrical room. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet". A 1.5 inch joint use telecommunications conduit from the telecomm/electrical room to each apartment shall be installed



- 2.47 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

**L. Solid Waste**

- 2.48 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:  
  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.49 Other conditions: 
  - 1. Volumetrically, the hotel requires ten (10), 4-CY trash bins (40-CY total volume). The applicant/developer may utilize four (4), 4-CY trash bins in conjunction with the necessary compactor(s) to meet their solid waste needs.

**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 benchmark if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).



**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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Project Number: PDEV 16-050

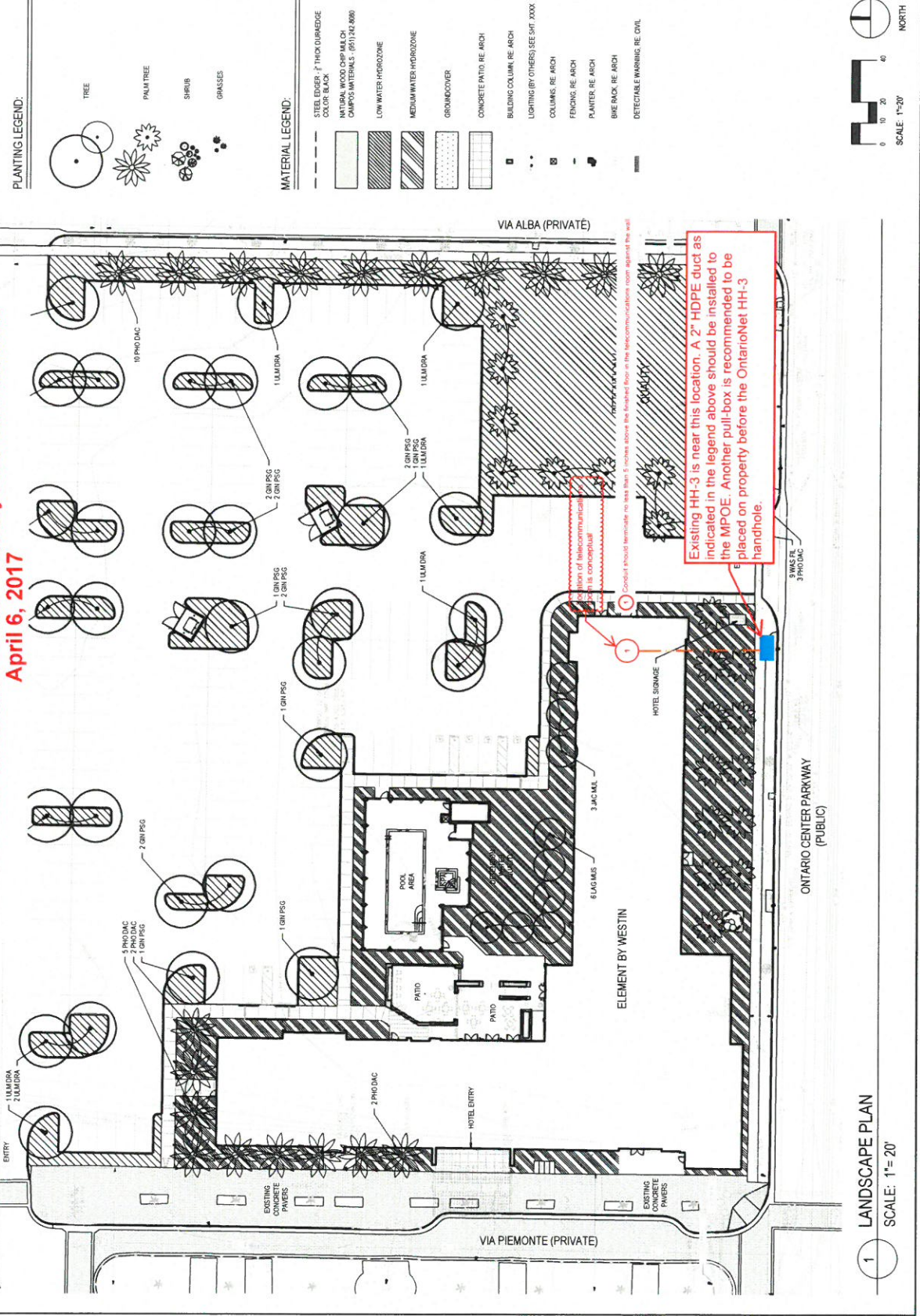
**The following items are required to be included with the first plan check submittal:**

1.  **A copy of this check list**
2.  **Payment of fee for Plan Checking**
3.  **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4.  **One (1) copy of project Conditions of Approval**
5.  Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6.  Three (3) sets of Public Street improvement plan with street cross-sections
7.  Three (3) sets of Private Street improvement plan with street cross-sections
8.  Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9.  Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10.  Four (4) sets of Public Sewer improvement plan
11.  Five (5) sets of Public Storm Drain improvement plan
12.  **Three (3) sets of Public Street Light improvement plan**
13.  Three (3) sets of Signing and Striping improvement plan
14.  **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15.  Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16.  Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17.  Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18.  **One (1) copy of Hydrology/Drainage study**
19.  **One (1) copy of Soils/Geology report**
20.  Payment for Final Map/Parcel Map processing fee
21.  Three (3) copies of Final Map/Parcel Map

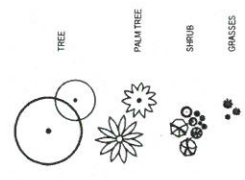


- 22.  One (1) copy of approved Tentative Map
- 23.  One (1) copy of Preliminary Title Report (current within 30 days)
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26.  **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 27.  Other: \_\_\_\_\_

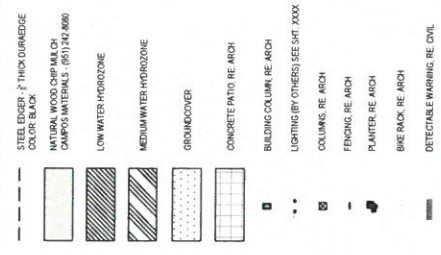
**PDEV16-050**  
**Element Hotel at Ontario Center Parkway and Via Piemonte**  
**April 6, 2017**



PLANTING LEGEND:



MATERIAL LEGEND:



Existing HH-3 is near this location. A 2" HDPE duct as indicated in the legend above should be installed to be the MPOE. Another pull-box is recommended to be placed on property before the OntarioNet HH-3 handhole.



LANDSCAPE PLAN  
 SCALE: 1" = 20'

**client:**  
 GLACIER HOUSE  
 HOTEL DEVELOPMENT  
 1000 SHEPPARD AV. EAST  
 SCARBOROUGH, ONTARIO M1S 1T6

**CONSULTANT:**  
 OUBROW DESIGN COLLAB LTD  
 1885 VANDERBILT ST. SUITE 21  
 MISSISSAUGA, ONTARIO L4V 1V7  
 WWW.OUBROW.COM

**ELEMENT BY WESTIN**  
 NMC ONTARIO CNTR. PKWY & VIA ALBA  
 ONTARIO, CALIFORNIA 91764



NO.	DATE	REVISION	BY	DATE	DESCRIPTION

PROJECT NUMBER: 1961  
 LANDSCAPE PLAN  
 SHEET NUMBER:  
 L101





# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: March 06, 2017

SUBJECT: FILE #: PCUP16-023

Finance Acct#:

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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 **Monday, March 20, 2017**.

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish a 92,823-square foot hotel (Element) on approximately 4.5 acres of land located at 900 North Via Piemonte, within the Piemonte Overlay of the Ontario Center Specific Plan (APN: 0210-204-18). Related File: PDEV16-050).

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.

Landscape Planning Division *J. P.* Landscape Planner 3/23/17  
Department Signature Title Date

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV16-050 & PCUP16-023  
 Address: 900 Via Piemonte  
 APN: 210-204-18  
 Existing Land Use: Vacant  
 Proposed Land Use: 92,823 SF Hotel  
 Site Acreage: 4.5 Proposed Structure Height: 62 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: 1/19/17  
 CD No.: 2016-077  
 PALU No.: n/a

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

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

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

Zone 1   
  Zone 2   
  Zone 3   
  Zone 4   
  Zone 5   
  Zone 6  
 Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See Attached Conditions

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

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2016-077  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

The maximum allowable height for the project site is 75 feet. FAA notification is required for any objects which exceed the 75 foot height limit, such as construction cranes. The applicant shall file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) with the FAA and receive a Determination of No Hazard prior to utilizing any construction equipment that will exceed 75 feet in height.



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: November 29, 2016

SUBJECT: FILE #: PCUP16-023 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, December 13, 2016**.

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

**PROJECT DESCRIPTION:** A Conditional Use Permit to establish a 92,823-square foot hotel on approximately 4.5 acres of land located at 900 Via Piemonte, within the Piemonte District of Ontario Center Specific Plan (APN(s): 210-204-18. Related File(s): PDEV16-050).

- 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.

*Building*  
Department

Signature

Title

Date

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** December 1, 2016  
**SUBJECT:** PCUP16-023

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1. The plan **does** adequately address the departmental concerns at this time.  
No comments.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** January 5, 2017

**SUBJECT:** PDEV16-050 AND PCUP16-023: A DEVELOPMENT PLAN AND  
CONDITIONAL USE PERMIT TO DEVELOP A 4 STORY, 131 ROOM  
HOTEL AT ONTARIO CENTER PARKWAY AND VIA PIEMONTE

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The “Standard Conditions of Approval” contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below:

- Required lighting for walkways, driveways, doorways and other areas used by the public shall be provided. Required lighting shall operate on photosensor. Photometrics shall be provided and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting fixtures.
- Rooftop addresses shall be installed on the building 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 shall comply with construction site security requirements as stated in the Standard Conditions.

The approval of this Conditional Use Permit shall not be construed so as to permit the sale of alcohol on the premises. Should the Applicant desire to sell alcohol on-site, the Applicant shall apply for a modification to this Conditional Use Permit.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding any questions or concerns



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Assistant Planner  
Planning Department

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

**DATE:** February 13, 2017

**SUBJECT:** PDEV16-050 - A Development Plan To Construct A 4-Story 131 Room Hotel Totaling 92,823 Square Feet On Approximately 4.5 Acres Of Land Located At The NEC Of Ontario Center Pkwy And Via Piemonte, Within The Piemonte District Of The Ontario Center Specific Plan (APN(S): 210-204-18).

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

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Unknown
- B. Type of Roof Materials: Unknown
- C. Ground Floor Area(s): 24,294 Sq. Ft.
- D. Number of Stories: 4 Stories
- E. Total Square Footage: 92,688 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R, B, A

## **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 (20) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 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.

### **3.0 WATER SUPPLY**

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2013 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.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.1 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 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.
- ☒ 4.4 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.
- ☒ 4.5 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.
- ☒ 4.6 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.
- ☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. 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.

## **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 9-1.3280 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.
- ☒ 5.6 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.
- ☒ 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

## **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.



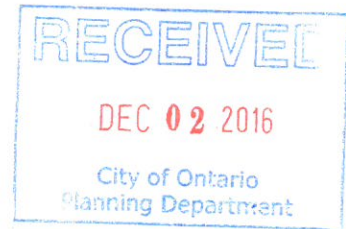
# CITY OF ONTARIO MEMORANDUM

TO: "Vacant", Development Director  
 Scott Murphy, Planning Director (Copy of Memo only)  
 Cathy Wahlstrom, Principal Planner (Copy of memo only)  
 Charity Hernandez, Economic Development  
 Kevin Shear, Building Official  
 Khoi Do, Assistant City Engineer  
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 Tom Danna, T. E., Traffic/Transportation Manager  
 Lorena Mejia, Associate Planner, Airport Planning  
 Steve Wilson, Engineering/NPDES  
 Bob Gluck, Code Enforcement Director  
 Jimmy Chang, IT Department  
 David Simpson, Development/IT (Copy of memo only)

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: November 29, 2016

SUBJECT: FILE #: PDEV16-050 Finance Acct#:



The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, December 13, 2016**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 4-story 131 room Hotel totaling 92,823 square feet on approximately 4.5 acres of land located at the NEC of Ontario Center Pkwy and Via Piemonte, within the Piemonte District of the Ontario Center Specific Plan (APN(s): 210-204-18).

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

*Cindy* Department      *Jane Anderson* Signature      *Supervisor* Title      *11/30/16* Date

## RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV16-050, A DEVELOPMENT PLAN TO CONSTRUCT A 4-STORY, 131-ROOM HOTEL (ELEMENT HOTEL BY WESTIN) TOTALING 93,177 SQUARE FEET ON 4.5 ACRES OF LAND, LOCATED AT 900 NORTH VIA PIEMONTE, WITHIN THE PIEMONTE OVERLAY OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 0210-204-18.

WHEREAS, GLACIER HOUSE HOTELS ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV16-050, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 4.5 acres of land generally located at 900 North Via Piemonte, within the Piemonte Overlay of the Ontario Center Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Piemonte Overlay – Special Use/Hotel (Urban Commercial) of the Ontario Center Specific Plan and is currently vacant. The property to the east is within the Piemonte Overlay – Office (Urban Commercial) of the Ontario Center Specific Plan and is currently vacant. The property to the south is within the Urban Commercial zoning designation of the Ontario Center Specific Plan and is developed with the Citizens Business Bank Arena. The property to the west is within the Piemonte Overlay – Office (Urban Commercial) of the Ontario Center Specific Plan zoning district and is developed with an office building; and

WHEREAS, the proposed Element Hotel consists of a 4-story, 131-room limited service hotel and includes amenities such as a pool, fitness center, and full service restaurant. The hotel has been designed in an "L"-shaped configuration to provide maximum exposure to the street frontages on Via Piemonte and Ontario Center Parkway, diagonally across to the Citizens Business Bank Arena; and

WHEREAS, the Project has provided off-street parking pursuant to the "Special Use/Hotel Development Regulations" and "Restaurant" parking standards specified in the Piemonte Overlay of the Ontario Center Specific Plan, as shown in the table below. The minimum off-street parking requirements for the entire site is 167 parking stalls and a total of 174 parking stalls will be provided; and

WHEREAS, the design is based on the signature Element Hotel by Westin prototype, which incorporates a modern style of clean lines and materials to reflect sustainable or "green" practices. The architecture of the building complements the architecture of the Citizens Business Bank Arena, to the southwest of the site, with its

contemporary design and finishes. Exterior building materials include Exterior Insulation and Finish Systems (EIFS), high pressured laminate (HPL) rain screens (Trespa), and aluminum composite (ACM) panels. The base of the hotel includes shades of dark gray EIFS, which wraps around most of the building, encapsulating a majority of the first floor. The remaining floors features a light tan color, which contrasts with the dark gray EIFS used on the first floor; and

WHEREAS, the project provides substantial landscaping along the Via Piemonte, Via Alba, and Ontario Center Parkway frontages, the balance of the project perimeter, and surrounding the pool and patio areas. The development standards of the Piemonte Overlay requires a minimum 15 percent landscape coverage, which the project substantially exceeds (21.7 percent landscape coverage has been provided). The proposed on-site and off-site landscape improvements will assist towards creating a walkable, safe area for pedestrians to access the project site; and

WHEREAS, a Conditional Use Permit (File No. PCUP16-023) was submitted in conjunction with the Development Plan) to establish the hotel use. The Development Plan Application is contingent upon City Council review and approval of the Conditional Use Permit Application; and

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

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

WHEREAS, as the first action on the Project, on March 23, 2006, the City Council approved a resolution adopting a previous Addendum to the Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No. PSPA05-003, pursuant to CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines, which indicated that all potential environmental impacts from the Project were less than significant or could be mitigated to a level of significance; and

WHEREAS, on April 17, 2017, the Development Advisory Board of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. DAB17-015, recommending the Planning Commission approve the Application; and

WHEREAS, on April 25, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

**SECTION 1. Environmental Determination and Findings.** As the decision-making body for the Project, The Planning Commission has reviewed and considered the information contained in the 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:

a. The environmental impacts of this project were previously reviewed in conjunction with Addendum to the Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009), which was prepared in conjunction with File No. PSPA05-003, and was approved by the City Council on March 23, 2006.

b. The previous Addendum to the Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009) contains a complete and accurate reporting of the environmental impacts associated with the Project; and

c. 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.

d. 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.

e. The previous Addendum to the Ontario Center Environmental Impact Report (EIR 88-2, SCH No. 89041009) contains a complete and accurate reporting of the environmental impacts associated with the Project, and reflects the independent judgment of the Planning Commission; and

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

**SECTION 2. *Housing Element Consistency.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending 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 3. *Airport Land Use Compatibility Plan (ALUCP) Consistency.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

**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 Section 1 through 3 above, the Planning Commission hereby concludes as follows:

a. 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.

b. 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 Piemonte Overlay of the Ontario Center Specific Plan, including standards relative to the particular land use proposed (hotel), 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

c. 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 proposed location of the Project, and the proposed conditions under which it will be constructed and maintained, is consistent with the Policy Plan component of The Ontario Plan and the City's Development Plan, and, therefore, will not be detrimental to the public health, safety, and general welfare; and

d. 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 design guidelines contained in the City of Ontario Development Code and Piemonte Overlay of the Ontario Center Specific Plan, which are applicable to the Project, including those guidelines relative to lighting; streetscapes and walkways; parks and plazas; paving, plants and furnishings; on-site landscaping; and building design. As a result of such review, staff has found the project, when implemented in conjunction with the conditions of approval, to be consistent with the applicable Development Code and Piemonte Overlay of the Ontario Center Specific Plan design guidelines.

**SECTION 5. Planning Commission Action.** Based upon the findings and conclusions set forth in Sections 1 and 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 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.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore



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***

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**Meeting Date:** April 17, 2017

**File No:** PDEV16-050

**Related Files:** PCUP16-023

**Project Description:** A Development Plan to construct a 4-story, 131-room hotel (Element Hotel) totaling 93,177 square feet on 4.5 acres of land, located at 900 North Via Piemonte, within the Piemonte Overlay of the Ontario Center Specific Plan (APN: 0210-204-18); **submitted by Glacier House Hotels.**

**Prepared By:** Jeanie Irene Aguilo  
Phone: 909.395.2418 (direct)  
Email: jaguilo@ontarioca.gov

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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 latest edition of the *Standard Conditions for New Development*, adopted by resolution of the City Council. 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).

**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.

**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.

(a) All Project signage shall comply with the requirements of the Piemonte Sign Program (File No. PSGP16-001), Piemonte Overlay of the Ontario Center Specific Plan, and Ontario Development Code Division 8.1 (Sign Regulations).

(b) A sign program amendment to the Piemonte Sign Program (File No. PSGP16-001) shall be submitted to the Planning Department for review and approval. The sign program amendment shall be approved prior to the approval of any individual signs.

(c) Individual sign plans (3 copies) for the project shall be submitted for separate review and approval to the Planning and Building Departments prior to installation.

**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 environmental impacts of this project were previously analyzed in conjunction with an Addendum to the Ontario Center EIR, which was prepared in conjunction with File No. PSPA05-003, and was approved by the City Council on March 23, 2006. This application introduces no new significant environmental impacts. The City's "Guidelines for the Implementation of the California Environmental Quality Act (CEQA)" provide for the use of a single environmental assessment in situations where the impacts of subsequent projects are adequately analyzed. The previously adopted mitigation measures shall be a condition of project approval, and are incorporated herein by this reference.

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

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

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

**2.14** Additional Fees.

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

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

**2.15** Additional Requirements.

**(a)** The pool equipment/restroom structure shall incorporate the exterior architectural details of the main building, including the use of Exterior Insulation and Finish Systems (EIFS), high pressured laminate (HPL) rain screens (Trespa), and aluminum composite (ACM) panels. The final design shall be subject to Planning Director review and approval.

**(b)** The trash enclosure exterior walls shall incorporate the architectural design features of the main building.

**(c)** Final design of art sculpture proposed on south portion of site along Ontario Center Parkway shall be subject to Planning Director review and approval.

**(d)** The approval of File No. PDEV16-050 shall be final and conclusive upon the approval of File No. PCUP16-023 by the City of Ontario City Council.



**ENGINEERING DEPARTMENT  
CONDITIONS OF APPROVAL**

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company  
Information Technology and Management Services Department conditions incorporated herein)

<input checked="" type="checkbox"/> DEVELOPMENT PLAN <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>PDEV16-050</u></b>  <b>RELATED FILE NO(S). <u>PM 17550</u></b>	
<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO: Omar Gonzalez, Senior Associate Civil Engineer, (909)395-2147

CITY PROJECT PLANNER & PHONE NO: Jeanie Anguilo, Assistant Planner, (909)395-2147

DAB MEETING DATE: April 17, 2017

PROJECT NAME / DESCRIPTION: A development plan to construct a 4 story, 131 room hotel totaling 92,823 square feet on approximately 4.5 acres, within the Piemonte District of the Ontario Center Specific Plan

LOCATION: Northeast Corner of Ontario Center Parkway and Via Piemonte

APPLICANT: Glacier House Hotels

REVIEWED BY: Naiim Khoury      4-6-17  
 Naiim Khoury      Associate Engineer      Date

APPROVED BY: Khoi Do      4-6-17  
 Khoi Do, P.E.      Assistant City Engineer      Date







the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process.

- 1.12 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).
- 1.13 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 duplicate photo mylar of the recorded map to the City Engineer's office.
- 2.03 Note that the subject parcel is a recognized parcel in the City of Ontario per \_\_\_\_\_.
- 2.04 Note that the subject parcel is an 'unrecognized' parcel in the City of Ontario and shall require a Certificate of Compliance to be processed unless a deed is provided confirming the existence of the parcel prior to the date of \_\_\_\_\_.
- 2.05 Apply for a:  Certificate of Compliance with a Record of Survey;  Lot Line Adjustment   
 Make a Dedication of Easement.
- 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan ( WQMP), as applicable to the project.
- 2.07 Submit a soils/geology report.
- 2.08 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: Property Owner's Association (POA) for connection to private storm drain system on Via Alba**

- 2.09 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 \_\_\_\_\_.
- 2.10 Dedicate to the City of Ontario the following easement(s): \_\_\_\_\_   
\_\_\_\_\_
- 2.11 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).
- 2.12 **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.**
- 2.13 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.
- 2.14 **Pay all Development Impact Fees (DIF) to the Building Department.**
- 2.15 Other conditions: \_\_\_\_\_



**B. PUBLIC IMPROVEMENTS**  
 (See attached Exhibit 'A' for plan check submittal requirements.)

- 2.16 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Ontario Center Parkway	Via Piemonte (Private)	Via Alba (Private)	Street 4
Curb and Gutter	<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	<input type="checkbox"/> New; ___ ft. from C/L <input type="checkbox"/> Replace damaged <input type="checkbox"/> Remove and replace
AC Pavement	<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
PCC Pavement (Truck Route Only)	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing	<input type="checkbox"/> New <input type="checkbox"/> Modify existing
Drive Approach	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Sidewalk	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
ADA Access Ramp	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Parkway	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)	<input type="checkbox"/> Trees <input type="checkbox"/> Landscaping (w/irrigation)
Raised Landscaped Median	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace	<input type="checkbox"/> New <input type="checkbox"/> Remove and replace
Fire Hydrant	<input checked="" type="checkbox"/> New / Upgrade <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



<b>Sewer</b> (see Sec. 2.C)	<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	<input type="checkbox"/> Main <input type="checkbox"/> Lateral
<b>Water</b> (see Sec. 2.D)	<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	<input type="checkbox"/> Main <input type="checkbox"/> Service
<b>Recycled Water</b> (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 checked="" 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</b> (see Sec. 2.F)	<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	<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 type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input type="checkbox"/> Lateral	<input type="checkbox"/> Main <input checked="" type="checkbox"/> Lateral (Private connection)	<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
Removal of Improvements	_____	_____	_____	_____
Other Improvements	_____	_____	_____	_____

Specific notes for improvements listed in item no. 2.15, above: \_\_\_\_\_

2.17 Construct a 0.15' asphalt concrete (AC) grind and overlay on the following street(s): \_\_\_\_\_



- 2.18 Reconstruct the full pavement structural section per City of Ontario Standard Drawing number 1011, based on existing pavement condition and approved street section design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. 'Pothole' verification of existing pavement section required prior to acceptance/approval of street improvement plan.
- 2.19 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.
- 2.20 Other conditions:

**C. SEWER**

- 2.21 **An 8 inch sewer main is available for connection by this project in Ontario Center Parkway. (Ref: Sewer plan bar code: S13831). New manhole shall be constructed at point of connection.**
- 2.22 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.23 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.
- 2.24 **Other conditions:** 
  1. **The Occupant/Applicant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of their Wastewater Discharge Permit. Requirements of Wastewater Discharge Permit may include, but not to limited to including: installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application, please contact:**

**Sheldon Yu, Sr. Associate Civil Engineer**  
[omucenvironmental@ontarioca.gov](mailto:omucenvironmental@ontarioca.gov)

**D. WATER**

- 2.25 **A 12 inch water main is available for connection by this project in Ontario Center Parkway (Ref: Water plan bar code: W13054; W13055)**
- 2.26 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately \_\_\_\_\_ feet away.
- 2.27 **Other conditions:** 
  1. **Private fire service line at the northern boundary of the project shall be maintained and operated by the Owner**

**E. RECYCLED WATER**

- 2.28 **An 8 inch recycled water main is available for connection by this project in Via Alba. (Ref: Recycled Water plan bar code:P10075)**
- 2.29 **Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project.**



- 2.30 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. Applicant shall be responsible for construction of a connection to the recycled water main for approved uses, when the main becomes available. The cost for connection to the main shall be borne solely by Applicant.
  - 2.31 **Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.**
- Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.**
- 2.32 Other conditions: \_\_\_\_\_

**F. TRAFFIC / TRANSPORTATION**

- 2.33 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
- 2.34 **Other conditions:** 
  - 1. **Reciprocal access shall be required to be maintained between the proposed project site and the undeveloped area north of the proposed project site.**
  - 2. **Existing parking restrictions along Ontario Center Parkway are to remain in place upon development of the project site.**
  - 3. **The applicant/developer shall replace existing streetlight fixtures with City-approved LED equivalent fixtures, along Ontario Center Parkway. Please refer to the Traffic and Transportation Design Guidelines Section 1.4 Street Light Plans for LED fixture requirements.**
  - 4. **The applicant/developer's engineer of record shall meet with City Engineering staff prior to starting the street lighting design.**

**G. DRAINAGE / HYDROLOGY**

- 2.35 **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.**
- 2.36 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.
- 2.37 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.
- 2.38 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.
- 2.39 **Pay Storm Drain Development Impact Fee, approximately \$92,000, Fee shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.**
- 2.40 Other conditions: \_\_\_\_\_



**H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)**

- 2.41 401 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.
- 2.42 **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>.**
- 2.43 Other conditions: \_\_\_\_\_

**J. SPECIAL DISTRICTS**

- 2.44 File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.
- 2.45 Other conditions: \_\_\_\_\_

**K. FIBER OPTIC**

- 2.46 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located on Ontario Center Parkway, see Fiber Optic Exhibit herein.** 
  1. All hand holes, conduits, conduit banks, materials and installations are per the City's Fiber Optic Master Plan and City Fiber Optic Cable and Duct Standards. All hand holes, conduits and ducts shall be placed in the public right of way.
  2. All hand holes will have ¼-inch galvanized wire between the hand holes and the gravel it is placed on.
  3. Building Entrance (Multi-family and Commercial) - Design and install fiber optic conduit at a minimum depth of 36 inches. Trenching shall be per City Standard for Commercial Buildings. (1) 2-inch HDPE SDR-11 (Smoothwall) roll pipe (Orange) duct. Install locate/tracer wires minimum 12AWG within conduit bank and fiber warning tape 18-inch above the uppermost duct.
  4. Multi-Family Unit Telecommunications Room - Location of telecommunications room is conceptual. Terminate no less than 5 inches above the finished floor adjacent to the wall in the telecomm/electrical room. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall be labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet". A 1.5 inch joint use telecommunications conduit from the telecomm/electrical room to each apartment shall be installed



- 2.47 Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.

**L. Solid Waste**

- 2.48 Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at:  
  
<http://www.ontarioca.gov/municipal-utilities-company/solid-waste>
- 2.49 Other conditions: 
  - 1. Volumetrically, the hotel requires ten (10), 4-CY trash bins (40-CY total volume). The applicant/developer may utilize four (4), 4-CY trash bins in conjunction with the necessary compactor(s) to meet their solid waste needs.

**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 benchmark if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.
- 3.05 Confirm payment of all Development Impact Fees (DIF) to the Building Department.
- 3.06 Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).





**EXHIBIT 'A'**

**ENGINEERING DEPARTMENT  
First Plan Check Submittal Checklist**

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Project Number: PDEV 16-050

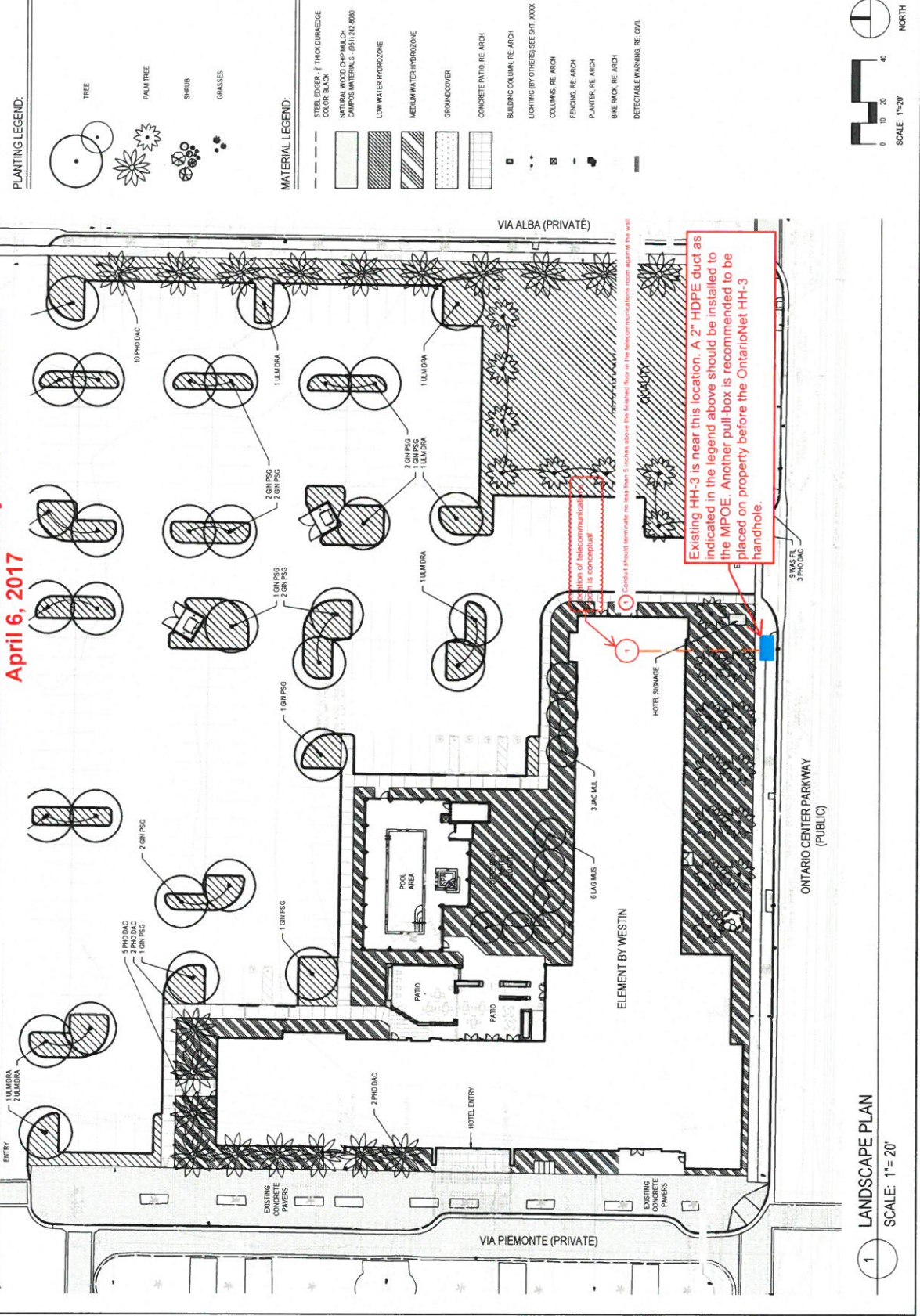
**The following items are required to be included with the first plan check submittal:**

1.  **A copy of this check list**
2.  **Payment of fee for Plan Checking**
3.  **One (1) copy of Engineering Cost Estimate (on City form) with engineer's wet signature and stamp.**
4.  **One (1) copy of project Conditions of Approval**
5.  Two (2) sets of Potable and Recycled Water demand calculations (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size).
6.  Three (3) sets of Public Street improvement plan with street cross-sections
7.  Three (3) sets of Private Street improvement plan with street cross-sections
8.  Four (4) sets of Public Water improvement plan (include water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size)
9.  Four (4) sets of Recycled Water improvement plan (include recycled water demand calculations showing low, average and peak water demand in GPM for the proposed development and proposed water meter size and an exhibit showing the limits of areas being irrigated by each recycled water meter)
10.  Four (4) sets of Public Sewer improvement plan
11.  Five (5) sets of Public Storm Drain improvement plan
12.  **Three (3) sets of Public Street Light improvement plan**
13.  Three (3) sets of Signing and Striping improvement plan
14.  **Three (3) sets of Fiber Optic plan (include Auto CAD electronic submittal)**
15.  Three (3) sets of Dry Utility plans within public right-of-way (at a minimum the plans must show existing and ultimate right-of-way, curb and gutter, proposed utility location including centerline dimensions, wall to wall clearances between proposed utility and adjacent public line, street work repaired per Standard Drawing No. 1306. Include Auto CAD electronic submittal)
16.  Three (3) sets of Traffic Signal improvement plan and One (1) copy of Traffic Signal Specifications with modified Special Provisions. Please contact the Traffic Division at (909) 395-2154 to obtain Traffic Signal Specifications.
17.  Two (2) copies of Water Quality Management Plan (WQMP), including one (1) copy of the approved Preliminary WQMP (PWQMP).
18.  **One (1) copy of Hydrology/Drainage study**
19.  **One (1) copy of Soils/Geology report**
20.  Payment for Final Map/Parcel Map processing fee
21.  Three (3) copies of Final Map/Parcel Map

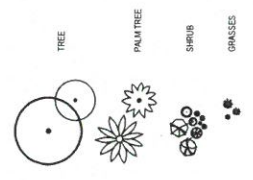


- 22.  One (1) copy of approved Tentative Map
- 23.  One (1) copy of Preliminary Title Report (current within 30 days)
- 24.  One (1) copy of Traverse Closure Calculations
- 25.  **One (1) set of supporting documents and maps (legible copies): referenced improvement plans (full size), referenced record final maps/parcel maps (full size, 18"x26"), Assessor's Parcel map (full size, 11"x17"), recorded documents such as deeds, lot line adjustments, easements, etc.**
- 26.  **Two (2) copies of Engineering Report and an electronic file (include PDF format electronic submittal) for recycled water use**
- 27.  Other: \_\_\_\_\_

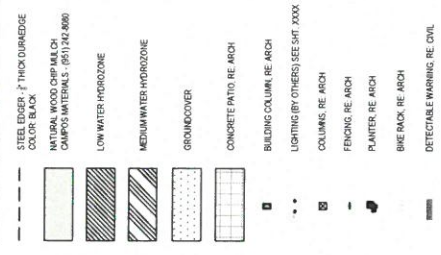
**PDEV16-050**  
**Element Hotel at Ontario Center Parkway and Via Piemonte**  
**April 6, 2017**



PLANTING LEGEND:



MATERIAL LEGEND:



**CLIENT:**  
GLACIER HOUSE  
HOTEL DEVELOPMENT  
1000 SHEPPARD AVENUE EAST  
SCOTTSDALE, AZ 85260

**CONSULTANT:**  
OXBOW DESIGN COLLAB LTD  
1885 VANDERBILT STREET SUITE 211  
VANCOUVER, BC V6V 2E1  
778 448 1411  
WWW.OXBOWDESIGN.COM

**ELEMENT BY WESTIN**  
MVC ONTARIO CNTR. PKWY & VIA ALBA  
ONTARIO, CALIFORNIA 91764

**PROJECT NUMBER:** 1961  
**LANDSCAPE PLAN**  
 SHEET NUMBER:  
**L101**

**PROFESSIONAL SEAL:**  
  
 REGISTERED LANDSCAPE ARCHITECT  
 REG. # DATE DESCRIPTION

**SCALE:** 1" = 20'  
 NORTH

1 LANDSCAPE PLAN  
 SCALE: 1" = 20'

0 10 20 40  
 SCALE: 1" = 20'  
 NORTH



# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: March 06, 2017

SUBJECT: FILE #: PDEV16-050

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 **Monday, March 20, 2017**.

**PROJECT DESCRIPTION:** A Development Plan to construct a 4-story 131 room Hotel totaling 92,823 square feet on approximately 4.5 acres of land located at the NEC of Ontario Center Pkwy and Via Piemonte, within the Piemonte District of the Ontario Center Specific Plan (APN(s): 210-204-18). (Related: PCUP16-023)

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.

Landscape Planning Division *J. R.* Landscape Planner 3/23/17  
Department Signature Title Date

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

<b>PRELIMINARY PLAN CORRECTIONS</b>	
Sign Off	
	03/22/2017
Jamie Richardson, Associate Landscape Planner	Date

Reviewer's Name: <b>Jamie Richardson, Associate Landscape Planner</b>	Phone: <b>(909) 395-2615</b>
D.A.B. File No.: PDEV16-050	Case Planner: Jeanie Irene Aguilo
Project Name and Location: Element Hotel by Westin NEC of Ontario Center Pkwy and Via Piemonte	
Applicant/Representative: Glacier House Hotels, Michael Eichner 1290 Riviera Dr. Calimesa, CA 92320	
<input checked="" type="checkbox"/>	<b>A Preliminary Landscape Plan (dated 03/02/2017) 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>

**CORRECTIONS REQUIRED**

**PREVIOUS DAB CORRECTIONS 12/14/2017**

Civil Plans

- Show corner ramp and sidewalk per city standard drawing 1213 with 10' max ramp and paving for 60-66' R/W. *Existing ramps shall be corrected to meet standard (Via Alba).*
- 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. *Stepouts shall be a total 12" wide monolithic curb pour.*
- Dimension basins and swales to be no greater than 50% of the on-site landscape area to allow for ornamental landscape. Provide a level grade minimum 4' from pedestrian paving for safety and min 5' along parking lots for hedge row and trees. *Reduce the size of the bio retention basin near the patio/pool area. This area shall provide an outdoor space and include amenities for guests. Provide access from adjacent patio bar and pool area; consider bocce ball, volleyball, table tennis, putting green and/or other activities for this space.*

Landscape Plans

- Provide a 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. Add tree protection notes on construction and demo plans. *Existing parkway trees along Ontario Center Parkway and Via Alba.*
- Show parkway landscape and street trees spaced 30' apart. Parkway may be groundcover instead of turf at street trees or where street parking is not allowed. *Show and callout existing parkway landscape.*
- 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. *Provide on construction documents.*
- Show 25% of trees as California native (Platanus racemosa, Quercus agrifolia, Quercus wislizenii, Quercus douglasii, Cercis occidentalis, etc.) in appropriate locations (larger planter areas or multi-trunk specimen at driveway entries). *Provide on construction documents*
- After a project's entitlement approval, the applicant shall pay all applicable fees for landscape plan check and inspections at a rate established by resolution of the City Council. Typical fees are:  
 Plan Check—less than 5 acres .....\$1,301.00  
 Inspection—Construction (up to 3 inspections) ..... \$278.00

Inspection—Field - additional..... \$83.00

Electronic plan check sets may be sent to: [landscapeplancheck@ontarioca.gov](mailto:landscapeplancheck@ontarioca.gov)

**DAB CONDITIONS OF APPROVAL 03/23/2017**

9. Trees shall be located 5' from paving or walkways unless in parkways and parking lot fingers.
10. Bio-retention areas: Use engineered soil ( 65% sand, 20% clay and silt fines, 15% organic matter by volume) with 40% void spaces and capable of supporting vegetation.
11. Basins; show side slope grades on landscape plan (slopes shall not exceed 3:1). Meander swales to provide a more natural appearance. Use City of Ontario approved hydroseed mix for basins and swales; mix in additional container plants on the side slopes such as *Festuca mairei*, *Leymus condensatus*, *Carex pansa*, *Festuca idahoensis*, *Muhlenbergia rigens*, *Leymus triticoides*...
12. Consider utilizing the large landscape area near the SEC of the parcel where large water quality basin is shown to incorporate open space for guests; consider a natural meandering dg trail with shade trees, large boulders and seating along path or within the landscape *or* a formal pathway with pavers, accent trees, benches, focal points, etc...
13. Groundcover spacing shall provide full on center spacing adjacent to paving to avoid edging of groundcovers.

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT



Project File No.: PDEV16-050 & PCUP16-023

Address: 900 Via Piemonte

APN: 210-204-18

Existing Land Use: Vacant

Proposed Land Use: 92,823 SF Hotel

Site Acreage: 4.5 Proposed Structure Height: 62 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: 1/19/17

CD No.: 2016-077

PALU No.: n/a

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

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

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

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

Allowable Height: \_\_\_\_\_

## CONSISTENCY DETERMINATION

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

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

See Attached Conditions

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

# AIRPORT LAND USE COMPATIBILITY PLANNING

## CONSISTENCY DETERMINATION REPORT

CD No.: 2016-077  
PALU No.: \_\_\_\_\_

### PROJECT CONDITIONS

The maximum allowable height for the project site is 75 feet. FAA notification is required for any objects which exceed the 75 foot height limit, such as construction cranes. The applicant shall file a Notice of Proposed Construction or Alteration (FAA Form 7460-1) with the FAA and receive a Determination of No Hazard prior to utilizing any construction equipment that will exceed 75 feet in height.





# CITY OF ONTARIO

## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: November 29, 2016

SUBJECT: FILE #: PDEV16-050

Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, December 13, 2016**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 4-story 131 room Hotel totaling 92,823 square feet on approximately 4.5 acres of land located at the NEC of Ontario Center Pkwy and Via Piemonte, within the Piemonte District of the Ontario Center Specific Plan (APN(s): 210-204-18).

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

Building

Department

Signature

Title

Date

# CITY OF ONTARIO

## MEMORANDUM

**TO:** PLANNING DEPARTMENT, Jeanie Aguilo  
**FROM:** BUILDING DEPARTMENT, Kevin Shear  
**DATE:** December 1, 2016  
**SUBJECT:** PDEV16-050

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

---

### Conditions of Approval

1. The address is 900 N Via Piemonte
2. Standard conditions of approval apply.

KS:lm



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Aguilo, Planning Department

**FROM:** Douglas Sorel, Police Department

**DATE:** January 5, 2017

**SUBJECT:** PDEV16-050 AND PCUP16-023: A DEVELOPMENT PLAN AND  
CONDITIONAL USE PERMIT TO DEVELOP A 4 STORY, 131 ROOM  
HOTEL AT ONTARIO CENTER PARKWAY AND VIA PIEMONTE

---

The “Standard Conditions of Approval” contained in Resolution No. 2010-021 apply. The applicant shall read and be thoroughly familiar with these conditions, including, but not limited to, the requirements below:

- Required lighting for walkways, driveways, doorways and other areas used by the public shall be provided. Required lighting shall operate on photosensor. Photometrics shall be provided and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting fixtures.
- Rooftop addresses shall be installed on the building 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 shall comply with construction site security requirements as stated in the Standard Conditions.

The approval of this Conditional Use Permit shall not be construed so as to permit the sale of alcohol on the premises. Should the Applicant desire to sell alcohol on-site, the Applicant shall apply for a modification to this Conditional Use Permit.

The Applicant is invited to call Douglas Sorel at (909) 395-2873 regarding any questions or concerns



# CITY OF ONTARIO

## MEMORANDUM

**TO:** Jeanie Irene Aguilo, Assistant Planner  
Planning Department

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

**DATE:** February 13, 2017

**SUBJECT:** PDEV16-050 - A Development Plan To Construct A 4-Story 131 Room Hotel Totaling 92,823 Square Feet On Approximately 4.5 Acres Of Land Located At The NEC Of Ontario Center Pkwy And Via Piemonte, Within The Piemonte District Of The Ontario Center Specific Plan (APN(S): 210-204-18).

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

### **SITE AND BUILDING FEATURES:**

- A. 2016 CBC Type of Construction: Unknown
- B. Type of Roof Materials: Unknown
- C. Ground Floor Area(s): 24,294 Sq. Ft.
- D. Number of Stories: 4 Stories
- E. Total Square Footage: 92,688 Sq. Ft.
- F. 2016 CBC Occupancy Classification(s): R, B, A

## **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 (20) ft. wide. See Standard #B-004.
- ☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25’) inside and forty-five feet (45’) outside turning radius per Standard #B-005.
- ☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150’) in length shall have an approved turn-around per Standard #B-002.
- ☒ 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.

### **3.0 WATER SUPPLY**

- ☒ 3.1 The required fire flow per Fire Department standards, based on the 2013 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.
- ☒ 3.4 The public water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

#### **4.0 FIRE PROTECTION SYSTEMS**

- ☒ 4.1 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 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.
- ☒ 4.4 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.
- ☒ 4.5 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.
- ☒ 4.6 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.
- ☒ 4.7 A fixed fire extinguishing system is required for the protection of hood, duct, plenum and cooking surfaces. This system must comply with National Fire Protection Association (NFPA) Standards 17A and 96. 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.

## **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 9-1.3280 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.
- ☒ 5.6 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.
- ☒ 5.8 The building shall be provided with a Public Safety 800 MHZ radio amplification system per the Ontario Municipal Code Section 4-11.09 (n) and the CFC. The design and installation shall be approved by the Fire Department.

## **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.



# CITY OF ONTARIO

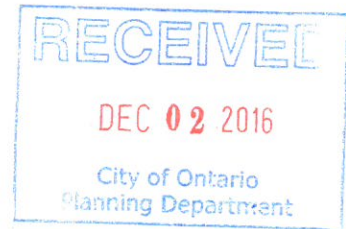
## MEMORANDUM

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

FROM: Jeanie Irene Aguilo, Assistant Planner

DATE: November 29, 2016

SUBJECT: FILE #: PDEV16-050 Finance Acct#:



The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Tuesday, December 13, 2016**.

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

**PROJECT DESCRIPTION:** A Development Plan to construct a 4-story 131 room Hotel totaling 92,823 square feet on approximately 4.5 acres of land located at the NEC of Ontario Center Pkwy and Via Piemonte, within the Piemonte District of the Ontario Center Specific Plan (APN(s): 210-204-18).

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

*Circle* Department      *Joe Anderson* Signature      *Supervisor* Title      *11/30/16* Date





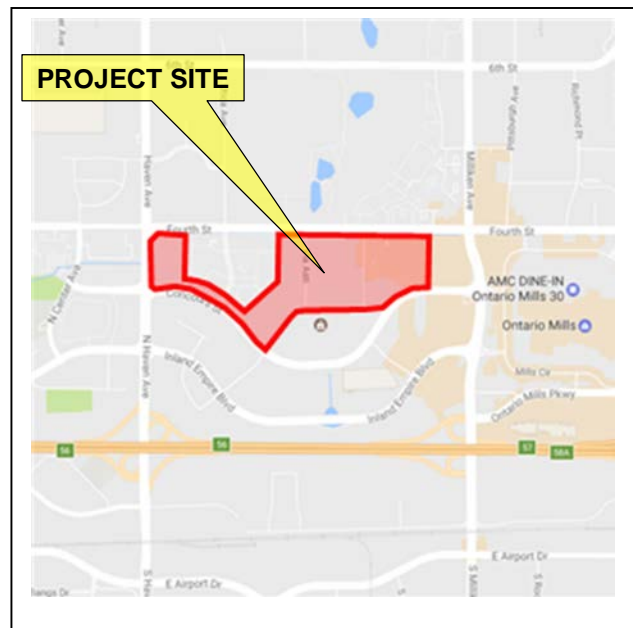
**PLANNING COMMISSION  
STAFF REPORT**  
April 25, 2017

**SUBJECT:** A Specific Plan Amendment (**File No. PSPA16-003**) to revise the provisions of the Piemonte Overlay of the Ontario Center Specific Plan, including changes to the development concept and regulations and allowed land uses within the Commercial, Entertainment/Retail Commercial, Office, Special Use, and Residential sub-areas, affecting properties within an irregular-shaped area comprised of approximately 84 acres of land, generally located south of Fourth Street, west of Milliken Avenue, north of Concourses Street, and east of Haven Avenue, within the Urban Commercial land use district and Piemonte Overlay Area of the Ontario Center Specific Plan (APN: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, and 0210-204-10); **submitted by [1] Lewis Piemonte Land, LLC, c/o David Robbins, Lewis Management Corp., and [2] Pendulum Property Partners. City Council action is required.**

**PROPERTY OWNERS:** Successor Agency to the Ontario Redevelopment Agency; and Redus Piemonte, LLC

**RECOMMENDED ACTION:** That the Planning Commission recommend the City Council adopt a Mitigated Negative Declaration and approve File No. PSPA16-003, pursuant to the facts and reasons contained in the staff report and attached resolutions.

**PROJECT SETTING:** The project site is comprised of approximately 84 acres of land generally located south of Fourth Street, west of Milliken Avenue, north of Concourses Street, and east of Haven Avenue, within the Piemonte Overlay Area of the Ontario Center Specific Plan, and is depicted in Figure 1 (Project Location Map) and Figure 2 (Piemonte Overlay Area Aerial Photograph). Fourth



**Figure 1—PROJECT LOCATION MAP**

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	9/15/2016	ZA			
Hearing Deadline:	N/A	PC	4/25/2017		Recommend
		CC	5/16/2017		Final



**Figure 2—PIEMONTE OVERLAY AREA AERIAL PHOTOGRAPH**

Street, which forms the Overlay's northern border, is the corporate boundary dividing the cities of Ontario and Rancho Cucamonga. Apartments, a small retail/restaurant development and a planned mixed-use (residential and commercial) development are located north of the Piemonte Overlay area, across Fourth Street, within the city of Rancho Cucamonga. Furthermore, horseshoed within the Overlay area, and located on Duesenberg Drive, between Fourth Street and Concoars Street, are two apartment complexes totaling approximately 800 dwellings (Vintage Apartments and Camden Landmark Apartments).

To the west of the Overlay area, across Haven Avenue, are a large number of multiple-family dwellings and a low-rise office and retail complex.

Southeast of the Overlay area, across Concoars Street, existing retail stores are located adjacent to Milliken Avenue. Additionally, directly south of the project site, across Ontario Center Parkway, is Citizens Business Bank Arena, and to the southwest, across Concoars Street, are numerous office buildings.

Bordering the Overlay area to the east, is a commercial center anchored by a Kohl's department store, which is located at the southwest corner of Milliken Avenue and Fourth Street. Further east, across Milliken Avenue, is Ontario Mills, a regional shopping complex consisting of a central enclosed shopping mall, which is surrounded by freestanding retail, entertainment, restaurant, hotel, and office uses.

The project site comprises an 84-acre portion of the former 800-acre Ontario Motor Speedway. The racing facility was completed in 1970 and closed approximately 10 years later. The facility was razed in 1981, and remained vacant until 2006, following the

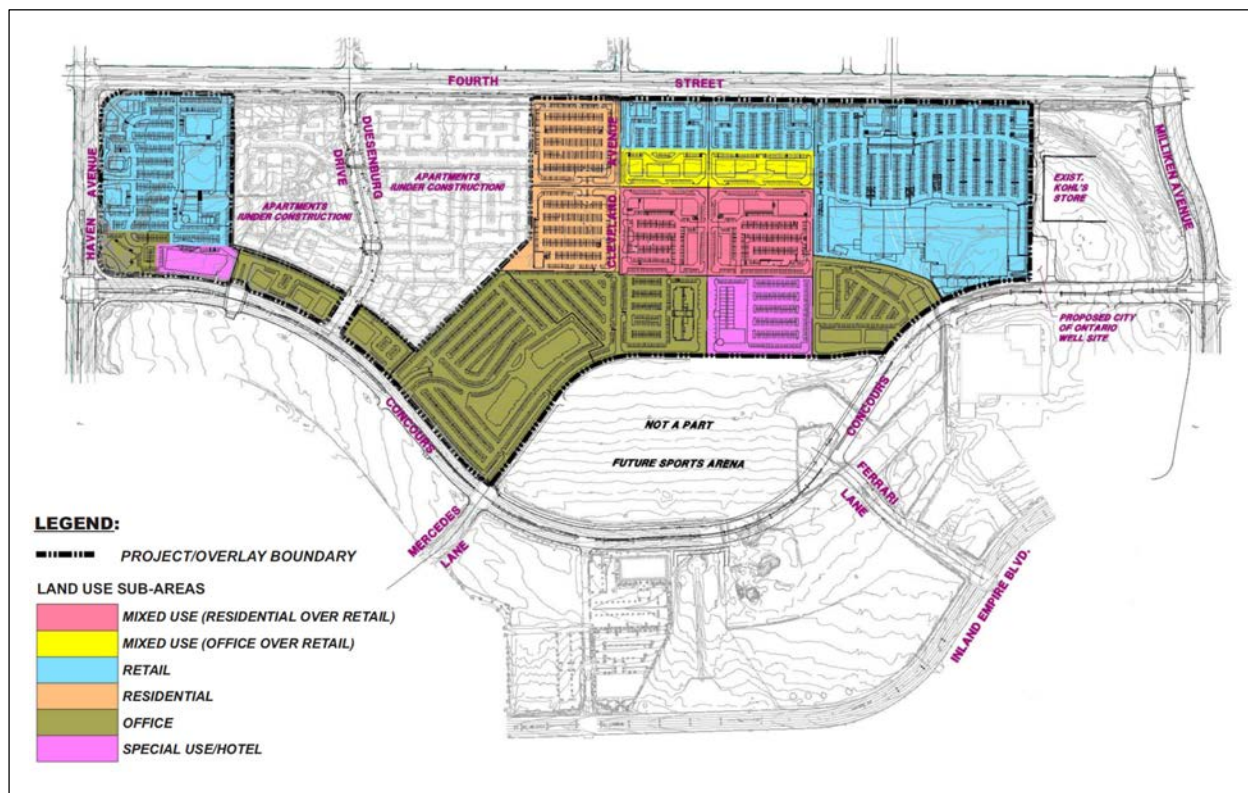


Figure 3—2006 PIEMONTE OVERLAY LAND USE PLAN

approval of the Piemonte at Ontario Center project, which established the Piemonte Overlay, allowing for the development of approximately 1.3 million square feet of retail, office, hotel, and entertainment uses, and more than 800 multiple-family dwelling units on the project site. The 2006 Piemonte Overlay Land Use Plan is shown above, in Figure 3.

The project site was subsequently developed with [1] a 125,685-square foot 5-story office building (building-out Subarea 9), [2] a 275,362-square foot retail center (building-out Subarea 14), and [3] parking facilities for the Citizens Business Bank Arena (building-out Subarea 4). Furthermore, the balance of the project site was mass graded, street improvements were constructed, and off-site and on-site utilities were installed. Additionally, a portion of the project site was excavated to accommodate the development of two 4-story mixed use buildings (400 residential units above 72,000 square feet of retail space) with subterranean parking. Construction ceased in 2008 as a result of the economic downturn. The balance of the project site has remained undeveloped.

**PROJECT ANALYSIS:**

[1] Background — The Applicant is now requesting approval of an Amendment to The Ontario Center Specific Plan, which will revise the land use map and development concept of the Piemonte Overlay area to facilitate the development of the balance of the 84-acre project site. Like the 2006 Piemonte Overlay plan, the Amendment proposes

Land Use	Approved 2006 SPA		Proposed 2017 SPA	
	Maximum Floor Area	Maximum Dwelling Units	Maximum Floor Area	Maximum Dwelling Units
Commercial/Entertainment Retail	447,313		562,068**	
Hotel	290,400 (336 rooms)		180,000 (236 rooms)	
Office	554,355		550,000**	
Multiple-Family Residential		806		791
<b>TOTAL</b>	<b>1,292,068</b>	<b>806</b>	<b>1,292,068</b>	<b>791</b>

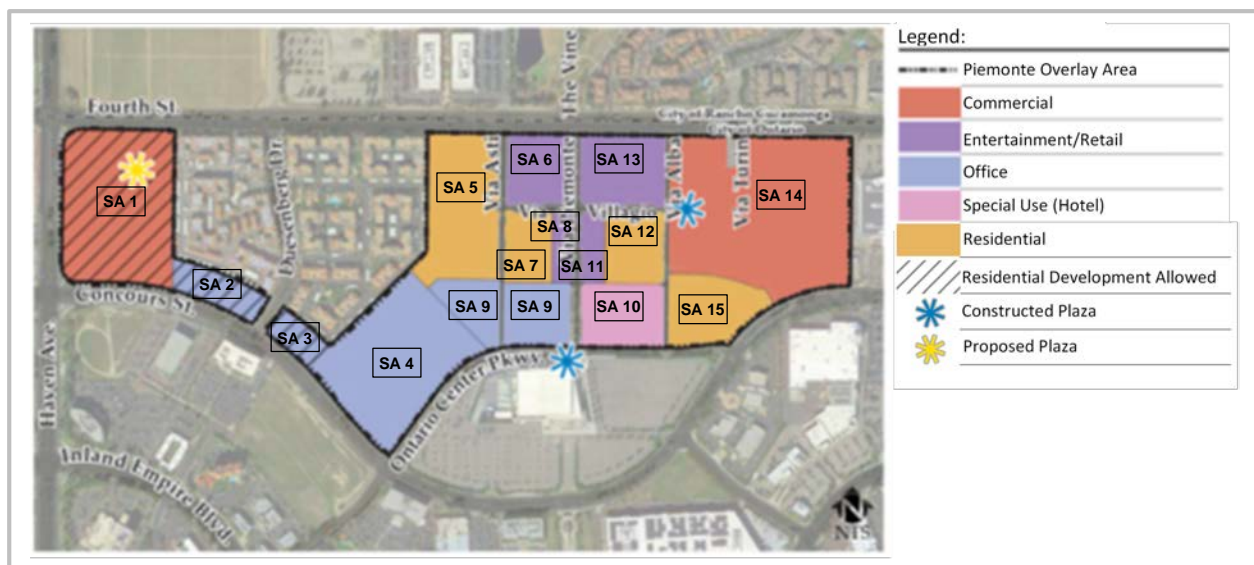
Note:

\*\* Maximum floor areas are approximate, as Commercial/Entertainment Retail and Office floor areas are interchangeable within Subareas 13 and 14.

**Table 1—2006 & 2017 PIEMONTE OVERLAY LAND USE COMPARISON**

approximately 1.3 million square feet of retail, office, hotel, and entertainment uses; however, 791 multiple-family dwelling units are proposed, which is slightly fewer dwelling units than allowed by the 2006 Piemonte Overlay plan. Table 1 (2006 & 2017 Piemonte Overlay Land Use Comparison), above, compares the current 2006 and proposed 2017 Piemonte Overlay plans, providing a statistical summary of the maximum floor area and maximum number of dwelling units allowed by land use category.

[2] Land Use and Development Concept — Figures 4 and 5, below, depict the proposed 2017 Piemonte Overlay Land Use Plan and 2017 Piemonte Overlay



**Figure 4—2017 PIEMONTE OVERLAY LAND USE PLAN**



**Figure 5—2017 PIEMONTE OVERLAY DEVELOPMENT CONCEPT**

Development Concept, respectively. The proposed Specific Plan Amendment will revise the land use plan and development concept for the Piemonte Overlay from a primarily vertical mixed-use configuration (residential constructed over commercial uses, in the same structure) to a horizontal mixed-use configuration (residential and commercial uses in separate structures on the same site); however, as shown in Table 1 (2006 & 2017 Piemonte Overlay Land Use Comparison), the overall maximum allowed floor area will remain unchanged. Other changes proposed to the Piemonte Overlay include:

- A reduction (15 dwelling units) in the maximum allowed number of residential units;
- Redistribution of a portion of the multiple-family residential units, allowing up to 220 dwellings to be constructed within Subareas 1, 2 and 3 (16.66-acre commercial and office areas located north of Concours Street, East of Haven Avenue, and South of Fourth Street). Dwellings may replace commercial floor area at the rate of one dwelling for each 600 square feet of commercial floor area;
- A reduction (100 rooms) in the maximum allowed number of hotel rooms;
- Introduction of outdoor plaza event space, as illustrated in Figure 6 (Conceptual Commercial Development Concept; Intersection of Via Villagio & Via Piemonte), to accommodate outdoor events such a farmer's market, concerts, gathering and dining areas, reception areas, etc.; and

- A change in the architectural design concept for the project, from the original Tuscan-influenced architecture, to a more modern architectural design concept, as illustrated in Figure 7 (Residential Design Concept) and Figure 8 (Commercial Design Concept).

Upon review of the Applicant's request to allow multiple-family residential units in place of commercial and office floor area within Subareas 1, 2 and 3, staff does not support this request within Subarea 1, as residential units within this subarea would eliminate a much needed, and long desired, community shopping center in the area. Furthermore, the large number of dwelling units currently under construction, and/or proposed for construction within the surrounding area will feed demand for the community commercial center.

Therefore, staff recommends the Specific Plan Amendment be revised, such that dwelling units not be allowed within Subarea 1 of the Piemonte Overlay Area. Furthermore, the dwelling units assumed for Subarea 1 should be redistributed to other Subareas to the extent feasible.



**Figure 6—CONCEPTUAL COMMERCIAL DEVELOPMENT CONCEPT;  
INTERSECTION OF VIA VILLAGIO & VIA PIEMONTE**



**Figure 7—RESIDENTIAL DESIGN CONCEPT**





**Figure 8—COMMERCIAL DESIGN CONCEPT**

**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
- 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.

### **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.

### **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.

➤ CD2-12 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. The project site contains four properties totaling 15.13 acres, which are 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, which totals approximately 19.4 acres of multiple-family residential designated property, is consistent with the density specified in the Available Land Inventory (minimum 25.1 dwelling units/acre is required, and 29.43 dwelling units/acre is allowed).

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

**ENVIRONMENTAL REVIEW:** The 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.

## Exhibit A



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

# California Environmental Quality Act Environmental Checklist

### Section I - PROJECT INFORMATION

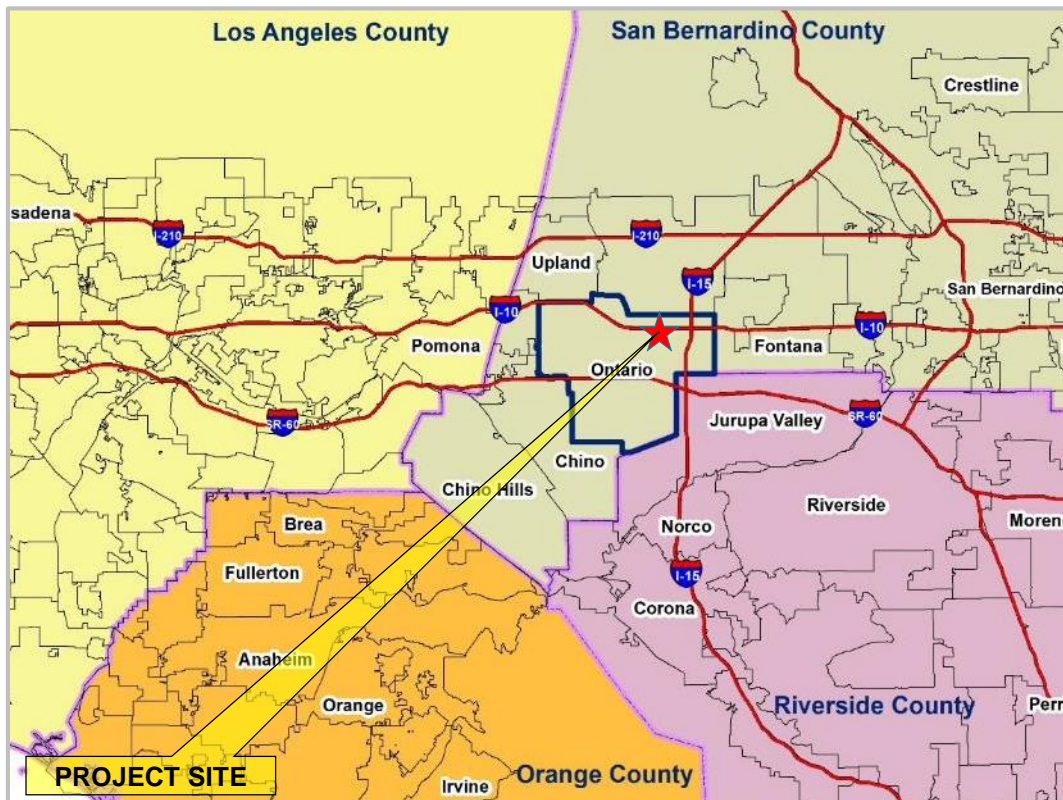
**Project Title/File No.:** Piemonte Overlay for Ontario Center Specific Plan / PSPA16-003

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

**Contact Person:** Charles Mercier, Senior Planner; Phone: 909.395.2425, Email: [cmercier@ontarioca.com](mailto:cmercier@ontarioca.com)

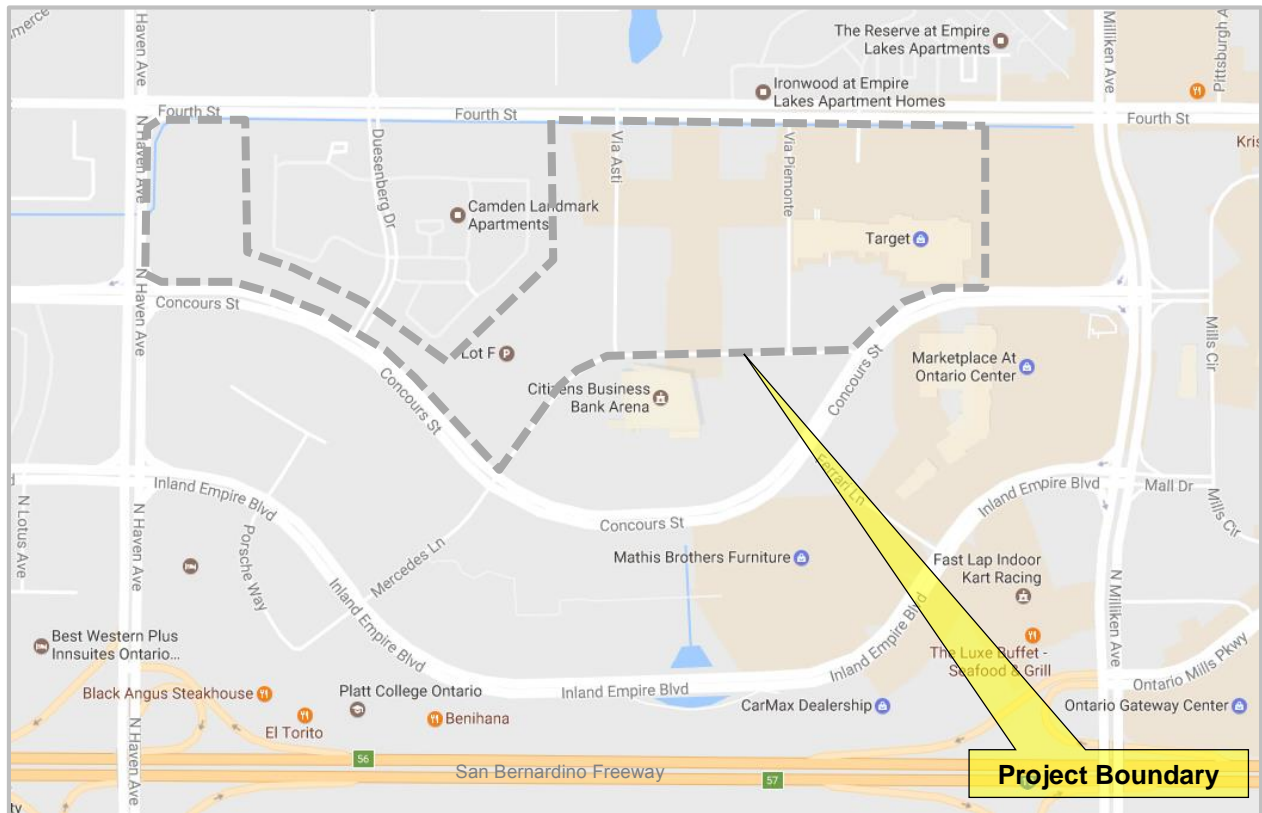
**Project Sponsors:** [1] Lewis Piemonte Land, LLC, c/o David Robbins, Lewis Management Corp., 1156 N Mountain Avenue, Upland, California 91785, Phone: 909.949.6781, Email: [david.robbins@lewismc.com](mailto:david.robbins@lewismc.com); and [2] Pendulum Property Partners, c/o Kevin Hayes, 5 Park Plaza, Suite 370, Irvine, California 92614, Phone: 949.449.1381, Email: [khayes@pendulumpp.com](mailto:khayes@pendulumpp.com)

**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 through 3, below, the project site is generally located south of Fourth Street, west of Milliken Avenue, north of Concours Street, and east of Haven Avenue (Assessor Parcel Nos.: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, and 0210-204-10).



**Figure 1—REGIONAL LOCATION MAP**

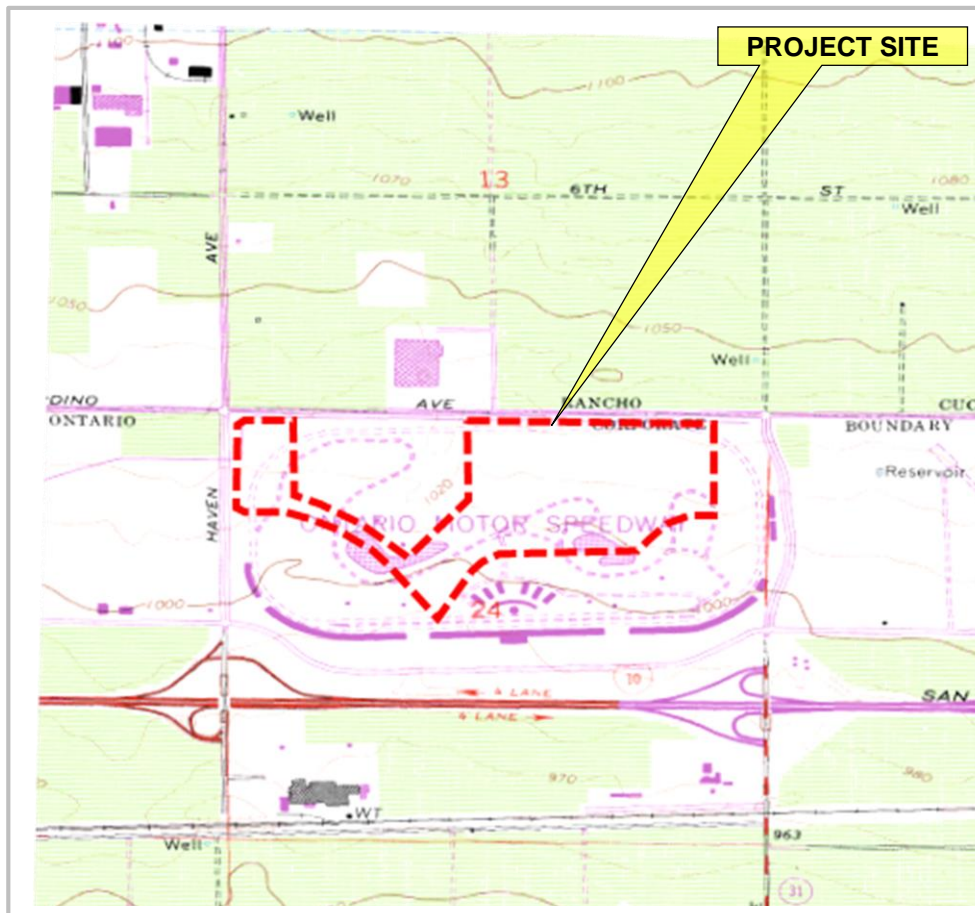




**Figure 2—VICINITY MAP**



**Figure 3—AERIAL PHOTOGRAPH**



**Figure 4—PORTION OF USGS GUASTI QUADRANGLE**

**General Plan Designation:** Mixed Use Ontario Center

**Specific Plan Land Use:** Ontario Center Specific Plan, Urban Commercial Land Use – Piemonte Overlay

**Zoning:** SP (Specific Plan)

**Project Setting:** The project site is comprised of approximately 84 acres of land, which is bordered on the north by Fourth Street, on the west by Haven Avenue, and on the south by Concourses Street and Ontario Center Parkway. The eastern border is located approximately 580 feet west of Milliken Avenue, as measured along Fourth Street.

Figure 3 (Aerial Photograph) provides an aerial view of the Overlay area and its surrounding land uses. Fourth Street, which forms the Overlay's northern border, is the corporate boundary dividing the cities of Ontario and Rancho Cucamonga. Apartments, a small retail/restaurant development and a planned mixed-use (residential and commercial) development are located north of the Overlay area, across Fourth Street, within the city of Rancho Cucamonga.

Additionally, horseshoed around the Overlay area, and located on Duesenberg Drive, between Fourth Street and Concourses Street, are two apartment complexes totaling approximately 800 dwellings (Vintage Apartments and Camden Landmark Apartments).

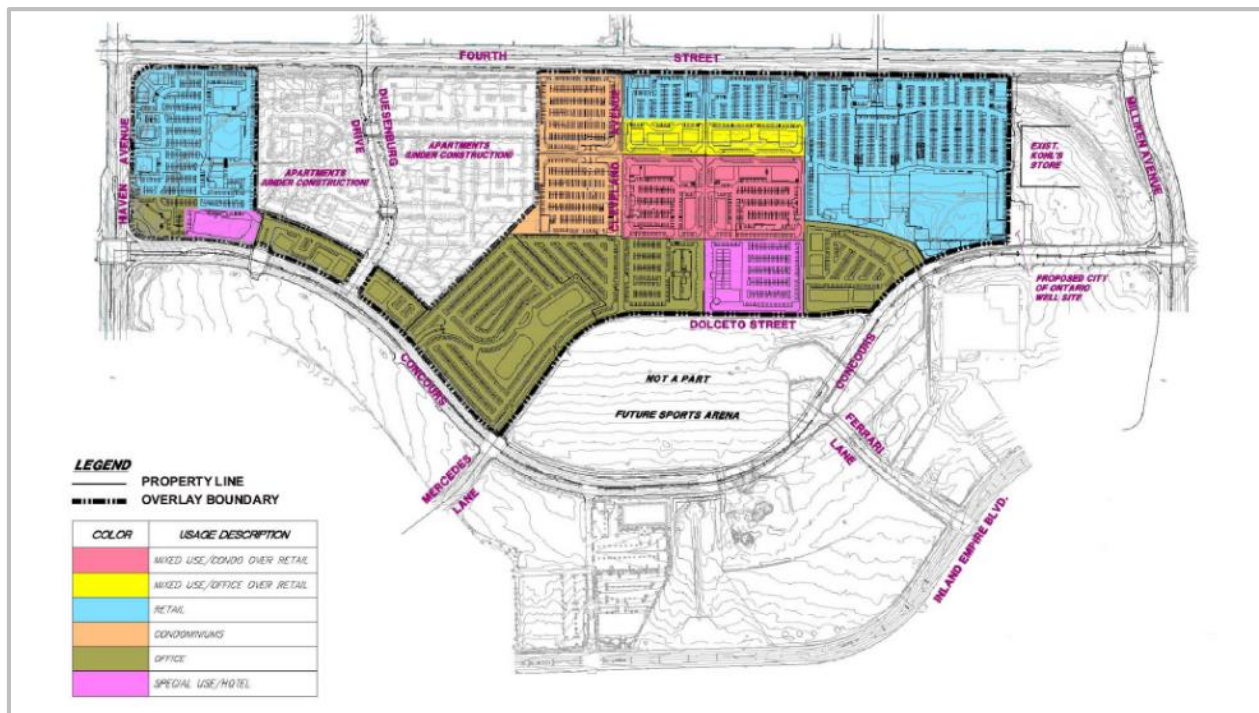
To the west of the Overlay area, across Haven Avenue, are a large number of multiple-family dwellings, and a low-rise office and retail complex.

Southeast of the Overlay area, across Concourses Street, existing retail stores are located adjacent to Milliken Avenue. Furthermore, directly south, across Ontario Center Parkway, is the Citizens Business Bank Arena, and to the southwest, across Concourses Street, are numerous office buildings.

Bordering the Overlay area to the east, is a commercial center anchored by a Kohl's department store, which is located at the southwest corner of Milliken Avenue and Fourth Street. Further east, across Milliken Avenue, is Ontario Mills, a shopping center consisting of a central enclosed shopping mall, which is surrounded by free-standing commercial, entertainment, restaurant, hotel, and office facilities.

**Project Background & Description:** The project site comprises an 84-acre portion of the former 800-acre Ontario Motor Speedway, as shown in Figure 4 (Portion of USGS Guasti Quadrangle), above. The racing facility was completed in 1970, and closed approximately 10 years later. The facility was razed in 1981.

The project site remained vacant until 2006, following its approval for the development of approximately 1.3 million square feet of retail, office, hotel, and entertainment uses, and more than 800 multiple-family dwelling units. The existing 2006 Piemonte Overlay Land Use Plan is shown in Figure 5, below.



**Figure 4—2006 PIEMONTE OVERLAY LAND USE PLAN**

The project site was subsequently developed with [1] a 125,685-square foot 5-story office building (building-out Subarea 9), [2] a 275,362-square foot retail center (building-out Subarea 14), and [3] parking facilities for the Citizens Business Bank Arena (building-out Subarea 4). Furthermore, the balance of the project site was mass graded, street improvements were constructed, and off-site and on-site utilities were installed. Additionally, a portion of the project site was excavated to accommodate the development of two 4-story mixed use buildings (400 residential units above 72,000 square feet of retail space) with subterranean parking. Construction ceased in 2008 as a result of economic downturn. The balance of the project site has remained undeveloped.

**Table 1—2006 & 2017 PIEMONTE OVERLAY LAND USE COMPARISON**

Land Use	2006 SPA		2017 SPA	
	Maximum Floor Area	Maximum Dwelling Units	Maximum Floor Area	Maximum Dwelling Units
Commercial/Entertainment Retail	447,313		562,068**	
Hotel	290,400 (336 rooms)		180,000 (236 rooms)	
Office	554,355		550,000**	
Multi-Family Residential		806		791
<b>TOTAL</b>	<b>1,292,068</b>	<b>806</b>	<b>1,292,068</b>	<b>791</b>

Note:

\*\* Maximum floor areas are approximate, as Commercial/Entertainment Retail and Office floor areas are interchangeable within Subareas 13 and 14.

The project proponent has submitted a request for approval of an Amendment to the Ontario Center Specific Plan, which revises the land use map and development concept of the Piemonte Overlay area, to facilitate the development of the balance of the 84-acre project site. Like the 2006 Piemonte Overlay plan, the Amendment proposes approximately 1.3 million square feet of retail, office, hotel, and entertainment uses; however, 791 multiple-family dwelling units are proposed, which is slightly fewer dwelling units than allowed by the 2006 Overlay plan. Table 1 (2006 & 2017 Piemonte Overlay Land Use Comparison), above provides a comparison of the maximum floor area and dwelling units allowed by the 2006 and 2017 Piemonte Overlay plans. The proposed 2017 Piemonte Overlay Land Use Plan, 2017 Piemonte Overlay Development Concept are shown in Figures 8 and 9, respectively, below.



**Figure 5—2017 PIEMONTE OVERLAY LAND USE PLAN**



**Figure 6—2017 PIEMONTE OVERLAY DEVELOPMENT CONCEPT**

**Other public agencies whose approval is required** (e.g., permits, financing approval or participation agreement):

1. Permitting may be required by/through the Regional Water Quality Control Board (RWQCB) pursuant to requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit;
2. Permitting may be required by/through the South Coast Air Quality Management District (SCAQMD) for certain equipment or land uses that may be implemented within the Project area; and
3. Various construction, grading, and encroachment permits allowing implementation of the Project.

**Section II - 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 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"/> Population / Housing        | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation / Traffic           |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

**Section III - 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 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

4/5/2017

Date

Charles H. Mercier, Senior Planner

Printed Name and Title

City of Ontario Planning Department

For

**Section IV - EVALUATION OF ENVIRONMENTAL IMPACTS**

Directions:

- 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.

**Table 2—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>1) AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) 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"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<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 checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>b)</b> Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<p><b>c)</b> Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>d)</b> Expose sensitive receptors to substantial pollutant concentrations?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



**Table 2—ENVIRONMENTAL CHECKLIST**

<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>e)</b> Create objectionable odors 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>c)</b> Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<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) GEOLOGY AND SOILS.</b> Would the project:				
<b>a)</b> Expose people or structures to 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>iv)</b> Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
<b>d)</b> 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?	<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 waste water 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>7) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>8) 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"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<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 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>g)</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>h)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9) 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"/>
<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, 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 increase in erosion of the project site or surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>d)</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 substantially increase the rate or amount of surface runoff in a manner which 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>e)</b> 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 during construction and/or post-construction activity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f)</b> Otherwise substantially degrade water quality or potential for discharge of storm water to affect the beneficial uses of receiving water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>g)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>h)</b> Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>i)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>j)</b> Expose people or structures to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10) 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> Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, airport land use compatibility plan, specific plan, local coastal program, or zoning ordinance) 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>c)</b> Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11) 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>12) NOISE.</b> Would the project result in:				
<b>a)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b)</b> Exposure of persons to or 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> A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<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> A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>e)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>f)</b> 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13) 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 type="checkbox"/>	<input checked="" type="checkbox"/>
<b>b)</b> Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c)</b> Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>14) 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>15) 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"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<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>16) TRANSPORTATION/TRAFFIC.</b> Would the project:				
a) 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) 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"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a 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"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>17) UTILITIES AND SERVICE SYSTEMS.</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Table 2—ENVIRONMENTAL CHECKLIST**

<b>Issues</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant With Mitigation</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
<b>e)</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>f)</b> Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>g)</b> Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>18) 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>b)</b> Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>c)</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>d)</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: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *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 at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

**Section V - 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 the northwesterly corner of Inland Empire Boulevard and Ferrari Lane, which is not a major north-south arterial street as identified in the Functional Roadway Classification Plan (Figure M-2) of the Mobility Element within the Policy Plan. 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 located in an area that is characterized by a mix of commercial, entertainment retail, office, and high density residential land uses, and is surrounded by commercial and office land uses.

The proposed project will substantially improve the visual quality of the area through development of the site with a mix of commercial, entertainment retail, office, and high density residential land uses, which will be consistent with the policies of the Community Design Element of the Policy Plan (General Plan) and zoning designations on the property, as well as with the commercial and office development in the surrounding 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.

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: 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 vacant and does not contain any agricultural uses. Further, the site is identified as "Other Land" and "Urban and Built-Up Land" on the map prepared by the California Resources Agency, pursuant to the Farmland Mapping and Monitoring Program. The "Other Land" consists of vacant and nonagricultural land that is greater than 40 acres in area, and is surrounded on all sides by urban development. 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 is zoned SP (Specific Plan), and is located within the Urban Commercial land use district and the Piemonte Overlay district of the Ontario Center Specific Plan, which is intended for development with a mix of commercial, entertainment retail, office, and high density residential land uses. The proposed project is consistent with the development standards and allowed land uses of the proposed land use district. Furthermore, there is no Williamson Act contract in effect on the subject site. Therefore, no impacts to agricultural uses are anticipated, nor will there be any conflict with existing or Williamson Act contracts.

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 is zoned SP (Specific Plan), and is located within the Urban Commercial land use district and the Piemonte Overlay district of the Ontario Center Specific Plan, which is intended for development with a mix of commercial, entertainment retail, office, and high density residential land uses. 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 Urban Commercial land use district and the Piemonte Overlay district of the Ontario Center Specific Plan. 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 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 not designated as Farmland, and is currently zoned SP (Specific Plan), and is located within the Urban Commercial land use district and the Piemonte Overlay district of the Ontario Center Specific Plan, which is intended for development with a mix of commercial, entertainment retail, office, and high density residential land uses. The project site is currently vacant 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 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) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

Discussion of Effects: 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) 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?**

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)].

Mitigation: None required.

**d) 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 proposes the construction of up to 791 residential units, which are sensitive receptors. There are not, however, any known hot spots or heavy concentrations of pollutants in the area that would expose residents to potential adverse impacts. Therefore, no adverse impacts are anticipated.

Mitigation: None required.

**e) Create objectionable odors affecting a substantial number of people?**

Discussion of Effects: The uses proposed on the subject site, as well as those permitted within the Urban Commercial land use district and the Piemonte Overlay district of the Ontario 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: 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 site is located within an area that has historically been found to contain Delhi Soils, which is potential habitat for the Delhi Sand Flower-loving Fly (DSF), a federally listed endangered species. However, as a result of previous development and land uses on the project site, including construction and operation of the Ontario Motor Speedway (razed in 1981), and more recently, construction activity associated with the phased development of approximately 1.3 million square feet of retail, office, hotel, and entertainment uses, and 800 multiple-family dwelling units, including mass grading of the entire project area, the installation of public utilities, and the construction of street improvements, have left the project site in an extremely disturbed state. This determination is supported by previous environmental reports addressing the project site, including Ontario International Centre EIR 80-3 (SCH No. 80062538), Ontario Center Specific Plan EIR 88-2 (SCH No. 89041009), and February 2006 Addendum to the Ontario Centre EIR, all of which have found the project site to be in an extremely disturbed, with no native soils or native vegetation on the site. The project site has not been designated as a planned recovery zone for the DSF, and in its current condition, does not provide suitable habitat.

The existing vacant site provides potential habitat for the western burrowing owl (*Athene cunicularia hypugea*). A focused survey was conducted of the project site (report on file with the Planning Department), which identified one pair of burrowing owls on the site. Therefore, a focused survey prior to ground disturbing construction activities will be required.

Mitigation: Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by a qualified biologist. Should any burrowing owls be located on the project site, the below-listed mitigation measures shall be completed.

**i) Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods, that:**

**(1) Birds have not begun egg-laying and incubation; or**

**(2) Juveniles from the occupied burrows are foraging independently and are capable of independent survival.**

ii) If owls must be moved away from the disturbance area, relocation techniques shall be used as established in the California Department of Fish and Game, Natural Resources Agency, "Staff Report on Burrowing Owls," dated March 7, 2012.

**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 Wildlife, 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 California Department of Fish & Wildlife, or U.S. 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 is part of a larger vacant property that is bounded on all four sides by development. As a result, there are no wildlife corridors connecting this site to other areas. Therefore, no adverse environmental impacts are anticipated.

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 plan. 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 does not contain any buildings, structures, or objects. 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 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: None required.

**c) 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 Ontario Plan FEIR (Section 5.5) indicates that one paleontological resource has been discovered in the City. However, the project proposes excavation depths to be less than 10 feet. 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: None required.

**d) 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 development. 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.

**e) Cause a substantial adverse change in the significance of a Tribal Cultural Resource as defined in Public Resources Code Section 21074?**

Discussion of Effects: The proposed project is in an area that has been previously disturbed by development. No known Tribal Cultural Resource sites exist within the project area. Thus, tribal artifacts are not expected to be encountered during any excavation, grading, or construction activities.

Mitigation: None required.

**6) 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 in compliance 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: 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.

**7) 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. (Recirculated 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 with regard to 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 MM 6-2 and MM 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;

v) All new development shall comply with the requirements of the City of Ontario Community Climate Action Plan.

**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.

**8) 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 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: 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.

**9) 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.

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.

**d) 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.

**e) 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.

**f) 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.

**g) 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.

**h) 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.

**i) 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.

**10) 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 development. The project will become a part of the larger commercial, entertainment retail, office, and high density residential communities, which surround the project site. 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.

**11) 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.

**12) 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 groundborne vibration or groundborne noise levels?**

Discussion of Effects: The uses associated with this project normally do not induce groundborne 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 commercial development, pursuant to City of Ontario Development Code. Therefore, no increases in noise levels 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 outside of the 65CNEL 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.

**13) 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 located 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 undeveloped. 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 undeveloped. Therefore, no impacts are anticipated.

Mitigation: None required.

**14) 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: 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. 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. 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. No impacts are anticipated.

Mitigation: None required.

**15) 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 significant 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: 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 not proposing any new significant housing or large employment generator that would require the construction of neighborhood parks or other recreational facilities. No impacts are anticipated.

Mitigation: None required.

**16) 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, 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?**

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 amount 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 [either is outside of areas with FAA-imposed height restrictions, or is under such height restrictions]. 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.

**17) 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 and/or or RP-5 treatment plant. The project is required to meet the requirements of the Ontario Engineering Department regarding wastewater. 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 and which has waste treated by the Inland Empire Utilities Agency at the RP-1 and/or or RP-5 treatment plant. RP-1 and/or or RP-5 is not at capacity and this project will not cause RP-1 and/or or RP-5 to exceed capacity. The project will, therefore, not require the construction of new wastewater treatment facilities, or the expansion of existing facilities. 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. 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. 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 and/or or RP-5 treatment plant. RP-1 and/or or RP-5 is not at capacity and this project will not cause RP-1 and/or or RP-5 to exceed capacity. 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. 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.

**18) 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 site is located within an area that has historically been found to contain Delhi Soils, which is potential habitat for the Delhi Sand Flower-loving Fly (DSF), a federally listed endangered species. However, as supported by previous environmental analyses, as a result of previous development and land uses, the project site has been left in an extremely disturbed state, with no native soils or native vegetation on the site. The site has not been designated as a planned recovery zone for the fly, and in its current condition, does not provide suitable habitat.

Additionally, the existing site provides potential habitat for the western burrowing owl (*Athene cucularia hypugea*). A focused survey was conducted on the project site (report on file with the Planning Department), which identified one pair of burrowing owls on the site. Therefore, a focused survey prior to ground disturbing construction activities will be required.

Mitigation: Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by a qualified biologist. Should any burrowing owls be located on the project site, the below-listed mitigation measures shall be completed.

**i)** Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods, that:

**(1)** Birds have not begun egg-laying and incubation; or

**(2)** Juveniles from the occupied burrows are foraging independently and are capable of independent survival.

**ii)** If owls must be moved away from the disturbance area, relocation techniques shall be used as established in the California Department of Fish and Game, Natural Resources Agency, "Staff Report on Burrowing Owls," dated March 7, 2012, included as **Attachment 1 of this Environmental Checklist**.

**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.

## **Section VI - 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;
- d) Ontario International Centre EIR 80-3 (SCH No. 80062538);
- e) Ontario Center Specific Plan EIR 88-2 (SCH No. 89041009); and
- f) February 2006 Addendum to the Ontario Centre EIR.

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.**

## **Section VII - 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) Biological Resources** — The following mitigation measures shall be implemented:

**a)** Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by a qualified biologist. Should any burrowing owls be located on the project site, the below-listed mitigation measures shall be completed:

**i)** Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods, that:

- (1) Birds have not begun egg-laying and incubation; or
- (2) Juveniles from the occupied burrows are foraging independently and are capable of independent survival.

**ii)** If owls must be moved away from the disturbance area, relocation techniques shall be used as established in the California Department of Fish and Game, Natural Resources Agency, “Staff Report on Burrowing Owls,” dated March 7, 2012.

**3) 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.

**4) 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 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;

iv) All new development shall comply with the requirements of the City of Ontario Community Climate Action Plan.

**5) Mandatory Findings of Significance —** The following mitigation measures shall be implemented:

a) Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by a qualified biologist. Should any burrowing owls be located on the project site, the below-listed mitigation measures shall be completed:

i) Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods, that:

(1) Birds have not begun egg-laying and incubation; or

(2) Juveniles from the occupied burrows are foraging independently and are capable of independent survival.

ii) If owls must be moved away from the disturbance area, relocation techniques shall be used as established in the California Department of Fish and Game, Natural Resources Agency, "Staff Report on Burrowing Owls," dated March 7, 2012.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO RECOMMENDING CITY COUNCIL APPROVAL OF A MITIGATED NEGATIVE DECLARATION, FOR WHICH AN INITIAL STUDY WAS PREPARED, ALL IN ACCORDANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AS AMENDED, AND ADOPTING A RELATED MITIGATION MONITORING AND REPORTING PROGRAM FOR FILE NO. PSPA16-003, AN AMENDMENT TO THE ONTARIO CENTER SPECIFIC PLAN, REVISING THE PROVISIONS OF THE PIEMONTE OVERLAY AREA, INCLUDING CHANGES TO THE DEVELOPMENT CONCEPT AND REGULATIONS, AND ALLOWED LAND USES WITHIN THE COMMERCIAL, ENTERTAINMENT/RETAIL COMMERCIAL, OFFICE, SPECIAL USE, AND RESIDENTIAL SUB-AREAS, AFFECTING PROPERTIES WITHIN AN IRREGULAR-SHAPED AREA COMPRISED OF APPROXIMATELY 92.4 ACRES OF LAND, GENERALLY LOCATED SOUTH OF FOURTH STREET, WEST OF MILLIKEN AVENUE, NORTH OF CONCOURS STREET, AND EAST OF HAVEN AVENUE — APNS: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, AND 0210-204-10.

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. PSPA16-003 (hereinafter referred to as "Initial Study/Mitigated Negative Declaration"), 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. PSPA16-003 analyzed under the Initial Study/Mitigated Negative Declaration, consists of an Amendment to The Ontario Center Specific Plan, revising the provisions of the Piemonte Overlay area, including changes to the development concept and regulations and allowed land uses within the Commercial, Entertainment/Retail Commercial, Office, Special Use, and Residential sub-areas, affecting properties within an irregular-shaped area comprised of 92.4 acres of land, generally located south of Fourth Street, west of Milliken Avenue, north of Concours Street, and east of Haven Avenue, in the City of Ontario, California (hereinafter referred to as the "Project"); and

WHEREAS, the Initial Study/Mitigated Negative Declaration 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 an initial study/mitigated negative declaration 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 (the "Mitigation Monitoring and Reporting Program"); and

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

WHEREAS, the Planning Commission has reviewed and considered the Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program 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 Initial Study/Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program 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 recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Initial Study/Mitigated Negative Declaration 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 Initial Study/Mitigated Negative Declaration and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The Planning Commission has independently reviewed and analyzed the Initial Study/Mitigated Negative Declaration and other information in the record, and has

considered the information contained therein, prior to acting upon or approving the Project;

b. The Initial Study/Mitigated Negative Declaration prepared for the Project has been completed in compliance with CEQA and is consistent with State and local guidelines implementing CEQA; and

c. The Initial Study/Mitigated Negative Declaration represents the independent judgment and analysis of the City of Ontario, as lead agency for the Project. The City Council designates the Planning Department, located at 303 East B Street, Ontario, CA 91764, as the custodian of documents and records of proceedings on which this decision is based.

SECTION 2. *Planning Commission Action.* Based on the findings and conclusions of 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, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL ADOPT the Mitigated Negative Declaration and related Mitigation Monitoring and Reporting Program prepared for the Project, attached hereto as Exhibit A.

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 action of the Planning Commission. 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.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission



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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Marci Callejo  
Secretary Pro Tempore

**Exhibit A:**

***Mitigated Negative Declaration  
(Environmental Checklist and Mitigation Monitoring and Reporting  
Program)***

*(Exhibit A 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 Mitigation Monitoring and Reporting Program**

**Project Title:** Piemonte Overlay for Ontario Center Specific Plan / **File No.:** PSPA16-003

**Project Sponsors:** Lewis Piemonte Land, LLC, c/o David Robbins, Lewis Management Corp., 1156 N Mountain Avenue, Upland, California 91785, Phone: 909.949.6781, Email: [david.robbins@lewismc.com](mailto:david.robbins@lewismc.com); and Pendulum Property Partners, c/o Kevin Hayes, 5 Park Plaza, Suite 370, Irvine, California 92614, Phone: 949.449.1381, Email: [khayes@pendulumpp.com](mailto:khayes@pendulumpp.com)

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

**Contact Person:** Charles Mercier, Senior Planner; Phone: 909.395.2425, Email: [cmercier@ontarioca.com](mailto:cmercier@ontarioca.com)

<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 Noncompliance</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.	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Noncompliance
<ul style="list-style-type: none"> <li>ii) Spread soil binders.</li> <li>iii) Form and maintain a crust on the surface through repeated soaking that will prevent dust pickup by wind.</li> <li>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.</li> </ul>						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
<b>2) BIOLOGICAL RESOURCES</b>						
<p>a) Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by a qualified biologist. Should any burrowing owls be located on the project site, the below-listed mitigation measures shall be completed:</p> <ul style="list-style-type: none"> <li>i) Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods, that:                             <ul style="list-style-type: none"> <li>(1) Birds have not begun egg-laying and incubation;</li> <li>or</li> <li>(2) Juveniles from the occupied burrows are foraging independently and are capable of independent survival.</li> </ul> </li> <li>ii) If owls must be moved away from the disturbance area, relocation techniques shall be used as established in the California Department of Fish and Game, Natural Resources Agency, "Staff Report on Burrowing Owls," dated March 7, 2012.</li> </ul>	Planning Dept.	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit
<b>3) 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		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
<p>c) After clearing, grading, or earth moving:</p> <ul style="list-style-type: none"> <li>i) Seed and water until plant cover is established.</li> </ul>	Building Dept & Planning Dept	Throughout construction	As necessary	On-site inspection		Stop work order; or withhold grading permit; or withhold building permit

Mitigation Measures/Implementing Action	Responsible for Monitoring	Monitoring Frequency	Timing of Verification	Method of Verification	Verified (Initial/Date)	Sanctions for Noncompliance
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 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>4) GREENHOUSE GAS EMISSIONS</b>						
a) The City has reviewed the emission reduction measures and concepts in The Ontario Plan EIR 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. iv) All new development shall comply with the requirements of the City of Ontario Community Climate Action Plan.	Building Dept & Planning Dept	Throughout construction	As necessary	Plan check/On-site inspection		Stop work order; or withhold building permit
<b>5) MANDATORY FINDINGS OF SIGNIFICANCE</b>						
a) Thirty to ninety days prior to ground disturbing construction-related activities, a focused survey for the burrowing owl shall be conducted by a qualified biologist. Should any burrowing owls be located on the project site, the below-listed mitigation measures shall be completed:  i) Occupied burrows should not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist verifies through non-invasive methods, that:  (1) Birds have not begun egg-laying and incubation; or (2) Juveniles from the occupied burrows are foraging independently and are capable of independent survival.	Planning Dept.	Grading Plan issuance	Prior to issuance of grading permits	Plan check		Withhold grading permit

<b>Mitigation Measures/Implementing Action</b>	<b>Responsible for Monitoring</b>	<b>Monitoring Frequency</b>	<b>Timing of Verification</b>	<b>Method of Verification</b>	<b>Verified (Initial/Date)</b>	<b>Sanctions for Noncompliance</b>
ii) If owls must be moved away from the disturbance area, relocation techniques shall be used as established in the California Department of Fish and Game, Natural Resources Agency, "Staff Report on Burrowing Owls," dated March 7, 2012.						

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF FILE NO. PSPA16-003, AN AMENDMENT TO THE ONTARIO CENTER SPECIFIC PLAN, REVISING THE PROVISIONS OF THE PIEMONTE OVERLAY AREA, INCLUDING CHANGES TO THE DEVELOPMENT CONCEPT AND REGULATIONS AND ALLOWED LAND USES WITHIN THE COMMERCIAL, ENTERTAINMENT/RETAIL COMMERCIAL, OFFICE, SPECIAL USE, AND RESIDENTIAL SUB-AREAS, AFFECTING PROPERTIES WITHIN AN IRREGULAR-SHAPED AREA COMPRISED OF 92.4 ACRES OF LAND, GENERALLY LOCATED SOUTH OF FOURTH STREET, WEST OF MILLIKEN AVENUE, NORTH OF CONCOURS STREET, AND EAST OF HAVEN AVENUE, WITHIN THE URBAN COMMERCIAL LAND USE DISTRICT AND PIEMONTE OVERLAY AREA OF THE ONTARIO CENTER SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF — APNS: 0210-531-16, 0210-531-15, 0210-531-14, 0210-531-13, 0210-531-12, 0210-531-11, 0210-531-10, 0210-531-09, 0210-531-08, 0210-531-07, 0210-531-06, 0210-204-26, 0210-204-23, 0210-204-22, 0210-204-21, 0210-204-20, 0210-204-19, 0210-204-16, 0210-204-15, 0210-204-14, 0210-204-13, 0210-204-12, 0210-204-11, AND 0210-204-10.

WHEREAS, LEWIS PIEMONTE LAND, LLC, AND PENDULUM PROPERTY PARTNERS ("Applicant") has filed an Application for the approval of a Specific Plan Amendment, File No. PSPA16-003, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 92.4 acres of land generally located south of Fourth Street, west of Milliken Avenue, north of Concoors Street, and east of Haven Avenue, within the Piemonte Overlay Area and the Urban Commercial land use district of the Ontario Center Specific Plan; and

WHEREAS, Fourth Street forms the project site's northern boundary, and is the corporate boundary dividing the cities of Ontario and Rancho Cucamonga. Residential apartments, a small retail/restaurant development, and a planned residential/mixed use development are located to the north, across Fourth Street, in Rancho Cucamonga. Located east of the project site is a commercial center anchored by a Kohl's department store and is also occupied by several in-line retail stores and numerous limited service restaurants. Further east, across Milliken Avenue, is the Ontario Mills Mall, which is comprised of a central mall, surrounded by freestanding commercial, entertainment, and restaurant uses. South of the project site is existing retail uses across Concoors Street, adjacent to Milliken Avenue, as well as Citizens Business Bank Arena directly to the south, across Ontario Center Parkway, and numerous office buildings to the southwest.

West of the project site, across Haven Avenue, is a multiple-family housing complex, and a low-rise office/retail complex; and

WHEREAS, the project site comprises an 84-acre portion of the former 800-acre Ontario Motor Speedway. The racing facility was completed in 1970, and closed approximately 10 years later. The facility was razed in 1981 and remained vacant until 2006, following the approval of the Piemonte at Ontario Center Project, which established the Piemonte Overlay, allowing for the development of approximately 1.3 million square feet of retail, office, hotel, and entertainment uses, and more than 800 multiple-family dwelling units on the project site; and

WHEREAS, the proposed Specific Plan Amendment will revise the land use plan and development concept for the Piemonte Overlay from a primarily vertical mixed-use (residential constructed over commercial uses, in the same structure) configuration, to a horizontal mixed-use (residential and commercial uses in separate structures on the same site) configuration; however, the overall maximum allowed floor area will remain unchanged. Other changes proposed to the Piemonte Overlay include:

- A reduction (15 dwelling units) in the maximum allowed number of residential units;
- Redistribution of a portion of the multiple-family residential units, allowing up to 220 dwellings to be constructed within Subareas 1, 2 and 3 (16.66-acre commercial and office areas located north of Concours Street, East of Haven Avenue, and South of Fourth Street). Dwellings may replace commercial floor area at the rate of one dwelling for each 600 square feet of commercial floor area;
- A reduction (100 rooms) in the maximum allowed number of hotel rooms;
- Introduction of outdoor plaza event space, as illustrated in Figure 6 (Conceptual Commercial Development Concept; Intersection of Via Villagio & Via Piemonte), to accommodate outdoor events such a farmer's market, concerts, gathering and dining areas, reception areas, etc.;
- A change in the architectural design concept for the project, from the original Tuscan-influenced architecture, to a more modern architectural design concept; and

WHEREAS, upon review of the Applicant's request to allow multiple-family residential units in place of commercial and office floor area within Subareas 1, 2 and 3, this request is not supported within Subarea 1, as residential units within this subarea would eliminate a much needed, and long desired, community shopping center in the area. Furthermore, the large number of dwelling units currently under construction, and/or proposed for construction, within the surrounding area, will feed demand for the community commercial center; and

WHEREAS, the Planning Commission recommends changes to the Specific Plan Amendment such that dwelling units not be allowed within Subarea 1 of the Piemonte



Overlay Area. Furthermore, the dwelling units assumed for Subarea 1 should be redistributed to other Subareas to the extent feasible; and

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

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

WHEREAS, on April 25, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, initial study, and Mitigated Negative Declaration (MND) and Mitigation Monitoring and Reporting Program 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. *Environmental Determination and Findings.* As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the MND, 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 MND, the initial study, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

a. The MND, initial study, and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The MND and initial study contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission; and

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

d. 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, the Mitigation Monitoring and Reporting Program, and the initial study.

SECTION 2. *Housing Element Consistency.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending 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 includes 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 density range specified in the Available Land Inventory. A minimum density of 25.1 dwelling units per acre is required, and a proposed density of 28.81 dwelling units per acre is proposed.

SECTION 3. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the recommending body for the Project, the Planning Commission has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the ONT ALUCP.

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 Section 1 through 3 above, the Planning Commission hereby concludes as follows:

a. 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.

b. The proposed Specific Plan, or amendment thereto, would not be detrimental to the public interest, health, safety, convenience, or general welfare of the City.

c. In the case of an application affecting specific properties, the proposed Specific Plan Amendment will not adversely affect the harmonious relationship with adjacent properties and land uses.

d. In the case of an application affecting specific properties, 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.

SECTION 5. *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 and 4 above, the Planning Commission hereby:

a. RECOMMENDS THE CITY COUNCIL APPROVE the Mitigated Negative Declaration; and

b. RECOMMENDS THE CITY COUNCIL APPROVE the herein described Specific Plan Amendment, included as Exhibit A of this Resolution, with the exception that the Planning Commission recommends the City Council order following changes to the Specific Plan Amendment:

1. Dwelling units not be allowed within Subarea 1 of the Piemonte Overlay Area; and

2. Dwelling units assumed for Subarea 1 shall be redistributed to other Subareas of the Piemonte Overlay Area, to the extent feasible.

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 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

---

Richard D. Delman  
Planning Commission Chairman

ATTEST:

---

Scott Murphy  
Planning Director/Secretary of Planning  
Commission

Planning Commission Resolution  
File No. PSPA16-003  
April 25, 2017  
Page 7

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore

**Exhibit A:**

***Piemonte Overlay Area  
of the  
Ontario Center Specific Plan***

*(Exhibit A follows this page)*

Exhibit A

*Piemonte Overlay Area  
of the  
Ontario Center Specific Plan*

Adopted February 2006

Revised February 2017 DRAFT

Ontario, California

2016121



# *Piemonte Overlay at Ontario Center Specific Plan*

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# 1.0 INTRODUCTION

## 1.1 OVERVIEW

The Piemonte Overlay at Ontario Center (or “Piemonte Overlay” or “Overlay”) will stimulate an urban character mixed-use development on an approximately 92.4-acre site, located within the Ontario Center Specific Plan (OCSP). Within the OCSP, the Piemonte Overlay is located south of Fourth Street, between Haven Avenue and Milliken Avenue. The regional location of the Piemonte Overlay is illustrated in Figure 1.1: Regional Location. Figure 1.2: Overlay Vicinity presents the Piemonte Overlay in its local context.

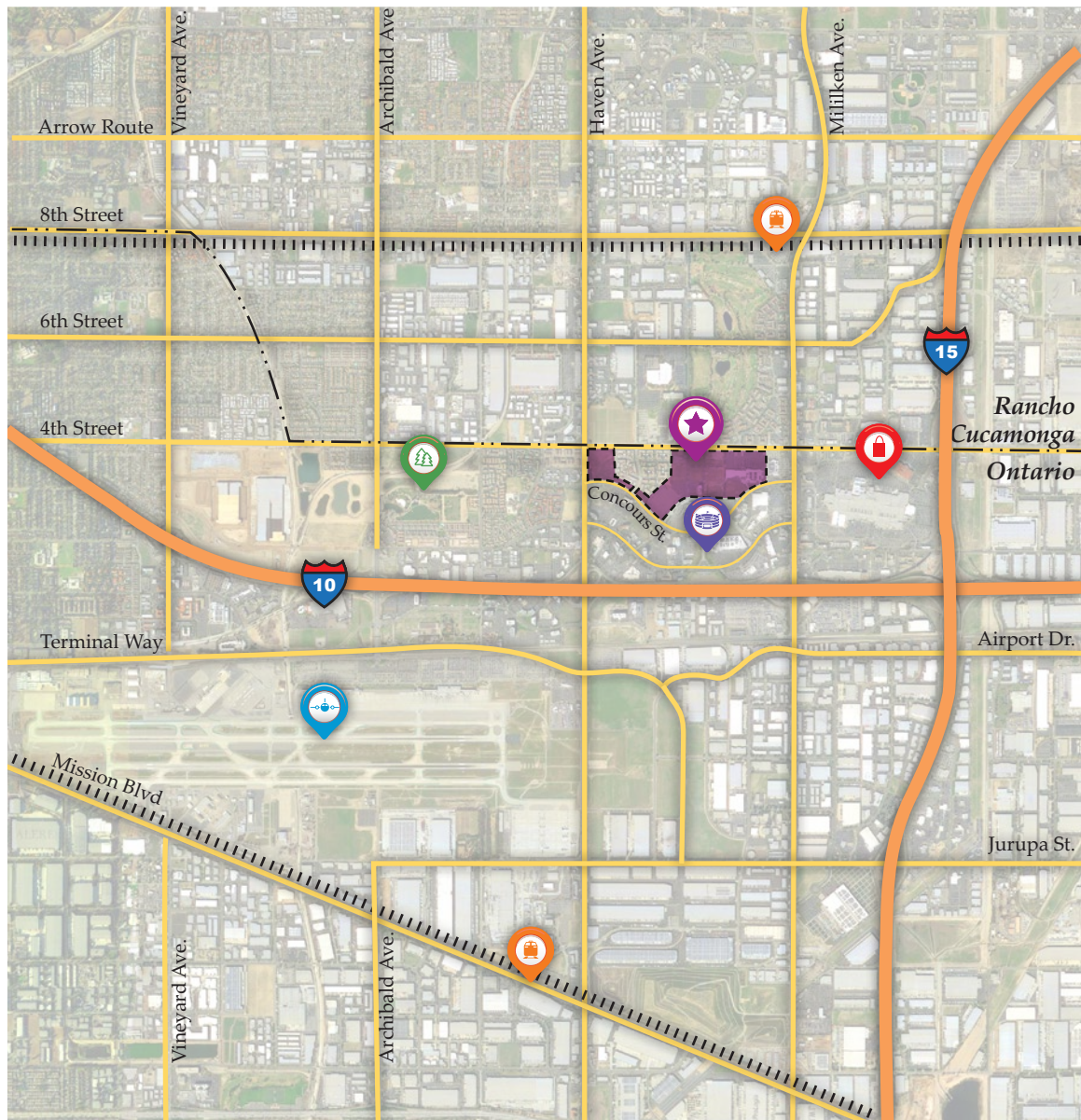


Figure 1.1: Regional Location











## **1.2 PURPOSE AND OBJECTIVES**

The purpose of the Piemonte Overlay is to define the range of permitted uses, development regulations, requirements, and design guidelines for development within the Overlay area described below, to accomplish the following objectives:

- Provide design and development standards responding to, and reflecting, the urban characteristic elements of the Piemonte at Ontario Center;
- Implement a mix of related and mutually-supporting land uses at development intensities no greater than those identified for the OCSP;
- Provide for the orderly and master planned development of land uses within the OCSP, ensuring development of economically viable development proposals;
- Ensure development of the Piemonte Overlay area is consistent with the Ontario Plan (TOP) policies, objectives, and implementation programs;
- Provide the City of Ontario with standards for evaluation of individual development proposals within the Piemonte Overlay.



**Legend**

- |   |                               |   |                                |
|---|-------------------------------|---|--------------------------------|
|  | Piemonte Overlay area         |  | Cucamonga-Guasti Regional Park |
|  | Site                          |  | Citizens Business Bank Arena   |
|  | Ontario Mills Mall            |  | Interstate 10 Freeway          |
|  | Metrolink Station             |  | Interstate 15 Freeway          |
|  | Ontario International Airport |  | NTS                            |

**Figure 1.2: Overlay Vicinity**

### **1.3 BACKGROUND**

The City of Ontario approved the OCSP in August 1981. The OCSP, as originally approved, allowed for up to 1,530 residential units, close to seven (7) million square feet of commercial development, and nearly two (2) million square feet of industrial uses on approximately 600 acres. Several amendments to the OCSP, along with appropriate environmental review, have been approved by the City since its initial approval. Refer to Figure 1.3: OCSP Land Use Plan for the adopted land uses.

The Piemonte at Ontario Center Overlay was adopted in February of 2006 to allow a mix of urban commercial, retail, residential, and entertainment land uses on a portion of the OCSP, with a maximum of 1,292,068 square feet and 806 residential units on that portion.

This Specific Plan amendment (SPA) amends and replaces the 2006 Overlay and modifies the location of the residential and non-residential development. This SPA expands the architectural and landscape themes in the applicable planning areas to allow more options to ensure compatibility with existing development, to promote urban development and allow for landscape options that reduce the use of potable water and match the urban vernacular. For clarification, Subareas (SAs) have been established for this Overlay. Refer to Figure 1.4: Piemonte Overlay Subareas. Refer to Appendix B for a correlation between OCSP parcel numbers and Subarea numbers. Four SAs are not a part of this amendment, since they are already developed or had no desire to change the requirements for their SA; therefore no changes are made to the requirements of those parcels.

All modifications to the OCSP have been incorporated into the body of the text, standards, and exhibits of this document. Revisions to the Design Guidelines and minor text revisions have also been completed. The prior amendments to the OCSP and the 2006 Overlay shall not be referenced for the remainder of this document.



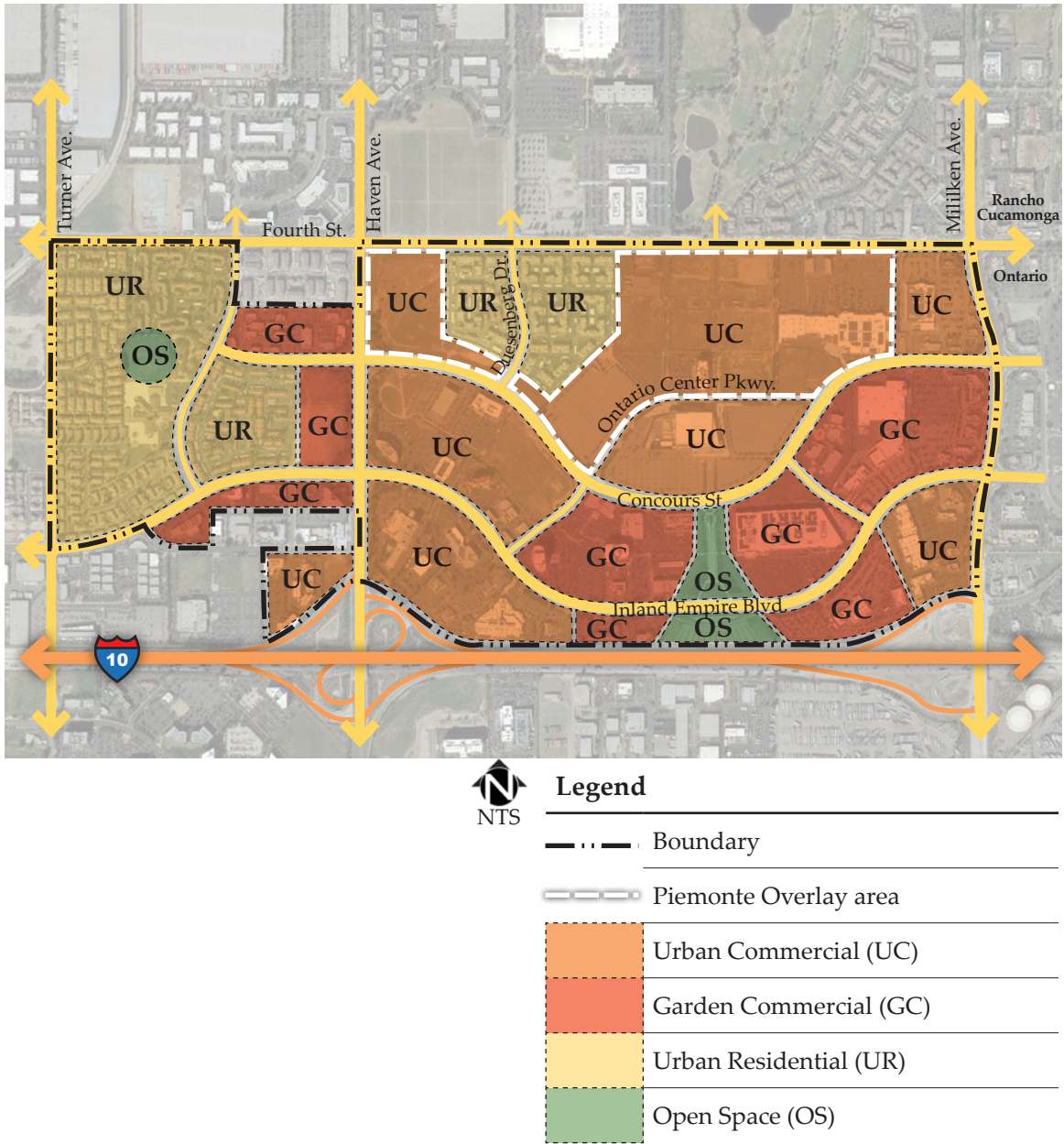
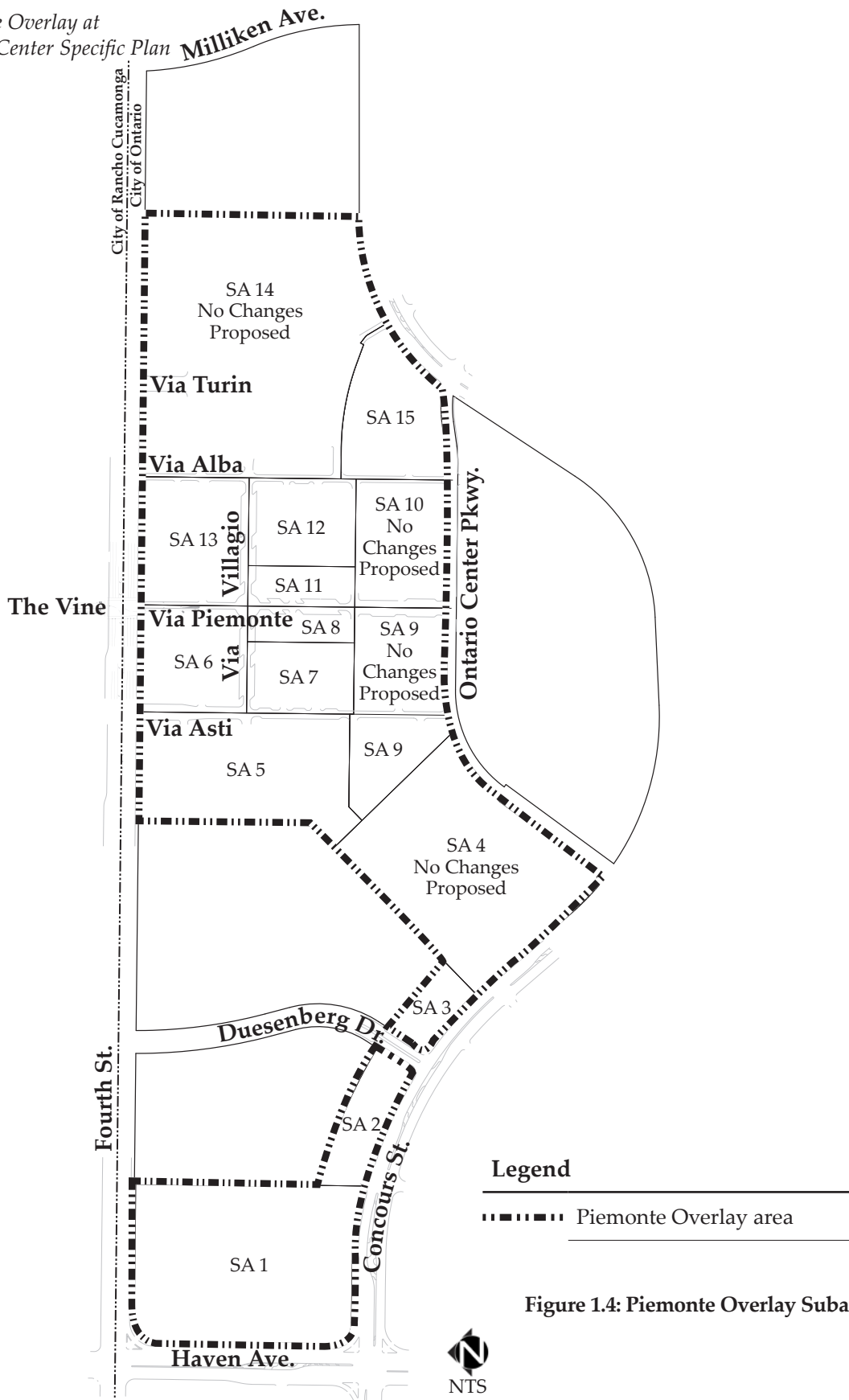


Figure 1.3: OCSP Land Use Plan

Piemonte Overlay at  
Ontario Center Specific Plan



## 1.4 GOVERNING DOCUMENTS

Development of the undeveloped Subareas of this Overlay is regulated by the following documents:

- The Ontario Plan (TOP) Policy Plan (General Plan) which establishes policies governing land use, circulation, housing, conservation and open space, noise, safety, and public facilities within the Specific Plan area;
- The City of Ontario Development Code, as applicable to development, where this Overlay is silent on development standards and regulations; and the subdivision of land within this Overlay area;
- The Airport Land Use Compatibility Plan of Ontario International Airport; and
- The certified Addendum to the Ontario Plan (General Plan) Environmental Impact Report.

## 1.5 AUTHORITY

This Overlay was prepared in accordance with California Government Code Section (Government Code) 65453 and applicable ordinances, policies, and resolutions of the City of Ontario. The City of Ontario adopts specific plans by ordinance, thereby establishing the zoning regulations for development of this Overlay.

Consistent with general requirements for Specific Plans as outlined under Government Code Article 8, this Overlay presents, or incorporates by reference, applicable regulations, conditions, and programs, which identify the following:

- The distribution, location, and extent of the uses of land, including open space, within the area covered by this Overlay;
- The proposed distribution, location, extent, and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses;

- Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable;
- A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the development and,
- A statement of the relationship to the General Plan.

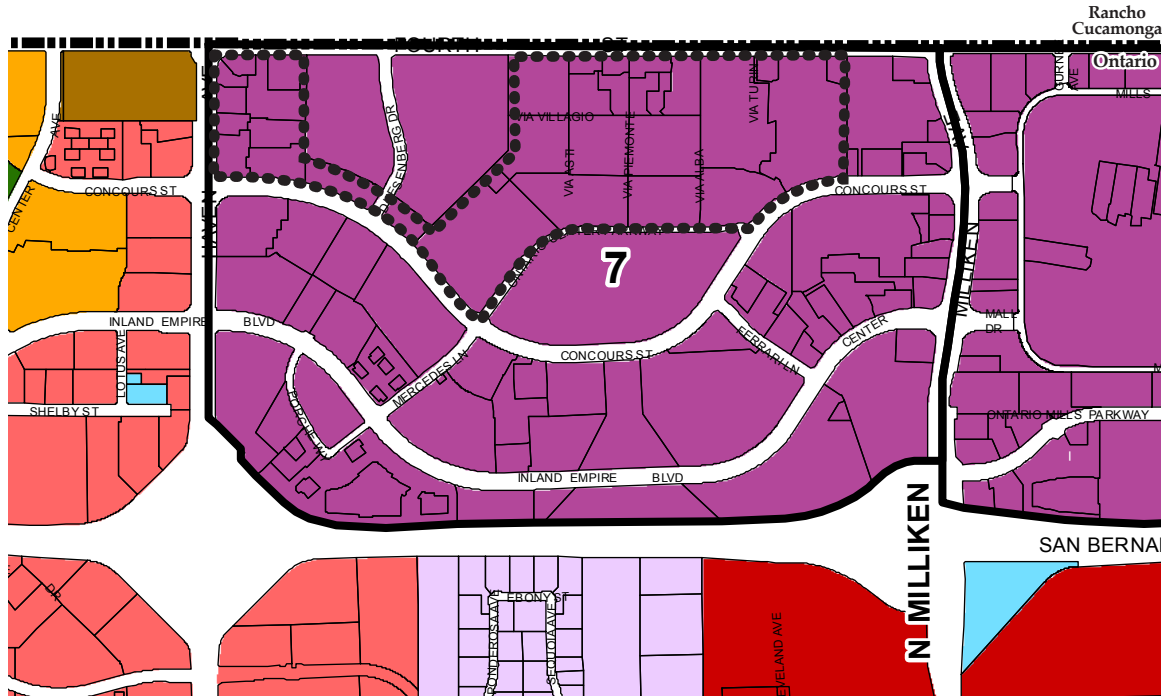
## **1.6. RELATIONSHIP TO THE GENERAL PLAN (POLICY PLAN) AND ZONING**

The Ontario Plan (TOP) establishes the direction and vision for the City of Ontario, providing a single guidance system that will shape the Ontario community for the future. TOP provides for policies to accommodate change over a 30-year period commencing in 2010, the beginning of the planning period. TOP consists of a six part Component Framework: 1) Vision, 2) Governance Manual, 3) Policy Plan, 4) City Council Priorities, 5) Implementation, and 6) Tracking and Feedback.

This Overlay has been prepared in conformance with the goals and policies of TOP. The land use plan of the TOP has identified the entire OCSP area as Mixed Use, refer to Figure 1.5: The Ontario Plan Land Use.

This Overlay implements relevant OCSP goals, principles, and standards. More specifically, the Piemonte Overlay provides for a cohesive and inter-related mix of residential and commercial/retail land uses such as is envisioned under the OCSP and the TOP.

The OCSP further defines the Piemonte Overlay underlying land use and zoning as “Urban Commercial,” as shown on Figure 1.3: OCSP Land Use Plan. These land use designations allow for and encourage a mix of commercial, entertainment/retail, office, hotel, restaurant, and residential land uses as reflected on Figure 1.6: Piemonte Overlay Land Use Plan.



**Legend**

	Piemonte Overlay area		High Density (25.1-45 du/ac)
	Mixed Use: Ontario Center		Medium Density (11.1-25 du/ac)
	General Commercial		Business Park
	Office Commercial		Public Facility



**Figure 1.5: The Ontario Plan Land Use**

The Piemonte Overlay satisfies the following OCSP Objectives (from Section 3.1.1 of the OCSP):

- A balance of employment, shopping, and housing opportunities, reducing the need for long commutes. This Overlay provides for integrated development that includes high-density housing, commercial retail/entertainment, restaurant uses, hotels, and office space. The mix of uses and their collocation within this Overlay provides for multiple employment, entertainment, housing, and shopping opportunities, available to residents of the Piemonte Overlay, and the greater Ontario area and surrounding region. Proximate collocation of this Overlay's mixed uses also promotes, and makes feasible, pedestrian access throughout the area, acting to reduce reliance on private automobiles. This is consistent with the intent of the OCSP to reduce dependence on private automobiles, with correlating reductions in commute distances.
- A higher density housing orientation, recognizing trends toward smaller household size. Up to 806 residential units can be constructed within the Piemonte Overlay. Those areas of the Overlay planned solely for residential development shall target a density of at least 25 units per acre, depending on the final site plan/unit configurations.
- A mixture of entertainment, retail and dining opportunities for OCSP users. The Piemonte Overlay provides a variety of restaurant, shopping, and entertainment opportunities. Further, integral to the Piemonte Overlay concept, is provision of a range of open space opportunities, to include enhanced and articulated streetscapes adjacent to ground-level commercial/retail and restaurant uses. Additional recreational and entertainment opportunities are available to the Overlay residents and visitors at the Citizens Business Bank Arena, located immediately to the south.

- A looped circulation network encouraging public transit opportunities, as well as pedestrian walkways and bicycle routes. This Overlay is defined by major roadways on all sides, with connecting roadways providing access to internal parcels. Transit opportunities will be provided at key locations, consistent with transit concepts articulated within the OCSP.
- A comprehensive urban design treatment, integrating the Arena into an urban form that is both visually pleasing as well as functional. Application of Development Standards and Design Guidelines will ensure development within this Overlay as a visually interesting and attractive component of the OCSP. Further, the Piemonte architectural and site planning concepts continue to define this Overlay area as an inter-related core destination within the City, providing residential, entertainment, business, and shopping opportunities.

The Urban Commercial land use designation provides for development of a mix of tourist-related commercial uses, high and medium-rise office buildings, entertainment/recreation clusters, and high-density residential uses in close proximity. This Overlay also establishes applicable design guidelines and development regulations for these uses.

## **1.7 FORMAT AND CONTENT OF THE PIEMONTE OVERLAY**

Figure 1.6: Piemonte Overlay Land Use Plan designates the Land Use areas as Commercial, Entertainment/Retail, Office, Special Use, and Residential. In specified locations, Residential uses are also allowed. Design Guidelines and Development Regulations applicable to the entire Piemonte Overlay, and specific standards that apply within each of the Land Use areas, are presented in Section 3.0. It is noted here that the predominance of facilities proposed by this Overlay will be implemented consistent with existing standards of the OCSP.

Building designs, architectural renderings, and other representations presented within this Overlay reflect the overall character, development intensity, and composition of development. These graphic portrayals and related descriptions are conceptual in nature, and may be modified as the development is further refined. Within the limits of the maximum of development intensity allowed under the OCSP, subsequent development proposals within this Overlay will be subject to design and conformance review by and through the City of Ontario.

### **1.7.1 Piemonte Overlay Content**

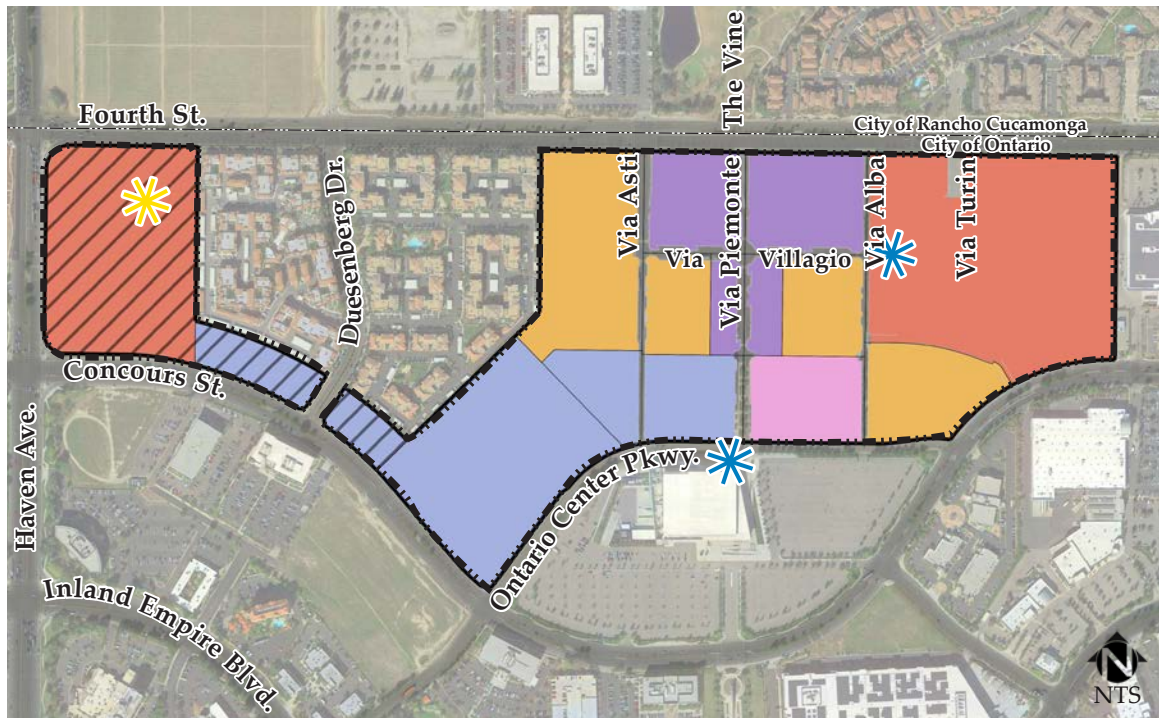
Section 1.0 presents an overview of the Piemonte Overlay designation.

Section 2.0 provides a description of the Overlay, including proposed land uses, facilities, and an overview of major infrastructure systems serving the area.

Section 3.0 presents design guidelines and development regulations applicable within the Piemonte Overlay. Design guidelines and development regulations applicable to the entire Overlay Area are identified, as are the guidelines and development regulations applicable to each Land Use within the Overlay.

Section 4.0 outlines administration of the Piemonte Overlay, including review processes for individual projects prior to any physical development. Means and procedures for interpretation and application of the Piemonte Overlay, associated land uses, and design guidelines, and development regulations are also presented.





**Legend**

-----	Piemonte Overlay area		Residential
	Commercial		Residential Development Allowed
	Entertainment/Retail		Constructed Plaza
	Office		Proposed Plaza
	Special Use		

**Figure 1.6: Piemonte Overlay Land Use Plan**

Section 5.0 describes how the Piemonte Overlay is consistent with the goals and policies of The Ontario Plan (TOP) Policy Plan (General Plan).

Appendix A of this document presents the legal description of properties subject to provisions of the Piemonte Overlay.

Appendix B is a correlation between OCSP parcel numbers and the Piemonte Overlay Subarea parcel numbers.

Appendix C includes the tabulation of existing development within the Piemonte Overlay.

Appendix D includes the tabulation of the development analyzed in the 2006 traffic study.

Appendix E includes a memorandum of the Piemonte trip generation comparison and the Piemonte/Empire Lakes 4th Street access configuration dated June 8, 2016.

Appendix F includes the street tree planting matrix of the OCSP.

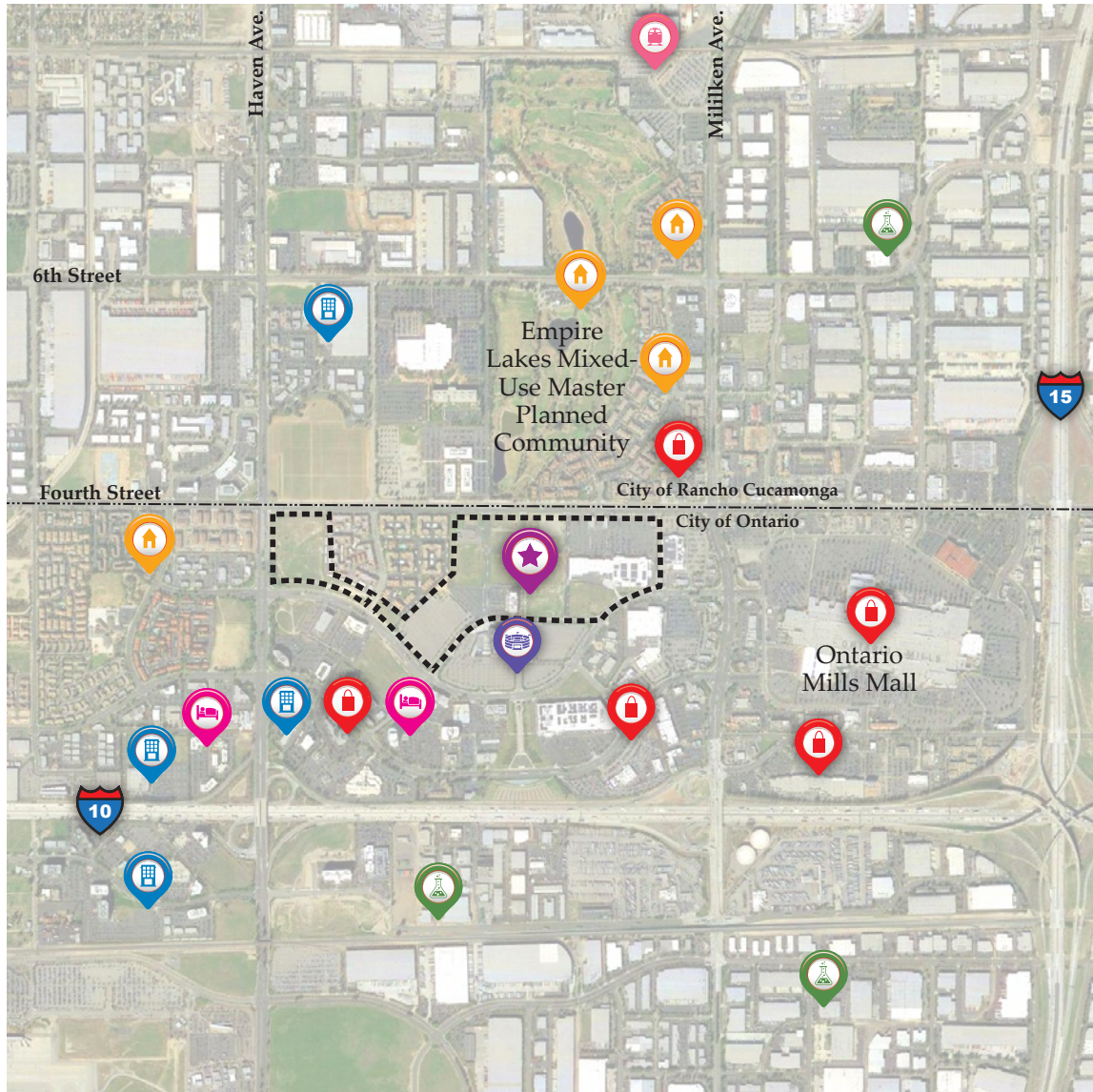
## **2.0 OVERLAY DESCRIPTION**

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### **2.1 SETTING**

The Piemonte Overlay consists of approximately 92.4 acres of land located at the northerly boundary of the City of Ontario, south of Fourth Street, between Haven Avenue and west of Milliken Avenue, less than one-quarter mile north of Interstate 10 (I-10). The Piemonte Overlay is located within a rapidly developing portion of the City, and is one of the few remaining available parcels of substantial size within the OCSP.

Regional access to the Piemonte Overlay is provided by I-10 and Interstate 15 (I-15) freeways, which converge approximately one mile to the east. Local access to I-10 is provided at Milliken and Haven Avenues, and access to I-15 is available from Fourth Street. Supplementing freeway and surface street access, a Metrolink transit station is located approximately 1.5 miles northerly of the Piemonte Overlay, west of Milliken Avenue at Eighth Street.



**Legend**

-----	Piemonte Overlay area		Industrial
	Site		Metrolink Station
	Commercial		Citizens Business Bank Arena
	Office		Interstate 10 Freeway
	Special Use		Interstate 15 Freeway
	Residential		NTS

**Figure 2.1: Piemonte Overlay Context**

### **2.1.1 Surrounding Land Uses**

Figure 2.1: Piemonte Overlay Context provides an aerial view of the Overlay and surrounding land uses. Local context of the Overlay is described below.

Fourth Street, which forms the site's northerly boundary, is also the corporate boundary dividing the cities of Ontario and Rancho Cucamonga. Apartments, a small retail/restaurant development and a planned residential/mixed use development are located to the north across Fourth Street, in Rancho Cucamonga.

To the east is a commercial center, anchored by a Kohl's department store, located at the southwest corner of Milliken Avenue and Fourth Street. Further to the east, across Milliken Avenue, is the Ontario Mills Shopping Center, comprised of a central mall surrounded by free-standing commercial, entertainment, and restaurant uses.

To the southeast, across Concours Street, additional existing retail uses are located adjacent to Milliken Avenue. Directly south across Ontario Center Parkway, is the Citizens Business Bank Arena. To the southwest across Concours Street are office buildings.

To the west, across Haven Avenue is multi-family housing and a low-rise office/retail complex.

In the middle of the Piemonte Overlay, and not a part of it, on both sides of Duesenberg Drive between Fourth Street and Concours Street, are the Vintage and Camden Landmark apartments.



*Looking north to the Office land use from Concoors Street*



*Looking north along Via Asti*

**Figure 2.2: Site Photos**

### **2.1.2 Ontario International Airport (ONT) Influence Area**

The Airport Land Use Compatibility Plan (ALUCP) for ONT was adopted in April of 2011. The Piemonte Overlay is located within the ONT Airport Influence Area. Although the Overlay is located outside the noise and safety impact zones, the northern portion of the project site is located within the High Terrain Zone where building heights are limited to no more than 70 feet in height. Refer to ONT ALUCP for more information regarding height criteria and policies.

## 2.2 LAND USE AND DEVELOPMENT

### 2.2.1 Piemonte Land Uses and Development Components

The Piemonte Overlay Land Use designations shown on Table 2.1: OCSF Statistical Areas D & E Maximum Development allow for and encourage a mix of commercial, entertainment/retail, office, hotel, restaurant, entertainment, and residential land uses.

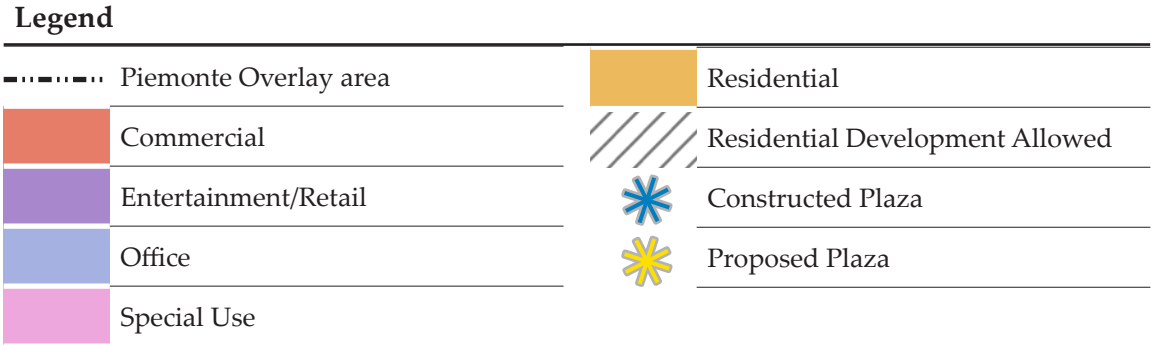
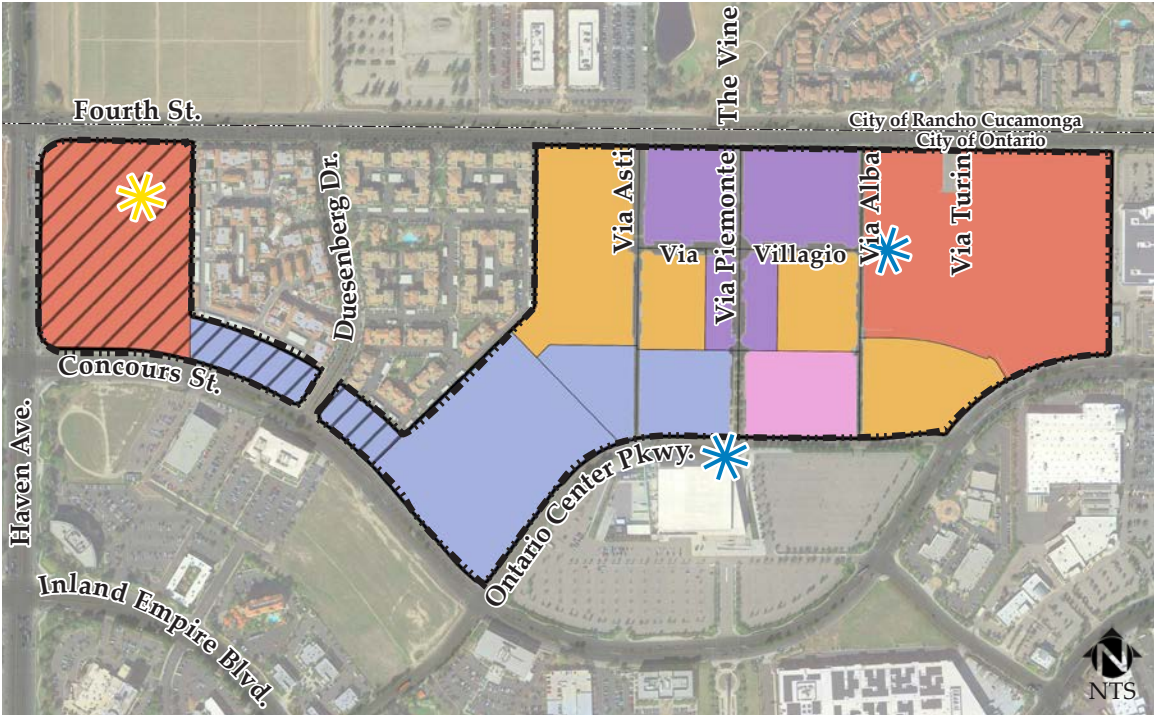


Figure 2.3: Piemonte Overlay Land Use Plan

## 2.2.2 Development Intensity

The Piemonte Overlay is located within Statistical Areas “D” and “E” of the OCSP that allows for up to 2,840,000 square feet of development intensity, including 1,606 residential units as shown in Table 2.1: OCSP Statistical Areas D & E Maximum Development. An estimated 1,457,512 square feet and 800 residential units currently exist within the Statistical Areas. See Appendix C for a list of the existing development within the OCSP Statistical Areas “D” and “E.” The 2006 Overlay permitted 1,292,068 square feet of development intensity, 90,420 square feet and 15 residential units less than what is permitted under the OCSP; refer to Table 2.2: Piemonte Overlay Development Intensity Allocation by Subarea.

**Table 2.1: OCSP Statistical Areas D & E Maximum Development**

	MAXIMUM GFA (IN SF)	MAXIMUM NO. OF DUs
Approved OCSP Development	2,840,000	1,606
Previously developed*	1,457,512	800**
Approved 2016 Overlay	1,292,068	806
Office/Retail	1,001,668	
Hotel 1 (236 rooms)	180,000	
Hotel 2 (100 rooms)	110,400	
Residential Units		791***
Remaining OCSP Allocation	90,420	15

\* See Appendix C for list of developed properties

\*\* Residential units replace office/retail gross floor area (GFA) at the rate of one dwelling unit for each 600 SF of office/retail GFA (based on equivalent traffic generation, water demand, and wastewater generation rates).

\*\*\* Only 791 residential units were studied in the traffic report prepared for the 2006 Overlay



In short, 1,292,068 square feet of commercial, entertainment/retail, office or hotel uses, and up to 806 residential units, could be developed under the Overlay. However the traffic study conducted in 2006 for the Piemonte Overlay Amendment used a lower unit count of 791 during its study.

It is anticipated that 571 dwelling units will be constructed in Subareas 5, 7, 12 and 15. Table 2.2: Piemonte Overlay Development Intensity Allocation by Subarea demonstrates the remaining allocation by Subarea.

**Table 2.2: Piemonte Overlay Development Intensity Allocation by Subarea**

SUB-AREAS	NET ACRES	LAND USE					MAXIMUM FLOOR AREA	MAXIMUM DWELLING UNITS
		Commercial	Entertainment/Retail	Special Use (Hotel)	Offices	Residential		
1*	13.02	•	•			•	241,429	220
2*	2.28				•	•		
3*	1.36				•	•		
4	12.35				•		251,370	
5	8.29					•		278
6	3.20		•				92,584	
7	2.68					•		61
8	0.76		•				25,300	
9**	5.16				•		125,685	
10	3.24			236 Rooms			180,000	
11	0.91		•				32,300	
12	2.49					•		94
13	4.07		•		•		115,000	
14**	20.35	•			•		228,400	
15	4.27					•		138
<b>TOTALS</b>	<b>84.43</b>						1,292,068	791

\*Subarea allows for residential development if it is determined by the City Council that commercial development within the subarea is not feasible, thereby allowing additional residential development at the rate of one DU for each 600 SF of available floor area.

\*\* Built-out Subarea

An approximation of comparative development intensity can be discerned by contrasting key characteristics of land uses, such as traffic generation, water demand, and wastewater generation rates. These factors are particularly appropriate since the upper limit of development intensity defined for the OCSP was founded largely on estimated roadway and water/sewer carrying capacities. Traffic generation rates and water/sewer demands of the Piemonte Overlay, as compared to traffic generation and water/sewer demands resulting from correlating maximum build-out of urban commercial uses per the adopted OCSP are summarized below and shown in Appendix D 2006 Overlay Land Use Allocation & Maximum Development Intensity Analyzed for Traffic Generation. Please refer also to a detailed comparative analyses presented within the *Piemonte Trip Generation Comparison and the Piemonte/Empire Lakes 4th Street Access Configuration* (Fehr & Peers, June 2016) found in Appendix E.

The traffic generated by the Piemonte Overlay is significantly less than would result under build-out of the Overlay area per the maximum development intensities allowed under the OCSP, and is less than that identified in the *Piemonte at Ontario Center Project Addendum to the Ontario Center EIR* (Applied Planning, February 2006).

The development concept for the undeveloped portion of the Piemonte Overlay shown on Figure 2.4: Piemonte Overlay Development Concept is projected to generate approximately 13,905 daily trips, 957 AM peak hour trips, and 1,357 PM peak hour trips. Specifically, as demonstrated on Table 3 of the Memorandum in Appendix E, the proposed development is expected to result in 6,616 fewer daily trips, 724 fewer AM peak hour trips, and 554 fewer PM peak hour trips.

While relative traffic generation rates would be substantially reduced because of the residential component, residential uses tend to substantially increase water demands and wastewater generation rates when compared to commercial intensities on the same acreage. When considered in the context of the total Piemonte Overlay, however, the calculated incremental increases in water and sewer demands resulting from the residential land uses are offset by relatively lower development intensities realized throughout the remaining OCSP area.

Based on the preceding discussions, development intensities under the Piemonte Overlay would be less than those anticipated under the adopted OCSP. Further, related environmental effects of any Overlay development would be no greater than, and would likely be reduced, when compared to anticipated environmental effects that would result under the non-residential development of the site envisioned under the adopted OCSP.

#### **2.2.2.1 Development Equivalency Program**

In an effort to maintain flexibility to respond to changing community needs and market conditions over the build-out of Piemonte, Chapter 4 Administration provides a land use conversion process that allows additional residential units to be developed over and above the 220 units of remaining capacity shown on the bottom of Table 2.2: Piemonte Overlay Development Intensity Allocation by Subarea by connecting 600 square feet of non-used commercial development intensity for each residential unit to be added.

For example, assume that 479 units could be built in planning areas 1, 2 and 3 but there is only a 220-unit remaining capacity. Therefore, 259 units (479 units - 220 units = 259 units) would have to be converted from the non-residential square footage. If the 259 units are added to residential capacity total, 155,400 square feet (259 units x 600 square feet) of the remaining development must be converted to residential using the 600-square-foot conversion factor reducing the amount of non-residential development by that same square feet. This conversion is based on equivalent traffic generation, water demand, and wastewater generation rates. This 600-square-foot conversion factor does not require individual residential units to be 600 square feet or less.

## **2.3 DEVELOPMENT CHARACTERISTICS**

The Piemonte Overlay concept promotes interaction between residential, commercial entertainment/retail, office, and specialty land uses. To these ends, the design and composition of development will provide its residents the opportunity to live, work, shop, and take advantage of various entertainment venues without the need to drive a car. Similarly, employees and visiting patrons are provided retail, dining, and entertainment opportunities without the need for multiple trips.

### **2.3.1 Development Concept**

The Piemonte Overlay Development Concept is illustrated in Figure 2.4: Piemonte Overlay Development Concept. The overall design concept depicts a complementary, pedestrian-oriented urban development, with an emphasis on wide, landscaped sidewalks, outdoor seating and dining areas, and contemporary design elements to be employed throughout the Overlay.

The central corridor or spine is established by the east/west Via Villagio (a private drive) that is parallel to, and south of, Fourth Street. Via Villagio is anchored by residential uses to the west and residential and major retail uses to the east, and will incorporate varied landscape/hardscape features and pedestrian-oriented activity areas. Building mass and placement along Via Villagio will be used to create interesting spaces, and may include courtyards and outdoor seating and dining areas. In so doing, the Via Villagio development concept will provide a visually and spatially varied streetscape.

The central portion of Via Villagio is designed to emphasize dining and entertainment opportunities, and will be delineated by decorative pavement and other defining landscape/hardscape treatments. This central core area is also designed to encourage visitors to move in a north/south direction along Via Piemonte (a private drive), fostering interaction with the office use and proposed hotel located to the south. These hotel and office uses are complemented by a central formal pedestrian esplanade.



Note: The site design represented is conceptual in nature, and exemplifies one possible design scenario that has been developed in accordance with the design criteria of the Piemonte Overlay and may not represent ultimate building layout.



Figure 2.4: Piemonte Overlay Development Concept

The various land uses will be connected by a series of defined pedestrian walkways. Pedestrian links in the form of landscaped sidewalks have also been designed to allow workers, residents, and visitors to move through the Piemonte Overlay, and to the Citizens Business Bank Arena.

The OCSF requires three Plazas to be located within the Ontario Center area. Two Plazas have been constructed as shown on Figure 2.3: Piemonte Overlay Land Use Plan. An additional Plaza(s) will be constructed in SA1. These Plaza areas include the following elements, unless alternative designs are approved by the Planning Director:

- Minimum of 0.5 acre (could be in two separate areas).
- 50-foot minimum dimension, not including building or parking setbacks from streets, or roof overhangs, excepting entry canopies.
- Landscaping: 55 percent.
- Hardscape: 35 percent.
- Other amenities, such as water features: 10 percent.

Generally, Plazas are intended to provide an urban environment augmented by extensive use of shade trees and structures, such as benches, fountains, pergolas, arbors, etc.

## **2.4 CIRCULATION PLAN CONCEPT**

A private circulation system and design standards for vehicular and pedestrian movement are established under the Piemonte Overlay. Following, are summary descriptions of both the vehicular and pedestrian circulation systems.

### **2.4.1 Vehicular Circulation**

The Vehicular Circulation Plan Concept is presented on Figure 2.5: Piemonte Overlay Circulation Plan. Primary access is provided by public roadways that border the Overlay, including Haven Avenue to the west, Concours Street and Ontario Center Parkway to the south, and Fourth Street to the north. Within the Overlay, access to individual uses will be provided by privately owned and maintained drives. Private drives also provide for necessary access/public utilities easements. Along the perimeter, public streets will accommodate public utilities improvements.

Figure 2.5: Piemonte Overlay Circulation Plan also identifies representative street cross-sections locations within, and adjacent to, the Overlay, and the cross-sections are presented in subsequent Figures. Consistent with City requirements, private drives identified within these Figures will be clearly identified on development plans, construction drawings, and property descriptions. To the satisfaction of the City Engineering Department, public access and utilities easements will be provided within private drives.

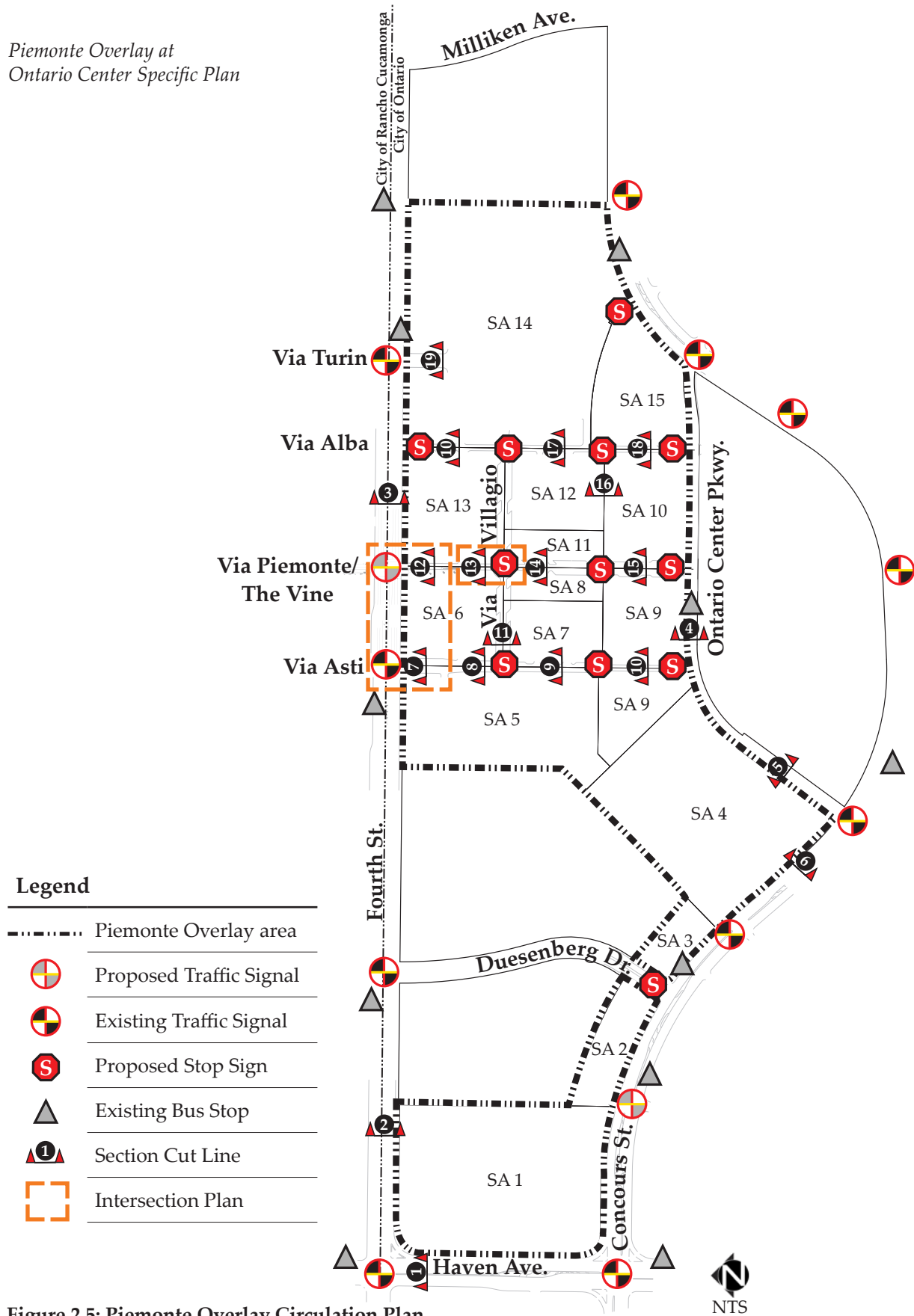


Figure 2.5: Piemonte Overlay Circulation Plan



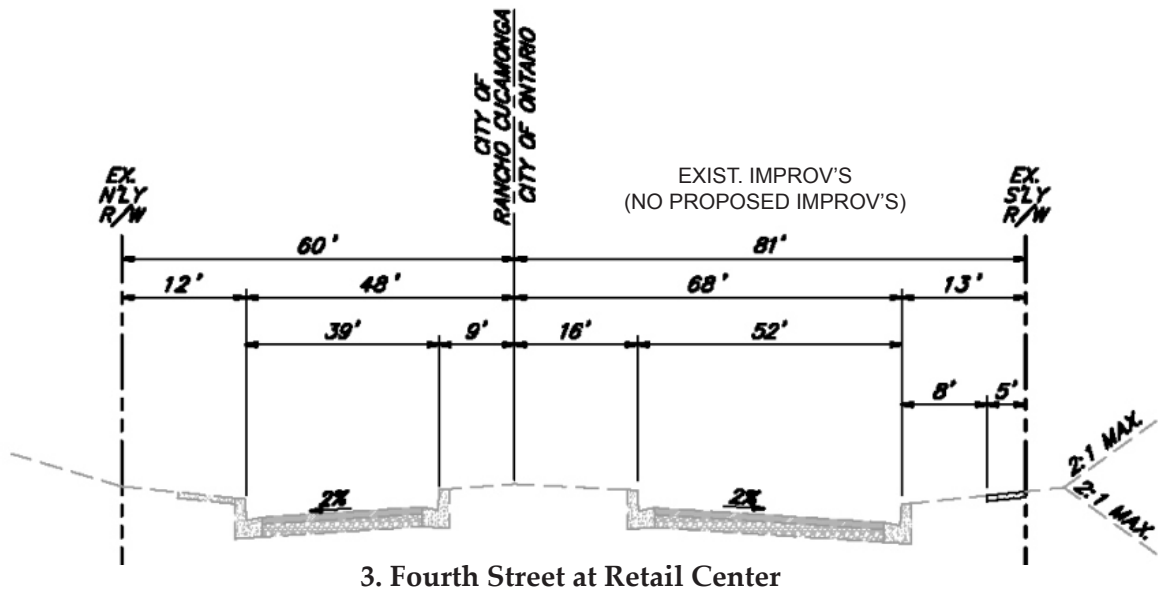
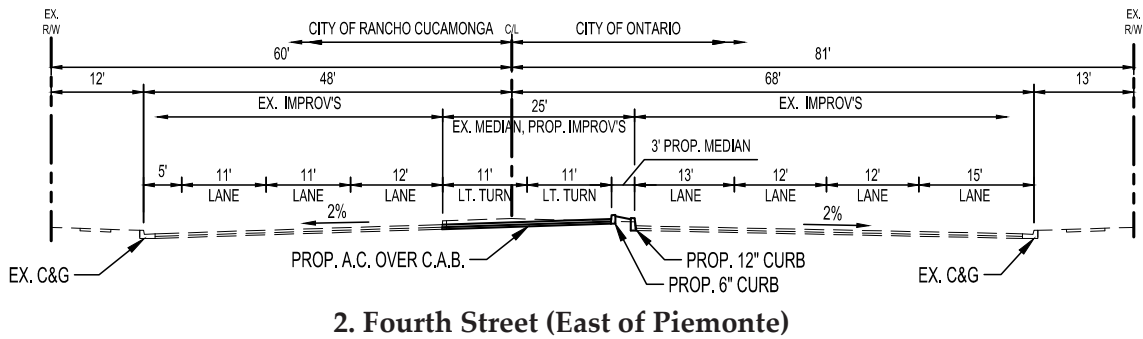
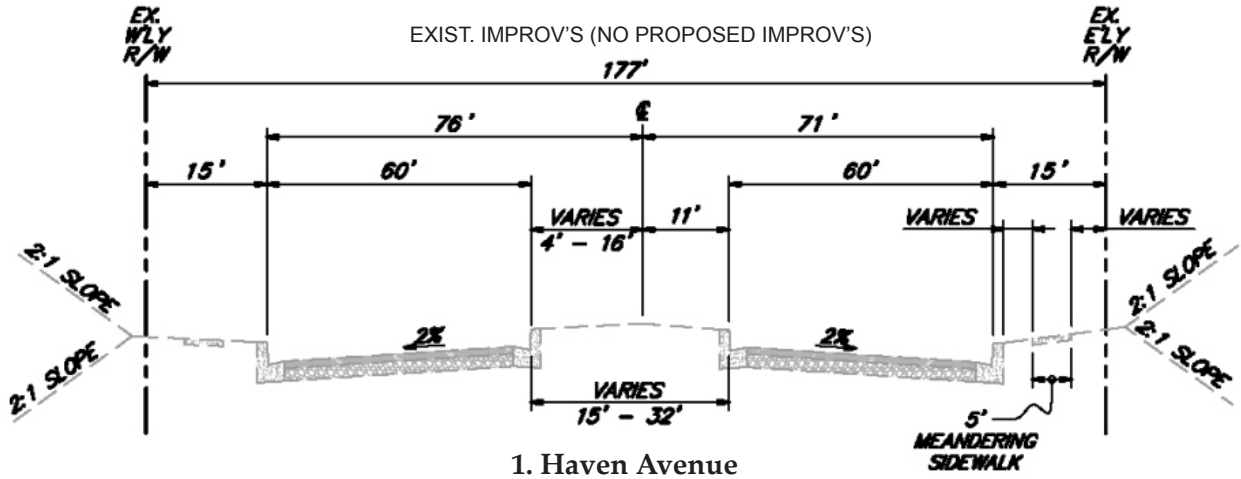
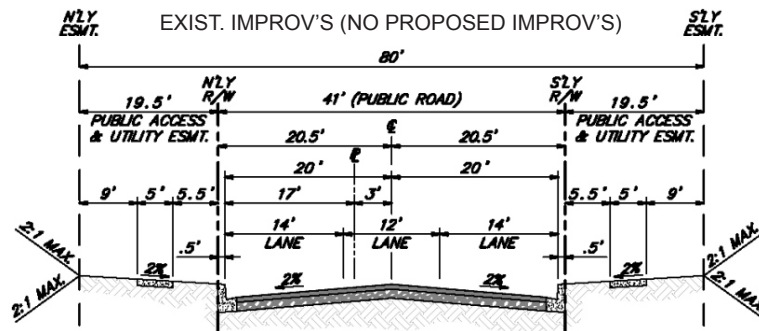
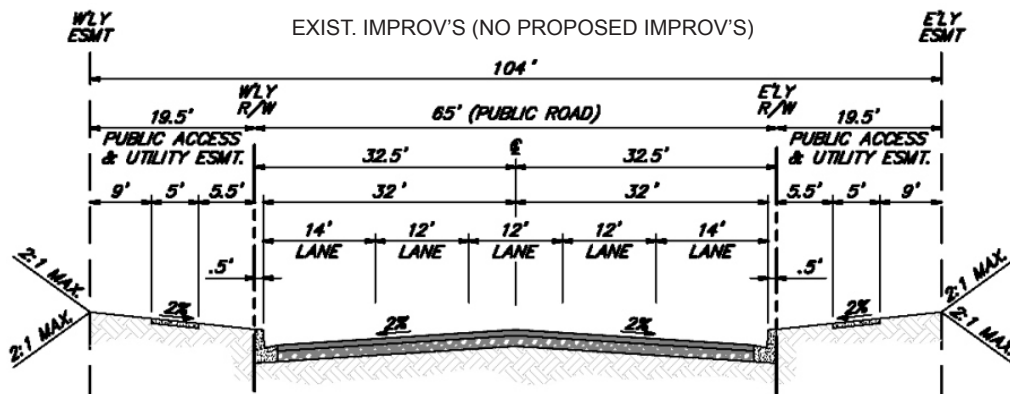


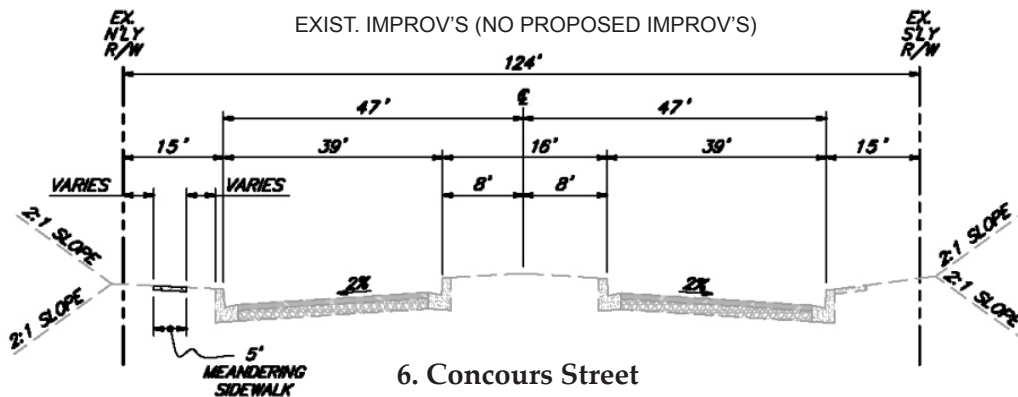
Figure 2.6a: Public Street Cross Sections



4. Ontario Center Parkway  
(East of Via Asti)

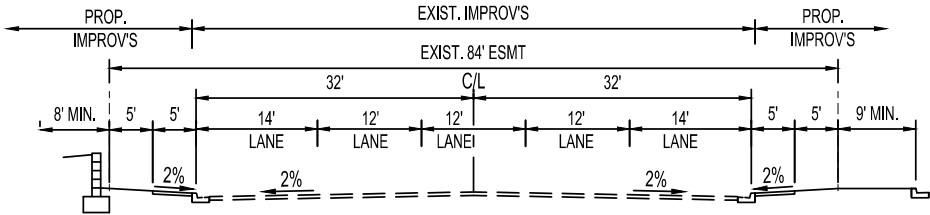


5. Ontario Center Parkway  
(West of Via Asti)

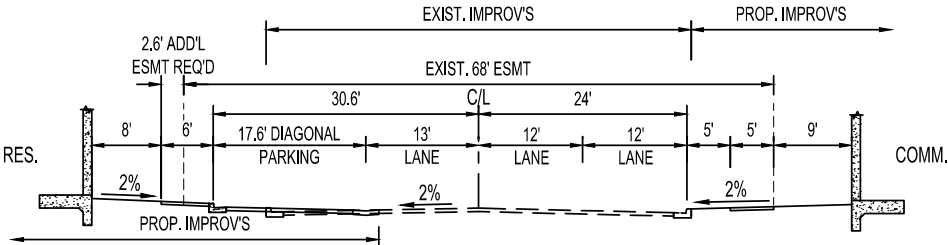


6. Concours Street

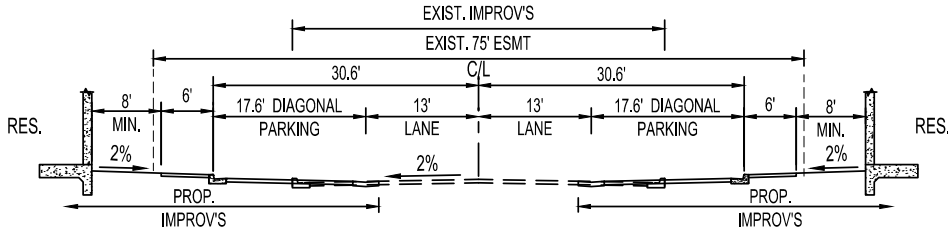
Figure 2.6b: Public Street Cross Sections



7. Via Asti - North Section (North Entrance)

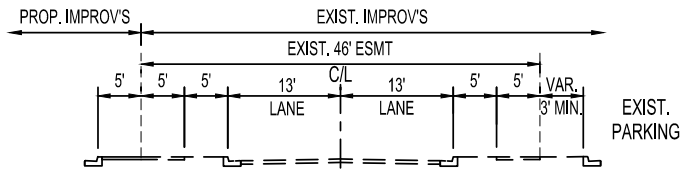


8. Via Asti - Middle Section (North of Via Villago)

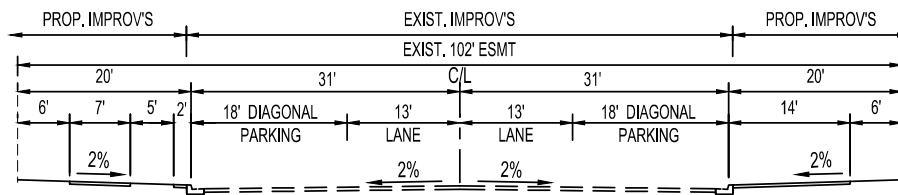


9. Via Asti - Middle Section (South of Via Villago)

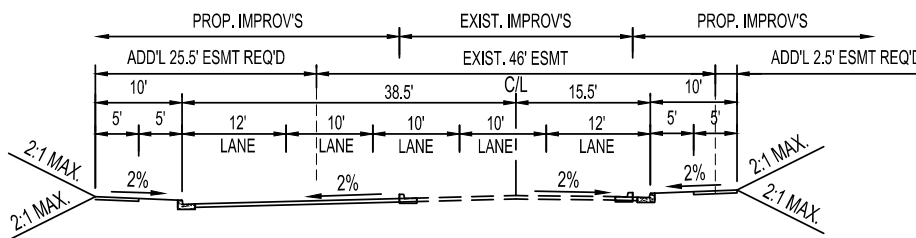
Figure 2.7a: Private Drive Cross Sections



**10. Via Asti - South Section (North of Ontario Center Parkway)  
Via Alba - North Section (North of Via Villagio)**

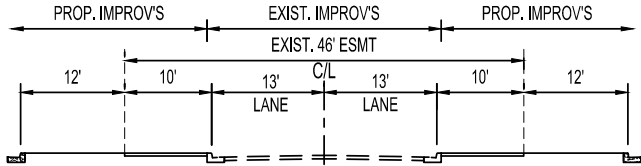


**11. Via Villagio**

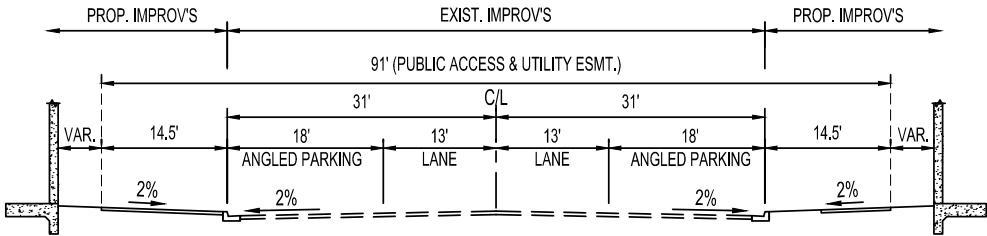


**12. Via Piemonte - North Section (North Entrance)**

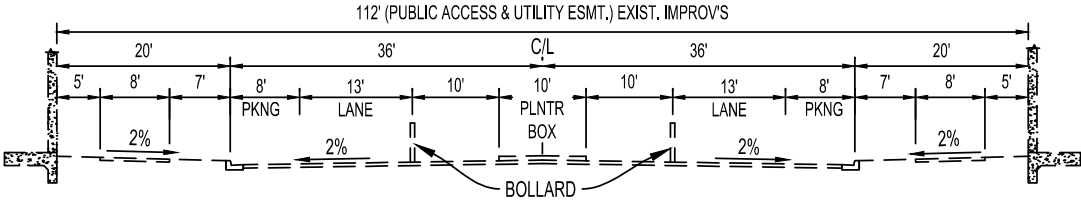
Figure 2.7b: Private Drive Cross Sections



**13. Via Piemonte - North Section (North of Via Villago)**

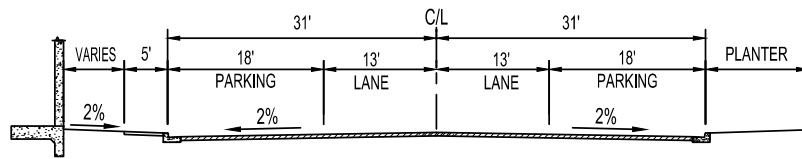


**14. Via Piemonte - Middle Section (South of Via Villago)**

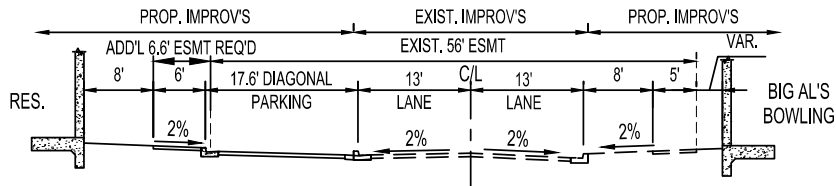


**15. Via Piemonte - South Section - (South of Via Villago)**

**Figure 2.7c: Private Drive Cross Sections**

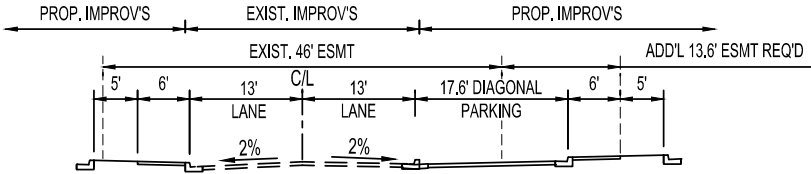


16. Shared Drive between SA 10, 11, & 12 (South of Via Villagio)

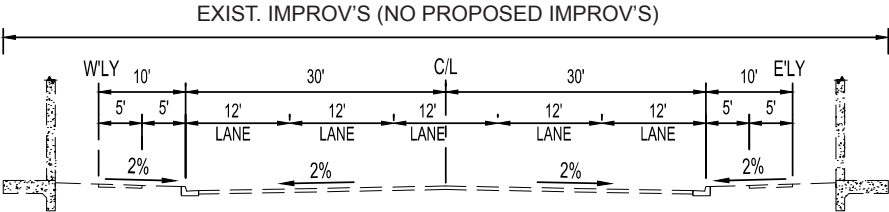


17. Via Alba - Middle Section (South of Via Villagio)

Figure 2.7d: Private Drive Cross Sections



**18. Via Alba - South Section (North of Ontario Center Parkway)**



**19. Via Turin**

Figure 2.7e: Private Drive Cross Sections

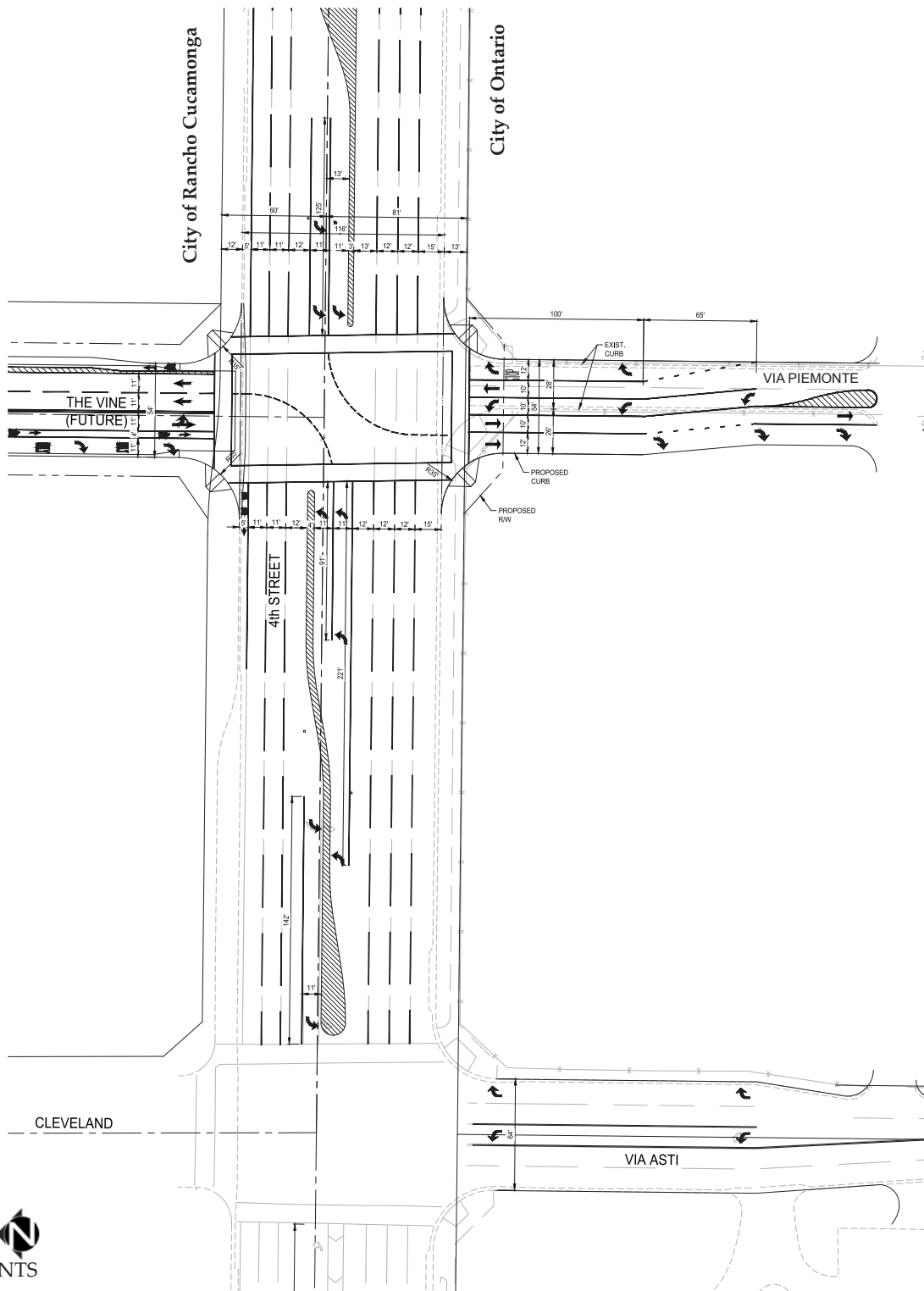


Figure 2.8a: 4th Street Intersection Plan



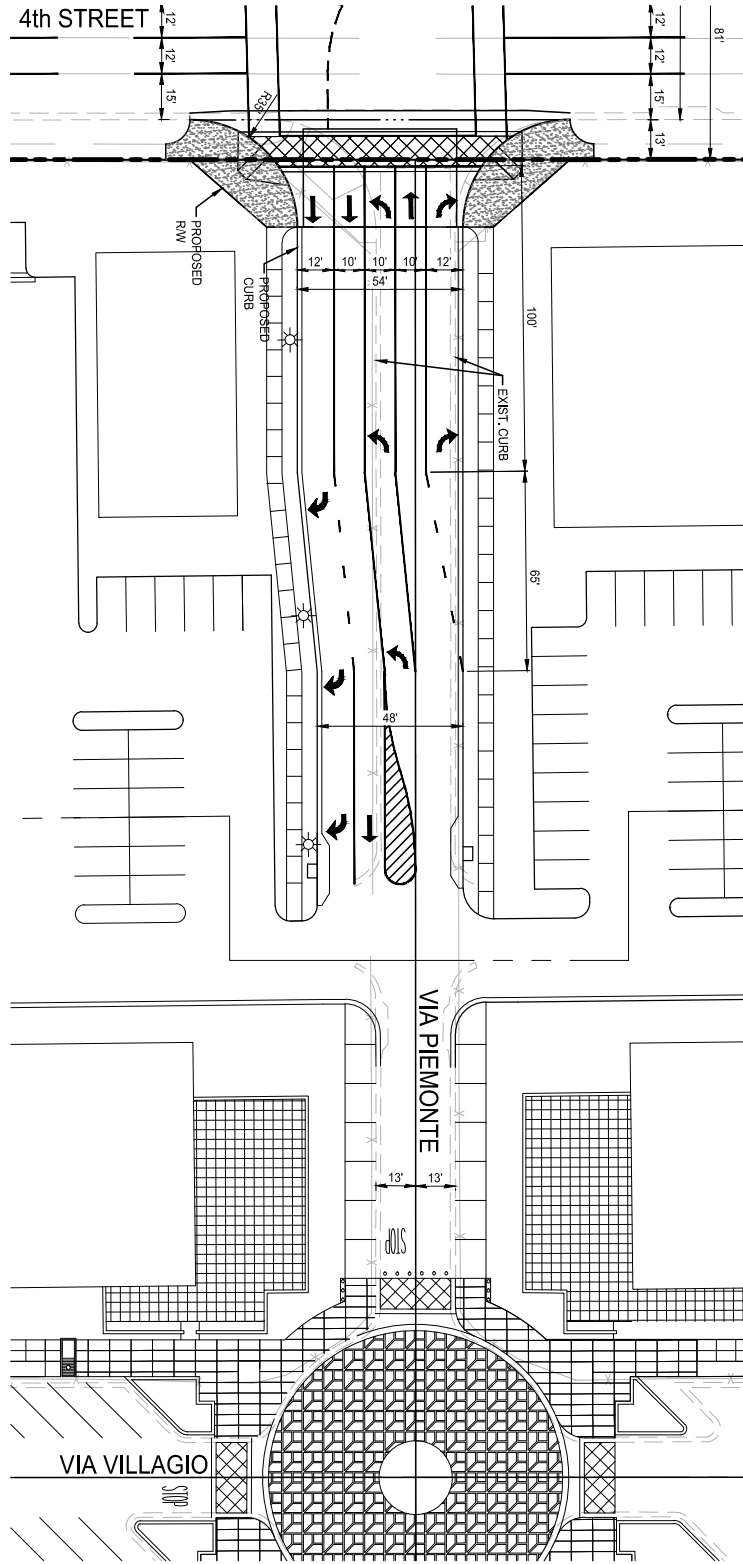


Figure 2.8b: Via Piemonte Plan

## **2.4.2 Pedestrian Circulation**

As illustrated in Figure 2.9: Pedestrian Circulation, the Piemonte Overlay incorporates a pedestrian network which provides connections to, and supports interaction between, the various land uses. The pedestrian network largely parallels the roadway network.

The pedestrian network incorporates design features including enhanced paving/surface treatments and monumented entries. Typical pedestrian walkway enhancements in the Piemonte Overlay entries include the existing arbors/pergolas with climbing grapevines, acting to identify and define entrances, while differentiating the Overlay from surrounding urban uses. New, more urban, entries may also be provided with each development application for build-out of the residential and commercial uses. Entries will be emphasized by adjacent plantings of specimen trees. Landscaping along pedestrian walkways will typically include ornamental grasses, groundcover, and shrubs, thematically employed throughout. Walkways along public streets will be canopied by planting of adjacent street trees.



Figure 2.9: Pedestrian Circulation

## **2.5 LANDSCAPE CONCEPT**

Figure 2.4: Piemonte Overlay Development Concept illustrates a contemporary urban landscape concept using clean simple forms, reinforcing Southern California's indoor/outdoor lifestyle, while existing monumentation (as shown in the following photos) picks up the influences of the Piemonte region of Northern Italy. Skyline palms act as "way-finding" features and provide appropriate scale to this vertical urban environment. Pedestrian-scaled canopy shade trees, as well as bold colors and foliage textures of the understory plant material, will enhance the streetscape walking experience. This understory will be rich in varieties of ornamental grass, succulents, and flower groundcovers creating this semi-arid and environmentally sustainable landscape environment.

All monuments shall conform to current corner sight line and monument placement standards per City of Ontario Standard Drawing No. 1309 and the City Traffic and Transportation Guidelines, Chapter 5: Monument Placement.

*Views of existing commercial at the intersection of Fourth Street and Via Turin*



*Looking north along Via Alba at the intersection of Via Alba and Ontario Center Parkway*



*Looking north along Via Asti at the intersection of Via Asti and Ontario Center Parkway*



**Figure 2.10a: Photos of existing streetscape**

*Piemonte Overlay at  
Ontario Center Specific Plan*



*Photos looking north along Via  
Piemonte at the intersection of  
Via Piemonte and Ontario Center  
Parkway*



**Figure 2.10b: Photos of existing streetscape**

*Views of streetscape along Ontario Center Parkway*



*Views of streetscape along Ontario Center Parkway*



*Views of existing residential and streetscape along Duesenberg Drive*



**Figure 2.10c: Photos of existing streetscape**

*Piemonte Overlay at  
Ontario Center Specific Plan*



*Views of streetscape along  
Concours Street at central portion*



*Views of streetscape along  
Concours Street at western portion*



*Views of streetscape at the intersection of Haven Avenue and Concours Street*

**Figure 2.10d: Photos of existing streetscape**



## 2.6 INFRASTRUCTURE

This section describes the existing backbone infrastructure system available for Piemonte Overlay development, and identifies any improvements necessary to accommodate future development in the Overlay. Please refer also to infrastructure descriptions and analyses presented within: *Piemonte Preliminary Sewer Study*, *Piemonte Water System Summary*, *Piemonte Reclaimed Water Summary*, and *Piemonte Storm Drain System Summary*, (SB&O, Inc.) January 2006 available from the City of Ontario Planning Department.

### 2.6.1 Wastewater

Wastewater treatment services for the City of Ontario and other nearby communities are provided by Inland Empire Utilities Agency (IEUA). This Agency is responsible for treatment of wastewater generated from development within the Overlay area. Wastewater will be transported to IEUA Regional Plant No. 1 (RP-1) via the City of Ontario wastewater collection and conveyance system. IEUA Regional Plant No. 1 is located south of the Pomona Freeway (SR-60) and west of Archibald Avenue.

The backbone sanitary sewer system and delineation of private/public sewer system components are identified in Figure 2.11: Wastewater Facilities Plan. The perimeter public streets accommodate sewer system improvements.

A 24-inch IEUA sewer interceptor exists in Fourth Street along the northerly boundary. This interceptor captures all wastewater from north of Fourth Street within Rancho Cucamonga and transfers it west along Fourth Street. Therefore, the Overlay area does not accept any off-site wastewater from the north. All wastewater flows generated within the Piemonte Overlay area are transported via 8- to 10-inch sewer lines to Concours Street. At Concours Street, these lines are connected to the existing 8- to 12-inch sewer mains. These mains currently connect to an 18-inch main, that in turn connects to the Inland Empire Boulevard sewer main to the south.

The collection sewer main to the south of the Overlay area, originally called the Ontario Motor Speedway Outfall, was sized to handle flows from the site. This outfall line ultimately flows west along Inland Empire Boulevard, then proceeds south beneath I-10. Sanitary sewer facilities constructed south of I-10 have previously been upgraded and sized to adequately handle development within the Overlay and surrounding areas.

The existing wastewater transmission facilities within Concours Street have enough overall capacity to adequately convey wastewater generated by development based on information presented in the *Preliminary Sewer Study for Piemonte*, (SB&O, Inc.) dated January 25, 2006 (Sewer Study). More specifically, as concluded in the Sewer Study, the depth to diameter (d/D) design standard of 0.50 for these transmission facilities will be maintained even with the addition of wastewater generated by Overlay area development.

It is further noted that the Sewer Study conservatively assumes 2.7 persons per dwelling unit within the Piemonte Overlay, with a calculated wastewater generation rate of 100 gpd/person, or 270 gpd/dwelling unit. The overall mix of residential units will likely result in reduced overall resident populations, with resulting reductions in wastewater generation when compared to the Sewer Study assumptions.

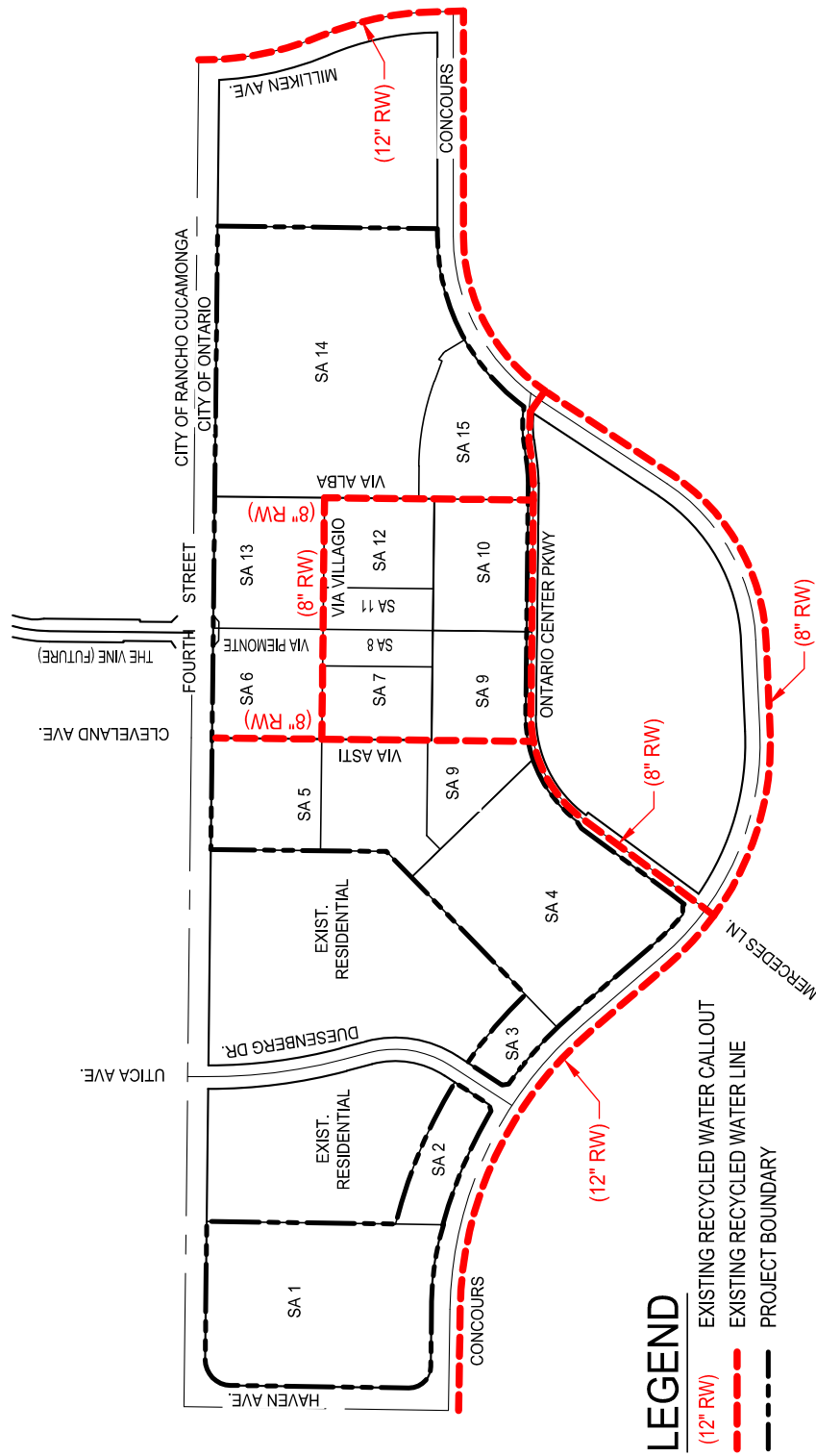


Figure 2.11: Wastewater Facilities Plan

## **2.6.2 Water Service**

Water service to the Piemonte Overlay is provided by the City of Ontario. Existing water facilities include mains located in both Fourth Street and Concourses Street. A 12-inch main in Fourth Street serves properties north of the Overlay, in Rancho Cucamonga and an existing City of Ontario 18-inch main located in Fourth Street will serve the Overlay. Fourth Street also contains a 36-inch City of Ontario transmission main. Additionally, Concourses Street contains a 16-inch water main that will be used to serve the Overlay area. Water demands by use and for the entire Overlay, are contained within *Preliminary Sewer and Water Demand Study for Rancho Piemonte*, (SB&O, Inc.), dated August 8, 2005, and is available for review from the City of Ontario Planning Department. The proposed on-site water system lines and components are schematically presented in Figure 2.12: Water Facilities Plan.

The Study identifies the water demands for the various Piemonte Overlay uses, and acknowledges that use-specific fire flow requirements are the controlling factor in evaluating the hydraulic adequacy of a water distribution system. Based on the highest fire flow demand (hotel and high density residential at 3,500 gpm requirement), the Study concluded that the existing water system infrastructure surrounding the site is adequate to serve the Piemonte Overlay.

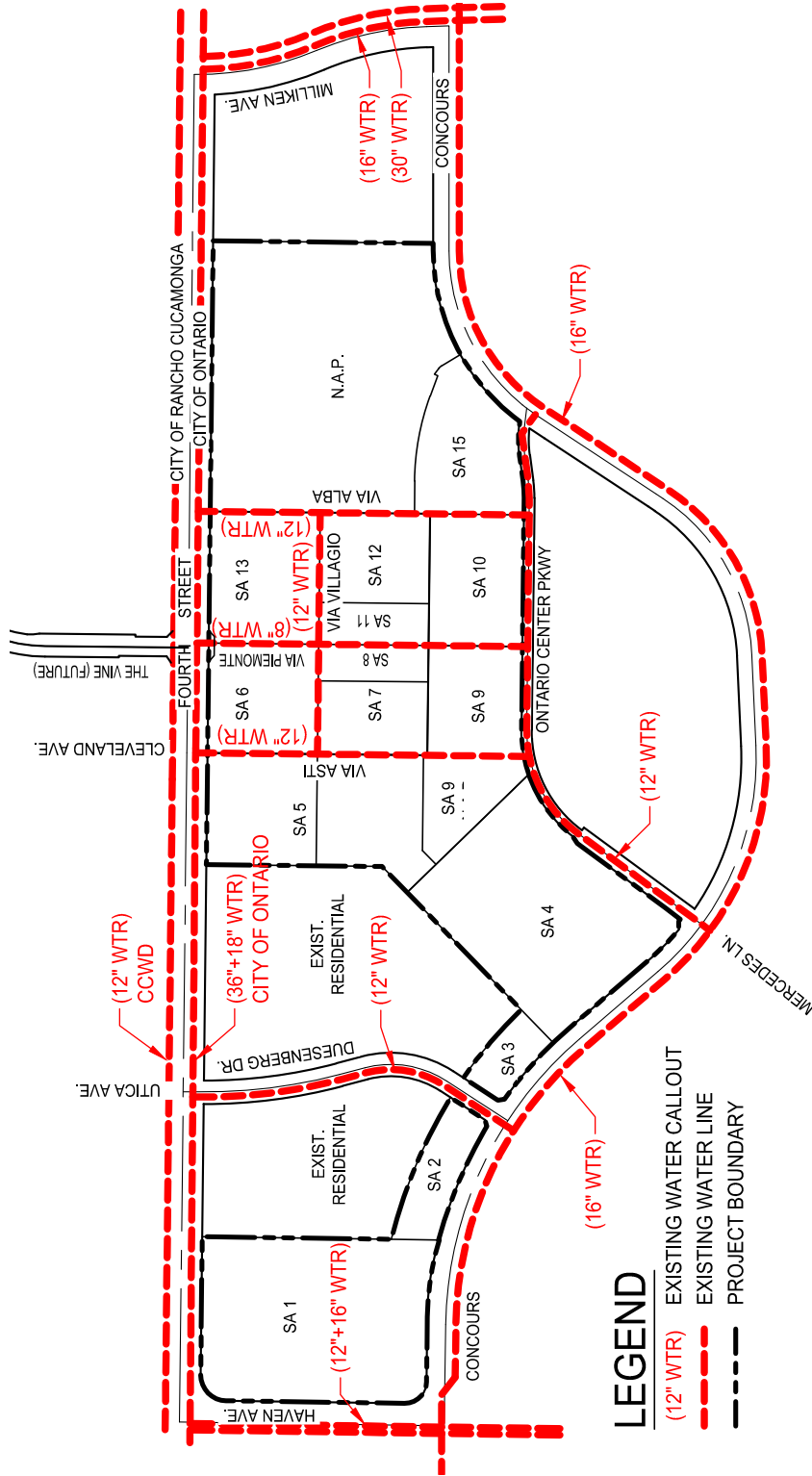


Figure 2.12: Water Facilities Plan

### **2.6.2.1 Recycled/Reclaimed Water System**

Nearest to the Piemonte Overlay are the IUEA reclaimed water main which is installed in Sixth Street; a short segment of reclaimed water line in Haven Avenue between Sixth and Fourth Streets; with another segment located within Fourth Street, west of Haven Avenue. More specifically, a 30-inch reclaimed water main exists in Haven Avenue, turning west in Fourth Street. A 12-inch reclaimed water lateral exists in Milliken Avenue that terminates near Fourth Street. An 8-inch reclaimed water line has been installed in Concours Street, from Haven Street to Milliken Avenue. This reclaimed water line was installed as part of the Concours Street street improvements in 2002.

Additional reclaimed water facilities are constructed within the Piemonte Overlay, with connecting segment(s) in Milliken Avenue, Concours Street and Haven Avenue. Reclaimed water system improvements within the Overlay are illustrated on Figure 2.13: Recycled Water Facilities Plan, and include the following:

- Extension of the reclaimed water lateral from Milliken Avenue and Fourth Street, connecting to the reclaimed water line in Concours Street.
- Construction of a reclaimed water loop in Ontario Center Parkway to each intersection of Concours Street.
- Reclaimed water distribution lines extended northerly from Concours Street within Ontario Center Parkway and Via Alba.

New development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation.

Reclaimed water lines within public streets and public utility easements within private streets will be maintained by the City of Ontario Municipal Utilities Company (OMUC). The ownership and maintenance of common reclaimed water system components and lines within private drives in the Overlay will be the responsibility of the Piemonte at Ontario Center Property Owners Association, (POCOA) established pursuant to the Piemonte CC&Rs.

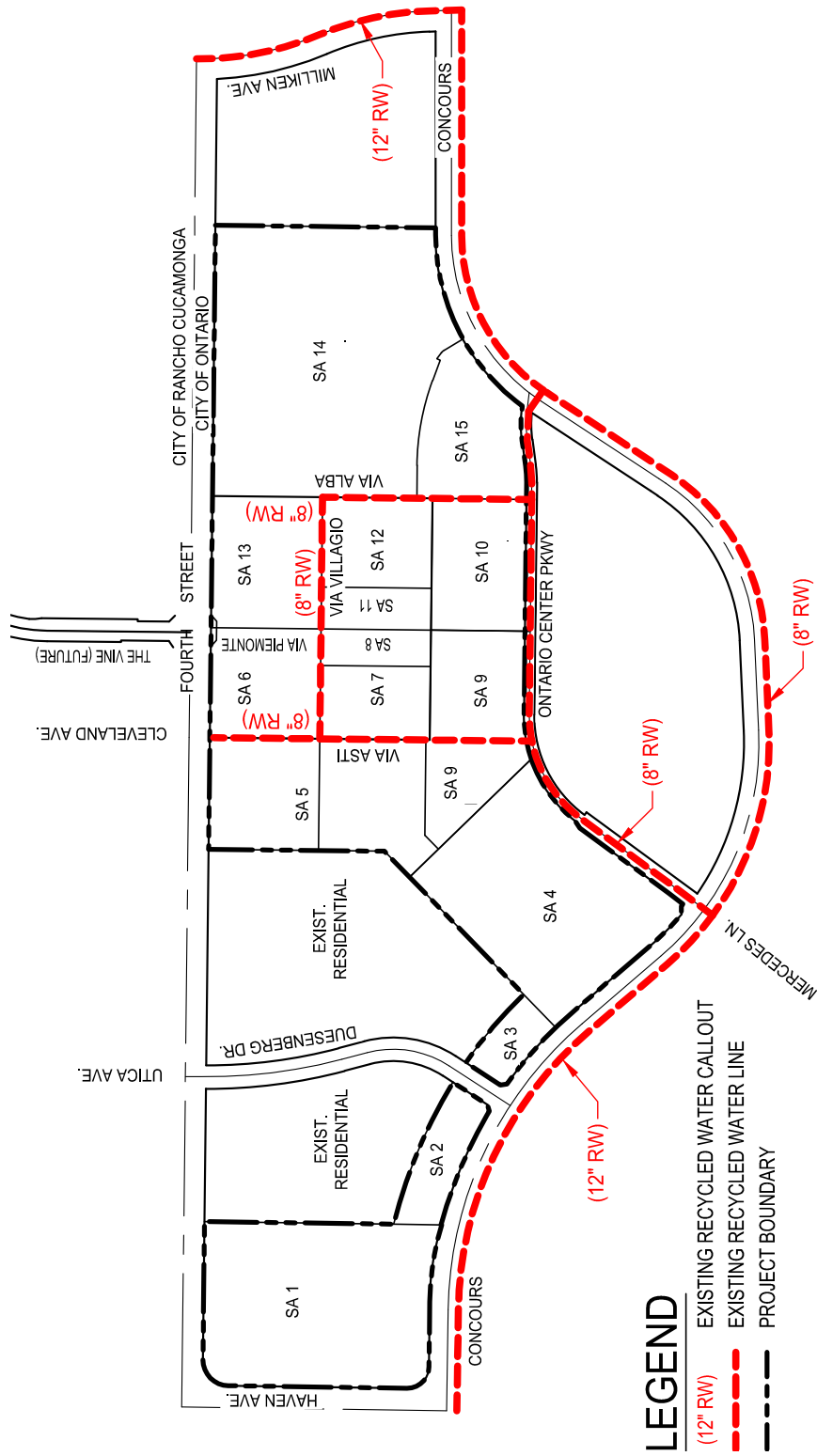


Figure 2.13: Recycled Water Facilities Plan

## **2.6.3 Stormwater Management**

Existing and proposed stormwater management facilities, and conveyance systems and components, are schematically presented on Figure 2.15:

Water Quality Management Plan. As a general note, development-related improvements and connections located within public streets will be maintained by the City. However, the ownership and maintenance of common stormwater system components and lines, as well as water quality treatment facilities, will be the responsibility of the POCOA, established pursuant to the Piemonte CC&Rs.

### **2.6.3.1 Stormwater Collection and Conveyance Facilities**

Drainage in the Piemonte Overlay area flows in a generally north to south direction. North of the Overlay, an existing storm drain is located in Fourth Street. This storm drain collects and transports all drainage flows from the north and west, to Guasti Park. As such, the Overlay will not have to accommodate stormwater flows from the north. Stormwater run-off from the Overlay drains southerly, to Concourses Street. Receiving reinforced concrete pipe (rcp) drainage facilities are located within Concourses Street, and range in size from 48-inches to 72-inches in diameter. Flows from the Concourses Street facilities empty into a 9-foot by 6-foot reinforced concrete box (rcb). Flows then continue southerly, toward Inland Empire Boulevard, then westerly to Mercedes Lane, and then southerly beneath I-10 in a 12-foot by 7-foot rcb to Lower Deer Creek Channel. Lower Deer Creek Channel confluences with Cucamonga Creek Channel, and flows to the Prado Basin.

The *Storm Drain System Summary for Piemonte* (SB&O, Inc.), dated January 30, 2006, concludes that the existing storm drainage facilities serving the Piemonte Overlay and vicinity have been previously sized to accommodate any proposed development. Additional internal drainage system improvements will be constructed to connect to the existing area-wide drainage system. Connection points to the existing system will be located so as to take full advantage of available carrying capacities, as shown in Figure 2.15: Water Quality Management Plan.



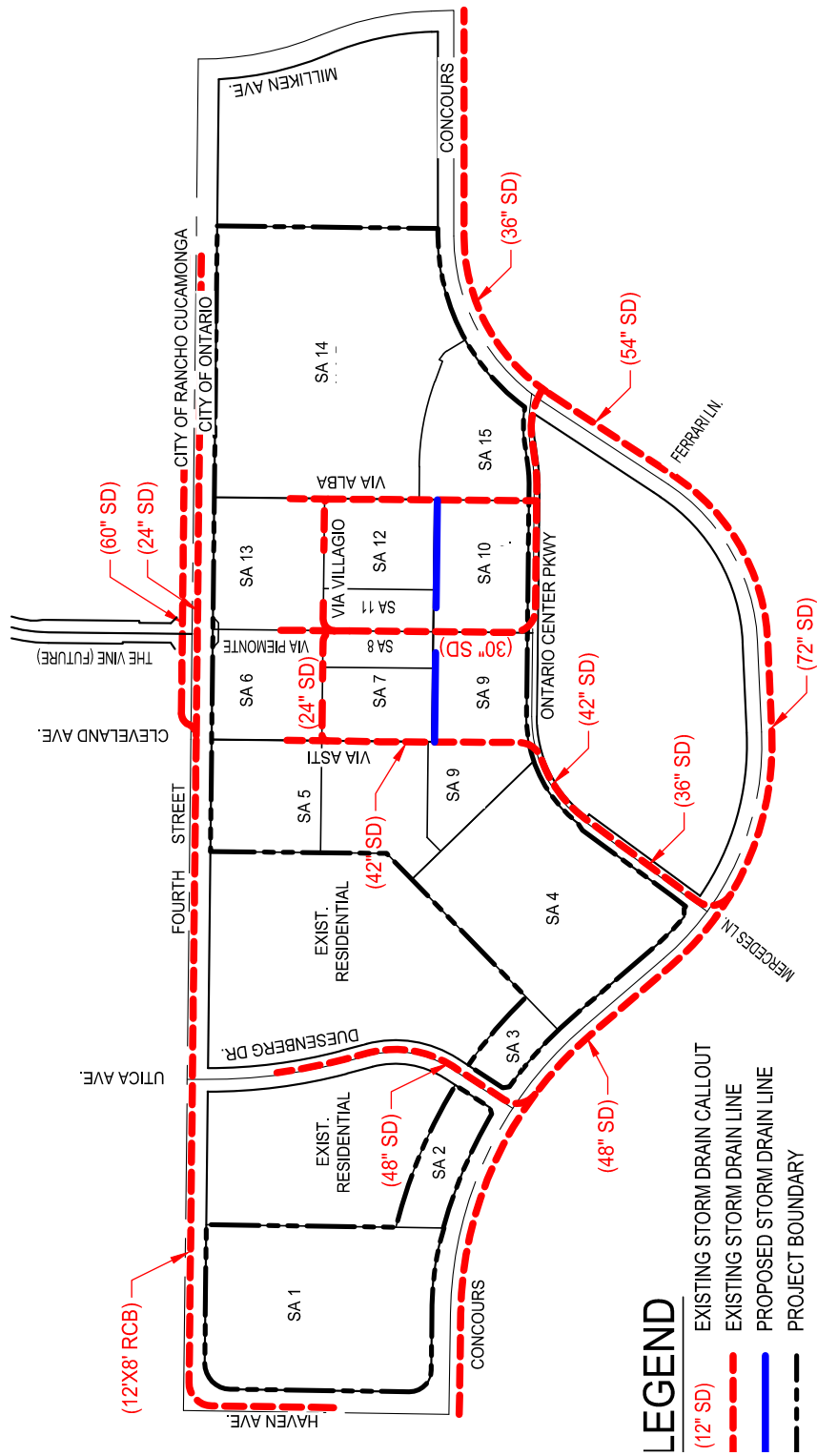


Figure 2.14: Storm Water Collection and Conveyance Facilities Plan

### **2.6.3.2 Stormwater Water Quality Management Plan (WQMP)**

In addition to construction of required stormwater conveyance facilities described above, the City of Ontario and the governing Regional Water Quality Control Board (RWQCB) require that development in the Piemonte Overlay incorporate technically and economically feasible source control and Site Design Best Management Practices (BMPs), as discussed below.

#### **Overview**

The Santa Ana Regional Water Quality Control Board (RWQCB), under Order Number R8-2010-0036, NPDES Permit No. CAS618036, requires post-construction BMPs to be implemented for new development and significant redevelopment, for both private and public agency projects. The purpose of a Water Quality Management Plan (WQMP) is to develop and document the installation of structural stormwater quality facilities and the implementation of a program, including application of non-structural BMPs, which minimize the detrimental effects of urban stormwater run-off on the beneficial uses of receiving waters, including potential effects of increased pollutant loads and changes in hydrology.

Potentially adverse effects on receiving waters shall be minimized through the construction of Site Design/Low Impact Development (LID) BMPs with the highest priority for BMPs that retain/infiltrate the average 2-year, 24-hour storm run-off volume (85th percentile storm event) from the project, then other BMPs, such as harvesting and use, evapotranspiration, and biotreatment. To the maximum extent practicable (MEP), these LID BMPs must be implemented at the project site. Where LID BMPs are not feasible at the project site, more traditional, but equally effective control measures, must be implemented. The combination of Site Design/LID BMPs, Source Control and/or Treatment Control BMPs included in project-specific WQMPs for new development within the Piemonte Overlay area shall address all identified pollutants of concern and hydrologic conditions of concern in run-off from on-site as well as proposed off-site improvements included in development projects.

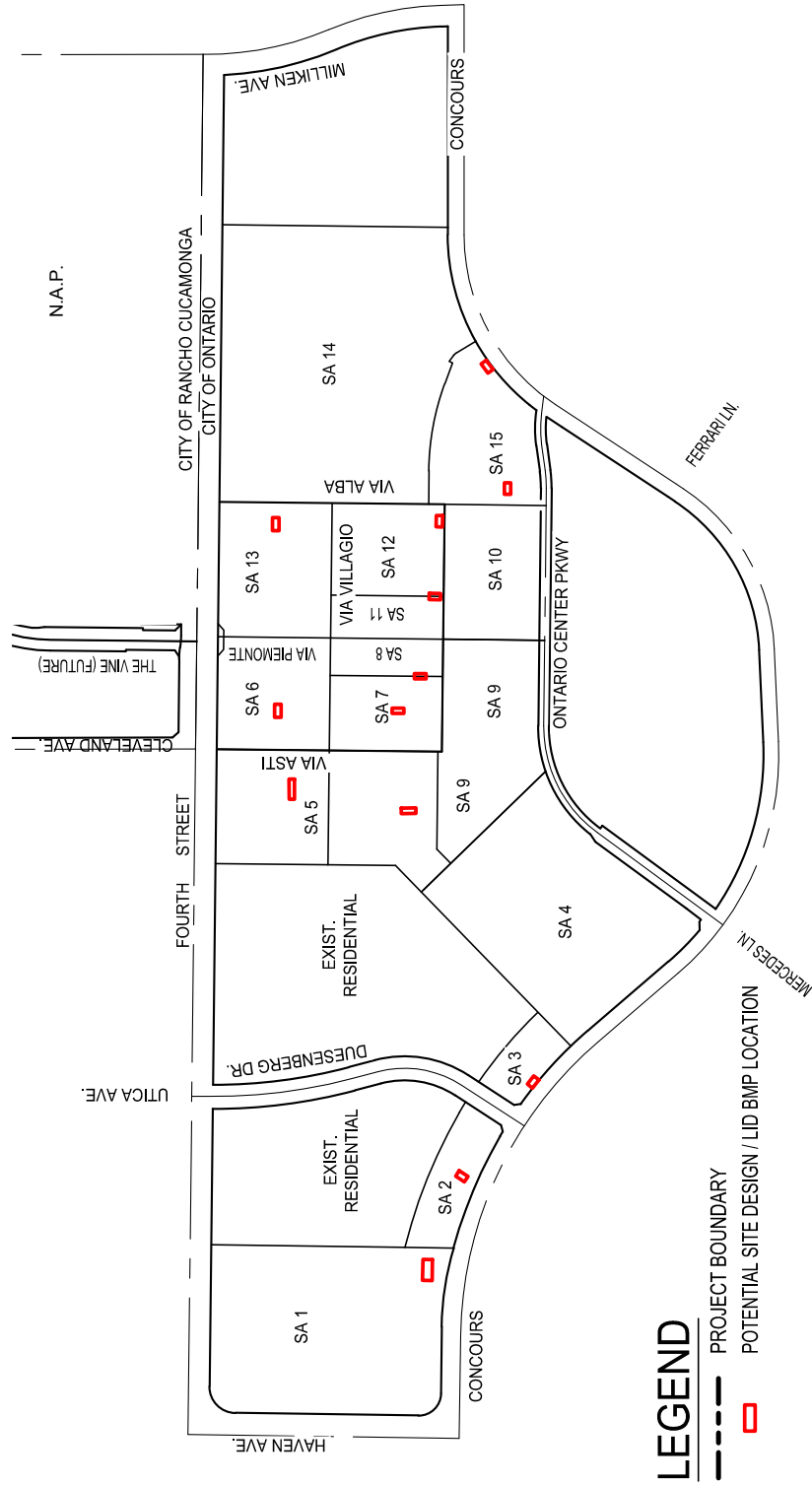


Figure 2.15: Water Quality Management Plan

Development projects within the Piemonte Overlay are required to meet the minimum county-side WQMP requirements applicable to Priority Projects by incorporating infiltration LID BMPs to the MEP; followed by biotreatment and harvest and use BMPS, for the remainder of the required storm run-off volume. Minimum source control BMPs and necessary treatment control BMPs shall also be documented, along with on-site LID BMPs, in project-specific WQMP plans. Where it is proven to be infeasible for a priority project to fully meet LID requirements based on implementing site design and on-site LID BMPs, a development project may alternatively participate in an available and approved regionally-based treatment program that addresses all identified pollutants and hydrologic conditions of concerns.

#### **Project-Related Stormwater Treatment Requirements**

The Piemonte Overlay is located within the Santa Ana Basin, designated as Region 8 by the RWQCB, and is tributary to Lower Deer Creek, the Chris Basin, Cucamonga Creek Flood Control Channel, Mill Creek, the Prado Flood Control Basin, and finally the Santa Ana River. In accordance with the Clean Water Act, the State of California maintains a list of impaired water bodies and the pollutant causing the impairment. The Cucamonga Creek Flood Control Channel is included on the State's list of impaired water bodies because of high coliform content. Mill Creek is also included on the impaired water body's list for nutrients, suspended solids, and pathogens. Because these receiving waters (which are tributary to the Piemonte Overlay) are impaired, development in the Overlay must incorporate BMPs that are rated high to medium in effectiveness for reducing the impairments. This assures a no net loading on the affected tributaries, and ensures that there are no additional pollutants added to the already impaired water bodies.

### **Project-Related Stormwater Treatment Improvements**

Since the predominate soil type in the Piemonte Overlay areas is “Class A,” the mandated on-site LID/Site Design BMP measures will be designed into each development project within the Piemonte Overlay Specific Plan area will be retention/infiltration of the required Design Capture Volume (DCV) of run-off through the use of a combination of various landscaped basins, trenches/swales, and underground infiltration systems (with pre-treatment BMPs), on individual parcels. All proposed LID/BMPs and pre-treatment facilities will be designed and implemented consistent with City and County-wide WQMP requirements. General locations and configurations of proposed LID stormwater retention/infiltration facilities are presented on Figure 2.15: Water Quality Management Plan.

#### **2.6.3.2 Project-Related Stormwater BMP Compliance During Construction Phase**

Prior to the issuance of grading or construction permits for any development project disturbing one-acre or more of land, within the Piemonte Overlay Specific Plan area, project applicants shall be required to obtain coverage under the California General Permit (CGP) for Stormwater Discharges Associated with Construction and Land Disturbance Activities and prepare and submit Erosion/Sediment Control Plans and Storm Water Pollution Prevention Plans (SWPPPs), along with project Grading Plans, to the City of Ontario and the State Water Quality Control Board’s “SMARTS” website, at the time of permit application. The SWPPP shall be prepared to comply with the requirements of the California State Water Resources Control Board’s (State Water Board) current “General Permit to Discharge Storm Water Associated with Construction Activity” CGP and the current “Area Wide Urban Storm Water Runoff (Regional NPDES) Permit for San Bernardino County.

#### **2.6.4 Solid Waste**

Solid Waste services are provided by OMUC. Solid waste requirements are per the City’s Solid Waste Department Refuse and Recycling Planning Manual.

### **2.6.5 Fiber-Optics**

The City of Ontario is developing a fiber-optic telecommunications system throughout the City commonly known as OntarioNet. The fiber-optic telecommunications system is capable of providing advanced internet/data services to homes and businesses in feasible areas within the City. OntarioNet will provide community related services including: traffic management; online civic services; meter reading; educational services; and a variety of other community services. OntarioNet and the high-speed data services it provides, will keep the City on par with the modern workforce and ever changing lifestyles of the people and the community.

Communication systems proposed on-site facilities will be placed underground within a duct and structure system to be installed by the Developer, as illustrated in Figure 2.16: Fiber-Optics Plan. Maintenance of the installed system will be the responsibility of the City and/or special district fiber optic entity and not that of the Developer, private homeowners association or private homeowners. Development of the project requires the installation by the Developer of all fiber optic infrastructure necessary to service the project as a stand alone development.

Trenching, joint trenching and boring shall be used to install the fiber-optic conduits. Fiber-optic conduit placement will generally be in a joint trench with street light conduits or in a separate trench/bore and in the Right-of-Way (ROW) generally placed behind the sidewalk. Resulting conduit placement will be on the north side of street and the east side of street based on the direction of the street. Properly sized handholes shall be placed along the conduit path no greater than 500 feet apart in major streets and no greater than 300 feet apart within in-tract community streets. Handholes shall be strategically placed to allow for efficient entrance into commercial buildings, and residential properties and multi-dwelling units. Refer to Figure 2.16: Fiber-Optics Plan for existing and proposed fiber-optics locations.

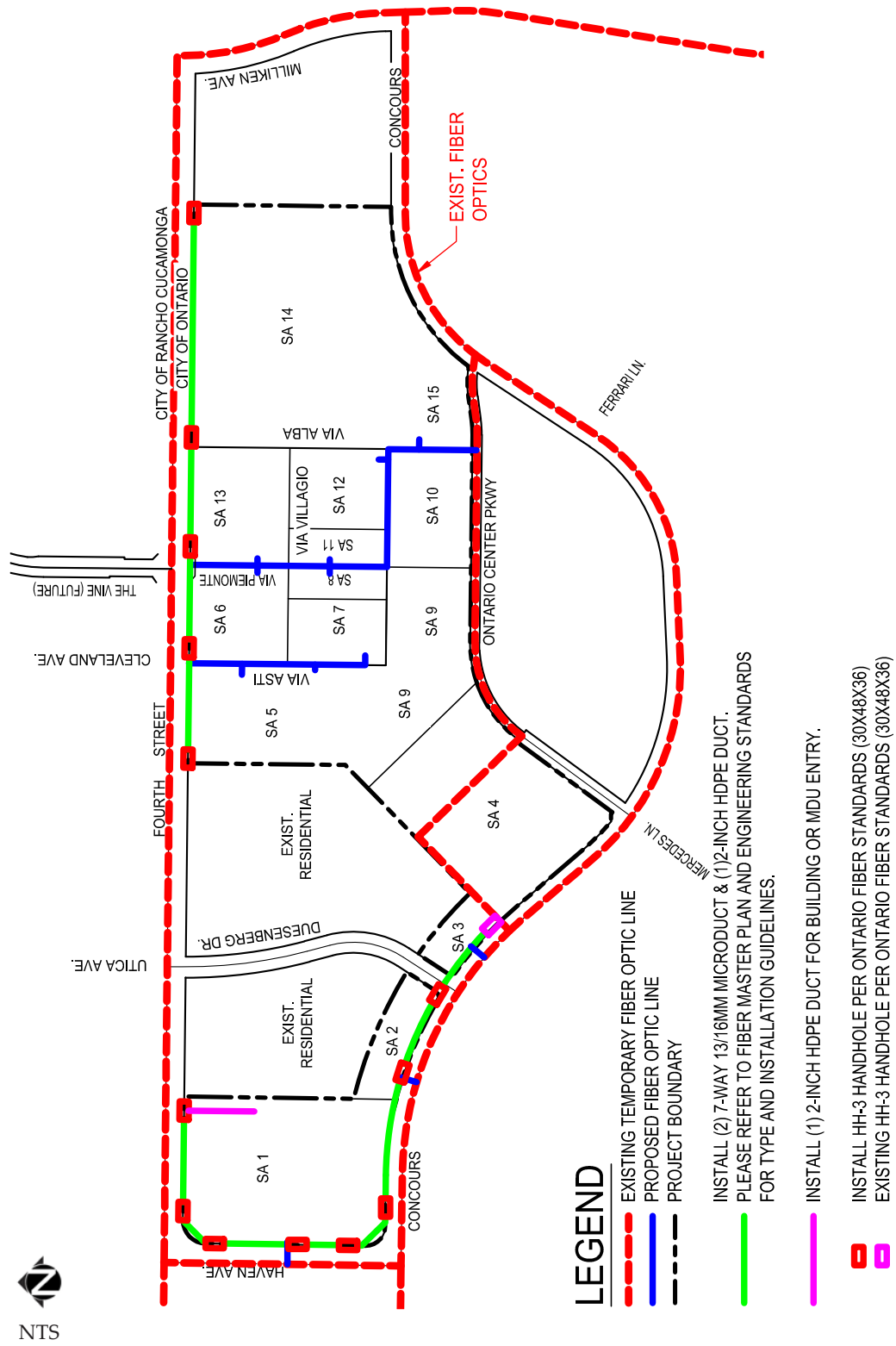


Figure 2.16: Fiber-Optics Plan

## **2.7 DEVELOPMENT CONSTRUCTION**

It is anticipated that the Developer will begin preparation of residential construction plans for the Piemonte Overlay units in July 2017, with construction beginning on the sites to the west in early January 2018 after all discretionary approvals and building plans are permitted. The clubhouse and leasing facilities for those parcels, Subareas 5 and 7, on which are planned approximately 340 apartment homes, would be ready for occupancy in December 2018. First units would be ready for occupancy in January 2019; last units would be delivered for occupancy in December 2019. The parcels to the east, Subareas 12 and 15, would include approximately 232 apartment homes and would be under construction by December 2018, with the clubhouse and leasing facilities delivered for occupancy in December 2019, and the first apartment homes ready for occupancy by January 2020; last units would be available for occupancy by September 2020.

Specific site grading, frontage and any off-site improvements, will occur as defined in the Tentative Map application. The final number of construction phases is unclear at this time. The number of phases and number of units in each phase may be altered from time to time, subject to City review and approval.

Where the pedestrian network is internal to a development parcel or land use, e.g. in the westerly portion of the Piemonte Overlay area, that portion of the network will be completed concurrent with development of the accommodating parcel or land use. Use and tenant-specific infrastructure connections, as well as development-specific amenities, and specific landscaping/streetscaping, will be completed concurrent with each increment of development.



## **3.0 DESIGN GUIDELINES AND DEVELOPMENT REGULATIONS**

This Section presents the Design Guidelines and Development Regulations applicable to the Piemonte Overlay. The Design Guidelines identify physical and thematic attributes or requirements. Complementing these Design Guidelines, the Development Regulations identify permitted land uses and provide direction and requirements for development locations, configurations, orientations, and construction for each Land Use Subarea. Please refer also to the delineation of the Piemonte Overlay area and its component Land Use Subareas, presented previously on page 2-5.

All Design Guidelines and Development Regulations are comprehensively identified within this Section. In this regard, it is noted that the Design Guidelines and Development Regulations are predominantly consistent with requirements of the encompassing OCSP; however where they differ, the Piemonte Overlay supersedes the requirements of the OCSP. For ease of reference, where OCSP requirements are applicable to the Piemonte Overlay, those portions of the OCSP have been incorporated in this document.

Prior to issuance of development permits, all facilities proposed within the Piemonte Overlay will be evaluated by the City for consistency with the Piemonte Design Guidelines and Development Regulations, and applicable City regulations. Please refer also to development review and approval processes outlined in Section 4.0, Administration.

### **3.1 OVERVIEW**

The design concept is based on the existing grid-like pattern of streets and blocks, to be developed at the intersection of two private drives, Via Villagio and Via Piemonte. Oriented in an east-west alignment, Via Villagio will connect the proposed residential development, with the major retail and specialty shop sites to the east. Along the northerly side of Via Villagio, and at the four sides of the intersection with Via Piemonte, will be ground-level retail and restaurant uses, and may include offices on the second floors. Along the southerly side of Via Villagio, residential units will be constructed. Parking is provided for all retail/restaurant and office uses, with separate secured parking to be provided for residents, refer to Figure 3.1: Design Concept. On street parking will be provided for guests of residents.

The north-south Via Piemonte is aligned between the Citizens Business Bank Arena, and connects to Fourth Street at the northerly boundary. The intersection at Fourth Street will be widened and include a signalized intersection. The intersection of Via Villagio at Via Piemonte establishes a main activity node and focal plaza area, around which retail and restaurant uses will be constructed.

Site design and architectural themes between the residential and non-residential reflect a blending of contemporary urban Southern California design and Mediterranean influences. These architectural and design influences act as visual cues encouraging perception of a cohesive Piemonte development.

Supporting the urban setting, land use associations and configurations within the Piemonte Overlay provide for a mix of office, hotel, commercial, and high-density residential uses, interconnected by pedestrian and vehicle corridors, with interspersed activity areas.

### **3.2 ALLOWED USES**

Uses allowed within the Piemonte Overlay as a whole, and within each Specific Land Use are the same uses listed under the CR (Regional Commercial) zoning district in Table 5.02-1 (Land Use Matrix) of the Ontario Development Code, for



Note: The site design represented is conceptual in nature, and exemplifies one possible design scenario that has been developed in accordance with the design criteria of the Piemonte Overlay and may not represent ultimate building layout.



Figure 3.1: Design Concept

permitted, conditionally permitted, administratively permitted, and prohibited, with the following exceptions:

- High Density Residential uses are permitted in Subareas 1, 2 and 3.
- A gas station with a convenience store and a car wash is permitted in Subarea 1.
- Within the Residential Subareas, second floor individual offices above the separate, stand-alone garage buildings are allowed. The offices would be accessible via stairs, and would be rented only to existing residents of the same Subarea where the garage is situated. There would be a total of 3 to 6 offices, each about 14 feet x 14 feet. No other amenities, including bathrooms, would be included on the second floor. The offices would be rented to residents desiring an office (home occupation) separate from their apartment home. To limit traffic and parking needs, office tenants would not be allowed to entertain, consult with, or host clients or other third parties at their office.
- One office building is permitted facing 4th Street in Subarea 13; all remaining use are required to be Entertainment/Retail uses. Entertainment/Retail includes the following types of uses:
  - Food and beverage, experiential-oriented retail.
  - Craft sit-down and community table eateries.
  - Brewpubs, beer gardens, taverns, bars, clubs, wine bars distilleries.
  - Live music, or nightlife.
  - Outdoor patio dining and bar service.
  - Temporary Alcohol zones permitting transport of alcoholic beverages from one establishment to another within the zone may be established with an Administrative Use Permit granted pursuant to Section 4.03.105 of the Ontario Development Code.
  - Dining and entertainment destinations.
  - Special street events; including but not limited to farmers' markets and holiday events.
  - Loft or general offices permitted on upper floors.

- Related retail uses that support or complement the intent of entertainment commercial including small components of general and service retail, including up to one drive-through and up to three quick service retail (QSR) establishments that could be located within a single building not to exceed 10,000 square feet may be located in Subarea 13 along the eastern edge. One freestanding bank building is permitted.
- The following uses may be considered Retail Entertainment uses; however, they are also allowed in the other Commercial Land Use areas:

*Primary Objectives:*

*Secondary or Ancillary Objectives:*

- |  |   |
|--|---|
| <ul style="list-style-type: none"><li>• Bakery</li><li>• Banking</li><li>• Brewpub/Bars</li><li>• Candy Shop</li><li>• Cheese/Charcuterie Shop</li><li>• Coffee Shop</li><li>• Entertainment/<br/>Amusement</li><li>• Fast Food – for QSR</li><li>• Food or Beverage<br/>Specialty</li><li>• Ice Cream</li><li>• Produce/Farmers Markets</li><li>• Restaurant – Family and<br/>with Liquor</li></ul> | <ul style="list-style-type: none"><li>• Apparel – Activewear/Specialty<br/>(yoga, etc)</li><li>• Art – Dealers and Supplies</li><li>• Books – Store or Library</li><li>• Boutique Fitness – such as Barry’s<br/>Bootcamp, Orange Theory, Spin, etc.</li><li>• Florist</li><li>• Gift Specialties (Stationary/<br/>Office Supplies)</li><li>• Jewelry</li><li>• Museums</li><li>• Salon – Blowdry Bar/Barbershop</li><li>• Sound Recording Facilities</li><li>• Sporting Goods – Outdoor<br/>Sports Specialty</li><li>• Tobacco/Cigars</li></ul> |
|--|---|
- Uses are permitted to operate for 24 hours a day, subject to CUP and/or ABC requirements.
  - Notwithstanding anything to the contrary in this Overlay, any store, restaurant or other establishment which includes a vehicular drive-through (whether covered or not) shall be permitted in SA 1 or SA 13 (and only along the eastern edge of SA13).

In the northwest corner of SA6, one building including a QSR or a bank will be permitted; in the event the bank, includes an ATM/drive-through facility, such ATM/drive-through shall be located on the eastern or southern sides of the building and shall be sufficiently shielded from adjacent residential units such that any noise, light or use is mitigated to imperceptible levels within the residential units.

- Further, notwithstanding anything to the contrary in this Overlay, no building shall be situated at the southwest corner of SA 6 and no building shall be situated at the southeast corner of SA 13 without the prior written consent of the owner or owners of SA 7 and SA 12 in their sole and absolute discretion. A building shall be deemed to be situated at either corner for purposes of the preceding sentence if any outer wall of the building itself (but not retaining wall, perimeter wall, or other wall not supporting the building) is located within 30 feet of the property lines making up such corner.

### **3.3 GENERAL DEVELOPMENT STANDARDS**

Unless otherwise noted herein, Table 3.1: Piemonte Development Requirements lists the requirements applicable throughout the Piemonte Overlay.

#### **3.3.1 Setbacks**

Reflecting the urban design, buildings may extend up to public access/utility easement limits and prescribed setbacks, except as otherwise provided for herein. Precise building setbacks will be a function of final site and building design plans, and will be determined through City's review processes.

#### **3.3.2 Landscaping and Open Space**

All required setbacks from streets shall be permanently landscaped in an attractive manner with sidewalks, trees, shrubs, groundcover, and other supplementary materials. Low walls are permitted in the streetscape area. Please refer also to related discussions presented in Section 3.8.2 Landscape/Streetscape Development Regulations.

**Table 3.1: Piemonte Development Requirements**

	COMMERCIAL & ENTERTAINMENT/ RETAIL	OFFICE	SPECIAL USE/HOTEL	RESIDENTIAL	
<b>SETBACKS - BUILDINGS</b>					
<b>PUBLIC STREETS (MEASURED FROM P/L)</b>					
Fourth Street	30'	N/A	N/A	30'	
Haven Avenue	15'	N/A	N/A	N/A	
Duesenberg Drive	N/A	15'	N/A	N/A	
Ontario Center Parkway	N/A	15'	15'	15'	
Concours Street	15'	N/A	N/A	15'	
<b>PRIVATE DRIVES (MEASURED FROM FACE OF CURB)</b>					
Via Asti	20'	20'	N/A	14'	
Via Piemonte	20'	20'	20'	N/A	
Via Alba	16'	N/A	20'	14'	
Via Villagio	30'	N/A	N/A	20'	
<b>INTERIOR</b>					
Property Line	0'	0'	0'	5'	
<b>SETBACKS - PARKING LOTS</b>					
Fourth Street (measured from P/L)	15'	N/A	N/A	15'	
All other Public Streets (measured from P/L)	10'	10'	10'	10'	
Private Drives (measured from face of curb)	10'	10'	10'	5'	
<b>OTHER REQUIREMENTS</b>					
Minimum Building Separations			16'		
Maximum Building Coverage			75%		
Minimum Open Space/ Dwelling Unit	Common Active*	N/A	N/A	N/A	10' minimum dimension, 10' from residential units; 0' from recreation facilities
	Common Passive**	N/A	N/A	N/A	5' minimum dimension
	Subtotal Common Open Space (Common Active & Common Passive)	N/A	N/A	N/A	215 SF
	Private	N/A	N/A	N/A	50 SF; 6' minimum dimension
	Total Open Space	N/A	N/A	N/A	265 SF
Residential Storage Space***		N/A	N/A	N/A	160 CF

\* Includes club, business center, fitness facilities, and roof decks.

\*\* Include building setback areas and can be adjacent to residential units.

\*\*\*Adequate lockable private storage space shall be provided within a garage or storage building, or a space directly accessible from the dwelling. Exterior closets accessed from patios or balconies may be used if screened from public view.

### **3.3.3 Maximum Building Height**

There is no maximum building height except that all buildings shall comply with the height limits set forth in the ONT ALUCP. Furthermore, northern portions of the project area are located within the ONT ALUCP High Terrain Zone where buildings are limited to 70 feet in height. Refer to ONT ALUCP for more information regarding height criteria and policies.

### **3.3.4 Open Space**

Common Residential Open Space will be provided as identified Table 3.1: Piemonte Development Requirements. Please refer to related discussions presented under the SPA topical heading of "Landscape/Streetscape." Active open spaces shall be provided that include a pool and spa, clubhouse, dog park, and roof-top amenity deck and comply with the minimum requirements for common recreation amenities stipulated in Ontario Development Code Table 6.01-5, except as otherwise stated in Table 3.1: Piemonte Development Requirements of this document.

### **3.3.5 Parking**

Livability of a community can be greatly impacted by the type and availability of parking. In urban settings, parking can be uncoupled from individual units for practical design and financial reasons, enabling an environment that promotes pedestrian access over vehicular storage. Parking may be "un-coupled" from a use where a parking demand study validates the approach, enabling development of creative development that focuses on living, mobility and access over parking storage. There is the potential for reciprocal parking between Piemonte Overlay uses and the adjacent Citizens Business Bank Arena.

All on-site, off-site, and on-street parking will count toward a development's required parking calculations; all on-street parking used to meet vehicle parking requirements shall be shown on plans during the development review and/or Tentative Map approval process, and may only be allocated to a single parcel or development (if comprised of multiple parcels). Residential parking spaces may be located up to 250 feet from the assigned unit.



All development is highly encouraged to leverage transit, multi-modal, and shared parking opportunities to reduce required parking demand. Parking reductions may be achieved through shared parking, or other strategies that reduce the amount of area devoted to parking and to increase the use of alternative forms of mobility, as validated by a Parking Analysis Study as provided in Section 6.03.020 Reduction in the Required Number of Parking Spaces of the Ontario Development Code.

### **3.3.5.1 Minimum Parking Requirements**

Off-site parking and loading facilities for each of the Piemonte Overlay Land Use Subareas shall be provided pursuant to the requirements of Ontario Development Code Division 6.03 (Off-Street Parking and Loading), except that parking facilities for residential uses shall be provided as follows:

- Studio Unit – 1.0 space per unit.
- One bedroom unit – 1.0 space per unit.
- Two bedroom unit – 1.75 spaces per unit.
- Three or more bedroom unit – 2.0 spaces per unit.
- Residential guest parking – 0.2 space per unit. Guest parking shall be accommodated within the host lot/building, in common parking areas along abutting private drives, or on adjacent private drives.

### **3.3.6 Structured Wiring**

Residential (single-family and multi-family), commercial and industrial developments shall adhere to the City's Structured Wiring ordinance. An integrated structured wiring system (low-voltage wiring) provides infrastructure for today's technology applications and the framework for the future technology advances. Requirements and benefits of a structured wiring system include:

- Allows for uniform receipt and distribution of technology services.
- Ensures scalability of wiring for future technology advances.
- Provides consistent and identical wiring protocols throughout developments.

- Enables the property infrastructure to interface efficiently with broadband networks for highest bandwidth capacity.
- Adoption of these standards will minimize retrofitting required to ensure new property owners are capable of the latest technologies and services.

### **3.4 COMMERCIAL AND ENTERTAINMENT/RETAIL DESIGN GUIDELINES**

These two Land Use areas continue certain defining architectural elements evidenced elsewhere within the Piemonte Overlay e.g., archways, pitched roofs, articulated cornices, and accent elements. These elements will be incorporated and interpreted within the Commercial and Entertainment/Retail Land Uses, thereby establishing thematic design tie-ins with other Piemonte land uses, while providing flexibility to accommodate established corporate architectural features, building elevations, and footprints of nationally-recognized major tenants. These Land Uses will also incorporate other unifying thematic features and elements of the Piemonte Overlay including but not limited to: landscaping, streetscape, lighting, and signs.

Commercial, Entertainment/Retail, and Office building form and massing play a critical role in framing urban environments. Buildings should incorporate design and construction methods that add a human scale to the building massing and three dimensional detailing that casts shadows and creates visual interest on the facade.

- Buildings shall be oriented toward the street, where feasible, and designed to promote a pedestrian-friendly environment.
- Buildings may also be oriented away from the street, to frame interior courts, pedestrian walks and parking areas.
- Shadow patterns of adjacent buildings should be studied during the conceptual design phase so as to limit obstructed solar access.
- Blank walls facing Haven Avenue, Fourth Street, Concours Street and Ontario Center Parkway shall be avoided.

- Adjacent to the Via Villagio and Via Piemonte, building facades should consider a pedestrian orientation. This includes variation in massing, roof forms, and wall planes, and surface articulation. It is expected that the highest level of articulation will occur at front entries.
- Primary building entrances shall be clearly defined, visible and inviting. Building entrances shall incorporate one or more of the following:
  - Change in wall plane including recessed doors, archways, or enhanced trim around openings.
  - A projecting element above the entrance, such as an awning, shade device or architectural design feature.
- Loading and delivery areas should be clearly marked with directional signage and located to the side or rear of the structure.
  - Loading docks and service bays shall be a minimum of 20' from any public street.
  - Service and delivery areas should be placed away from Haven Avenue, Fourth Street, Concors Street and Ontario Center Parkway.
  - Loading or unloading of trucks is prohibited between 10 PM and 7 AM unless it can be demonstrated that such activities would not exceed the noise limits of the Development Code.
- Trash enclosures should be designed using similar materials and colors as the surrounding buildings within the development. They shall be sited where least visible to the public and shall be roofed to prevent exposure to wind and rainfall. Where feasible, trash enclosures should be combined among parcels and tenants and pedestrian access should be provided.
- Work areas, equipment, and outdoor storage shall be screened from public view or be designed to complement the architecture
- Buildings and on-site circulation systems shall be coordinated to minimize pedestrian and vehicle conflicts.
- Fire Department sprinkler assemblies shall be designed into the building or site plan, such that the assemblies are not in the public right-of-way or obstruct vehicle or pedestrian circulation.

### **3.4.1 Architectural Guidelines**

The architectural styles for the Commercial, Entertainment/Retail and Office areas include architectural styles complementary to the existing buildings within the OCSP and the new residential buildings. These architectural styles include:

- Contemporary.
- Main Street.
- Mediterranean.
- Agrarian Industrial.

Additional styles may be proposed; however, they must follow the same principles and attention to detail as the specific vernaculars listed here.

### **3.4.2 Contemporary Style Guidelines**

The Contemporary Style guidelines promote cutting edge architectural design appropriate to residential uses by using intersecting linear planes, flat roofs, cubic forms, wide overhangs, stacked stones, and the integration of landscape with the buildings. Exterior building materials may include stucco, concrete horizontal or vertical siding, brick or stone veneers, and metal accents.



**Table 3.2: Commercial Contemporary Style Guidelines**

ELEMENT	STANDARDS*	PERMITTED ENHANCEMENTS
Roof Components	<ul style="list-style-type: none"> <li>• Flat roof with or without ledges</li> <li>• Simple unadorned OR detailed parapet walls</li> </ul>	<ul style="list-style-type: none"> <li>• Accent roof features as appropriate</li> <li>• Signature towers OR vertical projections can extend above roof line</li> <li>• Cantilevered projections</li> <li>• Curved or arched roof</li> </ul>
Architectural Components	<ul style="list-style-type: none"> <li>• Utilitarian and “edgy”</li> <li>• Simple, clean forms</li> </ul>	<ul style="list-style-type: none"> <li>• Projections OR wall planes articulate facade</li> </ul>
Wall Materials	<ul style="list-style-type: none"> <li>• Stucco, metal, concrete OR cementitious siding</li> <li>• Contrasting wall materials and textures</li> </ul>	<ul style="list-style-type: none"> <li>• Asymmetrical facade</li> <li>• Horizontal OR vertical elements</li> <li>• Brick OR stone veneer</li> <li>• Metal accents</li> <li>• Concrete</li> <li>• Sunshades</li> <li>• Glass</li> </ul>
Trim & Details	<ul style="list-style-type: none"> <li>• Color blocking as appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Metal awnings OR overhangs</li> </ul>
Windows	<ul style="list-style-type: none"> <li>• Aluminum store front OR curtain wall</li> <li>• Variety of window patterns</li> </ul>	<ul style="list-style-type: none"> <li>• Larger window modules</li> <li>• Long ribbons of windows sometimes wrapping around corners</li> </ul>

\* All of the standard characteristics shall be incorporated into the design of any building using this architectural style. Variations shall be subject to review and approval by the City.





### **3.4.3 Main Street Style**

In the 19th century, typical Main Street architecture was built as a single building or in groups of buildings, with party walls. Brick store fronts could extend up to a block in length. These buildings varied in height from one to three or more stories. In urban settings, this style was often occupied by a business on the ground floor and offices, apartments or owner's residence above. Typically the building had a tripartite organization of base, middle and top. Entrances were located on- or off-center. The lower level was dominated by large windows framed by the building's corners and the panel of brick between floors. The upper levels sometimes included single or double bay windows, brick friezes, panels and decorative cornices. Other options include the use of corniced parapets, continuous sills or decorative lintels and string or belt courses dividing the wall laterally. The cornice functioned as a cap under which other elements were arranged and balanced.



**Table 3.3: Main Street Style Guidelines**

ELEMENTS	STANDARDS*	PERMITTED ENHANCEMENTS
Architectural Components	<ul style="list-style-type: none"> <li>• Simple box, multi-story 'storefront' form with accent elements at entries</li> <li>• Recessed doorways, tower elements OR applied architectural accents at entries</li> <li>• Tripartite organization of base middle and top through use of horizontal belt course, change in material or massing offset</li> </ul>	<ul style="list-style-type: none"> <li>• Multiple building heights created by varied parapets, towers, vertical projections at corners and cornice design</li> <li>• Balconies</li> <li>• Colonnade</li> <li>• Raised stoop</li> <li>• Decorative pilasters</li> <li>• Horizontal modulation of about 25'</li> </ul>
Roof Components	<ul style="list-style-type: none"> <li>• Flat roof with parapet</li> <li>• Roof pitches not applicable</li> <li>• Accent roof forms OR projecting awnings encouraged</li> </ul>	<ul style="list-style-type: none"> <li>• Decorative cornice detail that unified the facade OR provides variety</li> </ul>
Wall Materials	<ul style="list-style-type: none"> <li>• Stucco with accent materials (siding, brick veneer, metal, scored stucco in accent color, etc.)</li> <li>• Neutral and accented colors appropriate to the materials used</li> </ul>	
Trim & Details	<ul style="list-style-type: none"> <li>• Awning OR projecting feature accenting overall design</li> </ul>	<ul style="list-style-type: none"> <li>• Features borrowed from traditional American Main Streets, appropriate to scale and massing of building</li> </ul>
Windows	<ul style="list-style-type: none"> <li>• Vertical, may be single OR multi-paned on upper stories, often grouped</li> <li>• Large single-paned OR vertical multi-paned on ground floor</li> </ul>	<ul style="list-style-type: none"> <li>• Projecting OR angled awnings</li> <li>• Pedimented windows at ground level</li> <li>• Transoms</li> <li>• Storefronts may have bulkheads</li> </ul>

\* All of the standard characteristics shall be incorporated into the design of any building using this architectural style. Variations shall be subject to review and approval by the City.

### **3.4.4 Mediterranean Style Guidelines**

The Mediterranean style is a good example of a transplanted style developed in a climate zone similar to the Southern California climate. This old world prototype has been refined, adapted and embellished into a truly eclectic classic style. The shallow pitched hipped roof, often with decorative brackets, identifies this style.





**Table 3.4: Mediterranean Style Guidelines**

ELEMENTS	STANDARDS*	PERMITTED ENHANCEMENTS
Architectural Components	<ul style="list-style-type: none"> <li>• Simple box, multi-story 'storefront' form with accent elements at entries</li> <li>• Precast surrounds</li> </ul>	<ul style="list-style-type: none"> <li>• Medallions</li> <li>• Niches</li> <li>• Decorative Vents</li> </ul>
Roof Components	<ul style="list-style-type: none"> <li>• Flat roof with parapets or mansards and cornice elements OR hip ancillary roofs</li> <li>• "S" concrete tile if applicable</li> </ul>	<ul style="list-style-type: none"> <li>• Closed/shaped eave with corbels at accent elements</li> </ul>
Wall Materials	<ul style="list-style-type: none"> <li>• Stucco finish</li> </ul>	<ul style="list-style-type: none"> <li>• Brick OR stone accents</li> </ul>
Trim & Details	<ul style="list-style-type: none"> <li>• Awning OR projecting feature accenting overall design such as arcades, towers and loggias</li> </ul>	<ul style="list-style-type: none"> <li>• Horizontal belt course</li> <li>• Cast stone surrounds, precast trim</li> <li>• Base trim</li> <li>• Tile accents</li> <li>• Wrought iron grilles</li> </ul>
Windows	<ul style="list-style-type: none"> <li>• Arched, round top, OR pedimented accent windows at selected locations</li> </ul>	<ul style="list-style-type: none"> <li>• Paneled OR louvered shutters</li> </ul>

\* All of the standard characteristics shall be incorporated into the design of any building using this architectural style. Variations shall be subject to review and approval by the City.

### 3.4.5 Agrarian Industrial Style Guidelines

The Agrarian Industrial style has grown out of the early colonial development in the 1700s. As the American Frontier moved westward, the Agrarian style evolved according to availability of materials and technological advancements. Modern day architects have adapted this style to have an industrial twist with standing seam metal roofs and asymmetry. Roof ornamentation is a characteristic detail consisting of cupolas or weather vanes.



**Table 3.5: Agrarian Industrial Style Guidelines**

ELEMENTS	STANDARDS*	PERMITTED ENHANCEMENTS
Architectural Components	<ul style="list-style-type: none"> <li>• Simple box, multi-story 'storefront' form with accent elements at entries</li> </ul>	<ul style="list-style-type: none"> <li>• Protruding wood headers, decorative, exposed rafter tails</li> <li>• Wood posts with brackets</li> </ul>
Roof Components	<ul style="list-style-type: none"> <li>• Flat roof with parapets OR mansards OR gable OR shed roofs</li> </ul>	<ul style="list-style-type: none"> <li>• Wrought iron details,</li> <li>• Standing seam metal roofs</li> <li>• Couplas</li> </ul>
Wall Materials	<ul style="list-style-type: none"> <li>• Stucco finish</li> </ul>	<ul style="list-style-type: none"> <li>• Brick OR stone accents</li> <li>• Siding</li> </ul>
Trim & Details	<ul style="list-style-type: none"> <li>• Siding accents</li> </ul>	<ul style="list-style-type: none"> <li>• Siding accents</li> </ul>
Windows		<ul style="list-style-type: none"> <li>• Dormer window accents</li> <li>• Shutters</li> <li>• Divided lites</li> </ul>

\* All of the standard characteristics shall be incorporated into the design of any building using this architectural style. Variations shall be subject to review and approval by the City.



### 3.5 OFFICE DESIGN GUIDELINES

Architectural concepts developed for free-standing office buildings will reflect modern interpretations of classic design elements. For example, office buildings will evidence classical orders of architecture including pilasters, entablatures, and pedestals. Building features and elements are typically more massive and grand at lower levels, transitioning to smaller expressions at the upper levels, with attention to details such as cornices, multi-mullioned windows, and articulated moldings. The overall building organization and visual presentation may be symmetrical with axial entryways or non-symmetrical.



Figure 3.2: Conceptual "Class A" Office Building Elevation

In general, office uses are recognized as autonomous occupancies and will not necessarily reflect architectural features or design elements evidenced elsewhere within the Piemonte Overlay. However, office land uses will be thematically tied to other land uses by common site features such as landscaping, lighting, streetscaping, and sign elements.

Site features within the Office Land Use area will evidence materials and material contrasts employed elsewhere in the Overlay. Walkways, plazas, and other surface treatments evidencing flora recalling the Piemonte region could provide additional visual cues tying office land uses to other areas of the Overlay. Landscaping within the Office Land Use area may continue Italian-influenced planting schemes and landscape arrangements employed throughout the Piemonte site. For example, at the pedestrian level, plantings in planting beds, raised containers, and pots may be provided. Light fixtures on the building faces, walkway light bollards, and street lights, as well as street furniture selections within office properties will heighten this theme.

It is also noted that prominent signs proposed along Ontario Center Parkway and Concours Street will identify and announce the Piemonte site, and by visual inference, will include all adjacent properties northerly of these roadways, including proposed office land uses. Signs for individual office uses may also employ signature design elements common to other areas and land uses within the Piemonte site.

The more massive Class “A” office building concept to be implemented is presented in Figure 3.2: Conceptual “Class “A” Office Building Elevation. These major office structures will be located adjacent to Ontario Center Parkway. Other, one-and-two-story office buildings will be located to the west and east, proximate to Concours Street. At a reduced scale, one-and-two story offices will interpret the Class “A” office design elements described above.

*Piemonte Overlay at  
Ontario Center Specific Plan*



**Figure 3.3: Photographs of Existing Office Buildings in the OCSP**

### **3.6 SPECIAL USE/HOTEL DESIGN GUIDELINES**

One hotel is allowed within the Piemonte Overlay located at the northeast corner of Ontario Center Parkway and Via Piemonte, immediately north of the Arena in Subarea 10. The hotel will be constructed as an autonomous free-standing occupancy. The hotel architecture will incorporate modern designs and materials selections similar to those employed for office uses. The hotel is thematically tied to the other land uses by such site features as common landscaping treatments, streetscape elements, and signage.

Site features within the Special Use/Hotel Land Use area include materials and material contrasts employed elsewhere in the Overlay. Landscaping within the Special Use/hotel Land Use area continues southern Italian-influenced planting schemes and arrangements. For example, at the pedestrian level, generous plantings in both planting beds and raised containers and pots will include aromatics such as rosemary.

Additionally, at key locations and entrances, arbors and monument statements identify the hotel property as part of the Piemonte at Ontario Center. Walkways, plazas, and other surface treatments evidencing the themes of grapes and flora recalling Italy's Piemonte region provide additional visual cues which tie hotel land use to other areas.

It is also noted that prominent signs proposed along Ontario Center Parkway and Conours Street identify and announce the Piemonte Overlay, and by visual inference, will include the adjacent hotel property northerly of these roadways. Signs for hotel use may also employ signature design elements common to other areas and land uses within the Piemonte Overlay.

## **3.7 RESIDENTIAL GUIDELINES**

### **3.7.1 Site Planning Criteria**

The following site planning criteria should be treated as design guidelines for parcel site planning and community placemaking.

#### **3.7.1.1. Planning for Active Spaces**

- Building massing, design, and setbacks shall reinforce a pedestrian-scale for the street scene without generating unusable pockets or dead spaces.
- Buildings are encouraged to be built to the minimum setback line to create a continuous street edge.
- Buildings should be oriented toward streets, pedestrian pathways and/or active spaces.
- Where building design undulates, spaces along the pedestrian realm should be large enough to foster visual interest, but not too deep to disrupt the continuity of the street.
- Coordination between parcels is encouraged for building scale, massing, architecture, and pedestrian amenities.
- Open spaces and community facilities should be visible from adjacent dwellings to help promote site safety.

#### **3.7.1.2 Privacy**

Privacy is an important consideration in residential and mixed use site planning. Innovative site planning and design techniques should be used to preserve privacy while promoting social opportunities. In particular, windows of units should be located to minimize visual intrusion on neighbors' bedroom windows. Thoughtful and innovative techniques, including landscaping, should be incorporated where appropriate to provide privacy to residents.



### **3.7.1.3 Drive Aisle Treatments**

Drive aisle areas have evolved from purely functional space to a space that residents experience daily, and may include front doors and garage access. Design of these areas shall address the functional and aesthetic features to create a pleasant experience for residents. At least three of the following shall be implemented along the parking areas:

- Massing offsets (layered wall planes, recesses or cantilevers) of at least 6 inches.
- Window trim, colors, and selected details from the front elevation.
- Pedestrian gates.
- Enhanced garage door patterns or finishes.
- Variety of garage doors using color or design elements.

Fire Department connections, sprinkler post indicator valves, fire hydrants, and standpipes will be installed and screened as required by NFPA 13, 24, and City of Ontario standards.

### **3.7.1.4 Trash Enclosures**

- Refuse and recyclable materials storage areas shall be enclosed consistent with paragraph 6.01.010.F.4 Refuse Storage Areas of the Ontario Development Code, except that trash enclosures may be attached to structures.
- All refuse/recyclable materials areas, mechanical devices, and utility area screening shall be finished using materials, vocabulary, and details compatible with the surrounding architecture.
- Gates shall be view-obstructing and constructed of decorative tubular steel, painted to match or complement the adjacent buildings.
- All refuse/recyclable material enclosures shall be constructed with a solid roof to prevent exposure to wind and rainfall.

### **3.7.2 Residential Building Form and Massing**

Building form and massing play a critical role in framing urban environments. Buildings should incorporate design and construction methods that add a human scale to the building massing and three dimensional detailing that casts shadows and creates visual interest on the facade.

- The highest level of articulation shall occur on the elevations facing the street or drive.
- All elevations shall include wall plane offsets to add visual interest consistent with the following:
  - Massing offsets (layered wall planes, recesses or cantilevers) of at least 6 inches.
  - Window trim, colors, and selected details from the front elevation.
- The overall composition of massing, scale, material, color, and design detail is more important than the level of articulation.
- Prominent vertical or horizontal building features may be used to accentuate key elements and provide variation in wall planes.
- Projections, overhangs, and recesses should be used to enhance shadow, articulation, and scale of primary edges.
- Architectural elements that create shadow, relief, and sheltered pedestrian areas, such as balconies, trellises, recesses, overhangs, awnings, stoops, and porches are encouraged.

### **3.7.2.1 Roofs**

Roof forms contribute to the overall building design and have a large impact on the mass, scale, and design of the community where visible from the street level where visible.

- Roof design shall incorporate variation in roof forms such as an aesthetic combination of changes in plane, form, ridgelines, and/or heights appropriate to the architectural style.
- Roof forms, material, and fascia elements shall be consistent with the overall design vocabulary of the building and should appear authentic.
- Variety in pitch (sculpted).
- Roof vents should be painted to match or contrast the color of the roof material.
- Fascia design should be complementary to the architectural vernacular.
- Skylights, if used, shall be designed as an integral part of the roof; “bubble” skylights are not permitted. Skylight framing materials should be bronze anodized or colored to match the adjacent roof materials.

### **3.7.2.2 Parapets**

If parapets are used, one or more of the following detail treatments should be included:

- Pre-cast or simulated pre-cast elements.
- Contiguous banding or projecting cornice.
- Dentils.
- Caps.
- Corner details.

### **3.7.2.3 Materials and Detailing**

Architectural detailing of building facades is a key feature of quality design. Special attention is required in the treatment of entries (doors, vestibules, porches, courtyards) using enhanced trim or details to emphasize these as primary focal points. Articulated or unique window treatments further enhance wall surfaces, can provide shade and wind protection, and contribute to the character of the neighborhood.

- All building elements, such as materials and color, detail elements (porches, balconies, courtyards, awnings, surface treatments, and materials), and functional elements (garage door lights, exterior stairs, guardrails, gutters, downspouts, screen walls, electrical enclosures, or similar features) should be integral to the buildings design, consistent with the architectural vernacular of the building, and complement the surrounding neighborhood.
- Construct buildings using quality materials to create a community of character and long-term value. A variety of materials and textures shall be incorporated within the design theme of the community.
- Durable, quality materials designed to appear as an integral part of the design shall be used.
- Material changes should occur at intersecting planes, preferably at inside corners of walls or other meaningful locations where architecture elements intersect.
- Garage doors should have varied door patterns, colors or finishes.

### **3.7.2.4 Functional Elements**

- All roof-mounted equipment shall be screened from ground level view through the use of parapets or other effective architectural elements.
- Ground mounted equipment and meters shall be visually concealed and designed to not detract from the architecture of a building.
  - Air conditioning units shall be screened by walls or landscaping a minimum of 6 inches taller than the equipment and located away from project amenities, except when located in courts and lanes with limited or no screening.

- Where possible, group equipment.
- Electrical meters should be ganged and located behind doors.
- Natural gas meters should be grouped.
- Mechanical devices such as exhaust fans, vents, pipes, gutters, and downspouts shall be painted to match adjacent surface, or colored to match accent colors.

### **3.7.2.5 Color Palette and Application**

The color and materials palette should be selected with the design objectives of avoiding monotony, provide depth and interest with a variety of colorful schemes, and promoting visual diversity.

- Colors should complement the architectural style and overall color scheme of the building.
- Selected finish materials should be appropriate in their use and application, be durable, and of high quality.
- Color blocking, or the use of multiple colors, should be used only where appropriate to the architectural style.
  - Changes should occur at logical termination points, generally at inside corners.
  - Field color used at the base of the building should continue down to the foundation or finished grade.
- Accent colors should be used on architectural features and ornamentation elements.
- Grout colors should harmonize and blend with the colors found in the stone rather than contrast with it.
- All exposed woodwork, beams, posts, railings, etc. should be colored to match the fascia.
- Trim colors on window trim and recesses should be complementary but discernible from the building color.

### **3.7.3 Contemporary Architectural Style**

All residential buildings shall have a fresh and Contemporary style suited to the more urban setting within the OCSP area. Based heavily on the modern remodeling of warehouse spaces to contemporary and “hip” loft or flat spaces, this style is suited for dense residential buildings in neighborhoods that blend business, industry, and living in a single environment.

The Contemporary style includes simple and clean forms detailed with materials, projections and windows for indoor/outdoor living. The style emphasizes interlocking volumes with a collage of colors and materials. Architectural elements such as awnings, balconies, and trellises can be appended to the volumes, allowing indoor/outdoor spaces to be created. Vertical and horizontal elements provide interest to the residential structures. The roofs may be flat with parapets, sloped, or a combination of both. Windows should be placed in areas to overlook common areas and increase surveillance for these areas. Refer to Table 3.6: Residential Contemporary Style Guidelines.

#### **Contemporary Elements:**

- Plan form is more cubic, expressed in bold, simplified forms.
- Roofs are typically shielded by parapets and may have accent roof features such as curves, gables, hips or sheds.
- Wall materials typically consist of stucco, metal, brick, stone and/or siding; it is recommended that design be comprised of at least two different surface materials.
- Projections to articulate facades are typical and may include building wall planes, awnings, overhangs, canopies, window trim or accent roof forms.
- Braces in conjunction with projections are typical.
- Windows are typically a primary feature of the elevation; design sometimes includes groupings, unique size or shape or oversized and symmetrical mullions.
- Handrails and guardrails enhance the elevations.
- Color blocking is typical.

**Table 3.6: Residential Contemporary Style Guidelines**

ELEMENT	STANDARDS*	PERMITTED ENHANCEMENTS
Roof Components	<ul style="list-style-type: none"> <li>• Flat roof with or without ledges OR shallow pitched roofs with broad low facing gables and hips</li> <li>• Simple unadorned OR detailed parapet walls</li> <li>• Concrete flat tiles</li> <li>• Wide eave overhangs OR no overhangs</li> </ul>	<ul style="list-style-type: none"> <li>• Accent roof features as appropriate</li> <li>• Signature towers OR vertical projections can extend above roof line</li> <li>• Varied roof heights</li> <li>• Shed roof</li> <li>• Cantilevered projections</li> <li>• Roof decks</li> </ul>
Architectural Components	<ul style="list-style-type: none"> <li>• Utilitarian and “edgy”</li> <li>• Simple, clean forms</li> </ul>	<ul style="list-style-type: none"> <li>• Projections OR wall planes articulate facade</li> </ul>
Wall Materials	<ul style="list-style-type: none"> <li>• Stucco, metal OR cementitious siding</li> <li>• Contrasting wall materials and textures</li> </ul>	<ul style="list-style-type: none"> <li>• Projections OR horizontal banding between floors</li> <li>• Asymmetrical facade</li> <li>• Horizontal OR vertical elements</li> <li>• Brick OR stone veneer</li> <li>• Metal accents</li> <li>• Concrete</li> <li>• Sunshades</li> <li>• Glass</li> </ul>
Trim & Details	<ul style="list-style-type: none"> <li>• Color blocking as appropriate</li> </ul>	<ul style="list-style-type: none"> <li>• Metal awnings OR overhangs</li> <li>• Metal, cable, glass OR panel balcony railings</li> </ul>
Windows	<ul style="list-style-type: none"> <li>• Variety of window patterns</li> <li>• Minimal trim</li> </ul>	<ul style="list-style-type: none"> <li>• Simple industrial dark window trim</li> <li>• Larger window modules</li> <li>• Long ribbons of windows sometimes wrapping around corners</li> <li>• Nontraditional window shapes and placements</li> <li>• Glass blocks</li> <li>• Round windows</li> <li>• Bay windows</li> </ul>
Entries	<ul style="list-style-type: none"> <li>• Understated</li> </ul>	

\* All of the standard characteristics shall be incorporated into the design of any building using this architectural style. Variations shall be subject to review and approval by the City.

## **3.8 LANDSCAPE**

### **3.8.1 Landscape/Streetscape Design Guidelines**

The Piemonte Overlay landscape concept merges the vineyard influences of the Piemonte region of northern Italy with contemporary low-water use plant material. Skyline palms act as “way-finding” features and provide appropriate scale to this vertical urban environment. Pedestrian-scaled canopy shade trees, as well as bold colors and foliage textures of the understory plant material, enhance the streetscape walking experience. This understory will be rich in varieties of ornamental grass, succulents, and flower groundcovers creating this semi-arid and environmentally sustainable landscape environment.

Plant materials will be derived from an arid environmentally sustainable palette, including Olives, Oaks, and Palms. Areas of low water-using shrubs, groundcovers and ornamental grass shall also be employed where appropriate. Other major components of the Piemonte landscape/streetscape concept include pedestrian paths and sidewalks linking the Piemonte Overlay with surrounding areas. Refer to Figure 3.4: Characteristic Landscape Features.

Lighting will be employed throughout to highlight pedestrian areas, reinforce architectural character, and enhance safety and security. Thematic lights and light standards along major streets and within parking areas will act as defining and cohesive design elements, identifying properties as components of the Piemonte Overlay.

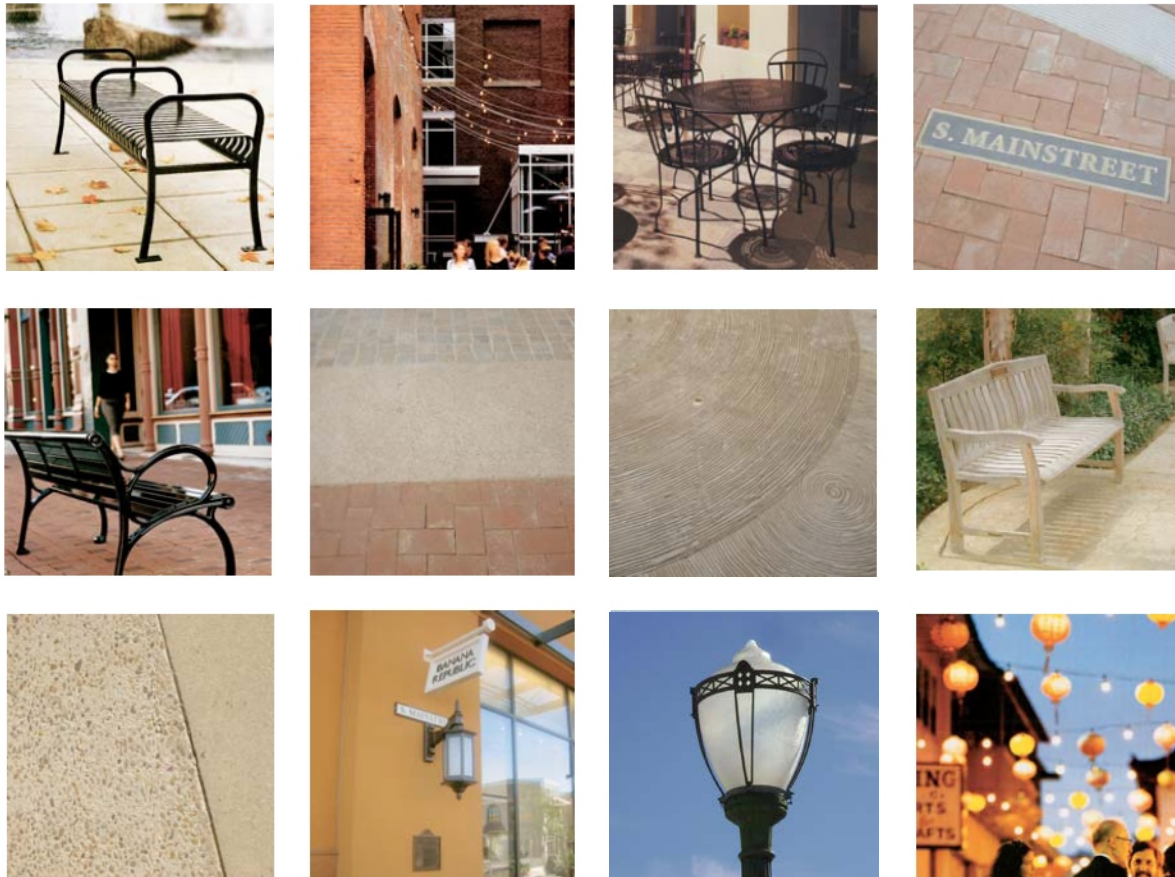
Other characteristic and defining design elements of the landscape/streetscape concept will include distinctive monumented entries, pedestrian amenities, and detailed accents such as potted plants. Enhanced paving and embossed/engraved surface treatments will be provided at key locations reinforcing a sense of place.





**Figure 3.4: Characteristic Landscape Features**

Characteristic examples of hardscape features to be provided within the Piemonte site are illustrated in Figure 3.5: Characteristic Streetscape Features. Figure 3.6: Landscape Section Location Diagram identifies locations which provide illustrative examples of landscape/hardscape features. Subsequently, Figures 3-8 through 3-10 illustrate integration and application of these features within the Piemonte Overlay.



**Figure 3.5: Characteristic Streetscape Features**

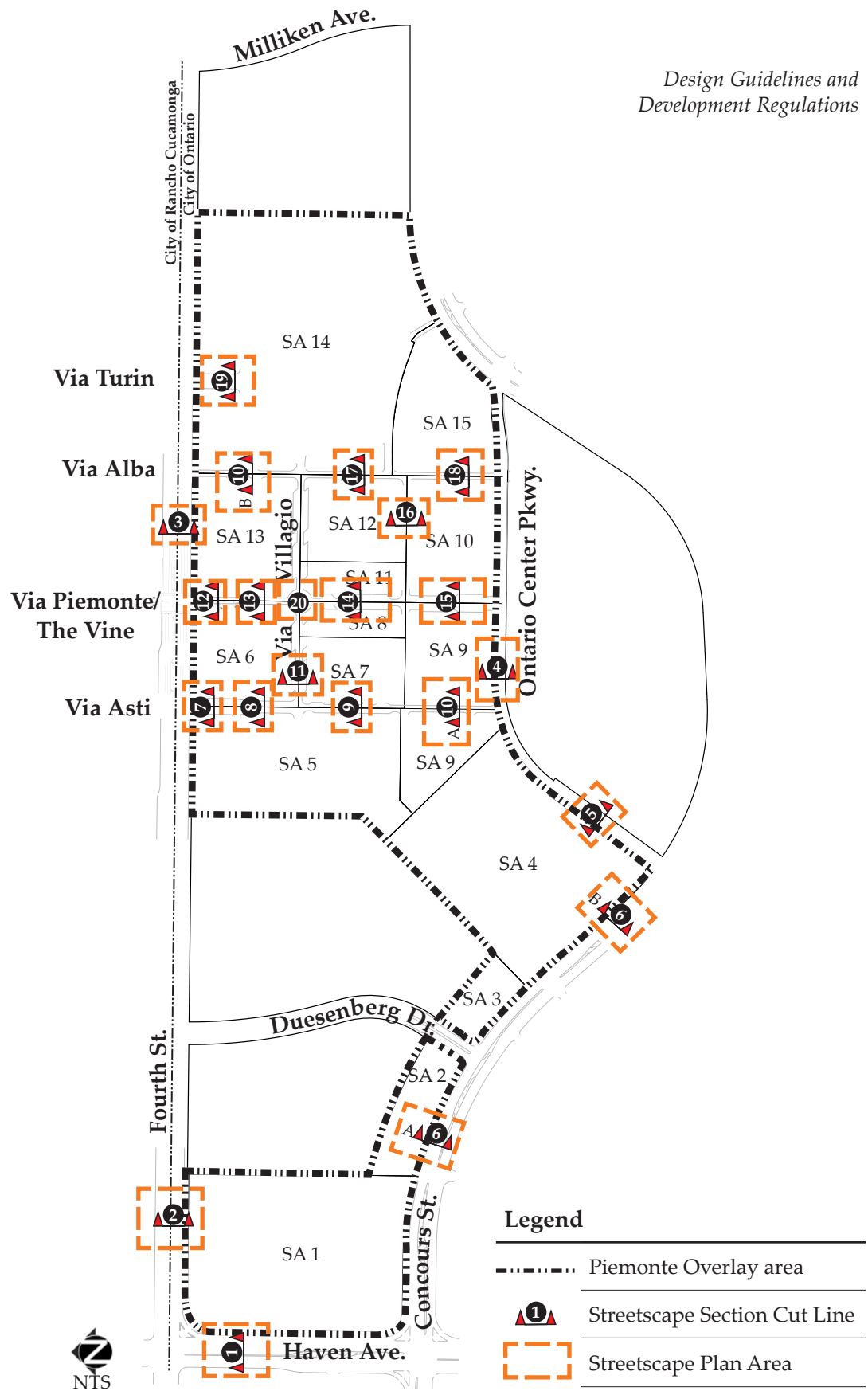
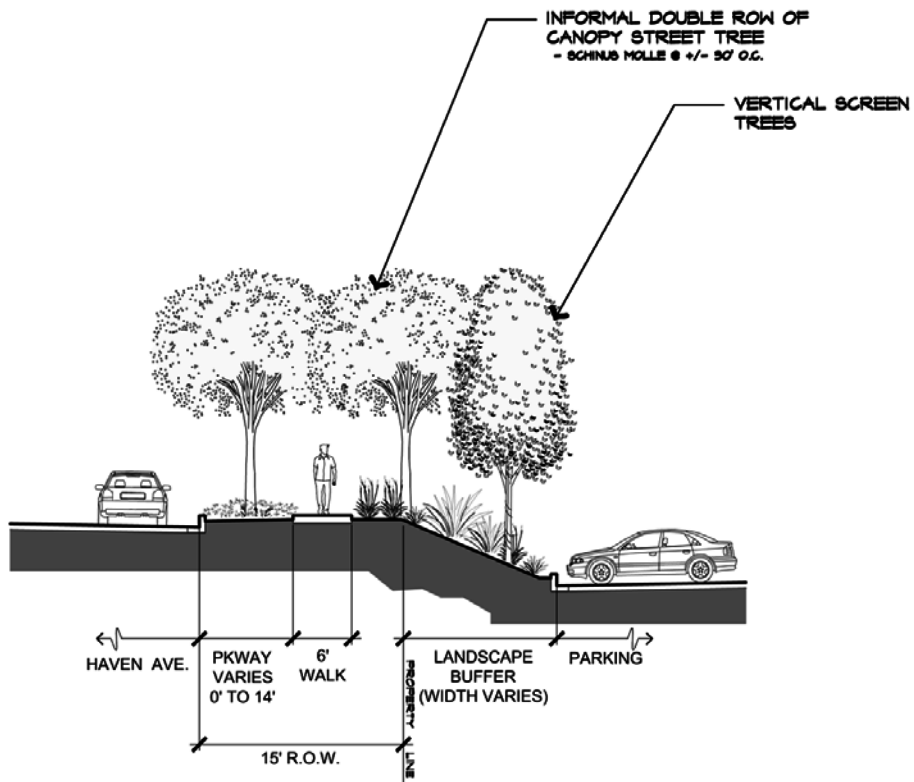
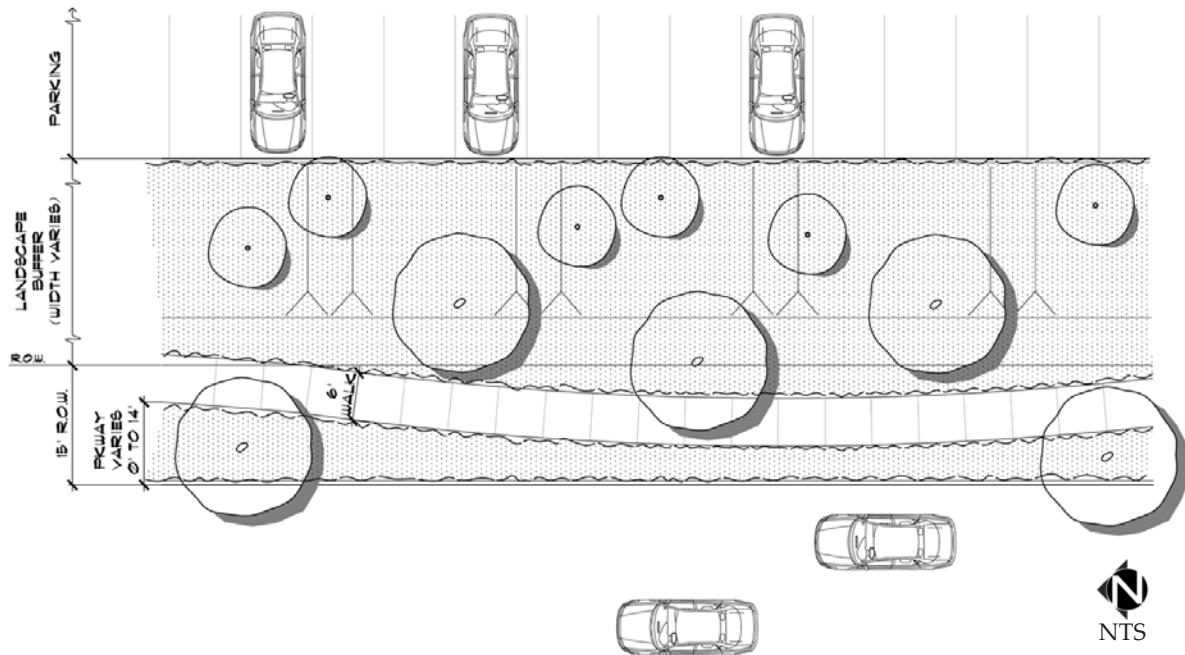


Figure 3.6: Landscape Section Location Diagram

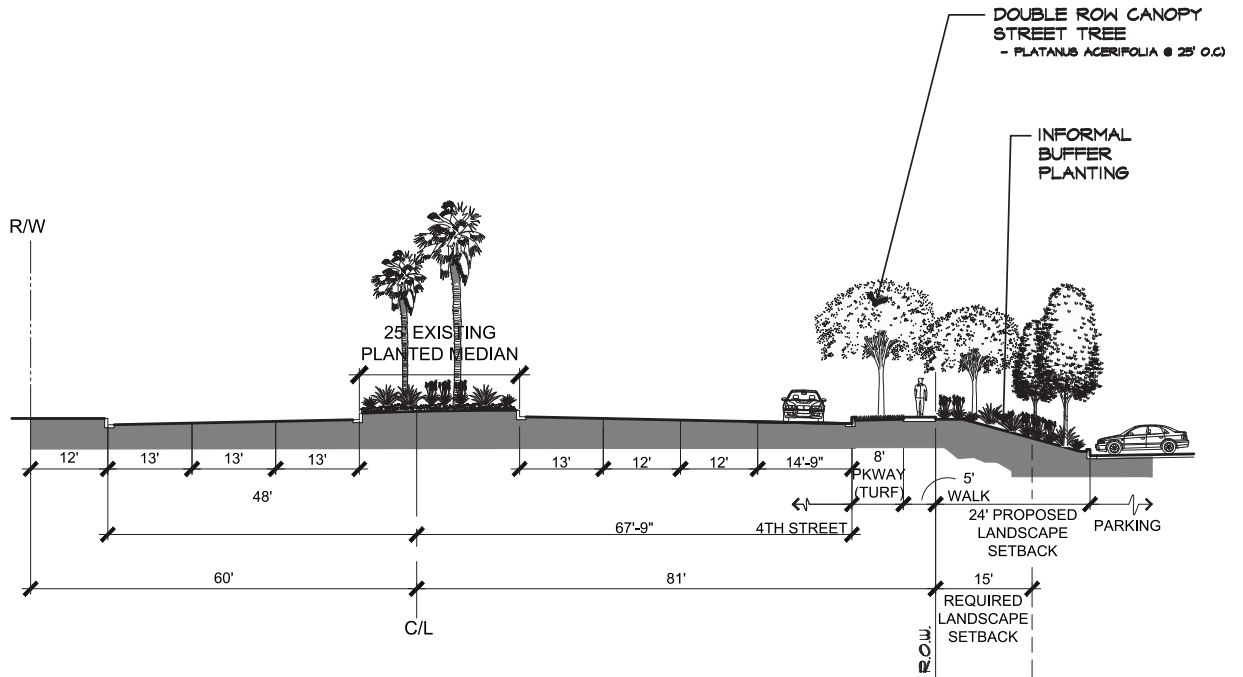


1. Haven Avenue Section

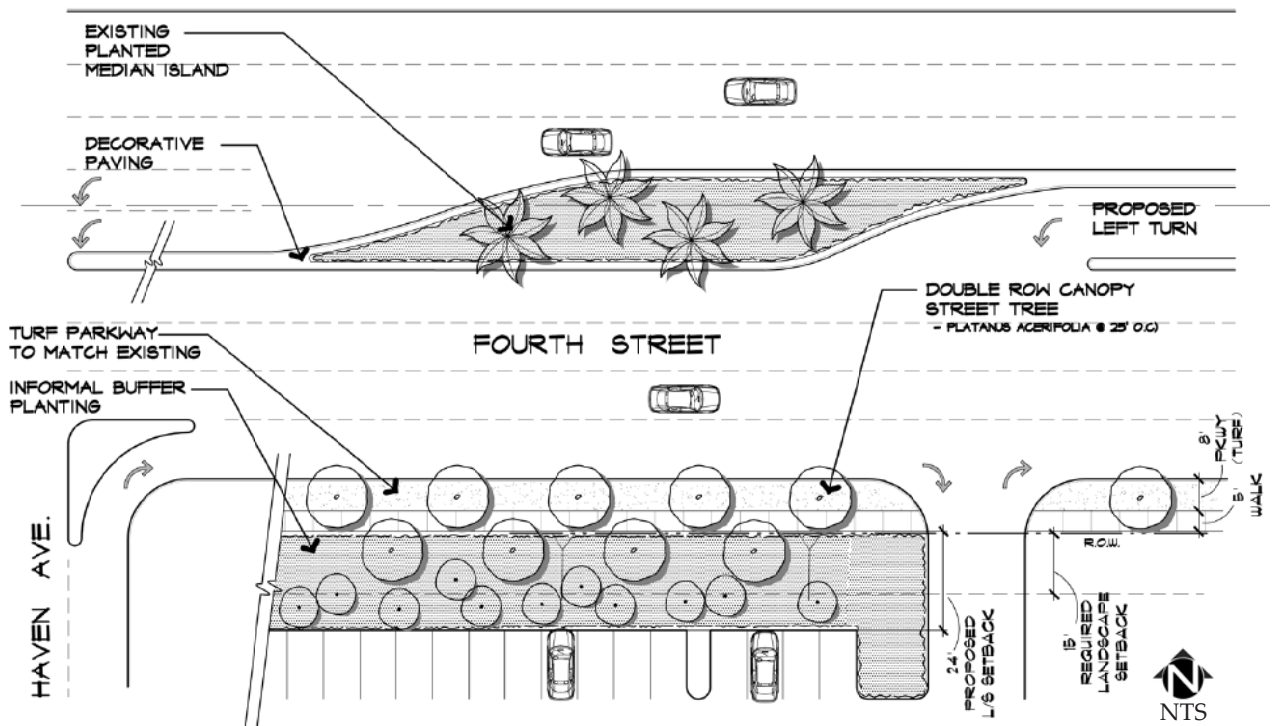


1. Haven Avenue Plan

Figure 3.7a: Haven Ave. Public Streetscape Section and Plan



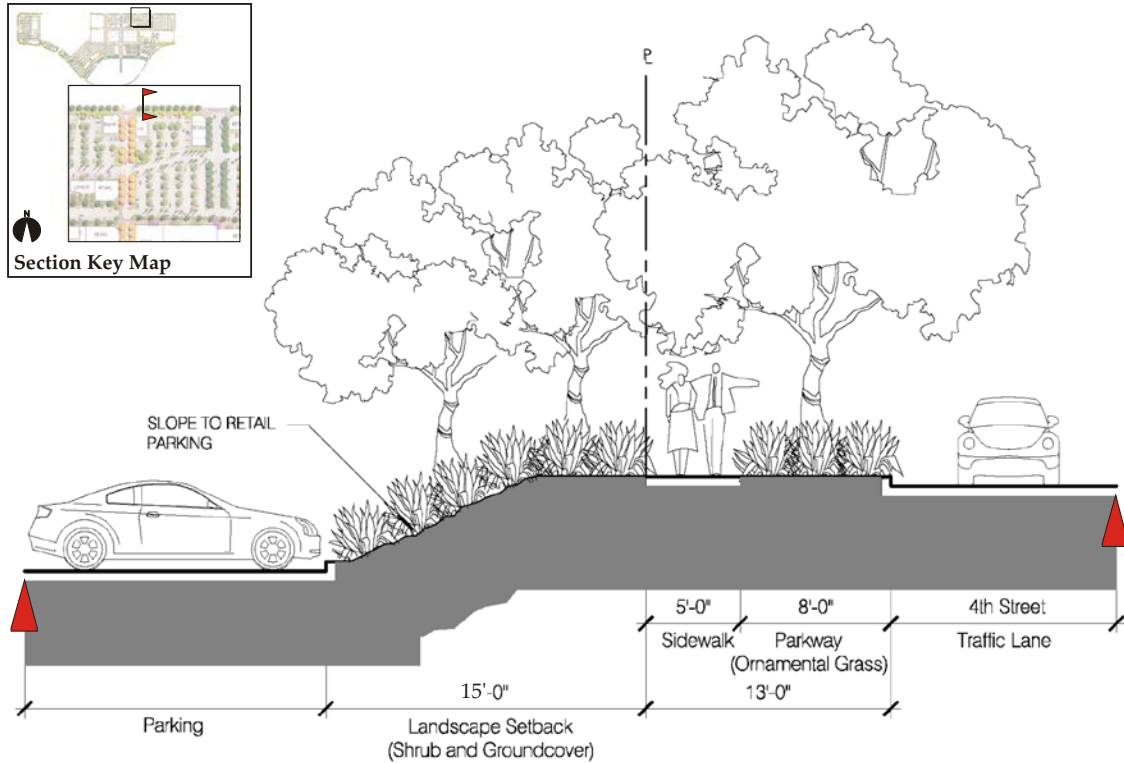
2. Fourth Street (East of Piemonte) Section



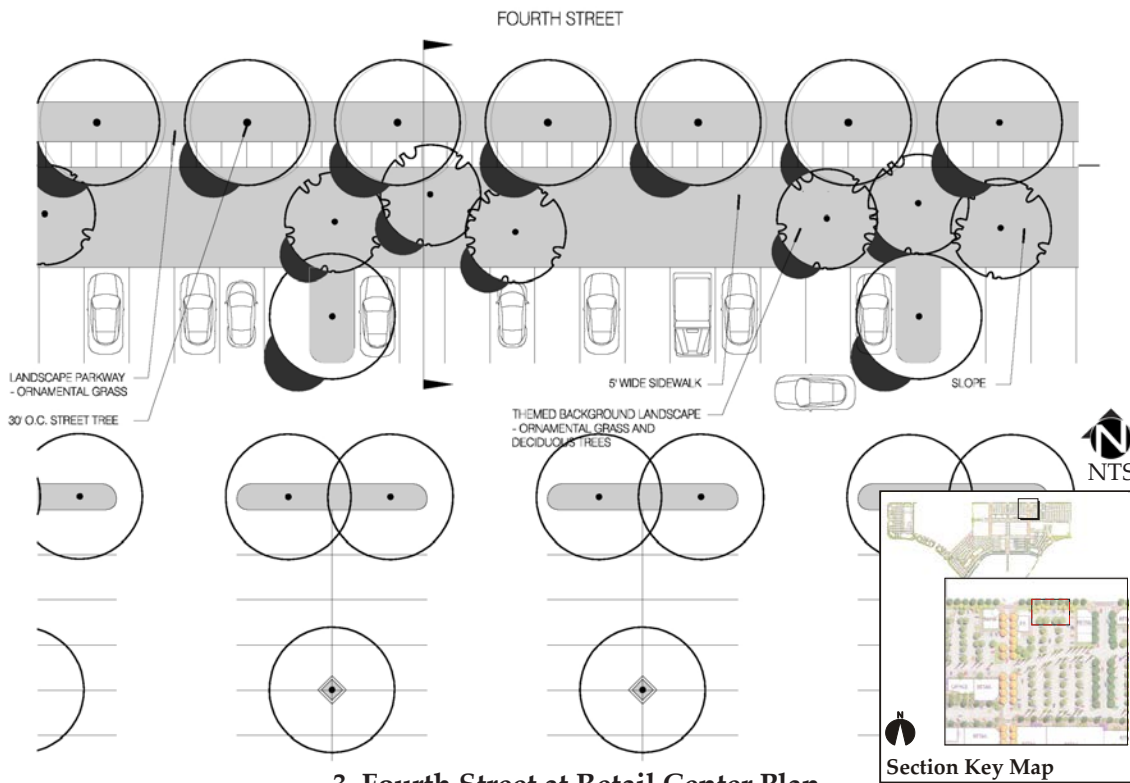
2. Fourth Street (East of Piemonte) Plan

Figure 3.7b: Fourth Street (East of Piemonte) Public Streetscape Section and Plan

Piemonte Overlay at  
Ontario Center Specific Plan



**3. Fourth Street at Retail Center Section**



**3. Fourth Street at Retail Center Plan**

Figure 3.7c: Fourth Street at Retail Center Public Streetscape Section and Plan

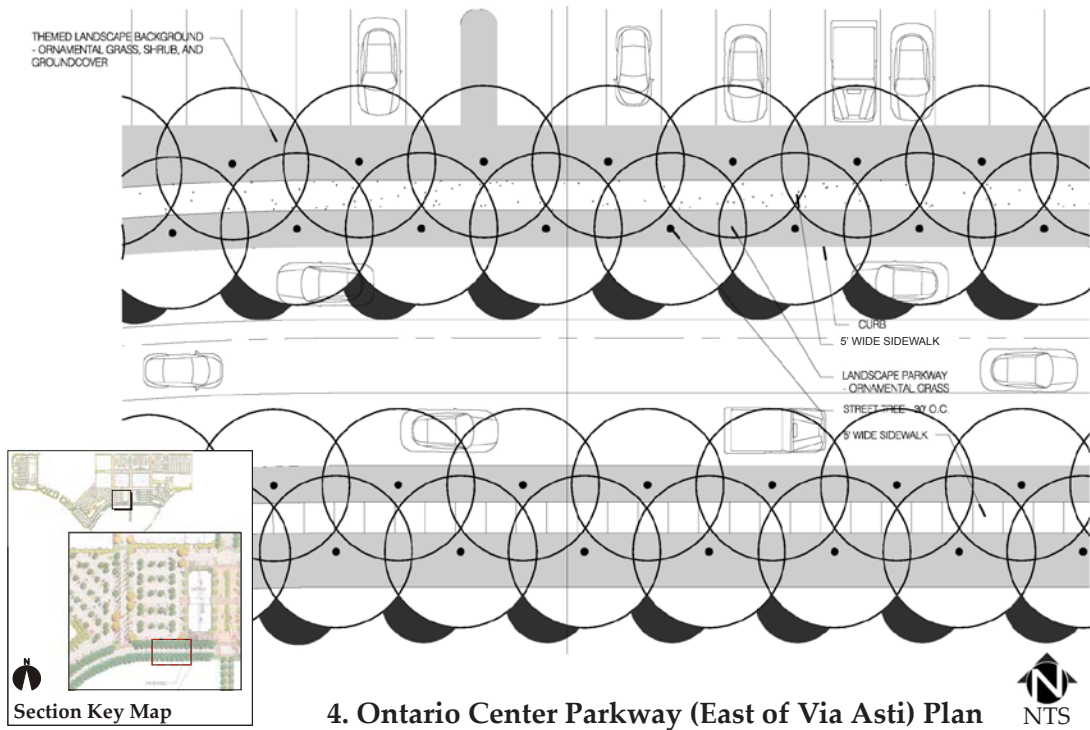
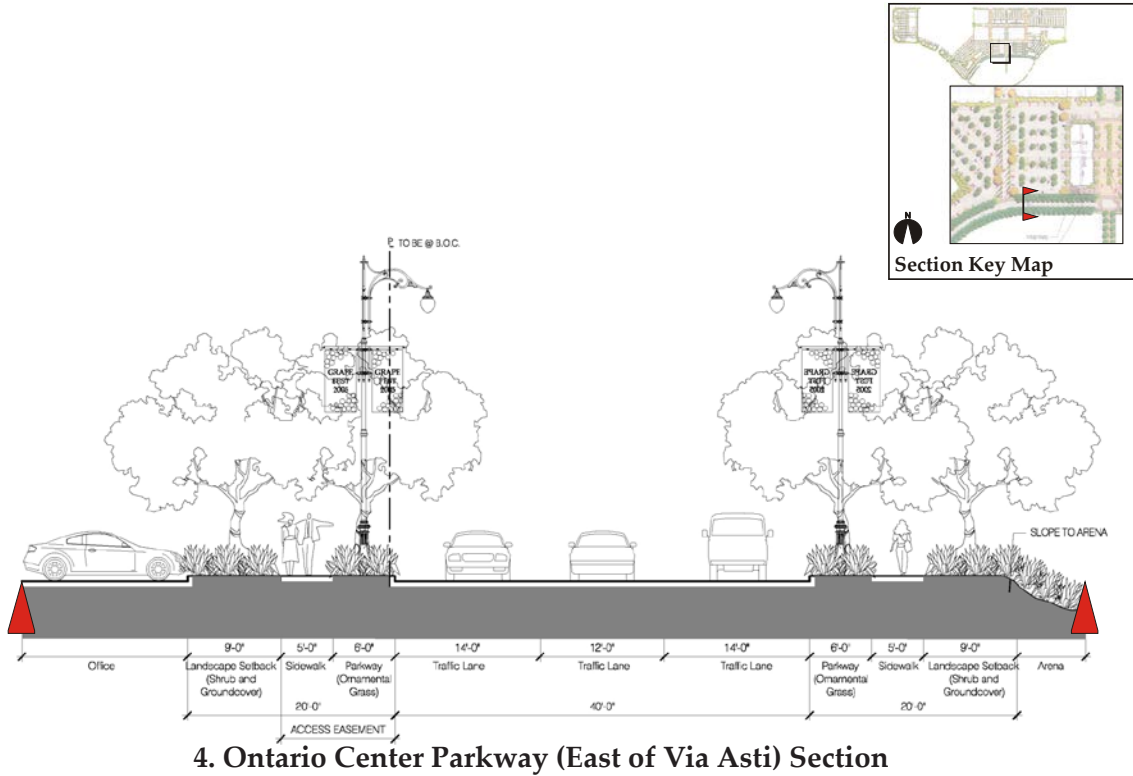
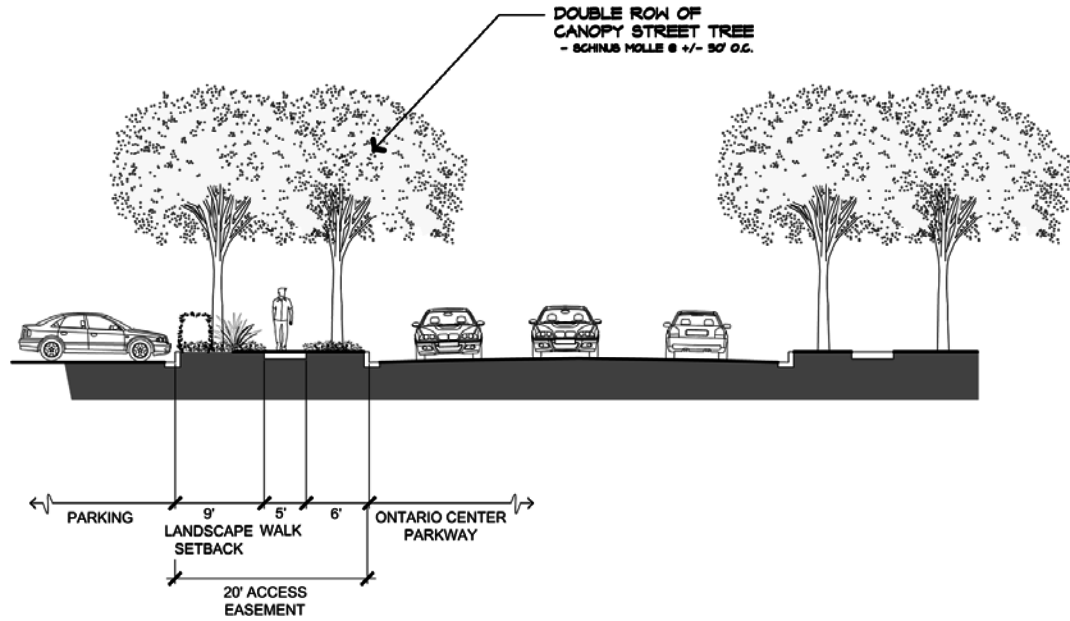
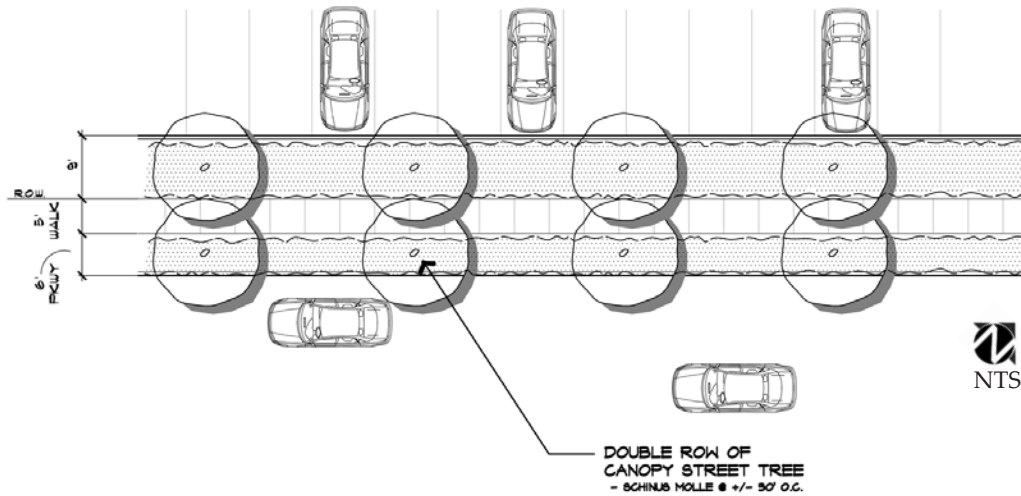


Figure 3.7d: Ontario Center Parkway (East of Via Asti) Public Streetscape Section and Plan



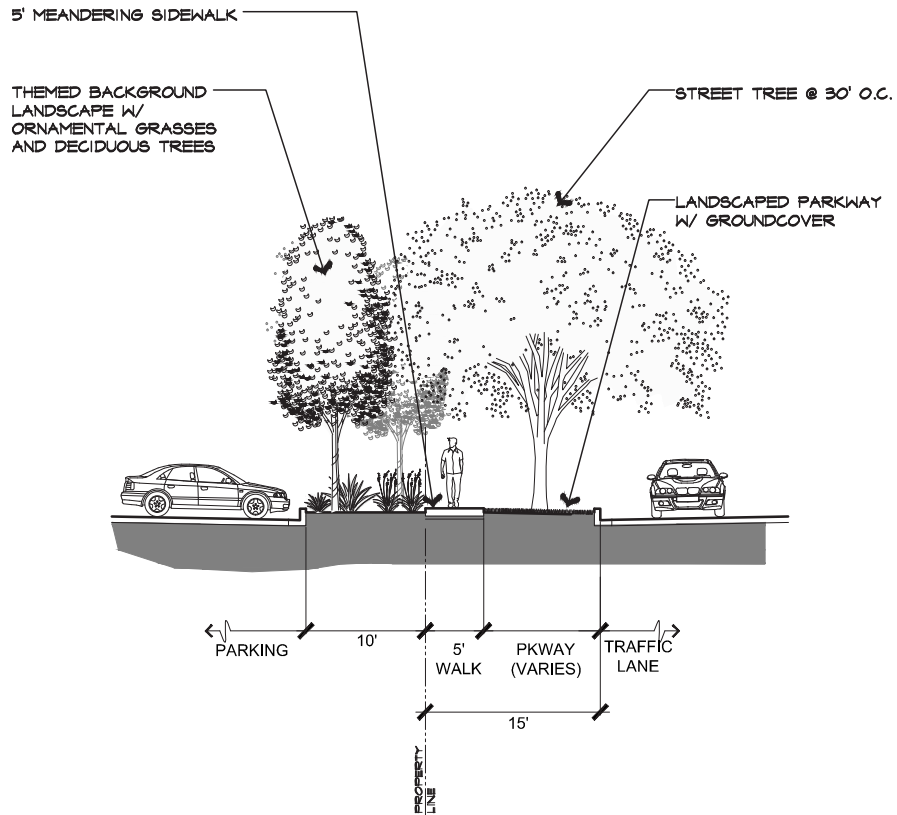
5. Ontario Center Parkway (West of Via Asti) Section



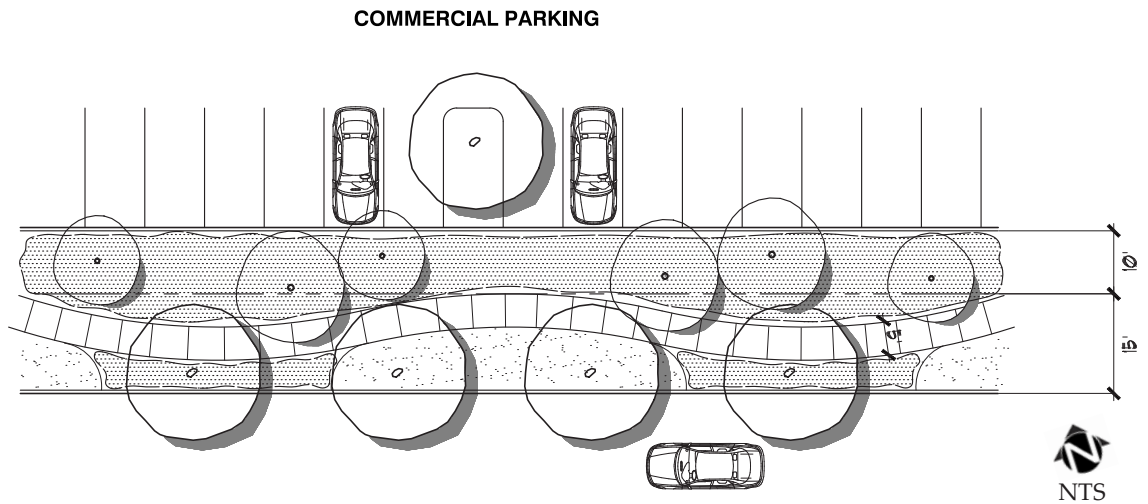
5. Ontario Center Parkway (West of Via Asti) Plan

Figure 3.7e: Ontario Center Parkway (West of Via Asti) Public Streetscape Section and Plan



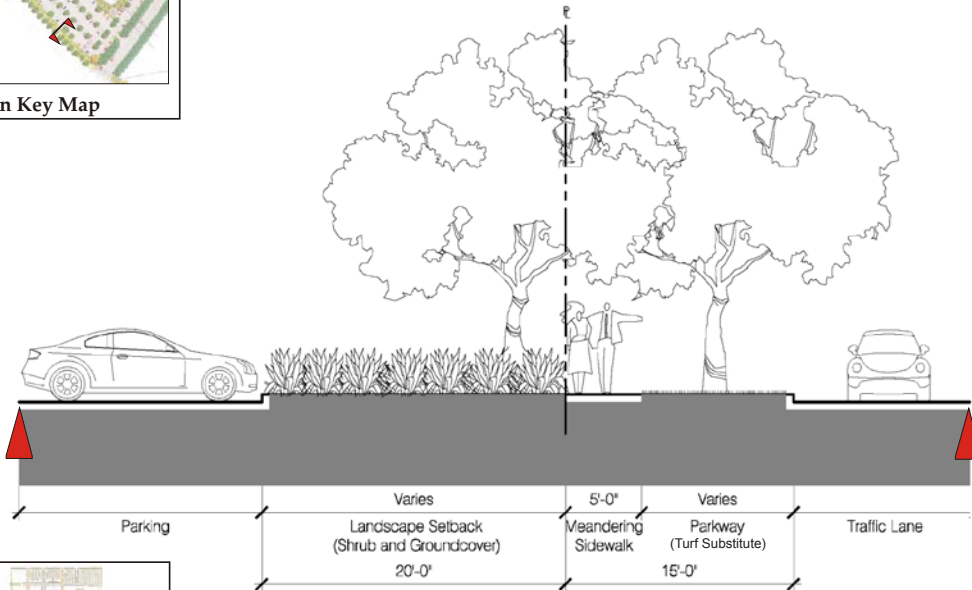


6A. Concours Street (West of Duesenberg Dr.) Section

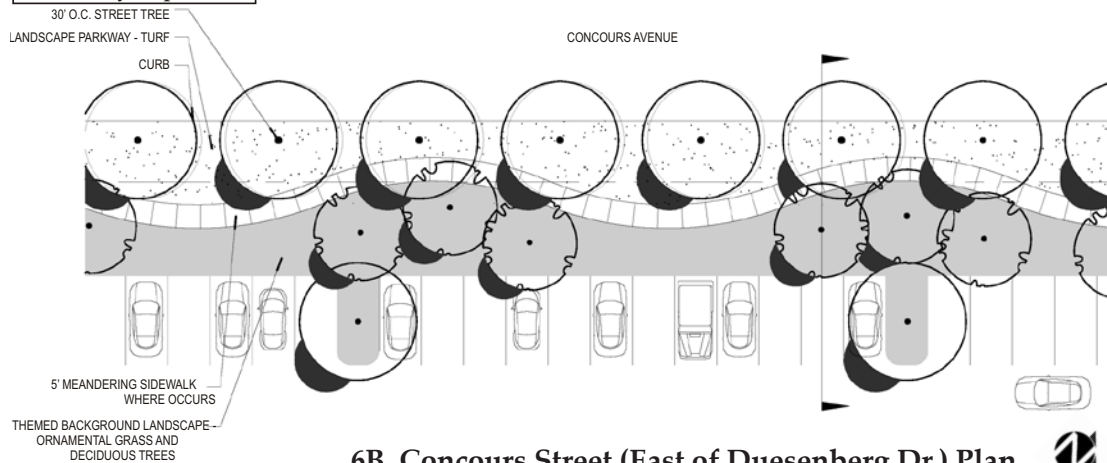
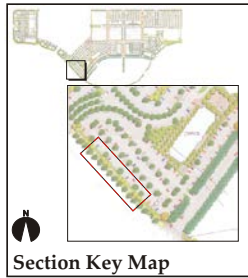


6A. Concours Street (West of Duesenberg Dr.) Plan

Figure 3.7f: Concours Street (West of Duesenberg Dr.) Public Streetscape Section and Plan



6B. Concours Street (East of Duesenberg Dr.) Section

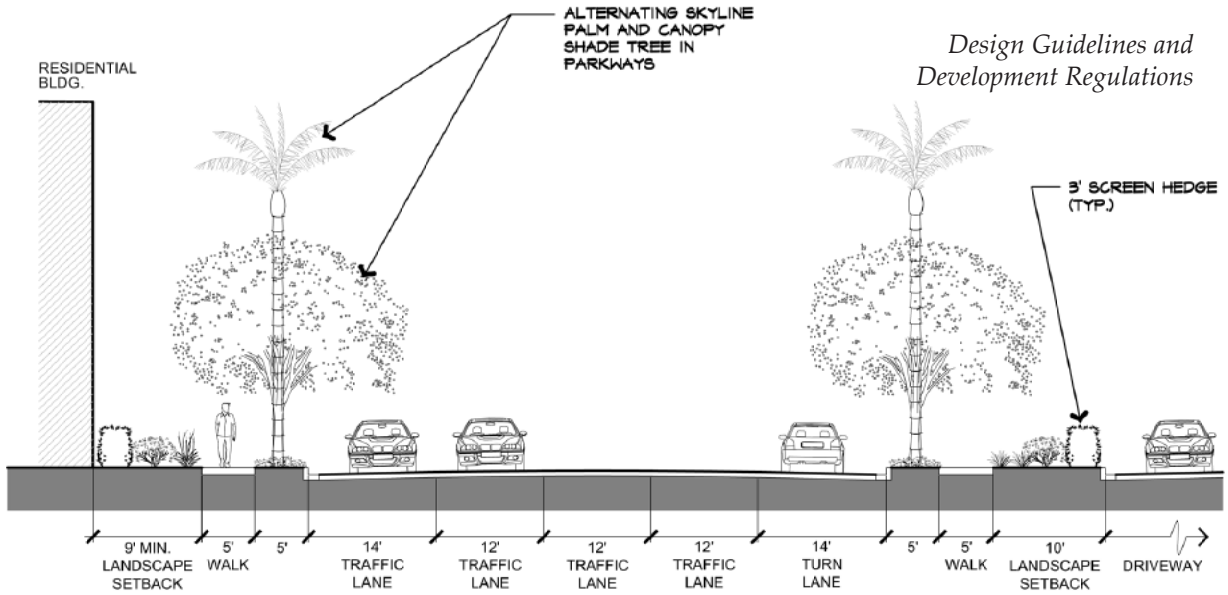


6B. Concours Street (East of Duesenberg Dr.) Plan

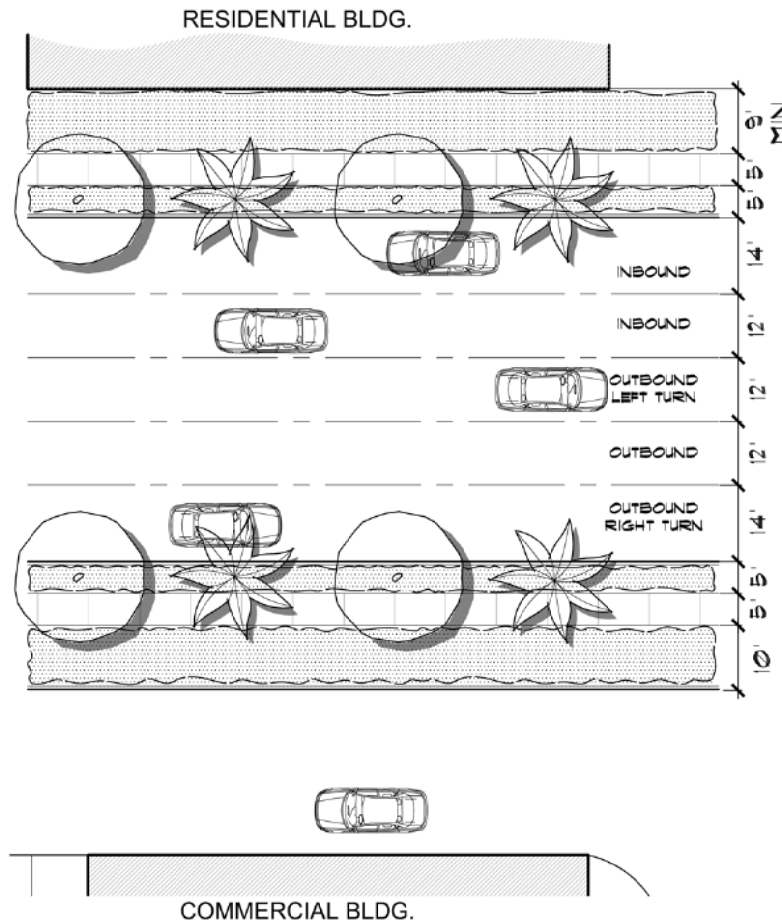


NTS

Figure 3.7g: Concours Street (East of Duesenberg Dr.) Public Streetscape Section and Plan



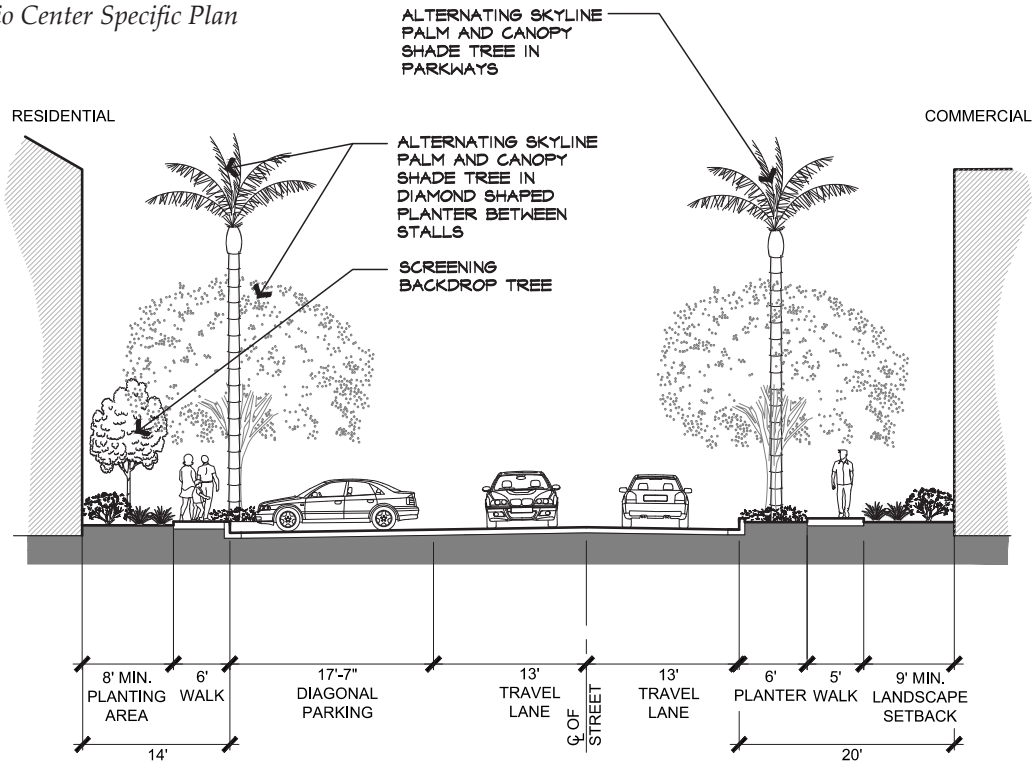
7. Via Asti - North Section (North Entrance) Section



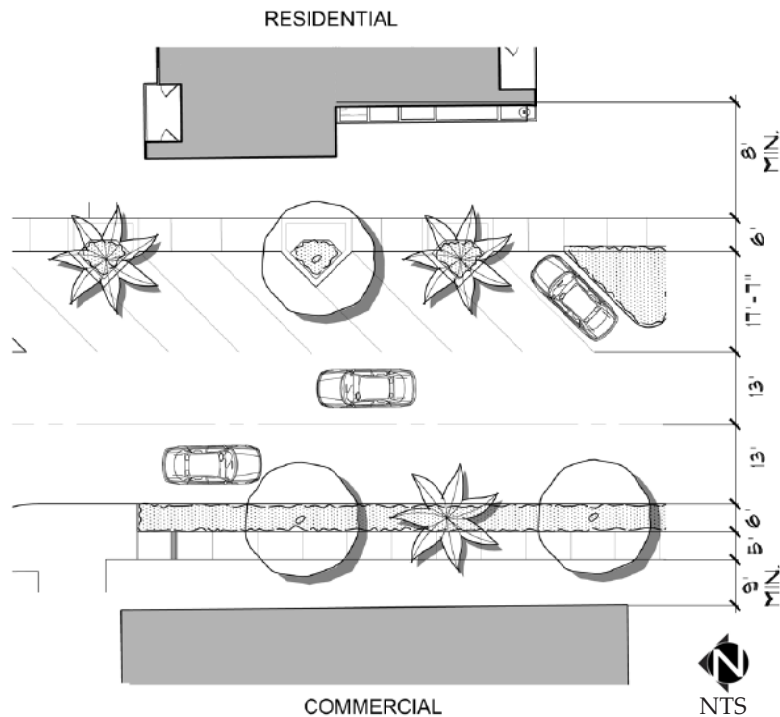
7. Via Asti - North Section (North Entrance) Plan



Figure 3.8a: Via Asti - North Section (North Entrance) Private Streetscape Section and Plan

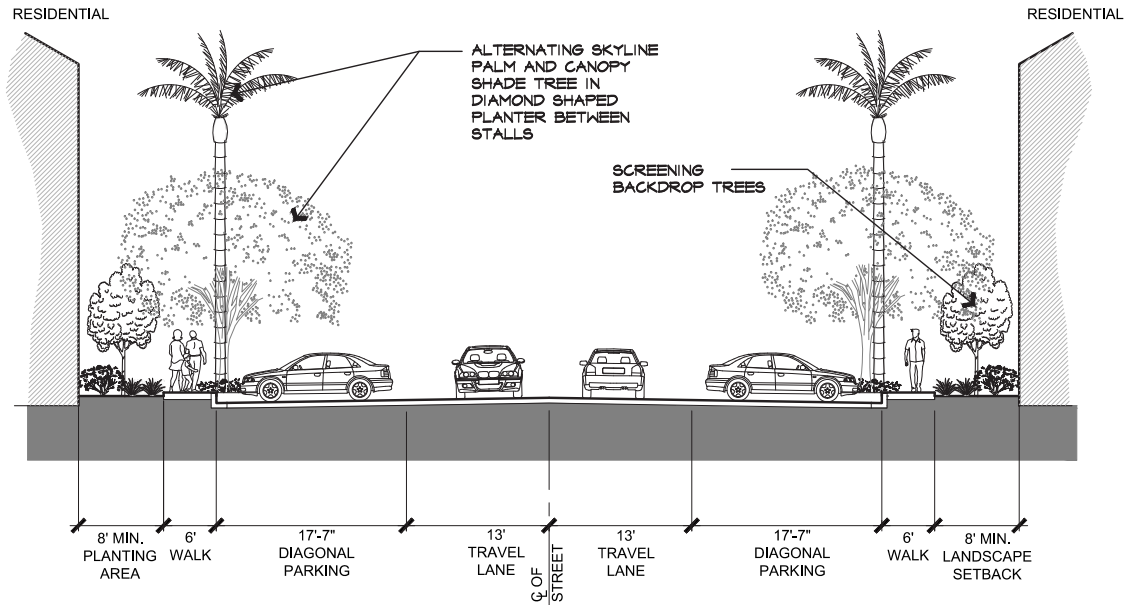


8. Via Asti - Middle Section (North of Via Village) Section

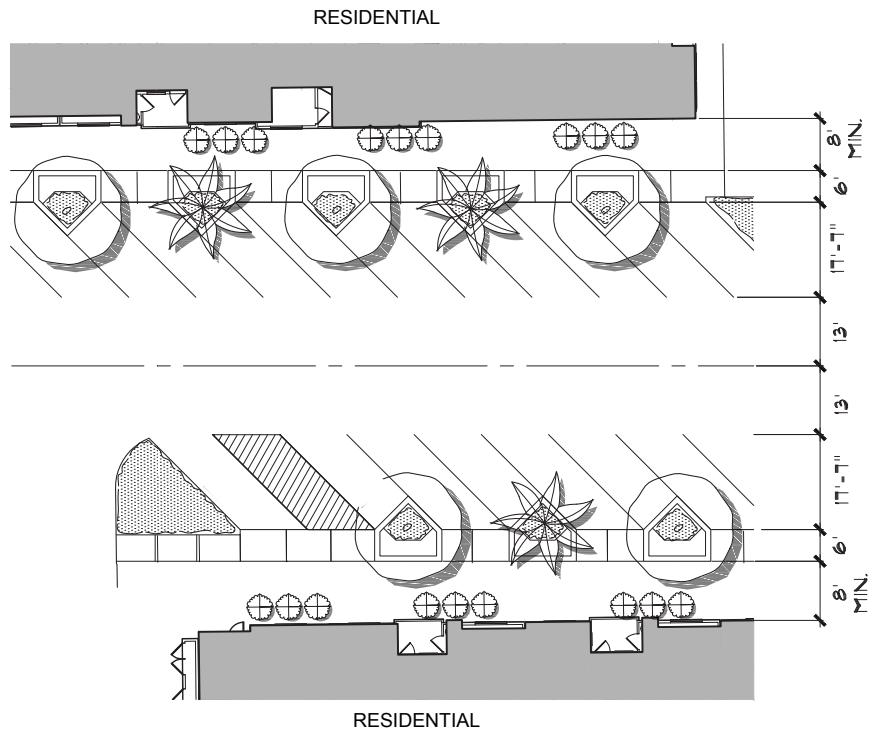


8. Via Asti - Middle Section (North of Via Village) Plan

Figure 3.8b: Via Asti - Middle Section (North of Via Village) Private Streetscape Section and Plan

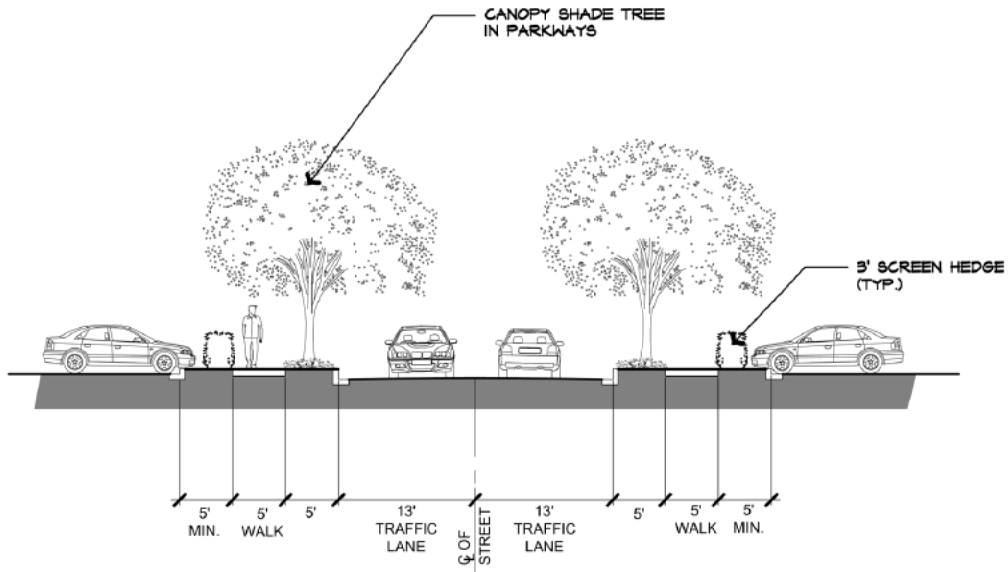


**9. Via Asti - Middle Section (South of Via Villago) Section**

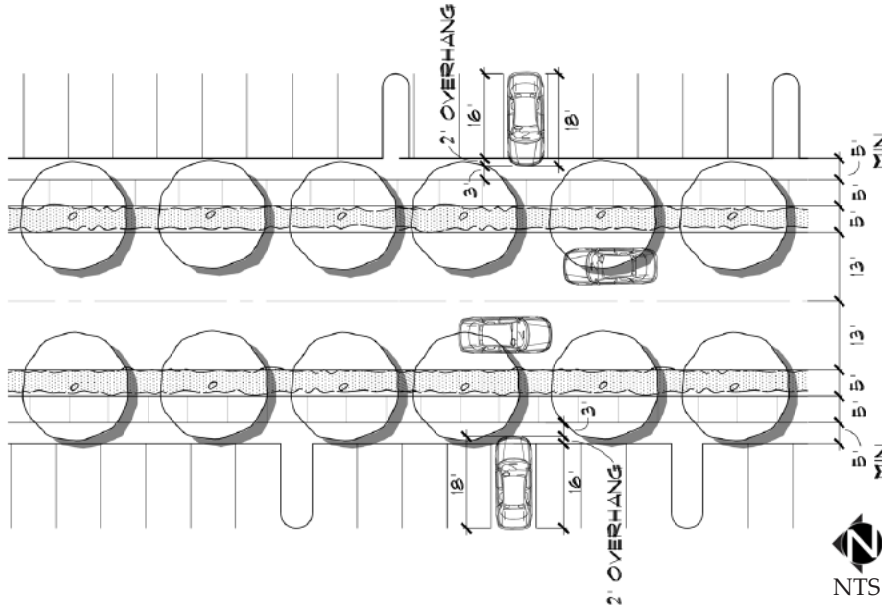


**9. Via Asti - Middle Section (South of Via Villago) Plan**

Figure 3.8c: Via Asti - Middle Section (South of Via Villago) Private Streetscape Section and Plan

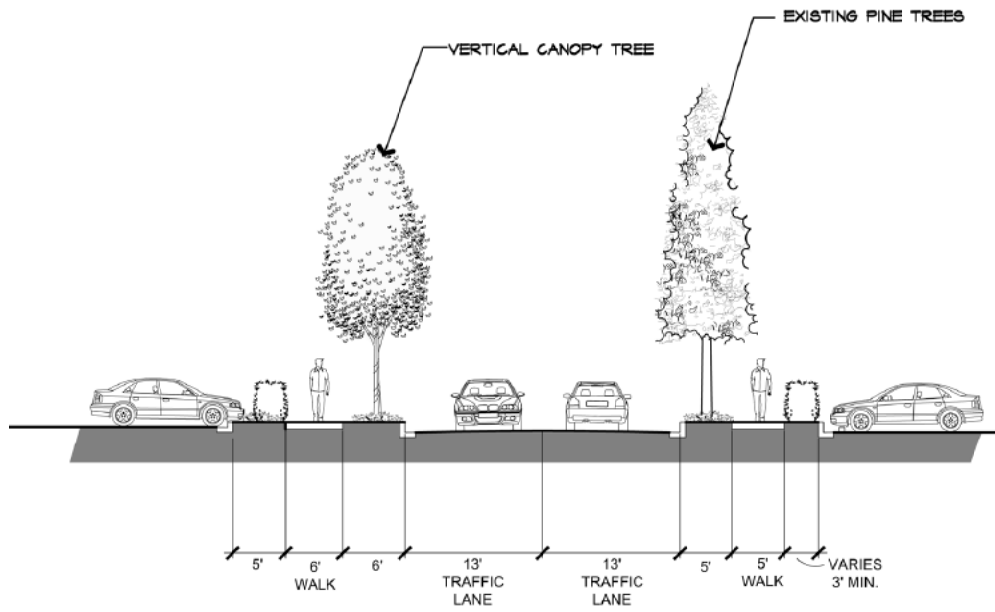


10a. Via Asti - South Section (North of Ontario Center Parkway)

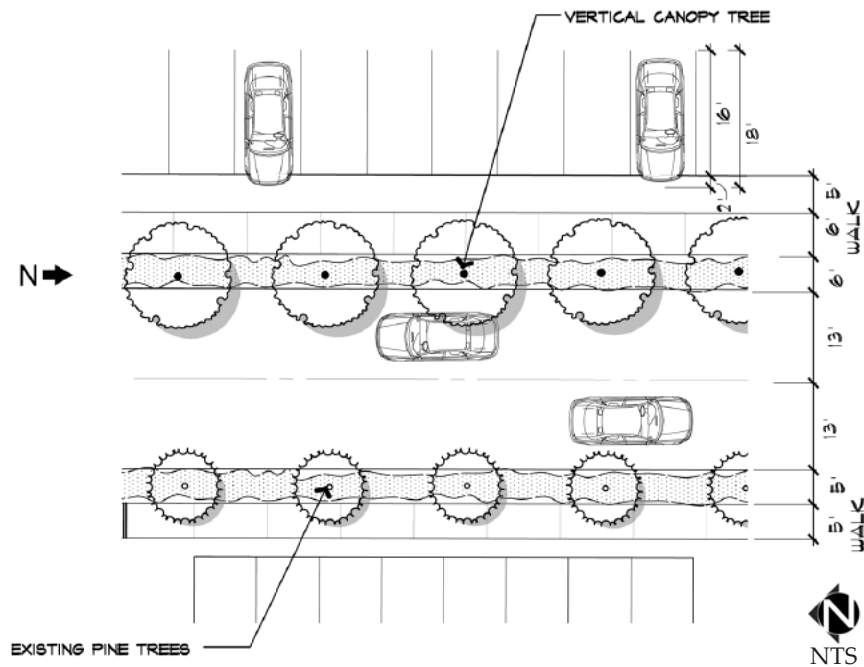


10a. Via Asti - South Section (North of Ontario Center Parkway)

Figure 3.8d: Via Asti - South Section (North of Ontario Center Parkway) Private Streetscape Section and Plan

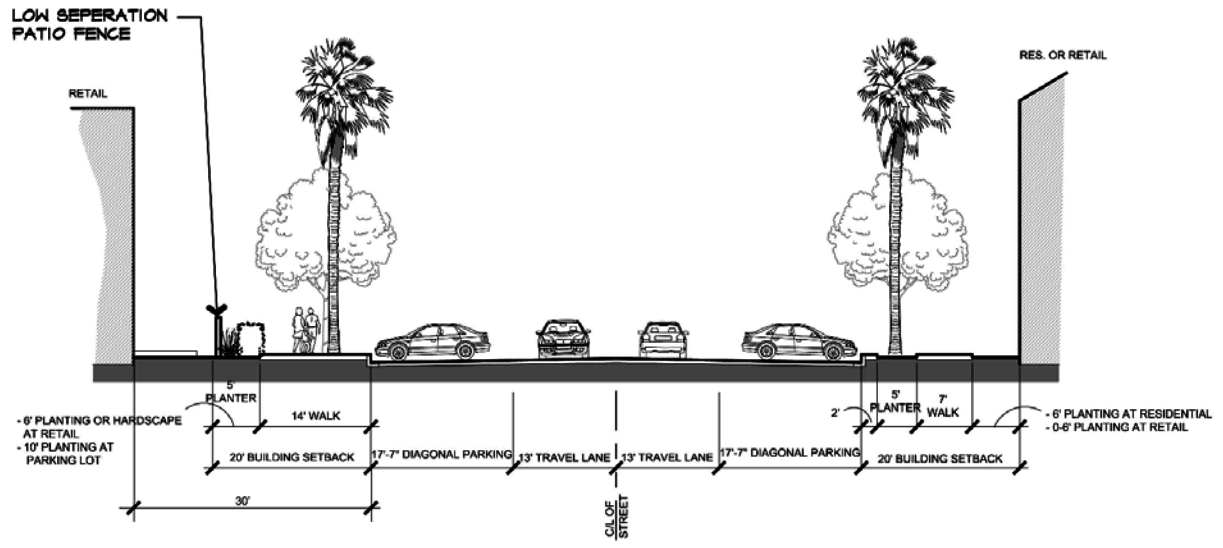


10b. Via Alba - North Section (North of Via Villago)

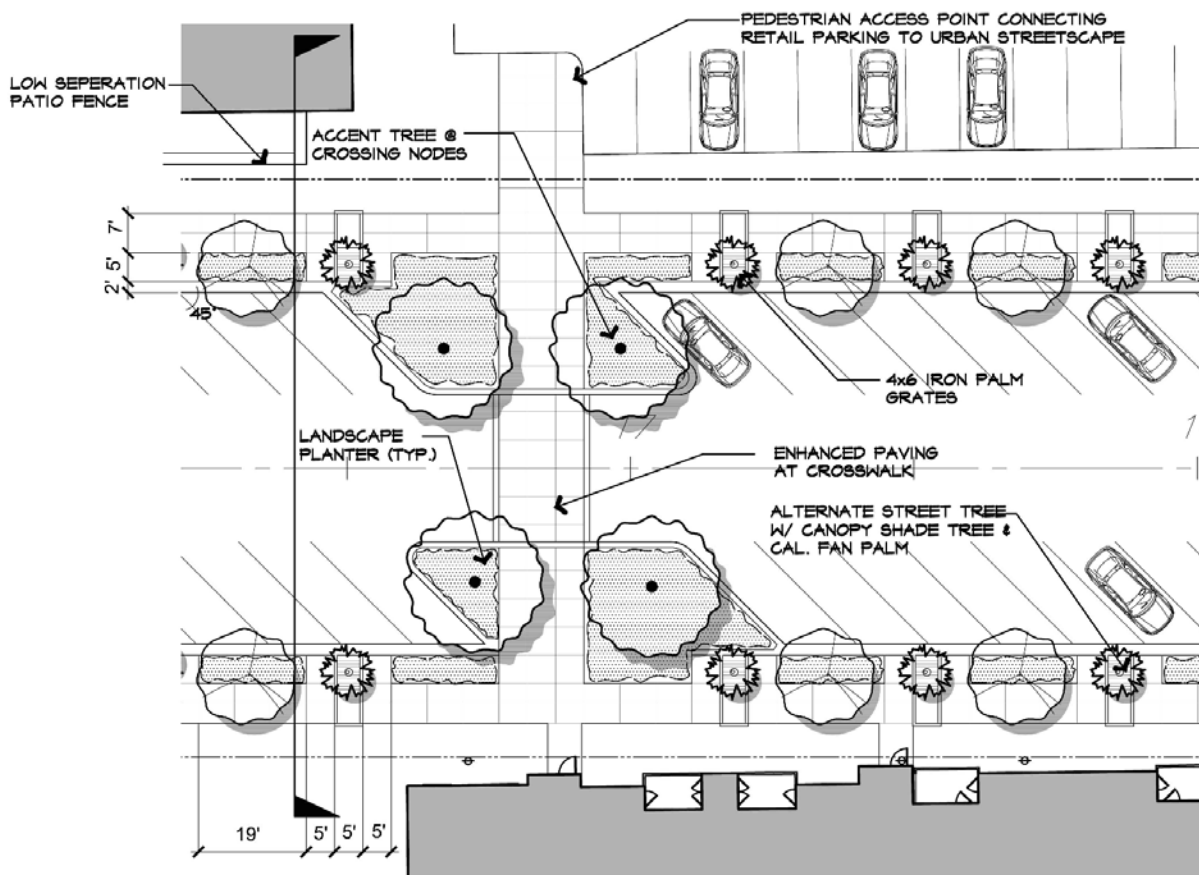


10b. Via Alba - North Section (North of Via Villago)

Figure 3.8e: Via Alba - North Section (North of Via Villago) Private Streetscape Section and Plan



11. Via Villagio Section

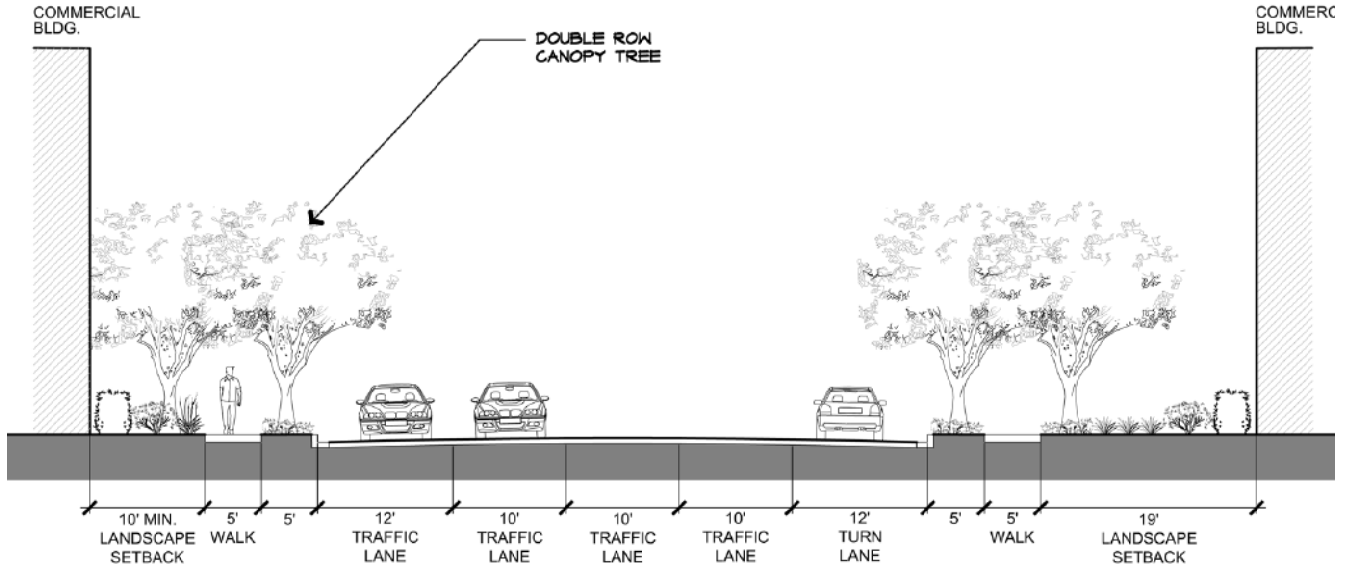


11. Via Villagio Plan

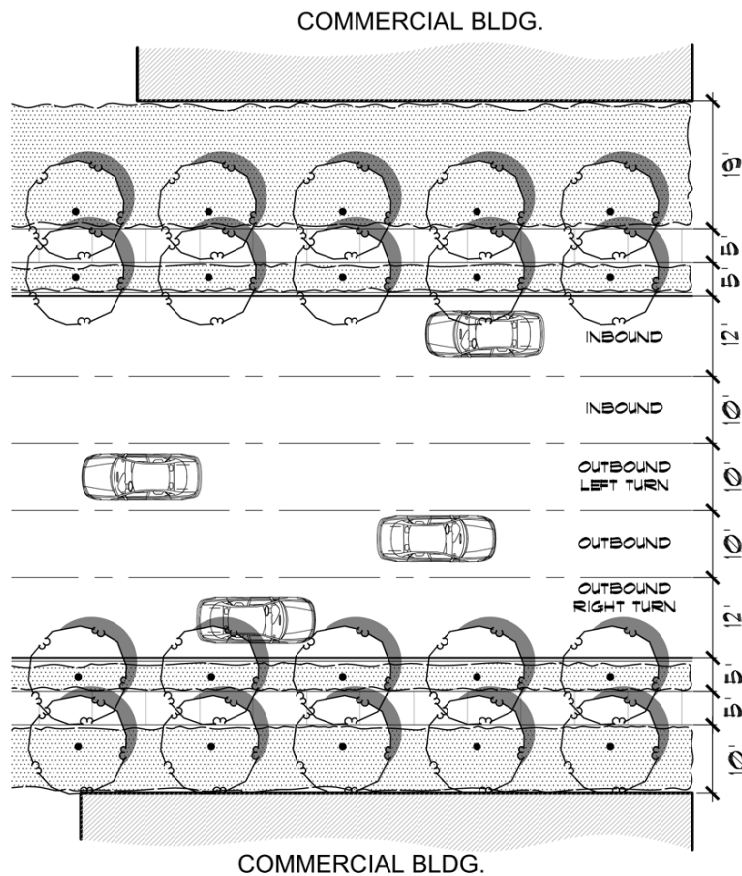


Figure 3.8f: Via Villagio Private Streetscape Section and Plan





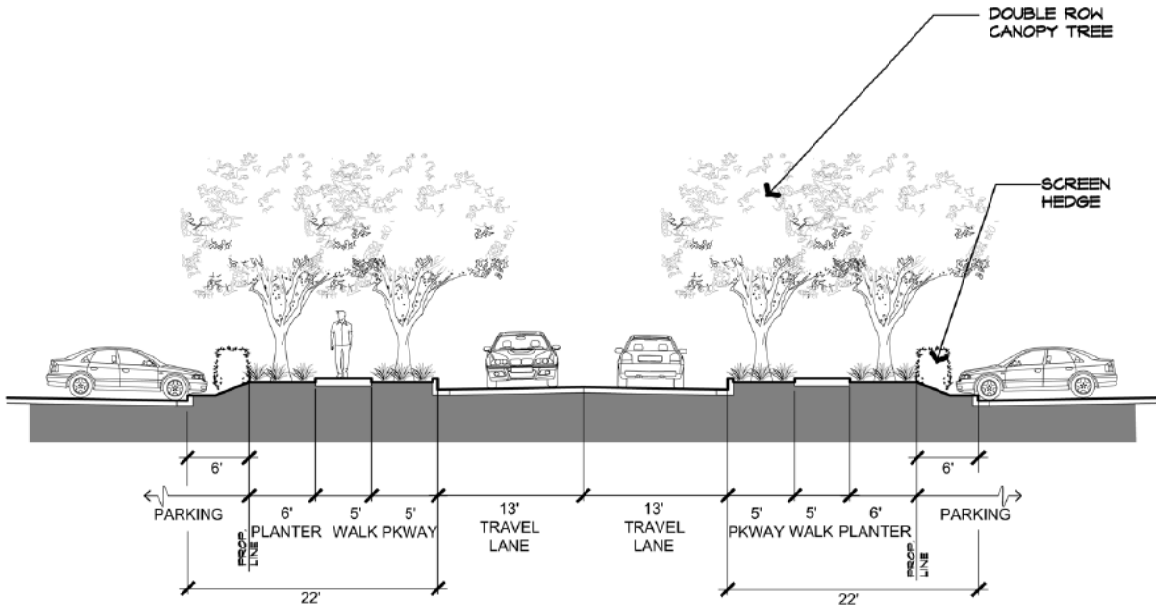
12. Via Piemonte - North Section (North Entrance)



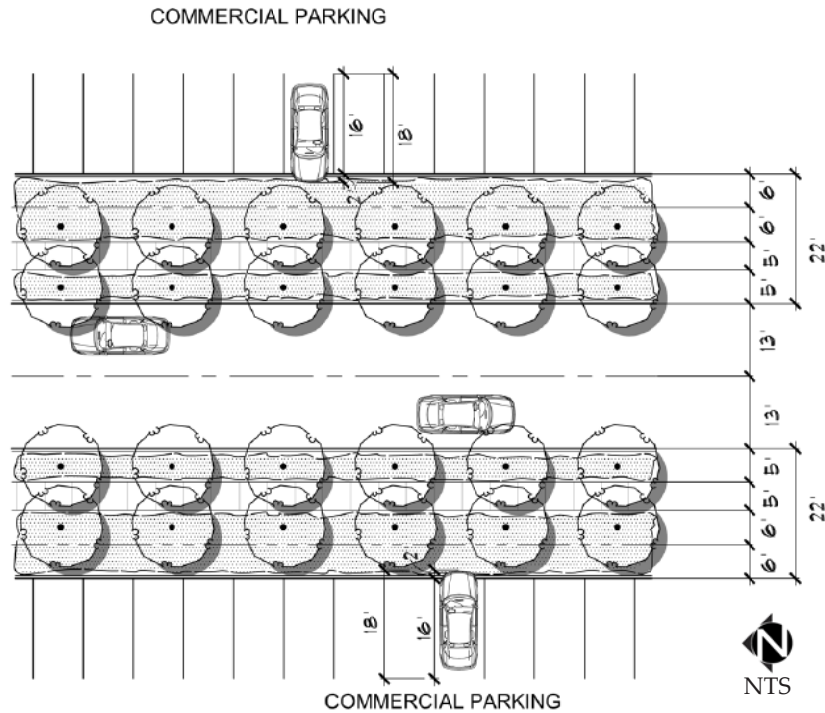
12. Via Piemonte - North Section (North Entrance)



Figure 3.8g: Via Piemonte - North Section (North Entrance) Private Streetscape Section and Plan

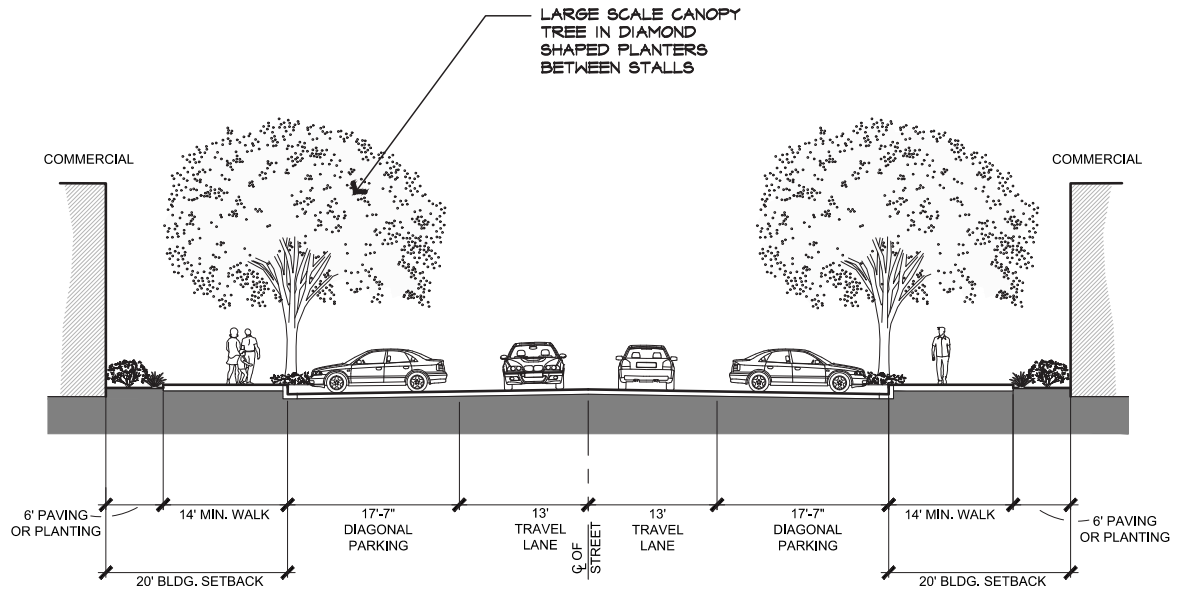


**13. Via Piemonte - North Section (North of Via Villagio) Section**

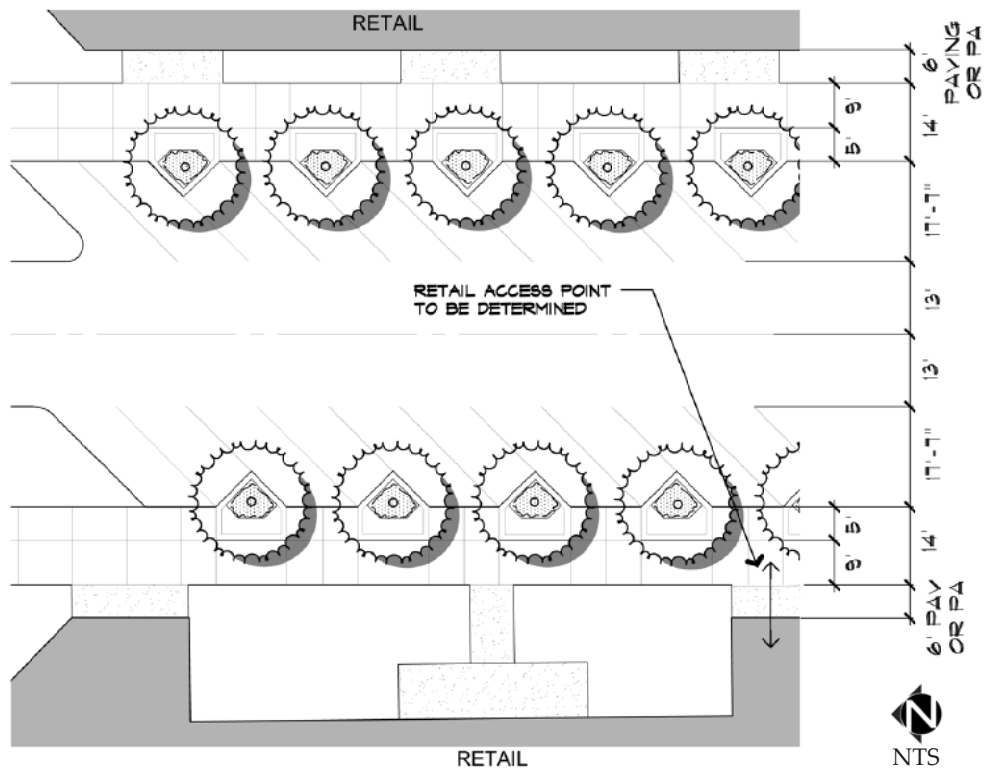


**13. Via Piemonte - North Section (North of Via Villagio) Plan**

Figure 3.8h: Via Piemonte - North Section (North of Via Villagio) Private Streetscape Section and Plan



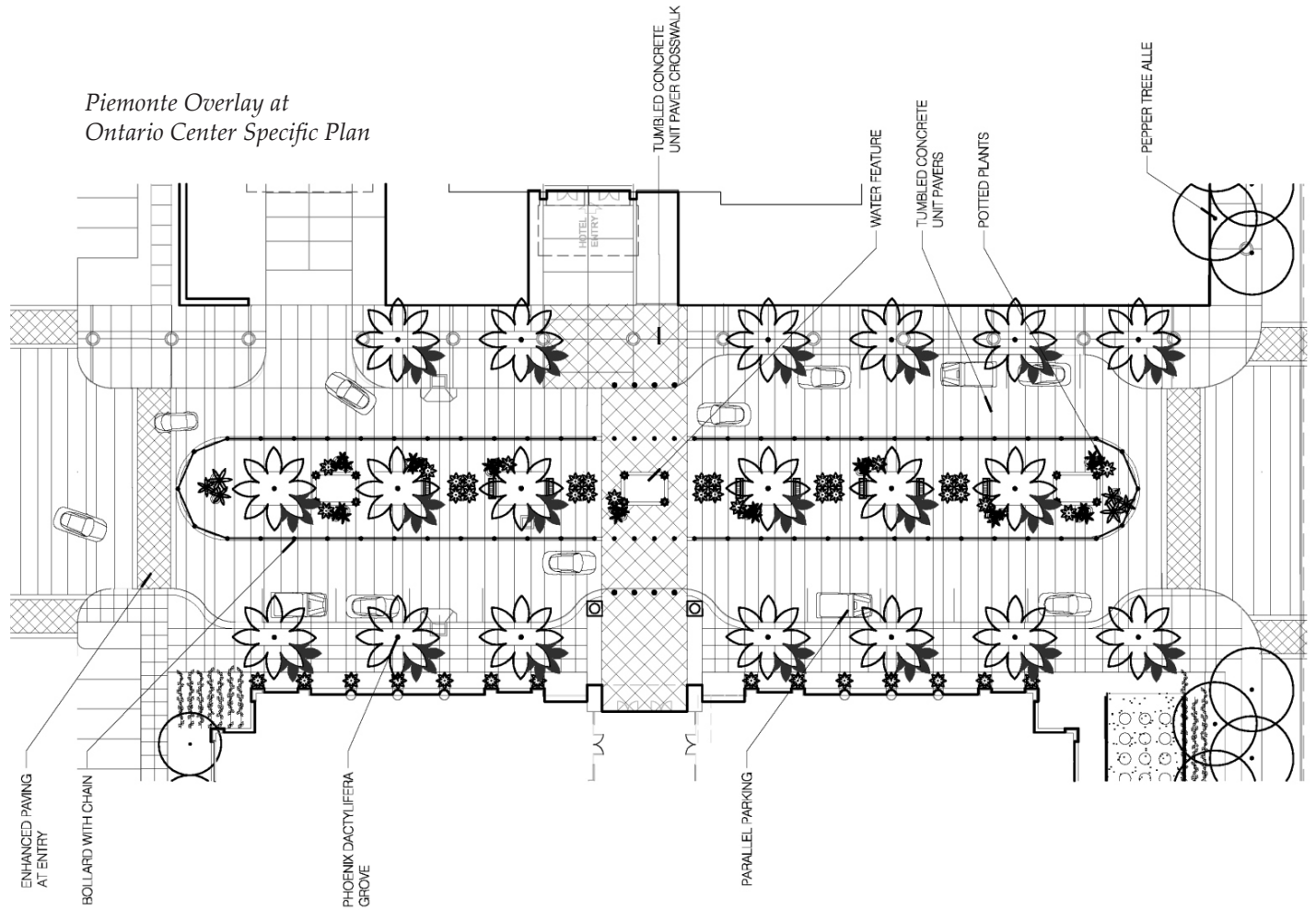
**14. Via Piemonte - Middle Section (South of Via Villago) Section**



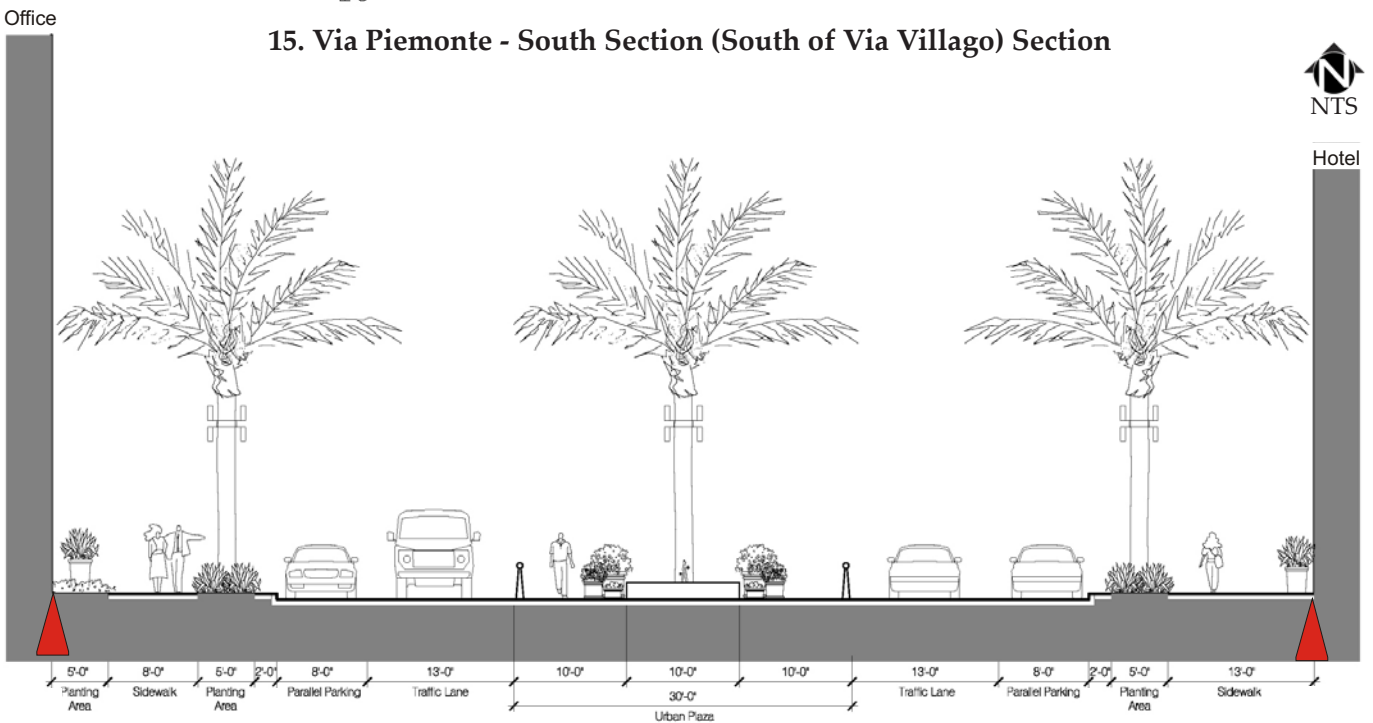
**14. Via Piemonte - Middle Section (South of Via Villago) Plan**

Figure 3.8i: Via Piemonte - Middle Section (South of Via Villago) Private Streetscape Section and Plan

Piemonte Overlay at  
Ontario Center Specific Plan

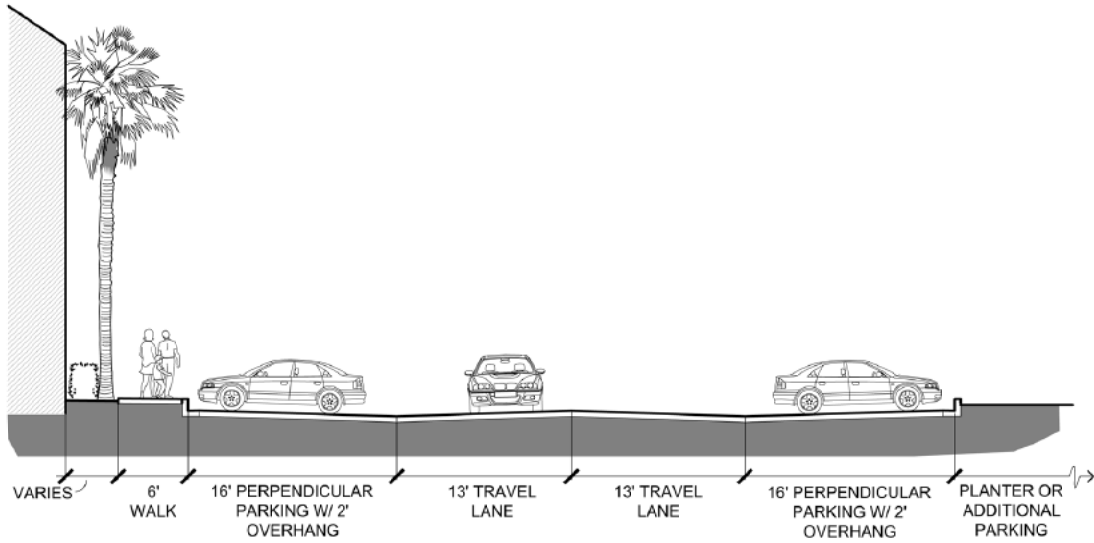


15. Via Piemonte - South Section (South of Via Village) Section

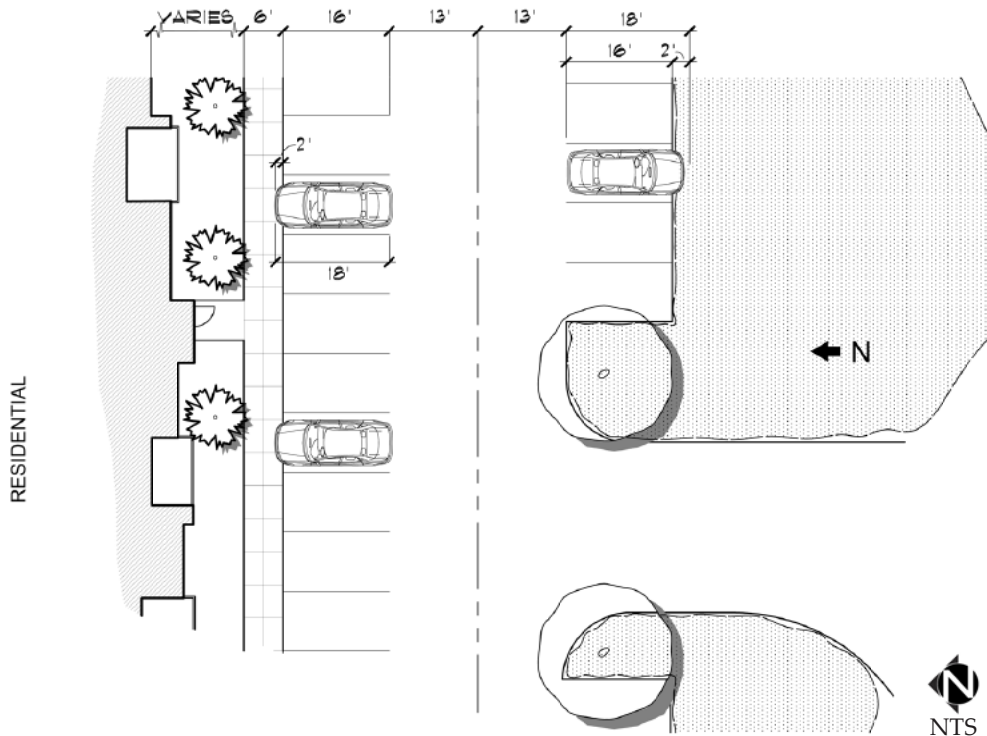


15. Via Piemonte - South Section - (South of Via Village) Plan

Figure 3.8j: Via Piemonte - South Section - (South of Via Village) Private Streetscape Section and Plan

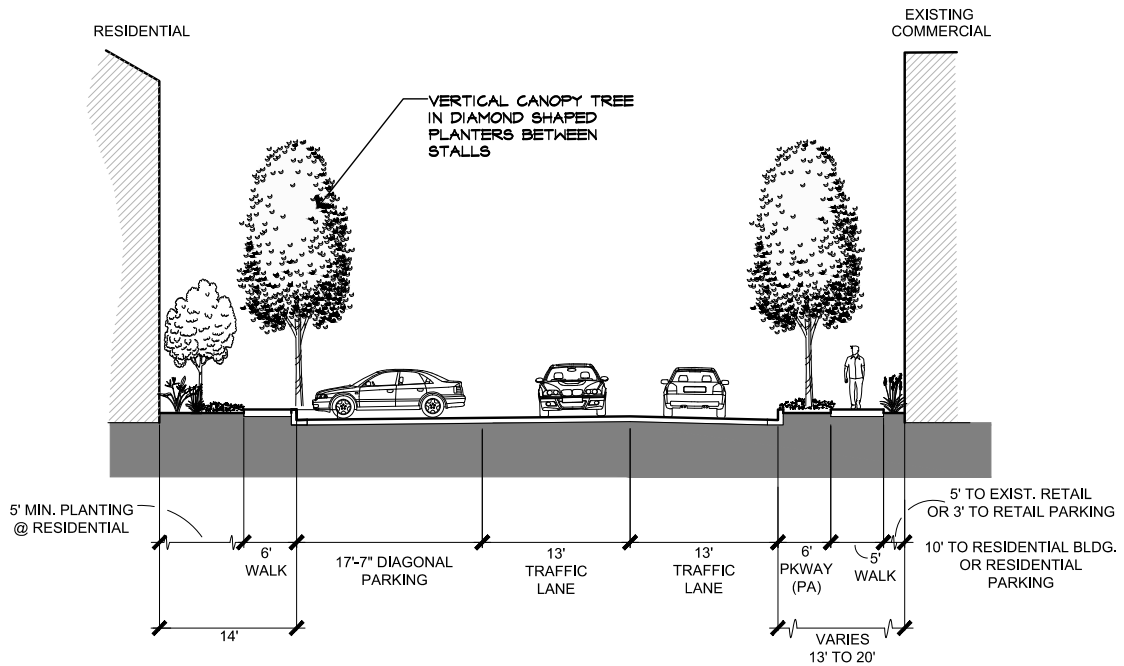


16. Shared Drive Between SA 10, 11, & 12 (South of Via Villagio) Section

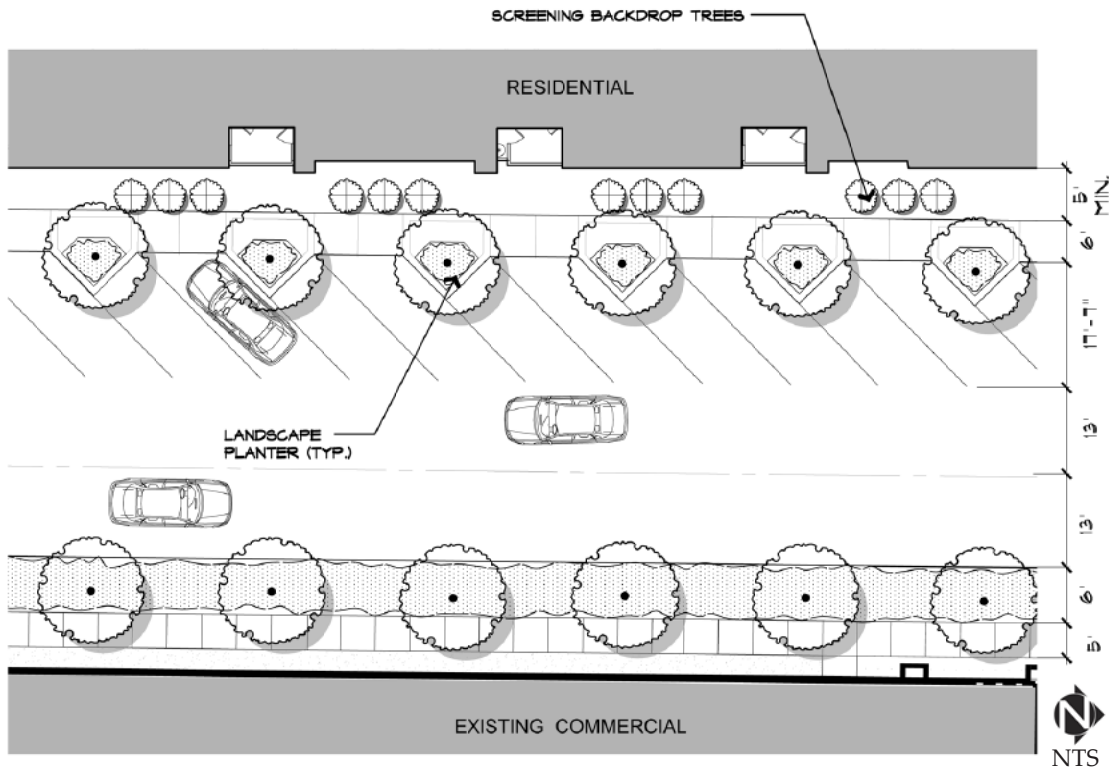


16. Shared Drive Between SA 10, 11, & 12 (South of Via Villagio) Plan

Figure 3.8k: Shared Drive Between SA 10, 11, & 12 (South of Via Villagio) Private Streetscape Section and Plan

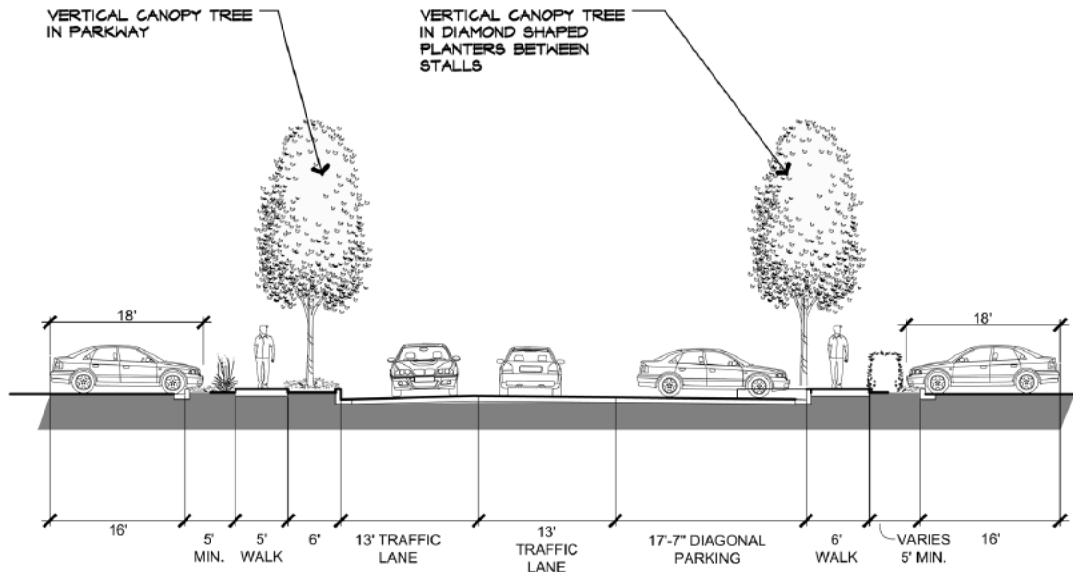


17. Via Alba - Middle Section (South of Via Villago) Section

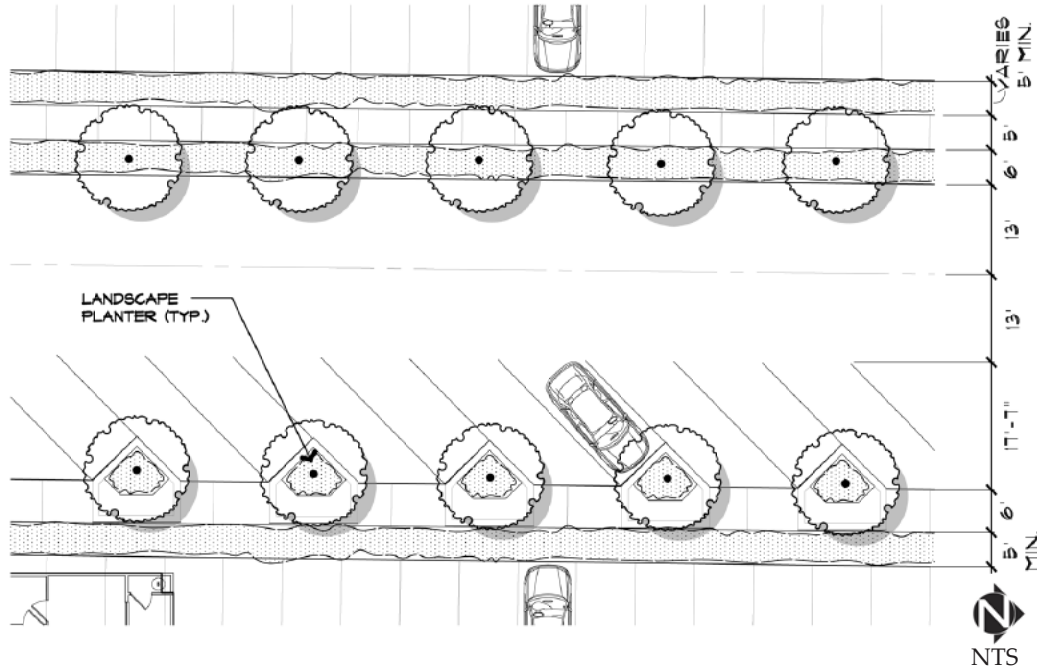


17. Via Alba - Middle Section (South of Via Villago) Plan

Figure 3.8l: Via Alba - Middle Section (South of Via Villago) Private Streetscape Section and Plan

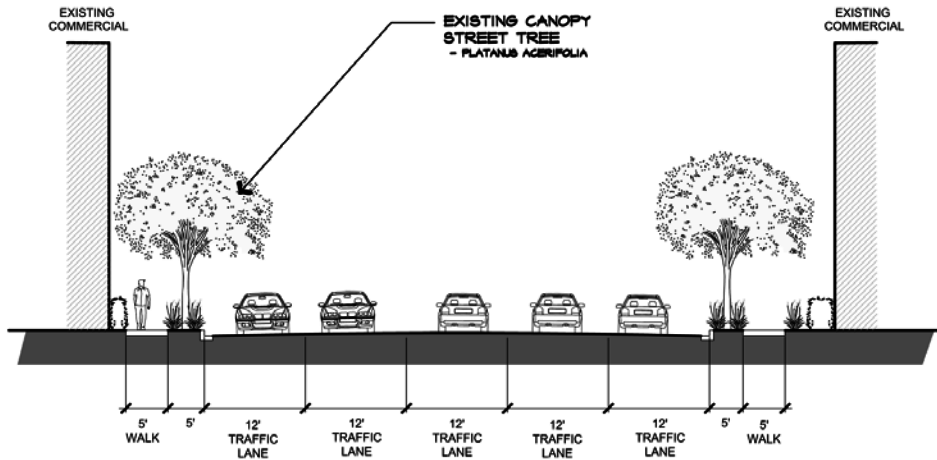


18. Via Alba - South Section (North of Ontario Center Parkway) Section

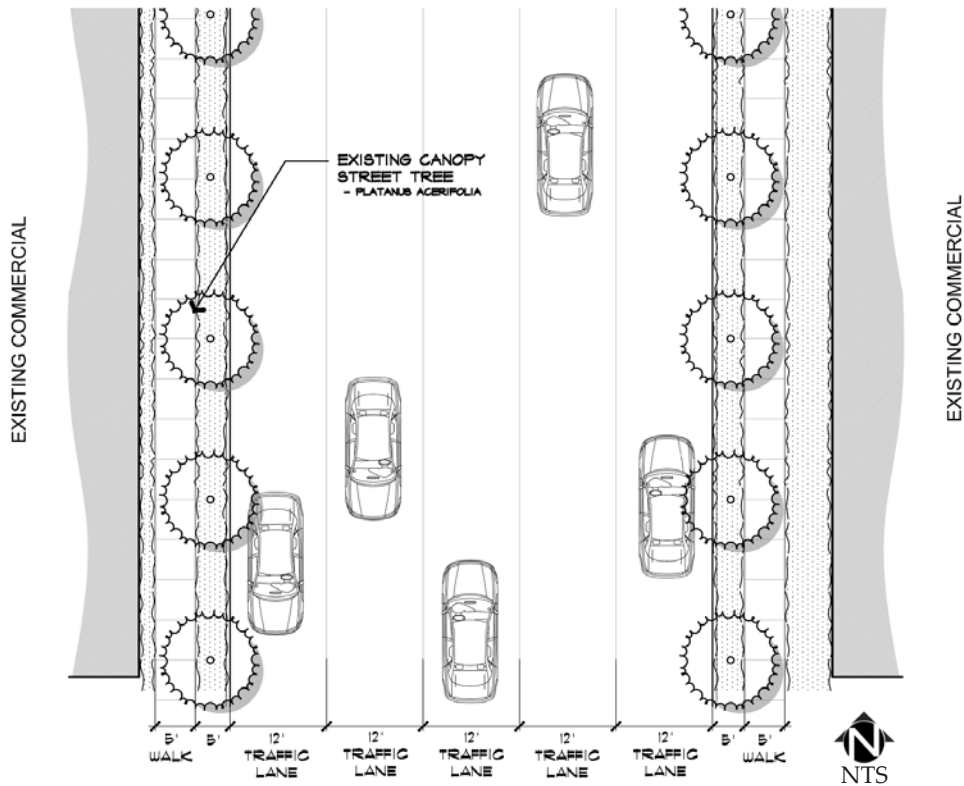


18. Via Alba - South Section (North of Ontario Center Parkway) Plan

Figure 3.8m: Via Alba - South Section (North of Ontario Center Parkway) Private Streetscape Section and Plan



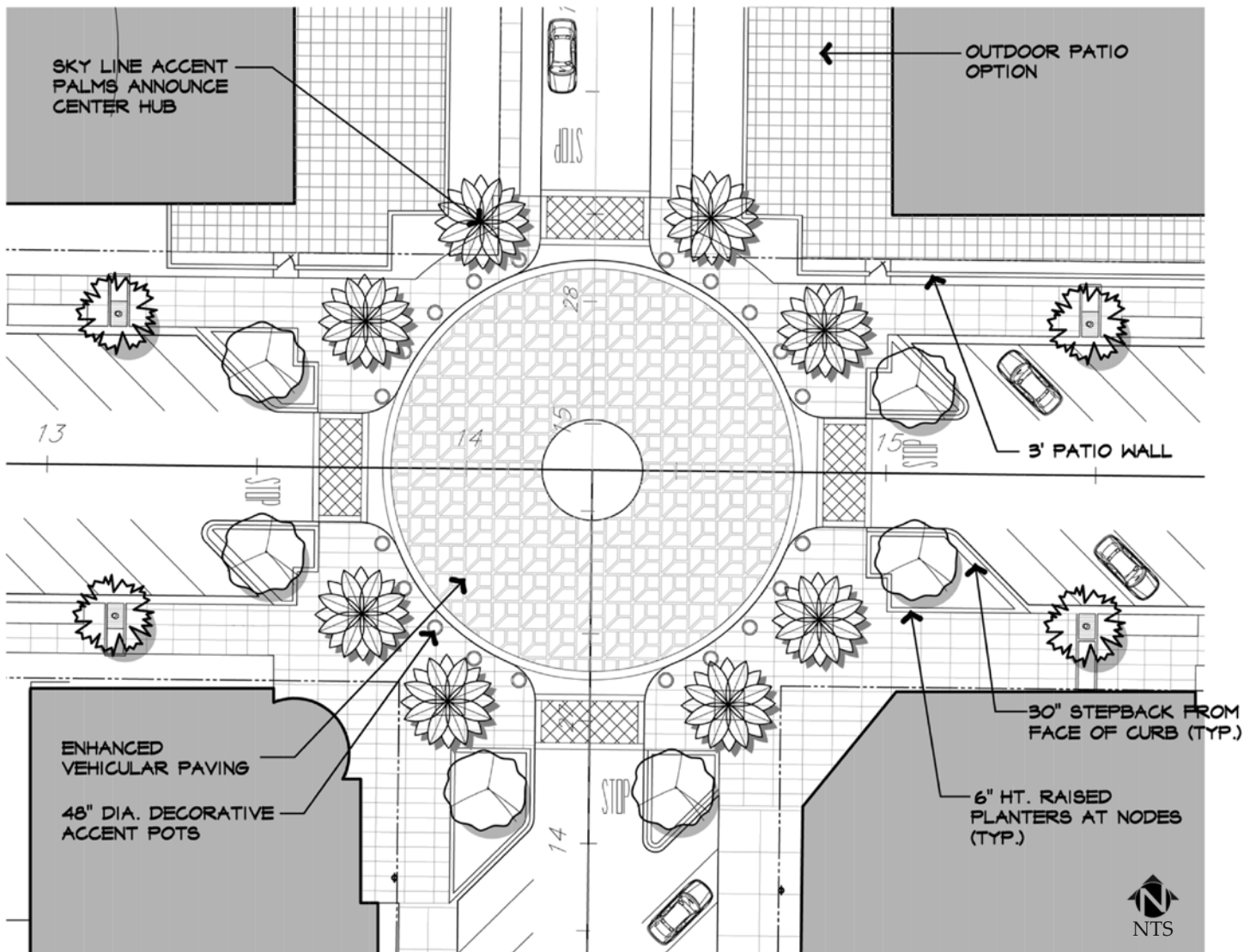
19. Via Turin Section



19. Via Turin Plan

Figure 3.8n: Via Turin Private Streetscape Section and Plan





20. Via Villagio Roundabout Plan

Figure 3.80: Via Villagio Roundabout Private Streetscape Plan

*Entry Statements*

Figure 3.9: Piemonte Overlay Entry Hierarchy identifies the locations and hierarchy of Overlay entries (Existing Primary, Secondary, and Tertiary and proposed project entries). Figures 3-11 through 3-13 illustrate the entry design concepts to be implemented at each type of entry. Sufficient area on both sides of entry roadways should be reserved to allow for construction of entry statement features and associated landscaping. To these ends, 400 square feet in a roughly square configuration shall be reserved at each Primary entry intersection corner (800 square feet total, 400 square feet allocated to each intersection corner); 300 square feet in a roughly square configuration shall be reserved at Secondary entry intersection corner (600 square feet total, 300 square feet allocated to each intersection corner); and 200 square feet in a roughly square configuration shall be reserved at each Tertiary entry intersection corner (400 square feet total, 200 square feet allocated to each intersection corner). The entry designs will be submitted at the time of the development application.

*OCSP Entry Treatments*

Figure 3.9: Piemonte Overlay Entry Hierarchy also identifies the location of primary and secondary entries to the OCSP, which entries are shared intersections with the Piemonte Overlay at Ontario Center. At these locations, the Piemonte Overlay will integrate and complete entry statements and intersection treatments consistent with current requirements of the OCSP. Schematic designs and dimensional criteria for these OCSP entry treatments are presented in Figure 3.13: Existing OCSP Entry Statement. Please refer also to related discussions presented in Section 3.8.4 Signs.

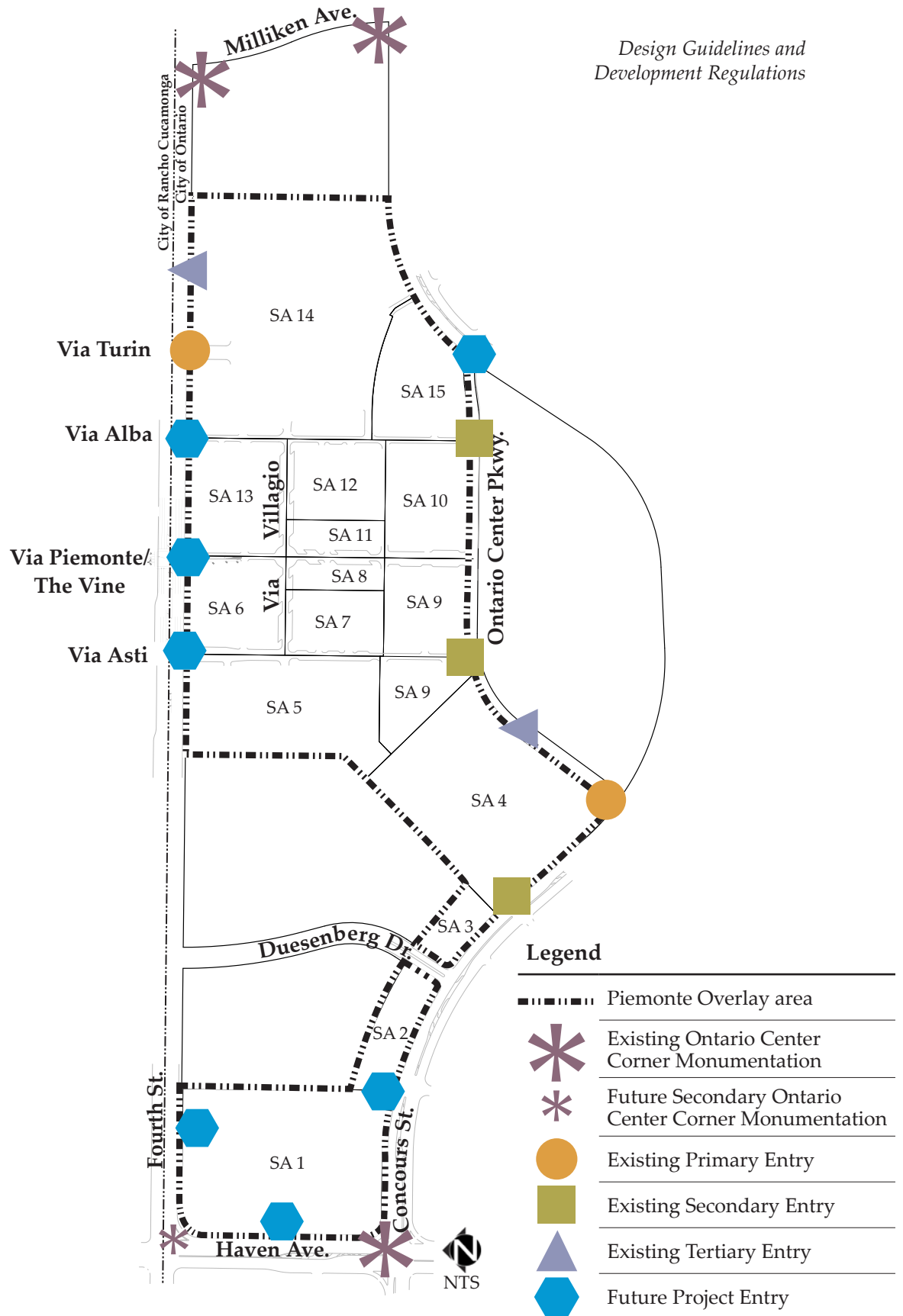


Figure 3.9: Piemonte Overlay Entry Hierarchy

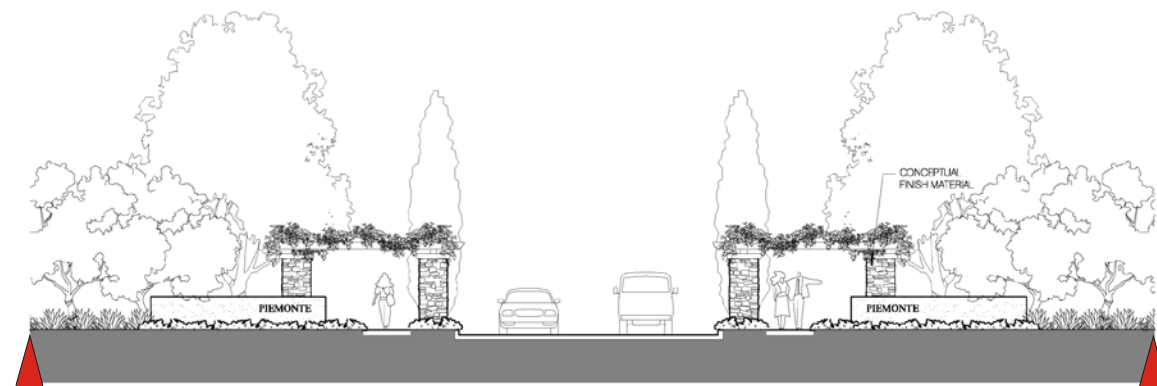
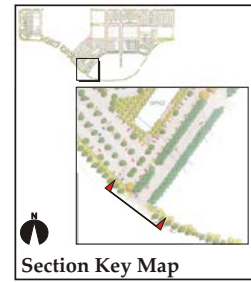


Figure 3.10: Existing Primary Entrance

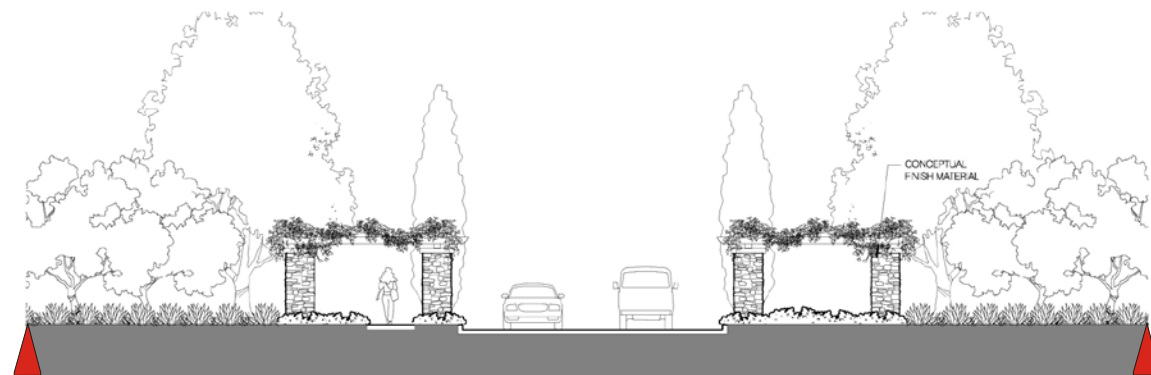
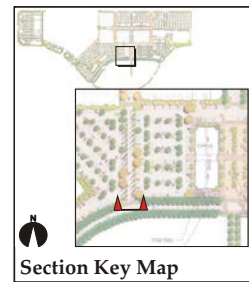


Figure 3.11: Existing Secondary Entrance

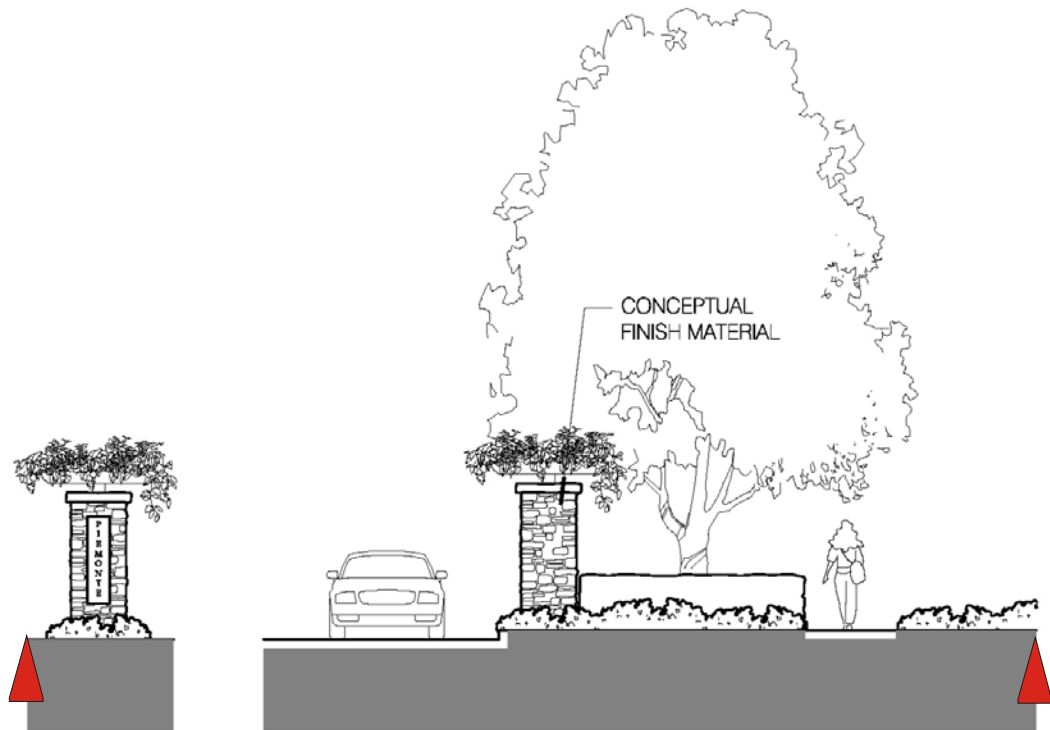
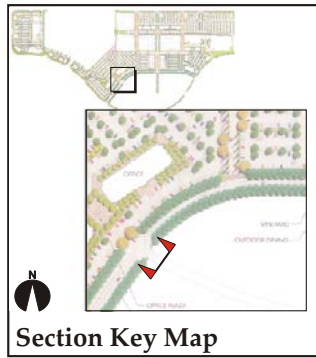


Figure 3.12: Existing Tertiary Entrance

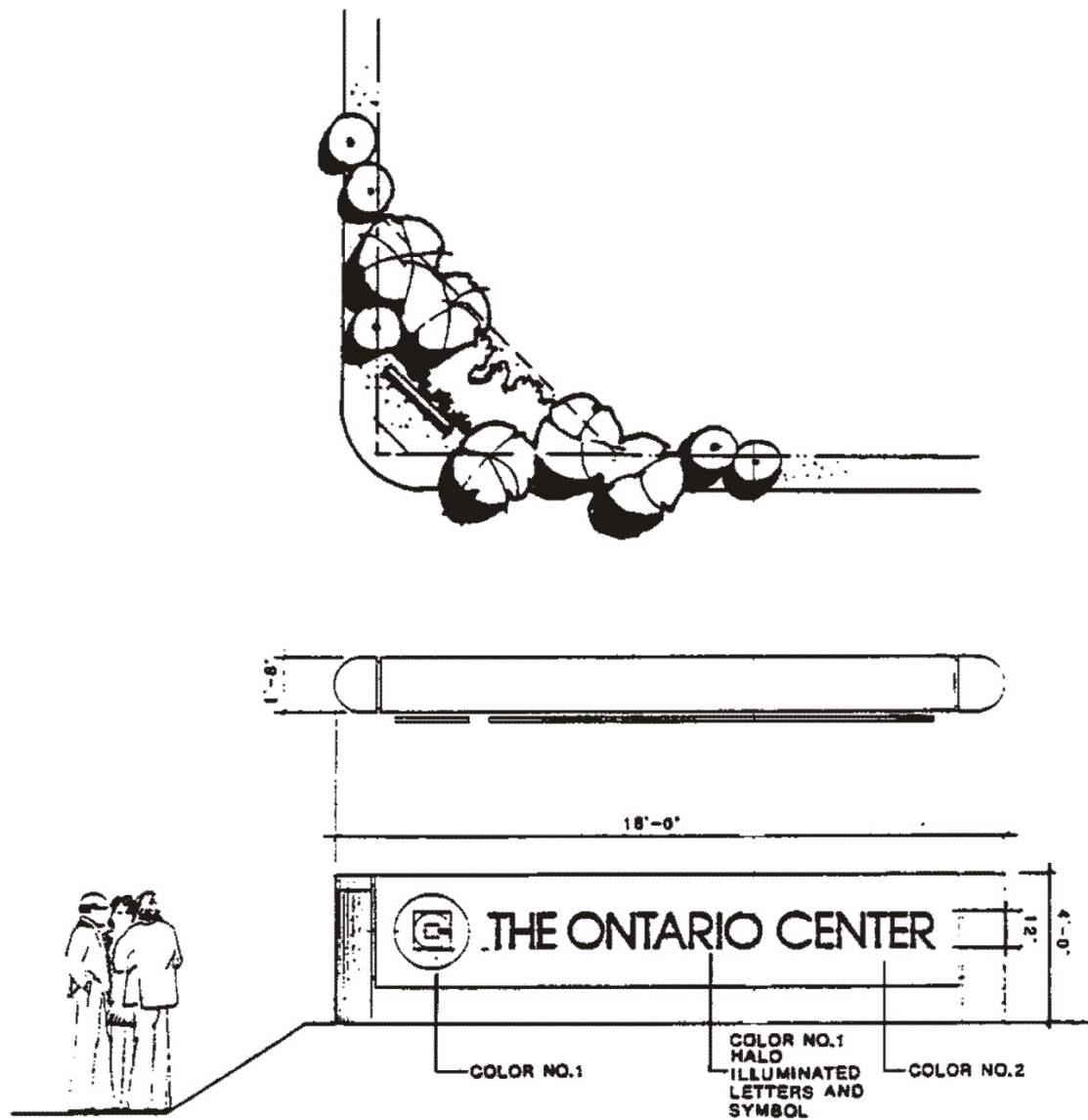


Figure 3.13: Existing OCSP Entry Statement

Note: Sign placement to be designed in conjunction with landscaping and overall streetscape treatment.

### 3.8.2 Landscape/Streetscape Development Regulations

#### 3.8.2.1 General Landscape and Planting Requirements

General landscape/streetscape development regulations presented below are representative of area-wide requirements of the OCSP and shall guide the selection and installation of landscape improvements within the Overlay:

- Shrubs shall be 5 gallon minimum.
- All street trees shall be planted and staked per City of Ontario Standards. All trees receive separate tree bubbler irrigation.
- Trees shall be planted in minimum sizes and ratios presented in Table 3.7: Piemonte Overlay Tree Planting Schedule.

**Table 3.7: Piemonte Overlay Tree Planting Schedule**

MINIMUM TREE SIZE MIX	
MINIMUM PERCENT MIX OF REQUIRED TREES	SIZE
10%	48-inch box or larger
15%	36-inch box
25%	24-inch box
50%	15-gallon
MINIMUM TREE SPECIES MIX	
NUMBER OF TREES PROPOSED	NUMBER OF TREE SPECIES REQUIRED
20 or fewer	2
21 to 30	3
31 to 40	4
More than 40	5

Tree planting ratios for major streets shall be:

- Primary tree species: 40 percent
- Secondary tree species: 60 percent
- Trees in parkways and medians shall be at an average ratio of 4 trees per 100 linear feet of frontage unless otherwise specified.

Planting for major street medians and parkway shall be, ground cover, ornamental grasses and shrubs. In addition to the above requirements, 15 percent of the median area shall be devoted to cobble treatment. Exceptions to the above requirements may be granted by the City.

Staking and guying of all trees shall be in accord with City standards. Where appropriate, vines or suitable shrubs shall be used throughout the Piemonte Overlay for graffiti deterrence. Replacement of dead or broken plant material shall be the responsibility of the property owner. All landscaped areas within the Overlay shall be maintained to City standards. All landscape and irrigation plans shall be submitted to, and approved by, the City. Changes in the landscape, irrigation plans, or plant materials may be substituted as necessary by the City.

### **3.8.2.2 Public Streetscape**

Each public street along the perimeter of the Overlay has a set of designated primary trees, complemented by a range of subordinate (or secondary) tree plantings. The previous Figures 3-9 and Figure 3.8n: Via Turin Private Streetscape Section and Plan and Figures 3-11 and Figure 3.8l: Via Alba - Middle Section (South of Via Villago) Private Streetscape Section and Plan schematically present how the streetscape was implemented along these streets. Significant elements identified within these Figures include a meandering sidewalk, bordered on both sides by shrubs, groundcover, ornamental grass, and primary and secondary trees. Ornamental grass and trees will be located between the sidewalk and street pavement. Trees, shrubbery and groundcover will be located behind the sidewalk. Refer to Appendix E for the Applicable OCSP Planting Matrix for these streets.



### 3.8.2.3 Private Streetscape

Each private drive within the Piemonte Overlay also has designated primary and secondary tree plantings refer to Table 3.8: Private Street Planting Matrix and Table 3.9: Internal Trees for the species allowed for each drive.

**Table 3.8: Private Street Planting Matrix**

SPECIES		PRIMARY ENTRANCE STATEMENT	SECONDARY ENTRANCE STATEMENT	VIA ASTI	VIA PIEMONTE	VIA ALBA	VIA VILLAGIO
LATIN NAME	COMMON NAME						
<i>Citrus</i> species	NCN			X		X	
<i>Cupressus sempervirens</i>	Italian Cypress	X	X			X	
<i>Olea europaea</i>	Fruitless Olive			X	X		X
<i>Quercus suber</i>	Cork Oak			X	X		
<i>Phoenix canariensis</i>	Canary Island Date Palm				X		X
<i>Phoenix dactylifera</i>	Date Palm				X		
<i>Pinus canariensis</i>	Canary Island Pine					X	
<i>Pittosporum undulatum</i>	Victorian Box			X		X	
<i>Platanus acerifolia</i>	London Plane			X			X
<i>Washingtonia filifera</i>	California Fan Palm	X	X	X		X	X

**Table 3.9: Internal Trees**

LATIN NAME	COMMON NAME
<i>TREES</i>	
<i>Arbutus 'Marina'</i>	Strawberry Tree
<i>Bambusa oldhamii</i>	Clumping Giant Timber Bamboo
<i>Bauhinia purpurea</i>	Orchid Tree
<i>Cercidium hybrid 'Desert Museum'</i>	Hybrid Palo Verde
<i>Citrus sinensis</i>	Orange Tree
<i>Eucalyptus citriodora</i>	Lemon Scented Gum
<i>Jacaranda mimosifolia</i>	Jacaranda
<i>Koelreuteria paniculata</i>	Golden Rain Tree
<i>Lagerstroemia indica</i>	Crape Myrtle
<i>Magnolia grandiflora 'D.D. Blanchard'</i>	Southern Magnolia
<i>Magnolia grandiflora 'Little Gem'</i>	Southern Magnolia
<i>Michelia champaca 'Alba'</i>	White Fragrant Himalayan Champaca
<i>Olea europaea</i>	Olive
<i>Pinus canariensis</i>	Canary Island Pine
<i>Pyrus calleryana 'Chanticleer'</i>	Chanticleer Pear
<i>Rhus lancea</i>	African Sumac
<i>Strelitzia nicholai</i>	Giant Bird-of-Paradise
<i>Tristania conferta</i>	Brisbane Box
<i>PALMS</i>	
<i>Archontophoenix cunninghamiana</i>	King Palm
<i>Brahea armata var. Clara</i>	Droopy Mexican Blue Fan Palm
<i>Chamaerops humilis</i>	Mediterranean Fan Palm
<i>Cycas revoluta</i>	Sago Palm
<i>Syagrus romanzoffianum</i>	Queen Palm

### 3.8.2.4 Plant Palette/Planting Matrix

Table 3.10: Shrub Plant Palette for Parkways and Streetscapes and Table 3.11: Shrub Plant Palette for Internal Courtyards and Landscape Areas Not Adjacent to Streetscapes lists environmentally sustainable plant materials are also allowed within the Overlay to reinforce the architectural and land use planning themes. Plant varieties as indicated above will be employed in varying combinations throughout the Overlay.

**Table 3.10: Shrub Plant Palette for Parkways and Streetscapes**

LATIN NAME	COMMON NAME
<i>Acacia cognata</i> 'Cousin Itt'	Little River Wattle
<i>Agapanthus africanus</i>	Lily-of-the-Nile
<i>Agave</i> 'Blue Flame'	Blue Flame Agave
<i>Aloe arborescens</i>	Tree Aloe
<i>Aloe bainesii</i> ( <i>barberae</i> )	N.C.N.
<i>Aloe vera</i>	Medicinal Aloe
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Callistemon viminalis</i> 'LittleJohn'	Dwarf Bottlebrush
<i>Carex species</i>	Blue Sedge
<i>Carissa grandiflora</i> 'Green Carpet'	Natal Plum
<i>Citrus Kumquat Hybrid</i> 'Tavares'	Kumquat
<i>Cordyline australis</i> 'Red Star'	Red Grass Palm
<i>Dianella tasmanica</i> 'Silver Streak'	Silver Streak Flax Lily
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Hemerocallis</i> 'Dwarf Red'	Day Lily
<i>Ilex crenata</i> 'Sky Pencil'	Sky Pencil Ilex
<i>Juncus patens</i>	California Gray Rush
<i>Juniperus scopulorum</i> 'Skyrocket'	Skyrocket Juniper
<i>Leucodendron</i> 'Jester'	Sunshine Conebrush
<i>Leucophyllum langmaniae</i> 'Lynn's Legacy'	Lynn's Legacy Texas Ranger
<i>Leymus condensatus</i> 'Canyon Prince'	Canyon Prince Wild Rye
<i>Ligustrum japonicum</i> 'Texanum'	Wax Leaf Privet
<i>Lomandra longifolia</i> 'LM300'	Breeze Dwarf Mat Rush
<i>Moraea bicolor</i>	Fortnight Lily
<i>Olea europaea</i> 'Montra' P.P.#6266	Little Ollie Dwarf Olive
<i>Pelargonium hortorum</i>	Common Geranium
<i>Pennisetum</i> 'Fairy Tails'	Fairy Tails Fountain Grass
<i>Penstemon</i> 'Firebird'	Beard Tongue
<i>Pittosporum Species</i>	Tobira
<i>Podocarpus elongatus</i> 'Monmal'	Icee Blue Yellow-Wood
<i>Rhaphiolepis species</i>	Indian Hawthorne
<i>Rosa f.</i> 'Trumpeter'	Trumpeter Rose
<i>Rosa x</i> 'Noare'	Flower Carpet Red Groundcover Rose
<i>Strelizia reginae</i>	Bird-of-Paradise
<i>Tecoma stans</i> 'Sierra Apricot'	Sierra Apricot

**Table 3.11: Shrub Plant Palette for Internal Courtyards and Landscape Areas Not Adjacent to Streetscapes**

LATIN NAME	COMMON NAME
<i>Acacia cognata</i> 'Cousin Itt'	Little River Wattle
<i>Agapanthus africanus</i>	Lily-of-the-Nile
<i>Aloe arborescens</i>	Tree Aloe
<i>Aloe bainesii</i> ( <i>barberae</i> )	N.C.N.
<i>Aloe vera</i>	Medicinal Aloe
<i>Buxus microphylla japonica</i>	Japanese Boxwood
<i>Callistemon viminalis</i> 'LittleJohn'	Dwarf Bottlebrush
<i>Carex species</i>	Blue Sedge
<i>Carissa grandiflora</i> 'Green Carpet'	Natal Plum
<i>Citrus Kumquat Hybrid</i> 'Tavares'	Kumquat
<i>Cordyline australis</i> 'Red Star'	Red Grass Palm
<i>Dianella tasmanica</i> 'Silver Streak'	Silver Streak Flax Lily
<i>Feijoa sellowiana</i>	Pineapple Guava
<i>Hemerocallis</i> 'Dwarf Red'	Day Lily
<i>Ilex crenata</i> 'Sky Pencil'	Sky Pencil Ilex
<i>Juncus patens</i>	California Gray Rush
<i>Juniperus scopulorum</i> 'Skyrocket'	Skyrocket Juniper
<i>Leucodendron</i> 'Jester'	Sunshine Conebrush
<i>Leucophyllum langmaniae</i> 'Lynn's Legacy'	Lynn's Legacy Texas Ranger
<i>Leymus condensatus</i> 'Canyon Prince'	Canyon Prince Wild Rye
<i>Ligustrum japonicum</i> 'Texanum'	Wax Leaf Privet
<i>Lomandra longifolia</i> 'LM300'	Breeze Dwarf Mat Rush
<i>Moraea bicolor</i>	Fortnight Lily
<i>Olea europaea</i> 'Montra' P.P.#6266	Little Ollie Dwarf Olive
<i>Pelargonium hortorum</i>	Common Geranium
<i>Pennisetum</i> 'Fairy Tails'	Fairy Tails Fountain Grass
<i>Penstemon</i> 'Firebird'	Beard Tongue
<i>Pittosporum Species</i>	Tobira
<i>Podocarpus elongatus</i> 'Monmal'	Icee Blue Yellow-Wood
<i>Rhaphiolepis species</i>	Indian Hawthorne
<i>Rosa f.</i> 'Trumpeter'	Trumpeter Rose
<i>Rosa x</i> 'Noare'	Flower Carpet Red Groundcover Rose
<i>Strelizia reginae</i>	Bird-of-Paradise
<i>Tecoma stans</i> 'Sierra Apricot'	Sierra Apricot

### **3.8.2.5 Other Elements**

Design and development standards applicable to other features represented within the Overlay area are discussed below.

#### *Parking Lot/Streetscape Interface*

As provided for under the OCSP to implement the informal landscape concept proposed along the major arterials within the Piemonte Overlay parking setbacks within the Overlay may be averaged.

#### *Limited Use Areas*

Standard limited use areas shall be maintained within the Piemonte Overlay as required by the City Engineering Department. Limited use areas restrict development and obstructions proximate to intersections, thereby establishing adequate site distances and promoting pedestrian and vehicular safety.

#### *Retaining Walls*

It is anticipated that certain areas of the Piemonte will require construction of expansive retaining walls which will be exposed to public view. Screenwalls may also be introduced where protection from intrusive views may be warranted. The following standards will be observed for expansive walls constructed within the Overlay:

- Visual impact of walls should be minimized by limiting wall heights to five (5) feet whenever possible.
- Walls will be stepped to allow for screen planting whenever possible.

#### *Landscape Grading*

Landscaped areas within the Overlay area will be graded as swales to the maximum extent practicable in order to maximize conservation of irrigation water and natural rainfall run-off.

### **3.8.3 Piemonte Open Space and Urban Recreational Opportunities**

The Piemonte Overlay has a unique opportunity to provide an amazing active open space amenity, due to the connection and adjacency to the Citizens Business Bank Arena. Several of the private streets have been designed so they can easily be closed off to vehicular traffic, thereby creating a pedestrian open air mall.

Special events and festivals, along with farmer's markets, would benefit from this flexible urban activity. Most useful, however, would be pre- and post-game celebrations extending up from the Citizens Business Bank Arena. Physically expanding the connection to the restaurants and retail component, just one block to the north, will not only create an economic benefit, but more importantly foster a social connection of "like-minded" people; as well as create a hub of activity.

### **3.8.4 Signs**

The following discussions identify visual attributes of, and define the standards for, signs within the Piemonte Overlay. The intent is to permit flexibility of design consistent with the proposed mix of land uses, and to provide a cohesive system of signs that are visually coordinated and aesthetically pleasing.

Various signs and monumentation within the Piemonte Overlay will provide identity and reinforce the land use plan and architectural design of the proposal. Sign design and details will relate to the architectural character, support the overall design concept, and reflect the proposed varied architectural styles.

The Sign Design Guidelines and Sign Regulations presented below constitute the basis of the Master Sign Program for the Piemonte Overlay, which Program is subject to review and approval by the City as provided in Chapter 4. The Master Sign Program will illustrate and demonstrate thematic integration of signs within the overall design, as well as internal compatibility of signs with each other, and with other elements. Further, as verified by the City through the review processes, all signage will comply with applicable provisions of the Manual on Uniform Traffic Control Devices (MUCTD).

The Master Sign Program will be developed concurrent with design of each individual Project. As a minimum, a draft of the Master Sign Program will be provided to the City for review prior to issuance of the first building permit within the applicable project site, with final approval of the Master Sign Program to be accomplished prior to issuance of the first Certificate of Occupancy. Signs proposed for individual development projects within the Piemonte Overlay will be reviewed by the Planning Department/City for consistency with the Piemonte Sign Program.

#### **3.8.4.1 Sign Design Guidelines**

The following Sign Design Guidelines will establish and reinforce the identity of the Overlay, and provide a cohesive informational and directional graphic system. The detailing and style of signs shall relate to the architectural themes proposed, and shall support the Piemonte development concept while contributing to the overall ambience.

##### *Thematic Character*

Interesting and colorful signs will serve to attract patrons and facilitate desired circulation within the Piemonte. Signs will also establish and reinforce the development character within the Piemonte Overlay. The goals of the Piemonte sign guidelines are to:

- Foster variety in signs, including variety of size, design, placement, detail, shape and color.
- Encourage the use of design elements which interpret and incorporate thematic architectural elements.

To achieve these goals, the following guidelines will be followed in the design and implementation of signs within the Piemonte Overlay:

- Signs shall exhibit a varied mix of designs, colors, shapes, materials, and fabrication technologies to reinforce the architectural themes. For example, modern office buildings within the Overlay will introduce signs evidencing modern designs, and which interpret architectural styles materials and styles of the buildings they (the signs) identify. The use of certain common sign colors, design elements, and/or language (e.g., “XYZ Business at Piemonte”), will lend to a cohesive sense of the Piemonte Overlay.
- Monument entry signs shall be integrated into cohesive landscape treatments.

#### *Sign Categories*

The following general categories of signs will be implemented in the Piemonte Overlay.

#### *Perimeter Identity Signs*

- **Perimeter Monumentation.** Entry and perimeter statements identifying the overall property and corporate identifications as applicable, consisting of vertical or horizontal monument signs which are integrated into landscape features.
- **Perimeter and Tenant Identification Signs.** Signs and identification statements denoting the Piemonte Overlay, as well as illuminated logos and tenant images which are integrated into building facades and roof edges.
- **Perimeter Directional Signs.** Directional signs located on the perimeter of Piemonte Overlay.



*Internal Directional/Informational Signs*

- **Site Circulation Signs.** Signs which facilitate pedestrian and vehicle circulation and assist drivers identify areas within the Overlay while reinforcing the overall Overlay. The character of these signs will reflect the varied architectural themes employed within Overlay.
- **Interior Banners.** System of pole-mounted banners for identification purposes. It is anticipated that banners would be employed primarily in the more informal settings of the Commercial areas.
- **Regulatory Signs.** Regulatory signs will be provided consistent with City requirements. To the extent feasible, these signs will continue and interpret the Overlay architectural and landscape/streetscape themes.

*Tenant Signs*

Tenant signs will reflect individual occupancies, as determined by specific user requirements, including but not limited to: corporate logos, colors, and sign configurations. As a component of the City's development review process, tenant signs will be evaluated for consistency with these guidelines.

**3.2.8.2 Sign Regulations**

Sign regulations are organized to address the two (2) primary categories of signs within the Piemonte as described above: Perimeter Identity Signs and Internal Informational/Directional Signs. Individual tenant improvements signs will be addressed as a component of City's review processes for individual development proposals within the Piemonte Overlay. Of primary concern are the visual attributes of internal signs, and public perception of the signs as seen from off-site vantages.

*Perimeter Identity Signs*

The purpose of the Perimeter Identity Signs is to provide identification of the Piemonte Overlay at the edges and entrances and primary tenants. The character and details of these signs will interpret and reinforce general architectural themes of the Piemonte Overlay and will incorporate elements consistent with the design expressions common to prevailing architectural style(s). Perimeter Identity Signs shall be implemented consistent with the following guidelines:

*Perimeter Entry Monumentation*

Entry monumentation will be provided at each of the Overlay's perimeter entrances. (Please refer to the SPA topical discussion of Entry Statements). Monument signs provided at the development entrances will incorporate and reflect architectural themes exhibited by structures within the Piemonte Overlay. These signs may incorporate corporate identifiers, electronic graphics or similar visual displays. Detailed dimensions and locations of perimeter entry monument signs will be as provided for within the Piemonte Sign Program.

*Perimeter Project and Tenant Identification*

Perimeter and tenant identification statements will consist of horizontal or vertical monuments integrated into landscaping features along perimeter roadways. Content may include the development name and logo and names and logos of major tenants. Detailed dimensions and locations of perimeter and tenant identification monument signs will be as provided for within the Piemonte Sign Program.

*Perimeter Directional Signs*

Perimeter directional signs will typically be fabricated metal panels on posts, or panels mounted to lighting standards. Dimensions and general locations of perimeter directional signs will be as provided for within the Piemonte Sign Program.

*Internal Informational/Directional Signs*

Internal Informational/Directional Signs shall be limited to the following:

- **Vehicular Circulation.** Directional signs associated with on-site roadways and traffic circulation system.
- **Pedestrian Circulation.** Directional signs associated with on-site pedestrian walkways and corridors.
- **Interior Banners.** Banners or similar informal signs may be implemented throughout the Piemonte as a means of introducing color, variety, and as a unifying thematic element.
- **Parking Zone Markers.** Signs mounted on permanent poles to identify parking areas.

*Other Regulatory Signs*

Other regulatory signs, e.g., traffic controls signs, access control signs, will be provided throughout the Piemonte Overlay consistent with City or other applicable agency requirements.

Internal informational/directional signs will reflect the varied architectural themes and styles that are proposed throughout the Project. With the exception of signs mandated by City or other ordinances, dimensions and area of all Internal Informational/Directional Signs shall be as provided for within the Piemonte Sign Program.

### **3.8.5 Lighting**

#### **3.8.5.1 Lighting Design Guidelines**

Lighting themes and fixtures will lend a varied ambience to the nighttime appearance of the Piemonte Overlay, while providing illumination that is consistent with customary municipal safety standards. A combination of light fixtures will be used to illuminate surfaces such as roadways, parking areas and walkways, as well as landscape areas and building facades. The overall effect to be achieved is a balanced composition of lighting elements consisting of warm color light for architecture and cool color light for landscaping. The utilization of varying shades of white light will bring out the most desirable color characteristics of each.

Illumination for roadways will be provided by decorative poles that are compatible with the architectural character of the Piemonte Overlay and its surroundings. Light sources will be energy-efficient fixtures selected for their durability and reliability. Finishes will be complementary to architectural and landscaping components.

Parking areas will receive “cut-off” luminaries that shield against light trespass. The fixtures will be pole-mounted and shall include optics which will allow all appropriate areas to receive an average light level of approximately 1.5 foot candles. Fixtures will be energy-efficient LED or other code compliant lights.

Facade lighting will consist of energy-efficient LED, metal halide, fluorescent, and incandescent sources. The goal will be to accent architectural building details, and to create a unified appearance for all structures. Layers of light from multiple sources will help to control contrasts and to enhance 3-dimensional perspectives.

Low level path lighting and illuminated bollards will be used to accent walkways, plazas, paseos and other pedestrian access areas. Fluorescent sources are most desirable for this type of lighting.

Metal halide and fluorescent fixtures are the primary light source that will be used to highlight planting and trees. The intent is to bring out the green of tree canopies as well as the vibrant colors of seasonal plants at grade level.

Project signs may be internally or externally illuminated, consistent with provisions of the Piemonte Sign Program.

### **3.8.5.2 Lighting Development Standards**

All lighting along public roadways will comply with applicable City and OCSP requirements (as modified by this Overlay). Lighting and light fixtures within the Piemonte Overlay shall conform to the following standards:

- The use of lighting should be integrally designed as part of the built environment and should reflect a balance for the lighting needs with the contextual ambient light level and surrounding nighttime characteristics of the community.
- Lighting designs should be designed to minimize glare, light trespass, energy conservation, and to maintain dark skies.
- Full cut-off fixtures, mounting heights, and shielding should be utilized to effectively control glare and light trespass where possible.
- Lighting standards should support the overall intended theme of the Project.
- Lighting should be both aesthetically pleasing as well as functional.
- Lighting should meet all code requirements to properly achieve appropriate coverage.
- Lighting should provide a sense of safety and security for all site users.

All lighting within the Piemonte Overlay will be implemented and operated in conformance with Section 6.01.015.E.13 of the Ontario Development Code.



## **4.0 ADMINISTRATION**

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### **4.1 INTRODUCTION**

Approval of the Piemonte Overlay Specific Plan Amendment (2016) indicates acceptance by the City of Ontario City Council of the general framework for the development of the Piemonte Overlay property. Part of that framework establishes specific development standards that constitute the zoning regulations for the Piemonte Overlay. The provisions contained herein regulate development within the Specific Plan area, and provide the process for review and approval of development projects within the Overlay area.

### **4.2 SEVERABILITY**

If any portion of this Specific Plan Overlay document is declared to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The legislative body hereby declares that they would have enacted these regulations and each portion thereof irrespective of the fact that any one or more portions be declared invalid or ineffective.

### **4.3 MINOR MODIFICATIONS TO THE OVERLAY**

The City recognizes that modifications to the text and exhibits of this document may be needed over time. The following minor modifications to this document do not require formal Specific Plan Amendment and are subject to review and approval by the Planning Director; the Director however shall have the discretion to defer any such request for modification to the Planning Commission or City Council.

- Expansions or reductions of the net acreage covered within a Subarea.
- A decrease in development intensity/density (non-residential square footage, lodging rooms, and/or residential units).
- Modification of design criteria such as architectural details, landscape treatments, plant matrices, fencing, lighting, and entry treatments.

- Implementation of alternative landscape materials, wall materials, wall alignment, entry monument design, and streetscape design that are generally consistent with the conceptual design guidelines contained within this Overlay.
- Modifications to Architectural Design Guidelines, such as variation of materials within a particular architectural style and variations in materials and colors.
- Modifications to Signage requirements.
- Final infrastructure facility sizing and precise location of dry utilities, water, sewer, and storm drainage improvements when directed by the City Engineer.
- Roadway alignment when the changes are warranted. Revisions to exhibits which do not substantially change the intent of the Specific Plan.
- Modification and deletions to the list of allowed uses.
- Specific modifications of a similar nature to those listed above which are deemed minor by the Planning Director, which are in keeping with the intent of this Specific Plan and which are in conformance with the City of Ontario General Plan.

#### **4.4 AMENDMENTS TO THE OVERLAY**

Amendments to the Overlay may be requested by the applicant or the City pursuant to Section 65453(a) of the Government Code. Amendments shall be processed pursuant to the provisions of the Government Code for Specific Plan Amendments and Section 4.01.035 Specific Plans and Amendments of the Ontario Development Code.

In the event the proposed amendment requires supplemental environmental analysis pursuant to the California Environmental Quality Act (CEQA), the applicant(s) are responsible for preparing the necessary CEQA documentation.



## **4.5 SUBDIVISION MAPS**

Approval of subdivision (parcel) maps may occur concurrently or subsequent to the adoption of the Overlay. All tentative and final subdivision maps shall be reviewed and approved pursuant to Division 2.02, Application Filing and Processing, and Division 6.08, Subdivisions, of the Ontario Development Code and consistent with the applicable provisions of the Land Use, Infrastructure, Development Regulations, and Design Guidelines adopted as part of the Overlay.

## **4.6 DEVELOPMENT REVIEW PROCESS**

Development proposals within the Piemonte Overlay area are subject to review and approval by the City of Ontario through the City's review processes discussed below.

### **4.6.1 Development Plans**

Development proposals shall be submitted to the City for consideration, pursuant to the provisions of the Development Code Division 2.02 and Division 4.02. Development Plans shall be substantially consistent with the Overlay and associated exhibits. Applications and appeals related to Development Plan Review shall conform to requirements of the Ontario Development Code.

Through the Development Plan review process, development of individual proposals will be evaluated for consistency with the land uses, facilities configurations, and Design Guidelines and Development Regulations established under the Overlay. Development Plan review will consider and evaluate such details as building architecture, design, location and orientation, development intensity, and circulation/site access.

### **4.6.2 Development Capacity Conversion**

Any conversion of remaining development capacity shall be processed at the same time as the applicable development plan.

## **4.7 CONDITIONAL USE PERMITS**

Conditional Use Permits shall be required for any use in Subareas 6, 8, 11, and 13. Conditional uses shall be processed pursuant to the requirements of Section 4.02.015 Conditional Use Permits of the Ontario Development Code. Conditional Use Permits adjacent to residential uses shall consider and address the following residential/commercial interface issues during the review process:

1. Parking
  - Guest
  - Personal spaces being used
2. Traffic
  - Blocked streets
  - Arena/restaurant events
3. Noise
  - People
  - Traffic/Motorcycles
  - Horns
  - Music
  - Arguments
4. Late Night Activities
  - Every night until 2 am
5. Security
  - Unwanted element
  - Sheer number of people in area
  - Strangers
6. Lack of Privacy
  - Walking
  - Jogging
  - Dog Walking

7. Trash Pickup
  - Early morning noise
8. Deliveries
  - Large trucks
  - Times of day
9. Lighting
  - Overall light – amount of light
  - Lights shining in windows
10. Odors/Smell/Health
  - Kitchens/food
  - Flies and bugs
  - Rats and rodents
11. View/Appearance
  - Back of house
  - Loading areas
  - Wash out areas
12. Physical Damage
  - Walls
  - Buildings
  - Gates
  - Landscape

#### **4.8 APPEALS**

An appeal from any determination, decision, or requirement of staff, City, or Planning Commission shall conform to the appeal procedures established by Division 2.04 Appeals of the Ontario Development Code.



## **SECTION 5 GENERAL PLAN CONSISTENCY**

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65450-65457) permits the adoption and administration of Specific Plans as an implementation tool for elements contained in the local General Plan. Specific Plans must demonstrate consistency In regulations, guidelines, and programs with the goals and policies set forth in the General Plan.

The Piemonte Overlay has been prepared in conformance with the goals and policies of The Ontario Plan (TOP) Policy Plan (General Plan). The policy analysis in this Chapter describes the manner in which the Overlay complies with TOP Goals and Polices applicable to the development.

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>LAND USE ELEMENT</b>	
<b>GOAL LU 1: 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.</b>	
<p><b>LU 1-1 Strategic Growth.</b> We concentrate growth in strategic locations that help create place and identify, maximizes available and planned infrastructure, and foster the development of transit.</p>	<p>The Overlay area is located within the Ontario Center Specific Plan (OCSP) identified in The Ontario Plan and will rely on available infrastructure. The Overlay will adhere to current approved City of Ontario Infrastructure Master Plans.</p>
<p><b>LU 1-2 Sustainable Community Strategy.</b> We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.</p>	<p>Sustainable Community/Smart Growth principles are incorporated into Land Use Plan. Pedestrian sidewalks connect the mix of land uses within the OCSP. The project will contain many energy efficient features.</p>
<p><b>LU 1-3 Adequate Capacity.</b> We require adequate infrastructure and services for all development.</p>	<p>The Overlay is located in an area where planned infrastructure and public facilities have been constructed to ensure that adequate roadways and public utilities including sewer, water and drainage facilities along with parks and other public facilities are provided to serve the Overlay area.</p>
<p><b>LU 1-4 Mobility.</b> We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities. (Link to Mobility Element Policy M 3-3)</p>	<p>The mix of residential and commercial land uses within the Overlay are within walkable distance reducing the reliance on the automobile..</p>
<p><b>LU 1-5 Jobs-Housing Balance.</b> We coordinate land use, infrastructure, and transportation planning and analysis with regional, county and other local agencies to further regional and subregional goals for jobs-housing balance. (Link to Community Economics Element Policy CE1-1)</p>	<p>N/A</p>
<p><b>LU 1-6 Complete Community.</b> 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. (Link to Complete Community Section of Community Economics Element)</p>	<p>The Overlay plans for a complete infill community with a mix of residential, commercial, and offices where residents can live, work, shop and recreate at adjacent areas.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>LU 1-7 Revenues and Costs.</b> We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts. (Link to Community Economics Policy CE3-2)</p>	<p>N/A</p>
<p><b>GOAL LU 2: COMPATIBILITY BETWEEN A WIDE RANGE OF USES.</b></p>	
<p><b>LU 2-1 Land Use Decisions.</b> We minimize adverse impacts on adjacent properties when considering land use and zoning requests.</p>	<p>All development will be reviewed through the City's Development Plan process. Parking demand is carefully reviewed to minimize impacts on adjacent properties.</p>
<p><b>LU 2-2 Buffers.</b> We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur. (Link to Community Design)</p>	<p>N/A</p>
<p><b>LU 2-3 Hazardous Uses.</b> We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials. ( Link to Hazardous Materials &amp; Waste including Policies S6-4 and S6-5)</p>	<p>N/A</p>
<p><b>LU 2-4 Regulation of Nuisances.</b> We regulate the location, concentration and operations of potential nuisances.</p>	<p>N/A</p>
<p><b>LU 2-5 Regulation of Uses.</b> We regulate the location, concentration and operations of uses that have impacts on surrounding land uses.</p>	<p>All development will be reviewed through the City's Development Plan and/or applicable CUP process.</p>
<p><b>LU 2-6 Infrastructure Compatibility.</b> We require infrastructure to be aesthetically pleasing and in context with the community character.</p>	<p>The Overlay provides for an aesthetically pleasing streetscape concept.</p>
<p><b>LU 2-7 Inter-jurisdictional Coordination.</b> We maintain an ongoing liaison with IEUA, LAWA, Caltrans, Public Utilities Commission, the railroads and other agencies to help minimize impacts and improve the operations and aesthetics of their facilities.</p>	<p>N/A</p>
<p><b>LU 2-8 Transitional Areas.</b> We require development in transitional areas to protect the quality of life of current residents.</p>	<p>N/A</p>
<p><b>LU 2-9 Methane Gas Sites.</b> We require sensitive land uses and new uses on former dairy farms or other methane-producing sites be designed to minimize health risks.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>GOAL LU3: STAFF, REGULATIONS AND PROCESSES THAT SUPPORT AND ALLOW FLEXIBLE RESPONSE TO CONDITIONS AND CIRCUMSTANCES IN ORDER TO ACHIEVE THE VISION.</b>	
<b>LU 3-1 Development Standards.</b> We maintain clear development standards which allow flexibility to achieve our Vision.	The Overlay will set forth clear development standards compatible with the City's vision.
<b>LU 3-2 Design Incentives.</b> We offer design incentives to help projects achieve the Vision. (Link to Community Design)	N/A
<b>LU 3-3 Land Use Flexibility.</b> We consider uses not typically permitted within a land use category if doing so improves livability, reduces vehicular trips, creates community gathering places and activity nodes, and helps create identity.	N/A
<b>GOAL LU 4: DEVELOPMENT THAT PROVIDES SHORT-TERM VALUE ONLY WHEN THE OPPORTUNITY TO ACHIEVE OUR VISION CAN BE PRESERVED.</b>	
<b>LU 4-1 Commitment to Vision.</b> We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.	N/A
<b>LU 4-2 Interim Development.</b> We allow development in growth areas that is not immediately reflective of our ultimate Vision provided it can be modified or replaced when circumstances are right. We will not allow development that impedes, precludes or compromises our ability to achieve our Vision. (Link to Community Economics Policy CE2-3)	N/A
<b>LU 4-3 Infrastructure Timing.</b> We require that the necessary infrastructure and services be in place prior to or concurrently with development.	Necessary infrastructure and services will be in place at occupancy.
<b>GOAL LU5: INTEGRATED AIRPORT FACILITIES THAT MINIMIZE NEGATIVE IMPACTS TO THE COMMUNITY AND MAXIMIZE ECONOMIC BENEFITS.</b>	
<b>LU 5-1 Coordination with Airport Authorities.</b> We collaborate with FAA, Caltrans Division of Aeronautics, airport owners, neighboring jurisdictions, and other shareholders in the preparation, update and maintenance of airport-related plans.	N/A
<b>LU 5-2 Airport Planning Consistency.</b> We coordinate with airport authorities to ensure The Ontario Plan is consistent with state law, federal regulations and/or adopted master plans and land use compatibility plans for the ONT and Chino Airport.	N/A



POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>LU 5-3 Airport Impacts.</b> We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.</p>	<p>N/A</p>
<p><b>LU 5-4 ONT Growth Forecast.</b> We support and promote an ONT that accommodates 30 million annual passengers and 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated</p>	<p>N/A</p>
<p><b>LU 5-5 Airport Compatibility Planning for ONT.</b> We create and maintain the Airport Land Use Compatibility Plan for ONT.</p>	<p>N/A</p>
<p><b>LU 5-6 Alternative Process.</b> We fulfill our responsibilities and comply with state law with regard to the Alternative Process for proper airport land use compatibility planning.</p>	<p>N/A</p>
<p><b>LU 5-7 ALUCP Consistency and Land Use Regulations.</b> We comply with state law that requires general plans, specific plans and all new development to be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.</p>	<p>The Overlay is located within the Airport Influence Areas of Ontario International Airport. Section 2.1.2 notifies the reader to refer to the ONT ALUCP.</p>
<p><b>LU 5-8 Chino Airport.</b> We will support the creation and implementation of the Airport Land Use Compatibility Plan for Chino Airport.</p>	<p>N/A</p>

**HOUSING ELEMENT**

**GOAL H1: STABLE NEIGHBORHOODS OF QUALITY HOUSING, AMPLE COMMUNITY SERVICES AND PUBLIC FACILITIES, WELL-MAINTAINED INFRASTRUCTURE, AND PUBLIC SAFETY THAT FOSTER A POSITIVE SENSE OF IDENTITY**

<p><b>H 1-1 Housing Rehabilitation.</b> We support the rehabilitation, maintenance, and improvement of single-family, multiple-family, and mobile homes through code compliance, removal of blight where necessary, and provision of rehabilitation assistance where feasible.</p>	<p>N/A</p>
<p><b>H 1-2 Neighborhood Conditions.</b> We direct efforts to improve the long-term sustainability of neighborhoods through comprehensive planning, provision of neighborhood amenities, rehabilitation and maintenance of housing, and community building efforts.</p>	<p>Our mixed-use project combines residential and commercial uses which will help vitalize an underutilized area.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>H 1-3 Community Amenities.</b> We shall provide adequate public services, infrastructure, open space, parking and traffic management, pedestrian, bicycle and equestrian routes and public safety for neighborhoods consistent with City master plans and neighborhood plans.</p>	<p>N/A</p>
<p><b>H 1-4 Historical Preservation.</b> We support the preservation and enhancement of residential structures, properties, street designs, lot configurations, and other reminders of Ontario's past that are considered to be local historical or cultural resources.</p>	<p>N/A</p>
<p><b>H 1-5 Neighborhood Identity.</b> We strengthen neighborhood identity through creating parks and recreational outlets, sponsoring neighborhood events and encouraging resident participation in the planning and improvement of their neighborhoods.</p>	<p>N/A</p>
<p><b>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.</b></p>	
<p><b>H 2-1 Corridor Housing.</b> We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally and aesthetically suited to corridors.</p>	<p>The design guidelines and development standards provide for development suited for adjacency to corridors. The proposed high density housing is also suitable for the adjacent Haven and Fourth Streets high traffic corridors.</p>
<p><b>2-2 Historic Downtown.</b> We foster a vibrant historic downtown through facilitating a wide range of housing types and affordability levels for households of all ages, housing preferences, and income levels.</p>	<p>N/A</p>
<p><b>H 2-3 Ontario Airport Metro Center.</b> We foster a vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.</p>	<p>N/A</p>
<p><b>H 2-4 New Model Colony.</b> We support a premier lifestyle community in the New Model Colony distinguished by diverse housing, highest design quality, and cohesive and highly amenitized neighborhoods.</p>	<p>N/A</p>
<p><b>H 2-5 Housing Design.</b> We require architectural excellence through adherence to City design guidelines, thoughtful site planning, environmentally sustainable practices and other best practices.</p>	<p>The Overlay has its own design guidelines to achieve architectural excellence.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p>H 2-6 Infill Development. We support the revitalization of neighborhoods through the construction of higher-density residential developments on underutilized residential and commercial sites.</p>	<p>The Overlay allows for development on underutilized residential and commercial sites, including high density residential developments.</p>
<p><b>GOAL H3: A CITY REGULATORY ENVIRONMENT THAT BALANCES THE NEED FOR CREATIVITY AND EXCELLENCE IN RESIDENTIAL DESIGN, FLEXIBILITY AND PREDICTABILITY IN THE PROJECT APPROVAL PROCESS, AND THE PROVISION OF AN ADEQUATE SUPPLY AND PRICES OF HOUSING.</b></p>	
<p><b>H 3-1 Incentives.</b> We maintain incentive programs that can be offered to projects that provide benefits to the community such as exceptional design quality, economic advantages, environmental sustainability, or other benefits that would otherwise be unrealized.</p>	<p>N/A</p>
<p><b>H 3-2 Flexible Standards.</b> We allow flexibility in the application of residential and mixed-use development standards in order to gain benefits such as exceptional design quality, economic advantages, sustainability, or other benefits that would otherwise be unrealized.</p>	<p>This Overlay provides flexibility in design to allow the most exceptional design quality.</p>
<p><b>H 3-3 Development Review.</b> We maintain a residential development review process that provides certainty and transparency for project stakeholders and the public, yet allows for the appropriate review to facilitate quality housing development.</p>	<p>N/A</p>
<p><b>H 3-4 Financial Incentives.</b> We consider financial incentives to facilitate and encourage the production, rehabilitation or improvement of housing, or provision of services where such activity furthers housing and community-wide goals.</p>	<p>N/A</p>
<p><b>GOAL H4: INCREASED OPPORTUNITIES FOR LOW AND MODERATE INCOME HOUSEHOLDS AND FAMILIES TO AFFORD AND MAINTAIN QUALITY OWNERSHIP AND RENTAL HOUSING OPPORTUNITIES, INCLUDING MOVE-UP OPPORTUNITIES.</b></p>	
<p><b>H 4-1 Preservation of Affordable Apartments.</b> We strive to facilitate the preservation of the affordability of publicly assisted apartments for lower income households through financial assistance, technical assistance, rehabilitation, and collaborative partnerships.</p>	<p>N/A</p>
<p><b>H 4-2 Homeownership Opportunities.</b> We increase and expand homeownership rates for lower and moderate income households by offering financial assistance, low-interest loans and educational resources, and by working in collaboration with partnerships.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>H 4-3 Rental Assistance.</b> We support the provision of rental assistance for individuals and families earning extremely low, very low, and low income with funding from the state and federal government.	N/A
<b>H 4-4: Mixed-income Housing.</b> We encourage the integration of affordable housing in the New Model Colony, Ontario Airport Metro Center Area, and existing neighborhoods.	The Overlay provides for apartment living. The proposed rent range will include rents affordable to more moderate income residents.
<b>H 4-5 Collaborative Partnerships.</b> We support collaborative partnerships of nonprofit organizations, affordable housing developers, major employers, and for-profit developers to produce affordable housing.	N/A
<b>H 4-6 Fair Housing.</b> We further fair housing by prohibiting discrimination in the housing market and providing education, support, and enforcement services to address discriminatory practices	N/A
<b>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.</b>	
<b>H 5-1 Senior Housing.</b> We support the development of accessible and affordable senior housing and provide financial assistance for seniors to maintain and improve their homes.	N/A
<b>H 5-2 Family Housing.</b> 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.	N/A
<b>H 5-3 Disabled People.</b> We increase the supply of permanent, affordable and accessible housing for people with disabilities, and provide assistance to allow them to maintain and improve their homes	N/A
<b>H 5-4 Homeless People.</b> We partner with non-profit partners to provide emergency shelters, transitional housing, permanent supportive housing, and supportive services for people who are homeless.	N/A
<b>H 5-5 Supportive Services.</b> We financially support organizations, as feasible, that provide support services that meet the needs of those with special needs and further the greatest level of independence.	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>H 5-6 Partnerships.</b> We collaborate with non-profit organizations, private developers, employers, government agencies and other interested parties to develop affordable housing and provide support services.</p>	<p>N/A</p>
<b>PARKS AND RECREATION ELEMENT</b>	
<b>GOAL PR1: A SYSTEM OF SAFE AND ACCESSIBLE PARKS THAT MEETS THE NEEDS OF THE COMMUNITY.</b>	
<p><b>PR 1-1 Access to Parks.</b> We strive to provide a park and/or recreational facility within walking distances (1/4 mile) of every residence.</p>	<p>All residents will have access to a range of on-site amenities including pools and gyms.</p>
<p><b>PR 1-2 Adjacency to Schools.</b> We examine locating parks adjacent to school sites to promote joint-use opportunities.</p>	<p>N/A</p>
<p><b>PR 1-3 Funding.</b> We shall seek outside, one-time sources of funding for capital improvements and reserve ongoing City funds primarily for operations and maintenance.</p>	<p>N/A</p>
<p><b>PR 1-4 Joint-use Opportunities.</b> In areas where there is a need but no City recreational facility, we explore joint-use opportunities. (e.g., school sites).</p>	<p>N/A</p>
<p><b>PR 1-5 Acreage Standard.</b> We strive to provide 5 acres of parkland (public and private) per 1,000 residents.</p>	<p>Park fees will be paid at the time of building permits to assist the City in its park efforts.</p>
<p><b>PR 1-6 Private Parks.</b> We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.</p>	<p>Park fees will be paid at the time of building permits.</p>
<p><b>PR 1-7 Special Needs/Universal Design.</b> We attempt to provide recreational opportunities at parks for people of all ages and abilities.</p>	<p>N/A</p>
<p><b>PR 1-8 Renovation.</b> We examine renovating existing facilities prior to building replacement facilities.</p>	<p>N/A</p>
<p><b>PR 1-9 Phased Development.</b> We require parks be built in new communities before a significant proportion of residents move in.</p>	<p>Park fees will be paid at the time of building permits.</p>
<p><b>PR 1-10 Master Plans for Individual Park Facilities.</b> We require an individual park master plan for parks in excess of 10 acres.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>PR 1-11 Environmental Function of Parks.</b> We require new parks to meet environmental management objectives.</p>	<p>N/A</p>
<p><b>PR 1-12 Trails.</b> We promote connections between parks and local trails including those managed by other public agencies.</p>	<p>N/A</p>
<p><b>PR 1-13 Equestrian Trails.</b> We require the design, construction and maintenance of equestrian trails in Rural Residential designated areas.</p>	<p>N/A</p>
<p><b>PR 1-14 Multi-family Residential Developments.</b> We require that new multi-family residential developments of five or more units provide recreational facilities or open space, in addition to paying adopted impact fees.</p>	<p>The Overlay requires that all multi-family developments within the Overlay provide private recreational areas for residents of the development in addition to the payment of park fees at the time of building permits.</p>
<p><b>PR 1-15 Trail Connectivity.</b> We strengthen and improve equestrian, bike and multipurpose trail connections within the City and work to improve trail connections into adjacent jurisdictions.</p>	<p>N/A</p>
<p><b>PR 1-16 Equestrian Master Plan.</b> We use Homer Briggs Park as the primary focal point for the development of a Master Plan of Equestrian Trails in the Rural Residential area.</p>	<p>N/A</p>

## ENVIRONMENTAL RESOURCES ELEMENT

### GOAL ER1: A RELIABLE AND COST EFFECTIVE SYSTEM THAT PERMITS THE CITY TO MANAGE ITS DIVERSE WATER RESOURCES AND NEEDS.

<p><b>ER 1-1 Local Water Supply.</b> We increase local water supplies to reduce our dependence on imported water.</p>	<p>N/A</p>
<p><b>ER 1-2 Matching Supply to Use.</b> We match water supply and quality to the appropriate use.</p>	<p>N/A</p>
<p><b>ER 1-3 Conservation.</b> We require conservation strategies that reduce water usage.</p>	<p>All Overlay development will meet CALGreen low flow fixture requirements. All irrigation systems will be designed per State and/ or the City of Ontario's Water Conservation Ordinance and utilize the existing reclaimed water infrastructure system. Landscaped areas within the Overlay area will be graded as swales to the maximum extent practicable in order to maximize conservation of irrigation water and natural rainfall run-off.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>ER 1-4 Supply-Demand Balance.</b> We require that available water supply and demands be balanced.</p>	<p>N/A</p>
<p><b>ER 1-5 Groundwater Management.</b> We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.</p>	<p>The Overlay development will comply with all applicable regulations in regards to protecting groundwater quality.</p>
<p><b>ER 1-6 Urban Run-off Quantity.</b> We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.</p>	<p>Overlay development shall be designed to retain and in-filter, harvest and use or biotreat the Design Capture Volume of surface run-off, on-site, to comply with the current requirements of the San Bernardino County NPDES Stormwater Program’s Water Quality Management (WQMP) for new development projects.</p>
<p><b>ER 1-7 Urban Run-off Quality.</b> We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.</p>	<p>Overlay Development is obligated to minimize the impacts of urban run-off, through the implementation of on-site and off-site Low Impact Development (LID) Site Design Best Management Practices (BMPs) which retain/ in-filter, harvest and use, or biotreat the average 2-year, 24-hour storm run-off volume (85th percentile storm event) from the project, consistent with Regional Water Quality Control Board regulations as part of the County-wide NPDES Permit.</p>
<p><b>ER 1-8 Wastewater Management.</b> We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.</p>	<p>The project is obligated to comply with wastewater discharge and collection requirements adopted by the Regional Water Quality Control Board.</p>
<p><b>GOAL ER2: A COST EFFECTIVE, INTEGRATED WASTE MANAGEMENT SYSTEM THAT MEETS OR EXCEEDS STATE AND FEDERAL RECYCLING AND WASTE DIVERSION MANDATES.</b></p>	
<p><b>ER 2-1 Waste Diversion.</b> We shall meet or exceed AB 939 requirements.</p>	<p>All development will comply with City construction waste diversion requirements.</p>
<p><b>ER 2-2 Hazardous and Electronic Wastes.</b> We prohibit the disposal of hazardous and electronic waste into the municipal waste stream pursuant to state law.</p>	<p>N/A</p>
<p><b>ER 2-3 Purchase Products Made from Recycled Materials.</b> We purchase recycled-content products where it is cost effective</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>GOAL ER3: COST-EFFECTIVE AND RELIABLE ENERGY SYSTEM SUSTAINED THROUGH A COMBINATION OF LOW IMPACT BUILDING, SITE AND NEIGHBORHOOD ENERGY CONSERVATION AND DIVERSE SOURCES OF ENERGY GENERATION THAT COLLECTIVELY HELPS TO MINIMIZE THE REGION’S CARBON FOOTPRINT.</b>	
<b>ER 3-1 Conservation Strategy.</b> We require conservation as the first strategy to be employed to meet applicable energy-saving standards.	All development within the Overlay will meet California’s stringent CALGreen and Energy Codes.
<b>ER 3-2 Green Development- Communities.</b> We require the use of best practices identified in green community rating systems to guide the planning and development of all new communities.	The Overlay contains a broad mix of land uses, and density as identified in the best practices of several rating systems.
<b>ER 3-3 Building and Site Design.</b> We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.	All development within the Overlay will meet California’s stringent CALGreen and Energy Codes.
<b>ER 3-4 Green Development– Public Buildings.</b> We require all new and substantially renovated City buildings in excess of 10,000 square feet achieve a LEED Silver Certification standard, as determined by the U.S. Green Building Council.	N/A
<b>ER 3-5 Fuel Efficient and Alternative Energy Vehicles and Equipment.</b> We purchase and use vehicles and equipment that are fuel efficient and meet or surpass state emissions requirements and/or use renewable sources of energy	N/A
<b>ER 3-6 Generation. Renewable Sources.</b> We promote the use of renewable energy sources to serve public and private sector development.	N/A
<b>GOAL ER4: IMPROVED INDOOR AND OUTDOOR AIR QUALITY AND REDUCED LOCALLY GENERATED POLLUTANT EMISSIONS.</b>	
<b>ER 4-1 Land Use.</b> We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance.	The Overlay provides for compact mix of uses that improves the regional jobs-housing balance.
<b>ER 4-2 Sensitive Land Uses.</b> We prohibit the future siting of sensitive land uses, within the distances defined by the California Air Resources Board for specific source categories, without sufficient mitigation.	N/A



POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>ER 4-3 Greenhouse Gases (GHG) Emissions Reductions.</b> We will reduce GHG emissions in accordance with regional, state and federal regulations.	The Overlay complies with regional, state and federal regulations.
<b>ER 4-4 Indoor Air Quality.</b> We will comply with State Green Building Codes relative to indoor air quality.	Overlay development will be required to comply with all State laws in regards to indoor air quality.
<b>ER 4-5 Transportation.</b> We promote mass transit and non-motorized mobility options (e.g. walking, biking) to reduce air pollutant emissions.	N/A
<b>ER4-6 Particulate Matter.</b> We support efforts to reduce particulate matter to meet State and Federal Clean Air Standards.	N/A
<b>ER4-7 Other Agency Collaboration.</b> We collaborate with other agencies within the South Coast Air Basin to improve regional air quality at the emission source.	N/A
<b>ER 4-8 Tree Planting.</b> We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.	Where possible, healthy existing street trees will be protected. Additional trees will be planted within the Overlay per the landscape standards and requirements.
<b>GOAL ER5 PROTECTED HIGH VALUE HABITAT AND FARMING AND MINERAL RESOURCE EXTRACTION ACTIVITIES THAT ARE COMPATIBLE WITH ADJACENT DEVELOPMENT.</b>	
<b>ER 5-1 Habitat Conservation Areas.</b> We support the protection of biological resources through the establishment, restoration and conservation of high quality habitat areas.	N/A
<b>ER 5-2 Entitlement and Permitting Process.</b> We comply with state and federal regulations regarding protected species.	N/A
<b>ER 5-3 Right to Farm.</b> We support the right of existing farms to continue their operations within the New Model Colony.	N/A
<b>ER 5-4 Transition of Farms.</b> We protect both existing farms and sensitive uses around them as agricultural areas transition to urban uses.	N/A
<b>ER 5-5 Mining Operations.</b> We prohibit future mining operations where the resource extraction activities are incompatible with existing or proposed adjacent land uses.	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>COMMUNITY ECONOMICS ELEMENT</b>	
<b>GOAL CE1: A COMPLETE COMMUNITY THAT PROVIDES FOR ALL INCOMES AND STAGES OF LIFE.</b>	
<p><b>CE 1-1 Jobs-Housing Balance.</b> We pursue improvement to the Inland Empire’s balance between jobs and housing by promoting job growth that reduces the regional economy’s reliance on out-commuting.</p>	N/A
<p><b>CE 1-2 Jobs and Workforce Skills.</b> We use our economic development resources to: 1) attract jobs suited for the skills and education of current and future City residents; 2) work with regional partners to provide opportunities for the labor force to improve its skills and education; and 3) attract businesses that increase Ontario’s stake and participation in growing sectors of the regional and global economy. (Link to Social Resource Policy SR2-2)</p>	N/A
<p><b>CE 1-3 Regional Approach to Workforce Development.</b> We work with our partners to provide workforce training and development services throughout the region recognizing that Ontario employers rely on workers living outside of the City.</p>	N/A
<p><b>CE 1-4 Business Retention and Expansion.</b> We continuously improve two-way communication with the Ontario business community and emphasize customer service to existing businesses as part of our competitive advantage.</p>	N/A
<p><b>CE 1-5 Business Attraction.</b> We proactively attract new and expanding businesses to Ontario in order to increase the City’s share of growing sectors of the regional and global economy.</p>	N/A
<p><b>CE 1-6 Diversity of Housing.</b> We collaborate with residents, housing providers and the development community to provide housing opportunities for every stage of life; we plan for a variety of housing types and price points to support our workforce, attract business and foster a balanced community.</p>	<p>The Overlay provides smaller 1- and 2-bedroom apartments that will serve a diversity of households and incomes.</p>
<p><b>CE 1-7 Retail Goods and Services.</b> We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.</p>	<p>The Overlay allows for and exciting mix of retail businesses.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
CE 1-8 Regional Attraction. We encourage the development and programming of regional, cultural, and entertainment destinations in Ontario. (Link to Social Resources Entertainment and Culture Policy SR5-4)	N/A
CE 1-9 Regional Leadership. We provide leadership for public, quasi-public, and private-sector partners that help Ontario and its residents and businesses realize our goals and achieve our Vision.	N/A
CE 1-10 Life-Long Education. We work with our partners who provide life-long learning to ensure that our residents and workforce have access to education at all stages of life. (Link to Social Resources-Education SR2-1)	N/A
CE 1-11 Socioeconomic Trends. We continuously monitor, plan for, and respond to changing socioeconomic trends.	N/A
CE 1-12 Circulation. We continuously plan and improve public transit and non-vehicular circulation for the mobility of all, including those with limited or no access to private automobiles. (Link to Mobility Public Transit)	Existing bus routes are located on adjacent streets to the Overlay, allowing residents and patrons of commercial development easy access to alternative means of transportation.
CE 1-13 Safety and Security. We invest in public safety and communicate our successes because the perception and reality of safety and security are necessary prerequisites for private investment and economic growth. (Link to Safety Element)	N/A
<b>GOAL CE2: A CITY OF DISTINCTIVE NEIGHBORHOODS, DISTRICTS, AND CORRIDORS, WHERE PEOPLE CHOOSE TO BE.</b>	
CE 2-1 Development Projects. We require new development and redevelopment to create unique, high-quality places that add value to the community. (Link to Community Design Element)	The Overlay sets forth criteria for creating high-quality places and development. In particular, residential development expressed in a contemporary architectural vernacular will be unique to Ontario.
CE 2-2 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.	The Overlay provides standards and guidelines to create unique, functional and sustainable places.

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CE 2-3 Interim Development.</b> We require interim development that does not reflect the long-term Vision, be limited in scale of development so that the investment can be sufficiently amortized to make Vision-compatible redevelopment financially feasible.</p>	<p>N/A</p>
<p><b>CE 2-4 Protection of Investment.</b> We require that new development and redevelopment protect existing investment by providing architecture and urban design of equal or greater quality.</p>	<p>The Overlay provides a framework for high quality architecture and urban design.</p>
<p><b>CE 2-5 Private Maintenance.</b> We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values. (Link to Community Design Policy CD5-1)</p>	<p>There is an existing Piemonte at Ontario Center Property Owners Association that maintains the private drives.</p>
<p><b>CE 2-6 Public Maintenance.</b> We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property. (Link to Community Design Policy CD 5-1)</p>	<p>N/A</p>
<p><b>GOAL CE3 DECISION-MAKING DELIBERATIONS THAT INCORPORATE THE FULL SHORT-TERM AND LONG-TERM ECONOMIC AND FISCAL IMPLICATIONS OF PROPOSED CITY COUNCIL ACTIONS.</b></p>	
<p><b>CE 3-1 Fiscal Impact Disclosure.</b> We require requests for City Council action to disclose the full fiscal impacts, including direct and indirect costs.</p>	<p>N/A</p>
<p><b>CE 3-2 General Plan Amendments.</b> We require those proposing General Plan amendments to disclose reasonably foreseeable impacts through a fiscal analysis.</p>	<p>N/A</p>
<p><b>CE 3-3 Long-Term Funding Disclosure.</b> We require those requesting City support or funding for projects or programs to disclose if and how they can be continued without further City support.</p>	<p>N/A</p>
<p><b>CE 3-4 Improving Fiscal Decision-Making.</b> We periodically assess the accuracy of projections for staff time and City resources and use the assessment results to improve our fiscal decision-making process.</p>	<p>N/A</p>
<p><b>CE 3-5 Sustainable Development.</b> We recognize impacts to municipal finances as an element of sustainability, and we require claims of sustainability to assess fiscal impacts.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CE 3-6 Fully Funded Liability.</b> We require long-term liabilities, such as retiree medical benefits, employee accrued leave balances and self insured liability claims, to be fully funded to ensure sound, long-term fiscal health.</p>	<p>N/A</p>
<p><b>CE 3-7 Programmatically Balanced Budget.</b> We require that the annual budget include appropriations allocated in a manner to meet the goal of the programmatically balanced budget.</p>	<p>N/A</p>
<p><b>CE 3-8 Budget Margins.</b> We require that the adopted budget for revenue and expenditures reflect sufficient budget margins to minimize negative impacts to City services due to economic uncertainties.</p>	<p>N/A</p>
<p><b>CE 3-9 Complete Comparative Context.</b> We require that our annual budget process provide the complete comparative context for proposed new and increased funding so decision makers can fully understand the trade-offs among budget choices.</p>	<p>N/A</p>

**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.**

<p><b>S 1-1: Implementation of Regulations and Standards.</b> We require that all new habitable structures be designed in accordance with the most recent California Building Code adopted by the City, including provisions regarding lateral forces and grading.</p>	<p>All habitable buildings within the Overlay will be required to meet the California Building Code.</p>
<p><b>S 1-2 Entitlement and Permitting Process.</b> We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.</p>	<p>All habitable buildings within the Overlay will be required to meet the California Building Code.</p>
<p><b>S 1-3 Continual Update of Technical Information.</b> We maintain up-to-date California Geological Survey seismic hazard maps.</p>	<p>N/A</p>
<p><b>S 1-4 Seismically Vulnerable Structures.</b> We conform to state law regarding unreinforced masonry structures.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>GOAL S2 MINIMIZED RISK OF INJURY, LOSS OF LIFE, PROPERTY DAMAGE AND ECONOMIC AND SOCIAL DISRUPTION CAUSED BY FLOODING AND INUNDATION HAZARDS.</b>	
<p><b>S 2-1 Entitlement and Permitting Process.</b> We follow State guidelines and building code to determine when development proposals require hydrological studies prepared by a State-certified engineer to assess the impact that the new development will have on the flooding potential of existing development down-gradient.</p>	N/A
<p><b>S 2-2 Flood Insurance.</b> We will limit development in flood plains and participate in the National Flood Insurance Program.</p>	N/A
<p><b>S 2-3 Facilities that Use Hazardous Materials.</b> We comply with state and federal law and do not permit facilities using, storing, or otherwise involved with substantial quantities of on-site hazardous materials to be located in the 100 year flood zone unless all standards of elevation, flood proofing and storage have been implemented to the satisfaction of the Building Department.</p>	N/A
<p><b>S 2-4 Prohibited Land Uses.</b> We prohibit the development of new essential and critical facilities in the 100-year floodplain.</p>	N/A
<p><b>S 2-5 Storm Drain System.</b> We maintain and improve the storm drain system to minimize flooding. (Link to Environmental Resources)</p>	N/A
<p><b>S 2-6 Use of Flood Control Facilities.</b> We encourage joint use of flood control facilities as open space or other types of recreational facilities.</p>	N/A
<b>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.</b>	
<p><b>S 3-1 Prevention Services.</b> We proactively mitigate or reduce the negative effects of fire, hazardous materials release, and structural collapse by implementing the adopted Fire Code.</p>	All buildings and site design will comply with the California Fire Code.
<p><b>S 3-2 Community Outreach.</b> We provide education to local schools and community groups to promote personal and public safety.</p>	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>S 3-3 Fire and Emergency Medical Services.</b> We maintain sufficient fire stations, equipment and staffing to respond effectively to emergencies.</p>	<p>N/A</p>
<p><b>S 3-4 Special Team Services.</b> We maintain effective special rescue services.</p>	<p>N/A</p>
<p><b>S 3-5 Emergency Communication Services.</b> We maintain a 9-1-1 emergency communication and dispatch center.</p>	<p>N/A</p>
<p><b>S 3-6 Interagency Cooperation.</b> In order to back up and supplement our capabilities to respond to emergencies, we participate in the California Fire Rescue and Mutual Aid Plan.</p>	<p>N/A</p>
<p><b>S 3-7 Water Supply and System Redundancy.</b> We monitor our water system to manage firefighting water supplies.</p>	<p>N/A</p>
<p><b>S 3-8: Fire Prevention through Environmental Design.</b> We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open space and buildings. (Link to Community Design Element)</p>	<p>All development within the Overlay incorporates fire prevention considerations in the design of streetscapes, sites, open spaces and buildings and will be verified for compliance during the review process.</p>
<p><b>S 3-9 Resource Allocation.</b> We analyze fire data to evaluate the effectiveness of our fire prevention and reduction strategies and allocate resources accordingly.</p>	<p>N/A</p>
<p><b>GOAL S4 AN ENVIRONMENT WHERE NOISE DOES NOT ADVERSELY AFFECT THE PUBLIC’S HEALTH, SAFETY, AND WELFARE.</b></p>	
<p><b>S 4-1 Noise Mitigation.</b> We utilize the City’s Noise Ordinance, building codes and subdivision and development codes to mitigate noise impacts.</p>	<p>N/A</p>
<p><b>S 4-2 Coordination with Transportation Authorities.</b> We collaborate with airport owners, FAA, Caltrans, SANBAG, SCAG, neighboring jurisdictions, and other transportation providers in the preparation and maintenance of, and updates to transportation-related plans to minimize noise impacts and provide appropriate mitigation measures.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>S 4-3 Airport Noise Mitigation.</b> We aggressively pursue funding and utilize programs to reduce effects of aircraft noise in impacted areas of our community. (Link to Land Use Element and Quiet Home Program)</p>	N/A
<p><b>S 4-4 Truck Traffic.</b> We manage truck traffic to minimize noise impacts on sensitive land uses. (Link to Mobility Element)</p>	N/A
<p><b>S 4-5 Roadway Design.</b> We design streets and highways to minimize noise impacts.</p>	N/A
<p><b>S 4-6 Airport Noise Compatibility.</b> We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.</p>	The Overlay complies with the ALUCP for Ontario International Airport.
<p><b>GOAL S5: REDUCED RISK OF INJURY, PROPERTY DAMAGE AND ECONOMIC LOSS RESULTING FROM WINDSTORMS AND WIND- RELATED HAZARDS.</b></p>	
<p><b>S 5-1 Backup Power in Critical Facilities.</b> We require backup power be maintained in critical facilities.</p>	N/A
<p><b>S 5-2 Dust Control Measures.</b> We require the implementation of Best Management Practices for dust control at all excavation and grading project.</p>	Construction within the Overlay will comply with all mitigation measures identified in the project EIR with regard to dust control.
<p><b>S 5-3 Grading in High Winds.</b> We prohibit excavation and grading during strong wind conditions, as defined by the Building Code.</p>	The Overlay complies with the Building Code.
<p><b>GOAL S6 REDUCED POTENTIAL FOR HAZARDOUS MATERIALS EXPOSURE AND CONTAMINATION.</b></p>	
<p><b>S 6-1 Disclosure and Notification.</b> We enforce disclosure laws that require all users, producers, and transporters of hazardous materials and wastes to clearly identify the materials that they store, use or transport.</p>	N/A
<p><b>S 6-2 Response to Hazardous Materials Releases.</b> We respond to hazardous materials incidents and coordinate these services with other jurisdictions.</p>	N/A
<p><b>S 6-3 Safer Alternatives.</b> We minimize our use of hazardous materials by choosing non-toxic alternatives that do not pose a threat to the environment.</p>	N/A



POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>S 6-4 Safe Storage and Maintenance Practices.</b> We require that the users of hazardous materials be adequately prepared to prevent and mitigate hazardous materials releases.</p>	N/A
<p><b>S 6-5 Location of Hazardous Material Facilities.</b> We regulate facilities that will be involved in the production, use, storage or disposal of hazardous materials, pursuant to federal, state, county, and local regulations, so that impacts to the environment and sensitive land uses are mitigated.</p>	N/A
<p><b>S 6-6 Location of Sensitive Land Uses.</b> We prohibit new sensitive land uses from locating within airport Safety Zones and near existing sites that use, store, or generate large quantities of hazardous materials. (Link to Land Use Element)</p>	N/A
<p><b>S 6-7 Household Hazardous Waste.</b> We support the proper disposal of household hazardous substances.</p>	N/A
<p><b>S 6-8 Mitigation and Remediation of Groundwater Contamination.</b> We actively participate in local and regional efforts directed at both mitigating environmental exposure to contaminated groundwater and taking action to clean up contaminated groundwater once exposure occurs.</p>	N/A
<p><b>S 6-9 Remediation of Methane.</b> We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.</p>	N/A
<p><b>GOAL S7: NEIGHBORHOODS AND COMMERCIAL AND INDUSTRIAL DISTRICTS THAT ARE KEPT SAFE THROUGH A MULTI-FACETED APPROACH OF PREVENTION, SUPPRESSION, COMMUNITY INVOLVEMENT AND A SYSTEM OF CONTINUOUS MONITORING.</b></p>	
<p><b>S 7-1 Police Unit Response.</b> We respond to calls for service in a timely manner.</p>	N/A
<p><b>S 7-2 Community Oriented Problem Solving (C.O.P.S.).</b> We support and maintain the mission of COPS to identify and resolve community problems.</p>	N/A
<p><b>S 7-3 Prevention Services.</b> We provide crime prevention programs targeted to youth, parents, seniors, businesses, and neighborhoods.</p>	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>S 7-4: Crime Prevention through Environmental Design (CPTED).</b> We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.</p>	<p>All new development will be reviewed and approved pursuant to the provisions of the City's Subdivision Ordinance and Development Plan Review process which provides for review by the City's Police Department and that may require the development to incorporate CPTED in the design of streetscapes, sites, and buildings.</p>
<p><b>S 7-5 Interdepartmental Coordination.</b> We utilize all City departments to help reduce crime and promote public safety.</p>	<p>N/A</p>
<p><b>S 7-6 Partnerships.</b> We partner with other local, state and federal law enforcement agencies and private security providers to enhance law enforcement service to Ontario.</p>	<p>N/A</p>
<p><b>S 7-7 Resource Allocation.</b> We analyze crime data to evaluate the effectiveness of crime prevention and reduction strategies and allocate resources accordingly.</p>	<p>N/A</p>

## MOBILITY ELEMENT

### GOAL M1: A SYSTEM OF ROADWAYS THAT MEETS THE MOBILITY NEEDS OF A DYNAMIC AND PROSPEROUS ONTARIO.

<p><b>M 1-1: Roadway Design and Maintenance.</b> We require our roadways to:</p> <ul style="list-style-type: none"> <li>• Comply with federal, state and local design and safety standards.</li> <li>• Meet the needs of multiple transportation modes and users.</li> <li>• Handle the capacity envisioned in the Functional Roadway Classification Plan.</li> <li>• Maintain a peak hour Level of Service (LOS) E or better at all intersections.</li> <li>• Be compatible with the streetscape and surrounding land uses.</li> <li>• Be maintained in accordance with best practices and our Right-of-Way Management Plan.</li> </ul>	<p>The Overlay is consistent with the requirements of the City's Functional Roadway Classification Plan.</p>
<p><b>M 1-2: Mitigation of Impacts.</b> We require development to mitigate its traffic impacts.</p>	<p>All development will implement all traffic mitigation measures, standard conditions and project design features identified in the project EIR.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>M 1-3 Roadway Improvements.</b> We work with Caltrans, SANBAG and others to identify, fund and implement needed improvements to roadways identified in the Functional Roadway Classification Plan.</p>	<p>N/A</p>
<p><b>M 1-4 Adjacent Jurisdictions.</b> We work with neighboring jurisdictions to meet our level of service standards at the City limits.</p>	<p>Street improvements along 4th Street will have been approved by the City of Rancho Cucamonga.</p>
<p><b>GOAL M2: A SYSTEM OF TRAILS AND CORRIDORS THAT FACILITATE AND ENCOURAGE BICYCLING AND WALKING.</b></p>	
<p><b>M 2-1 Bikeway Plan.</b> We maintain our Multipurpose Trails &amp; Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.</p>	<p>Existing bike lanes on public streets will remain.</p>
<p><b>M 2-1 Bikeway Plan.</b> We maintain our Multipurpose Trails &amp; Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.</p>	<p>N/A</p>
<p><b>M 2-3: Pedestrian Walkways.</b> We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points. (Link to Community Design CD 3-1)</p>	<p>Pedestrian walkways, as shown in the roadway plans and sections, exist throughout the Overlay area, promoting safe and convenient travel between destination points.</p>
<p><b>M 2-4 Network Opportunities.</b> We explore opportunities to expand the pedestrian and bicycle networks. This includes consideration of utility easements, levees, drainage corridors, road right-of-ways, medians and other potential options.</p>	<p>N/A</p>
<p><b>GOAL M3: A PUBLIC TRANSIT SYSTEM THAT IS A VIABLE ALTERNATIVE TO AUTOMOBILE TRAVEL AND MEETS THE BASIC TRANSPORTATION NEEDS OF THE TRANSIT DEPENDENT.</b></p>	
<p><b>M 3-1 Transit Partners.</b> We maintain a proactive working partnership with transit providers to ensure that adequate public transit service is available.</p>	<p>N/A</p>
<p><b>M 3-2 Transit Facilities at New Development.</b> We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as necessary.</p>	<p>Transit facilities are located on adjacent or nearby streets.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>M 3-3 Transit-Oriented Development.</b> We may provide additional development-related incentives to those inherent in the Land Use Plan for projects that promote transit use.</p>	<p>N/A</p>
<p><b>M 3-4 Bus Rapid Transit (BRT) Corridors.</b> We work with regional transit agencies to implement BRT service to target destinations and along corridors, as shown in the Transit Plan.</p>	<p>N/A</p>
<p><b>M 3-5 Light Rail.</b> We support extension of the Metro Rail Gold Line to Ontario, and will work to secure station locations adjacent to the Meredith site and at the proposed multimodal transit center.</p>	<p>N/A</p>
<p><b>M 3-6 Metrolink Expansion.</b> We advocate expansion of Metrolink service to include the Downtown and the multimodal transit center.</p>	<p>N/A</p>
<p><b>M 3-7 High Speed Rail.</b> We encourage the development of high-speed rail systems that would enhance regional mobility in Southern California and serve the City of Ontario.</p>	<p>N/A</p>
<p><b>M 3-8 Feeder Systems.</b> We work with regional transit agencies to secure convenient feeder service from the Metrolink station and the proposed multimodal transit center to employment centers in Ontario.</p>	<p>N/A</p>
<p><b>M 3-9 Ontario Airport Metro Center Circulator.</b> We will explore development of a convenient mobility system, including but not limited to shuttle service, people mover, and shared car system, for the Ontario Airport Metro Center.</p>	<p>N/A</p>
<p><b>M 3-10 Multimodal Transit Center.</b> We intend to ensure the development of a multimodal transit center near LAONT airport to serve as a transit hub for local buses, BRT, the Gold Line, high-speed rail, the proposed Ontario Airport Metro Center circulator and other future transit modes.</p>	<p>N/A</p>
<p><b>M 3-11 Transit and Community Facilities.</b> We require the future development of community-wide serving facilities to be sited in transit-ready areas that can be served and made accessible by public transit. Conversely, we plan (and coordinate with other transit agencies to plan) future transit routes to serve existing community facilities.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<b>GOAL M4 AN EFFICIENT FLOW OF GOODS THROUGH THE CITY THAT MAXIMIZES ECONOMIC BENEFITS AND MINIMIZES NEGATIVE IMPACTS</b>	
<b>M 4-1 Truck Routes.</b> We designate and maintain a network of City truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses, as shown in the Truck Routes Plan.	N/A
<b>M 4-2 Regional Participation.</b> We work with regional and subregional transportation agencies to plan and implement goods movement strategies, including those that improve mobility, deliver goods efficiently and minimize negative environmental impacts (Link to Environmental Resources Policy ER4-3)	N/A
<b>M 4-3 Railroad Grade Separations.</b> We eliminate at-grade rail crossings identified on the Functional Roadway Classification Plan.	N/A
<b>M 4-4 Environmental Considerations.</b> We support efforts to reduce/eliminate the negative environmental impacts of goods movement.	N/A
<b>M 4-5 Air Cargo.</b> We support and promote a LAONT airport that accommodates 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated.	N/A
<b>GOAL M5 A PROACTIVE LEADERSHIP ROLE TO HELP IDENTIFY AND FACILITATE IMPLEMENTATION OF STRATEGIES THAT ADDRESS REGIONAL TRANSPORTATION CHALLENGES.</b>	
<b>M 5-1 Regional Leadership.</b> We maintain a leadership role to help identify and implement potential solutions to long-term regional transportation problems.	N/A
<b>M 5-2 Land Use Compatibility with Regional Transportation Facilities.</b> We work with LAWA, railroads, Caltrans, SANBAG, and other transportation agencies to minimize impacts.	N/A
<b>GOAL LU5: INTEGRATED AIRPORT SYSTEMS AND FACILITIES THAT MINIMIZE NEGATIVE IMPACTS TO THE COMMUNITY AND MAXIMIZE ECONOMIC BENEFITS.</b>	
<b>LU 5-1 Coordination with Airport Authorities.</b> We collaborate with FAA, Caltrans Division of Aeronautics, airport owners, neighboring jurisdictions, and other shareholders in the preparation, update and maintenance of airport-related plans.	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>LU 5-2 Airport Planning Consistency.</b> We coordinate with airport authorities to ensure The Ontario Plan is consistent with state law, federal regulations and/or adopted master plans and land use compatibility plans for the ONT and Chino Airport.</p>	N/A
<p><b>LU 5-3 Airport Impacts.</b> We work with agencies to maximize resources to mitigate the impacts and hazards related to airport operations.</p>	N/A
<p><b>LU 5-4 ONT Growth Forecast.</b> We support and promote an ONT that accommodates 30 million annual passengers and 1.6 million tons of cargo per year, as long as the impacts associated with that level of operations are planned for and mitigated.</p>	N/A
<p><b>LU 5-5 Airport Compatibility Planning for ONT.</b> We create and maintain the Airport Land Use Compatibility Plan for ONT.</p>	N/A
<p><b>LU 5-6 Alternative Process.</b> We fulfill our responsibilities and comply with state law with regard to the Alternative Process for proper airport land use compatibility planning.</p>	N/A
<p><b>LU 5-7 ALUCP Consistency with Land Use Regulations.</b> We comply with state law that requires general plans, specific plans and all new development be consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.</p>	N/A
<p><b>LU 5-8 Chino Airport.</b> We will support the creation and implementation of the Airport Land Use Compatibility Plan for Chino Airport.</p>	N/A

**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.**

<p><b>CD1-1 City Identity.</b> 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.</p>	N/A
<p>CD 1-2 Growth Areas. We require development in growth areas to be distinctive and unique places within which there are cohesive design themes.</p>	<p>The Design Guidelines set forth a clear and cohesive design theme by providing a set of unique design criteria for site planning, architectural styles, landscaping, and walls and fences.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CD 1-3 Neighborhood Improvement.</b> We require viable existing residential and non-residential neighborhoods to be preserved, protected, and enhanced in accordance with our land use policies.</p>	<p>N/A</p>
<p>CD 1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.</p>	<p>N/A</p>
<p><b>CD 1-5 View Corridors.</b> We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.</p>	<p>Haven Avenue provides view of the San Gabriel Mountains.</p>
<p><b>GOAL CD2: A HIGH LEVEL OF DESIGN QUALITY RESULTING IN PUBLIC SPACES, STREETSCAPES, AND DEVELOPMENTS THAT ARE ATTRACTIVE, SAFE, FUNCTIONAL AND DISTRICT.</b></p>	
<p><b>CD 2-1: Quality Architecture.</b> We encourage all development projects to convey visual interest and character through:</p> <ul style="list-style-type: none"> <li>• building volume, massing, and height to provide appropriate scale and proportion;</li> <li>• 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</li> <li>• exterior building materials that are visually interesting, high quality, durable, and appropriate for the architectural style.</li> </ul>	<p>The Design Guidelines set forth a clear and cohesive design theme by providing a set of unique design criteria for architecture, landscaping, and walls and fences.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CD 2-2 Neighborhood Design.</b> 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:</p> <ul style="list-style-type: none"> <li>• a pattern of smaller, walkable blocks that promote access, activity and safety;</li> <li>• variable setbacks and parcel sizes to accommodate a diversity of housing types;</li> <li>• traffic calming measures to slow traffic and promote walkability while maintaining acceptable fire protection and traffic flows;</li> <li>• 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</li> <li>• landscaped parkways, with sidewalks separated from the curb.</li> </ul>	<p>The Design Guidelines provide for distinct residential neighborhoods that are functional, have a sense of community, emphasize livability and social interaction, and are uniquely identifiable places.</p>
<p><b>CD 2-3 Commercial Centers.</b> We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.</p>	<p>The Design Guidelines set forth a clear and cohesive design theme for pedestrian-friendly, vibrant retail areas.</p>
<p><b>CD 2-4 Mixed Use, Urban Office and Transit Serving Areas.</b> We require mixed use, urban office and transit serving areas to be designed and developed as pedestrian oriented “villages” that promote a vibrant, comfortable and functional environment.</p>	<p>The Design Guidelines set forth a clear and cohesive design theme for pedestrian-friendly, vibrant retail areas.</p>
<p><b>CD 2-5: Streetscapes.</b> We design new and, when necessary, retrofit existing streets to improve walkability, bicycling and transit integration, strengthen connectivity, and enhance community identity through improvements to the public right of way such as sidewalks, street trees, parkways, curbs, street lighting and street furniture.</p>	<p>The Circulation Plan is designed to accommodate pedestrians, bicycles and autos.</p>



POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CD 2-6: Connectivity.</b> We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent “islands” through the following means: local street patterns that provide access between subdivisions and within neighborhoods and discourage through traffic;                      a local street system that is logical and understandable for the user. A grid system is preferred to avoid circuitous and confusing travel paths between internal neighborhood areas and adjacent arterials; and neighborhoods, centers, public schools, and parks that are linked by pedestrian greenways open space networks. These may also be used to establish clear boundaries between distinct neighborhoods and/or centers.</p>	<p>The Circulation Plan is designed for connectivity that unifies neighborhoods and promotes walkability.</p>
<p><b>CD 2-7: Sustainability.</b> We collaborate with the development community to design and build neighborhoods, streetscapes, sites, outdoor spaces, landscaping and buildings to reduce energy demand through solar orientation, maximum use of natural daylight, passive solar and natural ventilation, building form, mechanical and structural systems, building materials and construction techniques.</p>	<p>All buildings will meet or exceed California’s stringent CALGreen and California Energy Codes reducing energy demand.</p>
<p><b>CD 2-8: Safe Design.</b> We incorporate defensible space design into new and existing developments to ensure the maximum safe travel and visibility on pathways, corridors, and open space and at building entrances and parking areas by avoiding physically and visually isolated spaces, maintenance of visibility and accessibility, and use of lighting.</p>	<p>The Overlay encourages “eyes on the street” for neighborhood safety and security.</p>
<p><b>CD 2-9: Landscape Design.</b> We encourage durable landscaping materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits.</p>	<p>The Overlay landscape enhances the aesthetics of structures, creates and defines public and private spaces, and provides shade.</p>
<p><b>CD 2-10 Surface Parking Areas.</b> 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.</p>	<p>The Overlay contains guidelines for surface parking areas.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CD 2-11: Entry Statements.</b> We encourage the inclusion of amenities, signage and landscaping at the entry to neighborhoods, commercial centers, mixed use areas, industrial developments, and public places that reinforce them as uniquely identifiable places.</p>	<p>The Overlay contains guidelines for neighborhood entries and monumentation.</p>
<p><b>CD 2-12: Site and Building Signage.</b> We encourage the use of sign programs that utilize complementary materials, colors, and themes. Project signage should be designed to effectively communicate and direct users to various aspects of the development and complement the character of the structures.</p>	<p>The Overlay contains guidelines for neighborhood entries and monumentation.</p>
<p><b>CD 2-13 Entitlement Process.</b> 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.</p>	<p>N/A</p>
<p><b>CD 2-14 Availability of Information.</b> We provide easy access to information for developers, builders and the public about design quality, construction quality, and sustainable building practices.</p>	<p>N/A</p>
<p><b>CD 2-15 Leverage Professional and Trade Organizations.</b> We support excellence in design and construction quality through collaboration with trade and professional organizations that provide expertise, resources and programs for developers, builders and the public.</p>	<p>N/A</p>
<p><b>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.</b></p>	
<p><b>CD 3-1 Design.</b> 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. (Link to Bicycle and Pedestrians Section of the Mobility Element and Policies M2-3 and M2-4)</p>	<p>The Overlay is designed for pedestrian accessibility throughout the community through a network of on-street sidewalks. Bicycle corridors are located on Haven Avenue and on Inland Empire Boulevard to the south of the Overlay.</p>
<p><b>CD 3-2 Connectivity Between Streets, Sidewalks, Walkways and Plazas.</b> We require landscaping and paving be used to optimize visual connectivity between streets, sidewalks, walkways and plazas for pedestrians.</p>	<p>Landscaping and paving are used to maintain a visual connectivity between streets, sidewalks, and walkways for pedestrians.</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CD 3-3 Building Entrances.</b> We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces. (Link to Safety Element Policy S 7-4)</p>	<p>The Overlay guidelines for doors and entries promote the interface between public and private spaces.</p>
<p><b>CD 3-4 Ground Floor Usage of Commercial Buildings.</b> We create lively pedestrian streetscapes by requiring the location of uses, such as shopping, galleries, restaurants, etc., on ground floors adjacent to sidewalks.</p>	<p>The Overlay allows for lively pedestrian streetscapes.</p>
<p><b>CD 3-5 Paving.</b> We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.</p>	<p>Sidewalks and landscaping contribute to the appearance of streets and public spaces.</p>
<p><b>CD 3-6 Landscaping.</b> We utilize landscaping to enhance the aesthetics, functionality and sustainability of streetscapes, outdoor spaces and buildings.</p>	<p>The landscape guidelines enhance the streetscapes and outdoor spaces.</p>
<p><b>CD 3-7 Transit Stops.</b> We require transit stops be well lit, safe, appealing to and accessible by pedestrians.</p>	<p>N/A</p>
<p><b>GOAL CD4: HISTORIC BUILDINGS, STREETS, LANDSCAPES AND NEIGHBORHOODS, AS WELL AS THE STORY OF ONTARIO’S PEOPLE, BUSINESSES, AND SOCIAL AND COMMUNITY ORGANIZATIONS, THAT HAVE BEEN PRESERVED AND SERVE AS A FOCAL POINT FOR CIVIC PRIDE AND IDENTITY.</b></p>	
<p><b>CD 4-1 Cultural Resource Management.</b> We update and maintain an inventory of historic sites and buildings, professional collections, artifacts, manuscripts, photographs, documents, maps and other archives.</p>	<p>N/A</p>
<p><b>CD 4-2 Collaboration with Property Owners and Developers.</b> We educate and collaborate with property owners and developers to implement strategies and best practices that preserve the character of our historic buildings, streetscapes and unique neighborhoods.</p>	<p>N/A</p>
<p><b>CD 4-3 Collaboration with Outside Agencies.</b> We pursue opportunities to team with other agencies, local organizations and non-profits in order to preserve and promote Ontario’s heritage.</p>	<p>N/A</p>
<p><b>CD 4-4 Incentives.</b> We use the Mills Act and other federal, state, regional and local programs to assist property owners with the preservation of select properties and structures.</p>	<p>N/A</p>
<p><b>CD 4-5 Adaptive Reuse.</b> We actively promote and support the adaptive reuse of historic sites and buildings to preserve and maintain their viability.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>CD 4-6 Promotion of Public Involvement in Preservation.</b> We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.</p>	N/A
<p><b>CD 4-7 Public Outreach.</b> We provide opportunities for our residents to research and learn about the history of Ontario through the Planning Department, Museum of History and Art, Ontario and the Robert E. Ellingwood Model Colony History Room.</p>	N/A
<p><b>GOAL CD5: A SUSTAINED LEVEL OF MAINTENANCE AND IMPROVEMENT OF PROPERTIES, BUILDINGS AND INFRASTRUCTURE THAT PROTECTS THE PROPERTY VALUES AND ENCOURAGES PUBLIC AND PRIVATE INVESTMENTS.</b></p>	
<p><b>CD 5-1 Maintenance of Buildings and Property.</b> We require all public and privately owned buildings and property (including trails and easements) to be properly and consistently maintained.</p>	There is an existing Piemonte at Ontario Center Property Owners Association that maintains the private drives.
<p><b>CD 5-2 Maintenance of Infrastructure.</b> We require the continual maintenance of infrastructure.</p>	There is an existing Piemonte at Ontario Center Property Owners Association that maintains the private drives.
<p><b>CD 5-3 Improvements to Property &amp; Infrastructure.</b> We provide programs to improve property and infrastructure.</p>	N/A
<p><b>CD 5-4 Neighborhood Involvement.</b> We encourage active community involvement to implement programs aimed at the beautification and improvement of neighborhoods.</p>	N/A
<p><b>SOCIAL SERVICES ELEMENT</b></p>	
<p><b>GOAL SR1: A COMMUNITY WHERE RESIDENTS HAVE ACCESS TO INFORMATION, SERVICES AND GOODS THAT IMPROVE THEIR HEALTH AND WELL BEING.</b></p>	
<p><b>SR 1-1 Partnering for Healthcare.</b> We work with healthcare providers, and local, regional, state and federal agencies to attract and retain a diversity of affordable, quality healthcare and facilities for the entire community.</p>	N/A
<p><b>SR 1-2 Nutrition Choices.</b> We support the promotion of healthy nutritional food choices in the community.</p>	N/A
<p><b>SR 1-3 Health Education.</b> We promote health education, including disease prevention, mental health, nutrition and physical fitness.</p>	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>SR 1-4 Physical Activity.</b> We encourage activities and community design that improve the physical fitness of our community members.</p>	<p>N/A</p>
<p><b>GOAL SR2: A RANGE OF EDUCATIONAL AND TRAINING OPPORTUNITIES FOR RESIDENTS AND WORKERS OF ALL AGES AND ABILITIES THAT IMPROVES THEIR LIFE CHOICES AND PROVIDES A SKILLED WORKFORCE FOR OUR BUSINESSES.</b></p>	
<p><b>SR 2-1 Educational Partners.</b> We partner with educational institutions throughout the region in order to expand the range and quality of educational offerings available to the community.</p>	<p>N/A</p>
<p><b>SR 2-2 Workforce Training.</b> We will work with industrial organizations, businesses and educational institutions to create opportunities for workforce training.</p>	<p>N/A</p>
<p><b>SR 2-3 Joint Use of Facilities.</b> We partner with public and private educational institutions to jointly use facilities for both City and educational purposes.</p>	<p>N/A</p>
<p><b>SR 2-4 Access to Schools.</b> We work with local and regional partners to improve the safety in and around schools and to improve access for citizens of all ages and abilities to schools and community services, such as after school and other programs.</p>	<p>N/A</p>
<p><b>SR 2-5 School Facilities.</b> We plan and coordinate with school districts for designing and locating school facilities to meet the City’s goals, such as for health, walkability, and safety and to minimize impacts to existing neighborhoods.</p>	<p>N/A</p>
<p><b>GOAL SR3: A RANGE OF COMMUNITY AND LEISURE PROGRAMS AND ACTIVITIES PROVIDED BY PUBLIC, PRIVATE AND NON-PROFIT ORGANIZATIONS THAT MEET THE NEEDS OF THE COMMUNITY’S VARIED INTERESTS, AGE GROUPS AND ABILITIES.</b></p>	
<p><b>SR 3-1 Partnerships.</b> We partner with local and regional agencies, non-profit organizations and the private sector to provide a comprehensive range of community activities and events to citizens.</p>	<p>N/A</p>
<p><b>SR 3-2 Needs Assessment.</b> We track the needs and priorities for community services and look for ways to meet demands and avoid duplication of offerings.</p>	<p>N/A</p>
<p><b>SR 3-3 Program Outreach.</b> We promote information about leisure activities, classes, special events and other services and activities to our community.</p>	<p>N/A</p>

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>SR 3-4 Community Events.</b> We plan and actively participate in regularly scheduled community events and seasonal or yearly citywide events.</p>	N/A
<p><b>SR 3-5 Community Activities as Crime Deterrents.</b> We promote and participate in community activities as part of our crime prevention efforts. (Link to Safety Element Policy S7-3)</p>	N/A
<p><b>GOAL SR4: CITY LIBRARIES THAT CONNECT COMMUNITY MEMBERS OF ALL AGES AND ABILITIES TO A BROAD RANGE OF PROGRAMS, COMMUNICATION AND INFORMATIONAL RESOURCES.</b></p>	
<p><b>SR 4-1 Community Needs.</b> We identify and monitor community needs for library services, technologies and facilities, and tailor them to effectively meet those needs.</p>	N/A
<p><b>SR 4-2 Interagency Coordination.</b> We leverage relationships with outside agencies, educational institutions and neighboring jurisdictions to share library resources to the benefit of Ontario residents.</p>	N/A
<p><b>SR 4-3 Library Outreach.</b> We outreach to the community to increase the patronage of the library.</p>	N/A
<p><b>SR 4-4 Coordination with Other Community Services.</b> We coordinate library programs with other recreational and community programs and facilities.</p>	N/A
<p><b>SR 4-5 Focal Points of the Community.</b> We design and program Ontario’s libraries as focal points for community engagement, including public outreach and community events.</p>	N/A
<p><b>SR 4-6 Robert E. Ellingwood Model Colony History Room.</b> We work with the Museum of History and Art, Ontario in order to collect, preserve and display artifacts and images from Ontario’s heritage and connect the City’s past to the present through the History Room.</p>	N/A

POLICY PLAN GOALS AND POLICIES	OVERLAY CONSISTENCY
<p><b>GOAL SR5: LOCAL HERITAGE, ENTERTAINMENT AND CULTURAL EXPERIENCES THAT ENRICH THE LIVES OF ONTARIO’S RESIDENTS, WORKERS, AND VISITORS AND SERVE TO ATTRACT RESIDENTS AND BUSINESSES TO THE CITY.</b></p>	
<p><b>SR 5-1 Provision of Entertainment and Culture.</b> We support a range of entertainment and cultural experiences such as public art, exhibitions and performances.</p>	<p>N/A</p>
<p><b>SR 5-2 Local Heritage Education.</b> We partner with educational providers to promote culture and heritage. (Link to Historic Preservation Section of Community Design Element)</p>	<p>N/A</p>
<p><b>SR 5-3 Public Art.</b> We encourage public art in buildings, parks, open spaces and other public and private spaces.</p>	<p>N/A</p>
<p><b>SR 5-4 Private-Public Sector Events.</b> We partner with private and nonprofit sectors to provide and promote participation in cultural activities including fairs, festivals and other events geared to neighborhoods, the City as a whole and the region.</p>	<p>N/A</p>
<p><b>SR 5-5 Promotion of Ontario Artists and Musicians.</b> We promote awareness of entertainment and culture produced in Ontario.</p>	<p>N/A</p>





# **APPENDIX A - LEGAL DESCRIPTION**

NO. OF PARCELS: 32  
1 REMAINDER PARCEL  
GROSS ACREAGE = 119.83  
NET ACREAGE = 117.36

# PARCEL MAP NO. 17550

SHEET 1 OF 14 SHEETS

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
STATE OF CALIFORNIA

BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 16056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF  
PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALL OF LOTS 1, 4, 5, AND ALL OF THE  
REMAINDER OF TRACT MAP NO. 16666, AS PER MAP FILED IN BOOK 302, PAGES 55 AND 56 OF MAPS IN THE OFFICE OF THE  
COUNTY RECORDER OF SAID COUNTY.

LENNY GUYETT P.L.S. 7993  
FEBRUARY 15, 2006

## OWNER'S STATEMENT

WE HEREBY STATE THAT WE ARE ALL AND THE ONLY PARTIES HAVING ANY RECORD TITLE INTEREST IN THE LAND SUBDIVIDED AS SHOWN ON THE ANNEXED MAP, AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS PARCEL MAP.

WE HEREBY RESERVE FOR OURSELVES, OUR SUCCESSORS AND ASSIGNS A PRIVATE EASEMENT FOR STREET, PRIVATE UTILITY, AND MAINTENANCE PURPOSES IN, OVER, UNDER, AND ACROSS PRIVATE STREETS VIA ASTI, VIA PIEMONTE, VIA ALBA, VIA VILLAGGIO, AND VIA TURIN AS SHOWN ON THE ANNEXED MAP.

WE HEREBY DEDICATE TO THE CITY OF ONTARIO FOR PUBLIC STREET AND UTILITY PURPOSES, ONTARIO CENTER PARKWAY AS SHOWN ON THE ANNEXED MAP.

WE HEREBY DEDICATE TO THE CITY OF ONTARIO A 10 FOOT EASEMENT FOR PEDESTRIAN ACCESS PURPOSES, TO BE MAINTAINED BY THE PROPERTY OWNERS, AS SHOWN ON THE ANNEXED MAP.

WE HEREBY DEDICATE TO THE CITY OF ONTARIO A 10.5 FOOT EASEMENT FOR PEDESTRIAN ACCESS AND PUBLIC UTILITY PURPOSES, TO BE MAINTAINED BY THE PROPERTY OWNERS, AS SHOWN ON THE ANNEXED MAP.

WE HEREBY DEDICATE TO THE CITY OF ONTARIO A PUBLIC EASEMENT FOR EMERGENCY ACCESS, AND PUBLIC UTILITY PURPOSES IN, OVER, UNDER, AND ACROSS PRIVATE STREETS VIA ASTI, VIA PIEMONTE, VIA ALBA, VIA VILLAGGIO, AND VIA TURIN AS SHOWN ON THE ANNEXED MAP.

THE CITY OF ONTARIO, A CALIFORNIA MUNICIPAL CORPORATION

BY: [Signature]  
ROBERT HEITZMAN

THE ONTARIO REDEVELOPMENT AGENCY, A PUBLIC BODY, CORPORATE AND POLITICAL

BY: [Signature]  
ROBERT HEITZMAN

## NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO )

ON SEPTEMBER 11, 2006, BEFORE ME, Traci R. McGinley, Notary, PERSONALLY APPEARED ROBERT HEITZMAN, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL  
SIGNATURE: [Signature] COMMISSION # 1483449  
TRACI R. MCGINLEY APRIL 13, 2008

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE MY COMMISSION EXPIRES  
MY PRINCIPAL PLACE OF BUSINESS IS SAN BERNARDINO COUNTY.

## NOTARY ACKNOWLEDGMENT

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO )

ON SEPTEMBER 11, 2006, BEFORE ME, Traci R. McGinley, Notary, PERSONALLY APPEARED ROBERT HEITZMAN, PERSONALLY KNOWN TO ME (OR PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE) TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/IT/THEY EXECUTED THE SAME IN HIS/HER/THEIR AUTHORIZED CAPACITY(IES), AND THAT BY HIS/HER/THEIR SIGNATURE(S) ON THE INSTRUMENT THE PERSON(S) OR THE ENTITY UPON BEHALF OF WHICH THE PERSON(S) ACTED, EXECUTED THE INSTRUMENT.

WITNESS MY HAND AND OFFICIAL SEAL  
SIGNATURE: [Signature] COMMISSION # 1483449  
TRACI R. MCGINLEY APRIL 13, 2008

NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE MY COMMISSION EXPIRES  
MY PRINCIPAL PLACE OF BUSINESS IS SAN BERNARDINO COUNTY.

## ABANDONMENT NOTE

PURSUANT TO SECTION 66499.20-1/2 OF THE SUBDIVISION MAP ACT, THE FILING OF THIS MAP CONSTITUTES ABANDONMENT OF THAT CERTAIN EASEMENT FOR STREET AND HIGHWAY PURPOSES IN FAVOR OF THE CITY OF ONTARIO AS SHOWN ON TRACT MAP NO. 16666 IN BOOK 302, PAGES 55 AND 56 OF MAPS.

## SIGNATURE OMISSION

THE SIGNATURE OF THE CITY OF ONTARIO, THE OWNER OF AN EASEMENT STORM DRAIN PURPOSES, DISCLOSED BY INSTRUMENT NO. 1989-010122, RECORDS OF SAN BERNARDINO COUNTY HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66438 OF THE SUBDIVISION MAP ACT OF THE STATE OF CALIFORNIA. ITS INTEREST CANNOT RIPEN INTO A FEE.

## SURVEYOR'S STATEMENT

I, LENNY GUYETT, HEREBY STATE THAT I AM A LICENSED LAND SURVEYOR OF THE STATE OF CALIFORNIA AND THAT THIS MAP, CONSISTING OF FOURTEEN SHEETS, IS A TRUE AND COMPLETE REPRESENTATION OF A SURVEY MADE BY ME OR UNDER MY DIRECTION IN MARCH 2005 AT THE REQUEST OF PANATTONI DEVELOPMENT, AND THAT ALL THE MONUMENTS SHOWN HEREON ARE OF THE CHARACTER AND OCCUPY THE POSITIONS INDICATED OR WILL BE SET IN SUCH POSITIONS WITHIN ONE YEAR OF THE RECORDATION OF THIS MAP, IN COMPLIANCE WITH SECTION 66495 AND 66496 OF THE SUBDIVISION MAP ACT, AND ARE OR WILL BE SUFFICIENT TO ENABLE THE SURVEY TO BE RETRACED. I HEREBY STATE THAT THIS PARCEL MAP SUBSTANTIALLY CONFORMS TO THE APPROVED OR CONDITIONALLY APPROVED TENTATIVE MAP, IF ANY.

[Signature] 8/26/06  
LENNY GUYETT, P.L.S. 7993  
REGISTRATION EXPIRES: 12-31-06



## CITY ENGINEER'S STATEMENT

I HEREBY STATE THAT I HAVE EXAMINED THIS MAP, AND THAT THE SUBDIVISION SHOWN HEREON IS SUBSTANTIALLY THE SAME AS IT APPEARED ON THE TENTATIVE MAP AND ANY APPROVED ALTERATIONS THEREOF, AND THAT ALL THE PROVISIONS OF THE SUBDIVISION MAP ACT AND THE CITY OF ONTARIO MUNICIPAL CODE HAVE BEEN COMPLIED WITH AND I AM SATISFIED THAT THIS MAP IS TECHNICALLY CORRECT.

[Signature] 9/30/06  
JOHN P. SULLIVAN  
CITY ENGINEER, R.C.E. 24079  
CITY OF ONTARIO, CALIFORNIA  
REGISTRATION EXPIRES: 12/31/07



## PLANNING COMMISSION'S STATEMENT

I DO HEREBY STATE THAT THE SUBDIVISION SHOWN ON THE ANNEXED MAP IS IN ACCORDANCE WITH THE TENTATIVE MAP APPROVED AT A MEETING OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, HELD ON THE TWENTY-EIGHTH DAY OF FEBRUARY, 2006.

DATED: 8-29-06 BY: [Signature]  
JERRY L. BLUM  
SECRETARY OF THE ONTARIO PLANNING COMMISSION

## CITY COUNCIL'S STATEMENT

I HEREBY STATE THAT THE CITY COUNCIL OF THE CITY OF ONTARIO BY A MOTION, BY RESOLUTION, DULY SECONDED, PASSED AND APPROVED THE ANNEXED MAP ON THE 11 DAY OF JUNE, 2006, AND ACCEPTED, SUBJECT TO THEIR IMPROVEMENT IN ACCORDANCE WITH CITY STANDARDS, THE FOLLOWING DEDICATIONS:  
THE DEDICATION OF ONTARIO CENTER PARKWAY FOR STREET AND PUBLIC UTILITY PURPOSES AS SHOWN ON THE ANNEXED MAP;  
EASEMENTS FOR EMERGENCY ACCESS, AND PUBLIC UTILITY PURPOSES IN, OVER, UNDER, AND ACROSS PRIVATE STREETS VIA ASTI, VIA PIEMONTE, VIA ALBA, VIA VILLAGGIO, AND VIA TURIN AS SHOWN ON THE ANNEXED MAP;  
A 10 FOOT EASEMENT FOR PEDESTRIAN ACCESS AS SHOWN ON THE ANNEXED MAP;  
A 10.5 FOOT EASEMENT FOR PEDESTRIAN ACCESS AND PUBLIC UTILITY PURPOSES AS SHOWN ON THE ANNEXED MAP;  
AND ALSO ACCEPTED THE ABANDONMENT OF THAT CERTAIN EASEMENT FOR STREET AND HIGHWAY PURPOSES IN FAVOR OF THE CITY OF ONTARIO AS SHOWN ON TRACT MAP NO. 16666 IN BOOK 302, PAGES 55 AND 56 OF MAPS, AND AS ALSO SHOWN ON THE ANNEXED MAP.

DATED: 08-31-06 BY: [Signature]  
TRACI R. MCGINLEY  
CITY CLERK ASSISTANT  
CITY OF ONTARIO, CALIFORNIA



## AUDITOR'S STATEMENT

I HEREBY STATE THAT ACCORDING TO THE RECORDS OF THIS OFFICE, AS OF THIS DATE, THERE ARE NO LIENS AGAINST THE REAL PROPERTY SHOWN UPON THE ANNEXED MAP FOR UNPAID STATE, COUNTY, MUNICIPAL OR LOCAL TAXES, OR SPECIAL ASSESSMENTS COLLECTED AS TAXES, EXCEPT TAXES OR SPECIAL ASSESSMENTS NOT YET PAYABLE, ESTIMATED TO BE \$0 (ZERO).

LARRY WALKER, COUNTY AUDITOR/CONTROLLER  
COUNTY OF SAN BERNARDINO  
DATED: 09/15/06 BY: [Signature]  
DEPUTY

## BOARD OF SUPERVISOR'S STATEMENT

I HEREBY STATE THAT A BOND IN THE SUM OF \$0 HAS BEEN EXECUTED AND FILED WITH THE BOARD OF SUPERVISORS (COUNTY) OF THE COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, CONDITIONED UPON THE PAYMENT OF ALL TAXES, STATE, COUNTY, MUNICIPAL, OR LOCAL, AND ALL SPECIAL ASSESSMENTS, COLLECTED AS TAXES, WHICH AT THE TIME OF FILING OF THE ANNEXED MAP WITH THE COUNTY RECORDER IS A LIEN AGAINST SAID PROPERTY, BUT NOT YET PAYABLE AND THAT THE SUBDIVIDER HAS FILED WITH ME A CERTIFICATE BY THE PROPER OFFICER GIVING HIS ESTIMATE OF THE AMOUNT OF SAID TAXES AND ASSESSMENTS, AND SAID BOND I HEREBY ACCEPTED.

DENA M. SMITH  
CLERK OF THE BOARD OF SUPERVISOR'S OF  
THE COUNTY OF SAN BERNARDINO  
DATED: 09/15/06 BY: [Signature]  
DEPUTY

## COUNTY RECORDER'S CERTIFICATE

THIS MAP HAS BEEN FILED UNDER DOCUMENT NUMBER 006-01637192 THIS IS THE ONLY COPY OF THIS MAP AT THIS OFFICE AT PAGE 3-50 AT THE REQUEST OF LENNY GUYETT IN THE AMOUNT OF \$0

\* 9:50 AM  
\* OF TRACT MAPS  
LARRY WALKER, COUNTY AUDITOR  
THE COUNTY OF SAN BERNARDINO  
DATED: 9/15/06 BY: [Signature]  
DEPUTY

2/16/17

2/16/17

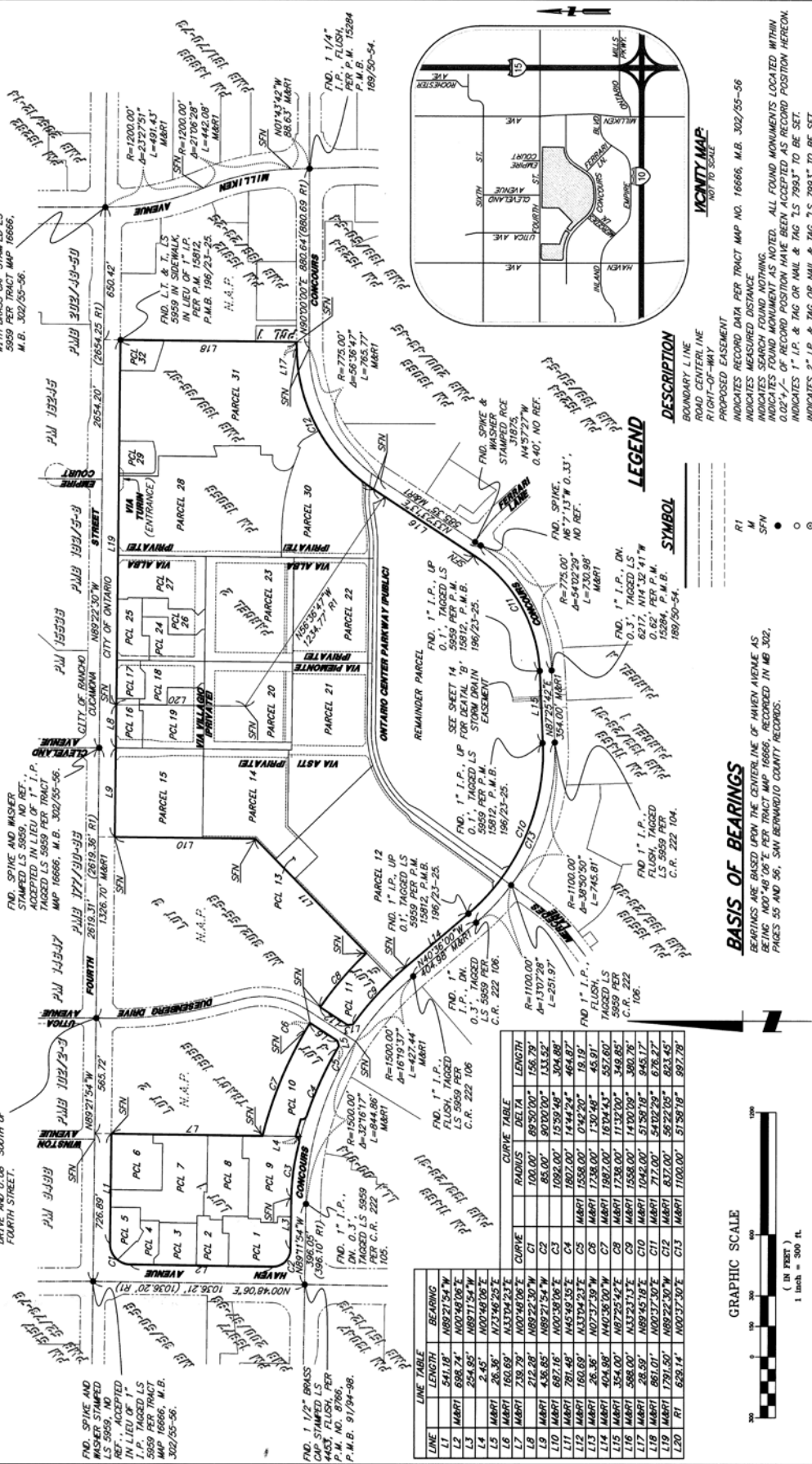


# PARCEL MAP NO. 17550

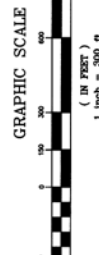
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,

STATE OF CALIFORNIA  
 BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 16056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF  
 PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALL OF LOTS 1, 4, 5, AND ALL OF THE  
 REMAINDER OF TRACT MAP NO. 16686, AS PER MAP FILED IN BOOK 302, PAGES 35 AND 36 OF MAPS IN THE OFFICE OF THE  
 COUNTY RECORDER OF SAID COUNTY.

LENNY GUVETTI P.L.S. 7993  
 FEBRUARY 15, 2006



LINE	LENGTH	BEARING	CURVE	RADIUS	DELTA	LENGTH
L1	541.16'	N89°21'54"W	C1	100.00'	89°20'00"	156.79'
L2	698.74'	N00°40'09"E	C2	85.00'	80°00'00"	133.92'
L3	254.95'	N89°21'54"W	C3	1092.00'	75°59'40"	304.88'
L4	2.45'	N00°40'09"E	C4	1822.00'	74°44'24"	484.87'
L5	26.36'	N72°46'29"E	C5	1438.00'	74°00'00"	481.97'
L6	160.69'	N33°04'23"E	C6	1982.00'	16°04'43"	557.60'
L7	739.79'	N00°40'09"E	C7	1402.50'±	11°32'00"	349.85'
L8	212.28'	N89°21'54"W	C8	1238.00'	15°58'00"	300.76'
L9	438.85'	N89°21'54"W	C9	1558.00'	10°42'00"	315.91'
L10	687.16'	N00°32'30"E	C10	1042.00'	51°50'18"	945.17'
L11	201.46'	N45°36'33"E	C11	712.00'	54°02'29"	676.27'
L12	38.94'	N07°37'59"W	C12	837.00'	56°22'29"	623.45'
L13	38.94'	N07°37'59"W	C13	837.00'	56°22'29"	623.45'
L14	404.90'	N40°30'00"E	C13	1100.00'	51°36'18"	987.78'
L15	354.00'	N87°25'42"E				
L16	588.00'	N43°21'17"E				
L17	28.59'	N89°45'19"E				
L18	1791.50'	N00°32'30"E				
L19	1791.50'	N00°32'30"E				
L20	628.14'	N00°32'30"E				



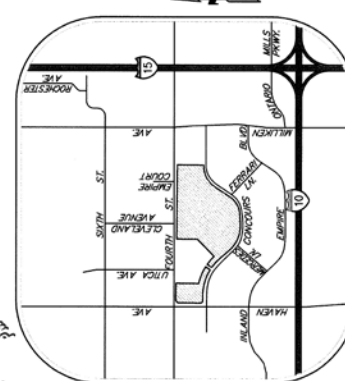
**BASIS OF BEARINGS**  
 BEARINGS ARE BASED UPON THE CENTERLINE OF WHEN AVENUE AS  
 BEING N40°08'06"E PER TRACT MAP 16686 RECORDED IN MB 302,  
 PAGES 35 AND 36, SAN BERNARDINO COUNTY RECORDS.

**LEGEND**

BOUNDARY LINE  
 CENTERLINE  
 PROPOSED EASEMENT  
 INDICATES RECORD DATA PER TRACT MAP NO. 16686, M.B. 302/35-36  
 INDICATES MEASURED DISTANCE  
 INDICATES FOUND MONUMENT AS NOTED  
 INDICATES FOUND MONUMENT AS NOTED  
 0.02"/1" OF RECORD POSITION HAVE BEEN ACCEPTED AS RECORD POSITION HEREON.  
 INDICATES 1" I.P. & TAG OR MAIL & TAG L.S. 7993 TO BE SET.  
 INDICATES 2" I.P. & TAG OR MAIL & TAG L.S. 7993 TO BE SET.

**SYMBOL**

RT  
 SPN  
 ●  
 ○



6/9/18

216/9

NO. OF PARCELS: 32  
 1 REMAINDER PARCEL  
 GROSS ACREAGE = 119.83  
 NET ACREAGE = 117.36

# PARCEL MAP NO. 17550

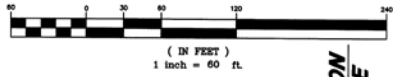
SHEET 4 OF 14 SHEETS

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
 STATE OF CALIFORNIA

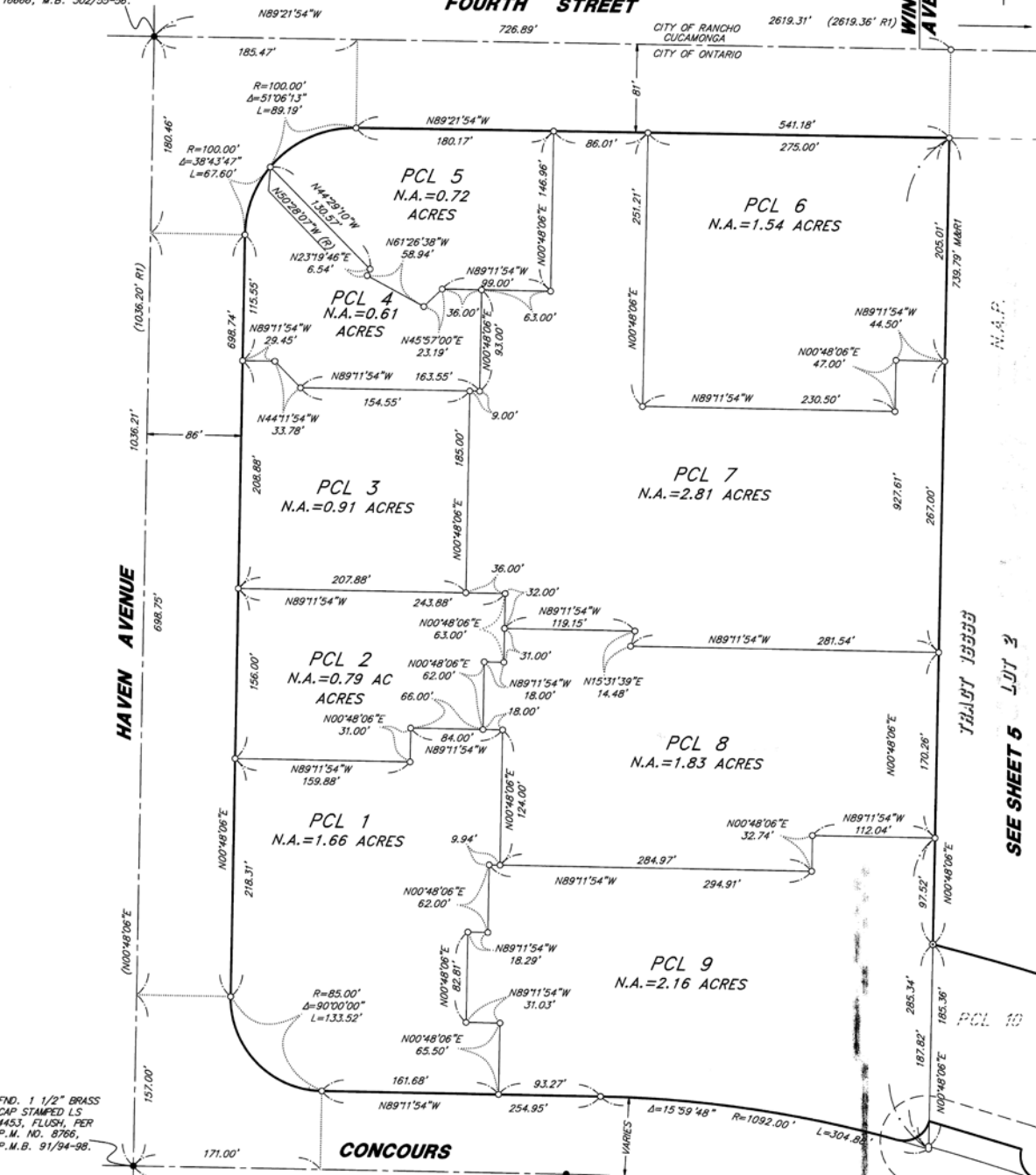
BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 18056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF  
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 COUNTY RECORDER OF SAID COUNTY.

LENNY GUYETT P.L.S. 7993  
 FEBRUARY 15, 2006

GRAPHIC SCALE



FND. SPIKE AND WASHER  
 STAMPED LS 5959, NO  
 REF., ACCEPTED IN LIEU  
 OF 1" I.P. TAGGED LS  
 5959 PER TRACT MAP  
 16666, M.B. 302/55-56.



**MONUMENT NOTES**

R1 INDICATES RECORD DATA PER TRACT MAP NO. 18666, M.B. 302/55-56  
 M INDICATES MEASURED DISTANCE  
 ● INDICATES FOUND MONUMENT AS NOTED.  
 ○ INDICATES 1" I.P. & TAG OR NAIL & TAG "LS 7993" TO BE SET.  
 ⊙ INDICATES 2" I.P. & TAG OR NAIL & TAG "LS 7993" TO BE SET.  
 ALL FOUND MONUMENTS LOCATED WITHIN 0.02' +/- OF RECORD  
 POSITION HAVE BEEN ACCEPTED AS RECORD POSITION HEREON.

FND. 1" I.P.,  
 DN. 0.3", TAGGED  
 LS 5959 PER C.R.  
 222 105.

2/16/10

2/16/10

11/10/12

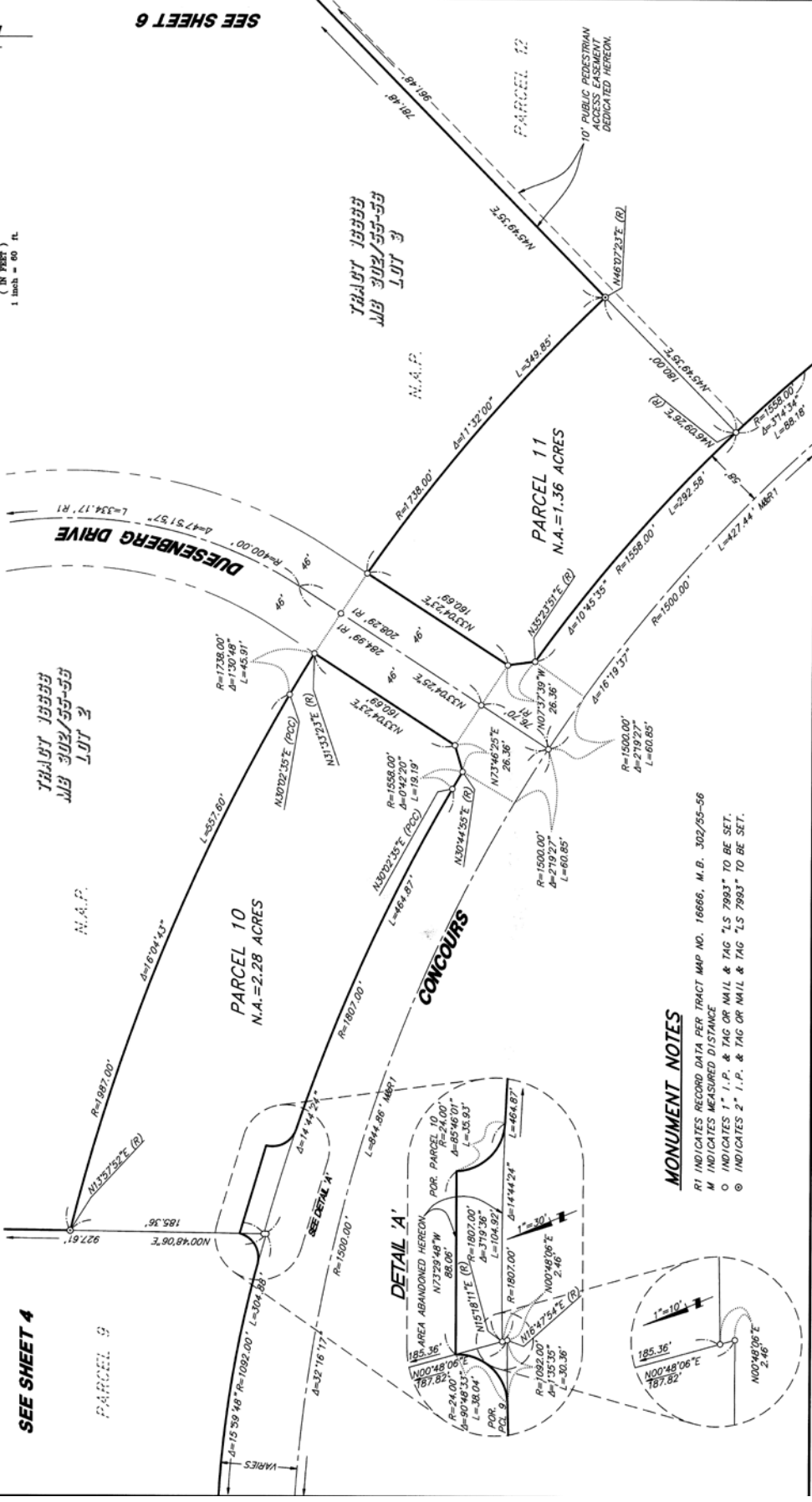
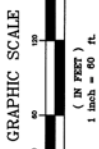
# PARCEL MAP NO. 17550

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
STATE OF CALIFORNIA

BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 16056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF  
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COUNTY RECORDER OF SAID COUNTY.

LENNY GUYETT P.L.S. 7993  
FEBRUARY 15, 2006

SHEET 5 OF 14 SHEETS



### MONUMENT NOTES

- R1 INDICATES RECORD DATA PER TRACT MAP NO. 16666, M.B. 302/65-56
- M INDICATES MEASURED DISTANCE
- INDICATES 1" I.P. & TAG OR MAIL & TAG "LS 7993" TO BE SET.
- ⊙ INDICATES 2" I.P. & TAG OR MAIL & TAG "LS 7993" TO BE SET.

216/11



2/16/13

NO. OF PARCELS: 32  
GROSS ACRES: 119.83  
NET ACRES: 117.36

# PARCEL MAP NO. 17550

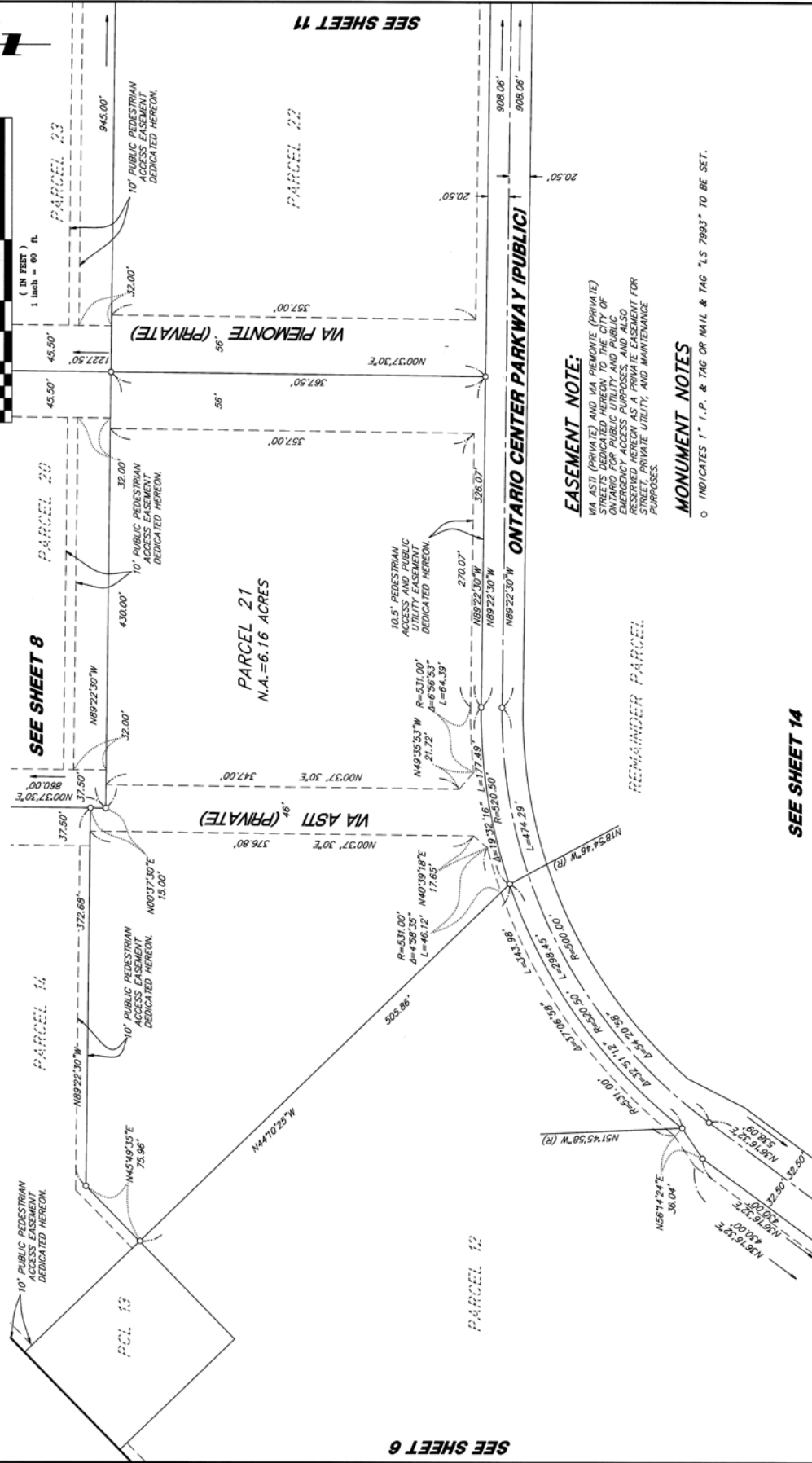
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
STATE OF CALIFORNIA

BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 16056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF  
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REMAINDER OF TRACT MAP NO. 16886, AS PER MAP FILED IN BOOK 35 AND 36 OF MAPS IN THE OFFICE OF THE  
COUNTY RECORDER OF SAID COUNTY.

LENNY GUYETT P.L.S. 7993  
FEBRUARY 15, 2006

SHEET 7 OF 14 SHEETS

GRAPHIC SCALE  
(IN FEET)  
1 inch = 60 ft



### EASEMENT NOTE:

VIA ASTI (PRIVATE) AND VIA PIEMONTE (PRIVATE) STREETS DEDICATED HEREON TO THE CITY OF ONTARIO FOR PUBLIC UTILITY AND PUBLIC EMERGENCY ACCESS PURPOSES, AND ALSO PUBLIC UTILITY AND MAINTENANCE FOR STREET, PRIVATE UTILITY, AND MAINTENANCE PURPOSES.

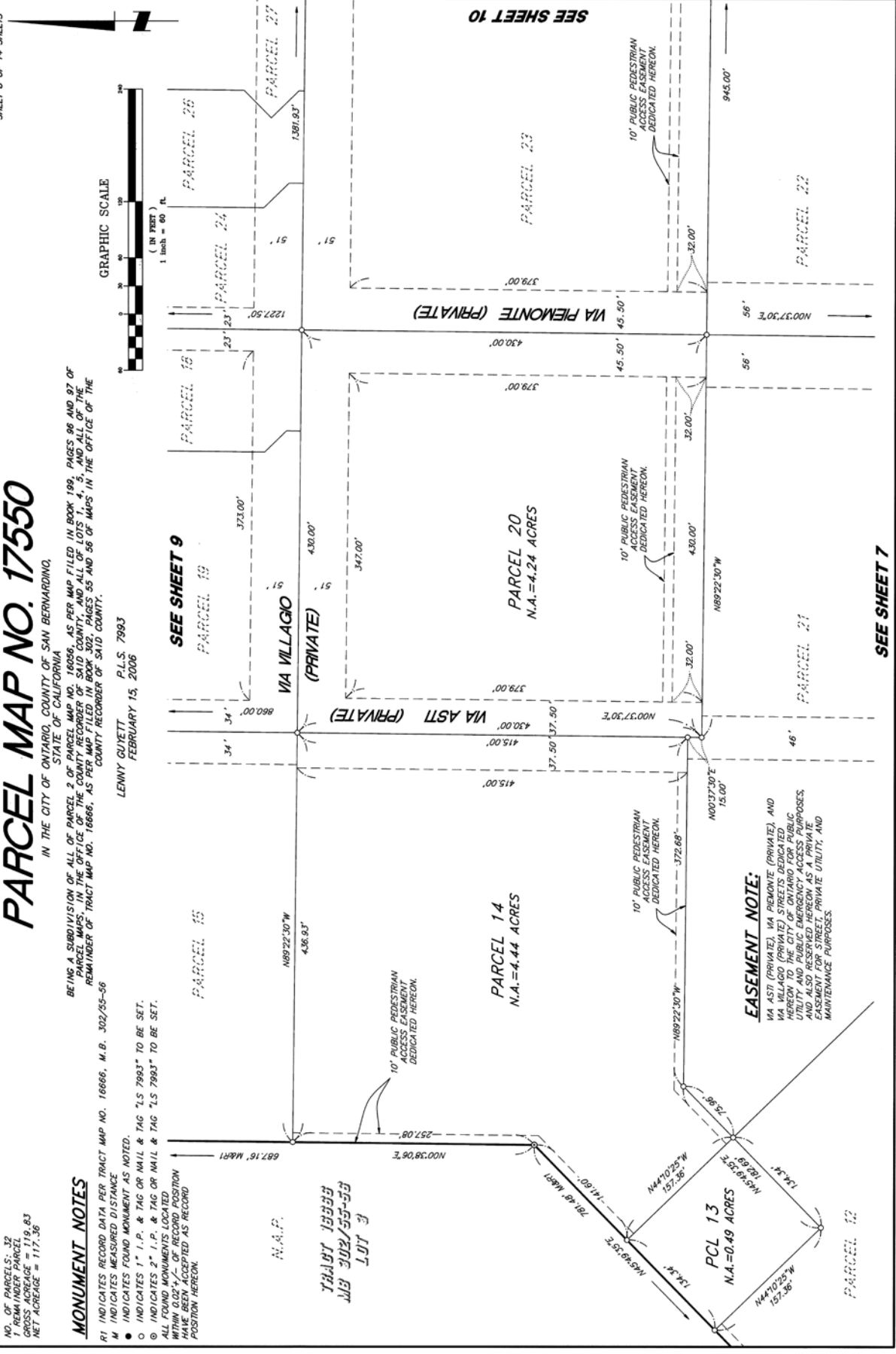
### MONUMENT NOTES

o INDICATES 1" I.P. & TAG OR MAIL & TAG "LS 7993" TO BE SET.

2/16/13



h1/912  
2/16/14



NO. OF PARCELS: 32  
 REMAINING PARCEL  
 CITY OF SAN BERNARDINO  
 NET AREA = 117.36

**MONUMENT NOTES**  
 RT INDICATES RECORD DATA PER TRACT MAP NO. 16686, M.B. 302/55-56  
 M INDICATES MEASURED DISTANCE  
 ● INDICATES FOUND MONUMENT AS NOTED.  
 ○ INDICATES 1" I.P. & TAG OR MAIL & TAG "LS 7993" TO BE SET.  
 ⊙ INDICATES 2" I.P. & TAG OR MAIL & TAG "LS 7993" TO BE SET.  
 ALL FOUND MONUMENTS LOCATED WITHIN 0.02' +/- OF RECORD POSITION HAVE BEEN ACCEPTED AS RECORD POSITION HEREON.

BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 16056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALL OF LOTS 1, 4, 5, AND ALL OF THE REMAINDER OF TRACT MAP NO. 16686, AS PER MAP FILED IN BOOK 302, PAGES 55 AND 56 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA  
 LENNY GUYETT P.L.S. 7993  
 FEBRUARY 15, 2006

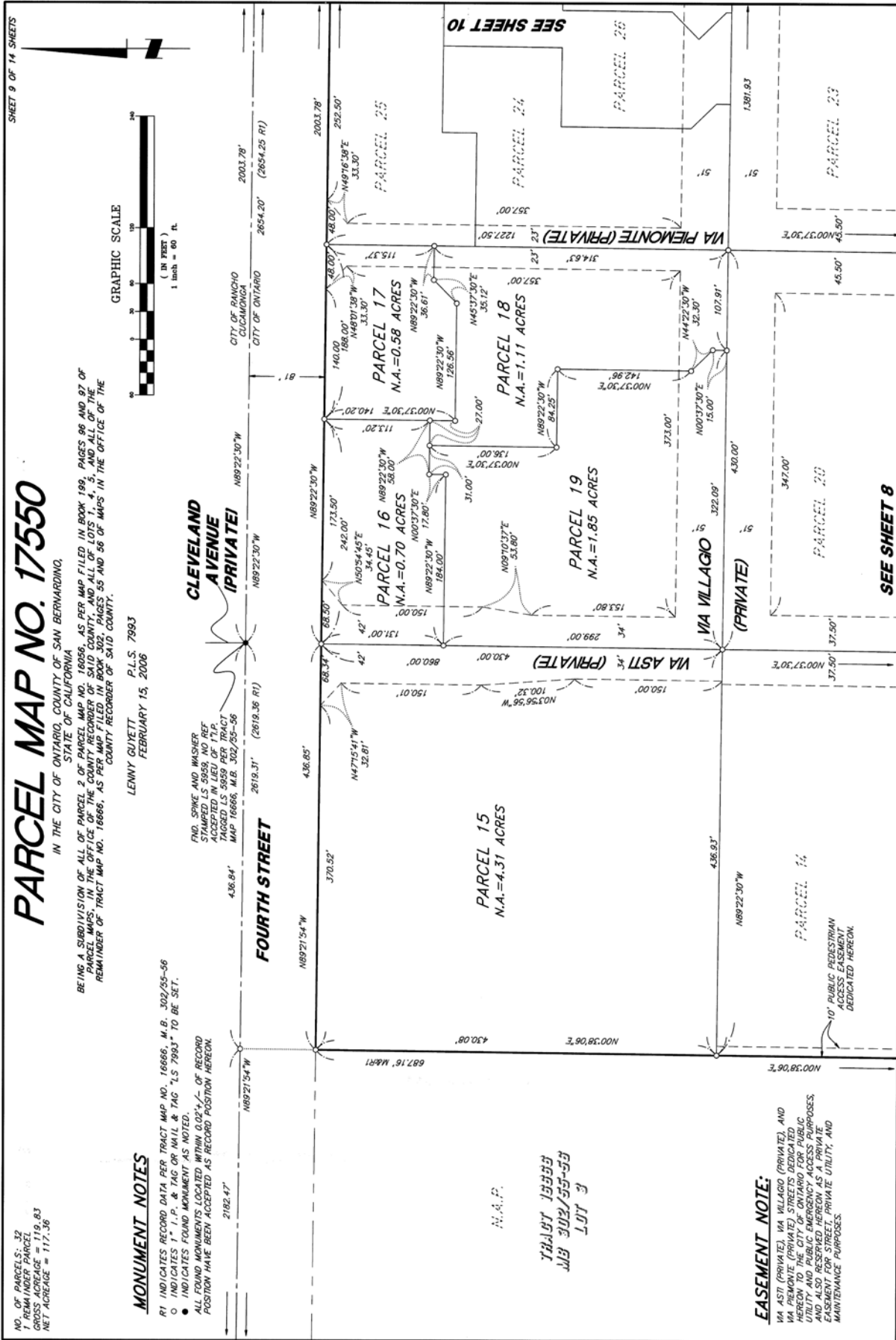
**PARCEL MAP NO. 17550**  
 IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA  
 BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 16056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, AND ALL OF LOTS 1, 4, 5, AND ALL OF THE REMAINDER OF TRACT MAP NO. 16686, AS PER MAP FILED IN BOOK 302, PAGES 55 AND 56 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

GRAPHIC SCALE  
 ( IN FEET )  
 1 inch = 60 ft

SEE SHEET 9  
 SEE SHEET 10  
 SEE SHEET 7

**EASEMENT NOTE:**  
 VIA ASTI (PRIVATE), VIA PIEMONTE (PRIVATE), AND VIA VILLAGIO (PRIVATE) STREETS DEDICATED HEREON TO THE CITY OF ONTARIO FOR PUBLIC UTILITY AND PUBLIC EMERGENCY ACCESS PURPOSES. A 10' PUBLIC PEDESTRIAN ACCESS EASEMENT FOR MAINTENANCE PURPOSES FOR STREET, PRIVATE UTILITY, AND MAINTENANCE PURPOSES.

5/16/15



2/6/15

NO. OF PARCELS: 32  
 1 REMAINDER PARCEL  
 GROSS ACREAGE = 119.83  
 NET ACREAGE = 117.36

SHEET 10 OF 14 SHEETS

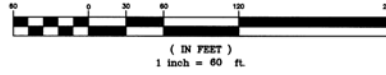
# PARCEL MAP NO. 17550

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
 STATE OF CALIFORNIA

BEING A SUBDIVISION OF ALL OF PARCEL 2 OF PARCEL MAP NO. 18056, AS PER MAP FILED IN BOOK 199, PAGES 96 AND 97 OF  
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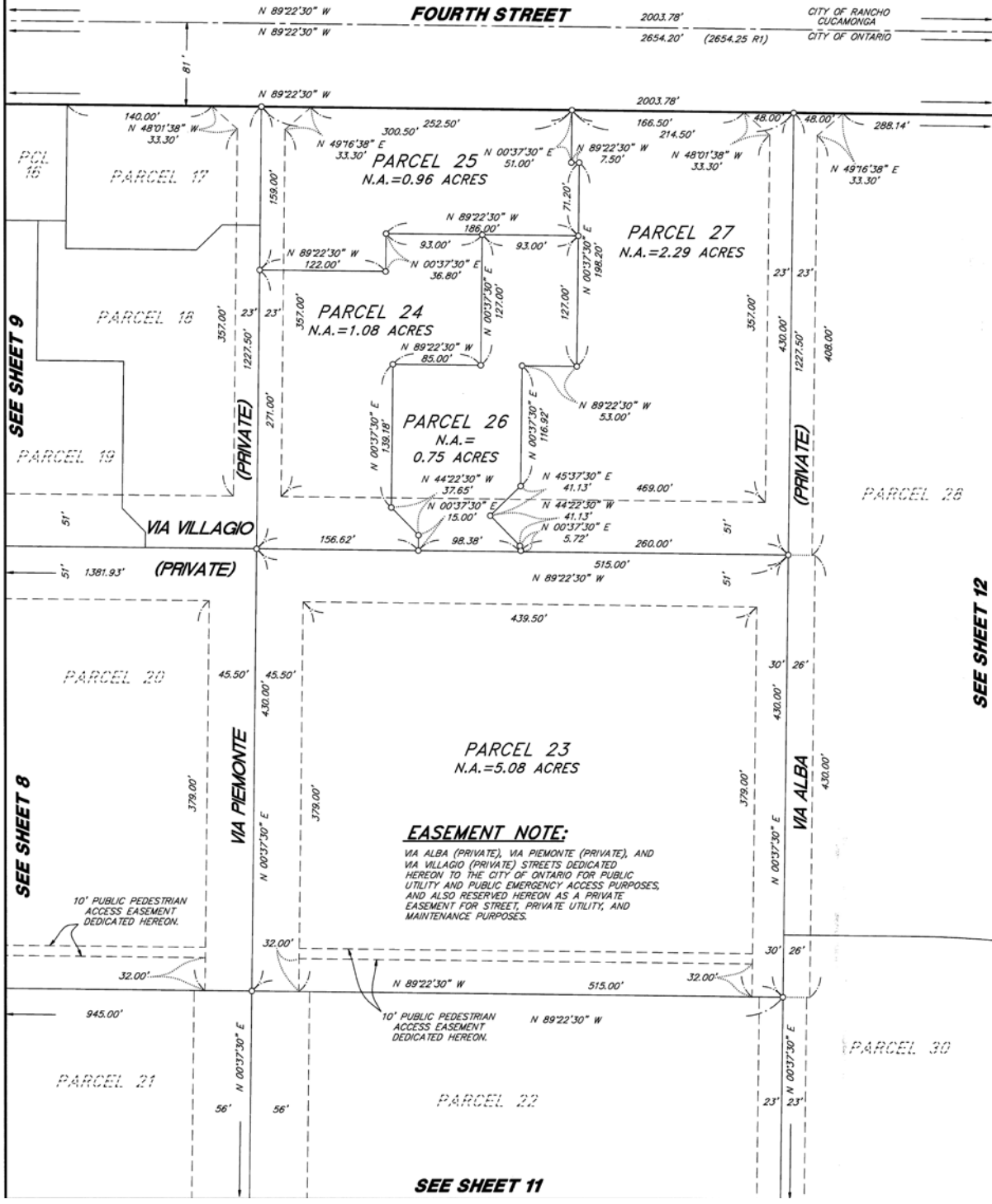
LENNY GUYETT P.L.S. 7993  
 FEBRUARY 15, 2006

GRAPHIC SCALE



## MONUMENT NOTES

R1 INDICATES RECORD DATA PER TRACT MAP NO. 16666, M.B. 302/55-56  
 O INDICATES 1" I.P. & TAG OR NAIL & TAG "LS 7993" TO BE SET.



2/16/16

2/16/16

L1/one

2/16/17

# PARCEL MAP NO. 17550

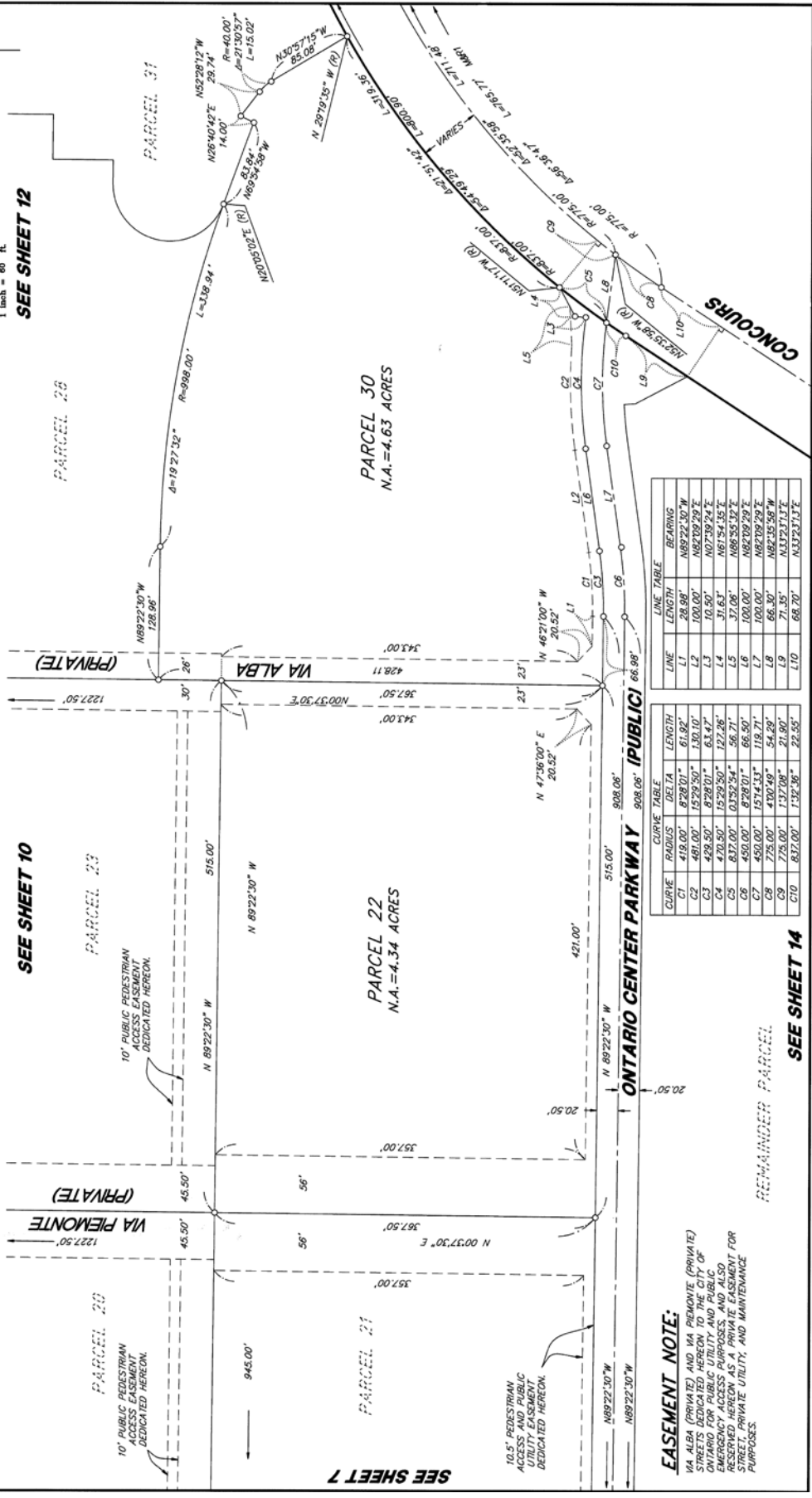
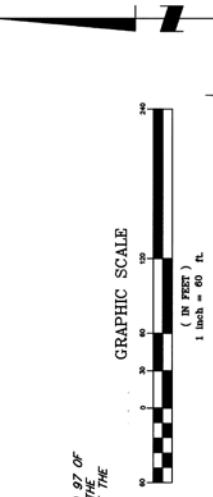
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## MONUMENT NOTES

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- M INDICATES MEASURED DISTANCE
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LENNY GUYETT P.L.S. 7993  
FEBRUARY 15, 2006

SHEET 11 OF 14 SHEETS



LINE	LENGTH	BEARING
L1	28.98'	N89°22'30" W
L2	100.00'	N82°09'29" E
L3	10.50'	N07°39'24" E
L4	31.63'	N67°54'35" E
L5	37.06'	N68°35'32" E
L6	100.00'	N82°09'29" E
L7	68.38'	N82°09'29" E
L8	68.70'	N53°23'12" E

CURVE	RADIUS	DELTA	LENGTH
C1	419.00'	8°28'01"	61.92'
C2	481.00'	15°29'50"	130.10'
C3	429.50'	8°28'01"	63.47'
C4	470.50'	15°29'50"	122.26'
C5	832.00'	03°52'54"	56.71'
C6	450.00'	8°28'01"	66.50'
C7	450.00'	15°29'50"	130.10'
C8	775.00'	11°37'08"	21.80'
C9	832.00'	13°2'06"	22.55'

**EASEMENT NOTE:**  
VIA ALBA (PRIVATE) AND VIA PIEMONTE (PRIVATE) STREETS DEDICATED HEREON TO THE CITY OF ONTARIO FOR PUBLIC UTILITY AND PUBLIC EMERGENCY ACCESS PURPOSES, AND ALSO DEDICATED HEREON TO PRIVATE EASEMENT FOR STREET, PRIVATE UTILITY, AND MAINTENANCE PURPOSES.

REMANUENT PARCEL

NO. OF PARCELS: 32  
 1 REMAINDER PARCEL  
 GROSS ACREAGE = 119.83  
 NET ACREAGE = 117.36

# PARCEL MAP NO. 17550

SHEET 12 OF 14 SHEETS

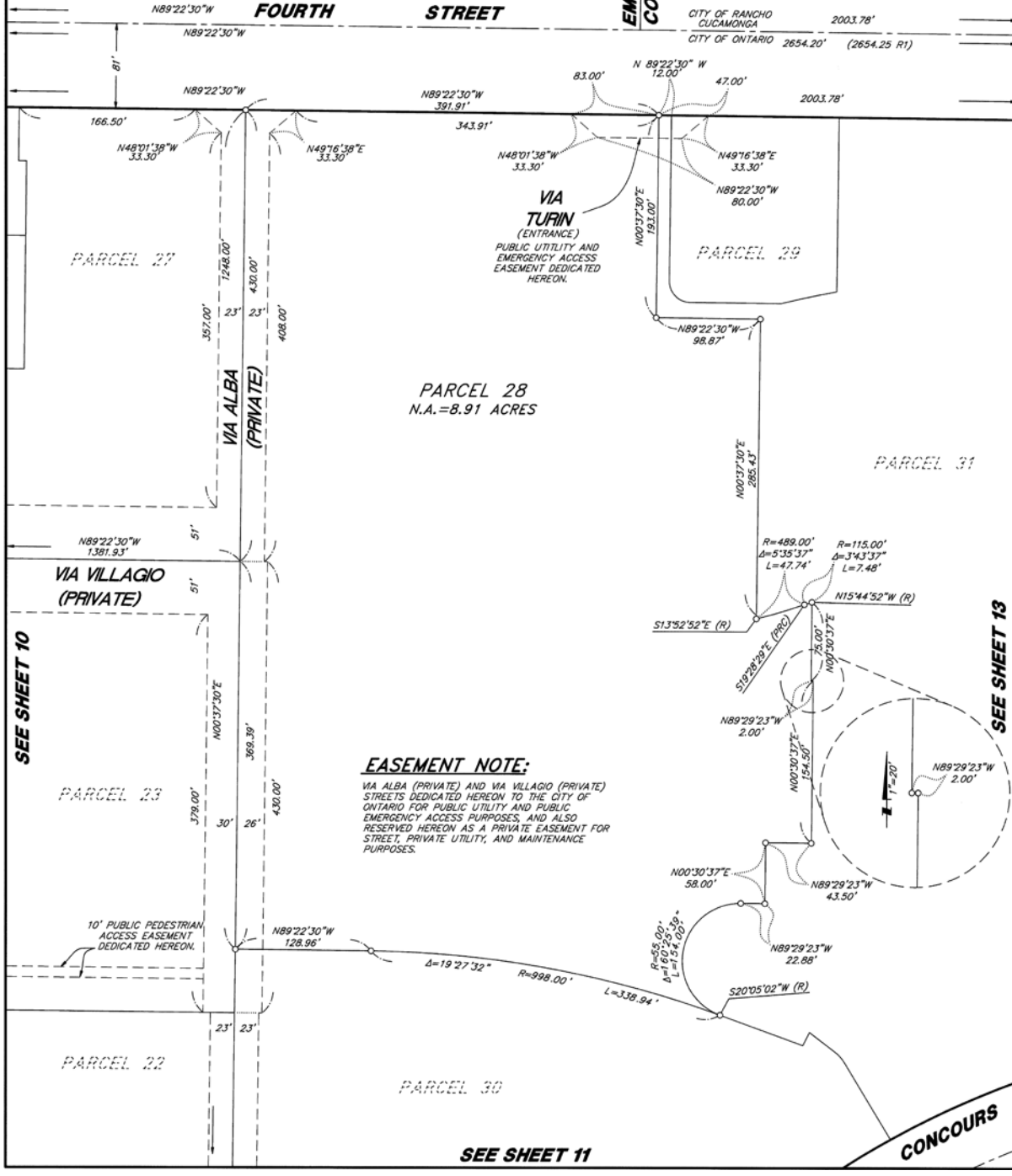
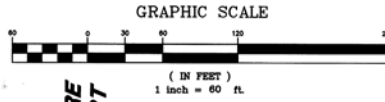
IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
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LENNY GUYETT P.L.S. 7993  
 FEBRUARY 15, 2006

## MONUMENT NOTES

R1 INDICATES RECORD DATA PER TRACT MAP NO. 16666, M.B. 302/55-56  
 O INDICATES 1" I.P. & TAG OR NAIL & TAG "LS 7993" TO BE SET.



216/18

216/18

NO. OF PARCELS: 32  
 1 REMAINDER PARCEL  
 GROSS ACREAGE = 119.83  
 NET ACREAGE = 117.36

# PARCEL MAP NO. 17550

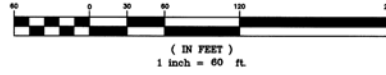
SHEET 13 OF 14 SHEETS

IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO,  
 STATE OF CALIFORNIA

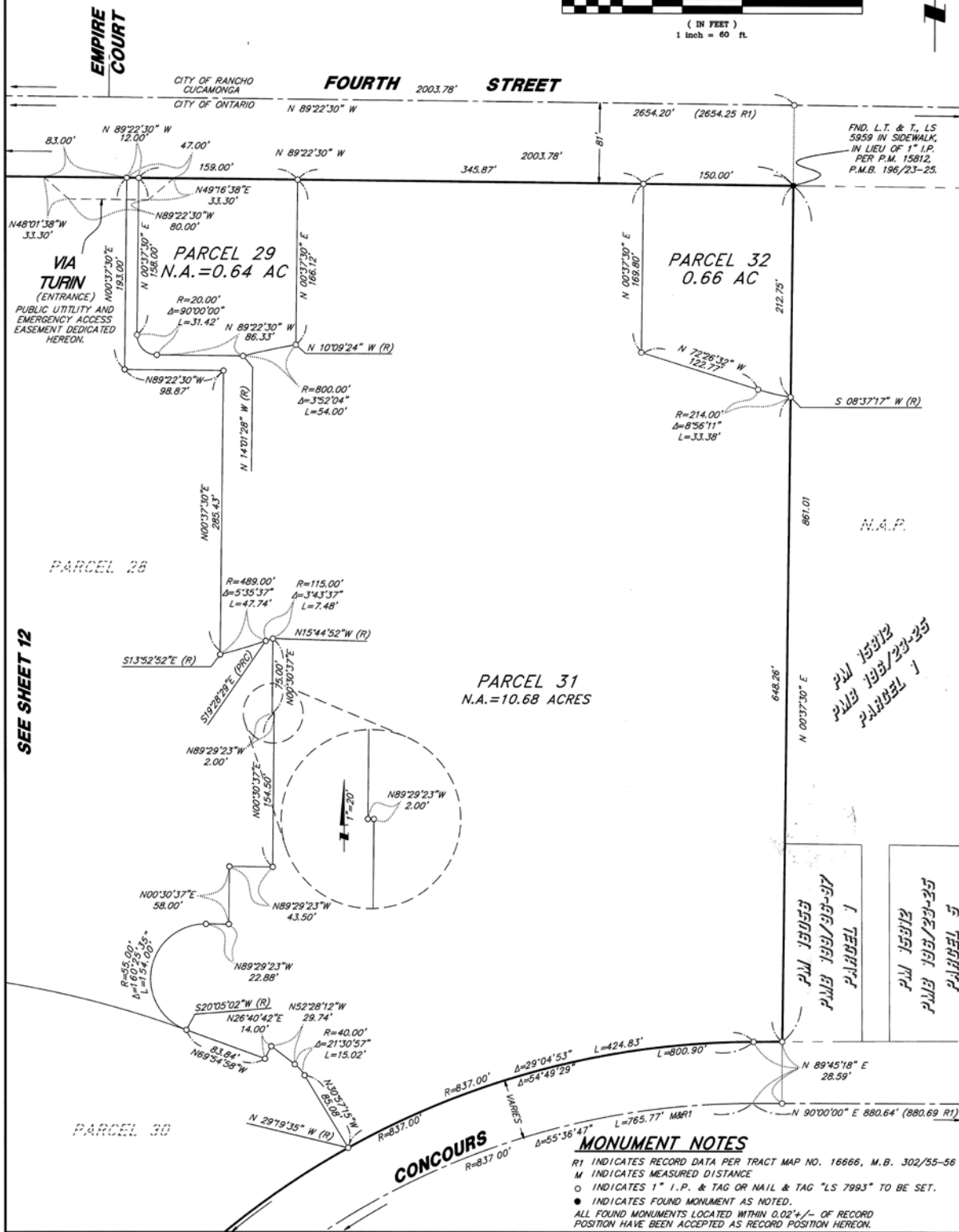
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LENNY GUYETT P.L.S. 7993  
 FEBRUARY 15, 2006

GRAPHIC SCALE



216/19



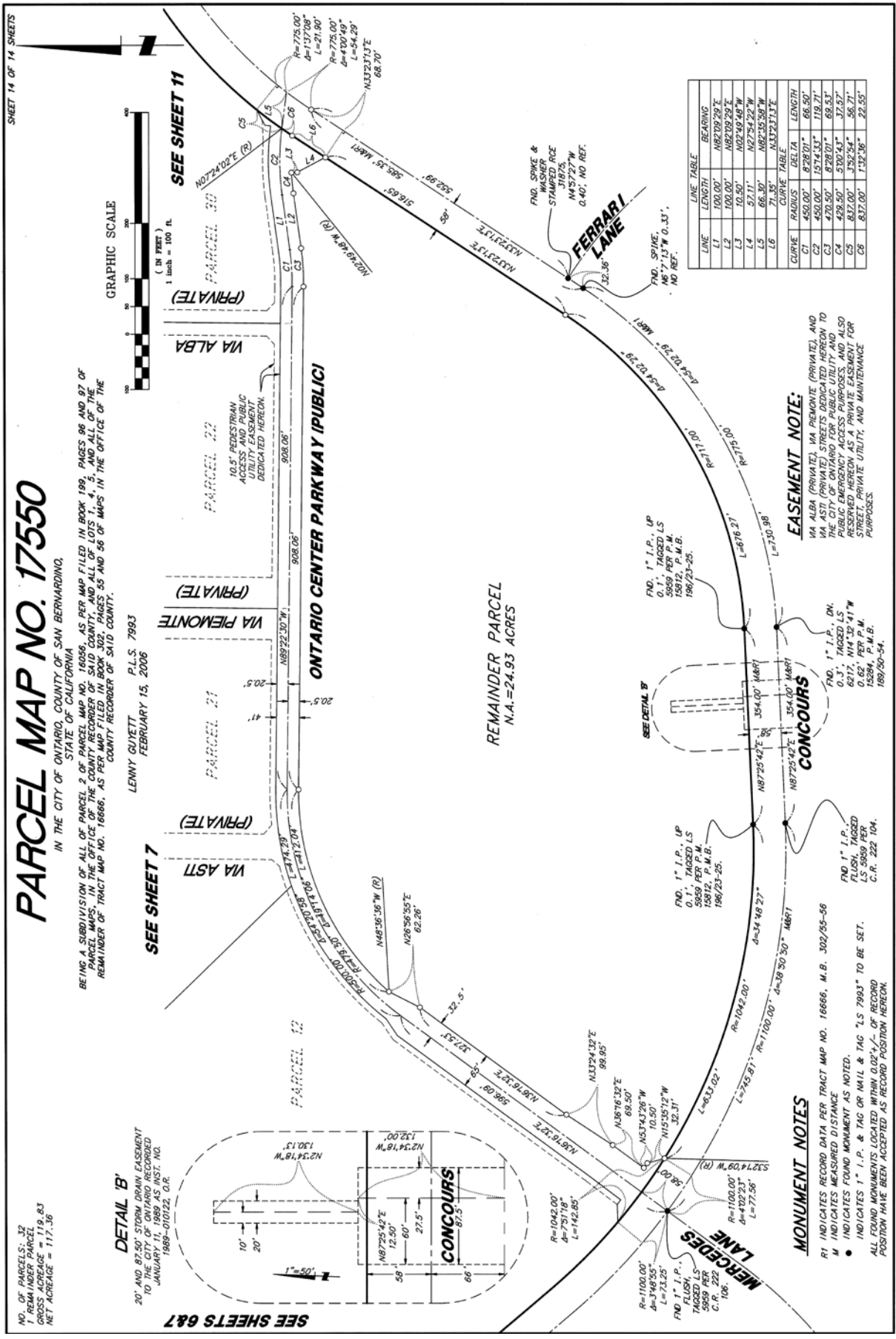
SEE SHEET 12

PW 15812  
 PWB 198/23-25  
 PARCEL 1

PW 15812  
 PWB 198/23-25  
 PARCEL 5

61/019

ae/91e



216/20





## APPENDIX B - SUBAREAS

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*Table B.1: 2016 Piemonte Overlay OCSF Parcels/Subarea Correlation*

OCSP PARCEL NUMBERS OR PORTIONS THEREOF	SUBAREAS
1, 2, 3, 4, 5, 6, 7, 8, 9	1
10	2
11	3
12, 13	4
14, 15	5
16, 17, 18, 19	6
20	7, 8
21	9
22	10
23	11, 12
24, 25, 26, 27	13
28, 29, 31, 32	14
30	15



## APPENDIX C - ONTARIO CENTER SPECIFIC PLAN STATISTICAL SUMMARY

*Table C.1: Statistical Areas D & E / Subareas 7, 8, 9 & 10*

DEVELOPMENT	MAXIMUM GFA (IN SF)	MAXIMUM No. DUs
<b>EXISTING DEVELOPMENT</b>		
955 N Duesenberg Dr (Vintage Apartments) - 300 DUs	290,151	309
950 N Duesenberg Dr (Camden Landmark Apartments) - 472 DUs	461,049	491
4000 E Ontario Center Parkway (Arena)	200,020	
1051 N Milliken Ave (Kohl's)	96,736	
1041 N Milliken Ave (Starbucks)	1,500	
1021 N Milliken Ave (Applebee's)	4,603	
4290 E Fourth St (El Pollo Loco)	2,406	
4275 E Concours St (Home Thai/Professional Nail/Sunrise Optometry)	8,528	
4295 E Concours St (Comerica Bank)	3,262	
901 N Via Piemonte (5-story Office)	125,685	
4150 E Fourth St (Spa/Wax Center/Weight Watchers)	8,385	
4190 E Fourth St (Jeweler/Hair Salon/Dentist)	7,320	
4240 E Fourth St (Wells Fargo)	4,845	
4120 E Fourth St (Big Al's/Petsmart/DSW Shoes)	91,280	
4200 E Fourth St (Target = 140,941 SF + 10,800 SF garden center)	151,742	
<b>TOTAL</b>	<b>1,457,512</b>	<b>800</b>
<b>REMAINING ALLOCATION</b>		
Office/Commercial	608,488	
Hotel 1 - 236 Rooms	180,000	
Hotel 2 - 100 Rooms	110,400	
Residential Units	483,600	**806
<b>TOTAL</b>	<b>1,382,488</b>	
<b>GRAND TOTAL</b>	<b>2,840,000</b>	<b>1,606</b>

Note: \*\* Residential units replace office/retail gross floor area (GFA) at the rate of one dwelling unit for each 600 SF of office/commercial GFA (based on equivalent traffic generation, water demand, and wastewater generation rates).

**Table C.2: Statistical Area D / Subarea 7**

DEVELOPMENT	MAXIMUM GFA (IN SF)
<b>EXISTING DEVELOPMENT</b>	
Vintage Apartments - 300 DUs	290,151
<b>TOTAL</b>	<b>290,151</b>
<b>REMAINING ALLOCATION</b>	
Office/Commercial	239,449
Hotel - 100 Rooms	110,400
<b>TOTAL</b>	<b>349,849</b>
<b>GRAND TOTAL</b>	<b>640,000</b>

**Table C.3: Statistical Area E / Subarea 8, 9 & 10**

DEVELOPMENT	MAXIMUM GFA (IN SF)
<b>EXISTING DEVELOPMENT</b>	
Camden Apartments - 472 DUs	461,049
Arena	200,020
Kohl's	96,736
Starbucks	1,500
Applebee's	4,603
El Pollo Loco	2,406
Home Thai/Nails/Optomety	8,528
Comerica Bank	3,262
5-Story Office	125,685
Spa/Waxing/Weight Watchers	8,385
Jeweler/Hair Salon/Dentist	7,320
Wells Fargo	4,845
Big Al's/Petsmart/DSW Shoes	91,280
Target	151,742
<b>TOTAL</b>	<b>1,167,361</b>
<b>REMAINING ALLOCATION</b>	
Office/Commercial	369,039
Hotel - 236 Rooms	180,000
Residential - 806 DUs	483,600
<b>TOTAL</b>	<b>1,032,639</b>
<b>GRAND TOTAL</b>	<b>2,200,000</b>

## APPENDIX D - 2006 OVERLAY LAND USE ALLOCATION & MAXIMUM DEVELOPMENT INTENSITY ANALYZED FOR TRAFFIC GENERATION

The 2006 traffic analysis for the Piemonte at Ontario Center Project Addendum to the Ontario Center EIR (Applied Planning Inc., February 2006) used the anticipated development shown in Table D.1: 2006 Piemonte Overlay Intensity Allocation by Subarea for Traffic Analysis to determine the remaining traffic capacity for the Overlay area. That traffic analysis used lower numbers that were permitted by the 2006 Overlay. However, it also concluded that the 2006 Piemonte Overlay only used 28% of the daily trips, 29% of the peak daily evening trips and 92% of the peak morning trips.

*Table D.1: 2006 Piemonte Overlay Intensity  
Allocation by Subarea for Traffic Analysis*

SUB-AREAS	NET ACRES	LAND USE					MAXIMUM FLOOR AREA	MAXIMUM DWELLING UNITS
		Commercial	Entertainment/ Retail	Special Use (Hotel)	Offices	Residential		
1	13.02	•	•	100 Rooms	•		220,713	
2	2.28				•		24,800	
3	1.36	•			•		18,000	
4	12.35				•		251,370	
5	8.29					•		403
6	3.20	•	•		•		43,300	
7	2.68	•	•			•	25,300	170
8	0.76							
9*	5.16				•		125,685	
10	3.24			236 Rooms			180,000	
11	0.91		•			•	32,300	218
12	2.49							
13	4.07		•				49,200	
14*	20.35	•			•		228,400	
15	4.27				•		93,000	
<b>TOTALS</b>	<b>84.43</b>						1,292,068	791

\* Built-out Subarea



# APPENDIX E - PIEMONTE TRIP GENERATION COMPARISON AND THE PIEMONTE/EMPIRE LAKES 4TH STREET ACCESS CONFIGURATION - Fehr & Peers Memorandum (Dated June 8, 2016)

Fehr & Peers completed a draft Transportation Impact Study (TIS) for the proposed Empire Lakes project in the City of Rancho Cucamonga. That study documented potential transportation impacts associated with the proposed project.

Since completing that study, we have completed a trip generation estimate for the Piemonte Site based on their most recent site plan that will be submitted to the City of Ontario. We also completed additional work in support of designing the 4th Street access to both the Piemonte Site and the Empire Lakes site. The purpose of this memorandum is to document the methodology, recommendations, and results of the project access assessment.

## Piemonte Trip Generation Estimates

### Piemonte Trip Generation As Approved

As part of the Empire Lakes traffic study, the portion of the Piemonte Site that has not yet been developed was estimated using information from the Piemonte at Ontario Center Project Addendum to the Ontario Center EIR (Applied Planning Inc., February 2006). Table E-1: Piemonte Trip Generation – As Currently Approved summarizes the trip generation estimate used in the Empire Lakes traffic study:

*Table E-1: Piemonte Trip Generation – As Currently Approved*

USE	DAILY	AM PEAK HOUR			PM PEAK HOUR		
		IN	OUT	TOTAL	IN	OUT	TOTAL
Total Net Piemonte (From Study)	29,800	1,284	812	2,096	1,124	1,471	2,595
Parcel 1 (Constructed)	4,990	71	46	117	150	162	312
Parcel 2 (Constructed)	3,182	69	54	123	99	104	203
Parcel 10 (Constructed)	1,107	154	21	175	29	140	169
<b>UNDEVELOPED PIEMONTE</b>	<b>20,521</b>	<b>990</b>	<b>691</b>	<b>1,681</b>	<b>846</b>	<b>1,065</b>	<b>1,911</b>

Source: Piemonte at Ontario Center Project Addendum to the Ontario Center EIR (Applied Planning Inc., February 2006).

As shown in Table E-1: Piemonte Trip Generation – As Currently Approved, the portion of Piemonte that is not yet developed is estimated to generate 20,521 daily trips, 1,681 AM peak hour trips, and 1,911 PM peak hour trips. These trips were utilized in the Empire Lakes traffic study.

### **Piemonte Trip Generation As Currently Proposed**

The site concept for the Piemonte site provided by Lewis Operating Companies (dated March 11, 2016) is attached. Using this site plan, Fehr & Peers estimated the trip generation for the project site as shown in Table E-2: Piemonte Trip Generation – As Currently Proposed on the following page.

As shown in Table E-2: Piemonte Trip Generation – As Currently Proposed, with the proposed site plan the undeveloped portion of Piemonte would be projected to generate 13,905 daily trips, 957 AM peak hour trips, and 1,357 PM peak hour trips.

Table E-3: Piemonte Trip Generation Comparison compares the as-approved trip generation to the currently proposed trip generation. As shown in the table, the undeveloped portion of Piemonte, as currently proposed, is anticipated to generate 6,616 fewer daily trips, 724 fewer AM peak hour trips, and 554 fewer PM peak hour trips.

Given that the currently proposed development in Piemonte is less than what was approved, the assumptions in the Empire Lakes traffic study is considered conservative as part of this effort.



**Table E-2: Piemonte Trip Generation – As Currently Proposed**

USE	DAILY	AM PEAK HOUR			PM PEAK HOUR		
		IN	OUT	TOTAL	IN	OUT	TOTAL
<b>LEWIS AND LINCOLN PROPOSED USES</b>							
Zone 1 - Retail	3,822	53	33	86	159	173	332
Zone 2 - Office	552	69	9	78	13	62	75
Zone 3 - Residential	1,915	29	118	147	116	63	179
Zone 4 - Residential	1,144	18	70	88	69	38	107
Zone 4 - Retail	3,565	50	30	80	149	161	310
Zone 5 - Residential	765	12	47	59	46	25	71
<b>TOTAL GROSS TRIP GENERATION PROPOSED</b>	<b>11,763</b>	<b>231</b>	<b>307</b>	<b>538</b>	<b>552</b>	<b>522</b>	<b>1,074</b>
<b>INTERNALIZATION (CONSISTENT WITH PREVIOUS STUDY) 17% DAILY, 12% AM PEAK HOUR, 18% PM PEAK HOUR</b>	<b>-2,000</b>	<b>-28</b>	<b>-37</b>	<b>-65</b>	<b>-99</b>	<b>-94</b>	<b>-193</b>
<b>TOTAL TRIP GENERATION</b>	<b>9,763</b>	<b>203</b>	<b>270</b>	<b>473</b>	<b>453</b>	<b>428</b>	<b>881</b>
Parcel 6 Trip Generation (from previous study)	1,928	81	52	133	74	65	139
Parcel 13 Trip Generation (from previous study)	2,214	309	42	351	57	280	337
<b>TOTAL NEW TRIPS IN PIEMONTE</b>	<b>13,905</b>	<b>593</b>	<b>364</b>	<b>957</b>	<b>584</b>	<b>773</b>	<b>1,357</b>

Source: Fehr & Peers, 2016. Site Plan provided by Lewis Operating Companies (March 2016). Note: Parcel 6 and Parcel 13 are not included in the Lewis Site Plan and trip generation from the previous Applied Planning dated February 2006 study is used.

**Table E-3: Piemonte Trip Generation Comparison**

USE	DAILY	AM PEAK HOUR			PM PEAK HOUR		
		IN	OUT	TOTAL	IN	OUT	TOTAL
Undeveloped Piemonte (as approved)	20,521	990	691	1,681	846	1,065	1,911
Undeveloped Piemonte (as proposed)	13,905	593	364	957	584	773	1,357
<b>NET DIFFERENCE</b>	<b>-6,616</b>	<b>-397</b>	<b>-327</b>	<b>-724</b>	<b>-262</b>	<b>-292</b>	<b>-554</b>

Source: Fehr & Peers, 2016

#### **4Th Street Access Methodology**

Given the proximity of up-stream and down-stream intersections to the proposed site access, micro-simulation was utilized to evaluate traffic operations. Micro-simulation utilizes driver behavior parameters to simulate how driver decisions affect traffic operations. Additionally, micro-simulation has the ability to evaluate how vehicles queues can extend over space and time and account for the operational effects associated with those queues.

To evaluate the network, Fehr & Peers utilized the SimTraffic 8.0 software which is consistent with the Highway Capacity Manual methodology (Transportation Research Board, 2010). Assumptions utilized in this assessment specific to this software are documented below:

- Lane configurations utilized are based on the proposed design shown in Attachment A
- Signal timing information began with existing timing data provided by the City and were optimized for the corridor related to signal timing splits and timing offsets
- A base saturation flow rate of 1,900 vehicles per hour per lane
- A peak hour factor of 0.95 was applied
- A total of 20 simulations were completed with different random seeds
- The results are based on the average of all 20 runs as there were no “outliers” in the simulation results
- The simulation results were utilized to assist in designing the intersection for both level of service and to accommodate expected queues
- Fehr & Peers updated the trip assignment information to/from the Piemonte to reflect the trip generation information noted above based on the locations of land use provided on the attached site plan.

Please note that the analysis for site access focused on the forecasts developed for the cumulative scenario. This provides the highest volume of traffic and is considered the most appropriate scenario for sizing infrastructure.

#### 4Th Street Access Analysis Results

The level of service (LOS) was calculated for both the 4th Street/Cleveland Avenue and 4th Street/The Vine study intersections to evaluate traffic operations. LOS is a qualitative measure of traffic operating conditions whereby a letter grade, from A (the best) to F (the worst), is assigned. These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with driving. Table E-4: Intersection HCM LOS Criteria describes the LOS thresholds for signalized intersections identified in the HCM. Table E-5: Cumulative Plus Project Conditions Intersection LOS summarizes the AM and PM peak hour level of service results for the two study intersections. Table E-6: Cumulative Plus Project Left-Turn Queues summarizes the queues at the intersections.

**Table E-4: Intersection HCM LOS Criteria**

LOS	DESCRIPTION	SIGNALIZED DELAY (SECONDS)
A	Operations with very low delay occurring with favorable progression and/or short cycle length.	< 10.0
B	Operations with low delay occurring with good progression and/or short cycle lengths.	> 10.0 to 20.0
C	Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	> 20.0 to 35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	> 35.0 to 55.0
E	Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences.	> 55.0 to 80.0
F	Operation with delays unacceptable to most drivers occurring due to over saturation, poor progression, or very long cycle lengths.	> 80.0

Source: Highway Capacity Manual (Transportation Research Board, 2010).

**Table E-5: Cumulative Plus Project Conditions Intersection LOS**

	INTERSECTION	TRAFFIC CONTROL	PEAK HOUR	DELAY	LOS
19	4th Street/Cleveland Avenue	Signal	AM	16.0	B
			PM	20.8	C
20	4th Street/The Vine (Project Access)	Signal	AM	14.8	B
			PM	16.7	B

Notes:

1. Delay is calculated using SimTraffic Micro-Simulation using HCM 2010 Methodology

Source: Fehr & Peers, 2016

**Table E-6: Cumulative Plus Project Left-Turn Queues**

LOCATION	AM	PM
<b>4TH STREET/CLEVELAND AVENUE INTERSECTION</b>		
Eastbound Left-Turn (225')	225'	77'
Westbound Left-Turn (142' Storage)	140'	133'
<b>4TH STREET/THE VINE INTERSECTION</b>		
Eastbound Left-Turn <sup>1</sup> (310' Storage)	106'	257'
Westbound Left-Turn <sup>1</sup> (250' Storage)	191'	206'

Notes:

Queues reported from Synchro and represent the 95th-percentile queue.

**BOLD** indicates where queue exceeds available storage.

1. Proposed Configuration has dual lanes. Total queue in both lanes reported

Source: Fehr & Peers, 2016

As shown in Table E-5: Cumulative Plus Project Conditions Intersection LOS, both study intersections are projected to operate at acceptable levels of service during both peak hours. Additionally, as shown in Table E-6: Cumulative Plus Project Left-Turn Queues, the queues are accommodated in the proposed turn pockets.

## APPENDIX F - OCSP PLANTING MATRIX

*Table F.1: Applicable OCSP Planting Matrix*

SPECIES (LATIN NAME - COMMON NAME)	CONCOURS STREET	FOURTH STREET	HAVEN AVENUE	PRIMARY ENTRANCE STATEMENT	SECONDARY ENTRANCE STATEMENT
TREES (P = Primary Tree, S = Secondary Tree)					
<i>Acacia saligna</i> – Willow Acacia		S			
<i>Arbutus unedo</i> – Strawberry Tree					X
<i>Bauhinia variegata</i> – Orchid Tree					X
<i>Brachychiton acerfolius</i> – Flame Tree		S			
<i>Brachychiton populneum</i> – Bottle Tree	S	S			
<i>Celtis australis</i> – European Hackberry					X
<i>Chorisia speciosa</i> – Floss-silk Tree	P	P		X	X
<i>Cinnamomum camphora</i> – Camphor Tree		P		X	X
<i>Cupaniopsis anacardioides</i> – Carrotwood				X	X
<i>Eriobotrya deflexa</i> – Loquat					X
<i>Ficus nitida</i> – Ficus	S		P	X	
<i>Ficus religiosa</i> – Bo Tree				X	
<i>Ficus rubiginosa</i> – Rusty Leaf Fig				X	X
<i>Fraxinus velutina</i> ‘Modesto’ – Modesto Ash				X	
<i>Geijera parvifolia</i> – Australian Willow					X
<i>Quercus kelloggii</i> – California Black Oak					X
<i>Quercus rubra</i> – Red Oak	S				
<i>Quercus suber</i> – Cork Oak	P				
<i>Schinus Molle</i> – California Pepper *			S		
<i>Sophora japonica</i> – Japanese Pagoda Tree				X	X
<i>Ulmus parvifolia</i> – Chinese Evergreen Elm	S				X
<i>Washingtonia robusta</i> – Mexican Fan Palm				X	X
<i>Washingtonia filifera</i> – California Fan Palm		S	S	X	X
SHRUBS					
<i>Acacia spp.</i> – Wattle					X
<i>Abelia grandiflora</i> – Glossy Abelia				X	X
<i>Abelia grandiflora</i> ‘Edward Goucher’ – Dwarf Glossy Abelia				X	

**Table F.1: Applicable OCSP Planting Matrix (Continued)**

SPECIES (LATIN NAME - COMMON NAME)	CONCOURS STREET	FOURTH STREET	HAVEN AVENUE	PRIMARY ENTRANCE STATEMENT	SECONDARY ENTRANCE STATEMENT
<i>Agapanthus</i> spp. – Lily of the Nile				X	X
<i>Callistemon</i> spp. – Bottlebrush					X
<i>Carissa</i> spp. – Natal Plum				X	X
<i>Carissa grandiflora</i> ‘Tuttlei’ – Dwarf Natal Plum				X	
<i>Cercis occidentalis</i> – Western Redbud					X
<i>Clivia Miniata</i> – Clivia				X	X
<i>Cotoneaster</i> spp. – Cotoneaster					X
<i>Dietes vegeta</i> – Fortnight Lily				X	X
<i>Grevillea noellii</i> – NCN				X	X
<i>Hemerocallis</i> spp. – Daylily				X	X
<i>Hypericum Calycinum</i> – Aaron’s Beard					X
<i>Ilex</i> spp. – Holly				X	X
<i>Iris</i> spp. – Iris					X
<i>Juniperus</i> spp. – Juniper				X	X
<i>Kniphofia uvaria</i> – Red Hot Poker					X
<i>Lantana camara</i>				X	X
<i>Nandina domestica</i> – Heavenly Bamboo				X	X
<i>Nandina</i> ‘Harbor Dwarf’ – Dwarf Bamboo				X	X
<i>Nerium oleander</i> – Oleander				X	X
<i>Pennisetum setaceum</i> – Fountain Grass					
<i>Photinia</i> spp. – Photinia				X	X
<i>Pittosporum</i> spp. – Pittosporum				X	X
<i>Pittosporum tobira</i> ‘Wheeleri’ – Dwarf Pittosporum				X	X
<i>Plumbago auriculata</i> – Cape Plumbago					X
<i>Podocarpus macrocarpa</i> – Yew Pine				X	X
<i>Potentilla fruticosa</i> – Cinquefoil				X	X
<i>Prunus Caroliniana</i> – Carolina Laurel Cherry					X
<i>Pyracanthus</i> spp. – Pyracantha					X
<i>Raphiolepis</i> spp – Indian Hawthorn				X	X
<i>Viburnum</i> spp. – Viburnum					
<i>Xylosma congestum</i> – Shiny Xylosma				X	X
<i>Yucca schottii</i>					

Table F.1: Applicable OCSP Planting Matrix (Continued)

SPECIES (LATIN NAME - COMMON NAME)	CONCOURS STREET	FOURTH STREET	HAVEN AVENUE	PRIMARY ENTRANCE STATEMENT	SECONDARY ENTRANCE STATEMENT
GROUNDCOVER					
<i>Ajuga reptans</i> – Bronze Ajuga				X	X
<i>Anigozanthos</i> spp. – Kangaroo Paw					X
<i>Bougainvillea</i> spp.				X	X
<i>Carissa grandiflora</i>				X	X
<i>Carpobrotus edulis</i> – Hottentot Fig				X	X
<i>Cerastium tomentosum</i> – Snow-in-Summer				X	
<i>Delosperma alba</i> – White Iceplant				X	X
<i>Drosanthemum hispidum</i> – Rosea Iceplant				X	X
<i>Fragaria chiloensis</i> – Wild Strawberry					X
<i>Gazania splendens</i> – Clumping Gazania				X	X
<i>Hedera helix</i> ‘Needlepoint’ – Needlepoint Ivy					X
<i>Jasminum humile</i> – Italian Jasmine				X	X
<i>Lantana</i> spp.				X	X
<i>Oenothera berlandieri</i> – Mexican Evening Primrose					X
<i>Pelargonium peitatum</i> – Ivy Geranium				X	X
<i>Potentilla verna</i> – Spring Cinquefoil					X
<i>Rosmarinus officinalis</i> – Rosemary				X	X
<i>Santolina</i> spp. – Lavender Cotton				X	X
<i>Sedum</i> spp. – Sedum				X	X
<i>Tracheospenium jasminoides</i> – Star Jasmine				X	X
<i>Verbena peruviana</i> – Verbena					X
<i>Vinca minor</i> – Dwarf Periwinkle				X	X
<i>Vinca rosea</i> – Madagascar Periwinkle				X	X
VINES					
<i>Anemopaigma chamberlaynii</i> – Yellow Trumpet Vine					X
<i>Bougainvillea</i> – NCN				X	X
<i>Clytostoma callistegiodes</i> – Violet Trumpet Vine					X
<i>Gelsemium</i> – Carolina Jessamine				X	X
<i>Macfadyena unguis-cati</i> – Cat’s Claw					X
<i>Parthenocissus tricuspidata</i> – Boston Ivy				X	X
<i>Tecomaria capensis</i> – Cape Honeysuckle				X	X

Source: The Ontario Center Specific Plan (P&amp;D Technologies) Updated April 2005.







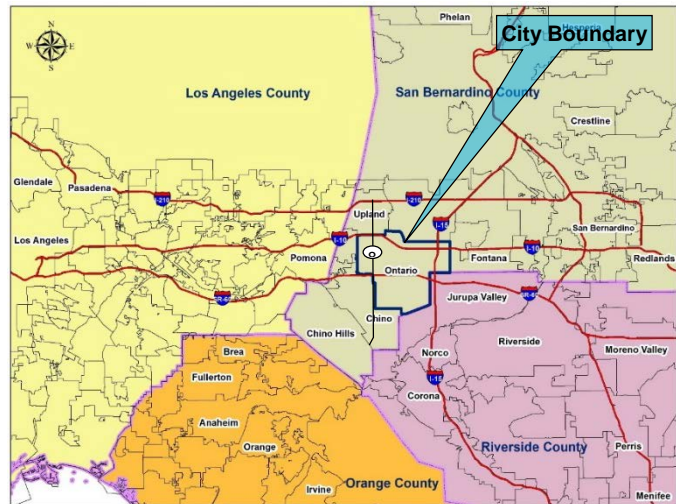
# PLANNING COMMISSION STAFF REPORT

April 25, 2017

**SUBJECT:** A Development Code Amendment (**File No. PDCA17-001**) proposing various clarifications to the Ontario Development Code, modifying certain provisions of Division 1.02 (Development Code Interpretation and Enforcement), Division 2.02 (Application, Filing and Processing), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards For Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), 6.02 (Walls, Fences and Obstructions), 6.03 (Off-Street Parking and Loading), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions); **City Initiated. City Council action is required.**

**RECOMMENDED ACTION:** That the Planning Commission recommend that the City Council approve the proposed Development Code Amendment, File No. PDCA17-001, pursuant to the facts and reasons contained in the staff report and attached resolution.

**PROJECT SETTING:** The proposed Development Code Amendment is of Citywide impact, affecting approximately 50 square miles (31,789 acres) of land, which is generally bordered by Benson Avenue and Euclid Avenue on the west; Interstate 10 Freeway, Eighth Street, and Fourth Street on the north; Etiwanda Avenue and Hamner Avenue on the east; and Merrill Avenue and the San Bernardino County/Riverside County boundary on the south (see Figure 1). The City of Ontario is substantially built-out with residential, commercial, industrial, agricultural, airport, institutional/public, and recreational land uses. According to the California Department of Finance, the City of Ontario's 2015 estimated population is 168,777 persons, and it is ranked the 29th largest city in the State.



**Figure 1—LOCATION MAP**

**PROJECT ANALYSIS:**

[1] Background — The Development Code (Ontario Municipal Code Title 9) provides the legislative framework for the implementation of The Ontario Plan, which states long-term principles, goals, and policies for

Case Planner:	Charles Mercier	Hearing Body	Date	Decision	Action
Planning Director Approval:		DAB			
Submittal Date:	3/27/2017	PC	4/25/2017		Recommend
Hearing Deadline:	N/A	CC – 1st	5/16/2017		Introduction
		CC – 2nd	6/6/2017		Final

guiding the growth and development of the City in a manner that achieves Ontario's vision, and promotes and protects the public health, safety, comfort, convenience, prosperity, and welfare of its citizens. On December 1, 2015, the City Council approved a comprehensive update to the Ontario Development Code (Ordinance No. 3028), which became effective on January 1, 2016. Staff is now initiating several minor alterations to the Development Code, to adjust and clarify certain provisions of the Code, which are described below. Additionally, a draft copy of the Ordinance containing the below-described Development Code amendments is included as an attachment to the Planning Commission Resolution.

The recommended Development Code amendments are as follows:

**[1]** Amend Subsection C (Violations) of Section 1.02.015 (Enforcement), to read as follows:

“Any person or entity violating and provision, or failing to comply with any regulation, of this Development Code, shall be subject to the penalty provisions prescribed in OMC Title 1 (General Provisions), Chapter 2 (Penalty Provisions), and the citation provisions prescribed in OMC Title 1 (General Provisions) Chapter 5 (Administrative Citations). Fine amounts shall be as set forth by resolution of the Ontario City Council, which may be amended from time-to-time.”

*[Reason for Revision: Establishes Development Code violation provisions consistent with the City's Municipal Code.]*

**[2]** Amend Subcategory B.3 (Conditional Use Permits) of Table 2.02-1 (Review Matrix), adding “Hotels, Motels and Residence Inns” as classification which requires recommendation by the Planning Commission and approval by the City Council, and renumbering all existing classifications, in correct alphanumeric order, as follows:

<i>Applications, Actions, Decisions and Processes</i>	<i>Reviewing Authorities [4]</i>								
	<i>Planning Director</i>	<i>City Engineer</i>	<i>Building Official</i>	<i>Zoning Administrator [2]</i>	<i>Development Advisory Board</i>	<i>Historic Preservation Subcommittee [2]</i>	<i>Historic Preservation Commission</i>	<i>Planning Commission</i>	<i>City Council</i>
<b>B. DISCRETIONARY PERMITS AND ACTIONS</b>									
<b>3.</b> Conditional Use Permits (Ref: ODC Section 4.02.015)									
<b>a.</b> Hotels, Motels and Residence Inns [1]								R	X

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]								
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2]	Historic Preservation Commission	Planning Commission	City Council
b. Use established in conjunction with a Development Plan [1]								X	A
c. Use established within an existing structure [1]				X				A	A
d. Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) [1]								X	A
e. Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) [1]				X				A	A

*[Reason for Revision: Clarifies the approval procedure for hotels, motels and residence inns, requiring Planning Commission Recommendation and City Council approval.]*

**[3]** Amend Subparagraph C.2.b of Section 4.02.020 (Departures from Development Standards (Administrative Exceptions, Minor Variances, and Variances), to read as follows:

“b. Administrative Exceptions may be approved for reductions of up to 10 percent from [i] minimum setback and separation requirements, excepting nonresidential setback requirements from property lines that are common with any residentially zoned property; and, [ii] off-street parking required for nonresidential land uses pursuant to Table 6.03-1 (Off-Street Parking Requirements). An Administrative Exception shall not be approved for reductions from minimum lot size, lot dimensions, landscape coverage, or parking requirements, or for an increase in maximum density, floor area ratio, or the height of a structure.”

*[Reason for Revision: Allows up to 10 percent reduction from off-street parking standards through the Administrative Exception process (currently requires Variance approval). This provision was unintentionally removed from the Development Code with the comprehensive update that went into effect in January 2016.]*

**[4]** Amend Subparagraph B.2 of Section 4.02.025 (Development Plans), revising the list of development activities that require Development Plan approval (paragraphs o and p), to read as follows:

“o. An addition to a previously developed site within a commercial zoning district, which does not exceed 25 percent of the original structure GFA or 2,000 SF (cumulative), whichever is less.

p. An addition to a previously developed site within an industrial zoning district, which does not exceed 25 percent of the original structure GFA or 10,000 SF (cumulative), whichever is less.”

*[Reason for Revision: Deletes provisions requiring Development Plan approval for the expansion of off-street parking and loading areas (7,500 SF of affected site area within commercial zoning districts and 15,000 SF of affected site area within industrial zoning districts, allowing parking and loading area expansions to be approved through Building Department plan check).]*

[5] Amend Table 5.02-1 (Land Use Matrix), adding certain land use classifications as shown on Exhibit A, attached.

[6] Amend Section 5.03.245 (Hookah Lounges), adding additional provisions addressing hookah establishments, smoking/vaping lounges, and smoking/vaping retailers, to read as follows:

**“5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers.**

**A. Purpose.** The purpose of this Section is to help mitigate negative impacts associated with smoking and vaping uses, in order to serve the public health, safety, and welfare of City residence, and City businesses and their patrons. Furthermore, this Section is specifically intended to reduce the impact of smoking and vaping uses on minors, as an abundance of such uses increases the potential for minors to associate smoking and vaping with a normative lifestyle.

**B. Applicability.** All smoking and vaping businesses throughout the City shall comply with the regulations and requirements of this Section.

**C. Definitions.** For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

1. **Electronic Cigarette (E-Cigarette).** An electronic device, which is typically battery-operated, designed to deliver a nicotine-based liquid, or other substance, that is vaporized and then inhaled (called "vaping"), simulating the experience of smoking tobacco. Such devices are manufactured to resemble traditional tobacco cigarettes, cigars, pipes, or even everyday items, such as pens or USB memory sticks. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette or e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an

electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed physician.

2. Hookah Establishments. Any facility or location whose business operation, whether a primary or accessory use, is characterized as a commercial establishment where patrons gather to share in the smoking of flavored tobacco (shisha) from a communal hookah, including, but not limited to, establishments known variously as a hookah lounge or bar, or shisha bar or den.

3. Hookah. A single or multi-stemmed instrument for smoking flavored tobacco (or shisha), whose vapor or smoke is passed through a water basin before inhalation.

4. Smoking/Vaping Lounge. Any facility or location whose business operation, whether a primary or accessory use, is characterized by the sale, offering, and/or preparation of smoking tobacco, cigars, electronic cigarettes, or similar products, including, but not limited to, establishments known variously as smoking lounges, vaping lounges, or cigar bars.

5. Smoking/Vaping Retailer. A smoke shop, tobacco store, electronic cigarette retailer, or any other retail business where more than 25 percent of the gross floor area is dedicated to the sale of tobacco or tobacco products, electronic cigarettes, or related products, for consumption off the premises.

**D. Operating Requirements.** Hookah establishments, smoking/vaping lounges, and smoking/vaping retailers shall comply with the following operating standards:

1. Hookah Establishments. The following standards shall govern the establishment and operation of hookah establishments:

a. A hookah establishment may be established **[i]** as a standalone establishment; **[ii]** in conjunction with a sit-down restaurant, within an outside open patio area; or **[iii]** in conjunction with an ABC-licensed bona fide eating establishment;

b. A hookah establishment shall not be established in conjunction with live entertainment;

c. A hookah establishment shall not be established in conjunction with a bar or nightclub;

d. A hookah establishment shall operate in compliance with all applicable State laws and regulations pertaining to smoking facilities (limitation on numbers of paid staff shall meet CAL-OSHA requirements for air filtration and circulation, and meet fire standards for smoking lounges);

**e.** A hookah establishment shall dispose of ash and coals pursuant to the requirements of the Ontario Fire Department;

**f.** A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

**g.** A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other hookah establishment, or a smoking/vaping lounge or smoking/vaping retailer.

**2. Smoking/Vaping Lounges.** The establishment and operation of smoking/vaping lounges shall be prohibited, excepting hookah establishments established pursuant to Paragraph D.1 (Hookah Establishments) of this Section.

**3. Smoking/Vaping Retailers.** The following standards shall govern the establishment and operation of smoking/vaping retailers:

**a.** A smoking/vaping retailer shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

**b.** A smoking/vaping retailer shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other smoking/vaping retailer, or a hookah establishment or smoking/vaping lounge.

**c.** No smoking/vaping shall be permitted in conjunction a smoking/vaping retailer.”

*[Reason for Revision: Adds e-cigarette, smoking/vaping lounge and smoking/vaping retailer definitions, and 1,000-FT spacing requirement for hookah establishments and smoking/vaping retailers, to ensure that an undue concentration of tobacco-related uses is not established.]*

**[7]** Amend Subsection D (Minimum Amenity Package) of Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Travel Accommodation), revising the minimum requirement for recreational facilities contained in Paragraph 3, as follows:

**“3.** The following minimum active and passive leisure amenities shall be provided:

**a.** A swimming pool, except that the Approving Authority may approve smaller boutique hotels, motels, residence inns, or other similar travel accommodations having fewer than 75 rooms, with alternate amenities, such as, but not limited to:

**(1)** A full-service restaurant or café;

**(2)** Highly amenitized guest rooms, which exceed the minimum amenities required by Paragraph D.1, above;

**(3)** Meeting space, which substantially exceeds the minimum requirements of Paragraph D.2, above;

**(4)** Highly detailed architectural features that reflect an established architectural style identified in Reference C (Architectural Styles) of this Development Code; and/or

**(5)** Other amenities acceptable to the Approving Authority; and

**b.** A whirlpool/spa; or a furnished cabana containing items such as lighting, ceiling fans, tables, chairs, sofas, and lounge chairs; and

**c.** A fitness room; and”

*[Reason for Revision: Changes in the minimum required amenity package for hotels, motels, residence inns, and other similar traveler accommodations, are proposed, as follows:*

*(1) Allow flexibility in the minimum required amenity package, to address the needs of smaller (less than 75 guest rooms), boutique-type hotels, allowing the required swimming pool to be replaced other types of amenities, such as a full-service restaurant or café; highly amenitized guest rooms; meeting spaces exceeding the minimum requirements; highly detailed architectural features; or other amenities acceptable to the Approving Authority.*

*(2) Due to health concerns regarding the required whirlpool/spa, flexibility has been provided, allowing replacement with an outdoor lounge area.]*

**[8]** Amend Paragraph C.1 (AG (Agricultural) Overlay District) of Section 6.01.035 (Overlay Zoning Districts) to read as follows:

**“1. AG (Agricultural) Overlay District.**

**a. *Purpose.*** The purpose of the AG Overlay District is to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of The Ontario Plan. The transition of the AG Overlay District will be gradual, requiring the establishment of regulations intended to guide agricultural-related development activities for the interim period. It is the intent of the AG Overlay District to allow for the continuation of agricultural uses and related support uses as defined herein. The AG Overlay District is further intended to protect vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agriculture and related uses, and/or their products.

**b. *Applicability.***

**(1)** The herein established rights and responsibilities applicable to the AG Overlay District shall apply to all property located within the boundary of the Overlay District, as shown on the official Zoning Map of the City. The AG Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

**(2)** Any new building construction, excepting buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto on lots 10 acres or more in area, shall first require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

**(3)** All rights pertaining to the AG Overlay District established herein, shall run with the land and shall be transferable to any future owner(s) of property within the AG Overlay district, and their assigns.

**c. *Definitions.*** For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

**Agricultural Support Services.** These uses are supportive of the farm community and are fully compatible with agricultural uses. Agricultural support services are uses which directly support, or which are accessory or incidental to, established agricultural uses within the AG Overlay District. These include, but are not limited to the following:



- 1) Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas;
- 2) Animal husbandry services veterinary services for large and small animals, and horseshoeing;
- 3) Farm machinery equipment and supplies, sale and repair;
- 4) Farm produce sales and supply (feed, hay, grain and grain products, fertilizer);
- 5) Farm products packaging and processing;
- 6) Feed storage, farm products warehousing and storage (except stockyards); and
- 7) Waste management facilities and fertilizer operations in accordance with applicable local, State and Federal regulations.

**Animal Confinement Facility.** Where used, the term “animal confinement facility” includes animal barns, corrals, or pens.

**Commercial Kennels and Catteries.** The keeping of more than 5 dogs or 5 cats over the age of 4 months for breeding, boarding, training or sale on a lot minimum 2.5 acres in area.

**Cow and Goat Dairies.** Any premises where milk is produced for wholesale distribution and where 10 or more cows or goats are in lactation

**Crop Production.** A primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plant materials for wholesale or retail sales and ultimate consumption by others.

**Expanded Use.** An expanded use consists of a building expansion or new construction in excess of 5,000 square feet.

**Trade of Livestock.** Sale of livestock to general public (e.g. animal auctions).

**d. Uses Generally.** No building, structure, or land shall be used, and no building or structure shall be hereafter erected, structurally altered, or enlarged, except for the purposes set out in this Paragraph C.1 (AG (Agricultural) Overlay District) of this Section.

**e. Permitted Land Uses.** In addition to the land uses permitted in the AG Overlay District pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, the following land uses are permitted by right of being within the correct zoning district:

- (1)** Row, field, tree, and crop production;
- (2)** Plant nurseries (retail and wholesale);
- (3)** Single dwelling unit on a lot not less than 10 acres in area; a specific plan is required for any subdivision or master planned development; and
- (4)** Animal keeping activities, excepting household pets, shall comply with the following:
  - (a)** Animal keeping must be on a legally recognized lot no less than 2 acres in area. Lot area used to qualify one animal type shall not be reused to qualify another animal type;
  - (b)** Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or regulating agency;
  - (c)** Small animal keeping. Aviary or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on lots that are at least one-half acre in area. Fish raising shall be limited to one pond per acre, with a maximum of 4 ponds per parcel. Each pond shall not exceed one-half acre in area; and
  - (d)** Refer to Table 6.01-11 (Animal Types and Densities), below, for animal density requirements and Section 5.03.410 (Urban Agriculture) of this Development Code, for animal separation/setback requirements.

*Table 6.01-11: Animal Types and Densities*

<i>Animal Type</i>	<i>Maximum Animal Density</i>	<i>Additional Regulations</i>
<b>A. Dairy Cow</b>	As permitted by Approving Authority	Note 1
<b>B. Non-dairy Cattle/Buffalo</b>	1/6,000 SF of lot area	
<b>C. Horses</b>	1/6,000 SF of lot area	
<b>D. Swine (5 maximum)</b>	1/12,000 SF of lot area	
<b>E. Sheep, female goats and similar livestock</b>	1/3,000 SF of lot area	
<b>F. Male adult goats</b>		
1. Parcel < 10 acres	One maximum	
2. 10 acres and above	1/5 acres of lot area (not to exceed 4 maximum)	

*Table 6.01-11: Animal Types and Densities*

<i>Animal Type</i>	<i>Maximum Animal Density</i>	<i>Additional Regulations</i>
<b>G. Rabbits and chinchillas (200 maximum)</b>	50/10,000 SF of lot area	
<b>H. Ostriches</b>	1/6,000 SF of lot area	
<b>I. Emus and rheas</b>	1/6,000 SF of lot area	
<b>J. Poultry</b>		
<b>1. Female</b>		
<b>a. Parcel &lt; 10 acres</b>	25 maximum	
<b>b. 10 acres and above</b>	25/ 10 acres of lot area (50 maximum)	
<b>2. Male (9 maximum)</b>		
<b>a. Parcel &lt; 10 acres</b>	2 species/parcel	
<b>b. 10 acres and above</b>	2 species/5 acres	

Notes:

1. *New or expansions to existing dairy or other animal confinement facilities shall be considered on a case-by-case basis, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code. Animal density shall be as determined by the appropriate approving authority (i.e. Regional Water Quality Control Board) which may impose special operational conditions, requirements or standards deemed necessary to insure the public health, safety and general welfare. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility, as defined by the Regional Water Quality Control Board.*

**f. Conditionally Permitted Uses.** The following uses shall be permitted subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code.

**(1)** Agricultural Support Services;

**(2)** Animal raising of densities greater than or the raising of animal types different than those specified by this Paragraph C.1 (AG (Agricultural) Overlay District), subject to review by the appropriate Approving Authority (such as Regional Water Quality Control Board); and fish raising using ponds or lakes that are of greater surface area or number than those specified by this Paragraph C.1 (AG (Agricultural) Overlay District).

**(3)** Animal hospitals and veterinary clinics;

**(4)** Antennas and wireless telecommunications facilities;

**(5)** Apiaries;

**(6)** Calf growing ranches (lots shall be 5 or more acres in area);

(7) Places of worship within an existing building, and expansions to existing facilities (establishment of new places of worship in new structures shall only be permitted as part of a specific plan);

(8) Dairies, including expansions to existing dairies;

(9) Educational facilities and institutions;

(10) Fertilizer operations;

(11) Kennels (requires a 2.5-acre minimum lot size);

(12) Mushroom farms (the use of manure as a planting/growing medium is prohibited);

(13) Rodeos;

(14) Trade of livestock; and

(15) Waste management facilities.

**g.** *Time Limit.* Conditionally permitted uses may be subject to a 5-year time limit through an agreement with the applicant, in order to assess potential impacts from the conditional use upon surrounding land uses. Under such time limit, a time extension application may be filed at least 6 months prior to the end of the 5-year period. Approval of a time extension request shall be based on the continued compatibility of the project with surrounding land uses.

**h.** *Temporary Uses.* The following temporary uses are permitted, subject to the requirements of Section 5.03.395 (Temporary and Interim Land Uses, Buildings and Structures) of this Development Code:

(1) Christmas tree and Halloween pumpkin sales, or other similar seasonal sales authorized by the City, not to exceed a period of 30 days, each;

(2) Temporary produce stands in conjunction with an Urban Farm established pursuant to Section 5.03.410.F (Urban Farms) of this Development Code; and

(3) Temporary Wireless Telecommunications Facilities.

**i.** *Accessory Uses.* The following accessory uses and structures are permitted when customarily associated with, and subordinate to, a permitted use on the same lot:

- (1)** Barns, stables, storage tanks, and other farm buildings;
- (2)** Accessory dwelling unit or guesthouse, not to exceed one per lot, pursuant to the requirements of Section 5.03.030 (Accessory Residential Structures) of this Development Code. Any guesthouse or accessory dwelling unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);
- (3)** Accessory building(s) not usable as a guesthouse or accessory dwelling unit. There shall be no maximum size for accessory structures in the AG Overlay District. Accessory Structures in the AG Overlay District in excess of 650 SF shall not require the approval of a Conditional Use Permit;
- (4)** Office unit in conjunction with row, field, tree, plant nursery, or crop production operation, not to exceed 1,500 SF in area (maximum one building per lot). An office unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);
- (5)** Caretaker's unit, not to exceed 650 SF in area (maximum one building per lot). Any caretaker's unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);
- (6)** Garages and carports;
- (7)** Fences and walls;
- (8)** Patio covers;
- (9)** Swimming pools;
- (10)** Stands for the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions:

  - (a)** Stand shall be permitted only on lots containing a minimum of 10,000 SF;
  - (b)** The floor area of the stand shall not exceed 100 SF;
  - (c)** The stand shall not have a permanent foundation;
  - (d)** The owner(s) shall remove such stand at their expense when the use has terminated;

(e) Stands shall be located a minimum of twenty (20) feet from the right-of-way line of any street or highway;

(f) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director; and

(11) Accessory uses and structures which the Planning Director finds to be consistent with the purposes of this Paragraph C.1 (AG (Agricultural) Overlay District).

j. *Prohibited Uses.* Notwithstanding Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay District), the following uses shall be specifically prohibited:

- (1) Animal slaughter operations;
- (2) Commercial poultry ranches;
- (3) Commercial hog ranches; and

k. *Uses Not Specifically Listed.* The Zoning Administrator may make a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, for those uses not specifically listed herein as permitted or conditionally permitted uses, based on the similarity of the subject use to one of the categories listed in Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay District), and the herein stated purpose of the AG Overlay District.

l. *Nonconforming Uses and Structures.* Nonconforming uses and structures within the AG Overlay District shall be governed by Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code, except as follows:

(1) **Abandonment.** Whenever a nonconforming use or structure has been abandoned, the nonconforming use or structure shall not be reestablished, and the use of the structure and the site thereafter shall be in conformity with the regulations of the AG Overlay District. For the purposes of this Paragraph C.1 (AG (Agricultural) Overlay District), discontinuance of the nonconforming use for a continuous period of 180 days shall be conclusive evidence of abandonment of such nonconforming use regardless of the landowner's intent.

(2) **Special Hardship Circumstances.** The Zoning Administrator may extend the 180-day period for up to an additional 180 days. To receive such consideration, the property owner shall request an extension, in writing, prior to the

expiration of the initial 180-day period, including a full explanation of the reason why the extension should be granted.

**m. *Animal Keeping/Separation Standards.*** The following site development standards shall apply to the keeping of animals, except household pets:

**(1)** Animals shall be restrained a distance of at least 40 FT, measured in a straight line, from any habitable structure or structure used for public assembly located on adjoining property. For dairies, refer to Subparagraph n of this Paragraph C.1 (AG (Agricultural) Overlay District), for separation requirements;

**(2)** Animals shall be restrained a distance of at least 5 FT from interior side and rear property lines, and 15 feet from street side property lines;

**(3)** Animals shall be secured by a fence or wall at least 5 FT in height, made of chainlink, wood with horizontal members no less than 6 inches apart, solid masonry or other appropriate solid confining material. Property line walls and fences may be used to secure animals, provided the appropriate restraint distances are maintained;

**(4)** Animals shall be kept a minimum of 100 FT from any domestic water well;

**(5)** For new dairies/feed lots, a separation of 500 FT shall be required between an animal feed trough, corral/pen from new development and/or from property with a residential or nonresidential tract map recorded after January 1, 2000, as measured from the building setback line; and

**(6)** A reduction in animal separation requirements may also be considered for facilities with proven means of reducing odors, such as covering lagoons, substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

**n. *Separation Requirements for New Development.*** The following separation requirements from existing dairies/feed lots shall apply to new residential, commercial, and/or industrial development or structures used for public assembly purposes from existing dairies/feed lots:

**(1)** A minimum 100-FT separation shall be required between a new residential, commercial or industrial development or structure used for public assembly and an existing animal feed trough, corral/pen or an existing dairy/feed lot including manure stockpiles and related wastewater detention basins. The 100-FT

separation requirement may be satisfied by an off-site easement acceptable to the Planning Director with adjacent properties, submitted with the initial final map and recorded prior to or concurrent with the final map; and

(2) Separation requirements between dairies within a proposed specific plan area and new development will be addressed through the specific plan review procedure which may include buffers, expanded parkways, open space, and other approved measures to mitigate potential impacts.

o. *Permanent Structures.* A Development Plan is required pursuant to Section 4.02.025 (Development Plans) of this Development Code, for all new, altered, or expanded structures/uses, including all new structures in excess of 5,000 SF in area.

p. *Development Standards and Guidelines.*

(1) The development of buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto, on lots 10 acres or more in area, shall be designed and constructed pursuant to the standards contained in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards), below.

*Table 6.01-12: AG (Agricultural) Overlay District Development Standards*

<i>Requirements</i>	<i>Standards</i>	<i>Additional Regulations</i>
<b>A. SITE DEVELOPMENT STANDARDS</b>		
<b>1. Minimum Lot Size</b>	10 acres	Note 1
<b>2. Maximum Lot Coverage</b>		
<b>3. Allowed Density Range</b>	One dwelling per 10 acres	
<b>4. Minimum Lot Dimensions</b>		
a. Ratio (lot width to lot depth)	1:4	
b. Lot Width	300 FT	Note 1
c. Lot Depth	300 FT	Note 1
<b>5. Equestrian Trails Required</b>	No	
<b>6. Walls, Fences, and Obstructions</b>	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts) of this Development Code	
<b>7. Off Street Parking</b>	Refer to Division 6.03 (Off-Street Parking and Loading) of this Development Code.	
<b>8. Landscaping</b>	Refer to Division 6.05 (Landscaping) of this Development Code.	
<b>9. Property Appearance and Maintenance</b>	Refer to Division 6.10 (Property Appearance and Maintenance) of this Development Code.	



**Table 6.01-12: AG (Agricultural) Overlay District Development Standards**

<b>Requirements</b>	<b>Standards</b>	<b>Additional Regulations</b>
<b>10. Historic Preservation</b>	Certain portions of residential zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.	
<b>11. Signs</b>	Refer to Subparagraph q (Sign Standards) of this Paragraph C.1 (AG (Agricultural) Overlay District) and Division 8.1 (Sign Regulations) of this Development Code.	
<b>12. Security Standards</b>	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
<b>13. Noise</b>	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	
<b>14. Airport Safety Zones</b>	Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.	
<b>B. BUILDING DEVELOPMENT STANDARDS</b>		
<b>1. Minimum Building Setbacks</b>		
a. From Front Property Line	25 FT	
b. From Street Side Property Line	25 FT	
c. From Interior Side Property Line	15 FT	
d. From Rear Property Line	15 FT	
<b>2. Minimum Building Separations</b>	6 FT	
<b>3. Maximum Building Height</b>	35 FT	Note 2

Notes:

1. An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).
2. The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.

**(2)** Development within the AG Overlay District shall be consistent with the Residential Design Guidelines established by resolution of the City Council, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. Such guidelines shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

q. *Sign Standards.* Notwithstanding the sign regulations contained in Division 8.1 (Sign Regulations) of this Development Code, signs installed within the AG Overlay District shall comply with the following:

(1) **Freestanding Signs.** One unlighted single or double faced sign shall be permitted, not to exceed 6 FT in height and 12 SF in area, for each 60 FT of street frontage, and shall be placed behind the street property line.

(2) **Wall Mounted Signs.** One wall-mounted sign shall be permitted on each building elevation facing a street, not to exceed one SF of sign area for each lineal foot of building elevation length, not to exceed 50 SF.”

*[Reason for Revision: Incorporates Agricultural Overlay provisions that were unintentionally removed from the Development Code with the comprehensive update that went into effect in January 2016.]*

[9] Amend Division 6.02 (Walls, Fences and Obstructions), adding Section 6.02.035 to read as follows:

**“6.02.035: Temporary Security or Construction Fencing**

**A. Purpose.** Temporary security or construction fences are typically used to secure vacant property from theft, vandalism and/or trespass; or to secure a construction site from the theft or vandalism of construction equipment and/or materials, protect work in progress, and to protect the public from injury while construction is underway. The herein stated regulations are intended to establish procedures and standards regarding the use of temporary security and construction fencing on sites with construction activity, on undisturbed land, around vacant buildings, on vacant sites, and for special events.

**B. Applicability.** Temporary security or construction fencing may be installed as follows:

1. Temporary construction fencing may be installed in conjunction with: [i] a building permit for the construction of a vacant property, [ii] the vacant portion of a partially developed property, or [iii] exterior improvements to an existing occupied or unoccupied building.

2. Temporary security fencing may be installed in conjunction with: [i] a vacant/unimproved property, [ii] a vacant building, or [iii] the vacant/unimproved portion of a partially developed property.

**C. Temporary Security or Construction Fencing Design Requirements.**

1. Temporary security or construction fencing shall not include barbed wire, razor wire, or any other material or application considered by the Planning Director to be unsafe.
2. Temporary security or construction fencing shall be built and maintained in good order, in full compliance with applicable Building Code and Development Code provisions.
3. The maximum height of temporary security or construction fencing shall be 6 FT within residential zoning districts, and 8 FT within nonresidential zoning districts, measured on the exterior side of the fence, from the top of the fence to the lowest adjacent finished grade.
4. All temporary security or construction fencing shall include a green fabric mesh screen or other view-obstructing material approved by the Planning Director, which shall be maintained in a neat and undamaged condition, and shall include emergency identification and proper safety identification.
5. Fence openings for pedestrian access shall be provided, which consists of a lockable gate that swings into the property.
6. Fence openings for vehicular access shall be provided with a lockable rolling gate. The opening shall be no wider than the adjacent driveway approach.
7. Fencing shall not be installed in a manner that prohibits the safe and continued operation of a building pursuant to the Building Code. Required exits, existing structural elements, fire protection devices, and sanitary safeguards shall be maintained at all times, pursuant to Building Code requirements.
8. Existing streets, public transportation stops, fire hydrants, and/or public sidewalks shall not be enclosed by temporary security or construction fencing, unless the Building Official determines that the facilities are required to be fenced to protect the public health, safety, or welfare, and an encroachment permit has been obtained from the City.
9. The installation of temporary security or construction fencing shall not result in a diversion of water onto a separately owned parcel, tract, right-of-way, right-of-way easement, roadway easement, and/or private street.”

*[Reason for Revision: The Development Code is currently silent on the use of temporary security or construction fences. This Development Code amendment establishes provisions addressing temporary security or construction fences, based on past City policy.]*

**[10]** Amend Subsection C (Violations) of Section 6.03.065 (Prohibition of Parking on Landscaped or Unpaved Areas of a Lot), to read as follows:

“Any person or entity violating and provision, or failing to comply with any regulation, of this Section, shall be subject to fines and civil penalties set forth and amended by resolution of the City Council.”

*[Reason for Revision: Amends the violation provision addressing parking on landscaped or unpaved areas of a lot to be consistent with the City’s Municipal Code.]*

**[11]** Amend Paragraph D.2 of Section 7.01.060 (Enforcement Penalties) to read as follows:

**“2.** In the case of demolition (including partial demolition), the civil penalty to be assessed shall be equal to one-half the assessed value of the historic resource prior to the demolition. The assessed valuation prior to demolition shall be determined using the most recently published International Code Council (ICC) Building Valuation Data. In the case of alteration, the civil penalty shall be equal to one-half the cost of restoration of the altered portion of the historic resource. The cost of restoration shall be determined by the Building Official.”

*[Reason for Revision: Building valuation is currently based on Assessor valuation data, which does not accurately reflect the true value of the historic resource in terms of construction replacement cost. This Code provision has been revised to base building valuation data on ICC data, which would make the basis for valuation data consistent with Penalties and Mitigation Fees, as the Tier Mitigation Fee is also based on ICC valuation data.]*

**[12]** Amend Subsection R of Section 9.01.010 (Terms and Phrases), adding the following definitions in correct alphanumeric order:

**“Restaurant.** A business establishment that prepares and serves food and drinks to customers in exchange for money. The classifications of restaurant are described as follows:

1) **Full-Service Restaurant.** A sit down eatery where food is served directly to the customers' table. These establishments may sell alcoholic beverages. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

2) **Limited Service Restaurants.** An establishment whose patrons generally order or select items and pay prior to eating. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

3) Cafeterias. A restaurant or dining room in a school or a business in which customers serve themselves or are served from a counter and pay before eating.”

*[Note: Establishes a definition for the “Restaurant” land use, and for the various types (classifications) of restaurants. The definitions are consistent with those used in the surrounding region.]*

**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
- Pursue City’s Goals and Objectives by Working with Other Governmental Agencies
- Focus Resources in Ontario’s Commercial and Residential Neighborhoods
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

[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).

**[a] Land Use Element – Balance:**

- 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.
  - LU1-2 Sustainable Community Strategy. We integrate state, regional and local Sustainable Community/Smart Growth principles into the development and entitlement process.
  - LU1-3 Adequate Capacity. We require adequate infrastructure and services for all development.
  - LU1-4 Mobility. We require development and urban design, where appropriate, that reduces reliance on the automobile and capitalizes on multi-modal transportation opportunities.
  - 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.
  - LU1-7 Revenues and Costs. We require future amendments to our Land Use Plan to be accompanied by analyses of fiscal impacts.

**[b] Land Use – Compatibility**

- Goal LU2: Compatibility between wide ranges of uses.
  - LU2-2 Buffers. We require new uses to provide mitigation or buffers between existing uses where potential adverse impacts could occur.
  - LU2-6 Infrastructure Compatibility. We require infrastructure to be aesthetically pleasing and in context with the community character.

**[c] Land Use – Phased Growth**

- Goal LU4: Development that provides short-term value only when the opportunity to achieve our Vision can be preserved.
  - LU4-3 Infrastructure Timing. We require that the necessary infrastructure and services be in place prior to or concurrently with development.

**[d] Community Design Element – Image & Identity:**

- 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.
  - CD1-2 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.
  - CD1-4 Transportation Corridors. We will enhance our major transportation corridors within the City through landscape, hardscape, signage and lighting.
  - CD1-5 View Corridors. We require all major north-south streets be designed and redeveloped to feature views of the San Gabriel Mountains, which are part of the City's visual identity and a key to geographic orientation. Such views should be free of visual clutter, including billboards and may be enhanced by framing with trees.

**[e] Community Design Element – Design Quality**

- 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.
- CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.
- CD2-3 Commercial Centers. We desire commercial centers to be distinctive, pedestrian friendly, functional and vibrant with a range of businesses, places to gather, and connectivity to the neighborhoods they serve.
- 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.

#### **[f] Community Design Element – Pedestrian & Transit Environments**

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

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

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

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

#### **[g] Community Design Element – Protection of Investment**

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

➤ 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.

**[h] Mobility Element – Roadway System:**

▪ Goal M1: A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.

➤ M1-1 Roadway Design and Maintenance. We require our roadways to:

- Comply with federal, state and local design and safety standards.
- Meet the needs of multiple transportation modes and users.
- Handle the capacity envisioned in the Functional Roadway Classification Plan.
- Maintain a peak hour Level of Service (LOS) E or better at all intersections.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices and our Right-of-Way Management Plan.

➤ M1-2 Mitigation of Impacts. We require development to mitigate its traffic impacts.

**[i] Mobility Element – Bicycles & Pedestrians:**

▪ Goal M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

➤ M2-1 Bikeway Plan. We maintain our Multipurpose Trails & Bikeway Corridor Plan to create a comprehensive system of on- and off-street bikeways that connect residential areas, businesses, schools, parks, and other key destination points.

➤ M2-2 Bicycle System. We provide off-street multipurpose trails and Class II bikeways as our primary paths of travel and use the Class III for connectivity in constrained circumstances.

➤ M2-3 Pedestrian Walkways. We require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, and other key destination points.

**[j] Housing Element – Housing Supply & Diversity:**

▪ 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.

➤ H2-1 Corridor Housing. We revitalize transportation corridors by encouraging the production of higher density residential and mixed-uses that are architecturally, functionally, and aesthetically suited to corridors.

➤ H2-3 Ontario Airport Metro Center. We foster vibrant, urban, intense and highly amenitized community in the Ontario Airport Metro Center Area through a mix of residential, entertainment, retail and office-oriented uses.

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

**[k] Environmental Resources Element – Water & Wastewater:**

▪ Goal ER1: A reliable and cost effective system that permits the City to manage its diverse water resources and needs.

➤ ER1-3 Conservation. We require conservation strategies that reduce water usage.

➤ ER1-5 Groundwater Management. We protect groundwater quality by incorporating strategies that prevent pollution, require remediation where necessary, capture and treat urban run-off, and recharge the aquifer.

➤ ER1-6 Urban Run-off Quantity. We encourage the use of low impact development strategies to intercept run-off, slow the discharge rate, increase infiltration and ultimately reduce discharge volumes to traditional storm drain systems.

➤ ER1-7 Urban Run-off Quality. We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

**[l] Environmental Resources Element – Energy:**

▪ Goal ER3: Cost-effective and reliable energy system sustained through a combination of low impact building, site and neighborhood energy conservation and

diverse sources of energy generation that collectively helps to minimize the region's carbon footprint.

➤ ER3-6 Generation – Renewable Sources. We promote the use of renewable energy sources to serve public and private sector development.

**[m] *Environmental Resources Element – Air Quality:***

▪ Goal ER4: Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.

➤ ER4-1 Land Use. We reduce GHG and other local pollutant emissions through compact, mixed use, and transit-oriented development and development that improves the regional jobs-housing balance

➤ ER4-3 Greenhouse Gases (GHG) Emissions Reductions. We will reduce GHG emissions in accordance with regional, state and federal regulations.

➤ ER4-8 Tree Planting. We protect healthy trees within the City and plant new trees to increase carbon sequestration and help the regional/local air quality.

**[n] *Parks & Recreations Element – Planning & Design:***

▪ Goal PR1: A system of safe and accessible parks that meets the needs of the community.

➤ PR1-5 Acreage Standard. We strive to provide 5 acres of parkland (public and private) per 1,000 residents.

➤ PR1-6 Private Parks. We expect development to provide a minimum of 2 acres of developed private park space per 1,000 residents.

**[o] *Community Economics Element – Complete Community:***

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

➤ CE1-1 Jobs-Housing Balance. We pursue improvement to the Inland Empire's balance between jobs and housing by promoting job growth that reduces the regional economy's reliance on out-commuting.

➤ CE1-7 Retail Goods and Services. We seek to ensure a mix of retail businesses that provide the full continuum of goods and services for the community.

**[p] Community Economics Element – Place-Making:**

- 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.
  - CE2-5 Private Maintenance. We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.
  - CE2-6 Public Maintenance. We require the establishment and operation of maintenance districts or other vehicles to fund the long-term operation and maintenance of the public realm whether on private land, in rights-of-way, or on publicly-owned property.

**HOUSING ELEMENT COMPLIANCE:** The Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not specifically affect the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

**ENVIRONMENTAL REVIEW:** The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**EXHIBIT A**

Portion of Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities	Residential Zoning Districts				Commercial Zoning Districts							Mixed-Use Zoning Districts			Industrial Zoning Districts					Specialized Use & Overlay Zoning Districts						Additional Regulations	
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OS-C	OS-R		RC
6115	Technical and Trade Schools	---	---	---	---	---	---	C	C	---	---	C	C	C	C	C	C	---	---	---	C	---	C	---	---	---	---	---
6116	Other Schools and Instruction	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
611610	Fine Arts Schools ( <i>nonacademic instruction, including music, dance, performing arts, drama, photography, ceramics, painting and sculpture</i> )	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	• GFA less than 2,000 SF	---	---	---	---	---	P	P	P	P	---	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	
	• GFA 2,000 SF or more	---	---	---	---	---	C	C	C	P	---	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	
611620	Sports and Recreation Instruction ( <i>cheerleading, gymnastics, and martial arts</i> )	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---
	• GFA Less than 10,000 SF	---	---	---	---	---	P	P	P	P	---	P	P	P	P	P	---	---	---	---	---	---	P	---	---	---	---	
	• GFA 10,000 or More SF	---	---	---	---	---	C	C	C	P	---	C	C	C	C	C	C	C	---	---	---	---	C	---	---	---	---	
611691	Exam Preparation and Tutoring Services	---	---	---	---	---	---	P	P	---	P	P	P	---	---	---	---	---	---	---	---	---	---	---	---	---	---	
611692	Automobile Driving School	---	---	---	---	---	---	C	C	---	---	C	C	C	C	C	---	---	---	---	---	C	---	---	---	---	---	
611699	Other Schools of Instruction ( <i>public speaking, survival training, and speed reading</i> )	---	---	---	---	---	---	C	C	---	---	C	C	C	C	C	---	---	---	---	---	C	---	---	---	---	---	

*[Reason for Revision: "Technical and Trade Schools" and "Other Schools and Institutions" are currently combined into a single grouping. This grouping has been split to establish consistency with other land use classifications established by NAICS (North American Industrial Classification Standards). The land use requirements for each zoning designation have been made consistent with other similar NAICS land use classifications listed in the Land Use Matrix.]*



RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVES FILE NO. PDCA17-001, A DEVELOPMENT CODE AMENDMENT FOR THE PURPOSE OF CLARIFYING CERTAIN PROVISIONS OF DIVISION 1.02 (DEVELOPMENT CODE INTERPRETATION AND ENFORCEMENT), DIVISION 2.02 (APPLICATION, FILING AND PROCESSING), DIVISION 4.02 (DISCRETIONARY PERMITS AND ACTIONS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), 6.02 (WALLS, FENCES AND OBSTRUCTIONS), 6.03 (OFF-STREET PARKING AND LOADING), DIVISION 7.01 (HISTORIC PRESERVATION), AND DIVISION 9.01 (DEFINITIONS), AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA17-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

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

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

WHEREAS, the Ontario Planning Department has initiated alterations to the Development Code for the purpose of clarifying various provisions of Division 1.02 (Development Code Interpretation and Enforcement), Division 2.02 (Application, Filing and Processing), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards For Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), 6.02 (Walls, Fences and Obstructions), 6.03 (Off-Street Parking and Loading), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions); and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport (ONT), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the ONT Airport Land Use Compatibility Plan (ALUCP),



which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, on April 25, 2017, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

a. The administrative record have been completed in compliance with CEQA the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

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

d. The determination of the CEQA exemption reflects the independent judgment of the City Council.

SECTION 2. *Housing Element Consistency.* Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the recommending body for the Project, the City Council finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not specifically affect 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. *Airport Land Use Compatibility Plan (ALUCP) Consistency.* As the recommending body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the Ontario International Airport ALUCP.

SECTION 4. *Concluding Facts and Reasons.* Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 through 9 above, the City Council hereby concludes as follows:

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

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

SECTION 5. *Planning Commission Action.* Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Development Code Amendment. A draft copy of the Ordinance is attached as Exhibit A of this Resolution.

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.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 25th day of April 2017, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

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Richard D. Delman  
Planning Commission Chairman

ATTEST:

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Scott Murphy  
Planning Director/Secretary of Planning  
Commission

Planning Commission Resolution  
File No. PDCA17-001  
April 25, 2017  
Page 5

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

I, Marci Callejo, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC17-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on April 25, 2017 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Marci Callejo  
Secretary Pro Tempore

## **EXHIBIT A**

### ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDCA17-001, A DEVELOPMENT CODE AMENDMENT FOR THE PURPOSE OF CLARIFYING CERTAIN PROVISIONS OF DIVISION 1.02 (DEVELOPMENT CODE INTERPRETATION AND ENFORCEMENT), DIVISION 2.02 (APPLICATION, FILING AND PROCESSING), DIVISION 4.02 (DISCRETIONARY PERMITS AND ACTIONS), DIVISION 5.02 (LAND USE), DIVISION 5.03 (STANDARDS FOR CERTAIN LAND USES, ACTIVITIES AND FACILITIES), DIVISION 6.01 (DISTRICT STANDARDS AND GUIDELINES), 6.02 (WALLS, FENCES AND OBSTRUCTIONS), 6.03 (OFF-STREET PARKING AND LOADING), DIVISION 7.01 (HISTORIC PRESERVATION), AND DIVISION 9.01 (DEFINITIONS), AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, The City of Ontario ("Applicant") has initiated an Application for the approval of a Development Code Amendment, File No. PDCA17-001, as described in the title of this Ordinance (hereinafter referred to as "Application" or "Project"); and

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

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

WHEREAS, the Ontario Planning Department has initiated alterations to the Development Code for the purpose of clarifying various provisions of Division 1.02 (Development Code Interpretation and Enforcement), Division 2.02 (Application, Filing and Processing), Division 4.02 (Discretionary Permits and Actions), Division 5.02 (Land Use), Division 5.03 (Standards For Certain Land Uses, Activities and Facilities), Division 6.01 (District Standards and Guidelines), 6.02 (Walls, Fences and Obstructions), 6.03 (Off-Street Parking and Loading), Division 7.01 (Historic Preservation), and Division 9.01 (Definitions); and

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport (ONT), which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the ONT Airport Land Use Compatibility Plan (ALUCP),

which applies only to jurisdictions within San Bernardino County, and addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, on April 25, 2017, the Planning Commission of the City of Ontario conducted a public hearing to consider the proposed Development Code Amendment, and concluded the hearing on that date. Upon conclusion of the public hearing, the Planning Commission voted [REDACTED] to approve Resolution No. PC17-[REDACTED], recommending that the City Council approve the Application; and

WHEREAS, on [REDACTED], 2017, the City Council of the City of Ontario conducted a public hearing to consider the proposed Development Code Amendment, and concluded said hearing on that date. Upon conclusion of the public hearing, the City Council voted [REDACTED] to approved the introduction (first reading) of this Ordinance, and waived further reading of the Ordinance; and

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

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

SECTION 1. Development Code Amendment - Chapter 1.0 (Development Code Enactment and General Provisions). Chapter 1.0 (Development Code Enactment and General Provisions) of the Ontario Development Code is hereby amended, revising Division 1.02 (Development Code Interpretation and Enforcement) to amend Subsection C (Violations) of Section 1.02.015 (Enforcement), to read as follows:

“Any person or entity violating and provision, or failing to comply with any regulation, of this Development Code, shall be subject to the penalty provisions prescribed in OMC Title 1 (General Provisions), Chapter 2 (Penalty Provisions), and the citation provisions prescribed in OMC Title 1 (General Provisions) Chapter 5 (Administrative Citations). Fine amounts shall be as set forth by resolution of the Ontario City Council, which may be amended from time-to-time.”

SECTION 2. Development Code Amendment - Chapter 2.0 (Administration and Procedures). Chapter 2.0 (Administration and Procedures) of the Ontario Development Code is hereby amended, revising Division 2.02 (Application Filing and Processing) to amend Subcategory B.3 (Conditional Use Permits) of Table 2.02-1 (Review Matrix), adding “Hotels, Motels and Residence Inns” as classification a, which requires recommendation by the Planning Commission and approval by the City Council, and renumbering all existing classifications, in correct alphanumeric order, as follows:

Applications, Actions, Decisions and Processes	Reviewing Authorities [4]								
	Planning Director	City Engineer	Building Official	Zoning Administrator [2]	Development Advisory Board	Historic Preservation Subcommittee [2]	Historic Preservation Commission	Planning Commission	City Council
<b>B. DISCRETIONARY PERMITS AND ACTIONS</b>									
<b>3.</b> Conditional Use Permits (Ref: ODC Section 4.02.015)									
<b>a.</b> Hotels, Motels and Residence Inns [1]								R	X
<b>b.</b> Use established in conjunction with a Development Plan [1]								X	A
<b>c.</b> Use established within an existing structure [1]				X				A	A
<b>d.</b> Modification or revocation per ODC Division 2.05 (City Initiated Modification or Revocation) [1]								X	A
<b>e.</b> Revocation due to abandonment of use per ODC Division 2.05 (City Initiated Modification or Revocation) [1]				X				A	A

**SECTION 2. Development Code Amendment - Chapter 4.0 (Permits, Actions, and Decisions).** Chapter 4.0 (Permits, Actions, and Decisions) of the Ontario Development Code is hereby amended as follows:

a. Revise Division 4.02 (Discretionary Permits and Actions) to amend Subparagraph C.2.b of Section 4.02.020 (Departures from Development Standards (Administrative Exceptions, Minor Variances, and Variances), to read as follows:

“b. Administrative Exceptions may be approved for reductions of up to 10 percent from [i] minimum setback and separation requirements, excepting nonresidential setback requirements from property lines that are common with any residentially zoned property; and, [ii] off-street parking required for nonresidential land uses pursuant to Table 6.03-1 (Off-Street Parking Requirements). An Administrative Exception shall not be approved for reductions from minimum lot size, lot dimensions, landscape coverage, or parking requirements, or for an increase in maximum density, floor area ratio, or the height of a structure.”

b. Amend Subparagraph B.2 of Section 4.02.025 (Development Plans), revising the list of development activities that require Development Plan approval (paragraphs o and p), to read as follows:

“o. An addition to a previously developed site within a commercial zoning district, which does not exceed 25 percent of the original structure GFA or 2,000 SF (cumulative), whichever is less.

p. An addition to a previously developed site within an industrial zoning district, which does not exceed 25 percent of the original structure GFA or 10,000 SF (cumulative), whichever is less.”

SECTION 3. Development Code Amendment - Chapter 5.0 (Zoning and Land Use). Chapter 5.0 (Zoning and Land Use) of the Ontario Development Code is hereby amended as follows:

a. Revise Division 5.02 (Land Use) to amend Table 5.02-1 (Land Use Matrix) of Division 5.02 (Land Use), adding certain land use classifications as shown on Exhibit A of this Ordinance, attached.

b. Revise Division 5.03 (Standards for Certain Land Uses, Activities, and Facilities) to amend Section 5.03.245 (Hookah Lounges) of Division 5.05 (Standards for Certain Land Uses, Activities, and Facilities), adding additional provisions addressing hookah establishments, smoking/vaping lounges, and smoking/vaping retailers, to read as follows:

**“5.03.245: Hookah Establishments, Smoking/Vaping Lounges, and Smoking/Vaping Retailers.**

**A. Purpose.** The purpose of this Section is to help mitigate negative impacts associated with smoking and vaping uses, in order to serve the public health, safety, and welfare of City residence, and City businesses and their patrons. Furthermore, this Section is specifically intended to reduce the impact of smoking and vaping uses on minors, as an abundance of such uses increases the potential for minors to associate smoking and vaping with a normative lifestyle.

**B. Applicability.** All smoking and vaping businesses throughout the City shall comply with the regulations and requirements of this Section.

**C. Definitions.** For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

1. Electronic Cigarette (E-Cigarette). An electronic device, which is typically battery-operated, designed to deliver a nicotine-based liquid, or other substance, that is vaporized and then inhaled (called "vaping"), simulating the experience of smoking tobacco. Such devices are manufactured to resemble traditional tobacco cigarettes, cigars, pipes, or even everyday items, such as pens or USB memory sticks. The term includes any such device manufactured, distributed, marketed, or sold as an electronic cigarette or e-cigarette, an electronic cigar, an electronic cigarillo, an electronic pipe, an



electronic hookah, or any other product name or descriptor. The term does not include any medical inhaler prescribed by a licensed physician.

2. Hookah Establishments. Any facility or location whose business operation, whether a primary or accessory use, is characterized as a commercial establishment where patrons gather to share in the smoking of flavored tobacco (shisha) from a communal hookah, including, but not limited to, establishments known variously as a hookah lounge or bar, or shisha bar or den.

3. Hookah. A single or multi-stemmed instrument for smoking flavored tobacco (or shisha), whose vapor or smoke is passed through a water basin before inhalation.

4. Smoking/Vaping Lounge. Any facility or location whose business operation, whether a primary or accessory use, is characterized by the sale, offering, and/or preparation of smoking tobacco, cigars, electronic cigarettes, or similar products, including, but not limited to, establishments known variously as smoking lounges, vaping lounges, or cigar bars.

5. Smoking/Vaping Retailer. A smoke shop, tobacco store, electronic cigarette retailer, or any other retail business where more than 25 percent of the gross floor area is dedicated to the sale of tobacco or tobacco products, electronic cigarettes, or related products, for consumption off the premises.

**D. Operating Requirements.** Hookah establishments, smoking/vaping lounges, and smoking/vaping retailers shall comply with the following operating standards:

1. Hookah Establishments. The following standards shall govern the establishment and operation of hookah establishments:

a. A hookah establishment may be established [i] as a standalone establishment; [ii] in conjunction with a sit-down restaurant, within an outside open patio area; or [iii] in conjunction with an ABC-licensed bona fide eating establishment;

b. A hookah establishment shall not be established in conjunction with live entertainment;

c. A hookah establishment shall not be established in conjunction with a bar or nightclub;

d. A hookah establishment shall operate in compliance with all applicable State laws and regulations pertaining to smoking facilities (limitation on numbers of paid staff shall meet CAL-OSHA requirements for air filtration and circulation, and meet fire standards for smoking lounges);

e. A hookah establishment shall dispose of ash and coals pursuant to the requirements of the Ontario Fire Department;

f. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

g. A hookah establishment shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other hookah establishment, or a smoking/vaping lounge or smoking/vaping retailer.

2. Smoking/Vaping Lounges. The establishment and operation of smoking/vaping lounges shall be prohibited, excepting hookah establishments established pursuant to Paragraph D.1 (Hookah Establishments) of this Section.

3. Smoking/Vaping Retailers. The following standards shall govern the establishment and operation of smoking/vaping retailers:

a. A smoking/vaping retailer shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any residentially zoned property or sensitive land use, including hospitals and other healthcare facilities; senior citizen care facilities; preschools; daycare facilities; public or private elementary, middle (junior high) or high schools; public parks; recreation centers; sports parks; or any similar facility where minors (persons under 18 years of age) regularly congregate; and

b. A smoking/vaping retailer shall be located a minimum of 1,000 FT, as measured in a straight line from any point along the outer boundaries of the property or lease space containing the use, from any other smoking/vaping retailer, or a hookah establishment or smoking/vaping lounge.

c. No smoking/vaping shall be permitted in conjunction a smoking/vaping retailer.”

c. Revise Division 5.03 (Standards for Certain Land Uses, Activities, and Facilities) to amend Subsection D (Minimum Amenity Package) of Section 5.03.250 (Hotels, Motels, Residence Inns, and Other Similar Travel Accommodation), revising the minimum requirement for recreational facilities contained in Paragraph 3, as follows:

“3. The following minimum active and passive leisure amenities shall be provided:

a. A swimming pool, except that the Approving Authority may approve smaller boutique hotels, motels, residence inns, or other similar travel accommodations having fewer than 75 rooms, with alternate amenities, such as, but not limited to:

(1) A full-service restaurant or café;

(2) Highly amenitized guest rooms, which exceed the minimum amenities required by Paragraph D.1, above;

(3) Meeting space, which substantially exceeds the minimum requirements of Paragraph D.2, above;

(4) Highly detailed architectural features that reflect an established architectural style identified in Reference C (Architectural Styles) of this Development Code; and/or

(5) Other amenities acceptable to the Approving Authority; and

b. A whirlpool/spa; or a furnished cabana containing items such as lighting, ceiling fans, tables, chairs, sofas, and lounge chairs; and

c. A fitness room; and”

**SECTION 4. *Development Code Amendment - Chapter 6.0 (Development and Subdivision Regulations).*** Chapter 6.0 (Development and Subdivision Regulations) of the Ontario Development Code is hereby amended as follows:

a. Revise Division 6.01 (District Standards and Guidelines) to amend Paragraph C.1 (AG (Agricultural) Overlay District) of Section 6.01.035 (Overlay Zoning Districts) to read as follows:

“1. AG (Agricultural) Overlay District.

a. *Purpose.* The purpose of the AG Overlay District is to accommodate the continuation of agricultural uses within the City, on an interim basis, until such time that the Overlay District is developed consistent with the goals and policies of The Ontario Plan. The transition of the AG Overlay District will be gradual, requiring the establishment of regulations intended to guide agricultural-related development activities for the interim period. It is the intent of the AG Overlay District to allow for the continuation of agricultural uses and related support uses as defined herein. The AG Overlay District is further intended to protect vital agricultural uses by limiting land use activity to those uses which are compatible and supportive of agriculture and related uses, and/or their products.

b. *Applicability.*

(1) The herein established rights and responsibilities applicable to the AG Overlay District shall apply to all property located within the boundary of the Overlay District, as shown on the official Zoning Map of the City. The AG Overlay District provisions established herein, shall apply to all existing and new building construction, additions, remodels, or reallocations, whether or not a building permit is required, or other similar entitlement by the City.

(2) Any new building construction, excepting buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto on lots 10 acres or more in area, shall first require the adoption of a Specific Plan pursuant to Section 4.01.035 (Specific Plans and Amendments) of this Development Code, which prescribes the allowed land uses, development regulations and guidelines, and sign regulations applicable to the project.

(3) All rights pertaining to the AG Overlay District established herein, shall run with the land and shall be transferable to any future owner(s) of property within the AG Overlay district, and their assigns.

c. *Definitions.* For the purposes of this Section, the words or phrases listed below, in correct alphabetical order, shall have the meanings hereafter specified:

**Agricultural Support Services.** These uses are supportive of the farm community and are fully compatible with agricultural uses. Agricultural support services are uses which directly support, or which are accessory or incidental to, established agricultural uses within the AG Overlay District. These include, but are not limited to the following:

- 1) Agricultural chemicals, fuel and fuel oil, nonflammable bottled gas;
- 2) Animal husbandry services veterinary services for large and small animals, and horseshoeing;
- 3) Farm machinery equipment and supplies, sale and repair;
- 4) Farm produce sales and supply (feed, hay, grain and grain products, fertilizer);
- 5) Farm products packaging and processing;
- 6) Feed storage, farm products warehousing and storage (except stockyards); and
- 7) Waste management facilities and fertilizer operations in accordance with applicable local, State and Federal regulations.

**Animal Confinement Facility.** Where used, the term “animal confinement facility” includes animal barns, corrals, or pens.

**Commercial Kennels and Catteries.** The keeping of more than 5 dogs or 5 cats over the age of 4 months for breeding, boarding, training or sale on a lot minimum 2.5 acres in area.

**Cow and Goat Dairies.** Any premises where milk is produced for wholesale distribution and where 10 or more cows or goats are in lactation

**Crop Production.** A primary use of the land which includes cultivation of open field or greenhouse crops, fruits, vegetables, grain, fibers, flowers, ornamental and nursery plant materials for wholesale or retail sales and ultimate consumption by others.

**Expanded Use.** An expanded use consists of a building expansion or new construction in excess of 5,000 square feet.

**Trade of Livestock.** Sale of livestock to general public (e.g. animal auctions).

**d. Uses Generally.** No building, structure, or land shall be used, and no building or structure shall be hereafter erected, structurally altered, or enlarged, except for the purposes set out in this Paragraph C.1 (AG (Agricultural) Overlay District) of this Section.

**e. Permitted Land Uses.** In addition to the land uses permitted in the AG Overlay District pursuant to Table 5.02-1 (Land Use Matrix) of this Development Code, the following land uses are permitted by right of being within the correct zoning district:

- (1) Row, field, tree, and crop production;
- (2) Plant nurseries (retail and wholesale);
- (3) Single dwelling unit on a lot not less than 10 acres in area; a specific plan is required for any subdivision or master planned development; and

(4) Animal keeping activities, excepting household pets, shall comply with the following:

(a) Animal keeping must be on a legally recognized lot no less than 2 acres in area. Lot area used to qualify one animal type shall not be reused to qualify another animal type;

(b) Proper management of animal waste shall be carried out in accordance with all requirements of the State Regional Water Quality Control Board or regulating agency;

(c) Small animal keeping. Aviary or similar small animal ranches or farms (excluding chicken and hog ranches) shall be permitted on lots that are at least one-half acre in area. Fish raising shall be limited to one pond per acre, with a maximum of 4 ponds per parcel. Each pond shall not exceed one-half acre in area; and

(d) Refer to Table 6.01-11 (Animal Types and Densities), below, for animal density requirements and Section 5.03.410 (Urban Agriculture) of this Development Code, for animal separation/setback requirements.

**Table 6.01-11: Animal Types and Densities**

<i>Animal Type</i>	<i>Maximum Animal Density</i>	<i>Additional Regulations</i>
<b>A. Dairy Cow</b>	As permitted by Approving Authority	Note 1
<b>B. Non-dairy Cattle/ Buffalo</b>	1/6,000 SF of lot area	
<b>C. Horses</b>	1/6,000 SF of lot area	
<b>D. Swine (5 maximum)</b>	1/12,000 SF of lot area	
<b>E. Sheep, female goats and similar livestock</b>	1/3,000 SF of lot area	
<b>F. Male adult goats</b>		
<b>1. Parcel &lt; 10 acres</b>	One maximum	
<b>2. 10 acres and above</b>	1/5 acres of lot area (not to exceed 4 maximum)	
<b>G. Rabbits and chinchillas (200 maximum)</b>	50/10,000 SF of lot area	
<b>H. Ostriches</b>	1/6,000 SF of lot area	
<b>I. Emus and rheas</b>	1/6,000 SF of lot area	
<b>J. Poultry</b>		
<b>1. Female</b>		
<b>a. Parcel &lt; 10 acres</b>	25 maximum	
<b>b. 10 acres and above</b>	25/ 10 acres of lot area (50 maximum)	
<b>2. Male (9 maximum)</b>		
<b>a. Parcel &lt; 10 acres</b>	2 species/parcel	
<b>b. 10 acres and above</b>	2 species/5 acres	

**Notes:**

- New or expansions to existing dairy or other animal confinement facilities shall be considered on a case-by-case basis, subject to the approval of a Conditional Use Permit pursuant to Section 4.02.015 (Conditional Use Permits) of this Development Code. Animal density shall be as determined by the appropriate approving authority (i.e. Regional Water Quality Control Board) which may impose special operational conditions, requirements or standards deemed necessary to insure the public health, safety and general welfare. Animal density shall be based on measures to prevent the unacceptable nitrification or salt pollution of soils, and the pollution of groundwater by nitrates and salts emanating from the facility, as defined by the Regional Water Quality Control Board.*

**f. Conditionally Permitted Uses.** The following uses shall be permitted subject to the approval of a Conditional Use Permit pursuant to the requirements of Section 4.02.015 (Conditional Use Permits) of this Development Code.

- (1) Agricultural Support Services;
- (2) Animal raising of densities greater than or the raising of animal types different than those specified by this Paragraph C.1 (AG (Agricultural) Overlay District), subject to review by the appropriate Approving Authority (such as Regional Water Quality Control Board); and fish raising using ponds or lakes that are of greater surface area or number than those specified by this Paragraph C.1 (AG (Agricultural) Overlay District).
- (3) Animal hospitals and veterinary clinics;
- (4) Antennas and wireless telecommunications facilities;
- (5) Apiaries;
- (6) Calf growing ranches (lots shall be 5 or more acres in area);
- (7) Places of worship within an existing building, and expansions to existing facilities (establishment of new places of worship in new structures shall only be permitted as part of a specific plan);
- (8) Dairies, including expansions to existing dairies;
- (9) Educational facilities and institutions;
- (10) Fertilizer operations;
- (11) Kennels (requires a 2.5-acre minimum lot size);
- (12) Mushroom farms (the use of manure as a planting/growing medium is prohibited);
- (13) Rodeos;
- (14) Trade of livestock; and
- (15) Waste management facilities.

**g. Time Limit.** Conditionally permitted uses may be subject to a 5-year time limit through an agreement with the applicant, in order to assess potential impacts from the conditional use upon surrounding land uses. Under such time limit, a time extension application may be filed at least 6 months prior to the end of the 5-year period.

Approval of a time extension request shall be based on the continued compatibility of the project with surrounding land uses.

**h.** *Temporary Uses.* The following temporary uses are permitted, subject to the requirements of Section 5.03.395 (Temporary and Interim Land Uses, Buildings and Structures) of this Development Code:

(1) Christmas tree and Halloween pumpkin sales, or other similar seasonal sales authorized by the City, not to exceed a period of 30 days, each;

(2) Temporary produce stands in conjunction with an Urban Farm established pursuant to Section 5.03.410.F (Urban Farms) of this Development Code; and

(3) Temporary Wireless Telecommunications Facilities.

**i.** *Accessory Uses.* The following accessory uses and structures are permitted when customarily associated with, and subordinate to, a permitted use on the same lot:

(1) Barns, stables, storage tanks, and other farm buildings;

(2) Accessory dwelling unit or guesthouse, not to exceed one per lot, pursuant to the requirements of Section 5.03.030 (Accessory Residential Structures) of this Development Code. Any guesthouse or accessory dwelling unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);

(3) Accessory building(s) not usable as a guesthouse or accessory dwelling unit. There shall be no maximum size for accessory structures in the AG Overlay District. Accessory Structures in the AG Overlay District in excess of 650 SF shall not require the approval of a Conditional Use Permit;

(4) Office unit in conjunction with row, field, tree, plant nursery, or crop production operation, not to exceed 1,500 SF in area (maximum one building per lot). An office unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);

(5) Caretaker's unit, not to exceed 650 SF in area (maximum one building per lot). Any caretaker's unit shall meet the setbacks of the main structure as listed in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards);

(6) Garages and carports;

(7) Fences and walls;



- (8) Patio covers;
- (9) Swimming pools;

(10) Stands for the sale of agricultural products grown or produced on the same premises (excluding milk and meat products), subject to the following conditions:

- (a) Stand shall be permitted only on lots containing a minimum of 10,000 SF;
- (b) The floor area of the stand shall not exceed 100 SF;
- (c) The stand shall not have a permanent foundation;
- (d) The owner(s) shall remove such stand at their expense when the use has terminated;
- (e) Stands shall be located a minimum of twenty (20) feet from the right-of-way line of any street or highway;
- (f) Adequate provision for traffic circulation, off-street parking, and pedestrian safety shall be provided to the satisfaction of the Planning Director; and

(11) Accessory uses and structures which the Planning Director finds to be consistent with the purposes of this Paragraph C.1 (AG (Agricultural) Overlay District).

**j.** *Prohibited Uses.* Notwithstanding Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay District), the following uses shall be specifically prohibited:

- (1) Animal slaughter operations;
- (2) Commercial poultry ranches;
- (3) Commercial hog ranches; and

**k.** *Uses Not Specifically Listed.* The Zoning Administrator may make a land use determination pursuant to Section 1.02.010 (Interpretations and Land Use Determinations) of this Development Code, for those uses not specifically listed herein as permitted or conditionally permitted uses, based on the similarity of the subject use to one of the categories listed in Subparagraphs d through f of this Paragraph C.1 (AG (Agricultural) Overlay District), and the herein stated purpose of the AG Overlay District.

**l. Nonconforming Uses and Structures.** Nonconforming uses and structures within the AG Overlay District shall be governed by Division 3.01 (Nonconforming Lots, Land Uses, and Structures) of this Development Code, except as follows:

(1) **Abandonment.** Whenever a nonconforming use or structure has been abandoned, the nonconforming use or structure shall not be reestablished, and the use of the structure and the site thereafter shall be in conformity with the regulations of the AG Overlay District. For the purposes of this Paragraph C.1 (AG (Agricultural) Overlay District), discontinuance of the nonconforming use for a continuous period of 180 days shall be conclusive evidence of abandonment of such nonconforming use regardless of the landowner's intent.

(2) **Special Hardship Circumstances.** The Zoning Administrator may extend the 180-day period for up to an additional 180 days. To receive such consideration, the property owner shall request an extension, in writing, prior to the expiration of the initial 180-day period, including a full explanation of the reason why the extension should be granted.

**m. Animal Keeping/Separation Standards.** The following site development standards shall apply to the keeping of animals, except household pets:

(1) Animals shall be restrained a distance of at least 40 FT, measured in a straight line, from any habitable structure or structure used for public assembly located on adjoining property. For dairies, refer to Subparagraph n of this Paragraph C.1 (AG (Agricultural) Overlay District), for separation requirements;

(2) Animals shall be restrained a distance of at least 5 FT from interior side and rear property lines, and 15 feet from street side property lines;

(3) Animals shall be secured by a fence or wall at least 5 FT in height, made of chainlink, wood with horizontal members no less than 6 inches apart, solid masonry or other appropriate solid confining material. Property line walls and fences may be used to secure animals, provided the appropriate restraint distances are maintained;

(4) Animals shall be kept a minimum of 100 FT from any domestic water well;

(5) For new dairies/feed lots, a separation of 500 FT shall be required between an animal feed trough, corral/pen from new development and/or from property with a residential or nonresidential tract map recorded after January 1, 2000, as measured from the building setback line; and

(6) A reduction in animal separation requirements may also be considered for facilities with proven means of reducing odors, such as covering lagoons,

substituting concrete-lined pits for lagoons, and employing recommended ventilation systems for animal confinement buildings. Consideration of alternative setbacks shall be subject to consultation with qualified agricultural engineers to ensure that the measure will reliably accomplish the intended purpose.

**n. Separation Requirements for New Development.** The following separation requirements from existing dairies/feed lots shall apply to new residential, commercial, and/or industrial development or structures used for public assembly purposes from existing dairies/feed lots:

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

(2) Separation requirements between dairies within a proposed specific plan area and new development will be addressed through the specific plan review procedure which may include buffers, expanded parkways, open space, and other approved measures to mitigate potential impacts.

**o. Permanent Structures.** A Development Plan is required pursuant to Section 4.02.025 (Development Plans) of this Development Code, for all new, altered, or expanded structures/uses, including all new structures in excess of 5,000 SF in area.

**p. Development Standards and Guidelines.**

(1) The development of buildings to accommodate agricultural uses or agricultural-related activities, and single-family homes and buildings ancillary thereto, on lots 10 acres or more in area, shall be designed and constructed pursuant to the standards contained in Table 6.01-12 (AG (Agricultural) Overlay District Development Standards), below.

**Table 6.01-12: AG (Agricultural) Overlay District Development Standards**

<i>Requirements</i>	<i>Standards</i>	<i>Additional Regulations</i>
<b>A. SITE DEVELOPMENT STANDARDS</b>		
<b>1. Minimum Lot Size</b>	10 acres	Note 1
<b>2. Maximum Lot Coverage</b>		
<b>3. Allowed Density Range</b>	One dwelling per 10 acres	
<b>4. Minimum Lot Dimensions</b>		
<b>a. Ratio (lot width to lot depth)</b>	1:4	

**Table 6.01-12: AG (Agricultural) Overlay District Development Standards**

<b>Requirements</b>	<b>Standards</b>	<b>Additional Regulations</b>
<b>b.</b> Lot Width	300 FT	Note 1
<b>c.</b> Lot Depth	300 FT	Note 1
<b>5. Equestrian Trails Required</b>	No	
<b>6. Walls, Fences, and Obstructions</b>	Refer to Section 6.02.020 (Design Standards for Residential Zoning Districts) of this Development Code	
<b>7. Off Street Parking</b>	Refer to Division 6.03 (Off-Street Parking and Loading) of this Development Code.	
<b>8. Landscaping</b>	Refer to Division 6.05 (Landscaping) of this Development Code.	
<b>9. Property Appearance and Maintenance</b>	Refer to Division 6.10 (Property Appearance and Maintenance) of this Development Code.	
<b>10. Historic Preservation</b>	Certain portions of residential zoning districts are identified as historic or potentially historic, and are listed on the City's Historic Resources Eligibility List. Development regulations set forth in Division 7.01 (Historic Preservation), and application processing and permitting regulations set forth in Division 4.02 (Discretionary Permits and Actions) and of this Development Code, shall apply in these instances.	
<b>11. Signs</b>	Refer to Subparagraph q (Sign Standards) of this Paragraph C.1 (AG (Agricultural) Overlay District) and Division 8.1 (Sign Regulations) of this Development Code.	
<b>12. Security Standards</b>	Refer to Ontario Municipal Code Title 4, Chapter 11 (Security Standards for Buildings).	
<b>13. Noise</b>	Habitable structures shall be designed and constructed to mitigate noise levels from exterior sources. Refer to OMC, Title 5 (Public Welfare, Morals, and Conduct), Chapter 29 (Noise).	
<b>14. Airport Safety Zones</b>	Properties within the Airport Influence Area (AIA) established by the Ontario International Airport Land Use Compatibility Plan (ALUCP) shall be subject to the requirements and standards of the ALUCP.	
<b>B. BUILDING DEVELOPMENT STANDARDS</b>		
<b>1. Minimum Building Setbacks</b>		
<b>a.</b> From Front Property Line	25 FT	
<b>b.</b> From Street Side Property Line	25 FT	
<b>c.</b> From Interior Side Property Line	15 FT	
<b>d.</b> From Rear Property Line	15 FT	
<b>2. Minimum Building Separations</b>	6 FT	
<b>3. Maximum Building Height</b>	35 FT	Note 2

Notes:

- An existing lot of record that is substandard as to minimum "lot" area and/or dimension(s) shall be granted all development rights of the zoning district in which it is located (refer to Subsection 3.01.010.B of this Development Code).*
- The maximum building height and FAR may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ALUCP). Refer to the ALUCP for properties affected by airport safety zones.*

(2) Development within the AG Overlay District shall be consistent with the Residential Design Guidelines established by resolution of the City Council, which are intended as a reference to assist the designer in understanding the City's goals and objectives for residential development. Such guidelines shall be enforceable in the same manner and to the same extent as any other applicable requirement of this Development Code.

**q. Sign Standards.** Notwithstanding the sign regulations contained in Division 8.1 (Sign Regulations) of this Development Code, signs installed within the AG Overlay District shall comply with the following:

(1) **Freestanding Signs.** One unlighted single or double faced sign shall be permitted, not to exceed 6 FT in height and 12 SF in area, for each 60 FT of street frontage, and shall be placed behind the street property line.

(2) **Wall Mounted Signs.** One wall-mounted sign shall be permitted on each building elevation facing a street, not to exceed one SF of sign area for each lineal foot of building elevation length, not to exceed 50 SF”

b. Revise Division 6.02 (Walls, Fences and Obstructions), adding Section 6.02.035 to read as follows:

**“6.02.035: Temporary Security or Construction Fencing**

**A. Purpose.** Temporary security or construction fences are typically used to secure vacant property from theft, vandalism and/or trespass; or to secure a construction site from the theft or vandalism of construction equipment and/or materials, protect work in progress, and to protect the public from injury while construction is underway. The herein stated regulations are intended to establish procedures and standards regarding the use of temporary security and construction fencing on sites with construction activity, on undisturbed land, around vacant buildings, on vacant sites, and for special events.

**B. Applicability.** Temporary security or construction fencing may be installed as follows:

1. Temporary construction fencing may be installed in conjunction with: **[i]** a building permit for the construction of a vacant property, **[ii]** the vacant portion of a partially developed property, or **[iii]** exterior improvements to an existing occupied or unoccupied building.

2. Temporary security fencing may be installed in conjunction with: **[i]** a vacant/unimproved property, **[ii]** a vacant building, or **[iii]** the vacant/unimproved portion of a partially developed property.

**C. Temporary Security or Construction Fencing Design Requirements.**

1. Temporary security or construction fencing shall not include barbed wire, razor wire, or any other material or application considered by the Planning Director to be unsafe.

2. Temporary security or construction fencing shall be built and maintained in good order, in full compliance with applicable Building Code and Development Code provisions.

3. The maximum height of temporary security or construction fencing shall be 6 FT within residential zoning districts, and 8 FT within nonresidential zoning districts, measured on the exterior side of the fence, from the top of the fence to the lowest adjacent finished grade.

4. All temporary security or construction fencing shall include a green fabric mesh screen or other view-obstructing material approved by the Planning Director, which shall be maintained in a neat and undamaged condition, and shall include emergency identification and proper safety identification.

5. Fence openings for pedestrian access shall be provided, which consists of a lockable gate that swings into the property.

6. Fence openings for vehicular access shall be provided with a lockable rolling gate. The opening shall be no wider than the adjacent driveway approach.

7. Fencing shall not be installed in a manner that prohibits the safe and continued operation of a building pursuant to the Building Code. Required exits, existing structural elements, fire protection devices, and sanitary safeguards shall be maintained at all times, pursuant to Building Code requirements.

8. Existing streets, public transportation stops, fire hydrants, and/or public sidewalks shall not be enclosed by temporary security or construction fencing, unless the Building Official determines that the facilities are required to be fenced to protect the public health, safety, or welfare, and an encroachment permit has been obtained from the City.

9. The installation of temporary security or construction fencing shall not result in a diversion of water onto a separately owned parcel, tract, right-of-way, right-of-way easement, roadway easement, and/or private street.”

c. Revise Division 6.03 (Off-Street Parking and Loading) to amend Subsection C (Violations) of Section 6.03.065 (Prohibition of Parking on Landscaped or Unpaved Areas of a Lot), to read as follows:

“Any person or entity violating and provision, or failing to comply with any regulation, of this Section, shall be subject to fines and civil penalties set forth and amended by resolution of the City Council.”

SECTION 5. Development Code Amendment - Chapter 7.0 (Historic Preservation). Chapter 7.0 (Historic Preservation) of the Ontario Development Code is hereby amended, revising Division 7.01 (Historic Preservation) to amend Paragraph D.2 of Section 7.01.060 (Enforcement Penalties) to read as follows:

“2. In the case of demolition (including partial demolition), the civil penalty to be assessed shall be equal to one-half the assessed value of the historic resource prior to the demolition. The assessed valuation prior to demolition shall be determined using the most recently published International Code Council (ICC) Building Valuation Data. In the case of alteration, the civil penalty shall be equal to one-half the cost of restoration of the altered portion of the historic resource. The cost of restoration shall be determined by the Building Official.”

SECTION 6. Development Code Amendment - Chapter 9.0 (Definitions and Glossary). Chapter 9.0 (Definitions and Glossary) of the Ontario Development Code is hereby amended, revising Division 9.01 (Definitions) to amend Subsection R of Section 9.01.010 (Terms and Phrases), adding the following definitions in correct alphanumeric order:

“**Restaurant.** A business establishment that prepares and serves food and drinks to customers in exchange for money. The classifications of restaurant are described as follows:

1) Full-Service Restaurant. A sit down eatery where food is served directly to the customers' table. These establishments may sell alcoholic beverages. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

2) Limited Service Restaurants. An establishment whose patrons generally order or select items and pay prior to eating. Food and drink may be consumed on the premises, taken out, or delivered to customers' locations.

3) Cafeterias. A restaurant or dining room in a school or a business in which customers serve themselves or are served from a counter and pay before eating.”

SECTION 7. Environmental Determination and Findings. As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the administrative record for the Project. Based upon the facts and information contained in the administrative record, including all written and oral evidence presented to the City Council, the City Council finds as follows:

a. The administrative record have been completed in compliance with CEQA the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

b. The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the activity is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

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

d. The determination of the CEQA exemption reflects the independent judgment of the City Council.

SECTION 8. Housing Element Consistency. Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making body for the Project, the City Council finds that based upon the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the Project will be consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project does not specifically affect 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 9. Airport Land Use Compatibility Plan (ALUCP) Consistency. As the decision-making body for the Project, the City Council has reviewed and considered the facts and information contained in the Application and supporting documentation, and finds that, at the time of Project implementation, the Project will be consistent with the policies and criteria set forth within the Ontario International Airport ALUCP.

SECTION 10. Concluding Facts and Reasons. Based upon the substantial evidence presented to the City Council during the above-referenced hearing and upon the specific findings set forth in Section 1 through 9 above, the City Council hereby concludes as follows:

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

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

SECTION 11. City Council Action. Based upon the findings and conclusions set forth in Sections 1 through 10 above, the City Council hereby APPROVES the subject Development Code Amendment, File No. PDCA17-001.



SECTION 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 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 13. *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 14. *Severability.* If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The People of the City of Ontario hereby declare that they would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 15. *Effective Date.* This Ordinance shall become effective 30 days following its adoption.

SECTION 16. *Publication and Posting.* The Mayor shall sign this Ordinance and the City Clerk shall certify as to the adoption and shall cause a summary thereof to be published at least once, in a newspaper of general circulation in the City of Ontario, California within 15 days following the adoption. The City Clerk shall post a certified copy of this ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

\* \* \* \* \*

PASSED, APPROVED, AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
PAUL S. LEON, MAYOR

ATTEST:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
BEST BEST & KRIEGER LLP  
CITY ATTORNEY

DRAFT

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

I, SHEILA MAUTZ, City Clerk of the City of Ontario, DO HEREBY CERTIFY that foregoing Ordinance No. \_\_\_\_\_ was duly introduced at a regular meeting of the City Council of the City of Ontario held \_\_\_\_\_ and adopted at the regular meeting held \_\_\_\_\_, 2017 by the following roll call vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

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

\_\_\_\_\_  
SHEILA MAUTZ, CITY CLERK

(SEAL)

# DRAFT

## EXHIBIT A — Proposed Amendment to Table 5.02-1 (Land Use Matrix)

Portion of Table 5.02-1: Land Use Matrix

2012 NAICS Code	Land Uses, Activities, and Facilities	Residential Zoning Districts				Commercial Zoning Districts							Mixed-Use Zoning Districts			Industrial Zoning Districts					Specialized Use & Overlay Zoning Districts							Additional Regulations
		AR-2 & RE-2	RE-4 & LDR-5	MDR-11, 18 & 25	HDR-45	CS	CN	CC	CR	CCS	OL	OH	MU-1	MU-2	MU-11	BP	IP	IL	IG	IH	AG	CIV	MHP	ONT	OSC	OS-R	RC	
6115	Technical and Trade Schools	--	--	--	--	--	--	C	C	--	--	C	C	C	C	C	C	--	--	--	C	--	C	--	--	--	--	
6116	Other Schools and Instruction																											
611610	Fine Arts Schools (nonacademic instruction, including music, dance, performing arts, drama, photography, ceramics, painting and sculpture)																											
	• GFA less than 2,000 SF	--	--	--	--	--	P	P	P	P	--	P	P	P	P	P	P	--	--	--	--	--	P	--	--	--	--	
	• GFA 2,000 SF or more	--	--	--	--	--	C	C	C	P	--	C	C	C	C	C	C	C	--	--	--	--	C	--	--	--	--	
611620	Sports and Recreation Instruction (cheerleading, gymnastics, and martial arts)																											
	• GFA Less than 10,000 SF	--	--	--	--	--	P	P	P	P	--	P	P	P	P	P	P	--	--	--	--	--	P	--	--	--	--	
	• GFA 10,000 or More SF	--	--	--	--	--	C	C	C	P	--	C	C	C	C	C	C	C	--	--	--	--	C	--	--	--	--	
611691	Exam Preparation and Tutoring Services	--	--	--	--	--	--	P	P	--	P	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	
611692	Automobile Driving School	--	--	--	--	--	--	C	C	--	--	C	C	C	C	C	--	--	--	--	--	C	--	--	--	--	--	
611699	Other Schools of Instruction (public speaking, survival training, and speed reading)	--	--	--	--	--	--	C	C	--	--	C	C	C	C	C	--	--	--	--	--	C	--	--	--	--	--	

**[Note: “Technical and Trade Schools” and “Other Schools and Institutions” are currently combined into a single grouping. This grouping has been split to establish consistency with other land use classifications established by NAICS (North American Industrial Classification Standards). The land use requirements for each zoning designation have been made consistent with other similar NAICS land use classifications listed in the Land Use Matrix.]**






# CITY OF ONTARIO

## MEMORANDUM

**TO:** Chairman and Members of the Planning Commission

**FROM:** Scott Murphy, Planning Director 

**DATE:** April 25, 2017

**SUBJECT:** MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF MARCH 2017

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Attached, you will find the Planning Department Monthly Activity Report for the month of March 2017. The report describes all new applications received by the Planning Department and actions taken on applications during the month. Please contact me if you have any questions regarding this information.

The attached reports, along with reports from past months, may also be viewed on the City's web site. New applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-applications>, and actions taken on applications may be viewed at <http://www.ontarioca.gov/planning/reports/monthly-activity-reports-actions>.

# Monthly Activity Report—New Applications

Month of March 2017

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**PADV17-002:** **Submitted by City of Ontario**

Housing Element Annual Report for reporting period January 2016 to December 2016

**PCUP17-011:** **Submitted by J & T Management, Inc.**

A Conditional Use Permit to establish a 1,400 SF administrative/general business office (Baron HR) on approximately 1.01 acres of land located at 5030 East Fourth Street, within the Freeway Commercial land use district of The Exchange Specific Plan (APN: 0238-012-28).

**PDEV17-009:** **Submitted by Lennar Homes of California, Inc.**

A Development Plan for 330 residential lots with “traditional” and “cluster” single-family dwellings, with one recreation center and three parks on an approximate 47-acre site, generally located at the southeast corner of Turner Avenue and Ontario Ranch Road (Tract No. 18662).

**PDEV17-010:** **Submitted by Kingston Architects**

A Development Plan to construct a dining room addition to an existing commercial hotel building (Sheraton), totaling 1,120 SF on 3.59 acres of land, located at 429 North Vineyard Avenue, within the CCS (Convention Center Support Commercial) zoning district (APN: 0110-261-13).

**PDEV17-011:** **Submitted by Robertson Design Group**

A Development Plan to construct 8 multiple-family dwellings on 0.293 acres of land located at 214 North Vine and 422 West B Street, within the MU-1 (Downtown Mixed Use) zoning district (APNs: 1048-572-13 and 1048-572-11).

**PDEV17-012:** **Submitted by Wale Cole**

A Development Plan to add an 870 SF automated carwash facility and an approximate 816 SF convenience store addition to an existing Chevron Gas Station, on 0.35 acres of land located at 1425 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 0108-381-24).

**PDEV17-013:** **Submitted by Zayo Group**

A development plan to construct a wired (fiber optic) telecommunication facility consisting of a 420 SF building and equipment enclosure area (no tower) on 0.75 acres of land located at the north west corner of Grove Avenue and Eighth Street (APN: 1047-143-01).

**PDEV17-014:** **Submitted by Joe Portolesi**

A Development Plan to construct a 16,142 SF an industrial warehouse building on approximately 1.07 acres of land located at the southeast corner of Locust Street and Baker Avenue, at 1607 South Baker Avenue, within the IG (General Industrial) zoning district (APNs: 0113-414-13 and 0113-414-14).

## Monthly Activity Report—New Applications

Month of March 2017

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**PDEV17-015:** Submitted by Ketter Pacific Investments, LLC

A Development Plan to construct 17 condominium dwelling units on approximately 1.34 acres of land located at 920 South Cypress Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district (APN: 1011-404-07). Related Files: PVAR17-004 & PMTT17-004.

**PDEV17-016:** Submitted by Lewis Retail Centers

A Development Plan to construct eight commercial buildings totaling 94,280 SF on approximately 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Urban Commercial land use district of the Ontario Center Specific Plan (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14).

**PDEV17-017:** Submitted by Related California

A Development Plan to construct a 75-unit, three-story apartment complex on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Downtown Mixed Use) zoning district (APNs: 1049-051-01, 02 & 03; and 1049-052-03, 04, 05, 06, 07, 08, 09 & 10). Related Files: PMTT17-005 (PM 19302).

**PDEV17-018:** Submitted by Oil & Water Ontario LP

A Development Plan to raze an existing 951 SF oil change service facility, and construct a 2,000 SF fueling station on approximately 8.7 acres of land located at 2455 South Vineyard Avenue, within the CC (Community Commercial) zoning district (APN: 113-285-12).

**PHP-17-006:** Submitted by Ontario Heritage

Two historic Model Colony bronze plaques for installation on the Frankish Building, a designated local landmark, located at 200 South Euclid Avenue (APN:1049-058-03).

**PHP-17-007:** Submitted by Related California

A Certificate of Appropriateness in conjunction with a Development Plan to construct a 75-unit, three-story apartment complex on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Downtown Mixed Use) zoning district. Related Files: PHP07-012, PDEV17-017, PMTT17-005 (PM 19302).

**PHP-17-008:** Submitted by SHERMAN & GLORIA'S TRUST 2013

A Certificate of Appropriateness to replace 12 windows on an existing single-family residence, designated local landmark no. 78, the Thomas T. Parker House, located at 213 West Sixth Street.



## Monthly Activity Report—New Applications

Month of March 2017

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**PMTT17-004:** Submitted by Ketter Pacific Investments, LLC

A Tentative Tract Map to subdivide approximately 1.34 acres of land for condominium purposes, located at located at 920 South Cypress Avenue, within the MDR18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district (APN: 1011-404-07). Related Files: PVAR17-004 & PDEV17-015.

**PMTT17-005:** Submitted by Related California

A Tentative Parcel Map (PM 19302) to subdivide 11 lots and a vacated portion of Transit Street, between Vine and Fern Avenues, into a single parcel to facilitate the development of a 75-unit, three-story apartment complex on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed-Use Downtown) zoning district (APNs: 1049-051-01, 02 & 03; and 1049-052-03, 04, 05, 06, 07, 08, 09 & 10). Related Files: PDEV17-017.

**PSGN17-024:** Submitted by Russell Tomaszewski

A Sign Plan to install one nonilluminated wall sign for TIDY LIVING, located at 1770 South Vineyard Avenue. Total height is 40", height of logo is 24", height of font (second line) is 12", and total width is 7'4". Sign faces east.

**PSGN17-025:** Submitted by Secoya Market

A Sign Plan to install three internally illuminated wall signs for SECOYA MARKET, located at 414 North Euclid Avenue. Primary facade sign on west elevation is 54 SF, secondary sign on northwest elevation is 43 SF, and rear sign over secondary entrance on east elevation is 54 SF.

**PSGN17-026:** Submitted by Signage Solutions

A Sign Plan to install a wall sign for OPORTUN, located at 2448 South Vineyard Avenue, Suite 109.

**PSGN17-027:** Submitted by BestPack Packaging Systems

A Sign Plan to install two tenant identification wall signs for BESTPACK, located at 1425 South Campus Avenue.

**PSGN17-028:** Submitted by ALL PRO SIGNS INC

A Sign Plan for the installation of two nonilluminated wall signs, and one nonilluminated double pole sign for "Easter Seals," located at 2999 South Haven Avenue.

**PSGN17-029:** Submitted by Coastal Signage

A Sign Plan for the installation of a tenant identification wall sign for PHENIX SALON SUITES, located at 948 North Mountain Avenue.

## Monthly Activity Report—New Applications

Month of March 2017

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**PSGN17-030:**

**Submitted by Signs Express Mfg. Co.**

A Sign Plan for the installation of one nonilluminated freestanding monument sign for EVERLIGHT AMERICAS, located at 4237 East Airport Drive. 46" high by 10'4" long by 2' wide, set back 15' from face of curb at street, and 20' from face of curb at driveway.

**PSGN17-031:**

**Submitted by TND Signs, Inc.**

A Sign Plan for the installation of one wall sign and the reface of an existing monument sign for RAYMOND FORKLIFTS, located at 4602 East Brickell Street. To be installed on the south elevation of the building, with 30-1/2" x 32' 7-1/8" sign. Existing monument sign reface: 32" x 8". Added property address at 4" high.

**PSGN17-032:**

**Submitted by Sierra's Signs, Inc.**

A Sign Plan for the reface treatment for four existing, permitted signs for HOTEL SEVILLE, located at 2441 East Euclid Avenue: 10' x 5' monument sign, 7' x 42" wall sign, 14' x 2' entrance sign, and 9'-11 1/2" x 15'- 1/8" pole sign.

**PSGN17-033:**

**Submitted by Signtech Electrical Advertising**

A Sign Plan for the installation of two exterior wall signs (87SF each) for SKETCHERS, located at 4758 East Mills Circle.

**PSGP17-003:**

**Submitted by Glacier House Hotels**

A Sign Program Amendment to File No. PSGP16-001, to establish hotel sign requirements on 4.5 acres of land, located on the northeast corner of Ontario Center Parkway and Via Piemonte, at 900 North Via Piemonte, within the Piemonte Overlay of the Ontario Center Specific Plan (APN: 210-204-18).

**PTUP17-007:**

**Submitted by ABC 7**

A Temporary Use Permit for ABC7's annual food drive/ fundraising event, to be held at Mathis Brothers, 4105 East Inland Empire Boulevard.

**PTUP17-008:**

**Submitted by Candyland Amusements**

A Temporary Use Permit for a carnival event to be held at 1848 South Euclid Avenue, from 4/6/2017 through 4/9/2017. Event closed from 4/10/2017 through 4/12/2017, reopening on 4/13/2017 through 4/16/2017. Cleanup on 4/17/2017.

**PTUP17-009:**

**Submitted by Montecito Baptist Church**

A Temporary Use Permit for Ladies Conference event to be held at Montecito Baptist Church, located at 2560 South Archibald Avenue, on 4/7/2017 through 4/8/2017.

## Monthly Activity Report—New Applications

Month of March 2017

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**PTUP17-010:** **Submitted by Ontario Reign**

A Temporary Use Permit for 5K Run and Walk for Cystic Fibrosis Foundation, located at Citizen's Business Bank Arena, 4000 East Ontario Center Parkway.

**PTUP17-011:** **Submitted by Rancho Physicians Choice Medical Corporation**

A Temporary Use Permit for Grand Opening event on 3/25/2017, for Rancho Physicians Choice Medical Group, located at 1871 East Fourth Street.

**PTUP17-012:** **Submitted by Inland Empire Ronald McDonald House Walk for Kids**

A Temporary Use Permit for 5K fundraiser to benefit the Inland Empire Ronald McDonald House, located at Citizen's Business Bank Arena, 4000 East Ontario Center Parkway.

**PTUP17-013:** **Submitted by Run for the Wall**

A Temporary Use Permit for Kick off Staging area for 1,200 motorcycles for the annual Run for the Wall trip to Washington DC, on 5/17/2017, located at 2000 East Ontario Center Parkway.

**PTUP17-014:** **Submitted by Beer Buzz/Dive Warriors**

A Temporary Use Permit for the Inland Empire Beer and Music Festival, on 5/13/2017, located at 800 North Archibald Avenue.

**PTUP17-015:** **Submitted by American Career College**

A Temporary Use Permit for Spring 2017 Health Fair, on 4/12/2017, including approximately 900 students and 300 staff, with DJ, games/activities, and lunch served on behalf of Student Appreciation Day, located at 3130 East Sedona Court.

**PUD-17-001:** **Submitted by Related California**

A Planned Unit Development to establish development standards and guidelines to facilitate the future development of a high density residential apartment project at a density of approximately 25.4 dwelling units per acre on approximately 2.95 acres of land bordered by Holt Boulevard on the north, Fern Avenue on the east, Emporia Street on the south, and Vine Avenue on the west, within the MU-1 (Mixed Use Downtown) zoning district (APNs: 1049-051-01, 02 & 03; and 1049-052-03, 04, 05, 06, 07, 08, 09 & 10). Related Files: PDEV17-017 and PMTT17-005.

**PVAR17-004:** **Submitted by Ketter Pacific Investments, LLC**

A Variance to deviate from the minimum Development Code standard for private open space from 200 SF per unit to 150 SF per unit, in conjunction with the construction of 17 condominium units, on 1.34 acres of land located at 920 South Cypress Avenue, within the MDR-18 (Medium Density Residential – 11.1 to 18.0 DU/Acre) zoning district (APN: 1011-404-07). Related Files: PDEV17-015, PMTT17-004.

## Monthly Activity Report—New Applications

Month of March 2017

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**PVER17-013:**

**Submitted by Jesse Tirado**

Zoning Verification for property located at 2200 East Holt Boulevard (APN: 0110-322-32).

**PVER17-014:**

**Submitted by Luis Perez**

Zoning Verification for property located at 513 South Campus Avenue (APN: 1049-201-05).

**PVER17-015:**

**Submitted by Bock & Clark Zoning**

Zoning Verification for property located at 800 East Fifth Street (APN: 1047-493-01).

City of Ontario Planning Department  
**Monthly Activity Report—Actions**  
Month of March 2017

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**DEVELOPMENT ADVISORY BOARD MEETING**

**March 6, 2017**

*Meeting Cancelled*

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**ZONING ADMINISTRATOR MEETING**

**March 6, 2017**

*Meeting Cancelled*

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**CITY COUNCIL MEETING**

**March 7, 2017**

**ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE FOR FILE NO. PZC16-005:** Zone Changes on 51 properties as follows: [1] 34 properties from MDR-18 (Medium Density Residential) to HDR-45 (High Density Residential – 25.1 to 45 DUs/Acre), [2] 16 properties from MDR-25 (Medium-High Density Residential – 18.1 to 25.0 DU/Acre) to HDR-45 (High Density Residential – 25.1 to 45.0 DUs/Acre), and [3] one property from CN (Neighborhood Commercial) to HDR-45 (High Density Residential – 25.1 to 45 DUs/Acre), within the ICC (Interim Community Commercial) Overlay district. The properties are generally located south of D Street, west of Vine Avenue, north of Vesta Street, and east of San Antonio Avenue, in order to make the zoning consistent with Policy Plan land use designations of the properties. The environmental impacts of this project were previously analyzed in The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was adopted by the City Council on January 27, 2010, and was prepared pursuant to the requirements of California Environmental Quality Act. All mitigation measures of the Environmental Impact Report will be a condition of project approval. 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 (APNs: 1048-581-01 thru 09, 11-12, 17, 33, 35-36, 39-45, 48-59, 62, and 67-82); City Initiated. The Planning Commission recommended approval of this Project on January 24, 2017, with a vote of 7 to 0.

**Action:** The City Council approved an ordinance approving the Project.

**ENVIRONMENTAL ASSESSMENT AND GENERAL PLAN AMENDMENT REVIEW FOR FILE NO.**

**PGPA16-006:** A City initiated request to: [1] modify the Land Use Element of The Ontario Plan (General Plan) to change the land use designations shown on the Land Use Plan Map (Exhibit LU-1) for various parcels located throughout the City, including: [a] the area generally located from Euclid to Bon View Avenues between State and Philadelphia Streets, [b] the area south of the I-10 Freeway, generally located near Fourth Street and Grove Avenue, [c] the properties on the west side of Vineyard Avenue between Philadelphia Street and SR-60 Freeway, and [d] the elimination of the SoCalf Overlay within the Ontario Ranch area; [2] modify the text in the Land Use Designation Summary Table (Exhibit LU-02) to eliminate the SoCalf Overlay and allow the

City of Ontario Planning Department  
**Monthly Activity Report—Actions**  
Month of March 2017

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Commercial Transitional Overlay in nonresidential locations; [3] modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and [4] modify the Environmental Resources Element text in Section ER5, Biological, Mineral & Agricultural Resources to eliminate all references to SoCalf. Staff is recommending the adoption of an Addendum to The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The 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. (Cycle 1 General Plan Amendment for the Land Use and Environmental Resources Elements for 2017) (APNs: Various); City initiated. The Planning Commission recommended approval of this Project on January 24, 2017 with a vote of 7 to 0.

**Action: The City Council approved a resolution approving the Project.**

**ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-004:** Zone Changes on various properties generally located to the east of Euclid Avenue, between State and Philadelphia Streets, and near Fourth Street and Grove Avenue, in order to make the zoning consistent with Policy Plan land use designations on the properties. The environmental impacts of this project were previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The 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 (APNs: Various); City initiated. The Planning Commission recommended approval of this Project on January 24, 2017, with a vote of 7 to 0.

**Action: The City Council introduced and waived further reading of an ordinance approving the Project.**

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**DEVELOPMENT ADVISORY BOARD MEETING**

**March 20, 2017**

**ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV16-024:** A Development Plan to construct two industrial buildings totaling 79,037 square feet on 4.15 acres, located at 1124 E. Holt Boulevard within the IP (Industrial Park) zone. 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 (ONT) and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1049-141-18, 1049-141-19, 1049-141-20, 1049-141-21, 1049-141-22, 1049-141-23); **submitted by Archifield, Inc.**

**Action: The Development Advisory Board approved the Project subject to conditions.**

City of Ontario Planning Department  
**Monthly Activity Report—Actions**  
Month of March 2017

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**ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS.**

**PDEV16-051 & PVAR17-001:** A Development Plan (PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (PVAR17-001) to deviate from minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5-Minor Alterations in Land Use Limitations) and Section 15301 (Class1- Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 1015-131-23); **submitted by Sizzler Restaurant/BMW Management.** Planning Commission action is required.

**Action:** The Development Advisory Board recommended the Planning Commission approve the Project subject to conditions.

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**ZONING ADMINISTRATOR MEETING**

**March 20, 2017**

**ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.**

**PCUP15-028:** A Conditional Use Permit request to expand the dining floor area of an existing 5,667 square foot full service restaurant (Rossas' Cucina Enoteca) with an existing Type 47 ABC License (On-Sale General Eating Place), with the construction of a new 632 square foot outdoor dining patio area, located at 425 North Vineyard Avenue, within the CCS (Convention Center Support) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plan (ALUCP) for ONT (APN: 0110-261-14); **submitted by Mr. Victor Moreno.**

**Action:** The Zoning Administrator approved the Project subject to conditions.

**ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO.**

**PCUP17-002:** A Conditional Use Permit application to establish a 10,879 square foot pharmaceutical vitamin manufacturing use within an existing industrial building, on 0.52 acres of land located at 1710 South Balboa Avenue, within the IG (General Industrial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Class 1, Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the Airport

City of Ontario Planning Department  
**Monthly Activity Report—Actions**  
Month of March 2017

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Land Use Compatibility Plan (ALUCP) for ONT (APN: 113-394-32); **submitted by Alpha Formulations, LLC.**

**Action: The Zoning Administrator approved the Project subject to conditions.**

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**CITY COUNCIL MEETING**

**March 21, 2017**

**ENVIRONMENTAL ASSESSMENT AND ZONE CHANGE REVIEW FOR FILE NO. PZC16-004:** Zone Changes on various properties generally located to the east of Euclid Avenue, between State and Philadelphia Streets, and near Fourth Street and Grove Avenue, in order to make the zoning consistent with Policy Plan land use designations on the properties. The environmental impacts of this project were previously analyzed in The Ontario Plan Environmental Impact Report (State Clearinghouse No. 2008101140), adopted by City Council on January 27, 2010, in conjunction with File No. PGPA06-001. The 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 (APNs: Various); City initiated. The Planning Commission recommended approval of this Project on January 24, 2017, with a vote of 7 to 0.

**Action: The City Council approved an ordinance approving the Project.**

**ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT FOR FILE NO. PDA16-003:** A Development Agreement between the City of Ontario and GDCI-RCCD2-L.P., to establish the terms and conditions for the development of Tentative Parcel Map 19725 (File No. PMTT16-010) and Tentative Parcel Map 19741 (File No. PMTT16-011), within the Regional Commercial/Mixed Use land use district (Planning Area 8A) of the Rich-Haven Specific Plan, generally located on the south side of Ontario Ranch Road, between Mill Creek Avenue and Hamner Avenue. The environmental impacts of this project were previously analyzed in an addendum to the Rich-Haven Specific Plan EIR (SCH# 2006051081), which was adopted by the City Council on March 15, 2016. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT (APNs: 0218-211-12 and 0218-211-25); submitted by GDCI-RCCD2-LP. The Planning Commission recommended approval of this item on February 28, 2017, with a vote of 6 to 0.

**Action: The City Council introduced and waived further reading of an ordinance approving the Project.**

**ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT FOR FILE NO. PSPA16-004:** An Amendment to The Avenue Specific Plan (File No. PSPA16-004), to change the land use designations for Planning Area 7 from Low Density Residential (2.1 to 5.0 DU/AC) to Low-Medium Density Residential (5.1 to 11.0 DU/AC), and to change Planning Area 11 from Medium-Density Residential (11.1 to 25 DU/AC) to Low-Medium Density Residential (5.1 to 11.0 DU/AC) to allow



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for the transfer of 155 units from Planning Area 11 (225 DU) to Planning Area 7 (287 DU). The project sites are generally located at the northeast corner of Archibald Avenue and Ontario Ranch Road (Planning Area 7) and the southwest corner of Ontario Ranch Road and New Haven Drive. The environmental impacts of this project were previously analyzed in an addendum to The Avenue Specific Plan EIR (SCH# 2005071109), which was adopted by the City Council on June 17, 2014. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT) and was evaluated and found to be consistent with the policies and criteria of the Airport Land Use Compatibility Plans (ALUCP) for ONT (APNs: 0218-201-18; 0218-201-39; 0218-201-42 and 0218-201-43); submitted by Brookcal Ontario, LLC. The Planning Commission recommended approval of this item on February 28, 2017 with a vote of 6 to 0.

**Action: The City Council approved a resolution approving the Project.**

**ENVIRONMENTAL ASSESSMENT AND AGREEMENT FOR THE REMOVAL, RELOCATION, AND PLACEMENT OF BILLBOARD SIGNS (FILE NO. PSGN17-016):**

An interagency billboard relocation agreement to remove six billboards and allowing the placement of a new billboard at 1550 N. Palmetto Avenue. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15662 (Class 32 - In-fill Development Projects). The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APNs: 110-022-12, 110-131-19, 210-212-60, 1008-261-45, 1011-111-10, and 1011-182-10); submitted by City of Ontario, San Bernardino County Transportation Authority, and Lamar Central Outdoor, LLC. The Planning Commission recommended approval of this item on February 28, 2017 with a vote of 6 to 0.

**Action: The City Council approved a resolution approving the Project.**

**PLANNING COMMISSION MEETING**

**March 28, 2017**

**ENVIRONMENTAL ASSESSMENT AND STANDARD CONDITIONS OF APPROVAL AMENDMENT**

**REVIEW:** An amendment to the City of Ontario Standard Conditions for new development, to include updates consistent with the 2016 comprehensive update to the Ontario Development Code. 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; **City Initiated**. City Council action is required.

**Action:** **The Planning Commission recommended the City Council approve the Project**

**ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN AND VARIANCE REVIEW FOR FILE NOS.**

**PDEV16-051 & PVAR17-001:** A Development Plan (PDEV16-051) to construct a 1,291 square foot addition to an existing 5,412 square foot commercial building (Sizzler Restaurant) on 1.15 acres of land and a Variance request (PVAR17-001) to deviate from minimum building arterial street setback (Mountain Avenue) from 20 feet to 13 feet – 2 inches, located at 2228 South Mountain Avenue, within the CN (Neighborhood Commercial) zoning district. Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305 (Class 5-Minor Alterations in Land Use Limitations) and Section 15301 (Class 1- Existing Facilities) of the CEQA guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport (ONT), and was evaluated and found to be consistent with the policies and criteria of the ONT Airport Land Use Compatibility Plan (ALUCP). (APN: 1015-131-23); **submitted by Sizzler Restaurant/BMW Management**.

**Action:** **The Planning Commission approved the Project subject to conditions.**

**ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT CODE AMENDMENT REVIEW FOR FILE**

**NO. PDCA16-007:** A Development Code Amendment revising provisions of Development Code Chapter 5.0 (Zoning and Land Use) pertaining to Accessory Dwelling Units (formerly referred to as Second Dwellings), to incorporate recent changes in the State's Accessory Dwelling Unit laws (as prescribed in Senate Bill 1069, and Assembly Bills 2299 and 2406). The proposed Development Code Amendment is exempt from the requirements of the California Environmental Quality Act (CEQA) and the guidelines promulgated thereunder, pursuant to Section 15061(b)(3) of the CEQA Guidelines. The project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria set forth within the Ontario International Airport Land Use Compatibility Plan; **City Initiated**. City Council action is required. Continued from February 28, 2017.

**Action:** **The Planning Commission recommended the City Council approve the Project**

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**SEVENTEENTH ANNUAL MODEL COLONY AWARDS FOR FILE NO. PHP17-005:** A request for the Historic Preservation Commission to approve the Seventeenth Annual Model Colony Awards; **submitted by City of Ontario.** City Council presentation of Awards.

**Action: The Historic Preservation Commission recommended the City Council approve the Project.**

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