CITY OF ONTARIO
PLANNING COMMISSION/
HISTORIC PRESERVATION
MEETING AGENDA

July 28, 2020

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

6:30 PM

SPECIAL AND URGENT NOTICE ELIMINATING IN-PERSON PUBLIC PARTICIPATION AT CITY OF ONTARIO PLANNING COMMISSION MEETINGS

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

In accordance with the Governor's Declarations of Emergency for the State of California (Executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Ontario Planning Commission Meetings are being conducted via Zoom Conference and there will be no members of the public in attendance at the upcoming meeting of the City of Ontario Planning / Historic Preservation Commission. In place of in-person attendance, members of the public can observe and offer comment at this meeting remotely in the following ways:

TO VIEW THE MEETING:

- **VISIT THE CITY'S WEBSITE AT THE FOLLOWING ADDRESS: www.ontarioca.gov/Agendas/PlanningCommission**
- **THE LINK FOR THE ZOOM MEETING WILL BE LISTED AT THE WEBSITE ADDRESS ABOVE AT LEAST 72 HOURS BEFORE THE MEETING**

TO PROVIDE PUBLIC COMMENT:

1. **PROVIDE PUBLIC TESTIMONY DURING THE MEETING: You may call with a request to speak by dialing (909) 395-2900. Those wishing to speak during the "Public Comment" portion of the meeting must call between 6:00 PM and 6:30 PM the day of the meeting. Those wishing to speak on an item on the agenda must call between 6:00 PM and the close of the public hearing for that item. You will be asked to provide your name and item number that you will be speaking on, then you will be placed on hold until your item of interest is under consideration by the Commission.**

Comments will be limited to 5 minutes. If a large number of individuals wish to speak on an item, the Planning Commission Chairman may limit the time for individuals wishing to speak to 3 minutes in order to provide an opportunity for more people to be heard. Speakers will be alerted when their time is up, 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.

2. **COMMENT BY E-MAIL: Submit your comments by email no later than 4:00 PM on the day of the meeting by emailing your name, agenda item you are commenting on, and your comment to planningdirector@ontarioca.gov . All comments received by the deadline will be forwarded to the Planning Commission for consideration before action is taken on the matter.**

3. **COMMENT BY TELEPHONE MESSAGE: Submit your comments by telephone no later than 4:00 PM on the day of the meeting by providing your name, agenda item you are commenting on, and your comment by calling (909) 395-2036. All comments received by the deadline will be provided to the Planning Commission for consideration before action is taken on the matter.**

4. **COMMENT BY MAIL: To submit your comments by mail, provide your name, agenda item you are commenting on, and your comment by mailing to Planning Department, Ontario City Hall, 303 East "B" Street, Ontario, CA 91764. Comments by mail must be actually received by the Planning Department no later than 4:00 PM on the day of the meeting. Postmarks are not accepted. All comments received by the deadline will be provided to the Planning Commission for consideration before action is taken on the matter.**

LOCATION WHERE DOCUMENTS MAY BE VIEWED: All documents for public review are on file in the Planning Department located at 303 E. B Street, Ontario, CA 91764.

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.

ROLL CALL

DeDiemar __ Gage __ Gregorek __ Reyes __ Ricci __ Willoughby __

PLEDGE OF ALLEGIANCE TO THE FLAG

ANNOUNCEMENTS

1) Agenda Items

2) Commissioner Items

PUBLIC COMMENTS

Citizens wishing to address the Planning/Historic Preservation Commission on any matter that is not

on the agenda may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

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

CONSENT CALENDAR ITEMS

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

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of June 30, 2020, approved as written.

A-02. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-049: A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential 25.1 to 45 du/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1011-361-01) **submitted by Creative Design Associates.**

A-03. ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV20-004: A Development Plan to construct 100 single-family residential units (8-pack cluster), 114 multiple-family residential units (6-plex row town homes), and 120 multiple-family residential units (12-plex courtyard town homes) on 79.7 acres of land located on northeast corner of Schaefer Avenue and Haven Avenue, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan. The environmental impacts of this project were previously analyzed in an addendum to The Rich Haven Specific Plan (File No. PSP05-004) EIR (SCH# 2006051081) certified by the City Council on December 4, 2007. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 218-161-01) **submitted by LS-Ontario II LLC.**

PUBLIC HEARING ITEMS

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

HISTORIC PRESERVATION / PLANNING COMMISSION ITEMS

B. ENVIRONMENTAL ASSESSMENT AND LANDMARK DESIGNATION REVIEW FOR FILE NO. PHP20-002: A request for a Local Landmark Designation of a single-family residence (Tier III Historic Resource) located at 535 East D Street within the LDR-5 (Low Density Residential-2.1 to 5.0 DU/Acre) zoning district. The request is not a "Project" pursuant to Section 21065 of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1048-393-18); **submitted by Jose Vladimir Felix and Angela Dawn Tejeda. City Council action required.**

1. **CEQA Determination**

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

2. **File No. PHP20-002** (Landmark Designation)

   Motion to recommend Approval/Denial

C. ENVIRONMENTAL ASSESSMENT, CERTIFICATE OF APPROPRIATENESS AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PHP19-019 AND PCUP19-029: A request for a Certificate of Appropriateness (File No. PHP19-019) to: [1] Construct an 1,394 square foot addition to an existing 3,388 square foot single-family residence; in conjunction with a Conditional Use Permit (File No. PCUP19-029) to [2] Construct a 2-story, 2,600 square foot detached Accessory Residential Structure to accommodate an 850 square foot 4-car garage, 900 square foot RV garage, and a second-story 850 square foot Accessory Dwelling Unit (ADU), on 0.64 acres of land located at 1404 North Euclid Avenue, a non-contributor to the Euclid Avenue Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15331 (Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport, and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1047-351-14); **submitted by RCM**

Construction, Inc.

1. **CEQA Determination**

   No action necessary – Exempt: CEQA Guidelines Section § 15331

2. **File No. PHP19-019** (Certificate of Appropriateness)

   Motion to Approve/Deny

3. **File No. PCUP19-029** (Conditional Use Permit)

   Motion to Approve/Deny

D. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-036 AND PCUP19-015: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 6,800 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines**.** The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-111-08) **submitted by Gracepoint Brethren in Christ Church. This Item was continued from the June 30, 2020 special meeting.**

1. **CEQA Determination**

   No action necessary – Exempt: CEQA Guidelines Section § 15532

2. **File No. PCUP19-015** (Conditional Use Permit)

   Motion to Approve/Deny

3. **File No. PDEV19-036** (Development Plan)

   Motion to Approve/Deny

E. ENVIRONMENTAL ASSESSMENT AND VARIANCE, CONDITIONAL USE PERMIT, AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PCUP19-032, PVAR19-008, AND PDEV19-070: A request for approval of certain entitlements to facilitate the development of an automated carwash, including: [1] a Conditional Use Permit (File No. PCUP19-032) to establish the carwash land use; [2] a Variance (File No.

PVAR19-008) for a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet; and [3] a Development Plan (File No. PDEV19-070) to construct a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0238-041-22 and 0238-041-28) **submitted by Don Vogel, Fast 5 Xpress.**

1. **CEQA Determination**

   No action necessary – Exempt: CEQA Guidelines Section § 15332

2. **File No. PVAR19-008** (Variance)

   Motion to Approve/Deny

3. **File No. PCUP19-032** (Conditional Use Permit)

   Motion to Approve/Deny

4. **File No. PDEV19-070** (Development Plan)

   Motion to Approve/Deny

F. ENVIRONMENTAL ASSESSMENT, GENERAL PLAN AMENDMENT, AND SPECIFIC PLAN REVIEW FOR FILE NOS. PGPA18-008 AND PSP18-002: A public hearing to consider certification of the Environmental Impact Report (SCH#. 2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, in conjunction with the following: [1] A General Plan Amendment (File No. PGPA18-008) to modify the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) component of The Ontario Plan, changing the land use designations on 85.6 acres of land, from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park (0.6 FAR) and General Industrial (0.55 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and [2] A Specific Plan (File No. PSP18-002 - Ontario Ranch Business Park) to establish the land use districts, development standards, design guidelines, and infrastructure improvements for the potential development of up to 1,905,027 square feet of General Industrial and Business Park land uses on the project site, generally bordered by Eucalyptus Avenue on the north, Merrill Avenue on the south, Sultana Avenue on the

east, and Euclid Avenue on the west. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). The project site is also located within the Airport Influence area of Chino Airport and is consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics; (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03) **submitted by REDA, OLV. City Council action is required.**

1. **CEQA Determination**

   Motion to recommend Approval/Denial Certification of an EIR, with a Statement of Overriding Considerations

2. **File No. PGPA18-008** (General Plan Amendment)

   Motion to recommend Approval/Denial

3. **File No. PSP18-002** (Specific Plan)

   Motion to recommend Approval/Denial

MATTERS FROM THE PLANNING/HISTORIC PRESERVATION COMMISSION

1) Old Business
   - Reports From Subcommittees
     - Historic Preservation (Standing): Met on July 9, 2020

2) New Business
   - Nominations for Sub-Committees

3) Nominations for Special Recognition

DIRECTOR'S REPORT

1) Monthly Activity Report
2) Temporary Outdoor Dining Permit Program

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

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

notice, or in written correspondence delivered to the Planning/Historic Preservation Commission at, or prior to, the public hearing.

♦♦♦♦♦♦♦♦♦♦

I, Gwen Berendsen, Administrative Assistant, of the City of Ontario, or my designee, hereby certify that a true, accurate copy of the foregoing agenda was posted on **July 24, 2020**, at least 72 hours prior to the meeting per Government Code Section 54954.2 at 303 East "B" Street, Ontario.

Gwen Berendsen

Gwen Berendsen, Secretary Pro Tempore

RZ for CW

Cathy Wahlstrom, Planning Director
Planning/Historic Preservation
Commission Secretary

CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION SPECIAL MEETING

MINUTES

June 30, 2020

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CITY OF ONTARIO PLANNING COMMISSION/ HISTORIC PRESERVATION SPECIAL MEETING

MINUTES

June 30, 2020

SPECIAL MEETING: City Hall, 303 East B Street
Called to order by Chairman Willoughby at 6:30 PM, in honor of James Downs and his years of service on the Planning Commission.

COMMISSIONERS Present: Chairman Willoughby**,** Vice-Chairman DeDiemar, Gregorek, Reyes, and Ricci

Absent: Downs, Gage

OTHERS PRESENT: Planning Director Wahlstrom, Assistant Planning Director Zeledon, City Attorney Graham, Senior Planner Mejia, Associate Planner Aguilo, Associate Planner Chen, Assistant Planner Vaughn, Assistant City Engineer Lee, and Planning Secretary Berendsen

PLEDGE OF ALLEGIANCE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gregorek.

ANNOUNCEMENTS

Ms. Wahlstrom stated that we are recommending Item B be continued to the next regular meeting, on July 28, 2020, due to concern over the number of COVID cases in the city and county that have ramped up and some of the members of the public wishing to speak on the item, have expressed that they feel uncomfortable coming to speak in person and this would give us time to give alternative ways for the public to voice their concerns and provide notice of those alternate ways. She stated that the applicant agreed to continue the item until the next meeting. She stated that this is the only item that we received this kind of accommodation request for.

PUBLIC COMMENTS

Diana Knabe, at 1358 S. Sultana Ave., stated she was upset with the commission's decision regarding the Pepe's towing yard at Belmont and Sultana, in their neighborhood. She stated they received minimal notice and there's a lot of hazards and traffic already and it's unsafe moving into our neighborhood and asked the commission to please reconsider.

Steven Knabe, at 1358 S. Sultana Ave., stated he was speaking regarding the Pepe's towing yard at Belmont and Sultana, and would like to have a second hearing. He stated he has been

knocking on resident's doors and majority of them are opposed to the idea of a tow truck there and they are worried about a decrease in property value, noise at night, rodents from the field when they start building, the pollution, the diesel tank and other different issues in regards to this situation and would like a second opportunity so more citizens can speak, would be appreciated, so the commission could hear the concerns, and re-evaluate the situation.

Celina Lopez at 3045 S. Archibald stated she is a member of and admin. for Ontario News Zone, an independent mom and a community advocate and work for a non-profit that works with versus communities. She explained that she is aware that the commission has already voted on Pepe's towing at Belmont and Sultana and that it is out of their hands and will be going to City Council on July 7. She expressed that many community members that tried to come today, were pushed away at the door because there was too many people already here and that it's their right to come and have their 3 minutes to express how they feel, no matter how many people are there. She stated that she doesn't think anyone wants to live next to a towing company. She stated she has a two-year-old and she wouldn't want a towing property next to her, no matter how many trees and sidewalk you put in. She stated that she hopes the city council overturns every one of their decisions and thanked Mr. Reyes for voting no and hearing the community and asking to postpone it during this pandemic, to give them an opportunity to speak and be heard. She expressed that she is frustrated that people were pushed away tonight and we aren't allowing them to speak, and that she didn't expect that today, as everyone has a voice, even if it's not an agenda item.

Mr. Willoughby asked Ms. Wahlstrom if people were being pushed away and she stated that to her knowledge everyone was allowed in and there is an overflow room and maybe people misunderstood that being directed there was being turned away. Our procedures provide the opportunity for any member of the public to speak.

Rosemary Ramos at 410 E. Phillips St. stated she is disappointed that the item was approved because nobody in the community wants this here. She feels like they weren't given a fair chance and thanked Mr. Reyes for understanding voting no and stated the kids walk to the schools and it's not going to be safe, with the train, that gets stuck, and other industrial buildings and semi-trucks with two beds, that are supposed to go a different way and they all take short cuts when the train gets stuck and go through her community, and she knows Pepe's will do the same. She stated it's not a nice place to put this there, for their health and with neighborhood kids playing. She hopes they would reconsider, overturn it, rezone it, since there is residential on three sides of it, or put something else and can the airport rezone this area, something else planned for this part of land. She stated she's lived there all her life and she's stuck in the middle and not a good place, has nothing against Pepe's towing, just doesn't want to live next to this.

Julie Hernandez 1323 S. Sultana Ave. stated she strongly feels against this towing yard here, and that it's not a good idea. She's lived there for a long time, not sure what the plan is everyone sell and turn it into industrial. She stated her home is her sanctuary, it's her place. The kids on a rainy day the traffic backs up and the trucks will add to this and the kids will be late to school and the pollution the truck would bring. She questioned the commission that if you were in an area like this would you want that for your neighborhood and your grandkids. She stated a lot of the neighbors have no idea what's going on and she thought maybe a park or something for the homeless, and the only reason she knew was because of a text sent to her daughter. She stated she doesn't understand why they are throw money into a towing place is ridiculous, you obviously don't have our interest at heart and this is a big mistake not good for our area or our

kids and she would hate to hear neighbors leave because of it. She stated no good will be brought by this, just imagine your place having a tow truck, what it would do to your community and give us what we want and what we need and reconsider this decision, and think about what you would feel. She stated she has lived here for 50 years and have seen things come and go and the congestion with the schools will only get worse, and nothing good will come with this.

Juana Gamez at 908 W. Elm St., wanted to thank Mr. Zeledon for giving them direction on how to come to this meeting, because she has never been to a meeting in this county and thank Mr. Reyes for voting no and understands it is out of their hands now and she is not sure what it will mean to have them come and speak and say she is very much against here. She stated she is an advocate for this community, and she works for the county, children's services, she is a translator for the community and volunteers and work with the community. She stated she went out in the neighborhood where it is going and got a good view of where it is. She found out the day after the last meeting found out talking to the community and talking more and more and if you would take the time to talk to there neighbors, in their language they don't know and what the plans are and what the notices were for and disappointed the way the last meeting was poorly handled and the way it was posted and advertised and she thinks COVID got in the way, it could have been prolonged so everyone could speak and say what they feel and she really believes it was an opportunity to vote when nobody could speak. She went to the last city council meeting and is learning a lot and really thinks they should let everyone speak.

Mr. Willoughby stated the city is not building a tow yard or putting any money into it and encouraged the community to come to the city council meeting and thanked the public for coming out to speak.

CONSENT CALENDAR ITEMS.

A-01. MINUTES APPROVAL

Planning/Historic Preservation Commission Minutes of May 26, 2020, approved as written.

It was moved by Ricci, seconded by Gregorek, to approve the Planning Commission Minutes of May 26, 2020, as written. The motion was carried 5 to 0.

PUBLIC HEARING ITEMS

B. ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-036 AND PCUP19-015: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines**.** The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan

(ALUCP); (APN: 1014-111-08) **submitted by Gracepoint Brethren in Christ Church.**

Ms. Wahlstrom stated this item is being asked to be continued to the next meeting.

PUBLIC TESTIMONY

Applicant Steve Airth stated he was ok to continue to the next meeting.

Becky Knight stated her family has been members of GracePoint church for 14 years. She told a personal story of why GracePoint is so important to her family. She stated their son was getting ready to go to college and had told them that when he graduated, he was not going to church anymore. She stated as parents of faith this worried them and she had heard church plant and talked about people and young adult group and wished my son could know people like this, but as parents of two younger daughters they were worried about making a change. She stated they prayed about it and decided to go and 14 years ago walked in and didn't look back. We were enveloped by people that loved them, and the kids asked to go to their groups, and she wanted to let you know the character of the people at Gracepoint and they have surrounded their kids and every step of the way they have been with their family. She stated that boy that didn't want to go is a youth pastor in Washington and she believes that her children are where they are today because of the people at GracePoint that loved them as they became adults. She stated she understands that a church in the neighborhood is a hard change, but asked that the neighbors look at the church, not as a building, but as people that want to be your neighbors and love them.

Lucy Vasquez stated it is nice to hear that church and God help all of us, but we don't need it in our neighborhood. She stated she doesn't want the traffic and don't want it in our neighborhood, because we are old and can't afford to go and buy another big house somewhere else. She asked them to build the church they want in another place and not in our neighborhood. She is not against church but why in our neighborhood, go to another place. She stated they asked about 5 blocks around our neighborhood and people signed a paper to say we don't want it there because the streets are narrow and we don't want to try. She stated they have lived there for 30 years, and there are enough churches around, we don't need to have it in front of our house. She stated we trust in God, but we trust the people around me and we don't need it, we are happy the way we are. She asked to have them please build in another place where they are welcome.

Gill Aldaco at 1403 S. Dahlia Ave. is within walking distance of the proposed site and is holding his public comments till next month.

Perry Engle at 306 E. Yale St., the Bishop of the Midwest & Pacific Conferences for Grace Brethren church for the past 18 years, and is the direct overseer of the pastor, Steve Airth, and of GracePoint church and has lived in Ontario for 17 years. He stated that Grace Brethren in Christ has been in the United States for almost 200 years and in California since 1906 and the first church in this area is still in existence - Upland Brethren in Christ church. He stated he is not offended if you hadn't heard of them before, because they are not self-promoters and don't grow huge churches. He stated when we outgrow our building we prefer start a new church in a new

community, because we prefer to be smaller and more neighborhood based. He stated he gives direct oversight to 40 churches and their pastors and he has three points that are expected from all the churches: to maintain a neighborhood feel and not become a mega church, to display the character, values and needs of the neighborhood around it, and take personal responsibility to maintain the grounds and care for the street it resides on and being the best neighbors possible He stated he is making a commitment to love our neighbors as ourselves, but to live it out as a philosophy of life and the way we do ministry. He stated that the street he lives on is Yale which they say means "you are loved every day" and this is what we feel as the community and what we feel we want to personal commitment to every community where we have a church, that you are loved every day.

Jeff Keneaster at 2940 S. Cucamonga Ave. stated he and his wife have lived in the city for many years and is in favor of this project and is the worship pastor at GracePoint and GracePoint has been good to him and his family and would argue to the greater community and say a few words to the neighbors. He understands the concerns about who is coming into their neighborhood and he sat at the other community meetings and heard the concerns regarding traffic and noise and he gets it, but if they knew who GracePoint represents and the people that make up their church, it would make their concerns disappear. He would personally love for a church like GracePoint to be on our street - Cucamonga Ave. has cars racing up and down and noisy neighbors, and the reason he would want a church is because he would want a community of people that have my back and would be caring for my family and the neighborhood and gracious people that are a good example to the younger generation, watchful people who are an extra set of eyes, courteous people and people that are invested in supporting the local schools and individuals that are real, humble and gracious. He extended an invitation to go online and check them out or watch a service and stated it isn't their style to pester any of the neighbors, but even if they never connect directly with GracePoint, they will notice that GracePoint will make a positive impact on the community.

Zoila Bautista stated she is against the church in a residential area. She stated that with a pandemic their homes have become their sanctuaries, which makes it even more important to maintain the peaceful environment, but with the church coming in it will interfere with the peaceful feel in the residential area. She stated she has gone to many meetings and stated her opinion on several topics, but she feels that they have made a decision already, so she has a new proposal that they have an 8 foot fichus column to be placed in the horse trail in between Locust and the church, between the two buildings, to add privacy and help with the noise and pollution and be a sound barrier to help maintain their peaceful environment. She stated these trees are evergreen, drought tolerant and readily available and would like the trees planted prior to construction to reduce the dust and help with vehicle fumes and construction equipment fumes and if they are installed tall and dense enough, they will block the view of the church but not the view of the mountains and will prevent the homeless from making an encamping in that area.

Shira Seny at 1517 S. Magnolia Ave., which is across from the proposed project is very concerned about traffic and has added conditions that she sent to the planner with signatures of all the residents on Magnolia, who are opposed to the project. She stated she objects to this controversial project, but if you consider this controversial project, she wants the direction of traffic from church in only two directions, heading east on Jacaranda from Oak St. turn left on Magnolia, then traffic heading west on Jacaranda from Mountain, then turn right on Magnolia, close all traffic coming from Phillips heading south and close all traffic from Francis heading

north, to the church all traffic towards the church, because there is only one entrance and exit as well and Magnolia Ave is too narrow to accommodate the traffic, plus noise and pollution. She would like to add a condition for no parking signs or curbs painted red in front of all the residents on Magnolia, and traffic signals at all the interception. She stated she would like this postponed till after the pandemic, because workers will go in and out. She wanted to know about the incentives to the city or county in considering such a project and about the additional taxes posed to the residents to support this church. She wanted clear answers about zoning of the property and what category is the zoning for church and she needs serious answers regarding these questions. She then presented a letter with signatures of the residents opposed to this project.

Mr. Willoughby stated there will be no monetary value to the city and that staff was available to answer the questions.

Chairman Willoughby left the public testimony portion open

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was unanimously voted (5-0) to continue this item to the July 28, 2020 Planning Commission Meeting.

C. ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-014 AND PDEV19-055: A Tentative Parcel Map (File No. PMTT19-014 / TPM 20170) to merge 12 lots into one parcel in conjunction with a Development Plan (File No. PDEV19-055) to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55) **submitted by Duke Realty.**

Associate Planner Aguilo, presented the staff report. She described the current conditions of the property, the location and surrounding area. She described the site plan, the proposed building, parking, access point, office locations, yard area and the proposed development including the architectural, and landscape elevations. She described the parcel map proposed to consolidate the lots. She described the health risk assessment completed. She stated that staff is recommending the Planning Commission approve File Nos. PMTT19-014 and PDEV19-055, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted to confirm that the truck routes main entry was on Vineyard and Locust and the entry on Elm would be secondary for emergency access only.

Ms. Aguilo stated that is correct.

Mr. Willoughby wanted to clarify that truck could not gain access to the dock area off Elm.

Ms. Aguilo stated that is correct.

Mr. Reyes wanted to know if on the NE corner at Vineyard and Elm there is extra architecture on the buildings and any monumentation signage on the corner or what is proposed for signage.

Ms. Aguilo stated to staff's knowledge only two offices proposed have signage.

Ms. DeDiemar wanted clarification that notification was sent to the 15 residences adjacent to the property. She stated that she understands the staff complies with notification requirements, but sometimes people don't understand what they are receiving and she wanted to know if it is possible to knock doors of these 15 residents and be certain residents understand what is being proposed.

Ms. Wahlstrom stated we follow our notification requirements and treat each project as equitable as possible and that we are looking at additional methods of notification as part of the environment justice requirements as part of the general plan update, but until those methods are researched and policies are adopted, we following best practices to meet state and development code requirements.

Attorney Graham stated the issue we face is ad-hock noticing where one project gets more notice than another and that we want to follow procedures and policies that are consistent throughout all projects.

Ms. DeDiemar stated as development continues within the city, we are becoming a lot more respectful of the needs of others.

Mr. Willoughby stated that he liked that the notices were sent out in English and Spanish and concurs with Mr. Graham that we have to be consistent across the board with every project.

PUBLIC TESTIMONY

Adam Schmid with Duke Realty stated they are really excited about this project with is their first one in Ontario and had a great experience with staff and we do have our team here to answer questions.

Mr. Reyes wanted to know about the architectural elements that showcase the building which you do with glazing and if at the intersection of Elm and Vineyard, what corner elevation and signage are they proposing and how many tenants will there be and how will they market it.

Mr. Schmid stated no tenant has been identified and typically they will use their signage, which would be vetted through city staff and be complimentary to the architecture and go through the regular signage process.

Mr. Colin Phillips with Duke Realty stated they don't have a potential tenant, but Duke Realty is a national company and is publicly traded with a wide variety of possible tenants from logistics and ecommerce, don't know who it will be today but will market it to a large broad audience to get a quality tenant for Ontario.

Mr. Mike Gill with RGA Architects referred to the elevations and stated the top elevation is facing Vineyard with the primary office, main entry and signage area at the southwest corner. The bottom elevation is facing west with the secondary office.

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

Mr. Reyes thanked the staff for the presentation and the applicant for showing detail and get more than a big box, residential area to the north we have all industrial around here and he is glad the building was positioned this way which bring trucking away from residential and the entry on Elm doesn't feed the residential streets and is excited about the landscaping proposed and hoping the applicant would work with staff for some sort of art in front of the building and signage so we are not seeing just industrial stuff , but strive as a city to really look at that.

Mr. Gregorek stated he appreciates staff working with the applicant and putting integrity in the design, the frontage and screening and that he is very pleased, and the elevations look good.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by Reyes, to adopt a resolution to approve the Tentative Parcel Map, File No., PMTT19-014 and the Development Plan, File No., PDEV19-055, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs, Gage. The motion was carried 5 to 0.

D. **ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-005 AND PDEV19-034:** A Variance (File No. PVAR19-005) to deviate from certain minimum Development Code standards, including a reduction in the minimum building and drive-aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive-thru lane setback from a street (G Street) side property line, from 20 feet to 15 feet, in conjunction with a Development Plan (File No. PDEV19-034) to raze an existing In-N-Out Burger drive-thru restaurant and construct of a new and expanded 2,291 square foot In-N-Out Burger drive-thru restaurant on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger.**

Assistant Planner Vaughn presented the staff report. She described the location and the surrounding area, and the history of the property. She described the site plan, ingress and egress, stacking design, surplus parking, patio area, floor plan and landscaping. She stated that staff is recommending the Planning Commission approve File Nos. PVAR19-005 and PDEV19-034, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Reyes wanted to know if any off-freeway signage is proposed, or just building signage.

Ms. Vaughn stated the existing freeway pole sign stays as is but will be updated and refaced.

Mr. Ricci wanted site plan clarification regarding access from pickup area to patio, if there is a walk-way crossing, looks like closed landscaping on the elevations.

Ms. Vaughn stated the pedestrian landing site to pick-up has a striped crosswalk area to either exit the site or go to outside seating area.

PUBLIC TESTIMONY

Ms. Katie Sanchez with In-N-Out Burger stated her appreciation to staff, as this project took a while because they are high maintenance and this project is super important goes back to our roots and the owner was really involved and it meant a lot to the owner to have the retro look tiled roof brick around walkup area, the retro roof sign which represents their two lane stores three grills and 5 fryers, so the flow will be a lot quicker.

Mr. Reyes wanted to know if they are proposing any landscape lighting or lighting for the palms, as this is an important corner to city, which leads to the airport and a really good location and why no indoor seating is proposed.

Ms. Sanchez stated the two lane stores are really important to the owner and this store is #34 and they are really hesitant to get rid of two lane stores, but they are old stores and need to be updated, but they want to keep the respect of the original locations. She stated typically they put up-lighting on the palms and throughout the parking lot and planters.

Mr. Willoughby stated he is a big fan and appreciates sticking with old school look and nice way to improve it .

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

Mr. Reyes stated he is really happy with the expansion which makes it even better and the covered areas and umbrellas, larger seating and parking area, which makes it much easier to get in and out and the landscape plan provided and the heavy landscape offsets the variances.

Mr. Willoughby stated it is a great looking project with a much-improved traffic flow and stacking pattern.

PLANNING COMMISSION ACTION

It was moved by Reyes, seconded by Gregorek, to adopt a resolution to approve the Variance, File No., PVAR19-005, and the Development Plan, File No., PDEV19-034, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci, and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs and Gage. The motion was carried 5 to 0.

E. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-067 AND PCUP19-028:** A Development Plan (File No. PDEV19-067) to construct a 265-room, 157,370 square foot dual branded hotel (Hyatt Place and Hyatt House) and a 5,000 square-foot restaurant pad in conjunction with a Conditional Use Permit (File No. PCUP19-028) to establish and operate the hotel and to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to the establishment's overnight guests or their invitees, on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **submitted by Ontario H Hotel LLC. City Council action is required.**

Associate Planner Aguilo, presented the staff report. She described the location, surrounding area, site plan, shared parking analysis required with the restaurant pad and the completed marketing demand analysis and the hotel meets the minimum amenity requirements and the CUP for the ABC license. She stated that staff is recommending the Planning Commission recommend approval to City Council of File No. PCUP19-028, and approve File No. PDEV19-067, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

No one responded.

PUBLIC TESTIMONY

Mr. Gene Fong the architect for the project appeared and stated they are excited about the project dual hotel is popular now and makes sense for a property, and with the economy now it's ideal to have a dual hotel like this with a single check-in and administration, lobby, food and beverage and outdoor space, meeting space, with a beautiful outdoor area to break out into. He stated Hyatt is a strong brand and excited to be part of the location standards for a dual hotel are up to date and the name is well recognized. He stated his teams is here to answer any questions.

Mr. Gregorek wanted to know if they have any interest for the future restaurant pad at this time.

Mr. Fong stated nothing is secure yet, but the key is to get the hotel started and then the attraction will come.

Mr. Willoughby wanted to clarify if there will be a simple breakfast area.

Mr. Fong stated yes, the Hyatt Place and Hyatt House extended stay will have a shared kitchen breakfast together where they can even make an omelet for them slide through window. The idea is to have offerings to attract the guess and to provide what they need and when breakfast is over have a grab and go option.

Mr. Willoughby wanted to know if there would be a small bar.

Mr. Fong stated yes there will be one.

Mr. Willoughby wanted to clarify that the 315 parking spaces required includes those for the future restaurant.

Ms. Aguilo stated that is correct.

Mr. Willoughby wanted to clarify that 293 parking spaces were being provided for the hotels.

Ms. Aguilo stated that is correct.

Mr. Reyes wanted to clarify on the site plan if the area north of the plaza place with seating if that is the breakout area.

Mr. Fong stated that the front small outdoor area is a smoker area and the breakout area is to the left of the pool and the meeting space, which is typical for small gatherings or weddings.

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

Mr. Reyes stated he likes the layout and the site amenities in the pool area and the front of the hotel. He also likes the extra care in the outside lounge area with fire pits and fencing to the pool, and the separate areas will mix well and the landscape plan has parking lot trees to provide shade for guests, with the enhanced paving and the entrance is welcoming and these make a difference and he appreciate the efforts.

Mr. Willoughby stated the staff did a great job and he likes the dual brand.

PLANNING COMMISSION ACTION

It was moved by Ricci, seconded by DeDiemar, to recommend adoption of a resolution to approve the Conditional Use Permit, File No., PCUP19-028, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs, Gage. The motion was carried 5 to 0.

It was moved by Ricci, seconded by DeDiemar, to adopt a resolution to approve the Development Plan, File No., PDEV19-067, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Reyes, Ricci and Willoughby; NOES, none; RECUSE, none; ABSENT, Downs, Gage. The

motion was carried 5 to 0.

F. **ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-026 AND PCUP19-010**: A Development Plan (File No. PDEV19-026) to construct a 6,000 square foot convenience store in conjunction with fuel sales, and a Conditional Use Permit (File No. PCUP19-010) to establish retail commercial land uses and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. 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 State 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: 0113-361-54) **submitted by Virender Jain.**

Mr. Reyes recused himself, as his company is working on the project.

Associate Planner Chen presented the staff report. He described the location and the surrounding area, the site plan including the subdivision, ingress and egress, landscape, floor plan, parking, architecture and design. He stated notifications were sent out and no responses were received to date. He stated that staff is recommending the Planning Commission approve File Nos. PCUP19-010 and PDEV19-026, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval.

Mr. Willoughby wanted to clarify if the parking to the south is required for the parking for this project.

Mr. Chen stated yes that area is required to meet the parking.

Mr. Willoughby wanted to know if the gas islands are included as part of the 36 spaces.

Mr. Chen stated that is correct.

Mr. Willoughby wanted to know where the 36 spots are coming from.

Mr. Chen stated they are part of a shared parking agreement and the spots go all the way down and to the east.

Mr. Willoughby wanted to know how that will impact the existing industrial to the south, that are currently using that parking area.

Mr. Chen stated he doesn't think it will as there is ample parking and the whole site has a shared parking agreement.

Mr. Willoughby wanted to clarify that all of the buildings seen on the site plan are part of the same shared parking agreement and those buildings have an excess of parking and this won't impact them.

Mr. Chen stated that is correct.

Mr. Willoughby wanted to clarify that the Acacia access was right in and out only.

Mr. Chen stated that is correct.

Mr. Willoughby wanted to know if a customer was going southbound on Grove and he gets his gas, how would he access southbound Grove Ave. again.

Mr. Chen stated the only way out would be to make a right out onto Acacia and then make a U-turn at some point on Acacia to come back to Grove to proceed southbound.

Mr. Willoughby wanted to know if traffic had looked at this, as it looks like a huge potential problem.

Mr. Zeledon stated that traffic engineering did review it and they restricted the left turn because of the closeness to the corner. He stated that most likely people will turn left, but they should go down further to make a U-turn to get back to Grove. He stated that Grove will also be right in and out, but in the center there is no median yet so they could go left to the center area for now and Grove is also designed for the fuel trucks to go in and out.

Mr. Willoughby stated that his bank is on the next corner and he sees cars making left turns all the time.

Mr. Zeledon stated originally the applicant wanted the driveway closer to the corner, but when working with traffic they pushed the Acacia driveway east as far as possible to avoid the queuing and the line of sight.

Mr. Willoughby wanted to know if they can put anything in the median to detour left turns.

Mr. Zeledon stated typically they don't like to do that but traffic engineering was comfortable with pushing the driveway east as much as possible and doing right only.

Assistant City Engineer Lee stated first satisfied our access guidelines so we thought this was the best we could do to push it to east of the project. He stated that people will probably make a safe left turn, but to put a porkchop or a physical barrier it creates its own problems with people hitting on the porkchop people complain about it. He stated they can look at the site plan again if you would really like to see a porkchop there.

Mr. Willoughby stated he understands that the barriers would bring their own problems and he was just trying to eliminate issues before they happen.

Mr. Ricci wanted to clarify that the intersection on Grove travelling north bound, that a U-turn at Acacia can be made.

Mr. Chen stated yes, they can make a U-turn at the corner on Grove.

PUBLIC TESTIMONY

Mr. Virender Jain with Gold nest, Inc stated they will be having the national brand 7-eleven and 76 for now but don't know what the other spots will be and that on the south side there is another spot to get out to go southbound so there are two exits and they have combined circulation around the building and parking.

Mr. Willoughby wanted to clarify that no other tenant is confirmed for the other units and that 7-eleven would be offering the normal hot food options.

Mr. Jain stated that is correct.

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

There was no Planning Commission deliberation.

PLANNING COMMISSION ACTION

It was moved by Gregorek, seconded by DeDiemar, to adopt a resolution to approve the Conditional Use Permit, File No., PCUP19-010, and the Development Plan, File No., PDEV19-026, subject to conditions of approval. Roll call vote: AYES, DeDiemar, Gregorek, Ricci, and Willoughby; NOES, none; RECUSE, Reyes; ABSENT, Downs, and Gage. The motion was carried 4 to 0.

MATTERS FROM THE PLANNING COMMISSION

Old Business Reports From Subcommittees

Historic Preservation (Standing): This subcommittee met on June 11, 2020.

- Landmark designation and tier determination and discussion on resource report and Model Colony Awards

.

New Business

- Nominations for Chairman and Vice Chairman

DeDiemar nominated Willoughby to remain the Chairman. Willoughby recused. Nomination passed unanimously 4 – 0.

Ricci nominated DeDiemar to remain as Vice-Chairman. DeDiemar recused. Nomination passed unanimously 4 - 0.

NOMINATIONS FOR SPECIAL RECOGNITION

None at this time.

DIRECTOR'S REPORT

Ms. Wahlstrom stated she had received Mr. Downs' resignation letter on June 22 and wants to honor his time not only here but on the other boards as well, like the museum board and the years of announcing the 4th of July parade, at some point during this pandemic and she highlighted some comments from his letter that stated he really had fun and it gave him a sense of purpose and a source of pride to service on this commission.

Mr. Willoughby stated Mr. Downs will be missed and wished him well during his recovery, and we will find a way to honor him.

ADJOURNMENT

Gregorek motioned to adjourn, seconded by Ricci. The meeting was adjourned at 9:12 PM.

_____
Secretary Pro Tempore

_____
Chairman, Planning Commission

CITY OF ONTARIO
MEMORANDUM

TO: **Chairman and Members of the Planning Commission**

FROM: **Cathy Wahlstrom, Planning Director** PP FOR CW

DATE: **July 28, 2020**

SUBJECT: **ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-049:** A Development Plan to construct 30 multiple-family residential units on 1.22 acres of land located at 855 South Benson Avenue, within the HDR-45 (High Density Residential - 25.1 to 45 DU/ac) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN: 1011-361-01) **Submitted by Creative Design Associates.**

Staff is recommending that the above-described item be continued to the August 25, 2020, Planning Commission meeting, to allow staff additional time to verify the purpose of an existing on-site easement.

PLANNING COMMISSION STAFF REPORT

July 28, 2020

FILE NO.: PDEV20-004

SUBJECT: A Development Plan to construct 100 single-family residential units (8-pack cluster), 114 multiple-family residential units (6-plex row townhomes), and 120 multiple-family residential units (12-plex courtyard townhomes) on 79.7 acres of land located at the northeast corner of Schaefer and Haven Avenues, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan; (APN: 218-161-01) **submitted by LS-Ontario II, LLC.**

PROPERTY OWNER: LS-Ontario II, LLC.

RECOMMENDED ACTION: That the Planning Commission consider and approve File No. PDEV20-004, pursuant to the facts and reasons contained in the staff report and attached resolution, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 79.7 acres of land located at the northeast corner of Schaefer and Haven Avenues, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan, and is depicted in Figure 1: Project Location, to the right. The project site was historically utilized for agricultural dairy purposes. The site has been cleared of any structures utilized for agricultural purposes and is presently vacant. The natural vegetation and soil conditions that once occurred throughout the project area have been significantly altered through agricultural activities, leaving little to no native vegetation. There is an existing 300-foot-wide SCE Easement located along the southern property line that contain a few (115kV) transmission towers that are 180 feet tall. The existing surrounding land uses, zoning, and general plan and specific plan land use

Figure 1: Project Location

Case Planner:	Lorena Mejia
Planning Director Approval:	
Submittal Date:	2-25-2020

Hearing Body	*Date*	*Decision*	*Action*
DAB	7-20-2020	Approved	Recommend
PC	7-28-2020		Final
CC			

designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

[1] Background — On December 4, 2007, the City Council approved the Rich Haven Specific Plan (File No. PSP05-004) and certified the Environmental Impact Report (EIR) for the Specific Plan. The Specific Plan established the land use designations, development standards, and design guidelines for approximately 512 acres of land, which included the potential development of 4,256 residential units and 889,200 square feet of commercial/office.

In 2010, The Ontario Plan ("TOP") was adopted by the City Council. TOP Policy Plan (General Plan) Land Use Plan (Policy Plan Exhibit LU-01) changed the land use designations within certain areas of the Rich Haven Specific Plan. To bring the Rich Haven Specific Plan into conformance with TOP Policy Plan, an amendment to the Rich Haven Specific Plan (File No. PSPA16-001) was processed and approved by the Ontario City Council on March 15, 2016. The Amendment included updates to the Rich Haven Specific Plan Land Use Plan, the housing product types, exhibits, and language, to reflect the proposed land use changes and overall TOP Policy Plan consistency.

On April 23, 2019, the Planning Commission approved four Tentative Tract Maps, one "A" Map (File No. PMTT17-013 /TTM 20134) and three "B" Maps (PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137). Tentative Tract Map File No. PMTT17-013/TT20134 ("A" Map) subdivides 80.61 gross acres of land into 15 numbered lots and 15 lettered lots for residential, public/private streets, landscape neighborhood edges, and common open space purposes, to facilitate the construction of three residential product types, including 8-pack cluster homes, row townhomes, and courtyard townhomes. The three "B" Maps were processed concurrently with the "A" Map for the western half of the Project site, which are further described below:

- ***PMTT17-014/TTM 20135.*** The "B" Map subdivided 6.22 acres of land into 10 numbered lots and 13 lettered lots for residential, private streets, and condominium purposes. The map allows for the development of the courtyard townhomes located along Haven Avenue.

- ***PMTT17-015/TTM 20136.*** The "B" Map subdivided 8.52 acres of land into 100 numbered lots and 20 lettered lots for residential, private streets, and landscape neighborhood edges. The map allows for the development of the 8-pack clusters that are located near the northwest corner of the Project site, east of the courtyard townhomes.

- ***PMTT17-016/TTM 20137.*** The "B" Map subdivided 9.10 gross acres of land into 18 numbered lots and 12 lettered lots for residential, alleys, drive aisles, and parking. The map allows for the development of row townhomes that are

located near the southwest corner of the Project site, north of the SCE Easement.

On June 4, 2019, the City Council approved a Development Agreement (File No. PDA18-005) to facilitate the infrastructure improvements serving the Project site, which will be completed in two phases. Phase 1 includes the western half of the site and facilitates the development of the three "B" Maps. Phase 2 will develop the eastern half of the site and require subsequent "B" Maps to be processed and approved.

On February 25, 2020, the applicant submitted a Development Plan application to develop the western half of the Project site, west of Twinkle Avenue. The proposed community will have a mid-century modern theme that will be represented in the community street names, building architecture, community signage, and overall site design.

On July 20, 2020, 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. The proposed project's pertinent site and development statistics are listed in the Technical Appendix of this report.

[2] Site Design/Building Layout/ Architecture — The proposed Development Plan is to facilitate the construction of 334 residential units, including the 6-plex row townhome, 8-pack cluster, and the 12-Plex courtyard townhome product types that are further discussed below:

[a] ***6-Plex Row Townhomes*.** The row townhomes are located along the southern portion of the Project site, adjacent to the SCE Edison Easement and include lots 1 thru 12 of Tentative Tract Map 20137 (see Exhibit B—Site Plan (6-plex Row Townhomes), attached). The row townhome product proposes 19 six-unit complexes, for a total 114 multiple-family units that includes three floor plans and one modern Spanish architectural style. The proposed floor plans consist of the following:

- Plan 1: 1,770 total SF (1,317 living SF), 2 bedrooms, 2 baths, and two-car garage
- Plan 2: 1,954 total SF (1,486 living SF), 3 bedrooms, 2.5 baths, and two-car garage
- Plan 3: 2,073 total SF (1,612 living SF), 3 bedrooms, 3 baths, and two-car garage

The proposed multiple-family row townhome products have garage access from a private lane, with the main entrances of the units fronting the street or paseo (see Exhibit B1—6-Plex Row Townhomes Typical Plotting, attached). The paseos will be landscaped with accent trees, provide landscape planters, feature enhanced entries for street adjacent

paseos, and include private patios with 3.5-foot high walls for each unit to provide visual interest and promote pedestrian mobility.

All plans incorporate design features such as horizontal and vertical building articulation, varied entry designs, private patios, and second floor laundry facilities. All homes will have a two-car garage, and to minimize the visual impact of garages, the applicant proposes access off a private lane that includes varied massing, second story projections over garages, recessed garage doors, landscaped finger planters, and varied roof lines.

The Project proposes a modern Spanish architectural style and incorporates modern materials and design elements that include (see Exhibit B2—6-plex Row Townhomes Elevations, attached):

- A combination of asymmetrical and simple parapets and shed roofs with composite shingles
- First and second-story pop-out features with metal awnings over second-story recessed windows
- Smooth sand finish stucco exterior (16/20) with accent blocks of horizontal siding and color blocking to accentuate the building's pop-out features
- Square and arched entry openings, complementary modern-styled doors with glass insert, painted with bright accent colors

[b] ***8-Pack Cluster Homes*.** The 8-pack cluster homes are concentrated along the center and northern portion of the Project site and include lots 1 thru 100 of Tentative Tract Map 20136 (see Exhibit C—Site Plan 8-Pack Cluster Homes, attached), for a total of 100 single-family homes. Each cluster lot has minimum exterior dimensions of 140 x185 feet and is divided into eight lots, which range from 2,700 to 4,459 square feet in area. The 8-pack cluster product is characterized by a private lane constructed with decorative pavers that provides both garage and front entry access to each unit. There are four distinct floor plans proposed for each cluster, with three elevations per plan. Each unit was designed to incorporate an 18-foot minimum driveway in addition to the required 2-car garage, providing a total of four parking spaces for each unit (see Exhibit C1—8-Pack Cluster Homes Typical Plotting, attached). The proposed floor plans are further described below:

- Plan 1 (Center Lots): 2,301 total SF (1,863 living SF), 3 bedrooms, loft, 2.5 baths, and two-car garage.
- Plan 2 (Center Lots): 2,379 total SF (1,948 living SF), 4 bedrooms, loft, 3 baths, and two-car garage.
- Plan 3 (Front Street Facing Lots): 2,563 total SF (2,132 living SF), 4 bedrooms, loft, 3 baths, and two-car garage.
- Plan 4 (Rear Lots): 2,601 total SF (2,171 living SF), 4 bedrooms, bonus room, 3 baths, and two-car garage.

In an 8-pack cluster configuration, not all front building elevations are visible from the public street. Plan 3 units are oriented toward the public street, with front entry and walk facing the street and garage access taken from the private lane. The floor plan is configured with the living areas oriented toward the street and private yards.

Plan 1 and 2 units, the center lots, front onto the private lane, with front door and garage access to the unit taken from the private lane. The floor plan has the living areas oriented toward the private yards, and feature use easements that extend the side yard areas toward the adjacent lot, creating a more useable yard area.

Plan 4, the rear lots, feature a long, rectangular shaped floor plan, with the front entry and garage access taken from the private lane.

The development meets the minimum setback standards of the Specific Plan. The varied entryways in combination with the various architectural styles create an attractive diverse streetscape along both the private lane and the public street. Enhanced architectural treatment was required for properties located on corner lots and for units adjacent to public streets. All four plans have an open concept, with the main living and kitchen areas oriented towards the rear yards, providing opportunities to extend the living areas into outdoor patio rooms.

There are three modern architectural styles proposed for the 8-pack Cluster homes, including a Modern Spanish, California Modern, and Mid-Century Modern, which incorporate the following features/elements (see Exhibit C2—8-Pack Cluster Homes Elevations, attached):

- ***Modern Spanish.*** A combination of gable and shed roofs with composite shingles; asymmetrical parapets and angled roof lines; first and second-story pop-out features; smooth sand finish stucco exterior (16/20); enhanced square and arched entry openings treated with horizontal siding or color blocking; recessed windows with metal awnings; square and rectangular window configurations; and color blocking.

- ***California Modern.*** A combination of gable roofs with composite shingles and asymmetrical parapets; first and second-story pop-out features; smooth sand finish stucco exterior (16/20); enhanced square entry openings with accent horizontal siding or color blocking; recessed windows with metal awnings; square and rectangular window configurations; and front entry doors and garage doors with accent windows to complement the modern architectural style.

- ***Mid-Century Modern.*** A combination of angled and gable roofs with composite shingles; asymmetrical parapets; each square entryway is treated with a stone veneer and complementing brightly colored door, which has an off-centered narrow rectangular glass insert; metal awnings over the main entrance and

second story windows; first and second story pop-out features; horizontal siding and smooth sand finish stucco exterior (16/20); square and rectangular recessed windows; and garage doors with accent windows to complement the Mid-Century Modern architectural style.

[c] ***12-Plex Courtyard Townhomes.*** The courtyard townhomes are located along Haven Avenue and include lots 1 thru 10 of Tentative Tract Map 20135 (see Exhibit D—Site Plan 12-Plex Courtyard Townhomes, attached). The courtyard townhomes product proposes ten 12-unit complexes, for a total of 120 multiple-family units, that includes five floor plans and one California Modern architectural style. The proposed floor plans are further described below:

- Plan 1: 1,210 total SF (949 living SF), 1 bedroom, 1.5 bath, and one-car garage.
- Plan 2: 1,578 total SF (1,102 living SF), 2 bedrooms, 2.5 baths, and two-car garage.
- Plan 3: 1,647 total SF (1,183 living SF), 2 bedrooms, 2.5 baths, and two-car garage.
- Plan 4: 1,944 total SF (1,486 living SF), 3 bedrooms, 2.5 baths, and two-car garage.
- Plan 5: 1,974 total SF (1,511 living SF), 3 bedrooms, 2.5 baths, and two-car garage.

The proposed courtyard townhome product has garage access from an auto court, with main entrances of units fronting the street or a paseo. The primary access into each unit will be from a paseo landscaped with accent trees and landscaped planters to provide visual interest and promote pedestrian mobility (see Exhibit D1—12-Plex Courtyard Townhomes Typical Plotting, attached).

All plans incorporate various design features such as horizontal and vertical building articulation, varied entry designs, private patios, second floor laundry facilities, and second floor balconies. All homes will have a two-car garage, with the exception of Plan 1, which will have a one-car garage. To minimize the visual impact of garages, the applicant proposes access off an auto court, along with varied massing, second story projections over garages, recessed garage doors, landscaped finger planters, and varying parapet and shed roof lines.

A California Modern architectural style is proposed for the courtyard townhomes which incorporates a varying parapet roofline; first and second story pop-out features; smooth sand finish stucco exterior (16/20) with accent horizontal siding; square entry openings with horizontal siding or color blocking; recessed windows with metal awnings; and bright colored front entry doors with accent glass inserts to complement the modern architectural style

[3] Site Access/Circulation — The previously approved related Tentative Tract Maps, facilitated the construction of the backbone streets, internal public/private streets, and

primary access points into Project site, from Haven Avenue to the west and Twinkle Avenue to the south, that connects to an adjacent residential community that is presently under construction (New Haven – Canvas Park).

[4] Parking — A parking plan was completed for the previously approved Tentative Tract Map to demonstrate there is sufficient parking throughout the Project site at build-out. The overall Tract Map's proposed product types would require a total of 1,588 parking spaces, in which 1,316 of those parking spaces would be provided within a garage. The parking plan demonstrated that a total of 2,368 spaces will be provided, exceeding the minimum requirements by 780 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveway parking, and parking within the private drive aisles. The parking plan demonstrated that there will be an average of 3.4 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking at build-out. The proposed Development Plan is consistent with the previously approved parking plan and the requirements for each product type are further discussed below:

[a] ***6-Plex Row Townhomes.*** Parking requirements for the attached product are consistent with the Rich Haven Specific Plan, requiring 1.75 spaces (one within a garage) for one-bedroom units, two spaces (one within a garage) for two-bedroom units, and 2.5 spaces (two within a garage) for three or more-bedroom units. Visitor parking is required at the rate of one space for every six units. The proposed product type is required to provide 283 parking spaces and is providing 338 parking spaces. Each unit will provide a two-car garage for a total of 228 enclosed parking spaces. Four of the proposed Row townhome buildings will provide a two-car driveway for each unit, totaling 48 unenclosed driveway parking spaces. Additionally, the Project is providing 62 uncovered parking spaces within the parcels private drive aisles. The Project is required to provide 19 visitor parking spaces that will be provided within the driveways and private drive aisles. Based on the Rich Haven Specific Plan parking requirements, the Project will be over parked by 55 spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

Product Type (No. of Units)	***Req. Parking Per Unit***	***Req. Guest Parking***	***Total Req. Parking***	***Garage Space Provided***	***On-Street/ Drive-Aisle Driveway Parking Spaces***	***Total Provided***
Row Townhome - 2 Bedrooms (38 Units)	2 – Including one-car garage (76 spaces)	one space per 6 units (6 spaces)	82	2-car garage (76 spaces)	16 Driveway	92
Row Townhome - 3 Bedroom (76 Units)	2.5 – Including one-car garage (188 spaces)	one space per 6 units (13 spaces)	201	2-car garage (152 spaces)	32 Driveway 46 Drive aisle 16 On-Street	246
Totals (114 Units)	**264 spaces**	**19**	**283**	**228**	**110**	**338**
					2.9 spaces per unit	

[b] ***8-Pack Cluster.*** The Rich Haven Specific Plan requires a two-car garage for each single-family home, which each unit provides. Additionally, each plan will also provide a driveway that accommodates two additional parking spaces per unit. Based on the Rich Haven Specific Plan parking requirements, the Project will be over parked by 200 parking spaces (see Parking Summary shown below), providing more than adequate parking on-site to accommodate visitors and residents of the proposed development.

Product Type (No. of Units)	*Req. Parking Per Unit*	*Req. Guest Parking*	*Total Req. Parking*	*Garage Space Provided*	*Driveway Parking Spaces*	*Total Provided*
Cluster (100 Units)	2 –car garage (200 spaces)	N/A	200	200	200	400
Totals (100 units)	**200 spaces**	**N/A**	**200**	**200**	**200**	**400**
					4 spaces per unit	

[c] ***12-Plex Courtyard Townhome.*** Parking requirements for the attached product are consistent with the Rich Haven Specific Plan, requiring 1.75 spaces (one within a garage) for one-bedroom units, 2 spaces (one within a garage) for two-bedroom units, and 2.5 spaces (two within a garage) for three or more-bedroom units. Visitor parking is required at the rate of one parking space for every six units. The proposed courtyard townhomes are required to provide a total of 285 parking spaces and 292 parking spaces are being provided (see Parking Summary shown below). Each complex will provide 22 garage spaces, for a total of 265 covered parking spaces. The Project is providing 27 uncovered parking spaces within the parcels private drive aisles. Furthermore, the Project is providing a surplus of 7 spaces within its project parcels, independent of the additional parking spaces provided throughout the overall tract.

Product Type (No. of Units)	*Req. Parking Per Unit*	*Req. Guest Parking*	*Total Req. Parking*	*Garage Space Provided*	*On-Street/ Drive Aisle/ Driveway Parking Spaces*	*Total Provided*
Courtyard Townhome - One Bedroom (20 Units)	1.75 – Including one-car garage (35 spaces)	one space per 6 units (3 spaces)	38	one-car garage (20 spaces)	57 Drive-aisle 15 On-street	92
Courtyard Townhome - 2 Bedrooms (40 Units)	2 – Including one-car garage (80 spaces)	one space per 6 units (7 spaces)	87	2-car garage (80 spaces)	N/A	80
Courtyard Townhome - 3 Bedrooms (60 Units)	2.5 – Including one-car garage (150 spaces)	one space per 6 units (10 spaces)	160	2-car garage (120 spaces)	N/A	120
Totals (120 units)	**265 spaces**	**28**	**285**	**220**	**130**	**292**
					2.4 spaces per unit	

[5] Landscaping/Open Space — The previously approved Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 4.7 acres of parkland to meet the minimum TOP private park requirement. The approved Tentative Tract Map included a central neighborhood park comprised of two parcels totaling 2.05 acres, a 1.26-acre secondary neighborhood park located within the eastern half of the site, a 0.64-acre pocket park located on the western half of the site, and a 1.00-acre dog park located along the eastern property line, for a total of 4.95 acres, exceeding the minimum park requirements. The pedestrian circulation system provides connectivity to the parks, residential neighborhoods, the SCE Edison trail that runs east-west along the southern boundary of the Project site, an 8-foot wide multi-purpose trail that runs north-south adjacent to Mill Creek Avenue, and connectivity to the surrounding communities. Future park designs and amenities located on the eastern half of the tract will be addressed as part of the Development Plan entitlement process that will require consistency with the Rich Haven Specific Plan. This Development Plan includes the development of the parks and amenities for the western half of the tract, which are further described below (see Exhibit E—Landscape Plan, attached):

- ***Central Park.*** The applicant is proposing to construct the western half of the central park, totaling 1.36 acres in size. The central park is divided into two general areas and will include a passive turf area and dog park. The open turf area incorporates activity earthen mounds, accent boulders, shade trees, and picnic areas. The dog park is further divided into two areas to separate the small dog area from the large dog area, and incorporates benches located underneath shade trees (see Exhibit E1—Central Park, attached).

- ***Pocket Park.*** The pocket park is 0.64-acre in size and will feature a lap pool, a children's pool, a large group spa, a multi-synthetic turf area with cornhole games and pool lounge seating, multiple seating/lounge areas, a restroom building with shower area and storage, having a Mid-Century Modern architectural design, a BBQ area with a recessed television, ping pong and foosball tables, and several trellis structures (see Exhibit E2—Pocket Park, attached).

- ***SCE Edison Trail.*** The western half of the SCE Edison trail will be improved with a 30-foot wide multi-purpose trail incorporating an 8-foot wide decomposed granite meandering path (see Exhibit E3—SCE Easement Trail, attached).

The row and courtyard townhomes will feature landscaped parkways and interior landscaped paseos, which include accent trees and 3.5-foot high decorative patio walls with entry gate designs that will complement the architectural style of each corresponding unit. The private lanes and auto courts are designed with finger planters to soften the massing of the garages. The landscape installation will be the responsibility of the builder and maintenance will be the responsibility of the homeowner's association.

The cluster product will be provided with front yard/private lane courtyard landscaping (lawn, shrubs, and trees) and an automatic irrigation system to be installed by the developer. The homeowner will be responsible for all rear yard landscape improvements.

[6] CC&R's — The previously approved related Tentative Tract Map required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site, to ensure on-going maintenance of the common areas and facilities.

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

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Maintain the Current High Level of Public Safety
- Operate in a Businesslike Manner
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the New Model Colony

[2] Vision.

Distinctive Development:

- Commercial and Residential Development

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

[3] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision.

[4] Policy Plan (General Plan)

Land Use Element:

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

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

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

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

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

Housing Element:

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

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

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

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

➢ H5-2 Family Housing. We support the development of larger rental apartments that are appropriate for families with children, including, as feasible, the provision of services, recreation and other amenities.

Community Economics Element:

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

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

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

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

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

- 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 is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (334) and density (11.8 DU/AC) specified in the Available Land Inventory.

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The environmental impacts of this project were previously reviewed in conjunction with File No. PSP05-004, an Addendum for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007. This Application introduces no new significant

environmental impacts. All previously adopted mitigation measures are a condition of project approval and are incorporated herein by this reference.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant/SCE Transmission Line Corridor	(MDR) Medium Density Residential (11.1 – 25 DU/AC) & (OS-NR) Open Space – Non-Recreation	Rich Haven Specific Plan	Planning Areas – (Small Lot SFD) 5A & 5C (12.1 – 18 DU/AC) Planning Area – (Edison Easement) 5E
North	Vacant	(OS) Open Space – Parkland & (LMDR) Low Medium Density Residential (5.1 – 11 DU/AC)	Rich Haven Specific Plan	Planning Areas – (Small Lot SFD) 4C (5.1 -12 DU/AC) & Planning Area 3 (Park)
South	Residential Subdivision Under Construction & Mass Graded	Mixed Use	Rich Haven Specific Plan	Mixed Use District PA 6A & 6B (Mixed-Use Stand-Alone Residential Overlay)
East	SCE Substation	Business Park	Specific Plan (Agricultural Overlay)	N/A
West	Residential Subdivision	(LDR) Low Density Residential (2.1 – 5 DU/AC) & (PS) Public School	West Haven Specific Plan	Planning Area 8 – Residential (4,250 SF Lots)

General Site & Building Statistics – 8-Pack Cluster:

Item	*Required Min./Max.*	*Provided (Ranges)*	*Meets Y/N*
Maximum coverage (in %):	65%	26%-49%	Y
Front yard setback (in FT):	Street: 10’ Private Drive: 5’	Street: 10’ – 15’ Private Drive: 5’ – 8’	Y
Side yard setback (in FT):	4’	4’	Y
Rear yard setback (in FT):	5’	5’	Y
Maximum height (in FT):	35’	28’	Y

General Site & Building Statistics – Row and Courtyard Townhomes:

Item	*Required Min./Max.*	*Provided (Ranges)*	*Meets Y/N*
Maximum coverage (in %):	60%	44% – 58%	Y
Front yard setback (in FT):	Street: 10’ Private Drive: 5’	Street: 10.5’ – 25’ Private Drive: 7.5’- 22’	Y
Building Separation (in FT):	Rowtown: 25’ Courtyard: 30’	Rowtown: 32’ Courtyard: 30’- 31’	Y
Garage to Garage setback (in FT):	Rowtown: 30’ Courtyard: 30’	Rowtown: 30’ Courtyard: 30’	Y
Maximum height (in FT):	35’	Rowtown: 31’ Courtyard: 32’-9”	Y

Exhibit A—PROJECT LOCATION MAP

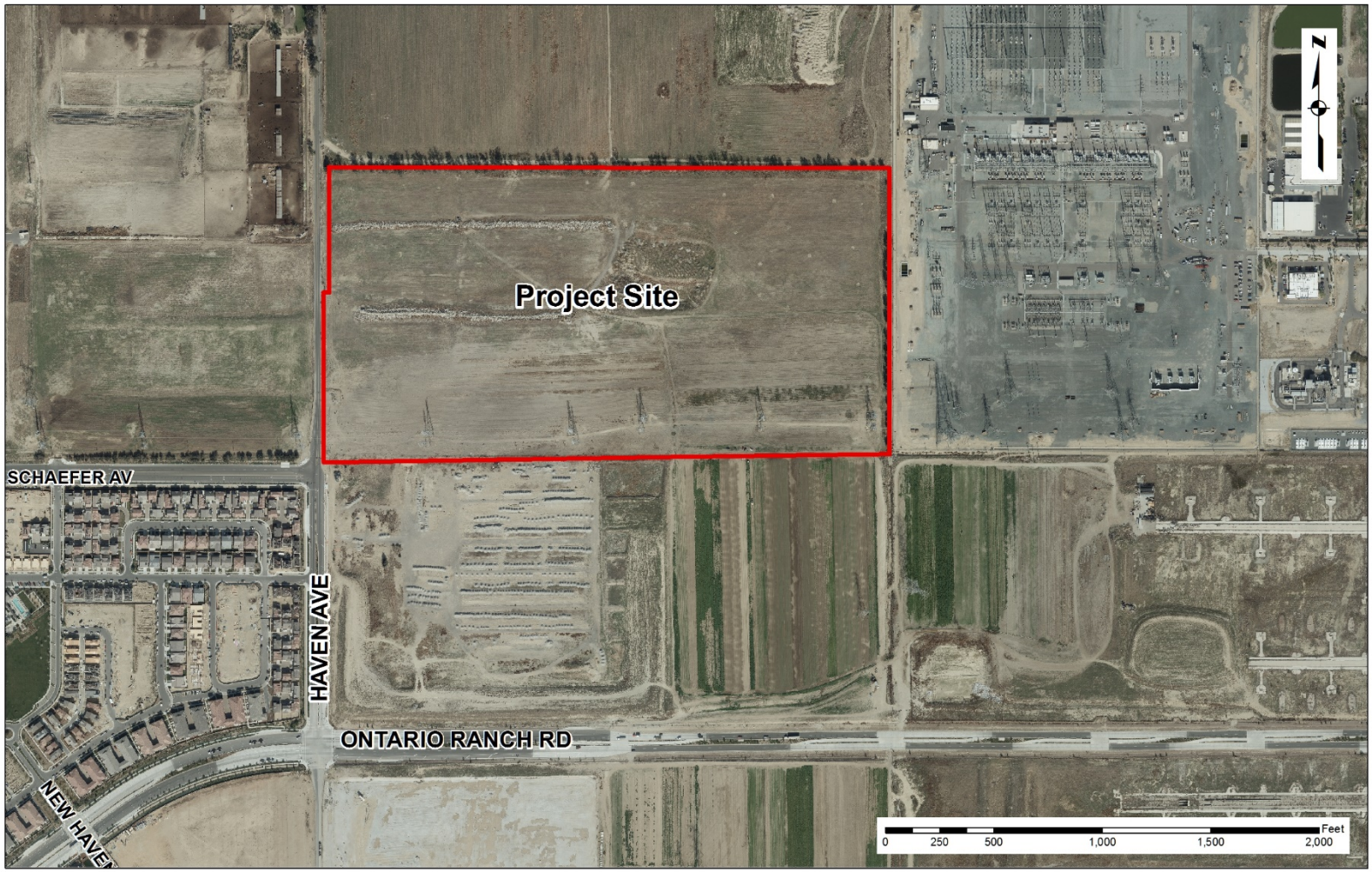


Exhibit B—SITE PLAN (6-PLEX ROW TOWNHOMES)

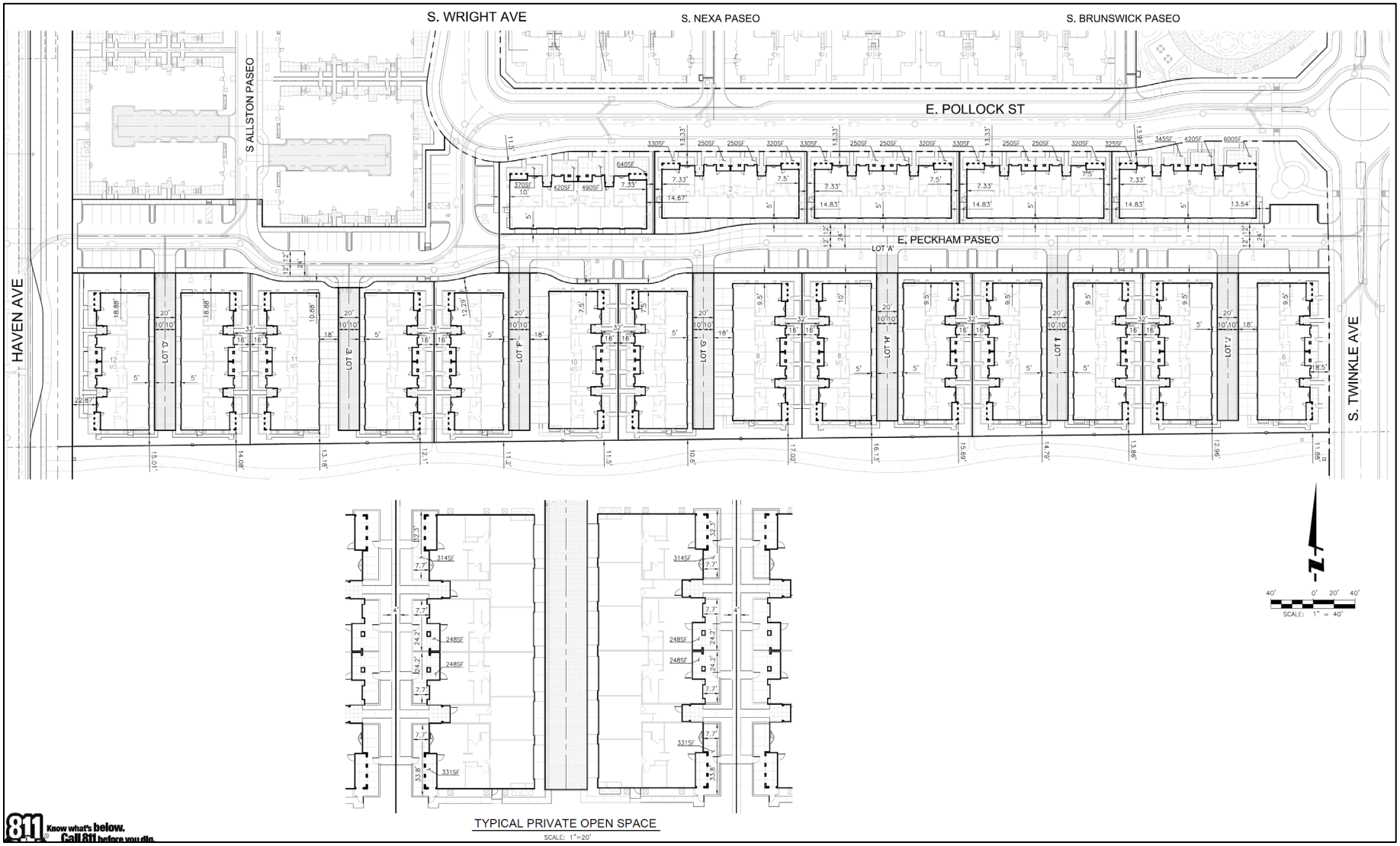


Exhibit B1—6-PLEX ROW TOWNHOMES TYPICAL PLOTTING

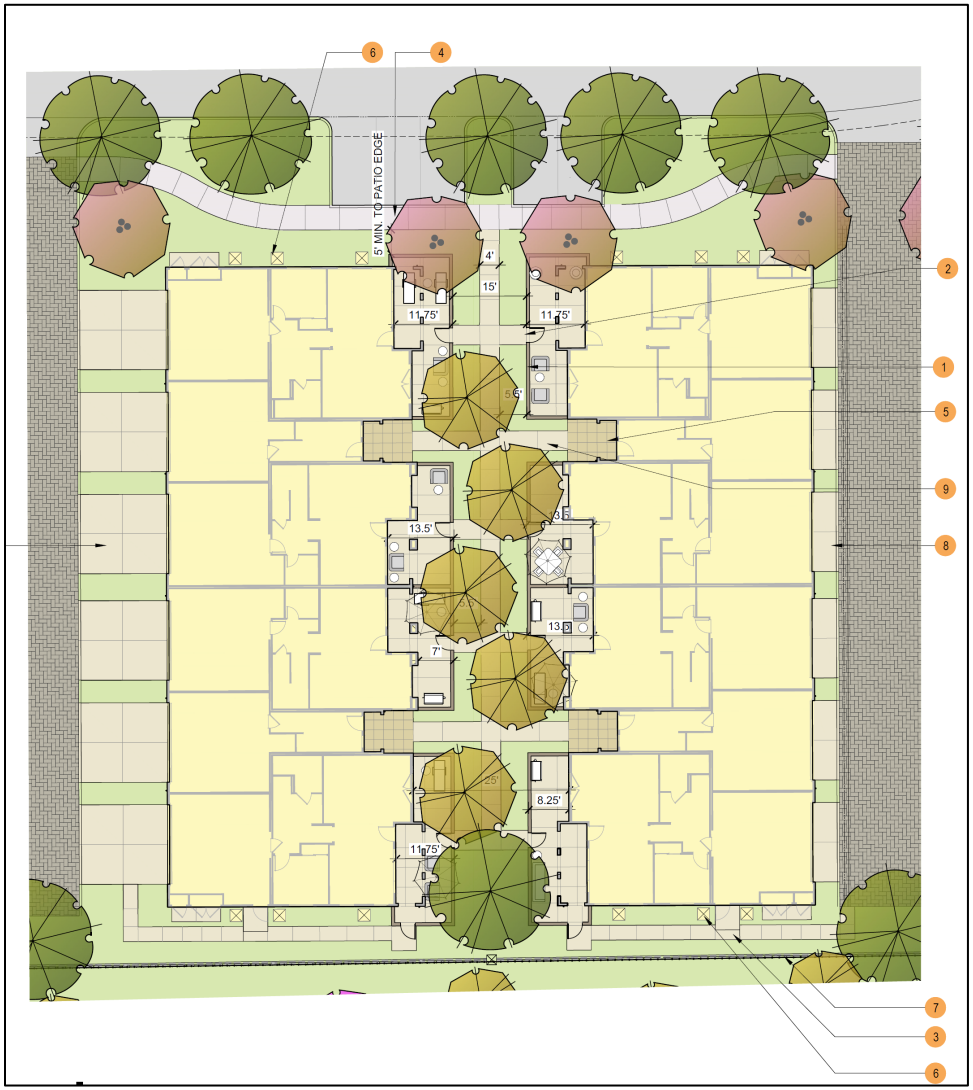


Exhibit B2—6-PLEX ROW TOWNHOME ELEVATIONS

Front Elevation – Paseo/Street Facing

Exhibit B2—6-PLEX ROW TOWNHOME ELEVATIONS CONTINUED

Rear Elevation – Private Drive Facing

Exhibit B2—6-PLEX ROW TOWNHOME ELEVATIONS CONTINUED

Right and Left Elevations – SCE Easement and Private Street Facing

EXHIBIT C — SITE PLAN 8-PACK CLUSTER HOMES

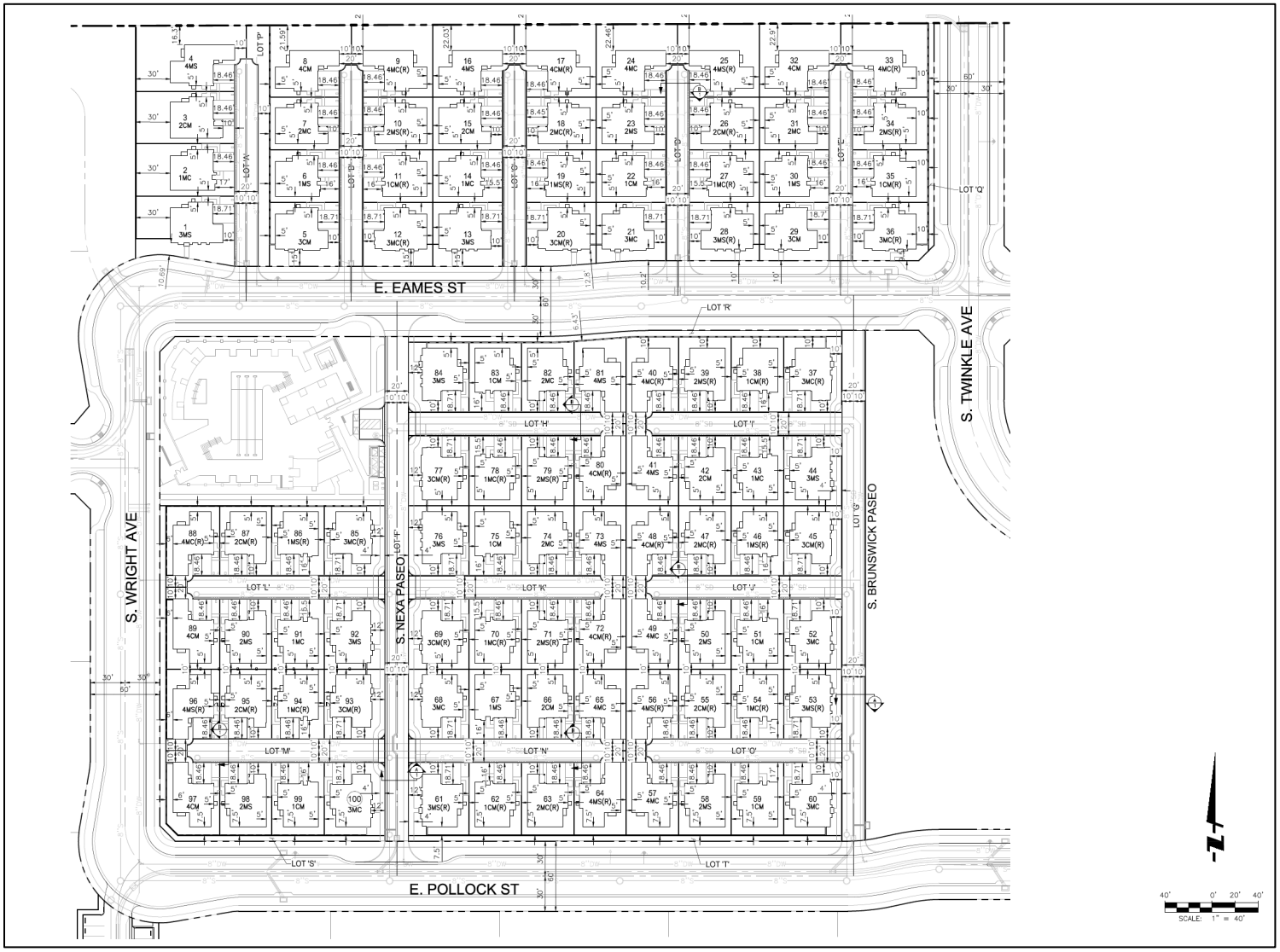


EXHIBIT C1 — SITE PLAN 8-PACK CLUSTER HOMES TYPICAL PLOTTING

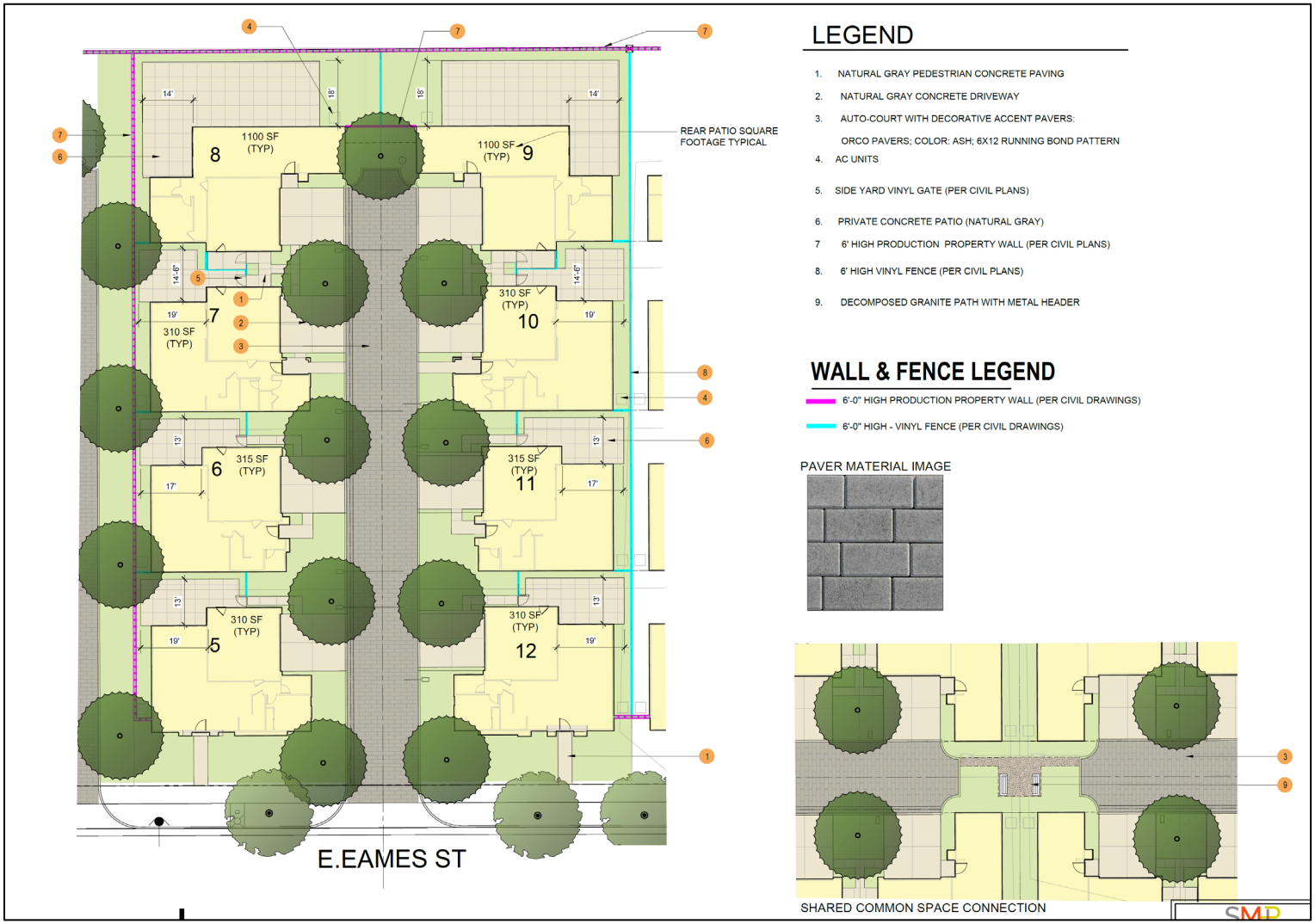


EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES

Plan 1 (Center Lot) – Modern Spanish Elevation

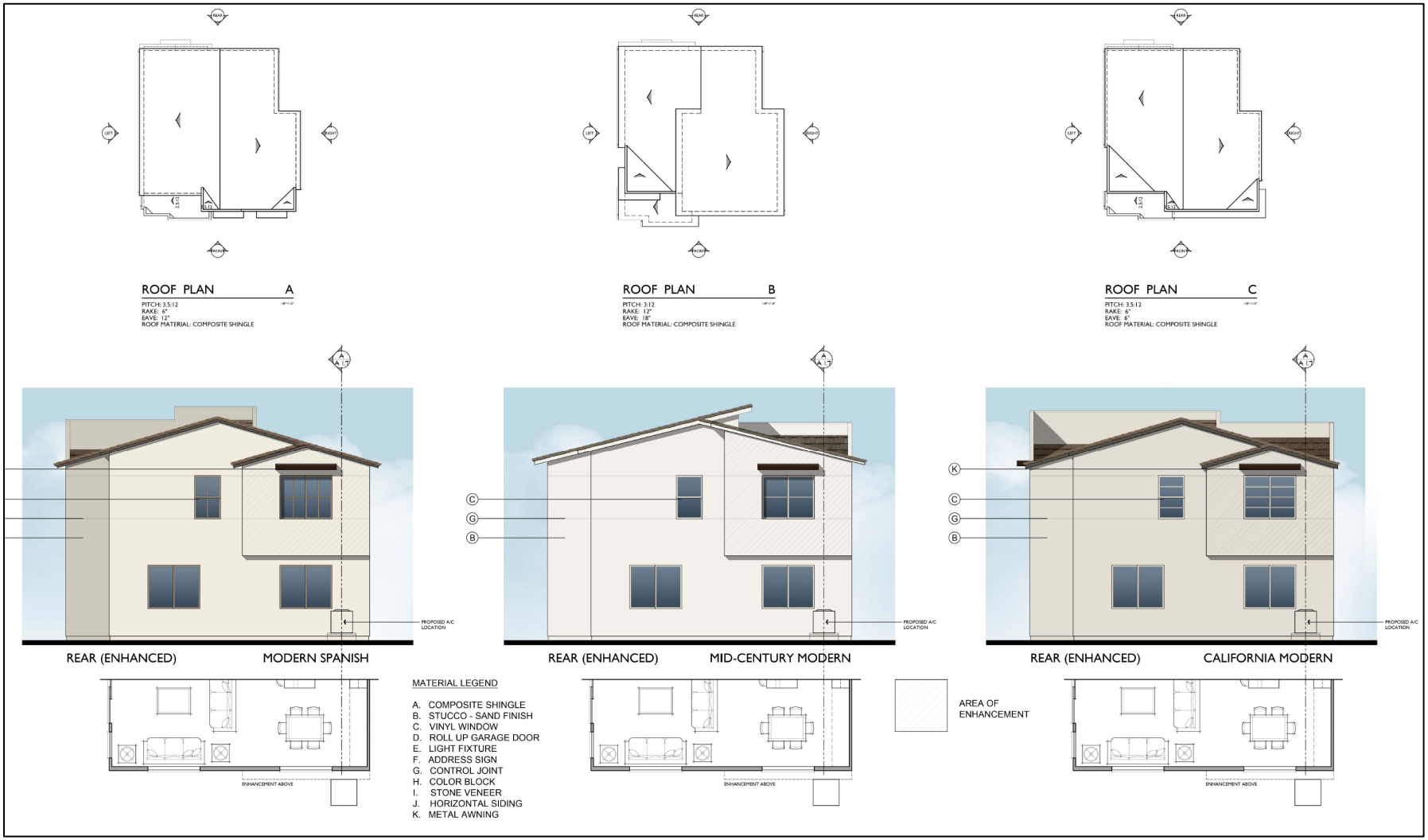
EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 1 (Center Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 1 (Center Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 1 (Center Lot) – Enhanced Rear 2nd Story Elevations

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 2 (Center Lot) – Modern Spanish Elevation

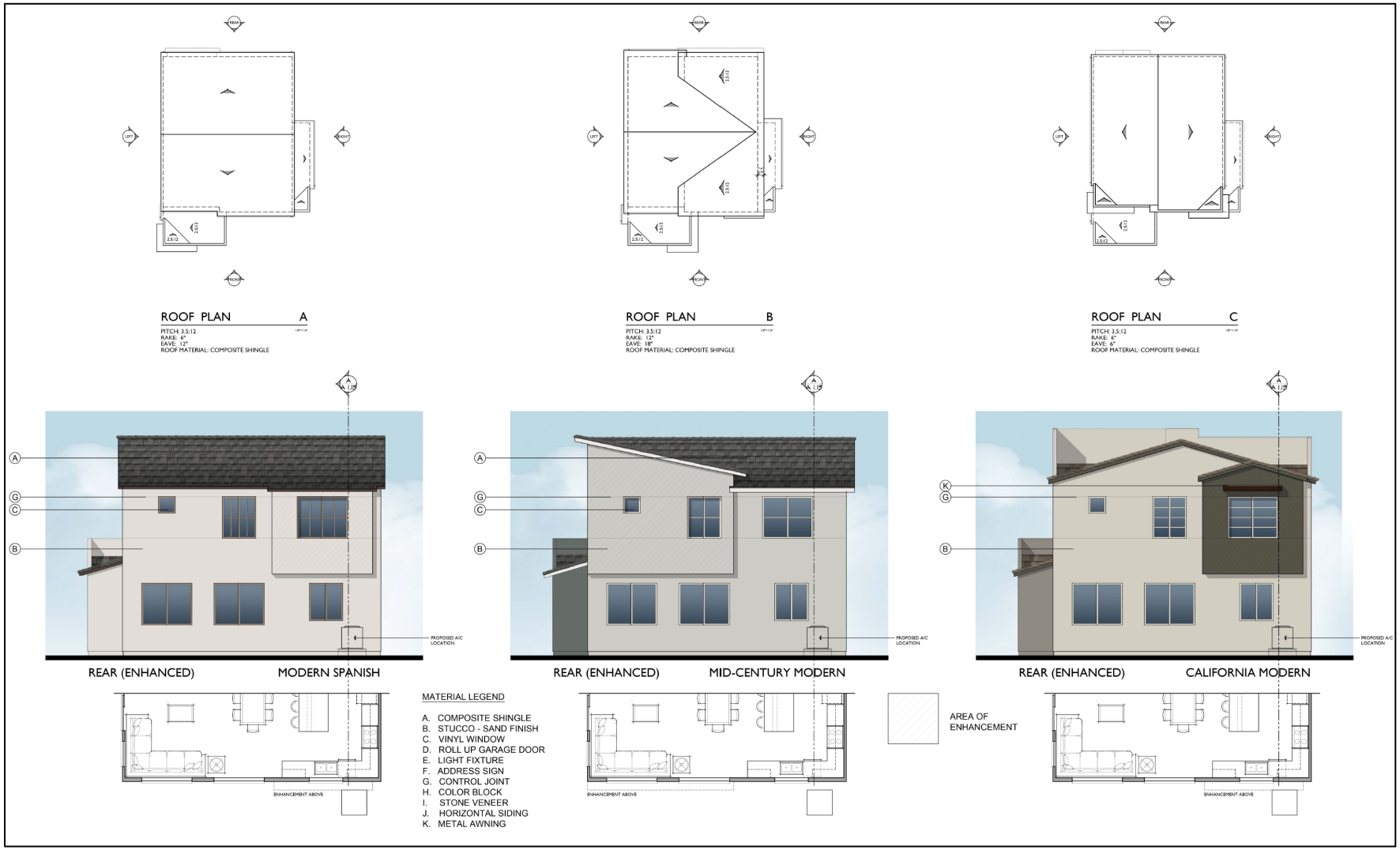
EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 2 (Center Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 2 (Center Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 2 (Center Lot) – Rear Enhanced 2nd Story Elevations

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 3 (Street Facing Lot) – Modern Spanish Elevation

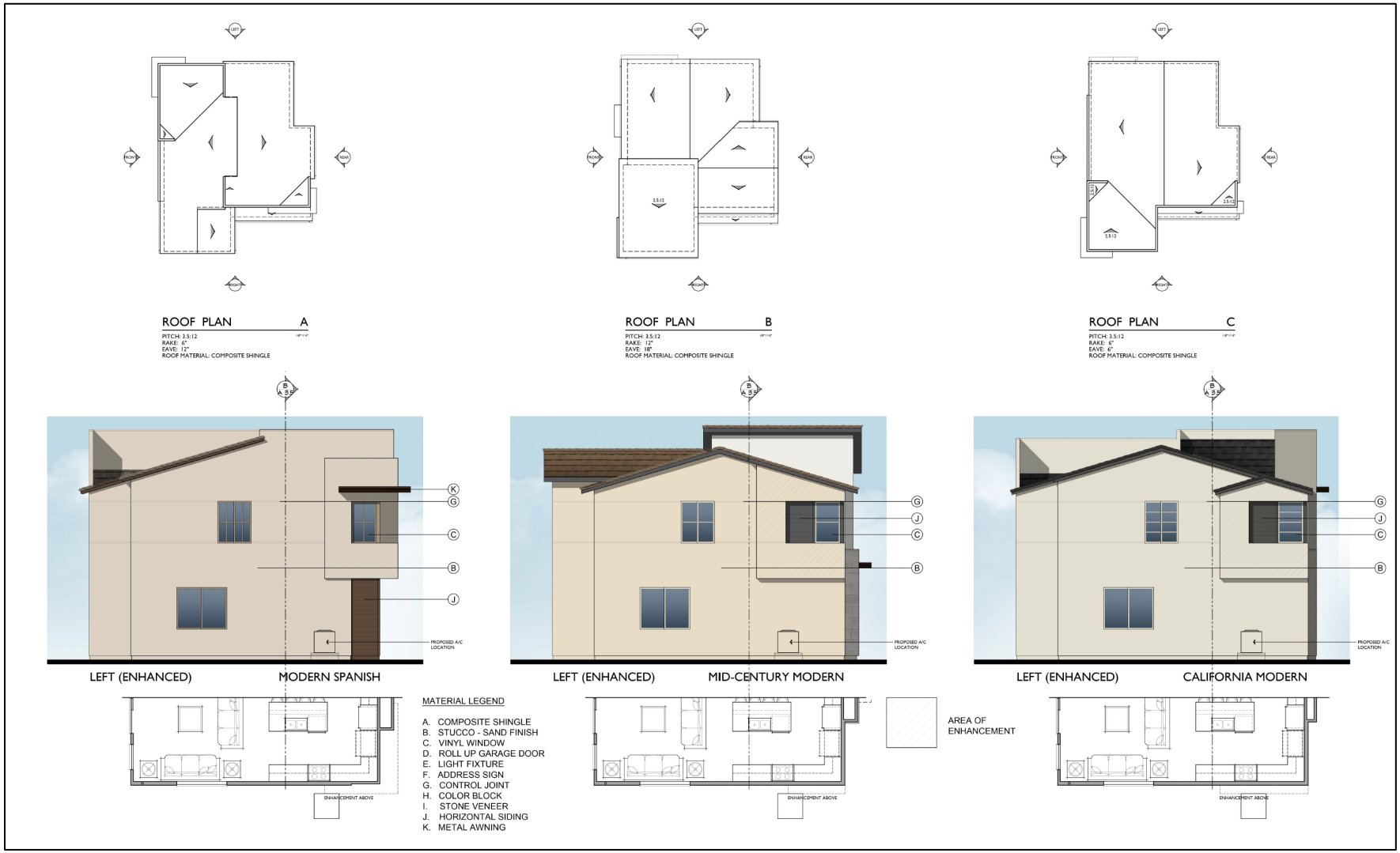
EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 3 (Street Facing Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 3 (Street Facing Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED



Plan 3 (Street Facing Lot) – Enhanced Elevations

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 4 (Rear Lot) – Modern Spanish Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 4 (Rear Lot) – Mid-Century Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 4 (Rear Lot) – California Modern Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 4 (Rear Lot) – Enhanced 2nd Story Elevation

EXHIBIT C2 — ELEVATIONS 8-PACK CLUSTER HOMES CONTINUED

Plan 4 (Rear Lot) – Enhanced 2nd Story Elevation

EXHIBIT D — SITE PLAN 12-PLEX COURTYARD TOWNHOMES

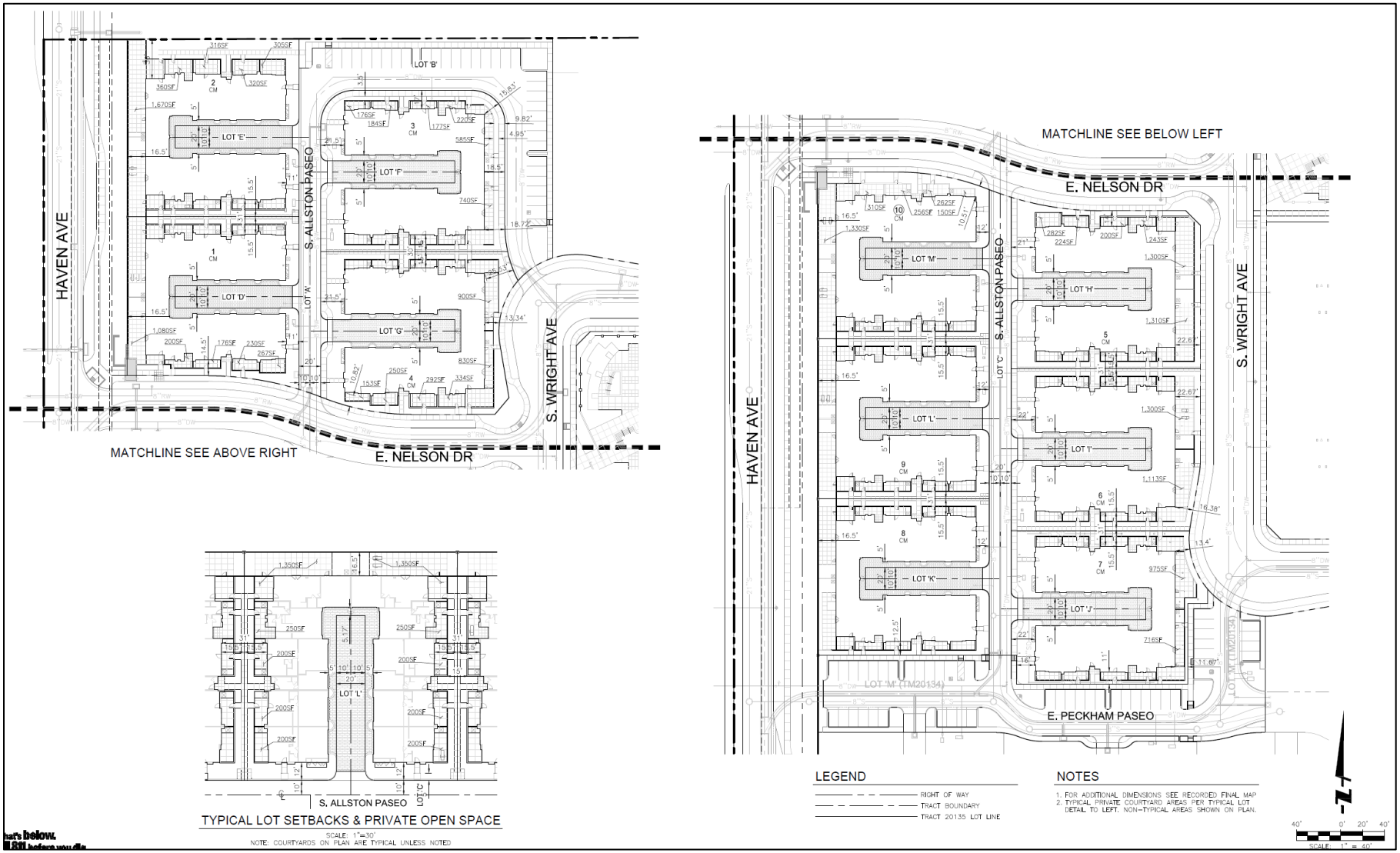


EXHIBIT D1 —12-PLEX COURTYARD TOWNHOMES TYPICAL PLOTTING

EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS

Front Elevation – Private Drive Aisle Access

EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS

Rear Elevation – Public Street Facing

EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS

Left Elevation – Paseo Facing

EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS

Left Elevation – Paseo Facing

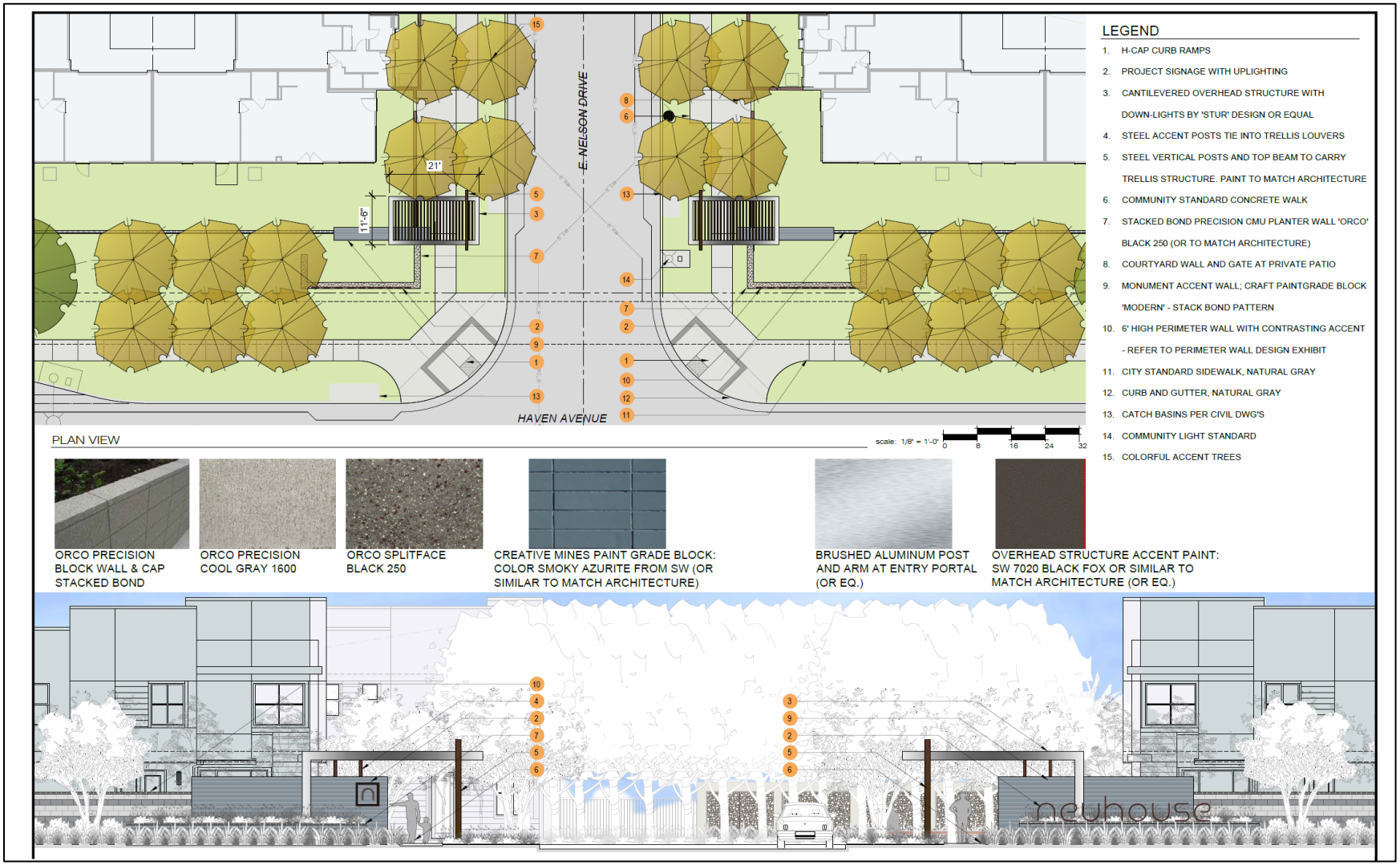
EXHIBIT D2 —12-PLEX COURTYARD TOWNHOME ELEVATIONS

Interior Drive Aisle Elevations

Exhibit E—LANDSCAPE PLAN

Conceptual Site Planting Plan

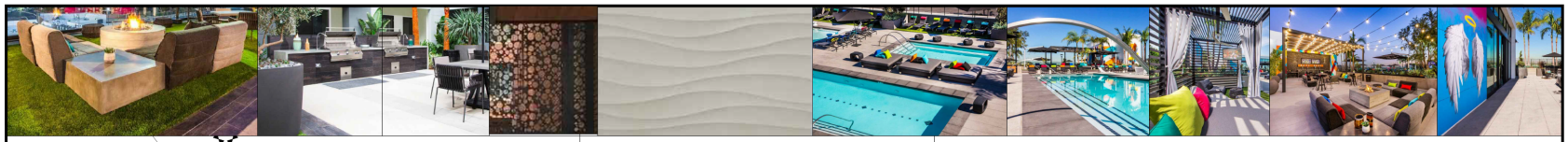
Exhibit E—LANDSCAPE PLAN CONTINUED



Preliminary Entry Plan and Elevation

Exhibit E1—LANDSCAPE PLAN – CENTRAL PARK

Exhibit E2—LANDSCAPE PLAN – POCKET PARK

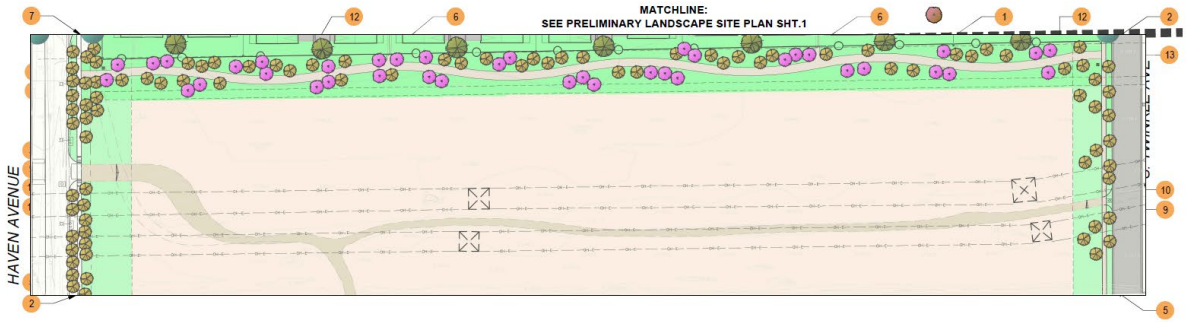


LEGEND

1. POOL SAFETY FENCE; PRELIMINARY METAL COLOR: SW 7020 BLACK FOX OR SIMILAR TO MATCH ARCHITECTURE(OR EQ.) TO MATCH POOL BUILDING)
2. DATE PALMS WITH UP-LIGHTING, TYPICAL
3. MULTI-TRUNK SPECIMEN TREE, TYPICAL
4. FLOWERING ACCENT TREE, TYPICAL
5. COMMUNITY STANDARD SIDEWALK (NATURAL GRAY)
6. POOL LOUNGE SEATING IN SYNTHETIC TURF(PER INTERIOR DESIGNER)
7. DAY BED WITH COLORFUL FABRIC (PER INTERIOR DESIGNER)
8. CHILDREN'S POOL
9. LAP POOL
10. SMALL GROUP SEATING AREA IN SYNTHETIC TURF (PER INTERIOR DESIGNER)
11. ACCENT FEATURE WALL (SEE ELEVATION)
12. LOUVERED OVERHEAD SHADE STRUCTURE; PRELIMINARY METAL COLOR: SW 7020 BLACK FOX OR SIMILAR TO MATCH ARCHITECTURE(OR EQ.)
13. POOL STEPS AT SHALLOW END
14. 18"Ht.x18"w LINEAR BENCH; TREX WOOD SLATS (OR EQ)
15. POOL GATE; MATCH POOL FENCE (OR EQ)
16. POOL CABANA WITH DAYBED AND END TABLES (PER INTERIOR DESIGNER)
17. NOT USED
18. 18"HT X 30"W MASONRY BENCH WITH TREX SLATS (OR EQ)
19. LARGE GROUP SPA
20. TRASH ENCLOSURE; MASONRY TO MATCH PERIMETER WALL (OR EQ)
21. SOFT SEATING AROUND FIRE PIT TABLE (PER INTERIOR DESIGNER)
22. OVERHEAD TRELLIS; PRELIMINARY METAL COLOR: SW7020 BLACK FOX OR SIMILAR TO MATCH ARCHITECTURE (OR EQ.)
23. CAFE LIGHTING BETWEEN PALM ALEE (PER LIGHTING DESIGNER)
24. MULTI-USE SYNTHETIC TURF AREA WITH CORNHOLE AND POOL LOUNGES (PER INTERIOR DESIGNER)
25. MOVEABLE DINING TABLES AND UMBRELLAS (PER INTERIOR DESIGNER)
26. ENTERTAINMENT BAR/BBQ AREA WITH RECESSED TV GRANITE COUNTER TO BE SELECTED (OR EQ.) STUCCO TO MATCH ARCHITECTURE
27. OUTDOOR COOKING STATION W/ BARBEQUES AND GRANITE COUNTER TO BE SELECTED (OR EQ.) STUCCO TO MATCH ARCHITECTURE
28. RESTROOM BUILDING (+/-1,140S.F.) WITH SHOWERS, DRINKING FOUNTAINS, STORAGE, POOL EQUIPMENT AND OVERHEAD SHADE STRUCTURE (+/-345 S.F.)
29. PING PONG OR OTHER OUTDOOR GAME TABLE
30. CONCRETE WALK
31. POOL SIGN WALL (SEE ELEVATION)

Exhibit E3—LANDSCAPE PLAN – SCE EASEMENT TRAIL

PRELIMINARY PLANT IMAGERY



LEGEND

1. TUBULAR STEEL FENCE ALONG S.C.E. EASEMENT
2. CITY STANDARD SIDEWALK
3. RIGHT OF WAY ALONG HAVEN
4. COMMUNITY EDGE / C.M.U. WALL ALONG HAVEN
5. STREET EDGE / CURB AND GUTTER
6. PEDESTRIAN CONNECTION TO S.C.E. EASEMENT PATH THROUGH TUBULAR STEEL GATES
7. STREETSCAPE ALONG HAVEN PER NEW MODEL COLONY MASTER PLAN
8. LANDSCAPE DESIGN WITHIN S.C.E. EASEMENT PER S.C.E. AND NEW MODEL COLONY DESIGN GUIDELINES AND REQUIREMENTS
9. PROPOSED DRIVE APRON FOR S.C.E.VEHICLE ACCESS
10. PROPOSED PIPE RAIL GATE PER S.C.E. REQUIREMENTS
11. PROPOSED D.G. ACCESS DRIVE TO CONNECT WITH EXISTING
12. DECOMPOSED GRANITE MULTI-USE PATH
13. TRAIL MARKER PER NEW MODEL COLONY DESIGN GUIDELINES

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV20-004, A DEVELOPMENT PLAN TO CONSTRUCT 100 SINGLE-FAMILY RESIDENTIAL UNITS (8-PACK CLUSTER), 114 MULTIPLE-FAMILY RESIDENTIAL UNITS (6-PLEX ROW TOWNHOMES), AND 120 MULTIPLE-FAMILY RESIDENTIAL UNITS (12-PLEX COURTYARD TOWNHOMES) ON 79.7 ACRES OF LAND LOCATED AT THE NORTHEAST CORNER OF SCHAEFER AND HAVEN AVENUES, WITHIN PLANNING AREAS 5A, 5C, AND 5E (RESIDENTIAL – SMALL LOT SFD/EDISON EASEMENT) OF THE RICH HAVEN SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 218-161-01.

WHEREAS, LS-Ontario II, LLC. (hereinafter referred to as "Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV20-004, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 79.7 acres of land generally located at the northeast corner of Schaefer Avenue and Haven Avenue, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD & SCE Easement) of the Rich Haven Specific Plan, and is presently vacant; and

WHEREAS, the property to the north of the Project site is within Planning Areas 4C (Small Lot SFD) and 3 (Park) of the Rich Haven Specific Plan, and is presently vacant. The property to the east is within the Specific Plan (Agricultural Overlay) zoning district and is developed with an SCE Substation. The property to the south is within the within the Mixed-Use District Planning Areas 6A and 6B of the Rich Haven Specific Plan and is presently under construction with a residential subdivision. The property to the west is within Planning Area 8 – Residential (4,250 SF Lots) of the West Haven Specific Plan, and is developed with residential subdivision; and

WHEREAS, the proposed Development Plan is to facilitate the construction of 334 residential units, including the 6-plex row townhome, 8-pack cluster, and the 12-plex courtyard townhome product types; and

WHEREAS, the 6-plex row townhomes are located along the southern portion of the Project site, adjacent to the SCE Edison Easement and include lots 1 thru 12 of Tentative Tract Map 20137. The row townhome product proposes 19 six-unit complexes, for a total 114 multiple-family units that includes three floor plans and one modern Spanish architectural style; and

WHEREAS, the 8-pack cluster homes are concentrated along the center and northern portion of the Project site and include lots 1 thru 100 of Tentative Tract Map

20136, for a total of 100 single-family homes. Each cluster lot has minimum exterior dimensions of 140 x185 feet and is divided into eight lots, which range from 2,700 to 4,459 square feet in area. There are four distinct floor plans proposed for each cluster, with three elevations per plan. There are three modern architectural styles proposed for the 8-pack Cluster homes, including a Modern Spanish, California Modern, and Mid-Century Modern; and

WHEREAS, the 12-plex courtyard townhomes are located along Haven Avenue and include lots 1 thru 10 of Tentative Tract Map 20135. The courtyard townhomes product proposes ten 12-unit complexes, for a total of 120 multiple-family units, that includes five floor plans and one California Modern architectural style; and

WHEREAS, the previously approved related Tentative Tract Maps (File No's. PMTT17-013 /TTM 20134, PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137), facilitated the construction of the backbone streets, internal public/private streets, and primary access points into Project site, from Haven Avenue to the west and Twinkle Avenue to the south, that connects to an adjacent residential community that is presently under construction (New Haven – Canvas Park); and

WHEREAS, a parking plan was completed for the previously approved Tentative Tract Map to demonstrate there is sufficient parking throughout the Project site at build-out. The overall Tract Map's proposed product types would require a total of 1,588 parking spaces, in which 1,316 of those parking spaces would be provided within a garage. The parking plan demonstrated that a total of 2,368 spaces will be provided, exceeding the minimum requirements by 780 parking spaces. The additional parking spaces are provided throughout the site as on-street parking, driveway parking, and parking within the private drive aisles. The parking plan demonstrated that there will be an average of 3.4 parking spaces per unit, which should be more than adequate to accommodate both resident and visitor parking at build-out; and

WHEREAS, the 6-plex row townhomes is required to provide 283 parking spaces and is providing 338 parking spaces. Each unit will provide a two-car garage for a total of 228 enclosed parking spaces. The row townhomes is providing 62 uncovered parking spaces within the parcels private drive aisles; and

WHEREAS, the 8-pack cluster homes require a two-car garage for each single-family home, which each unit provides. Additionally, each plan will also provide a driveway that accommodates two additional parking spaces per unit. The 8-pack cluster product will be over parked by 200 parking spaces; and

WHEREAS, the 12-plex courtyard townhome parking requirements are required to provide a total of 285 parking spaces and 292 parking spaces are being provided. Each complex will provide 22 garage spaces, for a total of 265 covered parking spaces. The

courtyard townhome product is providing 27 uncovered parking spaces within the parcels private drive aisles and has a surplus of 7 spaces within its project parcels; and

WHEREAS, the previously approved Tentative Tract Map will facilitate the construction of a neighborhood park, sidewalks, parkways, and open space areas within the tract. TOP Policy PR1-1 requires new developments to provide a minimum of two acres of Private Park per 1,000 residents. The overall tract is required to provide 4.7 acres of parkland to meet the minimum TOP private park requirement; and

WHEREAS, the approved Tentative Tract Map included a central neighborhood park comprised of two parcels totaling 2.05 acres, a 1.26-acre secondary neighborhood park located within the eastern half of the site, a 0.64-acre pocket park located on the western half of the site, and a 1.00-acre dog park located along the eastern property line, for a total of 4.95 acres, exceeding the minimum park requirements; and

WHEREAS, the Development Plan includes the development of the parks and amenities for the western half of the tract, which include: 1) the western half of the central park, totaling 1.36 acres in size that will be developed with a passive turf area and dog park; 2) a 0.64-acre pocket park that will be developed with a lap pool, a children's pool, a large group spa, games, multiple seating/lounge areas, a restroom building with shower area and storage, a BBQ area and several trellis structures; and 3) the development of the western half of the SCE Edison trail, that will include a 30-foot wide multi-purpose trail incorporating an 8-foot wide decomposed granite meandering path; and

WHEREAS, the previously approved related Tentative Tract Map required that CC&R's be prepared and recorded with the final map. The CC&R's will outline the maintenance responsibilities for the open space areas, recreation amenities, drive aisles, utilities, and upkeep of the entire site, to ensure on-going maintenance of the common areas and facilities; and

WHEREAS, the environmental impacts of this project were previously reviewed in conjunction with in an addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) File No. PSP05-004 that was adopted by the City Council on December 4, 2007, and this Application introduces no new significant environmental impacts; and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, 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. DAB20-043 recommending the Planning Commission approve the Application; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

(1) The environmental impacts of this project were previously analyzed in an Addendum to The Rich Haven Specific Plan EIR (SCH# 2006051081) in conjunction with File No. PSP05-004 that was adopted by the City Council on December 4, 2007.

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

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

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

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

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

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

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

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

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: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan. The project site is one of the properties listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix, and the proposed project is consistent with the number of dwelling units (334) and density (11.8 DU/AC) specified in the Available Land Inventory.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and***

City Council Priorities components of The Ontario Plan. The proposed Project is located within the (MDR) Medium Density Residential and (OS-NR) Open Space – Non Recreation land use district of the Policy Plan Land Use Map, and Planning Areas 5A, 5C, and 5E (Small Lot SFD & SCE Easement) of the Rich Haven Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and Planning Areas 5A, 5C, and 5E (Small Lot SFD & SCE Easement) of the Rich Haven Specific Plan, including standards relative to the particular land use proposed (residential), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions.

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

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Rich Haven Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (residential). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Rich Haven Specific Plan.

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

SECTION 7: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 8: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 9: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV20-004
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: July 20, 2020

File No: PDEV20-004

Related Files: File No's. PMTT17-013 /TTM 20134, PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137

Project Description: A Development Plan to construct 100 single-family residential units (8-pack cluster), 114 multiple-family residential units (6-plex row townhomes), and 120 multiple-family residential units (12-plex courtyard townhomes) on 79.7 acres of land located at the northeast corner of Schaefer and Haven Avenues, within Planning Areas 5A, 5C, and 5E (Residential – Small Lot SFD/Edison Easement) of the Rich Haven Specific Plan; (APN: 218-161-01) **submitted by LS-Ontario II, LLC.**

Prepared By: Lorena Mejia, Senior Planner
Phone: 909.395.2276 (direct)
Email: lmejia@ontarioca.gov

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

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

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

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

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

(a) Courtyard walls and project perimeter walls shall be designed with a decorative masonry wall and decorative cap to be approved by the Planning Department.

(b) Paseo entryways shall be designed to provide enhanced entry statements for areas adjacent to the public right-of-way.

(c) Pedestrian access points to the SCE Trail shall be gated with a keyed entry.

(d) Incorporate pilasters into pool perimeter wall and fence design.

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 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.

2.7 Mechanical and Rooftop Equipment.

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

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

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

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations).

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

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

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

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

(c) CC&Rs shall ensure reciprocal parking and access between parcels.

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

(i) Landscaping and irrigation systems within common areas;

(ii) Landscaping and irrigation systems within parkways adjacent to the project site, including that portion of any public highway right-of-way between the property line or right-of-

way boundary line and the curb line and also the area enclosed within the curb lines of a median divider (Ontario Municipal Code Section 7-3.03), pursuant to Ontario Municipal Code Section 5-22-02;

(iii) Shared parking facilities and access drives; and

(iv) Utility and drainage easements.

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

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

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

2.12 Disclosure Statements.

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

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

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

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

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

2.13 Environmental Review.

(a) The The environmental impacts of this Project were previously reviewed in conjunction with File No. PSP05-004, an Addendum for which an Environmental Impact Report (State Clearinghouse No. 2006051081) was adopted by the City Council on December 4, 2007. 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.

2.14 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of

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

2.15 Additional Fees.

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

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

2.16 Additional Requirements.

(a) 8 Pack Cluster – Windows visible from the private drive aisle and right-of-way shall have a 1 to 2-inch recess. 12-Plex Courtyard Townhomes and 6-Plex Row Townhomes shall have a 1 to 2-inch recess on all windows for each elevation.

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

(c) The project shall be consistent with Development Agreement (File No. PDA18-005) shall apply to this project.

(d) Prior to the issuance of grading permits, (Rough or Precise Grading). Mitigation Measures (MM), from The Rich Haven Specific Plan EIR, pertaining to Grading Activities must be met prior to issuance of grading permits.

(e) All applicable conditions of approval of The Rich Haven Specific Plan shall apply.

(f) All applicable conditions of approval of File No's. PMTT17-013 /TTM 20134, PMTT17-014/TTM 20135, PMTT17-015/TTM 20136 and PMTT17-016/TTM 20137 shall apply to this project.

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

(h) All corner lots shall be treated with enhanced elevations. Construction drawings shall include architectural enhancements.

(i) Rear facing elevations that are adjacent to the public right-of-way shall be treated with enhanced elevations on the buildings 2nd story. Construction drawings shall include architectural enhancements.

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

(Environmental, Traffic/Transportation Division, Ontario Municipal Utilities Company Information Technology and Management Services Department conditions incorporated herein)

☒ **DEVELOPMENT PLAN** ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV20-004 **RELATED FILE NO(S). TM20134-TM20137**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO:	**Naiim Khoury, Associate Engineer (909) 395-2152** NK
CITY PROJECT PLANNER & PHONE NO:	**Lorena Mejia, Senior Planner (909) 395-2429**
DAB MEETING DATE:	**May 20, 2019**
PROJECT NAME / DESCRIPTION:	**Landsea Homes, a development project to construct 334 units, including 120 MFD, 100 SFD and 114 attached townhomes**
LOCATION:	**Northeast corner of Haven Avenue and Schaefer Avenue**
APPLICANT:	**Brookfield/BrookCal Ontario, LLC**
REVIEWED BY:	**Bryan Lirley, P.E.** 7/17/20 **Date** **Principal Engineer**
APPROVED BY:	**Raymond Lee, P.E.** For 7/17/20 **Date** **Assistant City Engineer**

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT PLUS COMPLETING THE CONDITIONS OF APPROVAL (COA) FOR TTM20134 THTROUGH TTM20137, RICH HAVEN SPECIFIC PLAN AND THE DEVELOPMENT AGREEMENT.

1. PRIOR TO PARCEL MAP/FINAL MAP APPROVAL, APPLICANT SHALL:

Check When Complete

☐ 1.01 Dedicate to the City of Ontario, the right-of-way, described below: ☐

Property line corner 'cut-back' required at the intersection of New Haven Drive and Commercial Entry way (northeast corner) due to a larger curb return improvements.

☐ 1.02 Dedicate to the City of Ontario, the following easement(s): _____ ☐

_____

☐ 1.03 Restrict vehicular access to the site as follows: _____ ☐

☐ 1.04 Vacate the following street(s) and/or easement(s): _____ ☐

☐ 1.05 Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles. ☐

☐ 1.06 Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards. ☐

☐ 1.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658*. ☐

☐ 1.08 File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement. ☐

(1) _____

(2) _____

☐ 1.09 Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements specified in the COA for TM18810. ☐

☐ 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater. ☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.13 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____. ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐

☒ **2.01 Record Parcel Map No's. TM20135-TTM20317 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 Tract Map No. _____. ☐

☐ 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.** ☐

The CC&R document shall also include the following provisions:

a) **Common Use and Private Utilities: Identify all common use/ private utility systems and solid waste collection facilities and detail the Operations and Maintenance responsibilities of the HOA/POA of these facilities.**

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658*. ☐

☒ **2.08 Submit a soils/geology report.** ☐

☒ **2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies:** ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☐ Inland Empire Utilities Agency (IEUA) for connecting to the sewer trunk line in Chino Avenue
- ☒ **Southern California Edison for any grading or improvements on SCE easement/property**

☐ 2.10 Dedicate to the City of Ontario the right-of-way described below: ☐

_____ feet on _____

Property line corner 'cut-back' required at the intersection of _____ and _____.

☒ **2.11 Dedicate to the City of Ontario the following easements:** ☐

Tract 20135 – Dedicatee 30 feet wide public utility easement and along Allston Paseo for sewer, water and fiber optic.

Tract 20136 – Dedicatee 30 feet wide public utility easement along Nexa Paseo, Brunswick and all private alleys for sewer, water and fiber optic.

Tract 20137 – Dedicatee 32 feet wide public utility easement along Peckham Paseo for sewer, water and fiber optic.

☒ **2.12 New Model Colony (NMC) Developments:** ☐

☒ **1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.**

☒ **2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as**

City of Ontario and pay any applicable fees as set forth by said agreement.

☒ **3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.**

☐ 2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at _____% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements. ☐

☐ 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office. ☐

☐ 2.15 Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately _____, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan. ☐

☐ 2.16 Other conditions: _____. ☐

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☐ 2.17 Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):

Improvement	Street 1	Street 2	Street 3	Street 4
Curb and Gutter	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☐ New ☐ Remove and replace replace	☐ New ☐ Remove and replace replace	☐ New ☐ Remove and replace replace	☐ New ☐ Remove and replace replace
Sidewalk	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Fire Hydrant	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation

Sewer (see Sec. 2.C)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.17, above

☐ 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____ ☐

☐ 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. ☐

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☐ 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code. ☐

☒ **2.22 Other conditions:** ☐

a) **The applicant/developer shall be responsible to design and construct all the in-tract and off-site public improvements specified in the Development Agreement and the Conditions of Approval for tentative tract map TTM20134 Through TM20137.**

b) **Final Utilities Systems Map (USM): As part of the precise grading plans submittal, provide a Final Utilities Systems Map that shows all existing and proposed Utilities (Potable Water, Recycled Water, Sewer, Storm Drain, and other utilities) including each of the City's public utilities' points of connection to the existing systems.**

c) **Repair of Private Pavement in alleys and/or drive aisles: In the event that private pavement replacement is needed due to the repair of any public utilities within the public right-of way or the public utility easements (PUEs), the replacement will only include AC paving and no other type of hardscape or paving (e.g. decorative, etc.).**

C. SEWER

☐ 2.23 A__ Inch sewer main is available for connection by this project in_____. ☐

☐ 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.26 Other conditions:** ☐

Sewer Laterals: Provide a minimum of 10-feet horizontal separation between water services and sewer laterals per DDW Minimum Separation Requirements. Sewer laterals can be placed within driveways if necessary, to achieve minimum horizontal separation.

D. WATER

☐ 2.27 A ___ inch water main is available for connection by this project in _____. ☐

☐ 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.29 Other conditions:** ☐

a) **Fire Services: Provide fire services with DCDA backflow preventers per Std. 4208 to serve the buildings served by master meters. One fire service can serve more than one building, with approval from the Fire Department. Confirm this requirement and proposed design with the Fire Department.**

b) **Water Service Laterals: Provide a minimum of 10-feet horizontal separation between**

water services and sewer laterals per DDW Minimum Separation Requirements. Sewer laterals can be placed within driveways if necessary, to achieve minimum horizontal separation.

E. RECYCLED WATER

☐ 2.30 A ___ inch recycled water main is available for connection by this project in _____. ☐

☐ 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. ☐

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☒ **2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval.** ☐

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2687 regarding this requirement.

☒ **2.34 Other conditions:** ☐

a) **City Ordinance 2689: This development shall comply with City Ordinance 2689 and make use of recycled water for all approved uses, including but not limited to landscaping irrigation for HOA maintained areas and parks. Appropriately sized public and private mains shall be installed throughout the Tract to meet this requirement, as approved by the City.**

b) **Provide Engineering Report (ER) for use of recycled water for review and approval by Ontario Municipal Utilities Company (If not already done so).**
Please contact:
Cynthia Heredia-Torres
P (909) 395-2647
F (909) 395-2608

ctorres@ontarioca.gov

F. TRAFFIC / TRANSPORTATION

☐ 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐
1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ **2.37 Other conditions:** ☐

a) **The Landscape Site Plan shall be designed to be consistent with the current City of Ontario Traffic and Transportation Design Guidelines requirements for roundabouts and limited use areas.**

b) **The Applicant/Developer shall be responsible to design and construct the Phase 1**

improvements per the Conditions of Approval for PMTT17-013 (TM-20134) dated April 15, 2019.

c) **The Applicant/Developer shall be responsible to design and construct temporary cul-de-sacs/turnarounds on Twinkle Avenue (both ends) if roadway is not extended beyond the northerly and southerly tract boundaries in accordance with the City of Ontario Standard Drawing No.1101. Secondary access shall be provided in accordance with TM20134 Development Agreement.**

G. DRAINAGE / HYDROLOGY

☐ 2.38 A ___ inch storm drain main (SD) is available west of this tract to accept flows from this project. The applicant/developer shall extend the existing SD system in _____ easterly and design adequate SD system to serve this tract including the tributary drainage areas located _____ as identified in the Master Plan of Drainage. ☐

☒ **2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study.** ☐

☐ 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. ☐

☐ 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.43 Other conditions: _____. ☐

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.46 Other conditions: _____ ☐

J. SPECIAL DISTRICTS

☒ 2.47 **File an application, together with an initial payment deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community facilities District Act of 1982. The application and fee shall be submitted a minimum three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process.** ☐

☐ 2.48 Other conditions: _____ ☐

K. FIBER OPTIC

☒ 2.49 **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located along Haven Avenue.** ☐

☒ 2.50 **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact the Information Technology Department at (909) 395-2000, regarding this requirement.** ☐

L. Solid Waste

☒ 2.51 **Onsite solid waste shall be designed in accordance with the City's Solid Waste Manual location at: http://www.ontarioca.gov/municipal-utilities-company/solid-waste** ☐

☒ 2.52 **Other conditions:** ☐

Final Solid Waste Handling Plan (SWHP): Prior to approval of any building permits, a final SWHP to be submitted with the Precise Grading Plan for review and approval of Ontario Municipal Utility Company

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ 3.01 **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☒ 3.02 **Complete all requirements for recycled water usage.** ☐

☒ **1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.**

☒ **2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.**

☒ **3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.**

☒	**3.03**	**The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.**	☐
☐	3.04	NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals.	☐
☒	**3.05**	**Confirm payment of all Development Impact Fees (DIF) to the Building Department.**	☐
☒	**3.06**	**Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).**	☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV20-004

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 for all the required improvements specified in the COA.**
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: _____

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV20-004

Address: Northeast corner of Schaefer Avenue & Haven Avenue

APN: 0218-161-01

Existing Land Use: Vacant

Proposed Land Use: A Development Plan to construct 100 single-family residential units and 234 multiple-family residential units

Site Acreage: 79.7 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: Lorena Mejia

Date: 7/14/2020

CD No.: 2020-002

PALU No.: n/a

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

Safety

- ☐ Zone 1
- ☐ Zone 1A
- ☐ Zone 2
- ☐ Zone 3
- ☐ Zone 4
- ☐ Zone 5

Noise Impact

- ☐ 75+ dB CNEL
- ☐ 70 - 75 dB CNEL
- ☐ 65 - 70 dB CNEL
- ☐ 60 - 65 dB CNEL

Airspace Protection

- ☐ High Terrain Zone
- ☑ FAA Notification Surfaces
- ☐ Airspace Obstruction Surfaces
- ☐ Airspace Avigation Easement Area

Allowable Height: 200 ft +

Overflight Notification

- ☐ Avigation Easement Dedication
- ☐ Recorded Overflight Notification
- ☑ Real Estate Transaction Disclosure

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

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

Allowable Height:

CONSISTENCY DETERMINATION

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

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

See attached Real Estate Transaction Disclosure condition:

Airport Planner Signature: Lorena Mejia

CD No.: 2020-002

PALU No.:

PROJECT CONDITIONS

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

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

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Lorena Mejia**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **March 4, 2020**

SUBJECT: **PDEV20-004**

☒ The plan **does** adequately address the departmental concerns at this time.

☐ No comments

☒ Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.

KS:lr

CITY OF ONTARIO
MEMORANDUM

TO: **Lorena Mejia, Senior Planner**
Planning Department

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

DATE: **March 19, 2020**

SUBJECT: **PDEV20-004 – A Development Plan to construct 334 dwelling units, including 120 multiple-family dwellings, 100 single-family dwellings, and 114 attached townhouses on 80.61 acres of land located north of Ontario Ranch Road and east of Haven Avenue, within the Standalone Residential Overlay land use district of the Rich Haven Specific Plan (APNs: 0218-161-01 and 0218-211-23).**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: Type V

B. Type of Roof Materials: Ordinary

C. Ground Floor Area(s): Varies

D. Number of Stories: 2

E. Total Square Footage: 1,861 to 2,256 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): R3

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of Fire Department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

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

☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finaled) before the building is enclosed.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003. .

☒ 5.5 All residential chimneys shall be equipped with an approved spark arrester meeting the requirements of the California Building Code.

CITY OF ONTARIO
MEMORANDUM

TO: **Lorena Mejia, Senior Planner**

FROM: **Officer Emily Hernandez, Police Department**

DATE: **March 30, 2020**

SUBJECT: **PDEV20-004- A DEVELOPMENT PLAN TO CONSTRUCT 334 RESIDENTIAL DWELLING UNITS, 100 SINGLE-FAMILY HOMES AND 114 ATTACHED TOWNHOMES LOCATED NORTH OF ONTARIO RANCH ROAD AND EAST OF HAVEN AVENUE.**

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 for "Ontario Ranch Projects" apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor at the prescribed foot-candle levels. This includes but is not limited to areas such as parks, community centers, recreation centers/play areas and paseos. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- The Applicant shall comply with all construction site security requirements as stated in the Standard Conditions. This includes the provisions for perimeter lighting, site lighting, fencing and/or uniformed security.

The Applicant is invited to contact Officer Emily Hernandez at (909)408-1755 with any questions or concerns regarding these conditions.

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

PRELIMINARY PLAN CORRECTIONS

Sign Off

Jamie Richardson, Sr. Landscape Planner	06/12/2020 Date

Reviewer's Name:	Phone:
Jamie Richardson, Sr. Landscape Planner	**(909) 395-2615**

D.A.B. File No.:	Case Planner:
PDEV20-004	Lorena Mejia

Project Name and Location:

334 Residential Units within the Rich Haven SP
North of Ontario Ranch Road and East of Haven Ave.

Applicant/Representative:

LS-Ontario II LLC – Shannon Lang
7525 Irvine Center Drive, Suite 200
Irvine, CA 92618

☒	**A Preliminary Landscape Plan (dated 5/21/2020) meets the Standard Conditions for New Development. The project is approved with the consideration that the following conditions below be met upon submittal of the landscape construction documents.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. There is an existing windrow of Eucalyptus along the northern portion of the tract. Provide an arborist report, and tree inventory for existing trees include genus, species, trunk diameter, canopy width, and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within 15' of adjacent property that would be affected by new walls, footings, or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020.
2. Callout decorative paving for all motor courts and alleys.
3. Show transformers set back 5' from paving all sides. Coordinate with landscape plans.
4. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing, and show utility lines at the edges of the parkway, toward the driveway apron, to allow space for street trees.
5. Note for compaction to be no greater than 85% in landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
6. Provide a recycled/potable water meter POC exhibit.
7. Add Note to Grading Plans: Landscape areas where compaction has occurred due to grading activities and where trees or stormwater infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for stormwater infiltration, the entire area shall be loosened. Add the following information on the plans: The backhoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before

fracturing is begun. The backhoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference, see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

8. Provide an arborist report and tree inventory, as noted in #1.
9. Locate light standards, fire hydrants, water, and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
10. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
11. Designer or developer to provide agronomical soil testing and include report on landscape construction plans. For phased projects, a new report is required for each phase or a minimum of every 6 homes in residential developments.
12. Typical lot drainage shall include a catch basin with gravel sump below each before exiting property, if no other water quality infiltration is provided.
13. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
14. 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. Fees are:
    Plan Check—5 or more acres.....$2,326.00
    Inspection—Construction (up to 3 inspections per phase).....$278.00
    Total……$2,604.00
    Inspection—Field – any additional.....$83.00

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

PLANNING/ HISTORIC PRESERVATION COMMISSION STAFF REPORT

DATE: July 28, 2020

FILE NO.: PHP20-002

SUBJECT: A request to designate a Tier III Historic resource as a Local Landmark

LOCATION: 535 East D Street (APN: 1048-393-18)

APPLICANT: Jose Vladimir Felix and Angela Dawn Tejeda

PROPERTY OWNER: Jose Vladimir Felix and Angela Dawn Tejeda

I. RECOMMENDATION:

That the Historic Preservation Commission recommend that the City Council designate the Mr. and Mrs. Durfee House, located at 535 East D Street, as Local Historic Landmark No. 98.

II. ARCHITECTURAL DESCRIPTION:

Historic Name: The Mr. and Mrs. Durfee House
Architectural Style: Craftsman Bungalow
Date Built: 1910 (est.)

The two-story residence was constructed in 1910 (est.) in the Craftsman Bungalow architectural style. It is square in plan with a prominent side-facing gable with a sloping porch overhang intersecting a front facing gable dormer. The Mr. and Mrs. Durfee House is clad in horizontal wood siding and sits on a stone (rock) foundation. The front porch is supported by four squared columns. The gabled dormer on the front façade is enclosed with a set of four ribbon double-hung windows. The east façade features a bay window with hung windows. The remainder of the home features hung windows surrounded with wood trim, decorative

Case Planner:	Monica Carranza, Administrative Intern
Planning Director Approval:	
Submittal Date:	3/6/2020

Hearing Body	*Date*	*Decision*	*Action*
HPSC	6/11/2020	Approval	Recommend
HPC	7/28/2020		Recommend
CC			Final

cut rafters, and decorative wood brackets and trusses at the gable ends.

In 1944, the second story sleeping porch was enclosed. In 1966, the residence was divided into 2 units and then later converted to 3 units. In 2003, an exterior staircase leading to the second floor unit had been constructed on the west side of the house. In 2012, a restoration of the house was completed, removing inappropriate alterations and restoring the original use of the site to a single-family residence. The windows of the home were replaced with appropriate vinyl single-hung windows, some of the window openings and non-permitted wall openings were filled with new wood siding to match the original and the exterior stairs were removed. Overall, the residence has a moderate to high level of architectural integrity.

The 1912 edition of Sanborn Fire Insurance Maps revealed a detached accessory structure, which was most likely used for storage, in extant. A 1959 aerial map of the property indicates the structure had been removed or demolished and a new 2-car garage had been constructed in its place. In 1928, a 320 square foot single-car garage with a workshop area was constructed on the east side of the property and then was demolished in 2012. The 2-car garage near the alley and a new storage building located at the east side of the property are considered alterations to the property which bare no historic significance.

III. HISTORY:

The Craftsman style house is located within a residential area that was developed in the first decade of the 20th century. The overall neighborhood retains its early 20th century character and appearance. Original stone curbs, though filled in at certain locations, are still visible along this block. This Craftsman home contributes to a visual record and an overall historic sense of how the area was developed, in the first few decades of the twentieth century. It provided small, comfortable, affordable work force housing for local industries such as the Hotpoint Factory, Sunkist Growers, and Kaiser Steel. Based on Sanborn maps and building records and newspaper articles, the home appears to have been constructed in the early 1900s. According to city directories, the first recorded occupants of the residence are Mrs. Abbie B. Durfee and Mr. Ulysses Grant Durfee.

Both Stanford Junior University graduates, they moved from Northern California to Ontario in the early 1900s. Mr. and Mrs. Durfee became teachers for the Ontario High School. In 1901, USC had ended its affiliation with Chaffey College and the school dissolved. After the college ended, a public high school district was established, and Ontario High School made use of the college's property and buildings where Mrs. Durfee was an English teacher and Mr. Durfee was a Science teacher. Mr. Durfee served as vice principal in 1909 and principal in 1910 for Ontario High School. In 1911, Chaffey Union High School District was established, and Ontario High School became Chaffey Union High School. Mr. Durfee then served as head of the science department. He also held a position as assistant superintendent of San Bernardino County schools. In 1927, Mr. Durfee decided to sell the house upon Mrs. Durfee's death to the Raftery family who owned the house for more than 60 years. Charles D. Raftery was a telegrapher for the Union Pacific Depot.

IV. HISTORIC CONTEXT:

The Craftsman style of architecture evolved from the Arts and Craft movement that originated in England in the late 1800s. The Craftsman variation of the bungalow is the dominant home style in Ontario's historic neighborhoods. There are several excellent examples of the Craftsman style in Ontario, along with an abundance of Craftsman Bungalows. The Craftsman style flourished in Southern California, with some of the best examples of the style located in local neighborhoods.

The Craftsman style, popular from 1895-1920s in the United States, developed as a contradiction to the Victorian era that preceded it. It was the first style that emphasized natural materials and functionality. The details were simple, contradicting the gingerbread of the Victorian home. The wood was stained, instead of painted, and the homes featured built-in cabinets, buffets and benches. The moldings and other trim work were simple shapes, which could create complex designs. Tile fireplaces were also used. Other common character-defining features include exposed rafter tails, large porches, rock foundation and bases, exposed wood beams, and exposed attic vents.

V. LANDMARK DESIGNATION CRITERIA:

A historic resource may be designated an "historic landmark" by the City if it meets the criteria for listing in the National Register of Historic Places, the California Register of Historic Resources, or it meets the Local Landmark Designation criteria in the Ontario Development Code, which is based on architecture and history. Historic resources must also have integrity for the time in which they are significant. The criteria considered when evaluating properties for integrity include: design, setting, materials and workmanship, location, feeling and association.

The architectural integrity of the residence is moderate as it retains most of its original exterior features and has had minimal alterations, some of which have already been reversed. The preservation of the rock curb contributes to the residences eligibility for designation as it conveys the feeling and association of early life in Ontario. Staff recommends the historic resource be designated as Local Landmark No. 98 as it meets the designation criteria listed below.

On June 11, 2020, the Historic Preservation Subcommittee determined that the Mr. and Mrs. Durfee House, located at 535 East D Street, was eligible for individual listing on the Ontario Register of Historic Resources, was a Tier III Historic Resource, and recommended local landmark approval finding that it met the following designation criteria:

1. *The historic resource embodies distinguishing architectural characteristics of a style, type, period, or method of construction;*

This single-family residence is an excellent local example of the Craftsman Bungalow architectural style which is evident by the presence of the building's character-defining features. The residence has the original stone (rock) foundation, a distinctive low pitch

gable roof, decorative exposed rafter tails, a large front porch with simple exposed wood beams, and horizontal wood siding. Alterations to the building include the sleeping porch enclosure, replacement of the original wood hung windows, and a few window openings were removed or enlarged. The alterations do not detract from the value of the historic resource and are easily reversible.

VI. **COMPLIANCE WITH THE ONTARIO PLAN:** The proposed landmark designation 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:

City Council Priorities

- Focus Resources in Ontario's Commercial and Residential Neighborhoods; and
- Encourage, Provide or Support Enhanced Recreational, Educational, Cultural and Healthy City Programs, Policies and Activities

Vision

DYNAMIC BALANCE

An appreciation for the "personality and charm" of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

Policy Plan

CD 4: *Goal:* 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.

The proposed local landmark designation supports preservation of the neighborhood streetscape and context.

CD 4-6: *Promotion of Public Involvement in Preservation.* We engage in programs to publicize and promote the City's and the public's involvement in preservation efforts.

The proposed local landmark designation requires owner participation and recognizes and promotes preservation efforts.

RESOLUTION NO.

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL APPROVE FILE NO. PHP20-002, TO DESIGNATE THE MR. AND MRS. DURFEE HOUSE LOCATED AT 535 EAST D STREET, AS A LOCAL HISTORIC LANDMARK AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1048-393-18.

WHEREAS, Jose Vladimir Felix and Angela Dawn Tejeda ("Applicant") has filed an Application for the approval of a Local Historic Landmark Designation, File No. PHP20-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

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

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

WHEREAS**,** the Community Design element The Ontario Plan (General Plan) sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Mr. and Mrs. Durfee House, a Craftsman Bungalow single-family residence constructed in 1910 (est.), located at 535 East D Street (APN: 1048-393-18) is worthy of preservation and designation as a Local Historic Landmark; and

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

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

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

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

WHEREAS, on June 11, 2020, the Historic Preservation Subcommittee of the City of Ontario determined that the Mr. and Mrs. Durfee House met Tier III Historic Resource Criteria as set forth in Section 4.02.040 of the Ontario Development Code and issued Decision No. HPSC20-005; and

WHEREAS, on June 11, 2020, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date, voting to issue Decision No. HPSC20-004, recommending the Planning Commission recommend to the City Council approval of the Application; and

WHEREAS, on July 28, 2020, the Planning/ Historic Preservation 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 Historic Preservation Commission of the City of Ontario, as follows:

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

(1) The designation is not considered a project pursuant to Section 21065 of the CEQA Guidelines.

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

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

(1) FINDING: The Mr. and Mrs. Durfee House meets Criterion D, the historic resource embodies distinguishing architectural characteristics of a style, type, period, or method of construction for local landmark designation, as contained in Section 4.02.040 (Historic Preservation-Local Historic Landmark and Local District Designations, Historic Resource Tiering, and Architectural Conservation Areas) of the Ontario Development Code.

(2) FACT: This single-family residence is an excellent local example of the Craftsman Bungalow architectural style which is evident by the presence of the building's character-defining features. The residence has the original stone (rock) foundation, a distinctive low pitch gable roof, decorative exposed rafter tails, a large front porch with simple exposed wood beams, and horizontal wood siding. Alterations to the building include the sleeping porch enclosure, replacement of the original wood hung windows, and a few window openings were removed or enlarged. The alterations do not detract from the value of the historic resource and are easily reversible.

SECTION 3: ***Historic Preservation Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 2, above, the Historic Preservation Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES THE LOCAL LANDMARK DESIGNATION.

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

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

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

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and Secretary of the Historic Preservation Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

PLANNING / HISTORIC PRESERVATION COMMISSION STAFF REPORT

JULY 28, 2020

FILE NOS.: PHP19-019 and PCUP19-029

SUBJECT: A request for a Certificate of Appropriateness (File No. PHP19-019): [1] to construct an 1,394 square foot addition to an existing 3,388 square foot single-family residence, in conjunction with a Conditional Use Permit (File No. PCUP19-029) [2] to construct a 2-story, 2,600 square foot detached Accessory Residential Structure to accommodate an 850 square foot 4-car garage, 900 square foot RV garage, and a second-story 850 square foot Accessory Dwelling Unit (ADU), on 0.64 acres of land located at 1404 North Euclid Avenue, a Non-Contributor to the Euclid Avenue Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) and EA (Euclid Avenue Overlay) zoning districts. (APN: 1047-351-14)

LOCATION: 1404 North Euclid Avenue

APPLICANT: RCM Construction, Inc.

PROPERTY OWNER: Andrew D. Hernandez Jr.

RECOMMENDATION: That the Planning/Historic Preservation Commission consider and approve File Nos. PHP19-019 and PCUP19-029, 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.

Figure 1: Project Location

PROJECT SETTING: The project site is comprised of 0.64 acres of land at 1404 North Euclid Avenue. The property is located on the east side of North Euclid Avenue, bound by La Deney Drive to the north and Hawthorne Drive to the south. within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) and EA (Euclid Avenue Overlay) zoning districts and is depicted in *Figure 1: Project Location*. The property was designated by the City Council on June 4, 2013 as a Non-Contributor to the Euclid Avenue Historic District.

The project site is located in the Euclid Avenue Historic District and is surrounded by residential uses. The Euclid Avenue Historic District is defined by various periods of growth and development

Case Planner:	**Elly Antuna, Associate Planner**
Planning Director Approval:	
Submittal Date:	
Hearing Deadline:	

Hearing Body	Date	Decision	Action
HPSC:	**07/09/2020**	Approval	Recommend
PC / HPC:	**07/28/2020**		Final
CC:			

that occurred from 1888 through 1965. Character-defining features of the historic district include a 60-foot-wide center landscape median in Euclid Avenue, mature street trees including the Silk Oak and Camphor, scored sidewalks, rock curbs, King Standard lampposts, and residences and commercial buildings in a variety of architectural styles from multiple periods of development. The Euclid Avenue Historic District features some of Ontario's best examples of the Victorian, Craftsman, Mediterranean Revival and Spanish Colonial architectural styles. Homes within the neighboring College Park and La Deney Drive Historic Districts, and surrounding neighborhoods were developed in the 1920s through the 1950s. The single-family homes flanking the project site were constructed in the 1940s and 1950s. The historic district is predominately residential development with single and multi-family residences, churches and a school. Buildings in the historic district feature large front yard setbacks, typically 30 to 40 feet, with some residential front yard setbacks close to 60 feet.

PROJECT ANALYSIS:

[1] Background – In February 2005, the Planning/Historic Preservation Commission approved a Certificate of Appropriateness (File No. PHP04-030) for new infill construction of the 2-story, single-family residence (3,388 square foot) and attached 2-car garage (512 square foot) at the project site (*Figure 2: Site Photographs*). The property lot width is 80 feet and the depth is 372 feet, approximately 2-and-a-half times more than the surrounding properties. The residence is setback 44 feet from the front property line, consistent with the surrounding residences, 10 feet from the northern (interior) property line, 16 feet from the southern (interior) property line and 222 feet and 8 inches from the rear property line. Vehicular access to the attached side-on garage located at the rear of the house is from Euclid Avenue. The residence was constructed with Mediterranean Revival and Spanish Colonial Revival elements, styles that are present within the surrounding neighborhood. The residence features a low-pitched hipped tile roof, a smooth stucco finish, decorative ironwork, balconies, recessed and arched windows, and columns. Because this single-family residence is new construction, it does not contribute to the significance of the Euclid Avenue Historic District and has been designated a Non-contributor.

Figure 2: Site Photographs

The Applicant is requesting a Certificate of Appropriateness (File No. PHP19-019) to [A] allow for the construction of a 1,394 square foot addition at the rear of the existing 3,388 square foot residence, an increase in area of 48 percent, in conjunction with a Conditional Use Permit (File No. PCUP19-029) [B] to construct a 2-story, 2,600 square foot detached Accessory Residential

Structure to accommodate an 850 square foot 4-car garage, 900 square foot RV garage, and a second-story 850 square foot Accessory Dwelling Unit (ADU).

Section 4.02.050 (Historic Preservation Certificate of Appropriateness and Demolition of Historic Resources) of the Ontario Development Code, requires approval of a Certificate of Appropriateness for any addition, including residential accessory structures, exceeding 650 square feet in area or 50 percent of the existing original building area, whichever is less, to all historical resources, including Non-contributors to designated historic districts. Additionally, Section 5.03.010 (Accessory Residential Structures) of the Ontario Development Code requires approval of a Conditional Use Permit for detached accessory residential structures that exceed 16 feet in height or 1,050 square feet in size. The Conditional Use Permit is to regulate the use of the structure while the Certificate of Appropriateness is to evaluate if the proposed construction will cause adverse impacts to the historic resource. Conditional Use Permit review and approval will be conducted by the Planning/Historic Preservation Commission.

[2] Certificate of Appropriateness

1. Addition – The new construction will extend the original building footprint by 16' 8" east of the attached garage and add a second story over the full width of the garage and the new construction (*Figure 3: Site Plan*) for a total building height of 21'-5". The addition continues

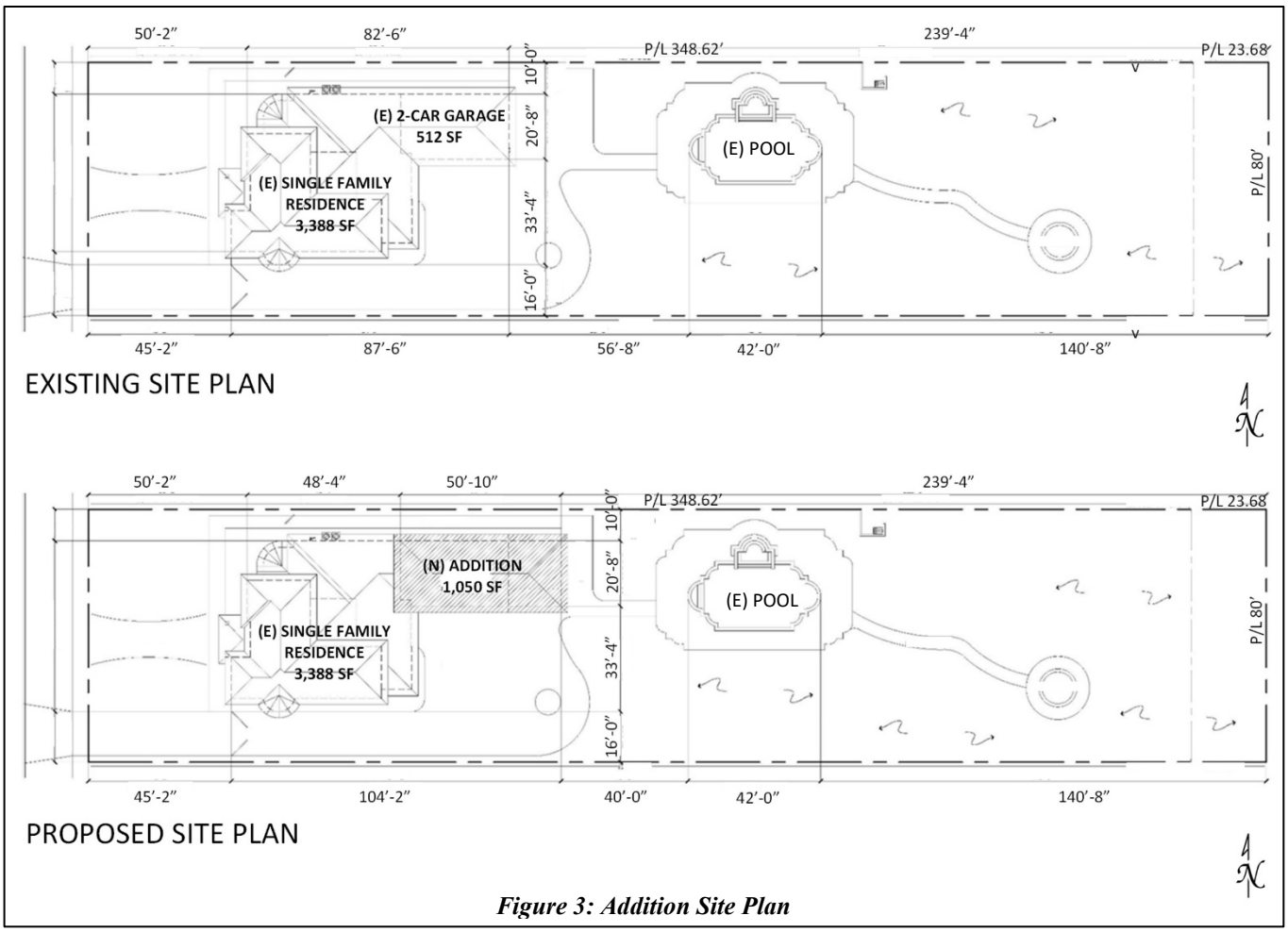


Figure 3: Addition Site Plan

the required 10' interior setback along the northern property line. The addition will accommodate a pool room on the first floor and a master bedroom suite on the second floor (*Figure 4: Floor Plan*). A new spiral staircase will be constructed in the pool room leading to the master suite. A second staircase will be constructed in the existing living room that will also lead to the master suite. The exterior building wall finish will be a smooth stucco to match the original structure and is depicted in *Figure 5: Addition Elevations*. The south elevation of the 2nd story addition will have glass walls with operable windows. The southern property line is densely landscaped with trees, shielding visibility to the neighboring property. The first-floor pool room will feature multiple sliding aluminum doors on the south and east elevations. All new windows proposed on the addition will match the style, size and material of the existing windows and will be hung or fixed.

Figure 4: Addition Floor Plan

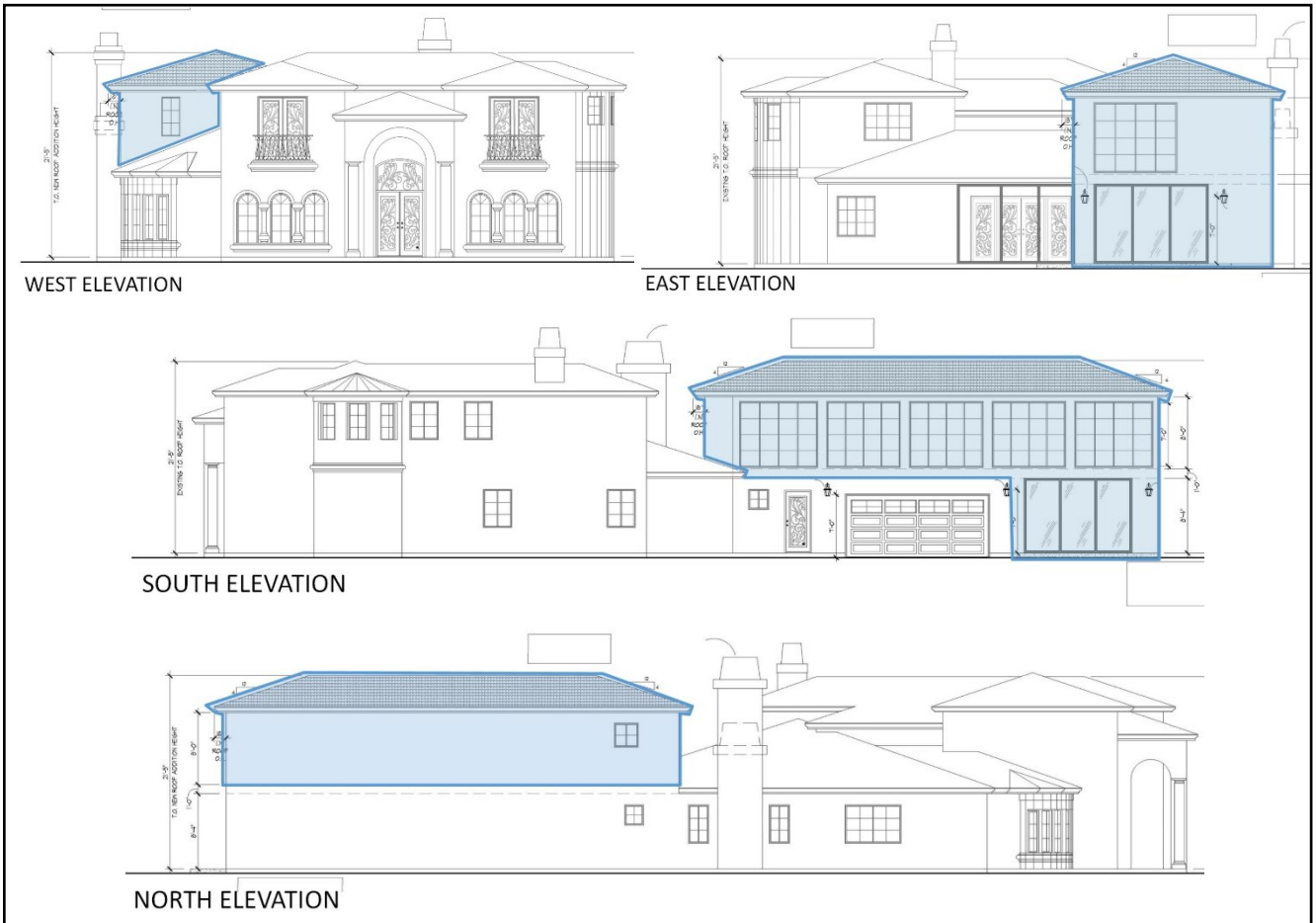


Figure 5: Addition Elevations

2. Accessory Residential Structure – The Applicant is also proposing to construct a 2,600 square foot, 2-story detached Accessory Residential Structure (*Figure 6: Accessory Residential Structure Site Plan*). The building will be 21'-1" in height and will be 312 feet from the front property line, 166 feet 8 inches from the proposed addition, 5 feet 10 inches from the northern (interior) property line, 9 feet 3 inches from the southern (interior) property line and 10 feet from the rear property line.

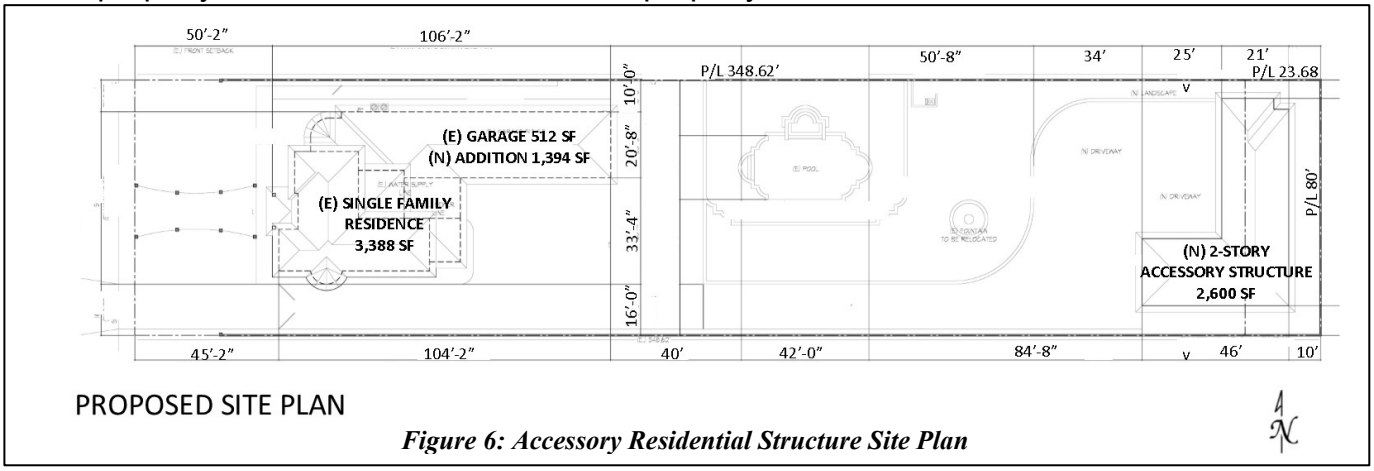


Figure 6: Accessory Residential Structure Site Plan

The building contains a 2-bay, 4-car garage and a 900 square foot RV garage. The second story, one-bedroom ADU is constructed over the 4-car garage and is accessed from an enclosed staircase on the north side of the structure (*Figure 7: Accessory Residential Structure Floor Plan*).

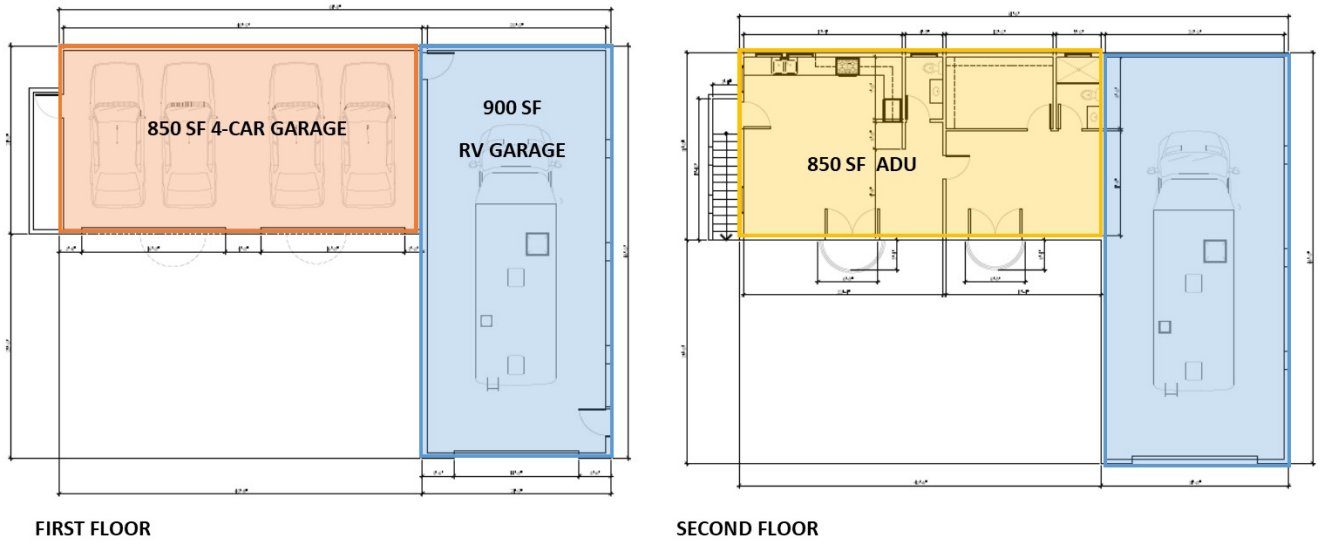


Figure 7: Accessory Residential Structure Floor Plan

The new building is L-shaped in plan with a cross-hipped tile roof and smooth stucco siding (*Figure 8: Accessory Residential Structure Elevations*). The west elevation will feature 2 second-story balconies with decorative French doors to match the primary dwelling. The north and south elevations will feature arched openings with decorative iron details. The exterior light fixtures and window style, material and trim details on the detached accessory residential structure shall match the primary dwelling.

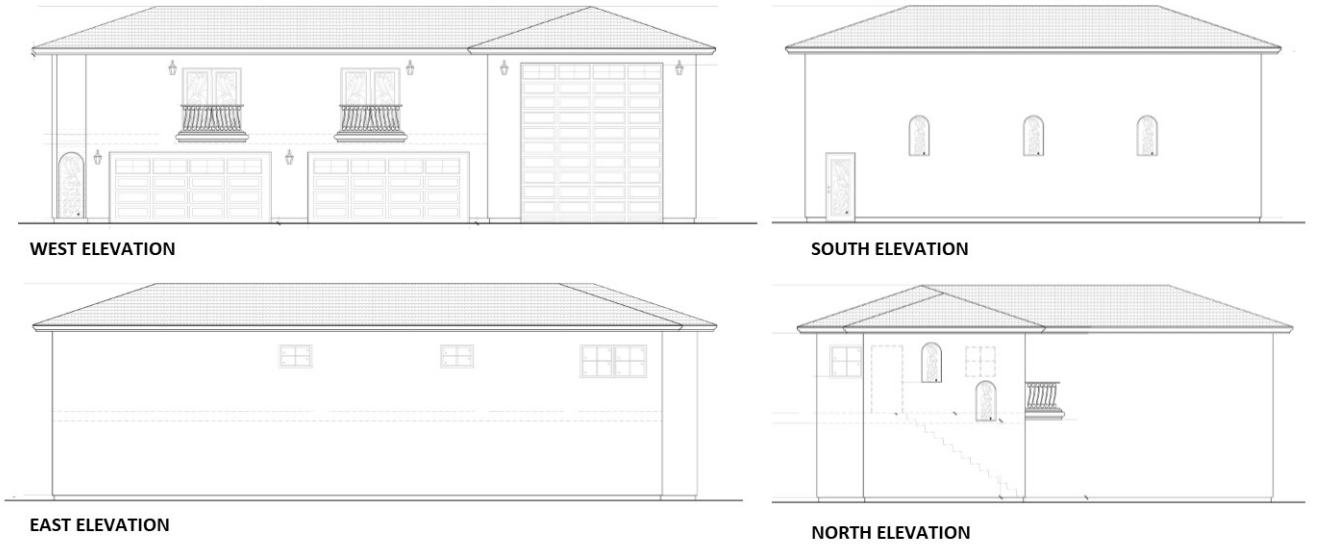


Figure 8: Accessory Residential Structure Elevations

On July 9, 2020, the Historic Preservation Subcommittee (HPSC) reviewed the Certificate of Appropriateness application and recommended approval to the Planning/Historic Preservation Commission subject to conditions of approval as contained in Exhibit A of the Resolution.

The Planning Commission, serving as the Historic Preservation Commission, must consider and clearly establish certain findings of facts for all Certificate of Appropriateness applications. The exterior alterations, in whole or in part:

1. *Finding: Will not detrimentally change, destroy, or adversely affect any significant architectural feature of the resource.*

   Fact: While the project site has not been identified as an historic resource, the site has been designated as a Non-Contributor to the Euclid Avenue Historic District. The new construction will be constructed at the rear of the existing residence and with partial visibility from the street. The accessory residential structure will be constructed 316 feet from the front property line and will not be visible from the street. The new addition and accessory residential structure will be constructed of materials compatible with the existing residence, such as a tile roof, smooth stucco siding and grid pattern windows; and

2. *Finding: Will not detrimentally change, destroy, or adversely affect the historic character or value of the resource.*

   Fact: The project does not propose any alterations to the existing site layout and circulation. The proposed addition and accessory residential structure will not result in any alteration to the orientation and the spatial relationship from the building to the Euclid Avenue Historic District, therefore the project will not change, destroy or adversely affect the character or value of the Euclid Avenue Historic District; and

3. *Finding: Will be compatible with the exterior character-defining features of the historic resource.*

   Fact: Although the project site is not considered historic, the site is adjacent to historic Euclid Avenue. Through enhanced architectural elements in the Mediterranean Revival architectural style, the proposed project will be compatible with the exterior features of the Euclid Avenue Historic District; and

4. *Finding: Will not adversely affect or detract from the character of the historic district.*

   Fact: Through enhanced architectural elements in the Mediterranean Revival architectural style, the proposed project does not detract from the character of the Euclid Avenue Historic District.

[3] Conditional Use Permit

The Applicant is requesting the Conditional Use Permit (CUP) to accommodate the use of the proposed detached Accessory Residential Structure. The Applicant is proposing the construction of a 21 foot and 4 inches tall, 2,600-square foot Accessory Residential Structure consisting of a

4-car garage, an RV garage, and a second story Accessory Dwelling Unit. The City's Development Code requires that any detached accessory residential structure in excess of 650 square feet or 16 feet in height requires the approval of a Conditional Use Permit. The subject application was submitted in fulfillment of this requirement.

a. Proposed Use – The Applicant proposes to occupy the first floor of the Accessory Residential Structure for vehicle parking in excess of the required parking for the existing single-family residence. The second story of the Accessory Residential Structure will accommodate a one-bedroom 850 square foot ADU.

b. Land Use Compatibility — The Conditional Use Permit review is required to ensure that the proposed use will be operated in a manner consistent with all local regulations and to ensure that 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 existing single-family residential home and proposed ADU are located within an established single-family neighborhood, surrounded by predominantly single-family residential uses. Although the project site is primarily surrounded by single-story residential homes, the proposed second floor ADU is setback over 300 feet from Euclid Avenue to the west. The overall height of the structure is well below the Development Code allowance of 35 feet for the neighborhood. The proposed use is consistent with the surrounding residential uses; therefore, no significant negative impacts are anticipated.

   Staff believes that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use/the modification to the CUP and the proposed use is compatible with adjacent land uses.

   The Planning Commission, acting as the approving authority, must consider and clearly establish certain findings of facts for all Conditional Use Permit applications.

   1. *Finding: The scale and intensity of the proposed land use is consistent with the scale and intensity of land uses intended for the particular zoning or land use district.*

      Fact: The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the Development Code and zoning district within which the site is located. The proposed Accessory Residential Structure will be located at 1404 North Euclid Avenue, which is designated for the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district. The proposed use will be established consistent with the City of Ontario Development Code, and its objectives and purposes, and the objectives and purposes, and development standards and guidelines, of the LDR-5 zoning district. The proposed Accessory Residential Structure will accommodate vehicle parking and an ADU, both are permitted land uses in the LDR-5 zoning district.

   2. *Finding: 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.*

Fact: The proposed Accessory Residential Structure will be located at 1404 North Euclid Avenue, which the Policy Plan Master Land Use Plan designates for Low Density Residential land uses. The proposed land use 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, which promotes the establishment and intensification of residential land uses in the area of the project site. The proposed Accessory Residential Structure will provide for an accessory dwelling in the existing residential neighborhood.

3. *Finding: 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 any applicable specific plan or planned unit development.*

   Fact: The proposed Accessory Residential Structure land use is located within Low Density Residential (2.1-5 du/ac) land use district of the Policy Plan Official Land Use Plan (Exhibit LU-01), and the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code. With approval of the Conditional Use Permit, the proposed Accessory Residential Structure will meet all Development Code standards, including those related to setbacks, height, parking, density, lot coverage, and building area.

4. *Finding: The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.*

   Fact: 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).

5. *Finding: 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.*

   Fact: The project site is located within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district for which Accessory Residential Structures are permitted uses and Accessory Residential Structures in excess of 16 feet in height or 650 square feet in area are conditionally permitted uses. Accessory Dwelling Units and Garages are consistent with the allowed types of uses specified within the zoning district. 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 the surrounding properties and improvements.

COMPLIANCE WITH THE ONTARIO PLAN: The proposed project is consistent with the principles, goals and policies contained within the components that make up The Ontario Plan (TOP), including: (1) Vision, (2) Governance, (3) Policy Plan (General Plan) and (4) City Council Priorities in the following ways:

[1] City Council Goals

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

[2] Vision

Dynamic Balance

- An appreciation for the "personality and charm" of this community, preserving important characteristics and values even as growth and change occur, all the while retaining a distinctive local feel where people love to be.

Prosperous Economy

- Extensively revitalized sectors of the Original Model Colony and mature mixed use centers in key opportunity areas.

Distinctive Development

- Diverse and highly successful villages that benefit from preservation, enhancement and selective intensification (Original Model Colony)

[3] Governance

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

Land Use Element – Compatibility

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

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

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

Housing Element – Neighborhoods & Housing

- 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.

  - H1-4 Historical Preservation. 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.

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.

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

Community Economics – Complete Community

- 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

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.

- CD1-1 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.

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

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.

Community Design Element — Historic Preservation

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

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

  - CD4-5 Adaptive Reuse. We actively promote and support the adaptive reuse of historic sites and buildings to preserve and maintain their viability.

ENVIRONMENTAL REVIEW: Staff independently reviewed, evaluated and exercised judgment over the project and the project's environmental impacts and determined that the proposed project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to § 15303 (Class 3, New Construction or Conversion of Small Structures) and § 15331 Class 31 Historical Resource Restoration/Rehabilitation.

RESOLUTION NO. PC

A RESOLUTION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF ONTARIO, APPROVING FILE NO. PHP19-019, A CERTIFICATE OF APPROPRIATENESS TO CONSTRUCT: [1] AN 1,394 SQUARE FOOT ADDITION TO AN EXISTING 3,388 SQUARE FOOT SINGLE-FAMILY RESIDENCE, AND [2] A 2-STORY, 2,600 SQUARE FOOT DETACHED ACCESSORY RESIDENTIAL STRUCTURE TO ACCOMMODATE AN 850 SQUARE FOOT 4-CAR GARAGE, 900 SQUARE FOOT RV GARAGE, AND A SECOND-STORY 850 SQUARE FOOT ACCESSORY DWELLING UNIT (ADU), ON 0.64 ACRES OF LAND LOCATED AT 1404 NORTH EUCLID AVENUE, A NON-CONTRIBUTOR TO THE EUCLID AVENUE HISTORIC DISTRICT, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DUS/ACRE) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1047-351-14

WHEREAS, Andrew D. Hernandez Jr. ("Applicant") has filed an application for the approval of a Certificate of Appropriateness, File No. PHP19-019, as described in the title of this Resolution (hereinafter referred to as "Project"); and

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

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

WHEREAS**,** the Community Development and the Aesthetic, Cultural, Open Space, and Recreational Resources Elements of the Policy Plan component of The Ontario Plan sets forth Goals and Policies to conserve Ontario's historic buildings and districts; and

WHEREAS, the Euclid Avenue Historic District is worthy of preservation and was designated as a Local Historic District by the City Council on June 4, 2013; and

WHEREAS, the residence located at 1404 North Euclid Avenue was constructed in 2005 and does not contribute to the district, and has been designated a Non-Contributor to the Euclid Avenue Historic District; and

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

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

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

WHEREAS, 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; and

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

WHEREAS, on July 9, 2020, the Historic Preservation Subcommittee of the City of Ontario conducted a hearing and issued Decision No. HPSC20-008, recommending the Historic Preservation Commission grant the Application; and

WHEREAS, on July 28, 2020, the Historic Preservation Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Historic Preservation Commission of the City of Ontario as follows:

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

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15331 (Class 31, Historical Resource Restoration/Rehabilitation) of the CEQA Guidelines, which consists of maintenance, repairs, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings (1995), Weeks and Grimmer. The Guidelines were utilized in the development of the project design and, as a result, do not pose any adverse impacts to the historic resource; and

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

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

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

SECTION 3: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Historic Preservation Commission during the above-

referenced hearing, and upon the specific findings set forth in Sections 1 and 2, above, the Historic Preservation Commission hereby concludes as follows:

(1) ***The proposed project will not detrimentally change, destroy or adversely affect any significant architectural feature of the resource.*** While the project site has not been identified as an historic resource, the site has been designated as a Non-Contributor to the Euclid Avenue Historic District. The new construction will be constructed at the rear of the existing residence and with partial visibility from the street. The accessory residential structure will be constructed 316 feet from the front property line and will not be visible from the street. The new addition and accessory residential structure will be constructed of materials compatible with the existing residence, such as a tile roof, smooth stucco siding and grid pattern windows.

(2) ***The proposed project will not detrimentally change, destroy or adversely affect the historic character or value of the resource***. The project does not propose any alterations to the existing site layout and circulation. The proposed addition and accessory residential structure will not result in any alteration to the orientation and the spatial relationship from the building to the Euclid Avenue Historic District, therefore the project will not change, destroy or adversely affect the character or value of the Euclid Avenue Historic District.

(3) ***The proposed project will be compatible with the exterior character-defining features of the historic resource.*** Although the project site is not considered historic, the site is adjacent to historic Euclid Avenue. Through enhanced architectural elements in the Mediterranean Revival architectural style, the proposed project will be compatible with the exterior features of the Euclid Avenue Historic District.

(4) ***The proposed project will not adversely affect or detract from the character of the historic district.*** Through enhanced architectural elements in the Mediterranean Revival architectural style, and placement to reduce visibility from Euclid Avenue, the proposed project does not detract from the character of the Euclid Avenue Historic District.

SECTION 4: ***Historic Preservation Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Historic Preservation Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A" and incorporated herein by this reference.

SECTION 5: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to

attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Historic Preservation Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Historic Preservation Commission
Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and Secretary of the
Historic Preservation Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Historic Preservation Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC20-, was duly passed and adopted by the Historic Preservation Commission of the City of Ontario at their regular meeting held on July 28, 2020 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PHP19-019
Departmental Conditions of Approval

(Departmental conditions of approval follow this page)

Historic Ontario

The "Model Colony"

CERTIFICATE OF APPROPRIATENESS

CONDITIONS OF APPROVAL

Date:	July 28, 2020
File No.:	PHP19-019
Location:	1404 North Euclid Avenue (APN: 1047-351-14)
Prepared By:	Elly Antuna, Associate Planner
Description:	A Certificate of Appropriateness to construct: [1] an 1,394 square foot addition to an existing 3,388 square foot single-family residence, and [2] A 2-story, 2,600 square foot detached Accessory Residential Structure to accommodate an 850 square foot 4-car garage, 900 square foot RV garage, and a second-story 850 square foot Accessory Dwelling Unit (ADU), on 0.64 acres of land located at 1404 North Euclid Avenue, a Non-Contributor to the Euclid Avenue Historic District, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) and EA (Euclid Avenue Overlay) zoning districts.

CONDITIONS OF APPROVAL

The above-described Project shall comply with the following Conditions of Approval:

1. Time Limits.

   1.1. The Certificate of Appropriateness shall become void twenty-four (24) months from the date of approval unless a building permit has been issued and work authorized by this approval has commenced prior to the expiration date and is diligently pursued to completion.

2. Site Plan.

   2.1. Addition. New addition to existing residence shall maintain the following minimum setbacks:

      2.1.1. Front/West property line – 98’-6”

      2.1.2. Pool to the east – 40’

      2.1.3. North property line - 10’

2.1.4. South property line – 49'-4"

2.2. Accessory Residential Structure. Detached accessory residential structure shall maintain the following minimum setbacks:

2.2.1. Front/West property line – 312'

2.2.2. Principal Dwelling to the west – 166'

2.2.3. North property line – 5'-10"

2.2.4. South property line – 9'-3"

2.2.5. East property line – 10'

3. Architectural Treatment.

3.1. Exterior light fixtures shall be period appropriate. Submit a cut sheet to Planning Department for review and approval prior to issuance of building permit.

3.2. All of the exterior siding on the buildings shall be a smooth stucco to match the original building.

3.3. Roof slope of new construction shall match the existing building. All roofing material on the existing building and new construction shall be a cement tile shingle. Submit a cut sheet to Planning Department for review and approval prior to issuance of building permit.

3.4. The roof of all new construction shall be hipped to match the existing.

3.5. Eave overhang shall match existing.

3.6. The style (i.e. frame thickness, opening direction, etc.) and fenestration of the new windows shall match the existing building. Submit a cut sheet to Planning Department for review and approval prior to issuance of building permit.

3.6.1. Windows shall be hung or fixed style.

3.6.2. All windows and exterior doors shall have a recessed opening to match existing.

3.6.3. Window and exterior doors shall have trim to match existing.

3.7. Addition.

3.7.1. The finished floor on the new construction shall match existing.

3.8. Accessory Residential Structure.

3.8.1. Balcony French doors, railing, and decorative features shall match the existing principal residence balconies.

3.8.2. Garage doors style and recess shall match the principal residence.

4. Paint color shall be selected from a period appropriate palette and shall require approval of the Planning Department prior to commencement of work.
5. The applicant shall obtain a building permit prior to any demolition or construction.
6. Any deviation from the approved plans, stamped red-lined plans are the official set, shall require approval of the Planning Department and, if necessary, the Historic Preservation Commission.
7. Conditions of Approval shall be reproduced onto the plans submitted for permits.
8. Prior to Occupancy, the Planning Department shall inspect the premises to ensure the Conditions of Approval have been met and that the project has been constructed per the approved plans.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP19-029, A REQUEST FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 2-STORY, 2,600 SQUARE FOOT DETACHED ACCESSORY RESIDENTIAL STRUCTURE TO ACCOMMODATE AN 850 SQUARE FOOT 4-CAR GARAGE, 900 SQUARE FOOT RV GARAGE, AND A SECOND-STORY 850 SQUARE FOOT ACCESSORY DWELLING UNIT (ADU), ON 0.64 ACRES OF LAND LOCATED AT 1404 NORTH EUCLID AVENUE, A NON-CONTRIBUTOR TO THE EUCLID AVENUE HISTORIC DISTRICT, WITHIN THE LDR-5 (LOW DENSITY RESIDENTIAL – 2.1 TO 5.0 DUS/ACRE) AND EA (EUCLID AVENUE OVERLAY) ZONING DISTRICTS AND MAKING FINDINGS IN SUPPORT THEREOF – APN: 1047-351-14

WHEREAS, Andrew D. Hernandez ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP19-029, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 0.64 acres of land generally located on the east side of North Euclid Avenue, bound by La Deney Drive to the north and Hawthorne Drive to the south, at 1404 North Euclid Avenue within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre), and is presently improved with an approximate 11,000-square foot residential building; and

WHEREAS, the surrounding properties to the Project site are within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district, and are developed with residential buildings; and

WHEREAS, all members of the Development Advisory Board of the City of Ontario were provided the opportunity to review and comment on the requested Conditional Use Permit, and no comments were received opposing the proposed use; and

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

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

WHEREAS, 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; and

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

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

WHEREAS, on December 3, 2019 the Applicant has submitted File No. PHP19-019 requesting approval for a Certificate of Appropriateness to construct certain exterior improvements related to this project in conjunction with the Conditional Use Permit modification application (File No. PCUP19-029); and

WHEREAS, the Conditions of Approval for Certificate of Appropriateness application File No. PHP19-019 are attached herein and by this reference (Exhibit B); and

WHEREAS, approval of Conditional Use Permit Application File No. PCUP19-029 is contingent upon approval of Certificate of Appropriateness Application File No. PHP19-019; and

WHEREAS, on July 28, 2020, 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:

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

(2) The Project is categorically exempt from environmental review pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the State CEQA Guidelines, which consists of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure, including, but not limited to one single-family residence, or a second dwelling unit in a residential zone; and

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

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

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

SECTION 3: ***Concluding Facts and Reasons***. Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 and 2 above, the Planning Commission hereby concludes as follows:

(1) ***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 location of the Conditional Use Permit is in

accord with the objectives and purposes of the Development Code and zoning district within which the site is located. The proposed Accessory Residential Structure will be located at 1404 North Euclid Avenue, which is designated for the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district. The proposed use will be established consistent with the City of Ontario Development Code, and its objectives and purposes, and the objectives and purposes, and development standards and guidelines, of the LDR-5 zoning district. The proposed Accessory Residential Structure will accommodate vehicle parking and an ADU, both are permitted land uses in the LDR-5 zoning district.

(2) ***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 Accessory Residential Structure will be located at 1404 North Euclid Avenue, which the Policy Plan Master Land Use Plan designates for Low Density Residential land uses. The proposed land use 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, which promotes the establishment and intensification of residential land uses in the area of the project site. The proposed Accessory Residential Structure will provide for an accessory dwelling in the existing residential neighborhood.

(3) ***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 any applicable specific plan or planned unit development.*** The proposed Accessory Residential Structure land use is located within Low Density Residential (2.1-5 du/ac) land use district of the Policy Plan Official Land Use Plan (Exhibit LU-01), and the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use is consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code. With approval of the Conditional Use Permit, the proposed Accessory Residential Structure will meet all Development Code standards, including those related to setbacks, height, parking, density, lot coverage, and building area.

(4) ***The proposed use at the proposed location would be consistent with the provisions of the Airport Land Use Compatibility Plan.*** 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).

(5) ***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 LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district for which Accessory Residential Structures are permitted uses and Accessory Residential Structures in excess of 16 feet in height or 650 square feet in area are conditionally permitted uses. Accessory Dwelling Units and Garages are consistent with the allowed types of uses specified within the zoning district. 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 the surrounding properties and improvements.

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 thru 3 above, the Planning Commission hereby APPROVES the herein described Application subject to each and every condition set forth in the Department reports, attached hereto and incorporated herein by this reference.

SECTION 5: ***Indemnification***. The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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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 28th day of July 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary of Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC20-, was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020 by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

Exhibit A-Conditions of Approval

1.0 General Requirements.

1.1 Failure to maintain compliance with the herein-listed conditions of approval shall be deemed just cause for revocation of conditional use permit approval.

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

1.3 The use shall be operated in full conformance with the description and requirements of the Conditional Use Permit on file with the City. Any variations from, or changes in, the approved use (i.e., increase in square footage, expansion or intensification of use, etc.) must be first reviewed and approved by the Planning Commission prior to commencement of the changes.

1.4 The approved use is subject to all conditions, requirements and recommendations from all other affected departments/agencies, provided on the attached reports/memorandums.

1.5 The Planning Department may, from time to time, conduct a review of the approved use to ascertain compliance with the herein-stated conditions of approval. Any noncompliance with the conditions of approval shall be immediately referred to the Zoning Administrator for possible action.

2.0 Special Conditions of Approval. In addition to the *General Requirements* identified in condition No. 1.0, above, the project shall comply with the following special conditions of approval:

2.1 Site Plan.

(a) Detached accessory residential structure shall maintain the following minimum setbacks:

(i) Front/West property line – 312’

(ii) Principal Dwelling to the west – 166’

(iii) North property line – 5’-10”

(iv) South property line – 9’-3”

(v) East property line – 10’

2.2 Environmental Review.

(a) The proposed project is categorically exempt from the requirements of the California Environmental Quality Act of 1970 (CEQA), as amended, and the Guidelines promulgated thereunder, pursuant to Section 15303 (Class 3, New Construction or Conversion of Small Structures) of the CEQA Guidelines.

(b) 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.

(c) 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).

(d) 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.

2.3 Additional Fees.

(a) Within 5 days following final application approval, the ☐ Notice of Determination (NOD), ☒ Notice of Exemption (NOE), filing fee shall be provided to the Planning Department. The fee shall be paid by check, made payable to the "Clerk of the Board of Supervisors", which will 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 the 30-day statute of limitations for the filing of a CEQA lawsuit being extended to 180 days.

(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.

2.4 Additional Requirements.

(a) All Ontario Development Code standards regarding Accessory Dwelling Units shall apply and be maintained for the duration of the use.

(b) All conditions and requirements for all City of Ontario Departments shall be adhered to.

CITY OF ONTARIO
MEMORANDUM

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

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

PC MEETING DATE:	**July 28, 2020**	
PROJECT:	**PCUP19-029, A Conditional Use Permit to establish and construct an 850-square foot ADU in conjunction with an attached 850-square foot 4-car garage and 900-square foot RV garage on 0.64-acre of land.**	
APN:	**1047-351-14**	
LOCATION:	**1404 North Euclid Avenue**	
PROJECT ENGINEER:	**Eric Woosley, Environmental Engineer, P.E.**	**(909) 395-2134**
PROJECT PLANNER:	**Elly Antuna, Associate Planner**	**(909) 395-2414**

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

1. Project shall comply with the requirements as set forth in the Amendment to the Standard Conditions of Approval for New Development Projects adopted by the City Council (Resolution No. 2017-027) on April 18, 2017; as well as project-specific conditions/requirements as outlined below:

2. The applicant/developer shall replace the section of curb missing along the frontage, approximately 7-ft in length per City of Ontario Standard Drawing No. 1202.

3. The applicant/developer shall apply for an Encroachment Permit with the California Department of Transportation (Caltrans) as well as with the Engineering Department of the City of Ontario for all work proposed within the right-of-way of Euclid Avenue.

for Bryan Lirley, P.E.
Principal Engineer — Date: 6/24/20

Raymond Lee, P.E.
Assistant City Engineer — Date: 6/24/20

Exhibit B –
Certificate of Appropriateness File No. PHP19-019
Conditions of Approval

The above-described Project shall comply with the following Conditions of Approval:

1. Time Limits.

   1.1. The Certificate of Appropriateness shall become void twenty-four (24) months from the date of approval unless a building permit has been issued and work authorized by this approval has commenced prior to the expiration date and is diligently pursued to completion.

2. Site Plan.

   2.1. Addition. New addition to existing residence shall maintain the following minimum setbacks:

      2.1.1. Front/West property line – 98'-6"

      2.1.2. Pool to the east – 40'

      2.1.3. North property line - 10'

      2.1.4. South property line – 49'-4"

   2.2. Accessory Residential Structure. Detached accessory residential structure shall maintain the following minimum setbacks:

      2.2.1. Front/West property line – 312'

      2.2.2. Principal Dwelling to the west – 166'

      2.2.3. North property line – 5'-10"

      2.2.4. South property line – 9'-3"

      2.2.5. East property line – 10'

3. Architectural Treatment.

   3.1. Exterior light fixtures shall be period appropriate. Submit a cut sheet to Planning Department for review and approval prior to issuance of building permit.

   3.2. All of the exterior siding on the buildings shall be a smooth stucco to match the original building.

   3.3. Roof slope of new construction shall match the existing building. All roofing material on the existing building and new construction shall be a cement tile

shingle. Submit a cut sheet to Planning Department for review and approval prior to issuance of building permit.

3.4. The roof of all new construction shall be hipped to match the existing.

3.5. Eave overhang shall match existing.

3.6. The style (i.e. frame thickness, opening direction, etc.) and fenestration of the new windows shall match the existing building. Submit a cut sheet to Planning Department for review and approval prior to issuance of building permit.

3.6.1. Windows shall be hung or fixed style.

3.6.2. All windows and exterior doors shall have a recessed opening to match existing.

3.6.3. Window and exterior doors shall have trim to match existing.

3.7. Addition.

3.7.1. The finished floor on the new construction shall match existing.

3.8. Accessory Residential Structure.

3.8.1. Balcony French doors, railing, and decorative features shall match the existing principal residence balconies.

3.8.2. Garage doors style and recess shall match the principal residence.

4. Paint color shall be selected from a period appropriate palette and shall require approval of the Planning Department prior to commencement of work.

5. The applicant shall obtain a building permit prior to any demolition or construction.

6. Any deviation from the approved plans, stamped red-lined plans are the official set, shall require approval of the Planning Department and, if necessary, the Historic Preservation Commission.

7. Conditions of Approval shall be reproduced onto the plans submitted for permits.

8. Prior to Occupancy, the Planning Department shall inspect the premises to ensure the Conditions of Approval have been met and that the project has been constructed per the approved plans.

PLANNING COMMISSION STAFF REPORT

July 28, 2020

FILE NOS.: PDEV19-036 and PCUP19-015

SUBJECT: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) submitted by **Gracepoint Brethren in Christ Church**. **Continued from the June 30, 2020 special Planning Commission meeting.**

PROPERTY OWNER: Wylda P Sharp Revocable Living Trust

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PDEV19-036 and PCUP19-015, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 1.87 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and is depicted in Figure 1: Project Location, below. The vacant property is relatively flat, with a gentle 1 to 2 percent slope from north to south. The property surrounding the Project site is characterized primarily by single-family residential land uses to the north, south, east, and west. 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.

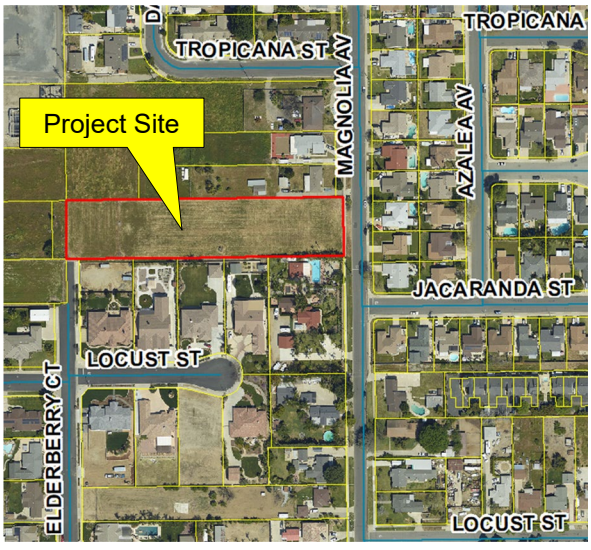


Figure 1: Project Location

Case Planner:	Jeanie Irene Aguilo
Planning Director Approval:	
Submittal Date:	07/02/2019

Hearing Body	*Date*	*Decision*	*Action*
DAB	06/15/2020	Approval	Recommend
PC	07/28/2020		Final
CC	N/A	N/A	N/A

PROJECT ANALYSIS:

[1] Background — The Applicant, Gracepoint Brethren in Christ Church, was founded in 2005 within the City of Ontario by Pastor Steven and Nicole Airth. Prior to establishing Gracepoint Church Pastor Steven and Nicole were directors of youth at Gateway Community Church located in Chino, California. Pastor Steven was encouraged by Gateway Church to establish a new congregation for Ontario residents and received financial support from Gateway and the Brethren in Christ Board for Church Planting and Evangelism to establish Gracepoint Church. Gracepoint Church has been holding services for their 80 congregants at Ranchview Elementary School (3300 South Old Archibald Ranch Road), within the City of Ontario, for approximately 14 years and is seeking to establish a permanent location and facility within the southern portion of the City. Brethren in Christ, which is financially affiliated with Gracepoint, has several locations in surrounding cities, including Ontario. The Ontario Brethren in Christ Church is located in the northern portion of the City, within an existing residential neighborhood, at 1205 North Baker Avenue.

On July 2, 2019, the applicant submitted a Development Plan (File No. PDEV19-036) to construct a 7,531 square-foot religious assembly use, in conjunction with a Conditional Use Permit (File No. PCUP19-015) to establish the religious assembly land use (Gracepoint Church).

On June 15, 2020, the Development Advisory Board reviewed the subject applications and recommended that the Planning Commission approve the proposed Project subject to the departmental conditions of approval included with this report.

During the last 5 months, the City has modified City operations, including public hearings, in compliance with state and county public health department COVID-19 requirements. During this time, Planning Commission meetings have bounced between in-person and remote meetings. From March to May, Planning Commission meetings were held remotely. In June, COVID case rates subsided and public meetings were held in-person again.

The subject applications were placed on the June 30, 2020 Planning Commission agenda, which was noticed and held, in-person. Days immediately prior to the June 30, 2020, Planning Commission meeting, COVID-19 infection rates started to rise again. Staff began to receive multiple written comments with concerns regarding public gatherings during the COVID-19 outbreak. A number of residents interested in providing public testimony on the subject applications have underlying health conditions or are seniors which put them in a high-risk category for COVID-19 complications. These high-risk residents did not feel comfortable attending a crowded public meeting. Therefore, the Planning Commission, at the request of staff, opened the public hearing, received public testimony, and continued the item to the July 28, 2020, Planning Commission meeting. Continuing the meeting allowed for alternative measures to be put in place in order to accommodate those who were not be able, or did not feel comfortable, attending an in-

person meeting. In an abundance of caution, due to recent increases of COVID-19 cases in the City and San Bernardino County, in-person meetings have been suspended and staff will resume virtual Zoom meetings until the foreseeable future.

[2] Site Design/Building Layout — The building is situated on a rectangular narrow through-lot (132 feet wide by 627.50 feet long), with street frontages along the western (Elderberry Court) and eastern (Magnolia Avenue) property lines. The proposed building is centrally located along the northern portion of the Project site, with parking lots located east and west of the building, which are connected by a 24-foot wide drive aisle that runs along the southern property line (see Exhibit B — Site Plan, attached). An open lawn area (98 feet by 56 feet) immediately west of the building has also been provided. The building's main front entrance is oriented to the south, facing the drive-aisle, and secondary/minor access points are located on the north, west and east sides of the building. The building is setback approximately 150 feet from the east property line (Magnolia Avenue), 25 feet from the north interior property line, approximately 317 feet from the west property line (Elderberry Court), and 63 feet from the interior south property line. Along the southern property line, there is an existing six-foot high masonry block wall (located on the east side) and three-foot high vinyl rail fence (located on the west side) that will remain in place. A six-foot high decorative masonry wall will be constructed along the north property line and a six-foot high steel tubular fence with access gates, will be constructed along the west and east property lines, to secure the site.

The floor plan for the proposed building (see Exhibit C—Floor Plan, attached) and outdoor lawn area are described below:

- **Sanctuary** – The Sanctuary occupies the eastern half of the building and includes 180 fixed seats, a platform/stage area, and storage.

- **Lobby** – The Lobby is centrally located within the building and features the main entrance to the building. All portions of the building can be accessed through the lobby, which includes two restrooms (men and women), a storage room and access to a mezzanine area that will also be utilized for storage.

- **Classrooms/Offices** – The western half of the building consists of a kitchen that is directly adjacent to the lobby area, two classrooms, a youth room, two nursery rooms, a nursery restroom, and two offices.

- **Open Lawn Area** – The open lawn area will be utilized for outdoor youth/children activities during church service hours.

[3] Proposed Use/Operations — Gracepoint is proposing to establish and operate a religious assembly use within the proposed building, to include the following operations:

- **Pastor Office Hours -** The Pastor office hours would be held Monday through Friday, from 8:30 a.m. to 4:30 p.m. The Pastor office hours are utilized to study

and prepare for church services. Four to seven volunteer members are expected on-site during office hours to assist the Pastor with service preparation and organize events.

- **Sunday Service –** Sunday services and setup are from 8:00 a.m. to 12:00 p.m., with the service setup time scheduled from 8:00 a.m. to 10:00 a.m. A group of 15-20 volunteers (staff, musicians, and technical crew) spend the first hour preparing for Sunday services, which include refreshment preparation, band rehearsal, and classroom/childcare preparation, and the second hour in group prayer. Sunday Service is held within the Sanctuary, from 10:00 a.m. to 12:00 p.m. During Sunday Service, childcare is provided for children ages 3 and below within the nursery rooms, and worship and prayer activities are provided for children ages 4 to 10 within the classrooms.

- **Quest Gracepoint Youth Ministry –** The Youth Ministry will be held every Wednesday evening, from 6:00 p.m. to 8:00 p.m., for members that are between the ages of 12 to 17. The group consists of ten to fifteen members, which includes an average of two to three adult group leaders. The majority of youth group members will be dropped-off and picked up on-site.

- **Board Meetings –** Gracepoint will host monthly board meetings on Sunday evenings, from 6:00 p.m. to 8:00 p.m., that consists of seven church members.

[4] Site Access/Circulation — Vehicular access to the Project site is provided along Magnolia Avenue and Elderberry Court. The Magnolia Avenue entrance, located at the southeast corner of the Project site, will serve as primary access via a 24-foot wide driveway that will be gated and remain open during service and church operations, and will accommodate standard and emergency vehicles entering and exiting the site. The Elderberry Court access is for emergency vehicles only. The 24-foot wide gated driveway is located on southwest corner of the Project site and will remain closed. Congregation members will utilize only the Magnolia Avenue street entrance for entering and exiting the site.

[5] Parking Requirements — The Project is required to provide a minimum of 60 off-street parking spaces pursuant to the “Religious Assembly” parking standards specified in the Development Code. Seventy-five parking spaces have been provided, exceeding the minimum standards. Parking was calculated at 0.33 spaces per fixed seat and a total of 180 fixed seats have been proposed within the sanctuary area.

[6] Trip Generation Analysis — A Trip Generation and Roadway Segment Analysis was prepared by Translutions, Inc (Dated: May 20, 2020) for the proposed Project. The study analyzed Trip rates based on the number of seats rather than the building square footage, since the Trip rates based on the number of seats generated a larger trip rate amount and is considered the conservative approach. A Roadway Segment Level of Service (LOS) analysis was conducted on Magnolia Avenue to compare conditions

between the "Proposed Project" and "No Project" scenario. Level of service (LOS) is a mechanism used to determine how well a transportation facility is operating from a traveler's perspective. Typically, six levels of service are defined, and each is assigned a letter designation from A to F, with LOS A representing the best operating conditions, and LOS F the worst. The LOS study, in this case, analyzed both weekday and Sunday conditions, as the use would be the most intense on a Sunday. The resulting analysis concluded that the proposed Project would not have a significant impact on existing traffic operations and maintain a LOS A for the Magnolia Avenue roadway segment (see Attachment A — Trip Generation Analysis, attached).

Furthermore, staff analyzed the number of trips generated by the proposed Project versus the number of trips generated by developing the site with single-family residential uses. The Project site is located within the AR-2 zoning district, which requires a minimum 18,000 square-foot lot size. The existing lot size is 1.87 acres and could potentially be subdivided into four lots that could be developed with up to four residential dwelling units and each potentially having an accessory dwelling unit (ADU) that would total an additional four units. As demonstrated in the Trip Generation Comparison Tables below, the number of trips produced by the proposed religious assembly use is less than the single-family residential development and ADU during the weekday. However, the number of daily trips produced by the religious assembly use is 3.4 times higher than the single-family residential development and ADU on the weekend.

Weekday (Monday thru Friday) Trip Generation Comparison Table			
Land Use	Weekday Trips (Daily) Ratio	Total Weekday Trips (Daily)	Total Weekday Trips
Single Family (4 units) + ADU[1] (4 units)	9.44 Single Family + 4.72 ADU	38 + 19 (57 Total)	285
Religious Assembly (w/out Sanctuary[2] 4,869 SF)	6.95 (per 1,000 SF)	34	170
Religious Assembly (with Sanctuary 7,531 SF)	6.95 (per 1,000 SF)	52	260

[1]An Accessory Dwelling Unit (ADU), is a living unit that may be up to 1,000 square feet. An ADU is an attached or detached residential dwelling unit which provides independent living facilities for one or more persons. The ADU unit is located on the same property as the primary residence and is an accessory to the primary residential dwelling.

[2] The weekday religious assembly use trip generation calculation does not include the 2,662 square foot sanctuary area since services will not be held during the week.

Weekend (Saturday & Sunday) Trip Generation Comparison Table					
Land Use	Saturday Trips (Daily) Ratio	Saturday Trips	Sunday Trips (Daily) Ratio	Sunday Trips	Total Weekend Trips
Single Family (4 units) + ADU (4 units)	9.54 Single Family + 4.77 ADU	19 + 6 (25 Total)	8.55 + 4.2	34 + 17 (51 Total)	76
Religious Assembly[3] (7,531 SF)	5.99 (per 1,000 SF)	45	27.6 (per 1,000 SF)	208	253

Religious Assembly[4] (180 Fixed Seats)	5.99 (per 1,000 SF)/.25 per seat	45	1.2 per seat	216	261

[3] Religious Assembly calculation based upon the building square footage, which generated lower trip rates.

[4] Religious Assembly calculation based on the sanctuary number of fixed seats. Staff utilized the sanctuary number of Trip rates since it generated a larger trip rate amount and is considered the conservative approach.

In order to mitigate any potential impacts associated with Sunday Service traffic peak times, the Planning Department conditions of approval include a requirement for a Road Traffic/Parking Management Plan. On-site and off-site traffic attendants will be required on-site one hour before and one hour after Sunday Services, to guide vehicles entering and exiting the project site in a safe orderly manner. The Road Traffic/Parking Management Plan shall include vehicle movements entering/exiting the site, street route guidance/directions for members traveling to the site and the location of any road traffic/parking attendants on-site and off-site that will be guiding members to the facility. Also, on-street parking for the proposed use shall not be allowed, all members/visitors/congregants shall be required to park their vehicles on-site, which will be enforced by road traffic/parking attendants.

[7] Architecture — The proposed building was designed to complement the existing residential neighborhood setting that consists of single-story homes built in the 1970s, 1980s and 2010s. Architectural elements include a shallow pitch hipped roof, brown and grey flat concrete roof tiles, coarse stucco wall finishes with an earth tone color palette, a stone veneer at the base of the building and columns, aluminum storefront windows surrounding the main entrance, covered patio over the main southern entrance, and covered patio that wraps around the western half of the building. Building articulation and massing is accomplished through varying building heights and wall projections and recesses. The eastern half of the building is 25 feet in height to accommodate the sanctuary and the western half of the building (classroom/offices) is 15 feet in height. The Development Code allows for a 35-foot maximum building height within the AR-2 zoning district; however, due to the predominantly single-story buildings within the neighborhood setting, lower building heights were maintained (see Exhibit I—Building Height Neighboring View Site Analysis).

Staff believes that the proposed Project illustrates the type of high-quality architecture promoted by the Development Code. This is exemplified through the use of:

- Articulation in the building footprint, incorporating a combination of recessed and popped-out wall areas; and
- Articulation in the building roof line, which serves to accentuate the building's entries and breaks up large expanses of building wall; and
- 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; and

- The building was designed to ensure that its massing and proportion, along with its colors and architectural detailing, are consistent on all four building elevations.
- The proposed project is generally in keeping with the neighborhood in terms of mass, size, and scale. Homes in the immediate vicinity of the proposed project range from approximately 2,500 to 6,000 square feet in size and are approximately 23 feet in height. The proposed building is 7,539 square feet in size (approximately 20% larger) and 25 feet in height (approximately 2 feet taller) than the largest homes in the immediate vicinity.

[8] Landscaping — The project provides landscaping along the Magnolia Avenue and Elderberry Court frontages, around the Project perimeter, and throughout the Project site. The Project site is currently lacking right-of-way improvements (sidewalk/parkway) and street trees, which will be provided with the Project. 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 48-inch and 24-inch box trees along Magnolia Avenue, which includes a mix of Crape Myrtle and Red Push Chinese Pistache trees. In addition, a mix of 15-gallon and 24-inch box accent and shade trees will be provided throughout the Project site that includes Drake Elm, Forest Pansy Redbud, Brisbane Box, Coast Live Oak, and London Plane trees. A variety of shrubs and groundcovers are also being provided, which are low water usage or drought tolerant (see Exhibit E—Landscape Plan, attached).

[9] 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 a bio-retention stormwater infiltration systems along the Magnolia Avenue frontage, Elderberry Court, and bioswales along the southern landscape setback for the Project. Any overflow drainage will be conveyed to Magnolia Avenue by way of parkway culverts.

[10] Community Meetings — The Planning Department conducted two community meetings to review the subject applications with the neighboring residents, receive comments, and answer questions on the proposed use. Below is a summary of each meeting.

[a] ***First Community Meeting.*** The first meeting was held on November 6, 2019, and notices were mailed to 47 property owners within 300 feet of the Project site (see Exhibit F— Map of Residents Notified – 1st Community Meeting, attached). There was approximately 50-60 people in attendance. The majority of the residents were in

opposition of the proposed use and raised the following concerns that are listed below along with staff responses to their concerns in italics:

[i] Public Notification Process. Community members requested that future community meetings have a greater notification boundary and suggested boundary notification limits (Phillips Boulevard to the north, Mountain Avenue to the east, Oaks Avenue to the west, and Francis Street to the south). Residents also requested meeting notices be mailed to residents 15 to 20 days prior to any future meetings.

Community meeting notices are sent to property owners within a 300-foot radius of the subject site and 10-days prior to the meeting. However, any future community meeting would have an expanded notification boundary and be mailed at least two-weeks prior to any future meeting dates.

[ii] Land Use. Community members believed that the proposed land use (church) would require a zone change and opposed any zone changes for the Project site. Also, the proposed use was considered to be incompatible since it would increase vehicular traffic and create concentrations of people within the existing rural neighborhood setting.

The Project site is zoned AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) and allows religious assembly uses with an approved Conditional Use Permit. The proposed use would have operating peak times on Sunday morning, during service hours and have minimal activity on-site throughout the week.

[iii] Technical Studies/Information Requests. Community members requested a traffic study, noise study, air quality study, and Environmental Impact Report be prepared to measure any negative impacts specifically the increased vehicle trips/traffic generated by the proposed use.

The Project is considered an In-Fill Development and does not require the preparation of an Environmental Impact Report. However, in consideration of the increased traffic along Magnolia Avenue, the applicant prepared a Trip Generation and Roadway Segment Analysis to measure the impacts of the proposed use that is discussed in the Trip Generation Analysis section of this report.

[iv] Access, Traffic, and Parking Issues. Community Members raised concerns regarding sufficient on-site parking, safety concerns for horseback riders and pedestrians, vehicular and pedestrian access from Elderberry Court and existing speeding issues along Magnolia Avenue and Jacaranda Street. Also, the majority of vehicles traveling southbound on Magnolia Avenue do not stop at an existing Stop Sign located 60-plus feet away from the Magnolia Avenue and Jacaranda Street intersection.

The Project requires 60 on-site parking spaces and 75 on-site parking spaces are proposed exceeding the Development Code requirements by 15 additional spaces.

Access to the project site will be taken from Magnolia Avenue and the driveway along Elderberry Court will be utilized for emergency purposes only. On-street parking will not be permitted and shall be enforced through additional street signage in coordination with the Engineering Department conditions of approval. In addition, the Engineering Department was not aware of the existing Stop Sign condition and coordinated with the City's Public Works Department to realign the Stop Sign with the intersection. Since the meeting, the Stop Sign has been relocated to the intersection and "Stop Ahead" signs and legends may be added on the pavement.

[v] Construction – Community members raised concerns regarding construction noise, construction hours, a construction development timeframe and dust control measures.

All new development projects are required to comply with the minimum standards set forth by the Ontario Municipal Code, Ontario Development Code, California Building Code, California Fire Code, and applicable provisions of the California Code of Regulations. The City Municipal Code limits the hours of construction activity citywide. Monday through Friday hours of construction are between 7:00 a.m. to 6:00 p.m., Saturday and Sunday hours of construction are between 9:00 a.m. to 6:00 p.m.

[vi] Increase in Crime. Community members expressed concerns about the lack of police presence patrolling the neighborhood, as well as loitering on vacant lots.

The development of the Project site will eliminate a vacant lot and provide additional "eyes on the street" and in turn eliminate concerns with loitering on vacant lots.

[vii] Design, Lighting, and loss of Mountain Views. Community members had concerns/questions about on-site lighting on the building and within the parking lot areas being contained on-site and not reflecting onto adjacent properties. Residents along Locust Street were concerned about the loss of mountain views from their backyards.
On-site lighting from the proposed building and parking lot are required to be designed to confine emitted light to the project site. Parking facilities are required to be lighted from sunset until sunrise, daily, and are operated by a photocell switch. Additionally, the maximum building height allowed with the AR-2 zoning district is 35 feet, while the proposed height of the church building is 25 feet, which meets the Development Code requirements. In addition, the proposed building is situated 150 feet from the closest dwelling to the south (residence along Locust Street), which should not impact views of the mountain range.

[viii] Noise. Community members raised issues with noise being generated during service hours and additional noise being generated from people congregating outside of the building before and after the service. There were concerns about additional noise being generated during special events throughout the year.

The applicant will be sound proofing the sanctuary area of the church to mitigate any noise concerns during Sunday service hours. Also, any special event will require Temporary Use Permit (TUP) approval by the City that will place operating conditions on the event to mitigate any potential issues.

Residents at the first meeting requested a 2nd Community Meeting and for notices to be sent to an expanded notification area, 15 to 20 days prior to the meeting date. Following the first meeting, members of the community also provided written statements in support and opposition of the proposed use (see Attachment B: Written Communication from 1st Community Meeting, attached). Written Statements included comment cards from Shane Rodgers, Deb Hilak, Shira Seny, Julie Teeter, Zoila Bautista, and Pedro Hernandez. Email responses were provided by Don Parnell, Jaime Flores, Jamie and Alice Whitlock, and Russell Sprague. Below is a summary of items submitted to the Planning Department:

- **Sherie Rodgers comment card and phone call** – Concerned about the church land use, traffic along Magnolia Avenue and Jacaranda Street, on-street parking, construction activity, and security.

- **Deb Hilak, comment card** – Ms. Hilak had concerns about increased traffic and parking along Magnolia Avenue and stated that this is an agricultural area and since bridle paths are poorly planned, Magnolia Avenue has become a major thoroughfare to access Homer Briggs Arena. Also, Magnolia Avenue is narrow and dangerous with additional traffic increasing in recent years and a land use that would generate additional traffic would not be supported.

- **Shira Seny, comment card** – Ms. Seny had concerns about traffic congestion and did not understand why the zoning district would allow for a church use but not apartments. Also, she thought the existing narrow streets would not be able to accommodate an increase in traffic, and related parking issues.

- **Julie Teeter, comment card** – Ms. Teeter purchased her property at the end of a cul-de-sac and has issues with the noise, lights, and traffic that will be caused by the proposed use. She emphasized that she had purchased within the area because it is a rural neighborhood and feels the addition of the church would create a public safety issue, specifically for children, due to an increase in traffic.

- **Zoila Bautista, comment card** – Ms. Bautista suggested blocking access on Elderberry Court for vehicles and pedestrians, requested a traffic study and a site line analysis for Locust Street (properties to the south) residents, a noise study, and environmental study due to the increased vehicles and parishioners. She also had concerns with on-site security.

- **Pedro Hernandez, comment card** – Mr. Hernandez suggested speed bumps along Magnolia Avenue to reduce speeds and bring attention to the southbound Stop Sign. He also had concerns about church parishioners parking on the street.

- **Don Parnell, email** – Mr. Parnell suggested an agenda for the next meeting and list of names, positions and contact information of City Staff members be provided to residents. Also, he requested a list of pros and cons for the project and a timeline for future meetings. He also stated that he was in support of the proposed Project.

- **Jaime Flores, email** – Mr. Flores opposed the Project due to an increase of traffic along Magnolia Avenue. He requested a traffic study be conducted and suggested parking permits along the street.

- **Jamie and Alice Whitlock, email** – Mr. and Ms. Whitlock are long-term residents of the area since 1976 and are opposing the Project due to insufficient ingress and egress along Magnolia Avenue, increased traffic and their impacts on Magnolia Avenue and Jacaranda Street, concerns about the church growing beyond capacity, and safety concerns for nearby school children and their proximity to church personnel and parishioners.

- **Russell Sprague, email** – Mr. Sprague suggested a solid gate with no pedestrian access along the Elderberry Court emergency access point to prevent loitering and deter parking along Elderberry Court and Locust Street.

[b] ***Second Community Meeting.*** The second community meeting was held on February 6, 2020 and notices were mailed to 311 property owners within 1,000 feet of the Project site (Exhibit G—Map of Residents Notified – 2nd Community Meeting). Approximately 50 to 60 community members were in attendance. Staff's presentation summarized the concerns from the first meeting, discussed revisions to the site plan to address community concerns, discussed the proposed church operations, received additional comments from the community, and discussed the next steps in the entitlement process. The residents continued to be in opposition of the proposed use, validating concerns raised from the first meeting, along with new concerns that are described below:

[i] Land Use Compatibility. The consensus among the community members in attendance was that the proposed use is not compatible with the existing community and any conditions placed on the Project to mitigate impacts would be insufficient. Residents also made comments about not allowing any religious assembly uses within any of the rural residential zoning districts.

A Development Code amendment would be required to prohibit religious assembly uses within the AR-2 zoning district. In addition, the amendment would require direction from City Council to conduct further analysis on the elimination of religious assembly uses

within the AR-2 zoning district. City Attorney review and evaluation of the amendment would be required to ensure compliance with the Religious Land Use and Institutionalized Persons Act (RLUIPA).

[ii] Building's Architectural Design. The building's proposed modern commercial design does not reflect the existing neighborhood setting. The building should resemble a residential home and complement the existing neighborhood.

The Project applicant revised the architectural design of the building to complement the existing neighborhood setting. As described within the Architecture section of this report; the architectural elements such as the shallow pitched hipped roof, colors and materials, as well as articulation and massing of the building with varying building heights has been revised to complement the surrounding neighborhood.

[iii] Magnolia Avenue Street Width. The Magnolia Avenue street width narrows from 40 feet to 35 feet north of the Project site at Tropicana Street, and maintains the 35-foot street width until reaching Francis Street. The existing narrowing street conditions creates safety hazards for vehicles and pedestrians.

Public Works will be installing 50 feet of center striping on north/south approaches of Jacaranda Street intersection that will assist in guiding traffic through the narrowing portions of the street at the intersection.

Following the second meeting, three comment cards in opposition of the proposed use were submitted by Shira Seny, Zoila Bautista, and Carmen Duncan, with their previously stated concerns from the first meeting. Written correspondence opposing the Project were received from Luz Montanez, Shira Seny, Gil Aldaco. Additionally, two petitions were submitted in opposition of the proposed Project. The first petition includes 13 signatures and the second petition includes 146 signatures (see Attachment C: Written Communication from 2nd Community Meeting, attached).

- **Shira Seny, comment card** – Ms. Seny suggested the City consider posting "No Parking" signs and/or red curbing Magnolia Avenue.

- **Zoila Bautista, comment card** – Ms. Bautista had a question about designated smoking areas and stated that there should be no smoking areas allowed along the southern property line adjacent to Locust residents (south of the project site). She believes that the project would cause environmental and noise pollution due to the increase in traffic and additional noise from the open lawn area should it be utilized as a recreational field. She suggested noise barriers be provided along the south and west property lines and speed bumps installed along Magnolia Avenue to reduce speed.

- **Carmen Duncan, comment card** – Ms. Duncan has concerns about how the proposed use would affect her property values. She also was concerned with

traffic increases and the building height since the existing homes within the neighborhood were predominantly single-story.

- **Luz Montanez, email** – Ms. Montanez was not notified of the first community meeting and was located outside the initial 300-foot notification boundary. She strongly opposes the proposed use and has concerns regarding traffic safety impacts along Magnolia Avenue due to the narrowing street condition. She believes the increase of vehicular traffic will be a public safety issue due to speeding and does not feel the street is designed to accommodate the ingress and egress of a church use, especially since it is centered within a rural neighborhood. Additionally, she believes the church use will ruin the character of the neighborhood, decrease property values, and feels the church is misrepresenting the use of the project site with only one Sunday service but claims the website publicizes for additional activities such as bible school, trunk-or-treat Halloween events, community art shows, and weekly youth groups.

- **Shira Seny, written correspondence and petition** – Ms. Seny provided a separate letter reiterating her concerns and attached a petition opposing the project. The petition consists of thirteen signatures and associated addresses with ten of the properties located outside of the 300-foot radius of the project site.

- **Gil Aldaco, written correspondence and petition** – Mr. Aldaco provided a letter opposing the project due to concerns of increased pedestrian and vehicular traffic which would result in increased public safety issues, especially to nearby schools (Vista Grande Elementary and Oaks Middle School). In consideration of the existing zoning for agricultural and equestrian uses, he states the church use is not suited for the project site but suggests it rather be located within a commercial and/or light industrial/manufacturing zoned area where vehicular access is not an issue. Overall, he is against the project and believes the neighborhood should maintain the existing rural environmental setting and lifestyle. The petition consisted of 146 signatures and associated addresses with the majority of the listed properties located beyond 300 feet of the project site.

[11] Conditional Use Permit — The Conditional Use Permit review is required to ensure that the proposed use will be consistent with all local regulations and to ensure that the use will not be detrimental to the public health, safety, or welfare, or be materially injurious to uses, properties or improvements in the vicinity. Pursuant to the Ontario Development Code, a Conditional Use Permit is required to establish a religious assembly use within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The proposed use is located in an area of the City that is developed primarily with residential land uses. To approve a Conditional Use Permit, the Planning Commission must find that facts to support all four of the required findings can be made. Should the Planning

Commission find that one or more of the findings cannot be made, the application should be denied.

[a] ***The scale and intensity of the proposed land use would be consistent with the scale and intensity of land uses intended for the zoning or land use district.*** The proposed location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed religious assembly land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines. In addition, the scale and intensity of the proposed religious assembly use will be consistent with the scale and intensity of land uses intended for the AR-2 zoning district; and

[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 religious assembly land use will be located within the Residential Rural land use district of the Policy Plan Land Use Map, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. Among some of these goals are: 1) To invest in the Growth and Evolution of the City's economy, 2) Operate in a business-like manner, 3) Compatibility between a wide range of uses, and 4) Regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision; and

[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 the Development Code and any applicable specific plan or planned unit development.*** The proposed religious assembly land use is located with the Residential Rural land use district, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code. The AR-2 zoning district is intended to maintain a rural agricultural heritage and protect the area from suburban infringement, while maintaining a harmonious relationship between the rural and adjacent suburban land uses. The religious assembly use would be consistent with the uses of what is normally associated with any other use similarly allowed within the same land use designation; and

[d] ***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 Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

[12] Conclusion — The applicant is looking to establish, operate, and maintain the church consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. Therefore, it is staff's belief that the recommended conditions of approval will sufficiently mitigate potential impacts associated with the proposed use. Furthermore, staff believes that the proposed use will not expose the surrounding residents and businesses to any impacts beyond those that would be normally associated with any other use similarly allowed within the same land use designation.

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
- Focus Resources in Ontario's Commercial and Residential Neighborhoods
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- 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)

Land Use Element:

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

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

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

Community Economics Element:

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

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

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

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

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

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

Safety Element:

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

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

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

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

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

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

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

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

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

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

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

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

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

- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open spaces.

- CD3-5 Paving. We require sidewalks and road surfaces to be of a type and quality that contributes to the appearance and utility of streets and public spaces.

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

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

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

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

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

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

ENVIRONMENTAL REVIEW: The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.87 acres less than the five-acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Vacant	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
North	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
South	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A
East	Single Family Residential	Rural Residential	LDR-5 (Low Density Residential – 2.1 to 5.0 DU/Acre)	N/A
West	Single Family Residential	Rural Residential	AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre)	N/A

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	1.87 AC	N/A	Y
Lot/Parcel Size:	81,457 SF	18,000 SF (Min.)	Y
Building Area:	7,531 SF	N/A	Y
Lot Coverage:	9%	40% (Max.)	Y
Building Height:	25 FT	35 FT (Max.)	Y

Off-Street Parking:

Type of Use	*Fixed Seats*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Religious Assembly and Wedding Chapels	180 seats	0.33 spaces per fixed seat	60	75
TOTAL			60	75

Exhibit A—PROJECT LOCATION MAP

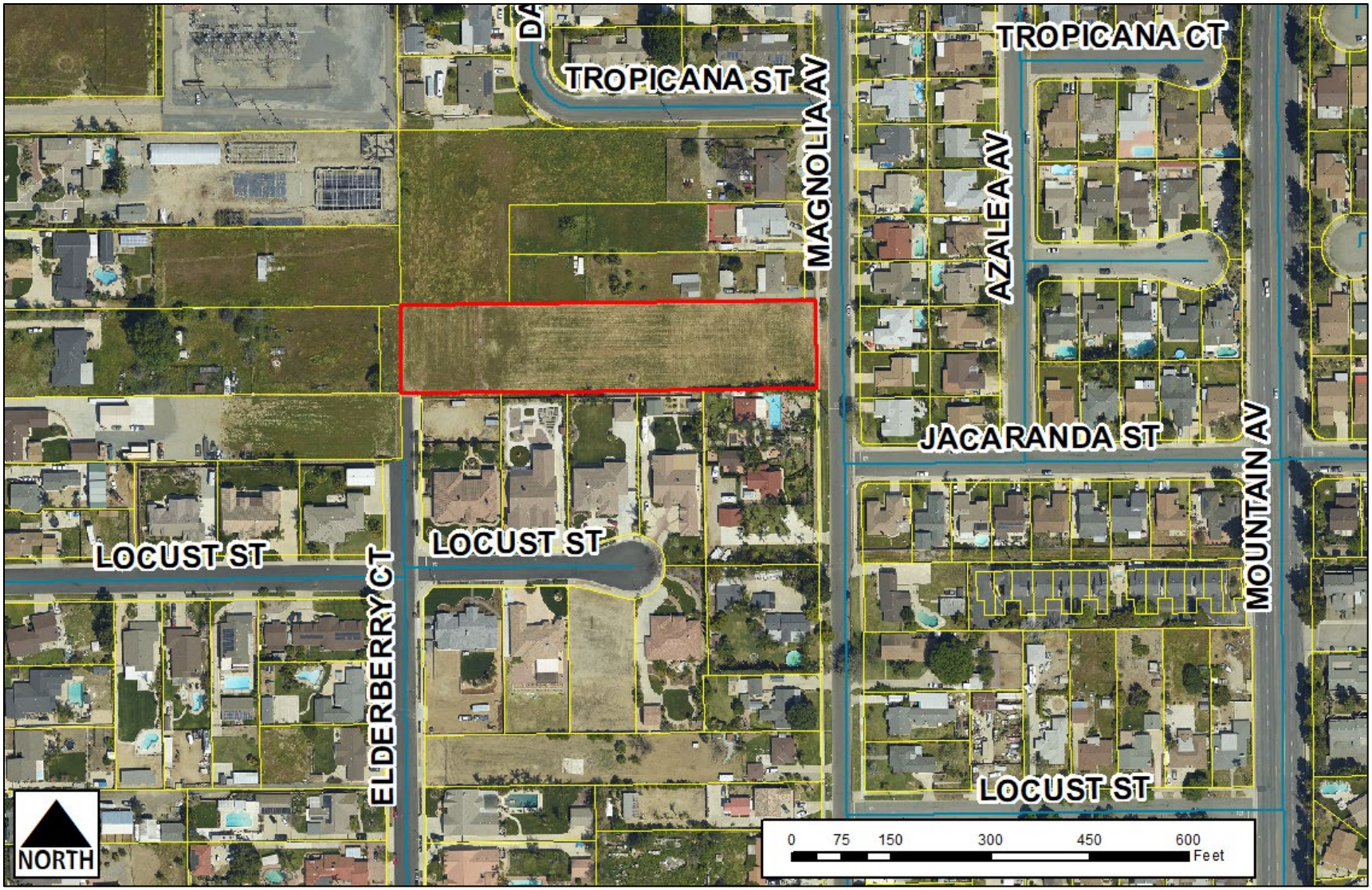


Exhibit B—SITE PLAN

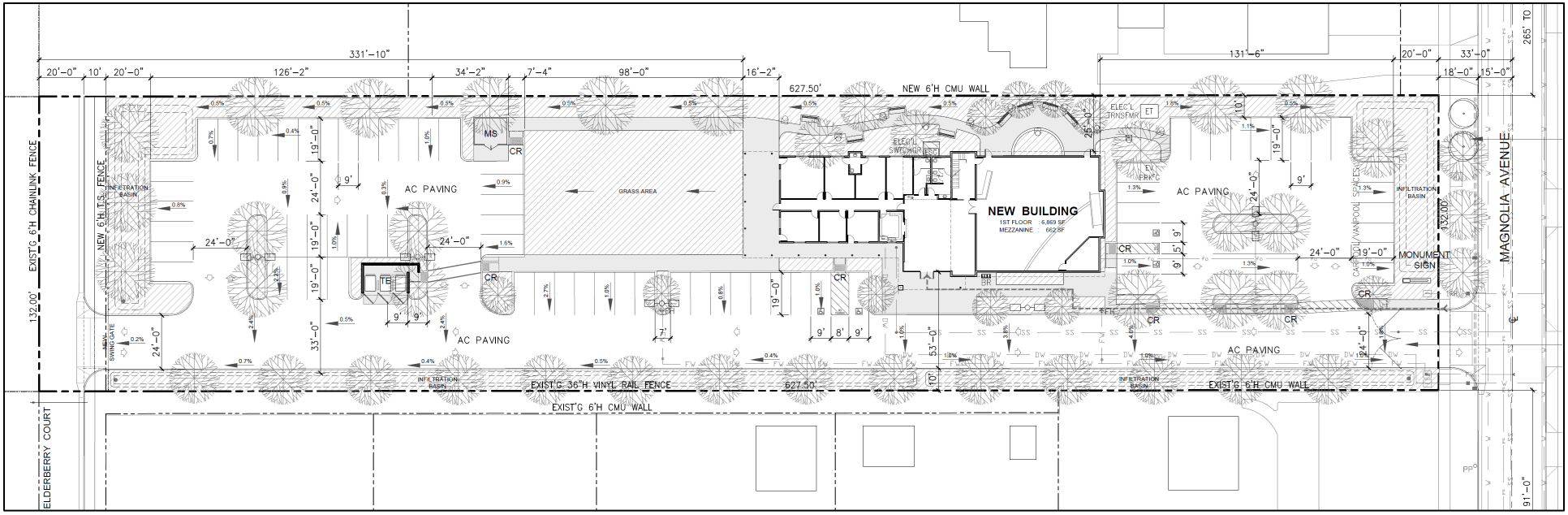


Exhibit C—FLOOR PLAN

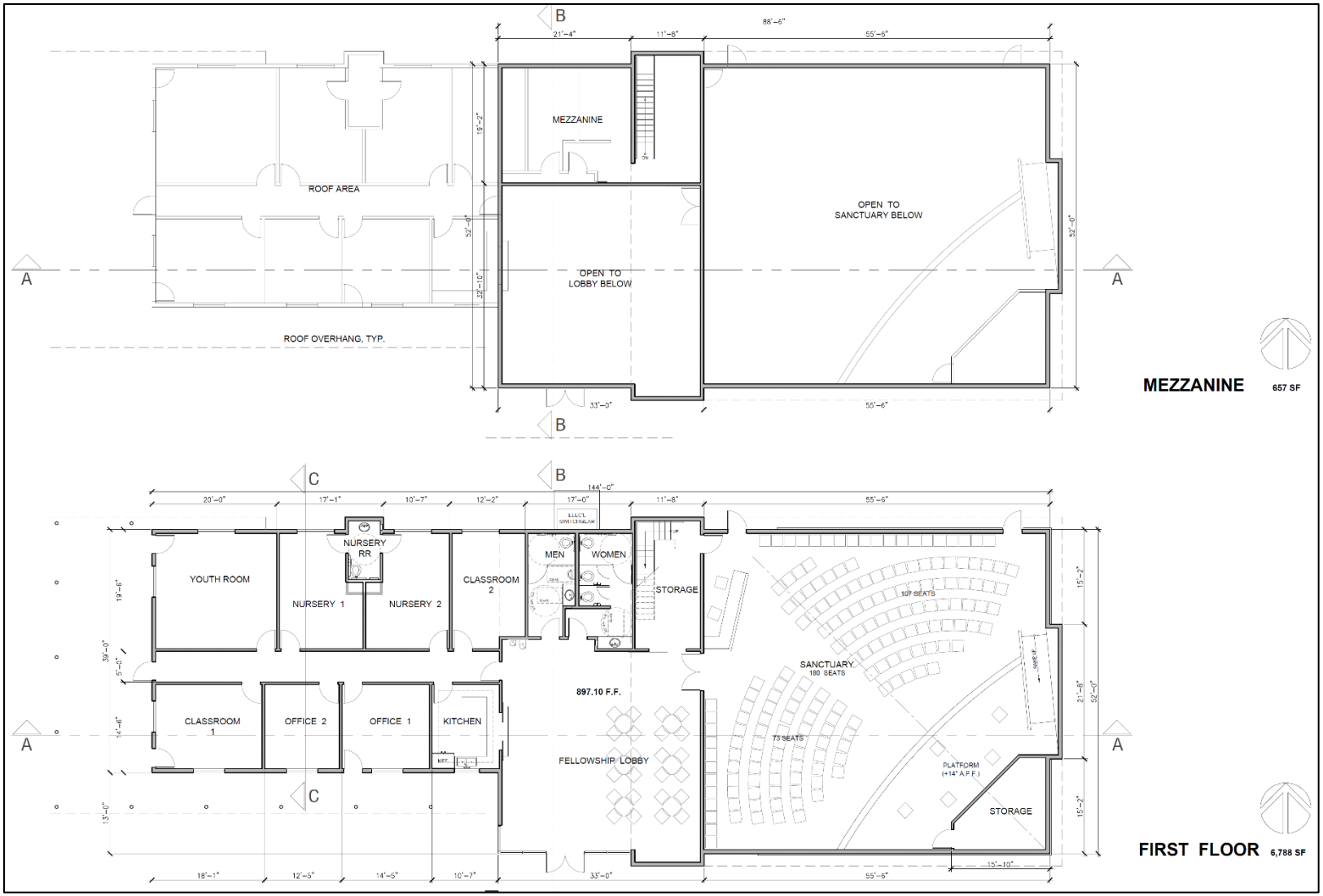


Exhibit D—ELEVATIONS

Exhibit E—LANDSCAPE PLAN

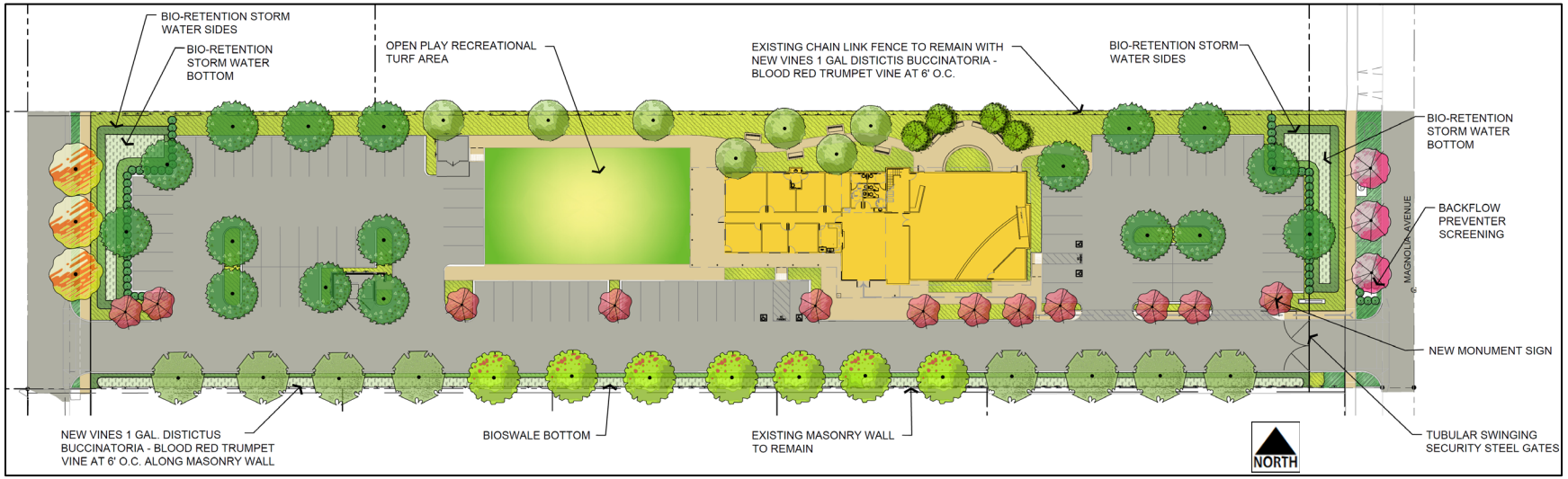


Exhibit F—MAP OF RESIDENTS NOTIFIED – 1ST COMMUNITY MEETING

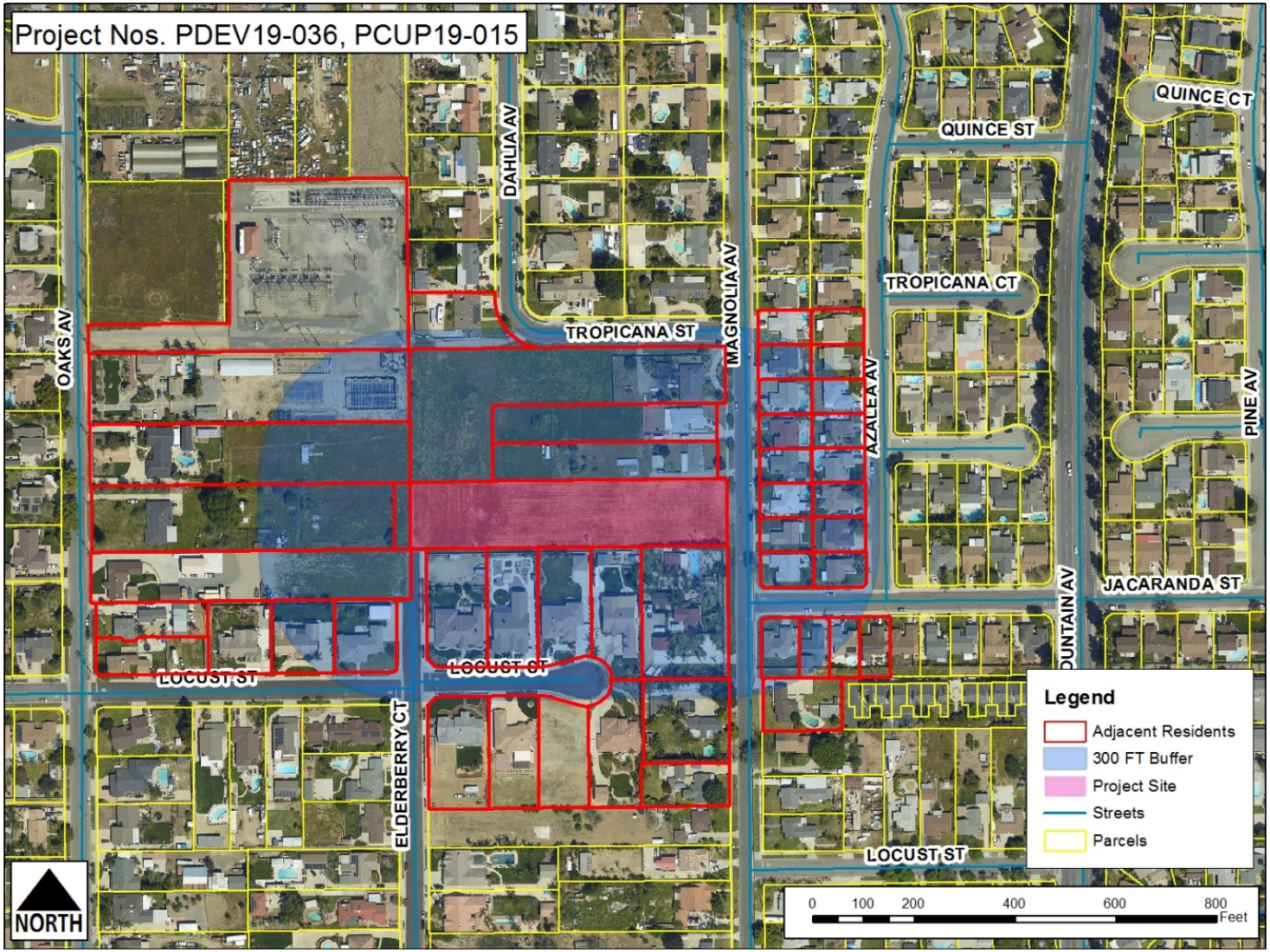


Exhibit G—MAP OF RESIDENTS NOTIFIED – 2ND COMMUNITY MEETING

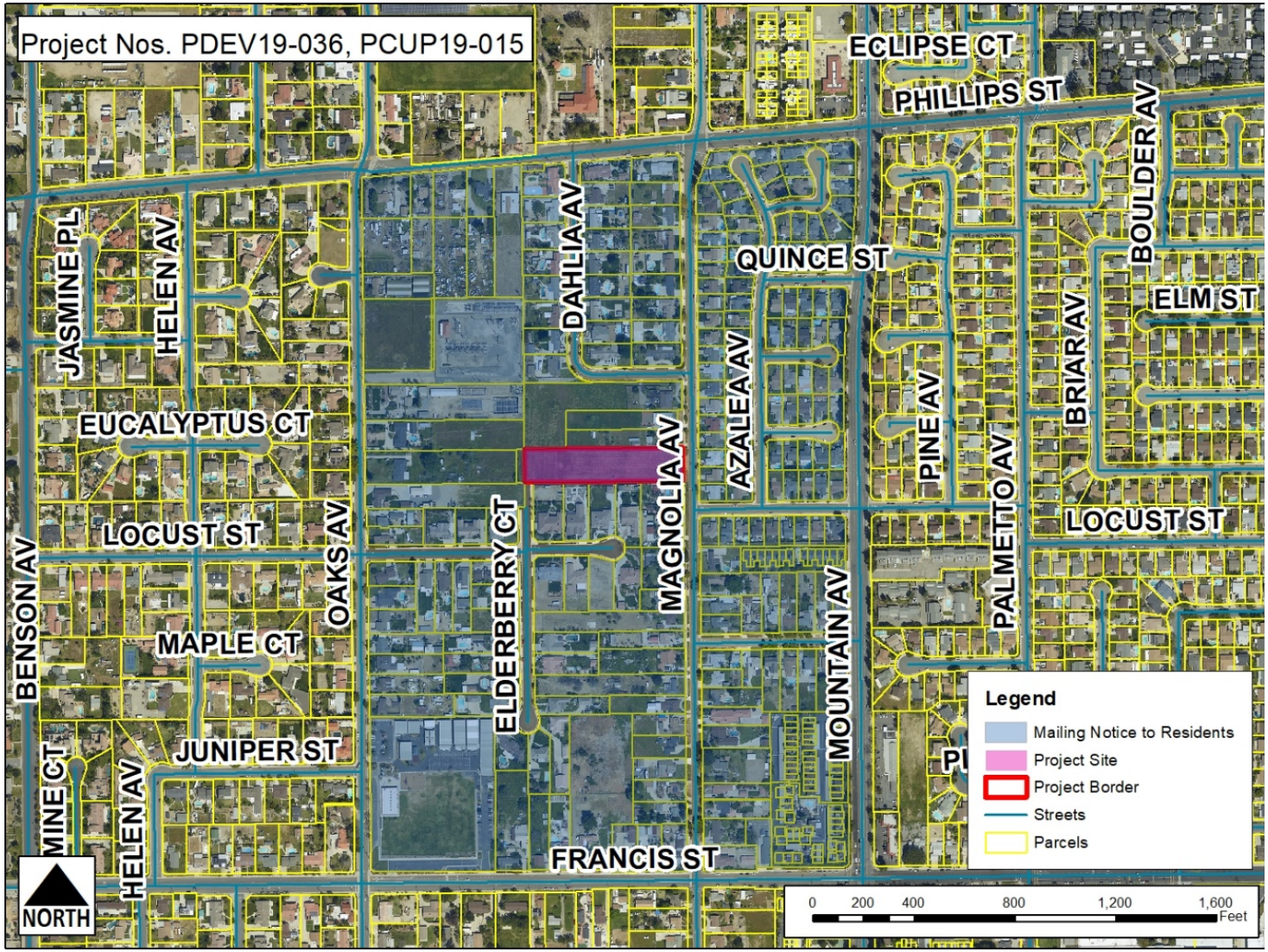
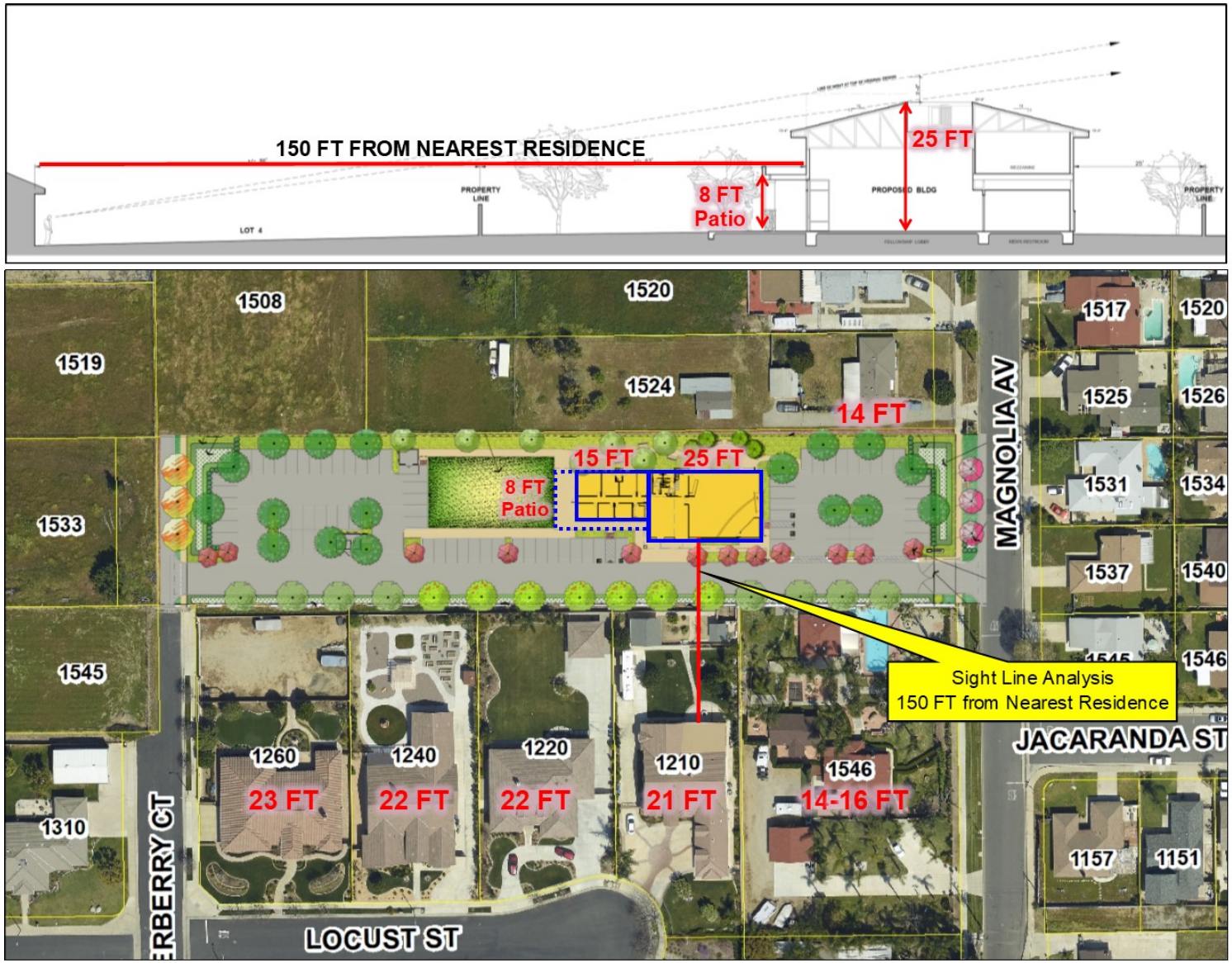


Exhibit H—ILLUSTRATIVE RENDERINGS

Exhibit I—BUILDING HEIGHT NEIGHBORING VIEW SITE ANALYSIS



ATTACHMENT A: Trip Generation Study

translutions, inc.
17632 Irvine Boulevard, Suite 200
Tustin, California 92780
(949) 656 3131
solutions@translutions.com

May 20, 2020

Mr. Jaime Maciel-Carrera, T.E., Senior Associate Engineer
Public Works Department
City of Ontario
303 East B Street
Ontario, California 91764

Subject: Gracepoint Church – Trip Generation and Roadway Segment Analysis

Dear Mr. Maciel-Carrera:

Translutions, Inc. (Translutions) is pleased to provide this letter report discussing the potential trip generation and daily roadway segment analysis for the proposed Gracepoint Church project. The project is located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street in the City of Ontario, in San Bernardino County, California. The 1.871-acre project site would include the construction of a 6,800 square foot church that would include 187 seats.

The project trip generation was developed using rates for Church seats and total building square footage. The trip generation rates that provide the most conservative project trips was used to develop the project trip generation. Also, a daily roadway segment analysis on Magnolia Avenue was conducted for existing weekday without and with project conditions.

PROJECT TRIP GENERATION

The trip generation rates for Church seats and total building square footage are from Land Use 560 - "Church", from the Institute of Transportation Engineers' (ITE) *Trip Generation (10th Edition)*.

Table A below shows the project trip generation using rates for the 187 Church seats. As shown in Table A, the project would generate 2 a.m. peak hour trips, 6 p.m. peak hour trips, 82 weekday trips, 101 Sunday peak hour of generator trips and 226 Sunday trips.

Table A - Project Trip Generation (Seats)

			Weekday							Sunday			
			AM Peak Hour			PM Peak Hour			Daily	Peak Hour Generator			Daily
Land Use		Units	In	Out	Total	In	Out	Total		In	Out	Total	
Church	187	Seats											
Trip Generation Rates[1]			0.005	0.005	0.010	0.012	0.018	0.030	0.440	0.265	0.275	0.540	1.210
PCE Inbound/Outbound Splits			50%	50%	100%	40%	60%	100%	50%/50%	49%	51%	100%	50%/50%
Trip Generation			1	1	2	2	4	6	82	49	51	101	226

[1] Rates based on the number of Seats for Land Use 560 "Church" from ITE Trip Generation, (10th Edition).

Table B below shows the project trip generation using rates for the total building square footage. As shown in Table B, the project would generate 2 a.m. peak hour trips, 3 p.m. peak hour trips, 47 weekday trips, 68 Sunday peak hour of generator trips and 188 Sunday trips.

Table B - Project Trip Generation (Total Building Square Footage)

Land Use	Units	Weekday							Sunday			
		AM Peak Hour			PM Peak Hour			Daily	Peak Hour Generator			Daily
		In	Out	Total	In	Out	Total		In	Out	Total	
Church	6.8 TSF											
Trip Generation Rates[1]		0.198	0.132	0.330	0.221	0.270	0.490	6.950	4.795	5.195	9.990	27.630
PCE Inbound/Outbound Splits		60%	40%	100%	45%	55%	100%	50%/50%	48%	52%	100%	50%/50%
Trip Generation		1	1	2	1	2	3	47	33	35	68	188

[1] Rates based on the total building square footage for Land Use 560 "Church" from ITE Trip Generation, (10th Edition).

TRIP GENERATION COMPARISON

The proposed project would generate more trips using rates for Church seats when compared to the rates for total building square footage. Therefore, the project trip generation was developed using rates for Church seats.

WEEKDAY ROADWAY SEGMENT ANALYSIS

The existing weekday daily volumes on Magnolia Avenue are based on daily counts collected by Counts Unlimited in November 2019. Counts Sheets are shown in Attachment A. The daily level of service analysis on Magnolia Avenue was conducted using the City's daily capacity for a two-lane local street.

Trip distribution patterns were developed for the project based on the location of the project in relation to local destinations. Figure 1 shows the trip distribution for the project on Magnolia Avenue. The trip distribution was applied to the weekday daily trip generation to generate existing with project weekday trips. Table C shows the existing weekday roadway segment without and with project levels of service. As shown in Table C, Magnolia Avenue operates at satisfactory levels of service under existing without and with project conditions.

Table C: Existing Weekday Roadway Segment Levels of Service

	Roadway Segment	LOS Standard	Classification	Capacity[1]	Without Project			With Project		
					Daily Volume	V/C	LOS	Daily Volume	V/C	LOS
1	Magnolia Ave south of Mission Blvd	D	2-Lane Local Street	12,500	1,133	0.091	A	1,153	0.092	A
2	Magnolia Ave south of Francis St	D	2-Lane Local Street	12,500	861	0.069	A	881	0.070	A
3	Magnolia between Phillips St & Francis St	D	2-Lane Local Street	12,500	1,133	0.091	A	1,215	0.097	A

Notes: LOS=Level of Service, V/C=Volume to Capacity Ratio, [1]Roadway Capacity based on City of Ontario's Table 2-2 "Roadway Segment Level of Service Descriptions".

SUNDAY ROADWAY SEGMENT ANALYSIS

The existing Sunday daily volumes on Magnolia Avenue are based on the weekday daily volumes. This provides a conservative estimate of the Sunday traffic, which is generally lower than weekday traffic. Table D shows the existing Sunday roadway segment without and with project levels of service. As shown in Table D, Magnolia Avenue operates at satisfactory levels of service under existing without and with project conditions.

Table D: Existing Sunday Roadway Segment Levels of Service

	Roadway Segment	LOS Standard	Classification	Capacity[1]	Without Project			With Project		
					Daily Volume[2]	V/C	LOS	Daily Volume	V/C	LOS
1	Magnolia Ave south of Mission Blvd	D	2-Lane Local Street	12,500	1,133	0.091	A	1,189	0.095	A
2	Magnolia Ave south of Francis St	D	2-Lane Local Street	12,500	861	0.069	A	917	0.073	A
3	Magnolia between Phillips St & Francis St	D	2-Lane Local Street	12,500	1,133	0.091	A	1,359	0.109	A

Notes: LOS=Level of Service, V/C=Volume to Capacity Ratio, [1]Roadway Capacity based on City of Ontario's Table 2-2 "Roadway Segment Level of Service Descriptions".
[2]The weekday daily volumes were applied to the Sunday volumes, which provides a conservative estimate, since Sunday traffic is generally lower than weekday traffic.

CONCLUSION

Based on the trip generation analysis and daily roadway segment analysis described above, the proposed project is unlikely to have any significant impact on weekday traffic operations on Magnolia Avenue. We trust you will find this information helpful. If you have any questions, please do not hesitate to contact us at (949) 656-3131.

Sincerely,

translutions, Inc.

Sandipan Bhattacharjee, P.E., T.E., AICP, ENV SP
Principal

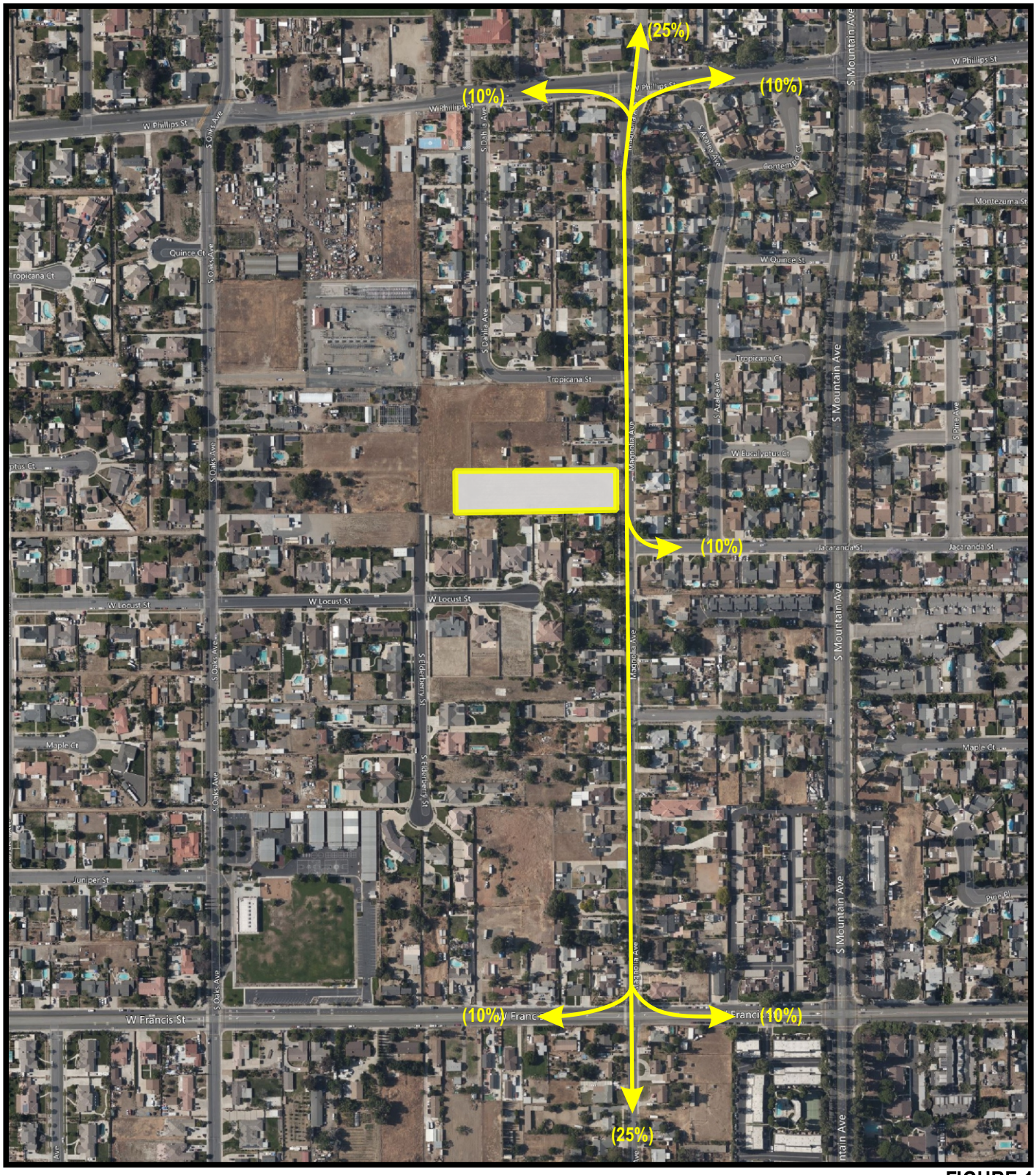


FIGURE 1

Legend

Project Location

(%) Distribution

Gracepoint Church
Project Trip Distribution

translutions
the transportation solutions company...

D:\Projects\Valued Engineering - Gracepoint Church\Revised Analysis\GIS\Trip Dist.qgz (05-05-2020)

Attachment A – Daily Traffic Counts

Counts Unlimited, Inc.

PO Box 1178
Corona, CA 92878
Phone: (951) 268-6268
email: counts@countsunlimited.com

City of Ontario
Magnolia Avenue
S/ Mission Boulevard
24 Hour Directional Volume Count

ONT143
Site Code: 020-19670A

Start Time	05-Nov-19 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	3			0	9				
12:15		0	8			0	5				
12:30		0	6			0	5				
12:45		1	11	1	28	0	8	0	27	1	55
01:00		0	6			2	13				
01:15		0	7			1	12				
01:30		1	9			0	7				
01:45		0	8	1	30	0	7	3	39	4	69
02:00		0	6			1	4				
02:15		0	8			1	12				
02:30		1	10			0	13				
02:45		1	8	2	32	2	10	4	39	6	71
03:00		0	9			2	19				
03:15		1	11			0	13				
03:30		2	10			1	10				
03:45		0	15	3	45	1	11	4	53	7	98
04:00		1	11			1	7				
04:15		2	3			0	10				
04:30		4	9			3	12				
04:45		3	6	10	29	2	9	6	38	16	67
05:00		4	8			2	**19**				
05:15		3	10			2	**18**				
05:30		6	6			4	**18**				
05:45		3	8	16	32	1	**10**	9	65	25	97
06:00		4	**9**			6	13				
06:15		1	**10**			12	8				
06:30		5	**18**			8	12				
06:45		9	**11**	19	48	9	8	35	41	54	89
07:00		11	7			**13**	10				
07:15		**15**	8			**15**	5				
07:30		**17**	8			**9**	15				
07:45		**17**	5	60	28	**12**	5	49	35	109	63
08:00		**13**	10			8	3				
08:15		9	4			8	5				
08:30		8	1			8	3				
08:45		5	4	35	19	11	5	35	16	70	35
09:00		7	7			3	7				
09:15		4	7			6	2				
09:30		6	0			8	0				
09:45		7	4	24	18	12	3	29	12	53	30
10:00		11	6			5	6				
10:15		5	3			2	2				
10:30		2	1			4	3				
10:45		3	4	21	14	6	2	17	13	38	27
11:00		6	2			8	2				
11:15		3	1			5	1				
11:30		4	2			5	1				
11:45		3	0	16	5	4	2	22	6	38	11
Total		208	328	208	328	213	384	213	384	421	712
Combined Total		536		536		597		597		1133	
AM Peak	-	07:15	-	-	-	07:00	-	-	-	-	-
Vol.	-	62	-	-	-	49	-	-	-	-	-
P.H.F.		0.912				0.817					
PM Peak	-	-	06:00	-	-	-	05:00	-	-	-	-
Vol.	-	-	48	-	-	-	65	-	-	-	-
P.H.F.			0.667				0.855				
Percentage		38.8%	61.2%			35.7%	64.3%				
ADT/AADT		ADT 1,133		AADT 1,133							

Counts Unlimited, Inc.

PO Box 1178
Corona, CA 92878
Phone: (951) 268-6268
email: counts@countsunlimited.com

City of Ontario
Magnolia Avenue
S/ Francis Street
24 Hour Directional Volume Count

ONT144
Site Code: 020-19670A

Start Time	05-Nov-19 Tue	Northbound Morning	Northbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Southbound Morning	Southbound Afternoon	Hour Totals Morning	Hour Totals Afternoon	Combined Totals Morning	Combined Totals Afternoon
12:00		0	10			0	3				
12:15		0	5			0	5				
12:30		0	5			0	1				
12:45		0	5	0	25	0	7	0	16	0	41
01:00		1	6			2	5				
01:15		1	4			0	16				
01:30		1	7			1	5				
01:45		1	**12**	4	29	0	6	3	32	7	61
02:00		0	**11**			1	7				
02:15		0	**8**			0	6				
02:30		0	**10**			0	9				
02:45		0	8	0	37	4	5	5	27	5	64
03:00		0	7			1	6				
03:15		1	10			4	12				
03:30		0	7			1	10				
03:45		0	6	1	30	2	3	8	31	9	61
04:00		0	13			2	3				
04:15		1	6			3	5				
04:30		0	13			1	**13**				
04:45		0	5	1	37	2	**9**	8	30	9	67
05:00		2	8			1	**10**				
05:15		1	9			2	**6**				
05:30		0	4			7	10				
05:45		1	7	4	28	4	9	14	35	18	63
06:00		2	6			0	5				
06:15		3	8			2	3				
06:30		3	7			2	10				
06:45		5	8	13	29	4	3	8	21	21	50
07:00		**10**	9			**8**	7				
07:15		**8**	9			**11**	4				
07:30		**13**	7			**6**	2				
07:45		**8**	6	39	31	**13**	6	38	19	77	50
08:00		5	5			6	3				
08:15		1	2			1	2				
08:30		2	2			3	5				
08:45		7	8	15	17	3	7	13	17	28	34
09:00		8	5			9	2				
09:15		6	2			9	5				
09:30		4	4			5	2				
09:45		8	4	26	15	7	1	30	10	56	25
10:00		4	2			5	0				
10:15		5	5			4	0				
10:30		4	0			7	1				
10:45		8	2	21	9	5	0	21	1	42	10
11:00		5	1			1	2				
11:15		10	4			5	1				
11:30		9	2			5	2				
11:45		8	1	32	8	7	0	18	5	50	13
Total		156	295	156	295	166	244	166	244	322	539
Combined Total		451		451		410		410		861	
AM Peak	-	07:00	-	-	-	07:00	-	-	-	-	-
Vol.	-	39	-	-	-	38	-	-	-	-	-
P.H.F.		0.750				0.731					
PM Peak	-	-	01:45	-	-	-	04:30	-	-	-	-
Vol.	-	-	41	-	-	-	38	-	-	-	-
P.H.F.			0.854				0.731				
Percentage		34.6%	65.4%			40.5%	59.5%				
ADT/AADT		ADT 861		AADT 861							

ATTACHMENT B: Written Communication from 1st Community Meeting

PDEV19-036 & PCUP19-015: Gracepoint Church

Development Advisory Board Meeting – June 15, 2020

Planning Commission Meeting – June 30, 2020

Attachment B: Written Communication from 1st Community Meetings

a. Comment Cards
    i. Sherie Rodgers
    ii. Deb Hilak
    iii. Shira Seny
    iv. Julie Teeter
    v. Zoila Bautista
    vi. Pedro Hernandez
b. E-Mails
    i. Don Parnell
    ii. Jaime Flores
    iii. Jamie and Alice Whitlock
    iv. Russell Sprague

COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015
NOVEMBER 6, 2019

Gracepoint Church Concerns

Name: Shane Rodgers

Address: 1157 Jacaranda St

Phone: 9092610247

E-mail Address: sanford_04@yahoo.com

COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015
NOVEMBER 6, 2019

Concern: Increase traffic & parking on Magnolia

This is an agricultural area and since bridle paths are poorly planned, Magnolia is a major thorough fare for access to Homer Briggs Arena. Traffic has increased

Deb Hilak — 1613 Magnolia Ave

Name: **Address:**

909 9864816

Phone: **E-mail Address:**

Project Planner: Jeanie Irene Aguilo **Phone No.: 909-395-2418** **E-mail: jaguilo@ontarioca.gov**

COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015
NOVEMBER 6, 2019

Serious Concerns about the project; (a) traffic congestion (b) Zoning not for apartments, but for a church? (c) streets too narrow to accomodate traffic. / (d) Parking issues.

Name: Shira Seny

Address: 1517 S. Magnolia Ave. Ontario Ca. 9176

Phone: 909-986-8099.

E-mail Address: Shirasen@yahoo.com

COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015
NOVEMBER 6, 2019

I bought my property because it was a dead end cul-de-sac. I have 6 grandkids that play out front on Locust and I do not want them endangered with thru traffic. ~~I do not want the church there. The noise, lights & traffic will be a major impact~~

Name: Julie Teeter

Address: 1340 W. Locust.

Phone: 909 573-4877

E-mail Address: Julieteeter1@hotmail.com

COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015
NOVEMBER 6, 2019

- Require blocked access on Elderberry for cars + pedestrians
- Require traffic study
- Require sight line analysis for Locust residents
- Study for noise level + environmental pollution due to increased cars/people (members) • security concerns

Name: Zoila Bautista

Address: 1240 W. Locust St.

Phone:

E-mail Address: zoilab711@gmail.com

Project Planner: Jeanie Irene Aguilo **Phone No.: 909-395-2418** **E-mail: jaguilo@ontarioca.gov**

COMMUNITY MEETING COMMENT CARD

PDEV19-036 & PCUP19-015
NOVEMBER 6, 2019

speed bump is required on magnolia Ave due to vehicle passing through the stop sign near Jacaranda Ave / Magnolia Ave. Church members parking on the street when the church is overcrowded.

Name: Pedro Hernandez

Address: 1537 Magnolia Ave, Ontario, CA 91762

Phone: (909)634-6855

E-mail Address: ciangjoy2006@hotmail.com

Project Planner: Jeanie Irene Aguilo **Phone No.: 909-395-2418** **E-mail: jaguilo@ontarioca.gov**

Jeanie Irene T. Aguilo

From: DON PARNELL <kmparnell@sbcglobal.net>
Sent: Tuesday, November 19, 2019 2:42 PM
To: Jeanie Irene T. Aguilo
Subject: PDEV-19-036 & PCUP19-015

Follow Up Flag: Follow up
Flag Status: Flagged

Jeannie Irene Aguilo
Regarding comments from the meeting of November 6, 2019.
The following are our suggestions/requests for the next community meeting:

1. Have a written agenda at the next meeting.
2. List names, positions and contact numbers for those involved.
3. Have a written list/sheet of all City restrictions that would be imposed for this project.
4. Have a list of the "pros and cons" that have been obtained so far.
5. Show a time line for future meetings and proposed project dates.

We are supportive of this project and would be receptive to this church becoming a reality.

Thank you
Don and Kathy Parnell
1546 S. Magnolia Ave.
Ontario, Ca. 91762

Jeanie Irene T. Aguilo

From: Jaime Flores <jaime.michael.flores@gmail.com>
Sent: Sunday, December 1, 2019 7:23 PM
To: Jeanie Irene T. Aguilo
Cc: Jaime Flores; Gladys Flores
Subject: PDEV19-036 & PCUP19-015

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Jeanie,

As per your request at the community meeting, we are adamantly opposed to additional high volume traffic overtaking our community. We have a stop sign at intersection of Magnolia Ave and Jacaranda that has multiple cars/people a day running the stop sign. It has increased since the apartment homes built on Magnolia Ave and Mission Blvd have been opened for occupancy earlier this year. This will only increase as more people not invested (non-homeowners) in our community begin to visit the area for services.
I do believe a traffic study should be conducted prior to the next meeting surrounding this development.
Parking would be another concern if this were to proceed. Parking permits would be preferred to keep the streets from being congested on days of expected high turnout, holidays, visits from additional branches of GracePoint.

I would not like to see this development be approved.

Thank you for your tome and consideration.

Respectfully,

Jaime M. Flores
909-952-6281

Sent from my iPhone

Jeanie Irene T. Aguilo

From: Jamie Whitelock <jamie.whitelock@gmail.com>
Sent: Sunday, December 1, 2019 7:39 PM
To: Jeanie Irene T. Aguilo
Subject: Response to PDEV19-036 and PCUP19-015

Follow Up Flag: Follow up
Flag Status: Flagged

This letter is in response to PDEV19-036 and PCUP19-015, a meeting for which was held on November 6, 2019. I understand, from speaking with a representative at the meeting, that comments are due today, December 1, 2019.

As a resident of West Jacaranda Street since 1976, I write to express my utmost concern about the proposed development and to convey my desire that the development not be allowed to proceed. Once the City of Ontario fully reviews the proposal, listens to the concerns of the residents to be directly impacted, and understands the legal, practical, and logistical ramifications of the development, I believe the City will agree that the negative effects dramatically outweigh any potential benefit.

First, I am very concerned that there is insufficient ingress and egress. As you know, the number of church patrons is only an estimate; that number could grow significantly, without the City's ability to intervene or place significant restriction. Having only one or two means of entry to the church seems hazardous, both for life (of the residents and their children and of the church patrons) and property. It goes without saying that increased traffic on a residential street due to the proposed church will increase traffic accidents and incidents of pedestrians being struck. In addition, given the relative length/space of the proposed development, it seems even more hazardous that any emergency vehicle would only be allowed to access it via one route — and a small one at that. The density will increase liability and incidents. I hope the City understands such liability risks and the need to ensure appropriate insurance is in place and that such risks are considered, especially given the residential nature of the location and that it is not absolutely necessary for the church to be located there. The church can be built elsewhere, where there would be less concern and liabilities. A court will consider all of these factors, should incidents arise at the fault of the church and/or the City of Ontario. I also hope the church making the proposal understands these litigation risks and builds these costs into its assessment.

Moreover, the residents of Jacaranda Street will bear the brunt, as it is the only direct access to Mountain Avenue, a main thoroughfare. While church patrons seemingly could use Magnolia Avenue for another means of access, common sense dictates that the patrons will use Jacaranda Street because it is quicker. Simply put, Jacaranda Street is too small to handle any increase in capacity. As it is, residents of Jacaranda Street have difficulty backing out of their driveways given that cars park on both sides of Jacaranda Street. Having an increase in traffic going both directions will increase the likelihood of car accidents and pedestrians (including children) been struck. In addition, this increase in traffic likely will rise to the level of a nuisance very quickly. I trust that the City has contemplated that residents can take such (and other) grievances to court, as well as assert their rights through alternate means.

In addition, residents of Jacaranda Street and the other neighborhood areas will suffer because the City has not expressed any commitment whatsoever to devoting additional resources (e.g., traffic cops, security, additional signage) to ensuring that traffic rules are obeyed, that church patrons do not park on the surface side streets, and that the church patrons heed safety warnings.

Finally, I would like to note the close proximity of the proposed church to several elementary and middle schools. High school students use these walkways to access their nearby schools too. The proximity of the proposed church and it's

patrons (and their cars) to minors poses unique risks, both in terms of church personnel and their access to children, as well as the safety of the children relative to the increase in traffic from church visitors/patrons. The City is aware of the schools and the presence of the minors; it knows of these unique risks. With the City on such notice, and assuming the unique/tenuous risk of the minors, I would be surprised to hear that the City's legal counsel would agree that the proposal should proceed; rather, it seems like an alternate, more viable location could be selected.

For all of these reasons, the City should take a closer look at whether it makes any sort of sense to put a church in a residential neighborhood — common sense and a weighing of the liabilities suggests that this is a bad idea and should be terminated.

Thank you for your attention.

Sincerely,

Alice Whitelock
1115 Jacaranda Street
909-986-1840

Jamie Whitelock, Esq.
jamie.whitelock@gmail.com

Jeanie Irene T. Aguilo

From: russlsprouts@verizon.net
Sent: Wednesday, December 4, 2019 1:35 PM
To: Jeanie Irene T. Aguilo
Subject: Fwd: PCUP19-015

-----Original Message-----
From: russlsprouts <russlsprouts@verizon.net>
To: janguilo <janguilo@ontarioca.gov>
Sent: Mon, Dec 2, 2019 8:39 pm
Subject: PCUP19-015

As a follow-up to the meeting several weeks ago: our concern about the access point from the dead end of Elderberry seems to have been resolved. with one caveat. Instead of a bar frame gate, we would like it to be a solid gate, with no pedestrian access. This would serve two purposes; no easy access to our neighborhood for those persons with ulterior motives and if the parking lot is insufficient for an event, if would deter anyone from parking on Elderberry or Locust to attend any function at the church.

Russell Sprague
1307 Locust St.

ATTACHMENT C: Written Communication from 2nd Community Meeting

PDEV19-036 & PCUP19-015: Gracepoint Church

Development Advisory Board Meeting – June 15, 2020

Planning Commission Meeting – June 30, 2020

Attachment C: Written Communication from 2nd Community Meeting

a. Comment Cards
    i. Shira Seny
    ii. Zoila Bautista
    iii. Carmen Duncan
b. E-Mails
    i. Luz Montanez
c. Written Correspondence
    i. Shira Seny (with attached petition)
    ii. Gil Aldaco (with attached petition)

COMMUNITY MEETING COMMENT CARD

RETURN BY FEBRUARY 21, 2020

PDEV19-036 & PCUP19-015
FEBRUARY 6, 2020

20 patrons only 15 Parking Spaces provided Do the math
I have serious concerns about the church project for the following reasons; Traffic congestion, parking problems, air pollution and many many more. If the site is not zoned for apartment building, why would be zoned for a church?
If the city consider this outrageous project, it would have to consider all the residents that live in the area, including myself. The city would have to seriously consider posting No Parking signs and/or painting the curbs red in front of every resident.

Name: Shira Seny

Address:

Phone: 909-986-1399

E-mail Address: Shiraseny@yahoo.com

Project Planner: Jeanie Irene Aguilo **Phone No.: 909-395-2418** **E-mail: jaguilo@ontarioca.gov**

COMMUNITY MEETING COMMENT CARD

RETURN BY FEBRUARY 21, 2020

PDEV19-036 & PCUP19-015
FEBRUARY 6, 2020

- Will there be a designated smoking area? NO smoking near Locust residents!!!
- shorter construction hours: 8-4
- environmental noise pollution: cars, noise from added recreational field
- provide noise barriers for south + west property borders
- add speed bumps onto Magnolia to reduce speed.

Bautista
Name:

1240 W. Locust St.
Address:

909-218-7691
Phone:

E-mail Address:

Project Planner: Jeanie Irene Aguilo **Phone No.: 909-395-2418** **E-mail: jaguilo@ontarioca.gov**

COMMUNITY MEETING COMMENT CARD

RETURN BY FEBRUARY 21, 2020

PDEV19-036 & PCUP19-015
FEBRUARY 6, 2020

Concerned about Property Values, traffic and 2 Story church.

Carmen Duncan — **Name:**

1640 S. Elderberry Ct — **Address:**

(909) 573-3134 — **Phone:**

Carmenduncan1959@yahoo.com — **E-mail Address:**

Project Planner: Jeanie Irene Aguilo **Phone No.: 909-395-2418** **E-mail: jaguilo@ontarioca.gov**

Jeanie Irene T. Aguilo

From: Luz Montanez <montanezluz@ymail.com>
Sent: Saturday, February 8, 2020 5:31 PM
To: Jeanie Irene T. Aguilo
Subject: Developmental plan No.PDEV19-036

Greetings Ms. Jeanie Irene Aguilo,

The reason for this email is to oppose the developmental plan to construct a church on the lot located in our neighborhood at the intersection of Magnolia Avenue and Jacaranda. A few weeks ago we received your notice and were greatly displeased to find out this was the second meeting being held because we were never even informed about the first meeting. We had no idea there were plans for a church construction in our street. Due to being out of town because of work we were not able to attend your meeting on the 6th but would like any information you can provide us with as were are very concerned about the possibility of a commercial building being built on our residential street.

I urge you and the decision makers to please understand that a commercial building will cause substantial detriment to the public good of the neighboring residential community. We moved into this neighborhood two years ago and if there had been a church down the street we would have not moved into our current home just a five houses down from the lot. I have already spoken to a few neighbors and I was alarmed that many were unaware of the plans and completely opposed it.

The new construction will cause traffic issues, ruin the character of the neighborhood and decrease property values. The church states that they will only meet on Sundays but their website list that they host Vacation Bible School, Trunk or treat and a community art show and have a youth group that meets once a week.

The street is too narrow and not designed for a commercial building. This will increase the risk of accidents as well as traffic as there is a STOP sign just a few feet away.

We have dealt with a few power outages in the two years that we have lived here and I can only imagine that a new construction with higher energy needs will cause more issues.

A commercial building on a residential street also poses safety issues for the children of the neighborhood, as increased traffic down our street will likely result in increased speeding (which is a danger to children playing outside). The street isn't designed to accommodate the inflow and outflow of a church congregation. It makes little sense to place a church in the MIDDLE of a suburban neighborhood, surrounded by single family homes.

We encourage you to reconsider the plans for the development, and weight the concerns of those who live here more heavily than the concerns of those who want to change zoning to construct a commercial building between our houses. Put yourself in our shoes. How would you feel if they were building their church next to your home, in your neighborhood? Would you still see it as a positive development? We are asking that you have the same concern for our families. We have a greater stake in our neighborhood than an outside organization seeking to move in, and will hold public officials accountable for the decisions they make concerning our children.

Sincerely,
Luz Montanez
1404 Magnolia Ave

Petition in Opposition to Project PDEV19-036 & PCUP19-015

We the undersigned oppose the proposed project (i.e., Gracepoint church) for *accessory religious uses*. To be clear, we are not advocating discrimination against churches and other places of religious activities. However, as residents of this neighborhood we are extremely concerned about the impact this project will have on our Rural Environment and Lifestyle (REAL Ontario) community. Maintaining the *character of our neighborhood*; and, *protecting the integrity and tranquility of this Zone* is a top priority of ours.

We strongly urge you to recognize our opposition, expressed concerns, and not allow this project to move forward.

The following concerns have been expressed to the Planning Department, project proponents, and Police Department representatives at the February 6, 2020 meeting.

1. The project promoters are requesting a conditional use permit for the establishment of a church in an AR2 Zone, but there is no mention of the sizable Open Play Recreational Turf Area shown on the notice.
2. TRAFFIC. The project proposes vehicle access via Magnolia Avenue north of Jacaranda Avenue. A stop-signed intersection lies approximately 30-feet south of the project entrance. That's about 2 ½ car lengths. When services are concluded there will be a mass exodus to get elsewhere. These vehicles will sit idling in line to exit, and this will greatly contribute towards increased air pollution as they wait to leave.
3. The potential for parking spillover onto Magnolia Avenue.
4. Growth and expansion will exacerbate parking space, traffic, and safety concerns.
5. Noise, lighting, and athletic activities on the "open play recreational turf area" will affect neighbors adjacent to this site.
6. The project is designed to accommodate 75 parking spaces for 80 patrons. Five patrons will need to park on Magnolia Avenue. As growth occurs, where will they park?
7. Existing infrastructure concerns such as accelerated street wear from increased traffic; precious drinking water applied to the recreational turf area when it should be conserved; potential sewer capacity issues; vehicles exiting onto unimproved Elderberry Court even though it is designated as an *emergency exit*; and, fire and safety access onto the site.
8. The incompatible architectural design of the building – its height and appearance (i.e., industrial building) in a community of single story ranch style homes.

Sincerely, the undersigned:

TO WHOM IT MAY CONCERN

Petition

I LIVE RIGHT ACROSS THE PROPOSED PROJECT OF BUILDING A CHURCH. I'VE BEEN LIVING THERE FOR THE PAST 35 YEARS. I LIKE THE PEACEFUL AND RURAL NEIGHBORHOOD, AND SO DO MY NEIGHBORS. MAGNOLIA AVE IS A NARROW STREET, AND THE LOT ITSELF WHERE THE CHURCH WOULD BE IS VERY SMALL. IT WOULD MOSTLY ACCOMMODATE A SMALL ONE- STORY RESIDENTIAL HOUSE. I ALSO UNDERSTAND THAT IT IS NOT ZONED FOR AN APARTMENT BUILDING, SO WHY WOULD IT BE ZONED FOR A CHURCH? THE PROPOSED CHURCH IS 2-STORY HIGH, IT IS TOO LARGE FOR THE LOT, THERE WOULD BE 75 PARKING SPACES, 80 PATRONS, SO WHERE WOULD THE EXTRA 5 FOR NOW WOULD BE PARKING ? THE CHURCH WOULD GROW LIKE ALL THE OTHER CHURCHES IN THE AREA AND THE NUMBER OF PATRONS WOULD INCREASE AS WELL .

I HAVE DEEP CONCERNS ABOUT THIS PROJECT FOR THE FOLLOWING REASONS; TRAFFIC CONGESTION, AIR POLLUTION, NOISE, PARKING PROBLEMS;{STEET IS TOO NARROW TO ACCOMMODATE PARKING AND TRAFFIC COMING IN ALL DIRECTIONS.} RESIDENTS IN THE NEIGHBORHOOD, INCLUDING MYSELF WOULD HAVE TO PAY HIGHER TAXES TO SUPPORT THE CHURCH SINCE IT IS TAX EXEMPT.

IF THE CITY OF ONTARIO CONSIDERS THIS CONTROVERSIAL PROJECT, WOULD IT BE WILLING AND ABLE TO POST "NO PARKING" SIGNS IN FRONT OF ALL THE RESIDENTIAL HOUSES? AND/OR PAINT THE CURBS RED IN FRONT OF ALL THE HOUSES? ALSO POST SPEED LIMIT SIGNS AND/OR SIGNALS ON ALL INTERSECTIONS? TO PREVENT TRAFFIC ACCIDENTS, AND TO ALLOW THE RESIDENTS TO PULL IN AND OUT OF THEIR DRIVEWAYS SAFELY? BECAUSE AS IT IS RIGHT NOW THERE ARE NONE.

THANK YOU FOR TAKING YOUR TIME IN READING THIS LETTER.

SINCERELY

CONCERNED RESIDENT

Signatures of all affected Residents on Magnolia Ave who disapprove of the Church project

- 1511 S. Magnolia

Colette Aldaco

1531 S. Magnolia Ave —

1503 S. Magnolia Ave —

1463 S. Magnolia Ave —

1455 S. Magnolia Ave

1449 S. Magnolia Ave —

1443 S. Magnolia Ave — Eileen Landavede

1443 " - CM. 22

1435 S. Magnolia Ave - Manuel Padilla

~~1429 S. Magnolia Ave~~

~~1417 S. Magnolia Ave~~

1405 S. Magnolia Ave

1314 S. Magnolia Ave. LORNA KOLSTAD
Lorna Kolstad

~~1320 S. Magnolia Ave~~

~~1326~~ S. Magnolia Ave ✓

1412 [illegible]

1418 FRANCISCO MORAN [illegible]

S. Magnolia Ave

1424 S. Magnolia Ave
Clinton Mitchell [illegible]

CERTIFIED MAIL

SANTA ANA CA 926

MAR 2020

7019 1120 0001 0919 6304

Shira Seny
1517 S. Magnolia Ave
Ontario, Ca.
91762

RETURN RECEIPT REQUESTED

City Hall
303 E 'B' street
Ontario, CA.
91764
ATTEN: planning Dept.
Jeanie Irene Aguito.

9176434105

CHINO
MAR - 5 2020

RECEIVED
MAR 09 2020
City of Ontario
Planning Department

UNITED STATES POSTAL SERVICE
1024

91764

FCM LETTER
CHINO, CA
91708
MAR 05 20
AMOUNT
$5.30
R2304M114121-08

March 9, 2020

RECEIVED
MAR 09 2020
City of Ontario
Planning Department

Gradeco
909-347-4267

Jeanie Irene Aguilo
Associate Planner
City of Ontario
303 East B Street
Ontario, CA 91764

Subject: Petition in Opposition to Project PDEV19-036 & PCUP19-015

Dear Ms. Aguilo,

Attached for your reference and inclusion to the project file is the subject referenced Petition. The petition provides the names and addresses of residents within and adjacent to the affected area. Each person respectfully opposes the proposed Gracepoint Church project for its impact to the tranquility of the area, and because it will compromise the integrity of the Zone (AR2).

The tranquility of this community is already affected by parents driving their children to the nearby schools (Vista Grande Elementary and Oaks Middle School) daily via neighborhood arterial streets. Residents have experienced increases in pedestrian and vehicular traffic along Phillips Blvd, Francis Avenue, Oaks Street, and Magnolia Avenue. They have also witnessed excessive speeds, rudeness, disregard for stop-signed intersections and no-parking areas; and, morning and afternoon traffic congestion. Weekends provide the only respite from the weekday volumes of traffic.

As you know, this Zone designation provides for agricultural and equestrian uses. A significant number of the affected residents own and ride their horses on the weekends; however, this proposed project will further subject the area to traffic issues on Saturdays and Sundays. It is these days that provide a well-deserved break from workday stresses, and the peace and quiet of not having to deal with high volume traffic on these streets.

Affected residents are extremely concerned about the impact this project will have on their rural environment and lifestyle. It is extremely important to them that the character of this neighborhood be maintained.

In closing, no one is advocating discrimination against churches and other places of religious activities. However, it is firmly believed this project is better suited to a location that provides greater vehicular ease-of-access such as an area zoned for commercial or light industrial/manufacturing. It has been noted that Grace Point intends to increase its patron membership. As such, with every new member that is added a corresponding number of vehicles will follow. This area cannot accommodate that type of growth.

It is for these reasons; and, those stated at the Neighborhood Meetings, that opposition is being expressed.

Thank you

Petition in Opposition to Project PDEV19-036 & PCUP19-015

We the undersigned oppose the proposed project (i.e., Gracepoint church) for *accessory religious uses*. To be clear, we are not advocating discrimination against churches and other places of religious activities. However, as residents of this neighborhood we are extremely concerned about the impact this project will have on our Rural Environment and Lifestyle (REAL Ontario) community. Maintaining the *character of our neighborhood*; and, *protecting the integrity and tranquility of this Zone* is a top priority of ours.

We strongly urge you to recognize our opposition, expressed concerns, and not allow this project to move forward.

The following concerns have been expressed to the Planning Department, project proponents, and Police Department representatives at the February 6, 2020 meeting.

1. The project promoters are requesting a conditional use permit for the establishment of a church in an AR2 Zone, but there is no mention of the sizable Open Play Recreational Turf Area shown on the notice.
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8. The incompatible architectural design of the building – its height and appearance (i.e., industrial building) in a community of single story ranch style homes.

Sincerely, the undersigned:

Petition in Opposition to Project PDEV19-036 & PCUP19-015

Gepa.

NAME	ADDRESS	SIGNATURE
Luis Cruz	1508 S. Magnolia Ave Ontario CA.	Luis Cruz
Shira Seny	1517 S. Magnolia Ave Ontario, ca.	
Pedro Hernandez	1537 Magnolia Ave, Ontario, CA 91762	Pedro Hernandez
Alegria Gomez	1537 Magnolia Ave Ontario 91762	Alegria Gomez
Xiomara Alberca	1531 Magnolia Ave Ontario 91762	Xiomara Alberca
Eddie Moreno	1521 Magnolia ave ontario 91762	
Larry Sevesind	1449 magnolia ave ontario 91762	
Manuel Padilla	1435 S. Magnolia Ave. Ontario 91762	Manuel Padilla
Victoria Dougherty	1429 S. Magnolia Ave Ontario 91762	
Alicia Guzman	1423 magnolia ave ontario ca 91762	
Sandy Vellasco	1450 S. Magnolia Ave. Ont. CA 91762	
Alma Hess	1209 W Phillips St ontario ca 9176	
Greg Hess	1209 W Phillips St	
George Montañez	1404 S Magnolia Ave	
Maggie + Jeremy West	1417 Magnolia Ave	
Claudia Salinas	1424 S. Magnolia Ave.	
FRANCISCO MORAN	1418 S. MAGNOLIA AV.	
Tom Moisi	1208 Tropicana	
Gary R. Rogers	1220 Tropicana St, ont	
Brieanna L. Rogers	1220 Tropicana Street Ontario	
Marci Rogers	1220 Tropicana Street, Ontario 91762	
Ronnie Hogan	1220 Tropicana St, ontario 91762	
Sarah Sanders	1442 S Dahlia	
Veronica Smith	1432 S. Dahlia Ave Ontario CA	

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Exiquio Limon	1433 S. Dahlia Ave	
Corina Limon	1433 S. Dahlia ave	Corina g limon
W. A. Schweerer JR	1424 S. DAHLIA Ave	
M E Schweerer	1424 S. Dahlia	
Adriene Ayles	1425 S. Dahlia Ave	
Victoria A Lewis	1418 S. Dahlia Ave	
Shane Smith	1402 S. Dahlia Ave	
Ethan Smith	1402 S. Dahlia Ave	
Ann Smith	1402 S. Dahlia Ave	
Arturo Quintero	1308 S. Dahlia Ave	
Tina Silva	1321 S. Dahlia Ave	
Adam Wise	1413 S. Dahlia Ave	
Valarie Wise	1413 S. Dahlia Ave	
Leonardo Herrera	1150 W. Phillips St.	
Elizabeth Guillen	1419 S. Dahlia Ave	
Lorena Guillen	1419 S. Dahlia Ave	
Alexis Guillen	1419 S. Dahlia Ave	
ROBERT GUILLEN	1419 S. DAHLIA AVE	
RAYMOND GUILLEN	1419 S DAHLIA AVE	
RAYMOND A GUILLEN	1419 S DAHLIA AVE	RJ
Brandon T. Smith	~~1410~~ 1402 S. Dahlia Ave	
Karlen J. Smith	1402 S. Dahlia Ave	Karlen J. Smith
Emily E. Johnson	1755 Magnolia ave	EVELYN JOHNSON
Billy Johnson	1755 Magnolia	BILLY JOHNSON
CLAY PARTIDA	1743 MAGNOLIA AVE	

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Frederick Huffman	1643 Magnolia Ave	
Jose Zamora	1314 S. Dahlia Av.	
Maria Zamora	1314 S Dahlia Ave	
Brian Treat	1309 Phillips	
Patty Putnam	1545 S. Magnolia	
Pam Kingsbeer	1545 S. Magnolia	
Jaime M. Flores	1603 S. Magnolia	
Gladys Gamboa-Flores	1603 S. Magnolia Ave.	
Adriana Ochoa	1636 magnolia Ave	Adriana Ochoa
Karen Ratekin	1714 S. Magnolia Ave.	Karen Ratekin
Byron Lovejoy	1724 Magnolia Ave	
Louise Lovejoy	1724 Magnolia Ave	
Herbert Jolin	1732 Magnolia Ave	
Betty Jolin	1732 Magnolia Ave	
Ken McDonell	1760 Magnolia	
[illegible]	1653 S. Oaks	
Phillip Mu[illegible]	1609 S. Oaks	
Russell Sprague	1307 W. Locust St	
Cynthia Sprague	1307 W. Locust St	Cindy Sprague
Susan Engelsma	1340 W Locust St	
Betsy Fernandez	1412 S. Dahlia Ave	
Raul Torres JR	1412 S. Dahlia Ave	
Mahlil Castro	1618 S. Elderberry ct	
John Castro	1618 S. Elderberry ct.	

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Ken Duncan	1640 S. Elderberry Ct	Ken Duncan
Carmen Duncan	1640 S. Elderberry Ct	Carmen Duncan
Henry VanderWeide	16645 Elderberry Ct	Henry VanderWeide
Homer Raymond	1726 S. Elderberry Ct. Ontario	
James Hammond	1241 N. Locust St Ontario	
Jan Westra	1211 W. Locust St. Ontario	Jan Westra
Syrus Westra	" "	Syrus Westra
Joe Palazzolo	1210 W Locust St	Joe Palazzolo
Josefina Bautista	1240 W Locust St.	Josefina Bautista
Dale Stires	1260 W Locust St	Dale Stires
Greg Stires	1260 W Locust St	Greg Stires
Gilbert Aldaco	1403 S. Dahlia	Gilbert Aldaco
Colette Aldaco	1403 S. Dahlia	

Maria Vasquez

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Ismael Silva & Tina	1321 S Dahlia Ave	
Lorna Kolstad	1314 S Magnolia Ave	Lorna Kalstad
Angie Trounson	1224 Magnolia Ave	
James Trounson	1224 Magnolia Ave	
Edmund Macias	1250 " "	Edmund Macias
Ashley Delgado	1230 Magnolia Ave	
Art Delgado	1230 Magnolia Ave	Arthur L Delgado
Melinda Delgado	1230 Magnolia Ave	Melinda Delgado
Desmond Delgado	1230 Magnolia Ave	
Ron Karsting	1231 Magnolia Ave	
Kim Karsting	1231 Magnolia Ave	
Tina Bibb	1132 Magnolia Ave	
Nancy Ku	1124 Magnolia	
Andrew Marcus	1114 Magnolia	
	1224 Magnolia	
Carlos Vasquez	1225 W Phillips St	
Juan Vazquez	1225 W. Phillips St out.	
Maria de la Luz Vazquez	1225 W Phillips St.	
Phillip St	1250 W Phillips St	
Viola Schaefer	1250 W. Phillips St	Viola Schaefer
Ruben Lomeli	1224 W. Phillips St	Ruben Lomeli
Rosa Lomeli	1224 W Phillips St	Rosa Lomeli
Pedro De La Riva	1241 S. Magnolia	
Manuela De La Riva	" " "	
Cesar De La Riva	" " "	

2/6

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Louie R. Fortin	1214 W. Phillips St. Ontario	
Lynn Fortin	1214 W. Phillips St. Ontario	
Adam Fortin	1214 W. Phillips St Ontario	
Daniela Vazquez	1225 W Phillips St. ontario, CA 91762	Daniela Vazquez
Lindsay Keenan	1145 Jacaranda St. ontario, CA 91762	Lindsay Keenan
Erik Keenan	1145 Jacaranda St. Ontario CA 91762	
Dwayne Norwood	1139 Jacaranda St Ontario CA. 91762	
Nancy Norwood	1139 Jacaranda st Ontario CA 91762	
Berthal Espinoza	1546 So. Azalea Ave. Ontario CA 91762	
Isaac Hernandez	1546 So. Azalea Ave Ontario Ca 91762	
Rigoberto Hernandez	1546 So. Azalea Ave Ontario CA 91762	
Joyce Luttrell	1134 Jacaranda St, Ont.	Joyce Luttrell
Maria Gil	1151 JACARANDA ST	Maria Gil
Gilona Ramirez	1531 S. Magnolia st	
Ralph Chavira	1121 Eucalyptus Ct	
Randy Johnston	1128 Eucalyptus Ct	
Barbara Opatkiewicz	1122 Eucalyptus Ct Ont	Barbara Opatkiewicz
Joe Opatkiewicz	1122 Eucalyptus CT	Joe Opatkiewicz
Carmen Gonzalez	1116 EUCALYPTUS CT.	
Tony De La Torre	1110 W. EUCALYPTUS CT	
Juan Fauela	1115 W. Eucalyptus Ct.	
WALTER ARCOS	1526 S. AZALEA AVE	
ALFONSO & ANA LOERA	1512 S. Azalea Ave	
Adam Houde	1506 S Azalea Ave	

Deb H

Petition in Opposition to Project PDEV19-036 & PCUP19-015

NAME	ADDRESS	SIGNATURE
Ashley Struiksma	1630 S. Magnolia	
3/15 Deborah Hilak	1613 Magnolia	Deborah Hilak
RUTH NEWTON	1662 Magnolia Ave	Ruth F Newton
Irene Morris	1735 Magnolia Ave	Irene J Morris
Mitch Morris	1735 Magnolia Ave	
KAY SPRING		Kay F. Spring
Casey Hilak	1633 Magnolia Ave	
Jane Ashley	1633 Magnolia	Jane Ashley
Patty de Wolf	1721 Magnolia	Patty deWolf

2 8

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP19-015, A CONDITIONAL USE PERMIT TO ESTABLISH A 7,531 SQUARE FOOT RELIGIOUS ASSEMBLY USE (GRACEPOINT BRETHREN IN CHRIST CHURCH) ON 1.87 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF MAGNOLIA AVENUE, APPROXIMATELY 85 FEET NORTH OF JACARANDA STREET, WITHIN THE AR-2 (RESIDENTIAL – AGRICULTURAL - 0 TO 2.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1014-111-08.

WHEREAS, GRACEPOINT BRETHREN IN CHRIST CHURCH ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP19-015, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.87 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and is currently vacant; and

WHEREAS, the property to the north of the Project site is within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and is developed with a single-family residential unit. The properties to the east are within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and is developed with single-family residences. The properties to the south are within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and are developed with single-family residences. The property to the west is within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and is developed with single-family residential unit; and

WHEREAS, the Applicant, Gracepoint Brethren in Christ Church, was founded in 2005 within the City of Ontario by Pastor Steven and Nicole Airth. Gracepoint Church has been holding services for their 80 congregants at Ranchview Elementary School (3300 South Old Archibald Ranch Road), within the City of Ontario, for approximately 14 years and is seeking to establish a permanent location and facility within the southern portion of the City; and

WHEREAS, on July 2, 2019, the applicant submitted a Conditional Use Permit (File No. PCUP19-015) to establish the religious assembly land use, in conjunction with a Development Plan (File No. PDEV19-036) to construct a 7,531 square-foot religious assembly use (Gracepoint Church); and

WHEREAS, Gracepoint is proposing to establish and operate a religious and assembly use within the proposed building. The proposed use/operations include Pastor Office Hours, Sunday Service, Youth Ministry, and Board Meetings; and

WHEREAS, the Project is required to provide a minimum of sixty off-street parking spaces pursuant to the "Religious Assembly" parking standards specified in the Development Code. Seventy-five parking spaces have been provided, exceeding the minimum standards; and

WHEREAS, a Trip Generation and Roadway Segment Analysis was prepared by Translutions, Inc. (Dated: May 20, 2020) for the proposed Project. The study analyzed Trip rates based on the number of seats rather than the building square footage, since the Trip rates based on the number seats generated a larger trip rate amount and is considered the conservative approach. The LOS study, in this case, analyzed both weekday and Sunday conditions, as the use would be more intense on a Sunday. The resulting analysis concluded that the proposed Project would not have a significant impact on existing traffic operations and maintain a LOS A for the Magnolia Avenue roadway segment; and

WHEREAS, staff analyzed the number of trips generated by the proposed Project versus the number of trips generated by developing the site with single-family residential uses. The number of trips produced by the proposed religious assembly use versus a single-family residential development is similar during the weekday. The number of daily trips produced by a church use on Sunday is three times higher than a residential use; and

WHEREAS, in order to mitigate any potential impacts associated with Sunday Service traffic peak times, the Planning Department conditions of approval include a requirement for a Road Traffic/Parking Management Plan. On-site and off-site traffic attendants shall be required on-site one hour before and one hour after Sunday Services, to guide vehicles entering and exiting the project site in a safe orderly manner. The Road Traffic/Parking Management Plan shall include vehicle movements entering/exiting the site, street route guidance/directions for members traveling to the site and the location of any road traffic/parking attendants on-site and off-site that will be guiding members to the facility. Also, on-street parking for the proposed use shall not be allowed, all members/visitors/congregants shall be required park their vehicles on-site, which will be enforced by road traffic/parking attendants; and

WHEREAS, the Planning Department conducted two community meetings to review the subject application with the neighboring residents, receive comments and answer questions on the proposed use; and

WHEREAS, the first meeting was held on November 6, 2019 and notices were mailed to 47 property owners within 300 feet of the Project site. There was approximately 50-60 people in attendance. The majority of the residents were in opposition to the proposed use and raised several concerns regarding the public notification process, land use compatibility, requests for technical studies, traffic/access/parking, construction impacts, crime, site design and noise; and

WHEREAS, the second community meeting was held on February 6, 2020 and notices were mailed to 311 property owners within 1,000 feet of the Project. Approximately 50 to 60 community members were in attendance. Staff's presentation summarized the concerns from the first meeting, discussed revisions to the site plan to address community concerns, discussed the proposed church operations, received additional comments from the community, and discussed the next steps in the entitlement process. The residents continued to be in opposition of the proposed use, raising the same concerns from the first meeting, along with new concerns regarding land use compatibility, Magnolia Avenue's substandard street width and the building's architectural design; and

WHEREAS, the majority of the residents are in opposition of the proposed use and submitted two petitions in opposition to the project, with the first petition consisting of 13 signatures and the second petition consisting of 146 signatures; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on June 15, 2020, 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. DAB20-034 recommending that the Planning Commission approve the Application; and

WHEREAS, on June 30, 2020, the Planning Commission of the City of Ontario opened the public hearing open, received public testimony, and continued the public hearing to the July 28, 2020, Planning Commission meeting; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill

Development) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.87 acres less than the five-acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

implemented in conjunction with the conditions of approval, will be consistent with the policies and criteria set forth within the ALUCP.

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

(1) ***The 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 location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed religious assembly land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines. In addition, the scale and intensity of the proposed religious assembly use will be consistent with the scale and intensity of land uses intended for the AR-2 zoning district; and;

(2) ***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 religious assembly land use will be located within the Residential Rural land use district of the Policy Plan Land Use Map, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. Among some of these goals are: 1) To invest in the Growth and Evolution of the City's economy, 2) Operate in a business-like manner, 3) Compatibility between a wide range of uses, and 4) Regulations and processes that support and allow flexible response to conditions and circumstances in order to achieve the Vision; and

(3) ***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 the Development Code and any applicable specific plan or planned unit development.*** The proposed religious assembly land use is located with the Residential Rural land use district, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and has been reviewed and conditioned to ensure the establishment, operation and maintenance of the proposed land use consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code.

The AR-2 zoning district is intended to maintain a rural agricultural heritage and protect the area from suburban infringement, while maintaining a harmonious relationship between the rural and adjacent suburban land uses. The religious assembly use would be consistent with the uses of what is normally associated with any other use similarly allowed within the same land use designation; and

(4) ***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.*** O The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Development Code are maintained; [ii] the project will not endanger the public health, safety or general welfare; [iii] the project will not result in any significant environmental impacts; and [iv] the project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PCUP19-015
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: June 30, 2020

File No: PCUP19-015

Related Files: PDEV19-036

Project Description: A Conditional Use Permit to establish a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) submitted by **Gracepoint Brethren in Christ Church**.

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

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

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

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

2.1 Time Limits.

(a) Conditional Use Permit approval shall become null and void two 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, 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 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).

2.4 Environmental Review.

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

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

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

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

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

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

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

(c) If any archeological or paleontological resources are found during project grading/excavation/construction, the area shall not be disturbed until the significance of the resource is

determined. If determined to be significant, the resource shall be recovered by a qualified archeologist or paleontologist consistent with current standards and guidelines, or other appropriate measures implemented.

2.5 Indemnification. The applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void or annul 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.

2.6 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.

2.7 Operating Conditions of Approval.

(a) All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

(b) All site improvements shall be completed prior to operating the proposed religious assembly use.

(c) Any changes in the hours of operation listed below shall require Planning Department review and approval.

(i) Office Hours – Monday through Friday from 8:30 a.m. to 4:30 p.m.
(ii) Youth Ministry – Wednesdays from 6:00 p.m. to 8:00 p.m.
(iii) Sunday Service Preparation – Sundays from 8:00 a.m. to 10:00 a.m.
(iv) Sunday Service – Sundays from 10:00 a.m. to 12:00 p.m.
(v) Board Meetings – Sundays (monthly) from 6:00 p.m. to 8:00 p.m.

(d) The Conditional Use Permit is to establish a religious assembly use only any other ancillary uses, such as daycare services, a school or an increase in the sanctuary area shall require a Conditional Use Permit modification.

(e) Road Traffic/Parking attendants shall be required on-site one hour before and one hour after Sunday Services to guide vehicles entering and exiting the project site in a safe orderly manner. A Road Traffic/Parking Attendant Plan shall be submitted and approved to the Planning Department prior to building permit issuance. The Road Traffic/Parking Attendant Plan shall include vehicle movements entering/exiting the site, street route guidance/directions for members traveling to the site and the location of road traffic/parking attendants on-site and off-site guiding members to the facility. On-street parking for the proposed use shall not be allowed, all members/visitors/congregants shall park their vehicles on-site.

(f) All special events held on-site will require a Temporary Use Permit (TUP) that will be subject to City review and approval.

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV19-036 & PCUP19-015

Address: 0 West Magnolia Ave

APN: 1014-111-08

Existing Land Use: Vacant

Proposed Land Use: Development Plan and CUP to construct and establish a 6,800 SF Religious Facility

Site Acreage: 1.87 Proposed Structure Height: 27 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: 11/6/19

CD No.: 2019-057

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
☐ Zone 1	☐ 75+ dB CNEL	☐ High Terrain Zone	☐ Avigation Easement Dedication
☐ Zone 1A	☐ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☐ Recorded Overflight Notification
☐ Zone 2	☐ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☑ Real Estate Transaction Disclosure
☐ Zone 3	☐ 60 - 65 dB CNEL	☐ Airspace Avigation Easement Area	
☐ Zone 4		Allowable Height: 200 FT +	
☐ 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: Lorena Mejia

CITY OF ONTARIO
MEMORANDUM

TO: **Jeanie Irene Aguilo, Associate Planner**
Planning Department

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

DATE: **July 12, 2019**

SUBJECT: **PCUP19-015 - A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PDEV19-036**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ No comments, see PDEV19-036

CITY OF ONTARIO
MEMORANDUM

TO: **Jeanie Aguilo, Associate Planner**

FROM: **Officer Emily Hernandez, Police Department**

DATE: **July 17, 2019**

SUBJECT: **PCUP19-015 AND PDEV19-036 - A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A CHURCH LOCATED NORTH OF THE INTERSECTION OF MAGNOLIA AVENUE AND JACARANDA STREET.**

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- 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.

In addition, the Ontario Police Department places the following conditions on the project:

- Outdoor services and activities are prohibited in the absence of a Temporary Use Permit.
- Food or beverage distribution to the public shall be prohibited.
- The storage of personal belongings on the site shall be prohibited.

The Applicant is invited to contact Officer Emily Hernandez (909) 408-1755 with any questions or concerns.

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Jeanie Irene Aguilo**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **July 9, 2019**

SUBJECT: **PCUP19-015**

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

KS:lr

CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PCUP19-015 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 22, 2019**.

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 and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PDEV19-036

- ☒ 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.

Landscape Planning Division — Department
[signature] — Signature
Landscape Planner II — Title

CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department

RECEIVED
JUL 11 2019
City of Ontario
Planning Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PCUP19-015 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 22, 2019**.

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
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PROJECT DESCRIPTION: A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PDEV19-036

- ☐ 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.

CI	Joe De Sousa	Supervisor	7/10/19
Department	Signature	Title	Date

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-036, A DEVELOPMENT PLAN TO CONSTRUCT A 7,531 SQUARE FOOT RELIGIOUS ASSEMBLY USE (GRACEPOINT BRETHREN IN CHRIST CHURCH) ON 1.87 ACRES OF LAND GENERALLY LOCATED ON THE WEST SIDE OF MAGNOLIA AVENUE, APPROXIMATELY 85 FEET NORTH OF JACARANDA STREET, WITHIN THE AR-2 (RESIDENTIAL – AGRICULTURAL - 0 TO 2.0 DU/ACRE) ZONING DISTRICT, AND MAKING FINDINGS IN SUPPORT THEREOF—APN: 1014-111-08.

WHEREAS, GRACEPOINT BRETHREN IN CHRIST CHURCH ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-036, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.87 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district, and is currently vacant; and

WHEREAS, the property to the north of the Project site is within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and is developed with a single-family residential unit. The properties to the east are within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and is developed with single-family residences. The properties to the south are within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and are developed with single-family residences. The property to the west is within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district and is developed with single-family residential unit; and

WHEREAS, the Applicant, Gracepoint Brethren in Christ Church, was founded in 2005 within the City of Ontario by Pastor Steven and Nicole Airth. Gracepoint Church has been holding services for their 80 congregants at Ranchview Elementary School (3300 South Old Archibald Ranch Road), within the City of Ontario, for approximately 14 years and is seeking to establish a permanent location and facility within the southern portion of the City; and

WHEREAS, on July 2, 2019, the applicant submitted a Development Plan (File No. PDEV19-036) to construct a 7,531 square-foot religious assembly use, in conjunction with a Conditional Use Permit (File No. PCUP19-015) to establish the religious assembly land use (Gracepoint Church); and

WHEREAS, the building is situated on a rectangular narrow through-lot (132 feet wide by 627.50 feet long), with street frontages along the western (Elderberry Court) and eastern (Magnolia Avenue) property lines. The proposed building is centrally located along the northern portion of the Project site, with parking lots located east and west of the building, which are connected by a 24-foot wide drive aisle that runs along the southern property line. An open lawn area (98 feet by 56 feet) immediately west of the building has also been provided. The building's main front entrance is oriented to the south, facing the drive-aisle, and secondary/minor access points are located on the north, west and east sides of the building. The building is setback approximately 150 feet from the east property line (Magnolia Avenue), 25 feet from the north interior property line, approximately 317 feet from the west property line (Elderberry Court), and 63 feet from the interior south property line. Along the southern property line, there is an existing six-foot high masonry block wall (located on the east side) and three-foot high vinyl rail fence (located on the west side) that will remain in place. A six-foot high decorative masonry wall will be constructed along the north property line and a six-foot high steel tubular fence with access gates will be constructed along the west and east property lines, to secure the site; and

WHEREAS, the floor plan for the proposed building and outdoor lawn area includes a sanctuary area which occupies the eastern half of the building and includes 180 fixed seats, a platform/stage area, and storage. The Lobby is centrally located within the building and features the main entrance to the building. All portions of the building can be accessed through the lobby, which includes two restrooms (men and women), a storage room and access to a mezzanine area that will also be utilized for storage. The western half of the building consists of a kitchen that is directly adjacent to the lobby area, two classrooms, a youth room, two nursery rooms, a nursery restroom, and two offices. And the open lawn area will be utilized for outdoor youth/children activities during church service hours; and

WHEREAS, Gracepoint is proposing to establish and operate a religious and assembly use within the proposed building. The proposed use/operations include Pastor Office Hours, Sunday Service, Youth Ministry, and Board Meetings; and

WHEREAS, vehicular access to the Project site is provided along Magnolia Avenue and Elderberry Court. The Magnolia Avenue entrance located the southeast corner of the Project site will serve as primary access, via a 24-foot wide driveway that will be gated and remain open during service and church operations, and will accommodate standard and emergency vehicles entering and exiting the site. The Elderberry Court access is for emergency vehicles only. The 24-foot wide gated driveway is located on southwest corner of the Project site and will remain closed. Congregation members will be utilizing the Magnolia Avenue street entrance for entering and exiting the site; and

WHEREAS, the Project is required to provide a minimum of sixty off-street parking spaces pursuant to the "Religious Assembly" parking standards specified in the Development Code. Seventy-five parking spaces have been provided, exceeding the minimum standards; and

WHEREAS, a Trip Generation and Roadway Segment Analysis was prepared by Translutions, Inc., (Dated: May 20, 2020) for the proposed Project. The study analyzed Trip rates based on the number of seats rather than the building square footage, since the Trip rates based on the number seats generated a larger trip rate amount and is considered the conservative approach. The LOS study, in this case, analyzed both weekday and Sunday conditions, as the use would be more intense on a Sunday. The resulting analysis concluded that the proposed Project would not have a significant impact on existing traffic operations and maintain a LOS A for the Magnolia Avenue roadway segment; and

WHEREAS, staff analyzed the number of trips generated by the proposed Project versus the number of trips generated by developing the site with single-family residential uses. The number of trips produced by the proposed religious assembly use versus a single-family residential development is similar during the weekday. The number of daily trips produced by a church use on Sunday is three times higher than a residential use; and

WHEREAS, in order to mitigate any potential impacts associated with Sunday Service traffic peak times, the Planning Department conditions of approval include a requirement for a Road Traffic/Parking Management Plan. On-site and off-site traffic attendants shall be required on-site one hour before and one hour after Sunday Services, to guide vehicles entering and exiting the project site in a safe orderly manner. The Road Traffic/Parking Management Plan shall include vehicle movements entering/exiting the site, street route guidance/directions for members traveling to the site and the location of any road traffic/parking attendants on-site and off-site that will be guiding members to the facility. Also, on-street parking for the proposed use shall not be allowed, all members/visitors/congregants shall be required park their vehicles on-site, which will be enforced by road traffic/parking attendants; and

WHEREAS, the proposed building was designed to complement the existing residential neighborhood setting that consists of single-story homes built in the 1970s, 1980s and 2010s. Architectural elements include a shallow pitch hipped roof, brown and grey flat concrete roof tiles, coarse stucco wall finishes with an earth tone color palette, a stone veneer at the base of the building and columns, aluminum storefront windows surrounding the main entrance, covered patio over the main southern entrance, and covered patio that wraps around the western half of the building. Building articulation and massing has been provided by the varying building heights. The eastern half of the building is 25 feet in height to accommodate the sanctuary and the western half of the

building (classroom/offices) is 15 feet in height. The Development Code allows for a 35-foot maximum building height within the AR-2 zoning district; however, due to the predominantly single-story buildings within the neighborhood setting, lower building heights were maintained; and

WHEREAS, the Project provides landscaping along the Magnolia Avenue and Elderberry Court frontages, around the Project perimeter, and throughout the Project site. The Project site is currently lacking right-of-way improvements (sidewalk/parkway) and street trees, which will be provided with the Project. 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, 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 a bio-retention stormwater infiltration systems along the Magnolia Avenue frontage, Elderberry Court, and bioswales along the southern landscape setback for the Project. Any overflow drainage will be conveyed to the Magnolia Avenue by way of parkway culverts; and

WHEREAS, the Planning Department conducted two community meetings to review the subject application with the neighboring residents, receive comments and answer questions on the proposed use; and

WHEREAS, the first community meeting was held on November 6, 2019 and notices were mailed to 47 property owners within 300 feet of the Project site. There was approximately 50-60 people in attendance. The majority of the residents were in opposition to the proposed use and raised several concerns regarding the public notification process, land use compatibility, requests for technical studies, traffic/access/parking, construction impacts, crime, site design and noise; and

WHEREAS, the second community meeting was held on February 6, 2020 and notices were mailed to 311 property owners within 1,000 feet of the Project. Approximately 50 to 60 community members were in attendance. Staff's presentation summarized the concerns from the first meeting, discussed revisions to the site plan to address community concerns, discussed the proposed church operations, received additional comments from the community, and discussed the next steps in the entitlement process. The residents continued to be in opposition of the proposed use, raising the same concerns from the first meeting, along with new concerns regarding land use

compatibility, Magnolia Avenue's substandard street width and the building's architectural design; and

WHEREAS, the majority of the residents are in opposition of the proposed use and submitted two petitions in opposition to the project, with the first petition consisting of 13 signatures and the second petition consisting of 146 signatures; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on June 15, 2020, 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. DAB20-035 recommending that the Planning Commission approve the Application; and

WHEREAS, on June 30, 2020, the Planning Commission of the City of Ontario opened the public hearing, received public testimony, and continued the public hearing to the July 28, 2020, Planning Commission meeting; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development) of the CEQA Guidelines. The proposed project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits and the area being developed is 1.87 acres less than the five-acre threshold and is substantially surrounded by urban land uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality. Also, the site is adequately served by all required utilities and public services; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Rural Residential land use district of the Policy Plan Land Use Map, and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The development standards and conditions under which the proposed Project will be constructed and maintained, is consistent with the goals, policies, plans, and exhibits of

the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** The Project has been designed consistent with the requirements of the City of Ontario Development Code and the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district including standards relative to the particular land use proposed (religious assembly), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions; and

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

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Development Code that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (religious assembly). As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval, will be consistent with the development standards and guidelines described in the Development Code.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as “Attachment A,” and incorporated herein by this reference.

SECTION 6: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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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 28th day of July 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV19-036
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: June 30, 2020

File No: PDEV19-036

Related Files: PCUP19-015

Project Description: A Development Plan to construct a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district; (APN: 1014-111-08) submitted by **Gracepoint Brethren in Christ Church**.

Prepared By: Jeanie Irene Aguilo, Associate Planner
Phone: 909.395.2418 (direct)
Email: jaguilo@ontarioca.gov

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

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

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

2.1 Time Limits.

(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.

(b) 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 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.

2.7 Mechanical and Rooftop Equipment.

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

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

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

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.0 (Sign Regulations).

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

2.11 Environmental Review.

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

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

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

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

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

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

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

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

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

2.13 Additional Fees.

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

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

2.14 Additional Requirements.

(a) All applicable Conditions of Approval from other City departments shall be met and addressed by the applicant.

(b) All site improvements shall be completed prior to operating the proposed religious assembly use.

(c) The approval of File No. PDEV19-036 shall be final and conclusive upon the approval of File No. PCUP19-015 by the Planning Commission.

(d) The City Municipal Code limits the hours of construction activity citywide. Monday through Friday hours of construction are between 7:00 a.m. to 6:00 p.m., Saturday and Sunday hours of construction are between 9:00 a.m. to 6:00 p.m.

ENGINEERING DEPARTMENT
CONDITIONS OF APPROVAL

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

☒ **DEVELOPMENT PLAN** ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV19-036 **RELATED FILE NO(S). PCUP19-015**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO:	**Dean A. Williams, Associate Engineer (909) 395-2135**
CITY PROJECT PLANNER & PHONE NO:	**Jeanie Irene Aguilo, Associate Planner (909) 395-2418**
DAB MEETING DATE:	**June 15, 2020**
PROJECT NAME / DESCRIPTION:	**GracePoint Church** **6,800 s.f. church on 1.87 acres of vacant land**
LOCATION:	**West side of Magnolia Avenue approximately 135-ft. north of Jacaranda Street**
APPLICANT:	**GracePoint Brethren in Christ Church** Steven Airth (909) 957-5150
REVIEWED BY:	for **Bryan Urley, P.E.** **Principal Engineer** — 6/10/20 **Date**
APPROVED BY:	for **Raymond Lee, P.E.** **Assistant City Engineer** — 6/10/20 **Date**

Last Revised: 6/9/2020

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:

			Check When Complete
☐	1.01	Dedicate to the City of Ontario, the right-of-way, described below: _____ feet on _____ Property line corner 'cut-back' required at the intersection of _____ and _____.	☐
☐	1.02	Dedicate to the City of Ontario, the following easement(s): _____ _____	☐
☐	1.03	Restrict vehicular access to the site as follows: _____	☐
☐	1.04	Vacate the following street(s) and/or easement(s): _____	☐
☐	1.05	Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	☐
☐	1.06	Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	☐
☐	1.07	For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658*.	☐
☐	1.08	File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement. (1) _____ (2) _____	☐
☐	1.09	Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required or complete all public improvements.	☐
☐	1.10	Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ci.ontario.ca.us) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater.	☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.13 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____ ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐ 2.01 Record Parcel Map/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 July 21, 1977.** ☐

☒ **2.05 Apply for a: ☒ Certificate of Compliance with a Record of Survey** ☐ Lot Line Adjustment ☐

☐ Make a Dedication of Easement.

☐ 2.06 Provide (original document) Covenants, Conditions and Restrictions (CC&R's), as applicable to the project, and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&R's shall provide for, but not be limited to, common ingress and egress, joint maintenance of all common access improvements, common facilities, parking areas, utilities and drive approaches in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. ☐

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at http://tceplumecleanup.com/), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the ☐

Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658*.

☒ **2.08 Submit a soils/geology report.** ☐

☐ 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☐ Inland Empire Utilities Agency (IEUA)
- ☐ Other: _____

☒ **2.10 Dedicate to the City of Ontario the right-of-way described below:** ☐

30-feet for Elderberry Court for the ultimate half-street right-of-way.

☐ 2.11 Dedicate to the City of Ontario, the following easement(s): _____ ☐

☐ 2.12 New Model Colony (NMC) Developments: ☐

☐ 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

☐ 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

☒ **2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.** ☐

☐ 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office. ☐

☒ **2.15 Pay all Development Impact Fees (DIF) to the Building Department. The Storm Drain Development Impact Fee, approximately $43,000.00, shall be paid to the Building Department. The final fee amount shall be determined based on the approved site plan and current fee schedule.** ☐

☒ **2.16 Other conditions: Developer/applicant shall procure a public utility easement from the property owner on the west side of Elderberry Avenue, catty corner to and south of the site for construction of the proposed 8-inch water main. Preferably, developer/applicant shall try to get the owner to dedicate 30-feet of right-of-way to the City for street and utility purposes. If the** ☐

developer/applicant cannot procure the easement/dedication from the owner, the proposed water main will have to be routed from the west side of the street, from the existing main, to the east side of the street and constructed to the northerly property line of the site.

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☒ 2.17 **Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):** ☐

Improvement	Magnolia Avenue	Elderberry Court	Street 3	Street 4
Curb and Gutter	☒ **New;15-ft. from C/L** ☐ Replace damaged ☒ **Remove drive approach**	☒ **New; 20 ft. from C/L** ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace	☐ New; ___ ft. from C/L ☐ Replace damaged ☐ Remove and replace
AC Pavement	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☒ **18 ft. new along frontage, including pavm't transitions**	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions	☐ Replacement ☐ Widen ____ additional feet along frontage, including pavm't transitions
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☒ **New** ☐ Remove and replace replace	☒ **New** ☐ Remove and replace replace	☐ New ☐ Remove and replace replace	☐ New ☐ Remove and replace replace
Sidewalk	☒ **New** ☐ Remove and replace	☒ **New** ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☒ **Trees** ☒ **Landscaping (w/irrigation)**	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and modify	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace

Fire Hydrant	☒ **Upgrade** ☐ Relocation	☒ **New** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Sewer (see Sec. 2.C)	☐ Main ☒ **Lateral**	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☐ Main ☒ **Services**	☒ **Main** ☐ Services	☐ Main ☐ Service	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☐ New ☒ **Modify existing**	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **New** ☐ Relocation	☒ **New** ☐ Relocation	☐ Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	Drive approach	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.17, above: _____

☐ 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____ ☐

_____

☐ 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. ☐

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☐ 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code. ☐

☐ 2.22 Other conditions: _____ ☐

C. SEWER

☒ **2.23 An 8-inch sewer main is available for connection by this project in Magnolia Avenue. (Ref: Sewer plan bar code: S12718)** ☐

☐ 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☐ 2.26 Other conditions: _____ ☐

D. WATER

☒ **2.27 A 12-inch water main is available for connection by this project in Magnolia Avenue. (Ref: Water plan bar codes: W11284)** ☐

☐ 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.29 Other conditions: Developer/applicant shall construct an 8-inch water main in proposed Elderberry Court.** ☐

E. RECYCLED WATER

☐ 2.30 A ___-inch recycled water main is available for connection by this project in _____. (Ref: Recycled Water plan bar code: _____) ☐

☐ 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. ☐

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☐ 2.33 Submit two (2) hard copies and one (1) electronic copy of both on-site and off-site utilities layout in PDF and AutoCAD format. ☐

Submit 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 Ms. Cynthia Herredia-Torres at the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

☐ 2.34 Other conditions: _____ ☐

F. TRAFFIC / TRANSPORTATION

☐ 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐
1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ 2.37 **Other conditions: 1) Developer/applicant shall design and construct street improvements along property frontages of Magnolia Avenue and Elderberry Court. Improvements required herein shall include, but not be limited to, curb and gutter, AC pavement, sidewalk, drive approaches, street lights, signing and striping and parkway landscaping.** ☐

2) Developer/applicant shall dedicate 30-feet for Elderberry Court for the ultimate half-street right-of-way (see item 2.10, above).

3) Developer/applicant shall note that proposed drive approach on proposed Elderberry Court shall be limited to emergency access use, only. A gate shall be installed at the drive approach to prohibit use. The proposed gate design shall be submitted for review and approval prior to installation.

5) Developer/applicant shall terminate proposed Elderberry Court as a "dead end" per City of Ontario Standard Drawing Nos. 1310 and 1311.

6) Developer/applicant shall design and construct in-fill public street lights on Magnolia Avenue and Elderberry Court. Street lighting shall be LED type and in accordance with the City's Traffic and Transportation Design Guidelines. Developer/applicant's engineer-of-record shall meet with City Engineering/Traffic staff, prior to starting street lighting design plan.

7) Elderberry Court shall be signed "No Parking Anytime".

8) All landscaping, block walls and other obstructions shall be compatible with the stopping site distance requirements per City of Ontario Standard Drawing No. 1309.

G. DRAINAGE / HYDROLOGY

☐ 2.38 A ___-inch storm drain is available to accept flows from this project in _____ (Ref: Storm Drain plan bar code: _____) ☐

☐ 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study. ☐

☒ 2.40 **An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans.** ☐

☐ 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.43 Other conditions: _____ ☐

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.45 Submit a Water Quality Management Plan (WQMP) based on the approved Preliminary Water Quality Management Plan (PWQMP). 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 or on the City's Website under Engineering/Environmental Services.** ☐

☐ 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, for each catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning. ☐

☒ **2.47 Other conditions: Developer/applicant shall obtain coverage for the project under the Construction General Permit (GCP). The owner is the legally responsible person (LRP) of the site and shall have a Storm Water Pollution Prevention Plan (SWPPP) developed and submitted through the SMARTS website at:**
https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.xhtml
coverage_____ ☐

J. SPECIAL DISTRICTS

☐ 2.48 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 four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.49 Other conditions: _____ ☐

K. FIBER OPTIC

☒ **2.50** **Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole.** ☐

☒ **2.51** **Refer to the City's Fiber Optic Master Plan for design and layout guidelines. Contact Information technology department at (909) 395-2000 regarding this requirement.** ☐

L. Solid Waste

☒ **2.52** **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** ☐

Developer/applicant shall provide a final Solid Waste Handling Plan (SWHP) sheet that complies with the "solid waste Handling Plan Requirements" prior to approval of the precise grading plan for the site.

☐ 2.53 Other conditions: _____ ☐

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☐ 3.03 The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office. ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals. ☐

☒ **3.05** **Confirm payment of all Development Impact Fees (DIF) to the Building Department.** ☐

☒ **3.06** **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studie and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

☒	4.01	**Complete all Conditions of Approval listed under Sections 1-3 above.**	☐
☒	4.02	**Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.**	☐
☒	4.03	**Develop/applicantr shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the developer/applicant. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.**	☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV19-036

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: _____

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV19-036 & PCUP19-015

Address: 0 West Magnolia Ave

APN: 1014-111-08

Existing Land Use: Vacant

Proposed Land Use: Development Plan and CUP to construct and establish a 6,800 SF Religious Facility

Site Acreage: 1.87 Proposed Structure Height: 27 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: 11/6/19

CD No.: 2019-057

PALU No.: n/a

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

Safety	Noise Impact	Airspace Protection	Overflight Notification
☐ Zone 1	☐ 75+ dB CNEL	☐ High Terrain Zone	☐ Avigation Easement Dedication
☐ Zone 1A	☐ 70 - 75 dB CNEL	☑ FAA Notification Surfaces	☐ Recorded Overflight Notification
☐ Zone 2	☐ 65 - 70 dB CNEL	☑ Airspace Obstruction Surfaces	☑ Real Estate Transaction Disclosure
☐ Zone 3	☐ 60 - 65 dB CNEL	☐ Airspace Avigation Easement Area	
☐ Zone 4		Allowable Height: 200 FT +	
☐ 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: Lorena Mejia

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

DAB CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner	05/20/20 Date

Reviewer's Name:	Phone:
Jamie Richardson, Sr. Landscape Planner	**(909) 395-2615**

D.A.B. File No.:	Case Planner:
PDEV19-036	Jeanie Irene Aguilo

Project Name and Location:

Church
Magnolia Ave. and Jacaranda Street

Applicant/Representative:

Steven Airth
564 E Bermuda Dunes Street
Ontario, CA 91761

☒	**A Preliminary Landscape Plan (dated 05/20/2020) 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.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Provide an arborist report and tree inventory for existing trees include genus, species, trunk diameter, canopy width and condition. Show and note existing trees in good condition to remain and note trees proposed to be removed. Include existing trees within **15'** of adjacent property that would be affected by new walls, footings or on-site tree planting. Add tree protection notes on construction and demo plans to protect trees to remain. Replacement and mitigation for removed trees shall be equal to trunk diameter of heritage trees removed per the Development Code Tree Preservation Policy and Protection Measures, section 6.05.020. Arborist report / tree inventory to be provided prior to demo and construction.
2. Show on demo plans and landscape construction plans trees to be preserved, removed or mitigation measures for trees removed, such as:
   a. New 15 gallon trees min 1" diameter trunk, in addition to trees required.
   b. New 24" box trees min 1.5" diameter trunk, in addition to trees required.
   c. Upsizing trees on the plan one size larger such as 15 gallon to 24" box, or 24" to 36" box size.
   d. Monetary valve of the trees removed as identified in the "Guide for Plant Appraisal", approved certified arborist plant appraiser, or may be equal to the value of the installation cost of planting, fertilizing, staking and irrigating 15 gallon trees, (100$ each) to the City of Ontario Historic Preservation Fund for city tree planting or city approved combination of the above items.

   Arborist report / tree inventory to be provided prior to demo and construction.
3. Show transformers set back 5' from paving all sides; show and dimension on plans. Coordinate with landscape plans. Verify transformer location shown in a drainage swale.
4. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below

finished surfaces. Slopes to be maximum 3:1.

5. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.
6. Add Note to Grading and Landscape Plans: Landscape areas where compaction has occurred due to grading activities and where trees or storm water infiltration areas are located shall be loosened by soil fracturing. For trees a 12'x12'x18" deep area; for storm water infiltration the entire area shall be loosened. Add the following information on the plans: The back hoe method of soil fracturing shall be used to break up compaction. A 4" layer of Compost is spread over the soil surface before fracturing is begun. The back hoe shall dig into the soil lifting and then drop the soil immediately back into the hole. The bucket then moves to the adjacent soil and repeats. The Compost falls into the spaces between the soil chunks created. Fracturing shall leave the soil surface quite rough with large soil clods. These must be broken by additional tilling. Tilling in more Compost to the surface after fracturing per the soil report will help create an A horizon soil. Imported or reused Topsoil can be added on top of the fractured soil as needed for grading. The Landscape Architect shall be present during this process and provide certification of the soil fracturing. For additional reference see Urban Tree Foundation – Planting Soil Specifications.

Landscape Plans

7. Provide an arborist report and tree inventory as noted in #1. Arborist report / tree inventory to be provided prior to demo and construction.
8. Show appropriate parking lot shade trees with min 30' canopy at maturity. During plan check: Identify an accent tree that also provides shade to the parking lot (current plans show Cercis, a small accent tree, at the parking spaces with southern exposure).
9. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
10. Designer or developer to provide agronomical soil testing and include report on landscape construction plans.
11. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
12. 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. Fees are:

    Plan Check—less than 5 acres $1,301.00
    Inspection—Construction (up to 3 inspections per phase).....$278.00
    Total……$1,579.00
    Inspection—Field – any additional..... $83.00

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

CITY OF ONTARIO
MEMORANDUM

TO: **Jeanie Irene Aguilo, Associate Planner**
Planning Department

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

DATE: **July 12, 2019**

SUBJECT: **PDEV19-036 - A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PCUP19-015**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: Type V (Not Listed)

B. Type of Roof Materials: Ordinary

C. Ground Floor Area(s): 6,800 Sq. Ft.

D. Number of Stories: 1

E. Total Square Footage: 6,800 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): A-3

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 Access drive aisles which cross property lines shall be provided with CC&Rs, access easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of building plan check.

☒ 2.5 "No Parking-Fire Lane" signs and /or red painted curbs with lettering are required to be installed in interior access roadways, in locations where vehicle parking would obstruct the minimum clear width requirement. Installation shall be per Standard #B-001.

☒ 2.6 Security gates or other barriers on fire access roadways shall be provided with a Knox brand key switch or padlock to allow Fire Department access. See Standards #B-003, B-004 and H-001.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by fire department and other emergency services.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 2250 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.4 The water supply, including water mains and fire hydrants, shall be tested and approved by the Engineering Department and Fire Department prior to combustible construction to assure availability and reliability for firefighting purposes.

4.0 FIRE PROTECTION SYSTEMS

☒ 4.1 On-site private fire hydrants are required per Standard #D-005, and identified in accordance with Standard #D-002. Installation and locations(s) are subject to the approval of the Fire Department. An application with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.2 Underground fire mains which cross property lines shall be provided with CC & R, easements, or reciprocating agreements, and shall be recorded on the titles of affected properties, and copies of same shall be provided at the time of fire department plan check. The shared use of private fire mains or fire pumps is allowable only between immediately adjacent properties and shall not cross any public street.

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

☒ 4.4 Wood frame buildings that are to be sprinkled shall have these systems in service (but not necessarily finaled) before the building is enclosed.

☒ 4.5 Fire Department Connections (FDC) shall be located on the address side of the building within one hundred fifty feet (150') of a public fire hydrant on the same side of the street. Provide identification for all fire sprinkler control valves and fire department connections per Standard #D-007. Raised curbs adjacent to Fire Department connection(s) shall be painted red, five feet either side, per City standards.

☒ 4.6 A fire alarm system is required. The system design shall be in accordance with National Fire Protection Association (NFPA) Standard 72. An application along with detailed plans shall be submitted, and a construction permit shall be issued by the Fire Department, prior to any work being done.

☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

☒ 4.8 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 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.3 Single station smoke alarms and carbon monoxide alarms are required to be installed per the California Building Code and the California Fire Code.

☒ 5.4 Multiple unit building complexes shall have building directories provided at the main entrances. The directories shall be designed to the requirements of the Fire Department, see Section 9-1 6.06 of the Ontario Municipal Code and Standard #H-003.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

CITY OF ONTARIO
MEMORANDUM

TO: **Jeanie Aguilo, Associate Planner**

FROM: **Officer Emily Hernandez, Police Department**

DATE: **July 17, 2019**

SUBJECT: **PCUP19-015 AND PDEV19-036 - A CONDITIONAL USE PERMIT APPLICATION TO ESTABLISH A CHURCH LOCATED NORTH OF THE INTERSECTION OF MAGNOLIA AVENUE AND JACARANDA STREET.**

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements listed below.

- Required lighting for all walkways, driveways, doorways, parking areas, and other areas used by the public shall be provided and operate on photosensor. Photometrics shall be provided to the Police Department. Photometrics shall include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- 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.

In addition, the Ontario Police Department places the following conditions on the project:

- Outdoor services and activities are prohibited in the absence of a Temporary Use Permit.
- Food or beverage distribution to the public shall be prohibited.
- The storage of personal belongings on the site shall be prohibited.

The Applicant is invited to contact Officer Emily Hernandez (909) 408-1755 with any questions or concerns.

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Jeanie Irene Aguilo**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **July 9, 2019**

SUBJECT: **PDEV19-036**

☒ The plan does adequately address the departmental concerns at this time.

☐ No comments

☒ Report below.

Conditions of Approval

1. The Site address for this project will be 1534 S Magnolia Ave
2. Standard conditions of approval apply.

KS:lr

CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department

RECEIVED
JUL 11 2019
City of Ontario
Planning Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PDEV19-036 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 22, 2019**.

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 and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PCUP19-

☐ 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.

CI	Joe DeSousa	Supervisor	7/10/19
Department	Signature	Title	Date

CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Carolyn Bell, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Doug Sorel, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department

FROM: Jeanie Irene Aguilo, Associate Planner

DATE: July 08, 2019

SUBJECT: FILE #: PDEV19-036 Finance Acct#:

The following project has been submitted for review. Please send one (1) copy and email one (1) copy of your DAB report to the Planning Department by **Monday, July 22, 2019**.

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- ☐ Only DAB action is required
- ☑ Both DAB and Planning Commission actions are required
- ☐ Only Planning Commission action is required
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PROJECT DESCRIPTION: A Development Plan and a Conditional Use Permit application to construct a 6,800 SF church on 1.871 acres of vacant land, located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR2 (Residential - Agriculture) Zoning District. APN: 1014-111-08 RELATED FILE: PCUP19-

☒ 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.

Broadband Operations	Anna Vaca	Senior Systems Analyst	07/22/2019
Department	Signature	Title	Date

PLANNING COMMISSION STAFF REPORT

July 28, 2020

FILE NOS.: PVAR19-008, PCUP19-032, and PDEV19-070

SUBJECT: A request for approval of certain entitlements to facilitate the development of an automated carwash, including: [1] a Conditional Use Permit (File No. PCUP19-032) to establish the carwash land use; [2] a Variance (File No. PVAR19-008) for a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet; and [3] a Development Plan (File No. PDEV19-070) to construct a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28)

PROPERTY OWNER: Don Vogel, Fast 5 Xpress

RECOMMENDED ACTION: That the Planning Commission consider and approve File Nos. PVAR19-008, PCUP19-032, and PDEV19-070, pursuant to the facts and reasons contained in the staff report and attached resolutions, and subject to the conditions of approval contained in the attached departmental reports.

PROJECT SETTING: The project site is comprised of 1.17 acres of vacant land located at northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (Formally The California Commerce Center North (CCCN)/Gateway Plaza/Wagner Properties Specific Plan), and is depicted in Figure 1: Project Location, right. The project site includes the following:

- A primarily vacant 1.1 gross acre (0.95 net acre) triangular shaped parcel located at the

Figure 1: Project Location

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	12/20/2019

Hearing Body	*Date*	*Decision*	*Action*
DAB	07/20/20	Approval	Recommend
PC	07/28/20		Final
CC			

northwest corner of Inland Empire Boulevard and Ontario Mills Parkway. The parcel includes a portion of the developed street along Inland Empire Boulevard, a portion of the existing shared driveway and parking with the property to the west, and a small portion of the existing curb return radius and sidewalk which is to be dedicated to the City of Ontario.

- A vacant 0.06-acre triangular shaped parcel located at the northeast corner of Inland Empire Boulevard and Ontario Mills Parkway, which primarily serves as an extension of the existing parkway adjacent to the property to the north. This parcel is not a part of the scope of work of the proposed Project.

The land surrounding the project site is entirely located within the Office/Commercial land use district of the Ontario Mills Specific Plan. The land to the north of the project site is developed with a hotel, and the land to the south, east, and west are all developed with retail land uses. The existing surrounding land uses, zoning, and general plan and specific plan land use designations are summarized in the "Surrounding Zoning & Land Uses" table located in the Technical Appendix of this report.

PROJECT ANALYSIS:

[1] Background — On December 20, 2019, the Applicant submitted a Conditional Use Permit Application (File No. PCUP19-032), a Variance Application (File No. PVAR19-008), and a Development Plan (File No. PDEV19-070), to facilitate the construction of a 4,446 square-foot self-serve carwash. The Conditional Use Permit application is required by the Ontario Mills Specific Plan to establish a self-service carwash land use. The Variance application requests a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet. The Ontario Development Code requires Development Advisory Board recommendation and Planning Commission review and approval for Development Plans filed in conjunction with Conditional Use Permit and/or Variance requests.

[2] Site Design/Building Layout — The Application proposes the construction of a 4,446 square foot self-service carwash, oriented on the Project site in a southwest-northeast direction (see Exhibit C: Site Plan and Conceptual Landscape Plan). The proposed floor plan includes an electrical room, equipment room, sales office, management office, restroom, and wash tunnel (see Exhibit D—Floor Plan).

The Applicant has made efforts to isolate significant noise-generating elements away from the adjacent sensitive uses (hotel). The equipment room, which houses systems for both the carwash tunnel and the motor system for the vacuums, as well as the vacuum stalls, are proposed on the northwest side of the building, facing toward Inland Empire Boulevard and the Project's main vehicular entrance.

The proposed vacuum stalls will be located approximately 150 feet from the nearest hotel, to the north. The vacuums are required to be equipped with "silencers" to reduce noise impacts. Additionally, the exit tunnel, the largest producer of noise, is oriented toward the southwest, facing an existing fast food restaurant, thereby reducing further noise impacts to the hotel uses to the north of the subject property.

[3] Site Access/Circulation — Access to the Project site is provided from Inland Empire Boulevard by a shared full access drive approach. The site is also accessible by a shared drive aisle that runs along the west property line.

There are two queuing lanes proposed for patrons to enter the carwash—typically one for pre-paid members and one for pay-per-visit customers. Patrons will enter the carwash tunnel at the northeast corner of the site and exit at the tunnel at the southwest portion of the site, and may either leave the site or pull around to use the vacuum stations.

[4] Parking — The Project has provided off-street parking pursuant to the "Car Washes, Full-Service and Self-Service" parking standards specified in the Development Code. The off-street parking calculations for the Project are as follows:

Type of Use	***Building Area***	***Parking Ratio***	***Spaces Required***	***Spaces Provided***
Car Washes, Full-Service and Self-Service	4,446 SF	One space per employee, minimum 10 spaces; plus required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses).	10	17
TOTAL	**4,446 SF**		**10**	**17**

The Project is required to provide a minimum of 10 off-street parking spaces pursuant to the parking standards specified in the Development Code and has provided 17 spaces, exceeding the minimum standards. Fourteen of the parking stalls include vacuum stations, and three standard parking spaces have been provided for employee parking.

[5] Architecture — The Project features a simple and modern commercial style, utilizing the following architectural treatments (see Exhibit D—Elevations):

- White stucco panels with vertical reveal lines;
- Orange metal awnings;
- Horizontal and angled metal parapets with a contrasting blue band at the base;
- Standing seam metal roof; and
- A decorative architectural element at the carwash tunnel exit along the west elevation, displaying signage for the building. In addition, 15 canopies will be provided for the vacuum stalls, as shown in ***Figure 3: Vacuum Bay Canopy***, below.

Figure 3: Vacuum Bay Canopy

[6] Landscaping — The Project provides landscaping along the street frontages (Inland Empire Boulevard and Ontario Mills Parkway) and the remaining perimeter of the site as appropriate. The Ontario Development Code requires a minimum of 15 percent landscaping coverage, and 34 percent will be provided, substantially exceeding the minimum requirement (see Exhibit E—Conceptual Landscape Plan). The Project will maintain approximately half of the existing mature trees on site, including eight London Plane trees (ten White Ironbark Eucalyptus trees will be removed to accommodate the new building, parking, and drive aisles). The landscape plan proposes a variety of new trees and shrubs throughout the site, including Coral Gum Tree, Coast Live Oak, Firewheel Tree, Queen Palm, agave, kangaroo paw, bird of paradise, blue chalk sticks, and blood red trumpet vine, among other plantings.

[7] Signage — The Project will be required to submit a sign plan application prior to installation of any signage at the site. All signage will follow all Ontario Development Code standards related to signage for drive-thru retail facilities.

[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 an underground stormwater infiltration system for the Project. Any overflow drainage will be conveyed to the public street by way of parkway culverts.

[9] Conditional Use Permit – A Conditional Use Permit (CUP) review is required for stand-alone automated car washes within the Commercial Office land use district of The

Ontario Mills Specific Plan. The intent of a CUP application and review is to ensure that the proposed use will be operated in a matter 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 Applicant, has been successfully operating self-service carwashes at over 10 locations throughout Southern California, including the City of Ontario, and is in the planning stages for an additional 10+ locations.

The Applicant operates an "express car wash", which is a cross between a traditional automated carwash tunnel and a self-service carwash. The proposed carwash tunnel utilizes higher-quality technologies than traditional automated tunnels, to wash and dry. All water used on site is filtered and recycled, and all grease, oils, and solids are collected onsite and hauled to an offsite environmental waste collection center. Customers may utilize free vacuums to clean the inside of their vehicle, and a vending machine with items such as air fresheners, trash bags, and cleaning wipes is located adjacent to the vacuum stations for added convenience. The average wait time for a wash and dry is five minutes or less, from start to finish. Washes vary from $6 to $16, depending on features and finishing options. Club membership packages are also available, from $19.99 to $39.99 per month.

The Applicant employs 3 to 4 people per location, including a greeter who welcomes customers with items such as free coffee, stickers for kids, and biscuits for dogs; a loader who guides customers into the tunnel and checks cars for pre-existing damage; and a manager and/or assistant manager who is responsible for customer service, site pickup and maintenance, and ensuring customer compliance with site rules, such as no loud music coming from cars while vacuuming or idling in line. General hours of operation are from 7:00 a.m. to 8:00 p.m., with winter hours from 7:00 a.m. to 7:00 p.m., seven days a week.

[10] Variance – The Variance request is consistent with TOP Goal LU3, which promotes flexibility in order to respond to special conditions and circumstances, and to achieve The Ontario Plan ("TOP") Vision. Furthermore, in this particular case, the strict interpretation and enforcement of the Ontario Mills Specific Plan drive aisle setbacks along the Inland Empire Boulevard and Ontario Mills Parkway rights-of-way would result in practical difficulties and an unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Mills Specific Plan and the Development Code. The Variance application is necessary to facilitate the related Development Plan and Conditional Use Permit applications and various related site improvements, such as provision of sufficient on-site parking, queueing for the carwash, compliance with building and parking setbacks, and landscaping and trash enclosure standards. For these reasons, staff is recommending approval of the Variances requested, per the following findings:

[1] ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship***

inconsistent with the objectives of the development regulations contained in this Development Code. A portion of the 1.17-acre site is currently developed with a private street, a public sidewalk with wheelchair access ramp, parking spaces, a shared driveway, and a small portion of the property located across Inland Empire Boulevard (a private street), which is unbuildable. The remainder of the site is currently vacant, leaving approximately 0.95 buildable acre. Given the existing site constraints, such as the extensive site frontage along an intersection, and the irregular shape of the parcel, the strict application of the required drive aisle setbacks (20 feet from Inland Empire Boulevard, 25 feet from Ontario Mills Parkway, and 25 feet from the corner of Inland Empire Boulevard and Ontario Mills Parkway) would not allow the Applicant to feasibly construct the proposed carwash and associated trash enclosure, queuing lanes, and parking/vacuum stalls. The requested Variance approval is, therefore, necessary to facilitate the related site improvements, such as on-site queueing and site circulation, compliance with building and parking setbacks, compliance with landscaping and trash enclosure standards, and the provision of sufficient parking.

Furthermore, the TOP land use designation for the Project site is Ontario Mills Mixed Use District, which allows for a 0.5 FAR for retail uses. The irregular configuration of the Project site does not allow for maximization of the site, as exemplified by the Project's proposed 0.09 FAR. The strict interpretation and enforcement of the Project's drive aisle setbacks would result in practical difficulties and an unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Mills Specific Plan and the Ontario Development Code. Approval of the requested Variance is consistent with TOP Goal LU3, which allows for flexible response to conditions and circumstances in order to achieve the TOP Vision.

[2] ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** Due to the irregular parcel shape and severely reduced buildable area, the proposed Variance is necessary to facilitate the proposed Project. Requiring enforcement of the current Ontario Mills Specific Plan and Development Code standards would not allow for efficient on-site circulation. Further, the requested relief from the minimum and drive aisle setbacks will allow for greater design flexibility and assist the Applicant in providing a project that will better serve its customers, will provide a safer site circulation and ample drive-thru queueing, and improve upon the streetscape in the neighborhood.

[3] ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief from the minimum drive aisle setbacks adjacent to arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, will allow for greater design flexibility and will serve to equalize development rights between the Project site and other surrounding properties in the same land use district, located within the area of

the Project site. In addition, the setback deviations will provide the Applicant the ability to comply with other Development Code regulations, such as landscape coverage, adequate parking, building setbacks, safe and effective site circulation, and trash enclosure design/location. Therefore, the strict or literal interpretation and enforcement of the specified regulations would deprive the Applicant of privileges enjoyed by owners of other properties in the same zoning district and reduce the Applicant's ability to create a well-designed project.

[4] ***The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the Project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements and decorative paving, and orientation of noise-generating activities away from sensitive uses. Therefore, the granting of the Variance will not be detrimental to the public health, safety or welfare, and will not be materially injurious to properties or improvements in the vicinity.

[5] ***The proposed Variance 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 the purposes of any applicable specific plan or planned unit development, and the purposes of the Development Code.*** The proposed Project is located with the Ontario Mills Mixed Use District of the Policy Plan Land Use Map, and the Commercial/Office land use designation of The Ontario Mills Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

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:

➢ 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.

Community Economics Element:

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

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

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

➢ 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.

➢ CD2-9 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.

➢ CD2-12 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.

- CD3-3 Building Entrances. We require all building entrances to be accessible and visible from adjacent streets, sidewalks or public open 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.

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

AIRPORT LAND USE COMPATIBILITY PLAN (ALUCP) COMPLIANCE: The California State Aeronautics Act (Public Utilities Code Section 21670 et seq.) requires that an Airport Land Use Compatibility Plan be prepared for all public use airports in the State; and requires that local land use plans and individual development proposals must be consistent with the policies set forth in the adopted Airport Land Use Compatibility Plan. On April 19, 2011, the City Council of the City of Ontario approved and adopted the Ontario International Airport Land use Compatibility Plan ("ALUCP"), establishing the Airport Influence Area for Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and limits future land uses and development within the Airport Influence Area, as they relate to noise, safety, airspace protection, and overflight impacts of current and future airport activity. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the ALUCP. Any special conditions of approval associated with uses in close proximity to the airport are included in the conditions of approval provided with the attached Resolution.

(1) **ENVIRONMENTAL REVIEW:** The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 ((Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects meeting the following conditions:

a. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;

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

c. The project site has no value as habitat for endangered, rare, or threatened species;

d. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and

e. The Project site can be adequately served by all required utilities and public services.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	***General Plan Designation***	***Zoning Designation***	***Specific Plan Land Use***
Site:	Vacant	Ontario Mills Mixed Use District	SP (Specific Plan)	Office/Commercial Ontario Mills Specific Plan
North:	Hotel	Ontario Mills Mixed Use District	SP	Office/Commercial Ontario Mills Specific Plan
South:	Retail	Ontario Mills Mixed Use District	SP	Office/Commercial Ontario Mills Specific Plan
East:	Retail	Ontario Mills Mixed Use District	SP	Office/Commercial Ontario Mills Specific Plan
West:	Retail	Ontario Mills Mixed Use District	SP	Office/Commercial Ontario Mills Specific Plan

General Site & Building Statistics

Item	*Proposed*	*Min./Max. Standard*	*Meets Y/N*
Project Area:	0.95 acres	N/A	N/A
Lot/Parcel Size:	1.17 acres	1 acre (Min.)	Y
Building Area:	4,446 square feet	N/A	N/A
Floor Area Ratio:	0.09	0.50 (Max.)	Y
Building Height:	25'-3"	100 feet (Max.)	Y

Off-Street Parking:

Type of Use	*Building Area*	*Parking Ratio*	*Spaces Required*	*Spaces Provided*
Car Washes, Full-Service and Self-Service	**4,446 SF**	**One space per employee, minimum 10 spaces; plus required parking for accessory uses (i.e., motor vehicle repair and service, and retail uses).**	**10**	**17**
TOTAL	**4,446 SF**		**10**	**17**

Exhibit A—PROJECT LOCATION MAP – REGIONAL CONTEXT

Exhibit B – PROJECT LOCATION MAP

Exhibit C—SITE PLAN AND CONCEPTUAL LANDSCAPE PLAN

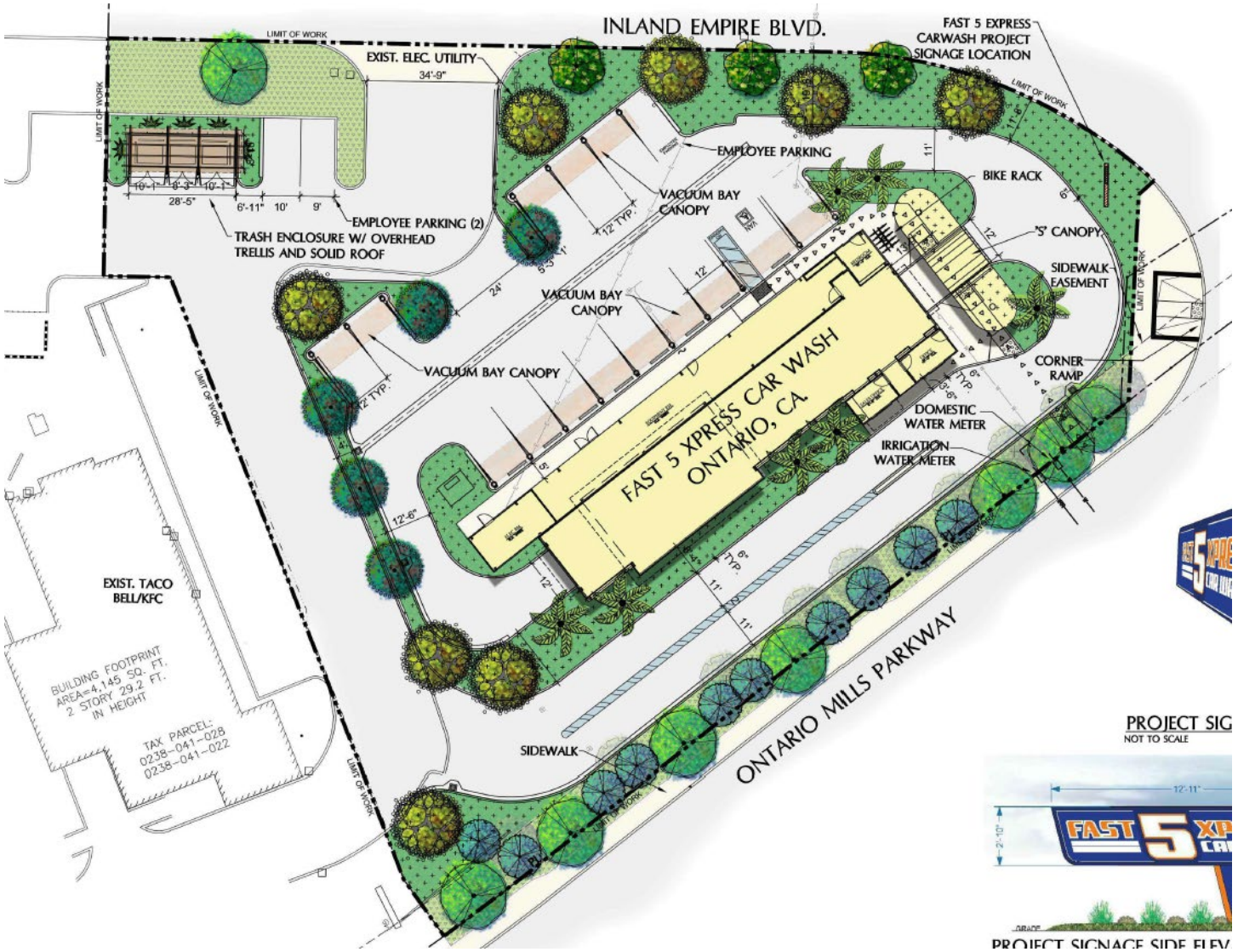


Exhibit D – FLOOR PLAN

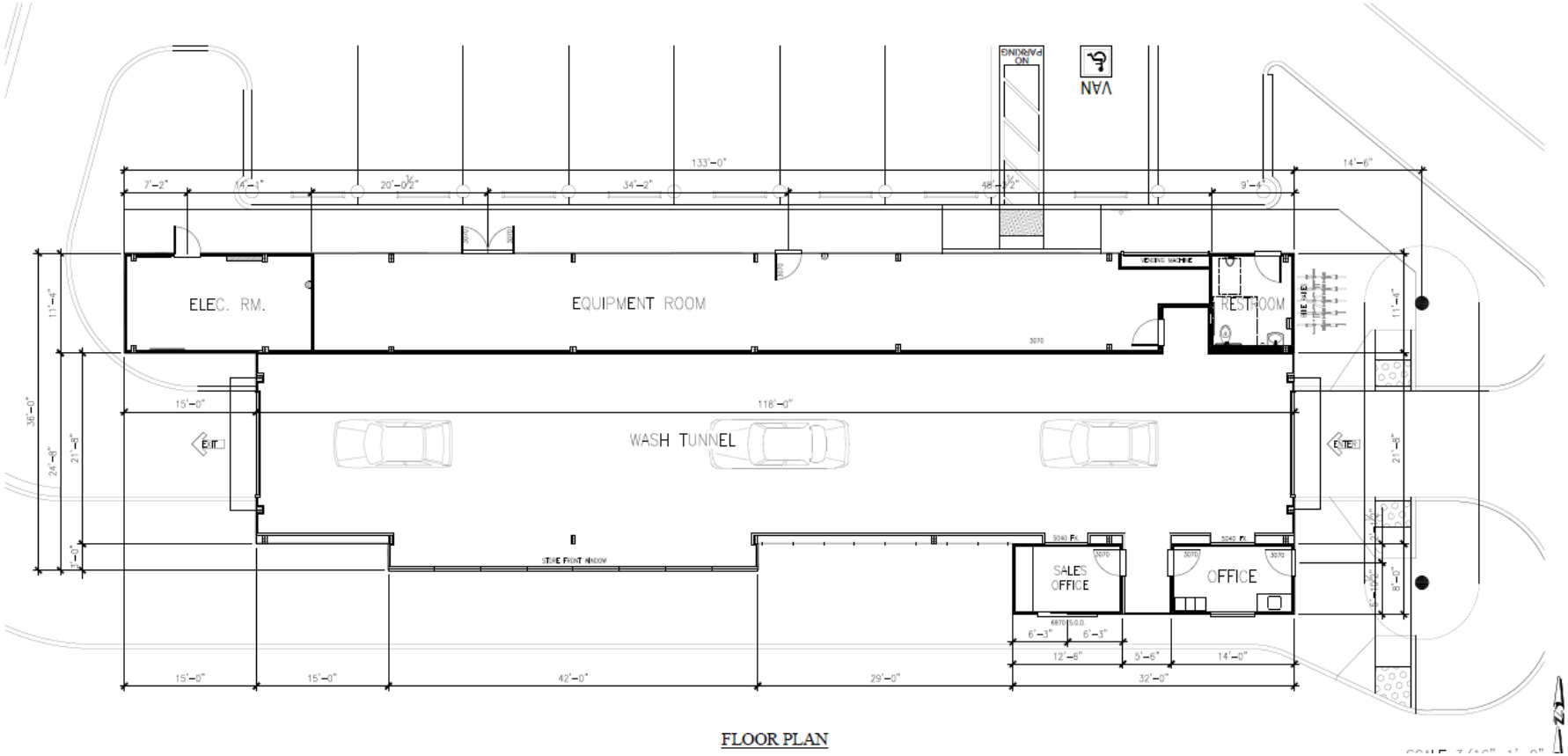
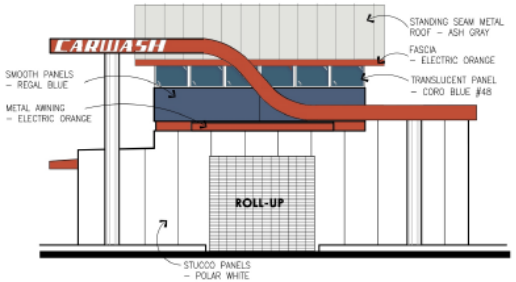


Exhibit E—ELEVATIONS



EAST ELEVATION

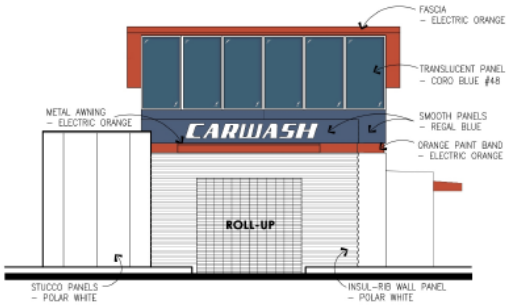
FAST 5 EXPRESS
ONTARIO, CA

EXTERIOR COLOR SCHEME	
WALL PANELS	POLAR WHITE
SMOOTH HORIZONTAL PANELS	REGAL BLUE
ROOF	ASH GRAY
RIBBED PANEL	POLAR WHITE
METAL AWNING	SW6881 CAYENNE
TRANSLUCENT WALL SYSTEM #1	WHITE #00
TRANSLUCENT WALL SYSTEM #2	CORO BLUE #48
STEEL COLUMN/ DOORS/WINDOW FRAMES	TO MATCH ADJACENT WALL PANEL

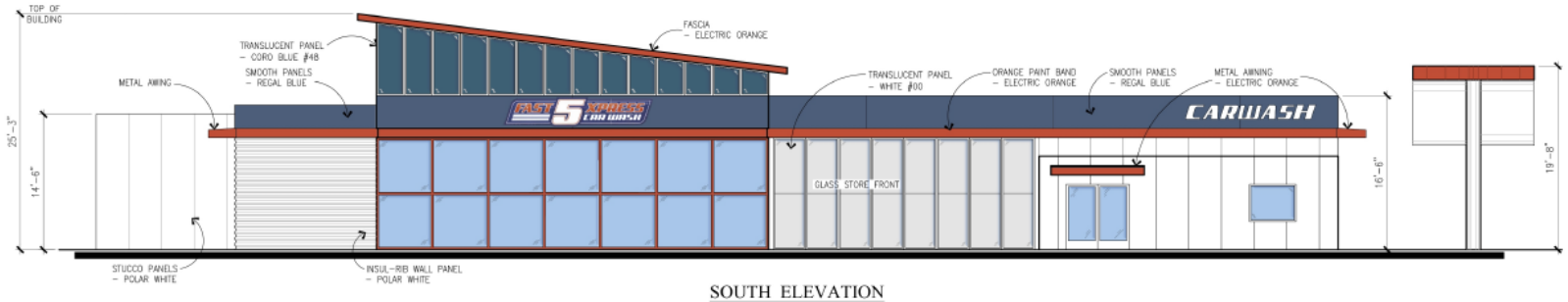
ALL FLASHING, GUTTERS, DOWNSPOUTS ETC. TO BE PAINTED TO MATCH ADJACENT SURFACE. ALL PAINT BREAKS TO BE CUT AT INSIDE CORNERS.

JOB #	19113
Date Created:	10/24/2019
WALL PANELS / ROOF	METL SPAN
PAINT:	SHERWIN WILLIAMS
TRANSLUCENT WALL SYSTEM:	KALWALL

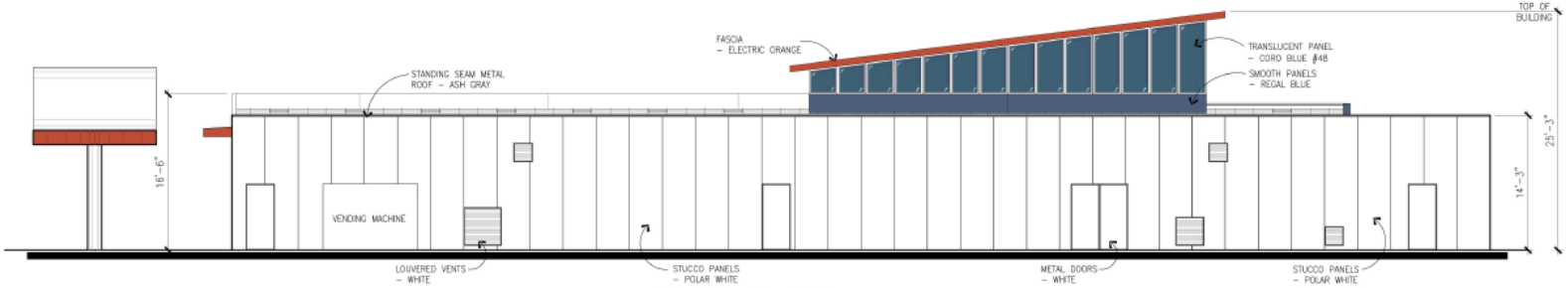
Kevin L. Crook Architect Inc
PLANNING + ARCHITECTURE



WEST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PVAR19-008, A VARIANCE REQUEST TO THE MINIMUM DRIVE AISLE SETBACKS ADJACENT TO CERTAIN ARTERIAL STREETS, INCLUDING INLAND EMPIRE BOULEVARD, FROM 20 FEET TO 11 FEET, ONTARIO MILLS PARKWAY, FROM 25 FEET TO 10 FEET, AND THE CORNER OF INLAND EMPIRE BOULEVARD AND ONTARIO MILLS PARKWAY, FROM 25 FEET TO 2 FEET, TO FACILITATE THE CONSTRUCTION OF A 4,446 SQUARE-FOOT SELF-SERVE CARWASH ON 1.17 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND ONTARIO MILLS PARKWAY, WITHIN THE OFFICE/COMMERCIAL LAND USE DISTRICT OF THE ONTARIO MILLS SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-041-22 AND 0238-041-28.

WHEREAS, Don Vogel, Fast 5 Xpress ("Applicant") has filed an Application for the approval of a Variance request, File No. PVAR19-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.17 acres of land generally at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (Formally The California Commerce Center North (CCCN)/Gateway Plaza/Wagner Properties Specific Plan), and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with a hotel. The property to the east is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail. The property to the south is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail. The property to the west is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail; and

WHEREAS, the Variance request proposes to reduce the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, in order to facilitate the development of a 4,446 square-foot self-serve carwash (Fast 5 Xpress); and

WHEREAS, the Variance request was submitted in conjunction with a Conditional Use Permit request (File No. PCUP19-032) to establish a self-serve carwash use at the

subject location, and a Development Plan (File No. PDEV19-070) to facilitate the project construction; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, 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. DAB20-040, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects meeting the following conditions:

1. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;
2. The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
3. The project site has no value as habitat for endangered, rare, or threatened species;
4. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
5. The Project site can be adequately served by all required utilities and public services; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the development regulations contained in this Development Code.*** A portion of the 1.17-acre site is currently developed with a private street, a public sidewalk with wheelchair access ramp, parking spaces, a shared driveway, and a small portion of the property located across Inland Empire Boulevard (a private street), which is unbuildable. The remainder of the site is currently vacant, leaving approximately 0.95 buildable acre. Given the existing site constraints, such as the

extensive site frontage along an intersection, and the irregular shape of the parcel, the strict application of the required drive aisle setbacks (20 feet from Inland Empire Boulevard, 25 feet from Ontario Mills Parkway, and 25 feet from the corner of Inland Empire Boulevard and Ontario Mills Parkway) would not allow the Applicant to feasibly construct the proposed carwash and associated trash enclosure, queuing lanes, and parking/vacuum stalls. The requested Variance approval is, therefore, necessary to facilitate the related site improvements, such as on-site queueing and site circulation, compliance with building and parking setbacks, compliance with landscaping and trash enclosure standards, and the provision of sufficient parking.

Furthermore, the TOP land use designation for the Project site is Ontario Mills Mixed Use District, which allows for a 0.5 FAR for retail uses. The irregular configuration of the Project site does not allow for maximization of the site, as exemplified by the Project's proposed 0.09 FAR. The strict interpretation and enforcement of the Project's drive aisle setbacks would result in practical difficulties and an unnecessary physical hardship inconsistent with the objectives of the development regulations contained in the Ontario Mills Specific Plan and the Ontario Development Code. Approval of the requested Variance is consistent with TOP Goal LU3, which allows for flexible response to conditions and circumstances in order to achieve the TOP Vision.

(2) ***There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to other properties in the vicinity and in the same zoning district.*** Due to the irregular parcel shape and severely reduced buildable area, the proposed Variance is necessary to facilitate the proposed Project. Requiring enforcement of the current Ontario Mills Specific Plan and Development Code standards would not allow for efficient on-site circulation. Further, the requested relief from the minimum and drive aisle setbacks will allow for greater design flexibility and assist the Applicant in providing a project that will better serve its customers, will provide a safer site circulation and ample drive-thru queueing, and improve upon the streetscape in the neighborhood.

(3) ***The strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by the owners of other properties in the same zoning district.*** The requested relief from the minimum drive aisle setbacks adjacent to arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, will allow for greater design flexibility and will serve to equalize development rights between the Project site and other surrounding properties in the same land use district, located within the area of the Project site. In addition, the setback deviations will provide the Applicant the ability to comply with other Development Code regulations, such as landscape coverage, adequate parking, building setbacks, safe and effective site circulation, and trash enclosure design/location. Therefore, the strict or literal interpretation and enforcement of

the specified regulations would deprive the Applicant of privileges enjoyed by owners of other properties in the same zoning district and reduce the Applicant's ability to create a well-designed project.

(4) ***The granting of the Variance will not be detrimental to the public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.*** A thorough review and analysis of the proposed Variance and its potential to adversely impact properties surrounding the subject site was completed by staff. As a result of this review, certain design considerations will be incorporated into the Project as conditions of approval, to mitigate identified impacts to an acceptable level, including the use of upgraded materials, the inclusion of certain architectural design elements on building exteriors, intensified landscape elements and decorative paving, and orientation of noise-generating activities away from sensitive uses. Therefore, the granting of the Variance will not be detrimental to the public health, safety or welfare, and will not be materially injurious to properties or improvements in the vicinity.

(5) ***The proposed Variance 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 the purposes of any applicable specific plan or planned unit development, and the purposes of the Development Code.*** The proposed Project is located with the Ontario Mills Mixed Use District of the Policy Plan Land Use Map, and the Commercial/Office land use designation of The Ontario Mills Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located

at the City of Ontario City Hall, 303 East “B” Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July, 2020, and the foregoing is a full, true and a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PVAR19-008
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: July 28, 2020

File No: PVAR19-008

Related Files: PCUP19-032 and PDEV19-070

Project Description: A Variance for a reduction in the minimum drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, to facilitate the development of a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress.**

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

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

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

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

2.1 Time Limits.

(a) Variance 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 Environmental Review.

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

(i) The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;
(ii) The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
(iii) The project site has no value as habitat for endangered, rare, or threatened species;
(iv) Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
(v) The Project site can be adequately served by all required utilities and public services.

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

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

2.4 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 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.

2.5 Additional Fees.

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

(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.

2.6 Additional Requirements.

(a) Approval of File No. PVAR19-008 is contingent upon approval of related file numbers PCUP19-032 and PDEV19-070.

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Alexis Vaughn**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **January 06, 2020**

SUBJECT: **PVAR19-008**

☒ 1. The plan **does** adequately address the departmental concerns at this time.

No comments.

KS:lr

CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 02, 2020

SUBJECT: FILE #: PVAR19-008 Finance Acct#:

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

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

PROJECT DESCRIPTION: A Variance to deviate from the minimum Development Code standard for building setback along a minor arterial street, from 20 feet to 15 feet, as well as a deviation from the minimum building setback along a local street, from 15 feet to 4 feet, in conjunction with the construction of an express carwash building totaling 4,446 square feet on 0.95 acres of land located at the northwest corner of Inland Empire Blvd and Ontario Mills Parkway, within the Office/Commercial land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 238-041-22 & -28). Related File(s): PDEV19-070 and PCUP19-032.

☐ 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.

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PCUP19-032, A CONDITIONAL USE PERMIT TO ESTABLISH A SELF-SERVE CARWASH LAND USE ON 1.17 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND ONTARIO MILLS PARKWAY, WITHIN THE OFFICE/COMMERCIAL LAND USE DISTRICT OF THE ONTARIO MILLS SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF— APNS: 0238-041-22 AND 0238-041-28.

WHEREAS, Don Vogel, Fast 5 Xpress ("Applicant") has filed an Application for the approval of a Conditional Use Permit, File No. PCUP19-032, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.17 acres of land generally at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (Formally The California Commerce Center North (CCCN)/Gateway Plaza/Wagner Properties Specific Plan), and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with a hotel. The property to the east is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail. The property to the south is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail. The property to the west is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail; and

WHEREAS, the Conditional Use Permit proposes to establish a self-serve drive-thru carwash at the subject location; and

WHEREAS, the Conditional Use Permit was submitted in conjunction with a Development Plan (File No. PDEV19-070) to construct a 4,446 square-foot self-serve carwash (Fast 5 Xpress) and a Variance request (File No. PVAR19-008) to reduce the drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, in order to help facilitate the Development Plan; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, 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. DAB20-041, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects meeting the following conditions:

1. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;
2. The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
3. The project site has no value as habitat for endangered, rare, or threatened species;
4. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
5. The Project site can be adequately served by all required utilities and public services; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The 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 location of the Conditional Use Permit is in accord with the objectives and purposes of the City of Ontario Development Code and the Commercial/Office land use district of The Ontario Mills Specific Plan, and the scale and intensity of land uses intended for the zoning district in which the use is proposed to be located. Furthermore, the proposed drive-thru retail, self-serve carwash land use will be established and operated consistent with the objectives and purposes, and development standards and guidelines, of the Commercial/Office land use district of The Ontario Mills Specific Plan. The Project site and its surroundings are intended to be developed with a mix of commercial, retail, and services uses. The site is located within the greater Ontario Mills shopping area, which serves as a regional retail destination. Per Determination of Use File No. PDET20-001, a Conditional Use Permit was established as a requirement for stand-alone, automated carwash uses within the Commercial/Office land use district, and made the findings that the use is of no greater impact than other similar permitted and conditionally-permitted uses allowed in the district; and

(2) ***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 drive-thru retail, self-serve carwash land use will be located within the Ontario Mills Mixed Use District of the Policy Plan Land Use Map. The development standards, and the conditions of approval under which the proposed land use will be established, operated, and maintained, are consistent with the goals, policies, plans, and exhibits of the Vision, City Council Priorities, and Policy Plan (General Plan) components of The Ontario Plan. In accordance with Determination of Use File No. PDET20-001, Conditional Use Permit approval must be obtained prior to establishing a stand-alone, automated carwash within the Commercial/Office land use district of the Ontario Mills Specific Plan, and facts and reasons are established which find that the use is of no greater impact than other similar permitted and conditionally permitted uses allowed in the district. Furthermore, the Ontario Mills Mixed Use District of the Policy Plan intends for a diverse mix of commercial, retail, service, and residential land uses. The proposed carwash will provide an added convenience and further the regional commercial center's goals, as well as meet the City Council priority instructing the focus of resources in Ontario's commercial and residential neighborhoods; and

(3) ***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 the Development Code and any applicable specific plan or planned unit development.*** The proposed drive-thru retail, self-serve carwash land use is located with the Ontario Mills Mixed Use District of the Policy Plan and the Commercial/Office land use district of the Ontario Mills Specific Plan, and has been reviewed and conditioned to ensure the establishment, operation, and maintenance of the proposed land use remains consistent with all applicable objectives, purposes, standards, and guidelines of the Development Code and the Ontario Mills Specific Plan. Additional conditions of approval have been established to minimize potential nuisance impacts on surrounding development, such as noise; and

(4) ***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 Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Commercial/Office land use district of the Ontario Mills Specific Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; and [iv] the Project will be in harmony with the surrounding area in which it is proposed to be located.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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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 28th day of July, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PCUP19-032
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: July 28, 2020

File No: PCUP19-032

Related Files: PDEV19-070 and PVAR19-008

Project Description: A Conditional Use Permit to establish a carwash land use to facilitate the development of a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress.**

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

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

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

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

2.1 Time Limits.

(a) 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 Environmental Review.

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

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

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

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

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

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

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

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

2.4 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 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.

2.5 Additional Fees.

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

(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.

2.6 Additional Requirements.

(a) Approval of File No. PCUP19-032 is contingent upon approval of related file numbers PVAR19-008 and PDEV19-070.

(b) The business' staff and management shall reinforce the following during operation hours to limit disruption to adjacent properties:

(i) No noise permitted prior to 6:50 a.m. for setup.
(ii) No patron car radios shall project sound.
(iii) Mechanical equipment room to remain closed during operational hours and proper ventilation shall be installed to prevent overheating during summer months.
(iv) Vacuum station compressors shall be equipped with "silencers".

(c) The property owner shall maintain the site free of graffiti and/or vandalism.

(d) The business and/or property owner shall promptly report any criminal activities occurring on-site to the Ontario Police Department.

(e) During regular business hours, staff shall maintain safe and orderly queuing of vehicles, and prevent overflow onto adjacent rights-of-way.

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Alexis Vaughn**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **January 06, 2020**

SUBJECT: **PCUP19-032**

☒ 1. The plan **does** adequately address the departmental concerns at this time.

No comments.

KS:lr

CITY OF ONTARIO
MEMORANDUM

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

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

DATE: **January 15, 2020**

SUBJECT: **PCUP19-032 – A Conditional Use Permit to establish a carwash totaling 4,446 square feet on 0.95-acre of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 238-041-22 and 238-041-28). Related Files: PDEV19-070 and PVAR19-008.**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ No comments.

CITY OF ONTARIO

MEMORANDUM

TO: Scott Murphy, Development Director
Cathy Wahlstrom, Planning Director (Copy of memo only)
Diane Ayala, Advanced Planning Division (Copy of memo only)
Charity Hernandez, Economic Development
Kevin Shear, Building Official
Khoi Do, City Engineer
Jamie Richardson, Landscape Planning Division
Ahmed Aly, Municipal Utility Company
Emily Hernandez, Police Department
Paul Ehrman, Deputy Fire Chief/Fire Marshal
Jay Bautista, T. E., Traffic/Transportation Manager
Lorena Mejia, Airport Planning
Eric Woosley, Engineering/NPDES
Joe De Sousa, Code Enforcement (Copy of memo only)
Jimmy Chang , IT Department

FROM: Alexis Vaughn, Assistant Planner

DATE: January 02, 2020

SUBJECT: FILE #: PCUP19-032 Finance Acct#:

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

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

PROJECT DESCRIPTION: A Conditional Use Permit to establish an express carwash building totaling 4,446 square feet on 0.95 acres of land located at the northwest corner of Inland Empire Blvd and Ontario Mills Parkway, within the Office/Commercial land use district of the California Commerce Center North (Ontario Mills) Specific Plan (APN(s): 238-041-22 & -28). Related File(s): PDEV19-070 and PVAR19-008.

☑ 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.

Department	Signature	Title	Date
Landscape Planning Division		Landscape Planner	2/12/20

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, APPROVING FILE NO. PDEV19-070, A DEVELOPMENT PLAN TO CONSTRUCT A 4,446 SQUARE-FOOT CARWASH ON 1.17 ACRES OF LAND LOCATED AT THE NORTHWEST CORNER OF INLAND EMPIRE BOULEVARD AND ONTARIO MILLS PARKWAY, WITHIN THE OFFICE/COMMERCIAL LAND USE DISTRICT OF THE ONTARIO MILLS SPECIFIC PLAN, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 0238-041-22 AND 0238-041-28.

WHEREAS, Don Vogel, Fast 5 Xpress ("Applicant") has filed an Application for the approval of a Development Plan, File No. PDEV19-070, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to 1.17 acres of land generally at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (Formally The California Commerce Center North (CCCN)/Gateway Plaza/Wagner Properties Specific Plan), and is presently vacant; and

WHEREAS, the property to the north of the Project site is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with a hotel. The property to the east is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail. The property to the south is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail. The property to the west is within the Office/Commercial land use district of the Ontario Mills Specific Plan and is developed with retail; and

WHEREAS, the Development Plan proposes to construct a 4,446 square-foot self-service carwash (Fast 5 Xpress) with two queue lanes; and

WHEREAS, a Determination of Use (File No. PDET20-001) was submitted and approved, and found that a self-serve carwash use shall be a conditionally-permitted use within the subject land use district; and

WHEREAS, the Development Plan was submitted in conjunction with a Conditional Use Permit request (File No. PCUP19-032) to establish a self-serve carwash use at the subject location, and a Variance request (File No. PVAR19-008) to reduce the drive aisle setbacks adjacent to certain arterial streets, including Inland Empire Boulevard, from 20 feet to 11 feet, Ontario Mills Parkway, from 25 feet to 10 feet, and the corner of Inland Empire Boulevard and Ontario Mills Parkway, from 25 feet to 2 feet, in order to help facilitate the Development Plan; and

WHEREAS, the Application is a project pursuant to the California Environmental Quality Act, commencing with Public Resources Code Section 21000 (hereinafter referred to as "CEQA"); and

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

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

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

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

WHEREAS, on July 20, 2020, 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. DAB20-042, recommending that the Planning Commission approve the Application; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a hearing to consider the Project, and concluded said hearing on that date; and

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

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

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

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

(2) The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines, which consists of projects meeting the following conditions:

1. The Project is consistent with the applicable general plan designation and all applicable general plan policies, as well as the applicable zoning designation and regulations;
2. The proposed development occurs within city limits, on a project site of no more than five acres, and is substantially surrounded by urban uses;
3. The project site has no value as habitat for endangered, rare, or threatened species;
4. Approval of the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and
5. The Project site can be adequately served by all required utilities and public services; and

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

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

SECTION 2: ***Housing Element Compliance.*** Pursuant to the requirements of California Government Code Chapter 3, Article 10.6, commencing with Section 65580, as the decision-making authority for the Project, the Planning Commission finds that based on the facts and information contained in the Application and supporting documentation, at the time of Project implementation, the project is consistent with the Housing Element of the Policy Plan (General Plan) component of The Ontario Plan, as the project site is

not one of the properties in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix.

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

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

(1) ***The proposed development at the proposed location is consistent with the goals, policies, plans and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan.*** The proposed Project is located within the Ontario Mills Mixed Use District of the Policy Plan Land Use Map, and the Commercial/Office land use district of the Ontario Mills Specific Plan. The development standards and conditions under which the proposed Project will be constructed and maintained is consistent with the goals, policies, plans, and exhibits of the Vision, Policy Plan (General Plan), and City Council Priorities components of The Ontario Plan. In conjunction with approval of the related Variance File No. PVAR19-008, the construction of the proposed self-service carwash facility will provide the neighborhood with an additional retail convenience within the existing regional retail center, per Policy Plan LU-6 (Complete Community), while improving the vacant site and providing landscaping and streetscape in accordance with policies CD2-9 (Landscape Design) and CD3-6 (Landscaping) of the Policy Plan; and

(2) ***The proposed development is compatible with those on adjoining sites in relation to location of buildings, with particular attention to privacy, views, any physical constraint identified on the site and the characteristics of the area in which the site is located.*** In conjunction with the approval of related Variance File No. PVAR19-005, the Project has been designed consistent with the requirements of the City of Ontario Development Code and the Commercial/Office land use district of The Ontario Mills Specific Plan, including standards relative to the particular land use proposed (drive-thru retail, self-serve carwash), as-well-as building intensity, building and parking setbacks, building height, number of off-street parking and loading spaces, on-site and off-site landscaping, and fences, walls and obstructions. The Project site is predominantly vacant and is thus underutilized. The proposed Project will be constructed consistent with the Development Code, The Ontario Mills Specific Plan, and The Ontario Plan ("TOP"), and will blend in with the surrounding commercial uses; and

(3) ***The proposed development will complement and/or improve upon the quality of existing development in the vicinity of the project and the minimum safeguards necessary to protect the public health, safety and general welfare have been required of the proposed project.*** The Development Advisory Board has required certain safeguards, and impose certain conditions of approval, which have been established to ensure that: [i] the purposes of the Ontario Mills Specific Plan and applicable provisions of the Ontario Development Plan are maintained; [ii] the Project will not endanger the public health, safety or general welfare; [iii] the Project will not result in any significant environmental impacts; [iv] the Project will be in harmony with the area in which it is located; and [v] the Project will be in full conformity with the Vision, City Council Priorities and Policy Plan components of The Ontario Plan, and the Ontario Mills Specific Plan. The proposed Project is complementary to the surrounding in terms of use, massing, and architecture, will revitalize the existing vacant site, and will install extensive landscaping along Inland Empire Boulevard and Ontario Mills Parkway to soften the use and appearance of the building and associated drive-thru. Moreover, conditions of approval have been imposed on the Project that will ensure appropriate site lighting of the Project site for purposes of public safety; and

(4) ***The proposed development is consistent with the development standards and design guidelines set forth in the Development Code, or applicable specific plan or planned unit development.*** The proposed Project has been reviewed for consistency with the general development standards and guidelines of the Ontario Mills Specific Plan that are applicable to the proposed Project, including building intensity, building and parking setbacks, building height, amount of off-street parking and loading spaces, parking lot dimensions, design and landscaping, bicycle parking, on-site landscaping, and fences and walls, as-well-as those development standards and guidelines specifically related to the particular land use being proposed (drive-thru retail, self-serve carwash). The Project proposes to develop a vacant site in order to construct a carwash and associated landscaping, drive-thru lanes, parking and trash enclosure,

and requires a Conditional Use Permit to allow for the land use, and a Variance request to optimize these goals. As a result of this review, the Development Advisory Board has determined that the Project, when implemented in conjunction with the conditions of approval and related Conditional Use Permit File No. PCUP19-032 and Variance File No. PVAR19-005, will be consistent with the development standards and guidelines described in the Ontario Mills Specific Plan.

SECTION 5: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 4, above, the Planning Commission hereby APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 6: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 7: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 8: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PDEV19-070
Departmental Conditions of Approval

(Departmental conditions of approval to follow this page)

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

Planning Department
Land Development Division
Conditions of Approval

Meeting Date: July 28, 2020

File No: PDEV19-070

Related Files: PCUP19-032 and PVAR19-008

Project Description: A Development Plan to construct a 4,446 square foot carwash on 1.17 acres of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 0238-041-22 and 0238-041-28); **submitted by Don Vogel, Fast 5 Xpress.**

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

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

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

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

2.1 Time Limits.

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

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

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

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

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

2.3 Landscaping.

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

(b) 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 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.

2.7 Mechanical and Rooftop Equipment.

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

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

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

2.9 Signs. All Project signage shall comply with the requirements of Ontario Development Code Division 8.1 (Sign Regulations). Signage shall be reviewed and approved in conjunction with a Sign Plan Application prior to the installation of any site signage.

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

2.11 Environmental Review.

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

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

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

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

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

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

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

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

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

2.13 Additional Fees.

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

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

2.14 Additional Requirements.

(a) Approval of File No. PDEV19-070 is contingent upon approval of related file numbers PCUP19-032 and PVAR19-008.

(b) The business' staff and management shall reinforce the following during operation hours so as to limit disruption to adjacent properties:

(i) No noise permitted prior to 6:50 a.m. for setup.
(ii) No patron car radios shall project sound.
(iii) Mechanical equipment room to remain closed during operational hours and proper ventilation shall be installed so as to prevent overheating during summer months.
(iv) Vacuum station compressors shall be equipped with "silencers".

(c) The property owner shall maintain the site free of graffiti and/or vandalism.

(d) The business and/or property owner shall promptly report any criminal activities occurring on-site to the Ontario Police Department.

(e) During regular business hours, staff shall maintain safe and orderly queuing of vehicles, and prevent overflow onto adjacent rights-of-way.

CITY OF ONTARIO

ENGINEERING DEPARTMENT CONDITIONS OF APPROVAL

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

☒ **DEVELOPMENT PLAN** ☐ OTHER	☐ PARCEL MAP ☐ TRACT MAP ☐ FOR CONDOMINIUM PURPOSES
PROJECT FILE NO. PDEV19-070 **RELATED FILE NO(S). PCUP19-032 & PVAR19-008**	
☒ **ORIGINAL** ☐ REVISED: __/__/__	

CITY PROJECT ENGINEER & PHONE NO:	**Antonio Alejos** A.A.	**(909) 395-2384**
CITY PROJECT PLANNER & PHONE NO:	**Alexis Vaughn**	**(909) 395-2416**
DAB MEETING DATE:	**July 20th, 2020**	
PROJECT NAME / DESCRIPTION:	**PDEV19-070, a Development Plan to construct a 4,446-square foot carwash on 0.95-acre of land within the Office/Commercial land use district of the Ontario Mills Specific Plan.**	
LOCATION:	**North West Corner of Inland Empire Boulevard and Ontario Mills Parkway**	
APPLICANT:	**Don Vogel, Fast 5 Xpress**	
REVIEWED BY:	**Bryan Lirley, P.E.** **Principal Engineer**	6/30/20 **Date**
APPROVED BY:	**Raymond Lee, P.E.** **Assistant City Engineer**	6/30/20 **Date**

Last Revised: 6/30/2020

THIS PROJECT SHALL COMPLY WITH THE REQUIREMENTS SET FORTH IN THE GENERAL STANDARD CONDITIONS OF APPROVAL ADOPTED BY THE CITY COUNCIL (RESOLUTION NO. 2017-027) AND THE PROJECT SPECIFIC CONDITIONS OF APPROVAL SPECIFIED IN HEREIN. ONLY APPLICABLE CONDITIONS OF APPROVAL ARE CHECKED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COMPLETION OF ALL APPLICABLE CONDITIONS OF APPROVAL PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, ISSUANCE OF PERMITS AND/OR OCCUPANCY CLEARANCE, AS SPECIFIED IN THIS REPORT.

1. PRIOR TO FINAL MAP OR PARCEL MAP APPROVAL, APPLICANT SHALL:

			Check When Complete
☐	1.01	Dedicate to the City of Ontario, the right-of-way, described below: _____ feet on _____ Property line corner 'cut-back' required at the intersection of _____ and _____.	☐
☐	1.02	Dedicate to the City of Ontario, the following easement(s): _____ _____	☐
☐	1.03	Restrict vehicular access to the site as follows: _____	☐
☐	1.04	Vacate the following street(s) and/or easement(s): _____	☐
☐	1.05	Submit a copy of a recorded private reciprocal use agreement or easement. The agreement or easement shall ensure, at a minimum, common ingress and egress and joint maintenance of all common access areas and drive aisles.	☐
☐	1.06	Provide (original document) Covenants, Conditions and Restrictions (CC&Rs) as applicable to the project and as approved by the City Attorney and the Engineering and Planning Departments, ready for recordation with the County of San Bernardino. The CC&Rs shall provide for, but not be limited to, common ingress and egress, joint maintenance responsibility for all common access improvements, common facilities, parking areas, utilities, median and landscaping improvements and drive approaches, in addition to maintenance requirements established in the Water Quality Management Plan (WQMP), as applicable to the project. The CC&Rs shall also address the maintenance and repair responsibility for public improvements/utilities (sewer, water, storm drain, recycled water, etc.) located within open space/easements. In the event of any maintenance or repair of these facilities, the City shall only restore disturbed areas to current City Standards.	☐
☐	1.07	For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658*.	☐
☐	1.08	File an application for Reapportionment of Assessment, together with payment of a reapportionment processing fee, for each existing assessment district listed below. Contact the Management Services Department at (909) 395-2124 regarding this requirement. (1) _____ (2) _____	☐
☐	1.09	Prepare a fully executed Subdivision Agreement (on City approved format and forms) with accompanying security as required, or complete all public improvements.	☐

☐ 1.10 Provide a monument bond (i.e. cash deposit) in an amount calculated by the City's approved cost estimate spreadsheet (available for download on the City's website: www.ontarioca.gov) or as specified in writing by the applicant's Registered Engineer or Licensed Land Surveyor of Record and approved by the City Engineer, whichever is greater. ☐

☐ 1.11 Provide a preliminary title report current to within 30 days. ☐

☐ 1.12 File an application, together with an initial deposit (if required), to establish a Community Facilities District (CFD) pursuant to the Mello-Roos Community Facilities District Act of 1982. The application and fee shall be submitted a minimum of three (3) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact Management Services at (909) 395-2353 to initiate the CFD application process. ☐

☐ 1.13 New Model Colony (NMC) Developments: ☐

☐ 1) Provide evidence of final cancellation of Williamson Act contracts associated with this tract, prior to approval of any final subdivision map. Cancellation of contracts shall have been approved by the City Council.

☐ 2) Provide evidence of sufficient storm water capacity availability equivalents (Certificate of Storm Water Treatment Equivalents).

☐ 3) Provide evidence of sufficient water availability equivalents (Certificate of Net MDD Availability).

☐ 1.14 Other conditions: _____ ☐

2. PRIOR TO ISSUANCE OF ANY PERMITS, APPLICANT SHALL:

A. GENERAL
(Permits includes Grading, Building, Demolition and Encroachment)

☐ 2.01 Record Parcel Map/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 Parcel Map No. 14738-1.** ☐

☐ 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 as applicable to the project.** ☐

☐ 2.07 For all development occurring south of the Pomona Freeway (60-Freeway) and within the specified ☐

boundary limits (per Boundary Map found at *http://tceplumecleanup.com/*), the property developer/owner is made aware of the South Archibald Trichloroethylene (TCE) Plume "Disclosure Letter". Property owner may wish to provide this Letter as part of the Real Estate Transfer Disclosure requirements under California Civil Code Section 1102 et seq. This may include notifications in the Covenants, Conditions and Restrictions (CC&Rs) or other documents related to property transfer and disclosures. Additional information on the plume is available from the Santa Ana Regional Water Quality Control Board at *http://geotracker.waterboards.ca.gov/profile_report?global_id=T10000004658*.

☐ 2.08 Submit a soils/geology report. ☐

☐ 2.09 Other Agency Permit/Approval: Submit a copy of the approved permit and/or other form of approval of the project from the following agency or agencies: ☐

- ☐ State of California Department of Transportation (Caltrans)
- ☐ San Bernardino County Road Department (SBCRD)
- ☐ San Bernardino County Flood Control District (SBCFCD)
- ☐ Federal Emergency Management Agency (FEMA)
- ☐ Cucamonga Valley Water District (CVWD) for sewer/water service
- ☐ United States Army Corps of Engineers (USACE)
- ☐ California Department of Fish & Game
- ☐ Inland Empire Utilities Agency (IEUA)
- ☐ Other: _____

☒ **2.10 Dedicate to the City of Ontario the right-of-way described below:** ☐

1. **A portion around the curb return radius at the northwest corner of Ontario Mills Parkway and Inland Empire Boulevard.**

☐ 2.11 Dedicate to the City of Ontario the following easement(s):_____ ☐

_____

☐ 2.12 New Model Colony (NMC) Developments: ☐

☐ 1) Submit a copy of the permit from the San Bernardino County Health Department to the Engineering Department and the Ontario Municipal Utilities Company (OMUC) for the destruction/abandonment of the on-site water well. The well shall be destroyed/abandoned in accordance with the San Bernardino County Health Department guidelines.

☐ 2) Make a formal request to the City of Ontario Engineering Department for the proposed temporary use of an existing agricultural water well for purposes other than agriculture, such as grading, dust control, etc. Upon approval, the Applicant shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by said agreement.

☐ 3) Design proposed retaining walls to retain up to a maximum of three (3) feet of earth. In no case shall a wall exceed an overall height of nine (9) feet (i.e. maximum 6-foot high wall on top of a maximum 3-foot high retaining wall.

☒ **2.13 Submit a security deposit to the Engineering Department to guarantee construction of the public improvements required herein valued at 100% of the approved construction cost estimate. Security deposit shall be in accordance with the City of Ontario Municipal Code. Security deposit will be eligible for release, in accordance with City procedure, upon completion and acceptance of said public improvements.** ☐

☐ 2.14 The applicant/developer shall submit all necessary survey documents prepared by a Licensed Surveyor registered in the State of California detailing all existing survey monuments in and around the project site. These documents are to be reviewed and approved by the City Survey Office. ☐

☒ **2.15** **Pay all Development Impact Fees (DIF) to the Building Department. Storm Drain Development Impact Fee, approximately $20,000.00, shall be paid to the Building Department. Final fee shall be determined based on the approved site plan.** ☐

☐ 2.16 Other conditions: _____ ☐

B. PUBLIC IMPROVEMENTS
(See attached Exhibit 'A' for plan check submittal requirements.)

☒ 2.17 **Design and construct full public improvements in accordance with the City of Ontario Municipal Code, current City standards and specifications, master plans and the adopted specific plan for the area, if any. These public improvements shall include, but not be limited to, the following (checked boxes):**

Improvement	Ontario Mills Pw	Street 2	Street 3	Street 4
Curb and Gutter	☐ New; ___ ft. from C/L	☐ New; ___ ft. from C/L	☐ New; ___ ft. from C/L	☐ New; ___ ft. from C/L
AC Pavement	☐ Replacement	☐ Replacement	☐ Replacement	☐ Replacement
PCC Pavement (Truck Route Only)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Drive Approach	☐ New	☐ New	☐ New	☐ New
Sidewalk	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
ADA Access Ramp	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Parkway	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)	☐ Trees ☐ Landscaping (w/irrigation)
Raised Landscaped Median	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace	☐ New ☐ Remove and replace
Fire Hydrant (see Sec. 2.D)	☒ **Equip Break-Off Check Valve**	☐ New / Upgrade	☐ New / Upgrade	☐ New / Upgrade
Sewer (see Sec. 2.C)	☒ **New Lateral w/ Monitoring Man-Hole & Clean-Outs**	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Water (see Sec. 2.D)	☒ **New Service for Domestic Use w/ Meter & Backflow** ☒ **New Service for Irrigation Use w/ Meter & Backflow**	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service
Recycled Water (see Sec. 2.E)	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service	☐ Main ☐ Service

Traffic Signal System (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Traffic Signing and Striping (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Street Light (see Sec. 2.F)	☒ **Upgrade to LED** ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation	☐ New / Upgrade ☐ Relocation
Bus Stop Pad or Turn-out (see Sec. 2.F)	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing	☐ New ☐ Modify existing
Storm Drain (see Sec. 2G)	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral	☐ Main ☐ Lateral
Fiber Optics (see Sec. 2K)	☒ **Conduit / Appurtenances**	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances	☐ Conduit / Appurtenances
Overhead Utilities	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate	☐ Underground ☐ Relocate
Removal of Improvements	☒ **Abandon services/laterals no longer to be used**	_____ _____ _____	_____ _____ _____	_____ _____ _____
Other Improvements	_____ _____ _____	_____ _____ _____	_____ _____ _____	_____ _____ _____

Specific notes for improvements listed in item no. 2.17, above:

1. **If there is a conflict with existing improvements (utility devices, utility lines/poles, etc.) during the construction of the proposed improvements, then the ultimate location of these improvements shall be in accordance with City Standard Drawing Numbers 1216 and 1217.**
2. **Existing utility mains/services no longer to be used shall be abandoned or removed per the current City procedure. All services/laterals shall be abandoned by shutting off the corporation stops at the existing main and removing the service pipe at the point of connection with the main.**

☐ 2.18 Construct a 2" asphalt concrete (AC) grind and overlay on the following street(s): _____ ☐

_____

☐ 2.19 Reconstruction of the full pavement structural section, per City of Ontario Standard Drawing number 1011, may be required based on the existing pavement condition and final street design. Minimum limits of reconstruction shall be along property frontage, from street centerline to curb/gutter. ☐

☐ 2.20 Make arrangements with the Cucamonga Valley Water District (CVWD) to provide ☐ water service ☐ sewer service to the site. This property is within the area served by the CVWD and Applicant shall provide documentation to the City verifying that all required CVWD fees have been paid. ☐

☐ 2.21 Overhead utilities shall be under-grounded, in accordance with Title 7 of the City's Municipal Code (Ordinance No. 2804 and 2892). Developer may pay in-lieu fee, approximately _____, for undergrounding of utilities in accordance with Section 7-7.303.e of the City's Municipal Code. ☐

☐ 2.22 Other conditions: _____ ☐

C. SEWER

☒ **2.23 A 10-inch sewer main is available for connection by this project in Inland Empire Bl. (Ref: Sewer plan bar code: S11560)** ☐

☐ 2.24 Design and construct a sewer main extension. A sewer main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☐ 2.25 Submit documentation that shows expected peak loading values for modeling the impact of the subject project to the existing sewer system. The project site is within a deficient public sewer system area. Applicant shall be responsible for all costs associated with the preparation of the model. Based on the results of the analysis, Applicant may be required to mitigate the project impact to the deficient public sewer system, including, but not limited to, upgrading of existing sewer main(s), construction of new sewer main(s) or diversion of sewer discharge to another sewer. ☐

☒ **2.26 Other conditions:** ☐

1. **The applicant/developer shall install a new sewer lateral to the existing 10-inch public sewer main in Inland Empire Boulevard and equip the lateral with a clean-out and monitoring manhole behind the property line per the latest City Design Guidelines/Standard Drawings.**
2. **The applicant/developer or occupant shall apply for a Wastewater Discharge Permit for their Establishment, and shall comply will all the requirements of the Wastewater Discharge Permit (http://www.ontarioca.gov/municipal-utilities-company/utilities/industrial-wastewater-discharge-permit)**

Requirements of the Wastewater Discharge Permit may include, but not limited to: Installation of wastewater pretreatment equipment, such as clarifiers. For wastewater permit application questions, please contact:

Michael Birmelin, Environmental Programs Manager

omucenvironmental@ontarioca.gov
Phone: (909) 395-2661

D. WATER

☒ **2.27 A 12-inch water main is available for connection by this project in Ontario Mills Pw. (Ref: Water plan bar code: UNK)** ☐

☐ 2.28 Design and construct a water main extension. A water main is not available for direct connection. The closest main is approximately _____ feet away. ☐

☒ **2.29 Other conditions:** ☐

1. **The applicant/developer shall install a domestic water service to the existing 12-inch domestic water main in Ontario Mills Parkway and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.**
2. **The applicant/developer shall install a separate water service (for irrigation purposes only) to the existing 12-inch domestic water main in Ontario Mills Parkway and equip a backflow device to the service behind the property line per the latest City Design Guidelines/Standard Drawings.**
3. **The applicant/developer shall equip the existing fire hydrant, along the Ontario Mills Parkway property frontage, with a break-off check valve per City Standard Drawing Number 4101.**

E. RECYCLED WATER

☒ **2.30 A recycled water main is not available for connection by this project. (Ref: Recycled Water plan bar code: None)** ☐

☐ 2.31 Design and construct an on-site recycled water system for this project. A recycled water main does exist in the vicinity of this project. ☐

☐ 2.32 Design and construct an on-site recycled water ready system for this project. A recycled water main does not currently exist in the vicinity of this project, but is planned for the near future. If Applicant would like to connect to this recycled water main when it becomes available, the cost for the connection shall be borne solely by the Applicant. ☐

☐ 2.33 Submit two (2) hard copies and one (1) electronic copy, in PDF format, of the Engineering Report (ER), for the use of recycled water, to the OMUC for review and subsequent submittal to the California Department of Public Health (CDPH) for final approval. ☐

Note: The OMUC and the CDPH review and approval process will be approximately three (3) months. Contact the Ontario Municipal Utilities Company at (909) 395-2647 regarding this requirement.

☐ 2.34 Other conditions: _____ ☐

F. TRAFFIC / TRANSPORTATION

☐ 2.35 Submit a focused traffic impact study, prepared and signed by a Traffic/Civil Engineer registered in the State of California. The study shall address, but not be limited to, the following issues as required by the City Engineer: ☐
1. On-site and off-site circulation
2. Traffic level of service (LOS) at 'build-out' and future years
3. Impact at specific intersections as selected by the City Engineer

☐ 2.36 New traffic signal installations shall be added to Southern California Edison (SCE) customer account number # 2-20-044-3877. ☐

☒ **2.37 Other conditions:** ☐
1. **The applicant/developer shall be responsible to replace any existing street light fixtures along the Ontario Mills Parkway property frontage with the current City approved LED equivalent fixture per the Traffic and Transportation Design Guidelines.**

G. DRAINAGE / HYDROLOGY

☒ **2.38 A 24-inch storm drain main is available to accept flows from this project in Ontario Mills Pw. (Ref: Storm Drain plan bar code: D10524)** ☐

☐ 2.39 Submit a hydrology study and drainage analysis, prepared and signed by a Civil Engineer registered in the State of California. The study shall be prepared in accordance with the San Bernardino County Hydrology Manual and City of Ontario standards and guidelines. Additional drainage facilities, including, but not limited to, improvements beyond the project frontage, may be required to be designed and constructed, by Applicant, as a result of the findings of this study. ☐

☐ 2.40 An adequate drainage facility to accept additional runoff from the site does not currently exist downstream of the project. Design and construct a storm water detention facility on the project site. 100 year post-development peak flow shall be attenuated such that it does not exceed 80% of pre-development peak flows, in accordance with the approved hydrology study and improvement plans. ☐

☐ 2.41 Submit a copy of a recorded private drainage easement or drainage acceptance agreement to the Engineering Department for the acceptance of any increase to volume and/or concentration of historical drainage flows onto adjacent property, prior to approval of the grading plan for the project. ☐

☐ 2.42 Comply with the City of Ontario Flood Damage Prevention Ordinance (Ordinance No. 2409). The project site or a portion of the project site is within the Special Flood Hazard Area (SFHA) as indicated on the Flood Insurance Rate Map (FIRM) and is subject to flooding during a 100 year frequency storm. The site plan shall be subject to the provisions of the National Flood Insurance Program. ☐

☐ 2.43 Other conditions: _____ ☐

H. STORM WATER QUALITY / NATIONAL POLLUTANT DISCHARGE AND ELIMINATION SYSTEM (NPDES)

☐ 2.44 401 Water Quality Certification/404 Permit – Submit a copy of any applicable 401 Certification or 404 Permit for the subject project to the City project engineer. Development that will affect any body of surface water (i.e. lake, creek, open drainage channel, etc.) may require a 401 Water Quality Certification from the California Regional Water Quality Control Board, Santa Ana Region (RWQCB) and a 404 Permit from the United States Army Corps of Engineers (USACE). The groups of water bodies classified in these requirements are perennial (flow year-round) and ephemeral (flow during rain conditions, only) and include, but are not limited to, direct connections into San Bernardino County Flood Control District (SBCFCD) channels.
If a 401 Certification and/or a 404 Permit are not required, a letter confirming this from Applicant's engineer shall be submitted.
Contact information: USACE (Los Angeles District) (213) 452-3414; RWQCB (951) 782-4130. ☐

☒ **2.45 Submit a Water Quality Management Plan (WQMP). This plan shall be approved by the Engineering Department prior to approval of any grading plan. The WQMP shall be submitted, utilizing the current San Bernardino County Stormwater Program template, available at: http://www.sbcounty.gov/dpw/land/npdes.asp.** ☐

☐ 2.46 Design and construct a Connector Pipe Trash Screen or equivalent Trash Treatment Control Device, per catch basin located within or accepting flows tributary of a Priority Land Use (PLU) area that meets the Full Capture System definition and specifications, and is on the Certified List of the State Water Resources Control Board. The device shall be adequately sized per catch basin and include a deflector screen with vector control access for abatement application, vertical support bars, and removable component to facilitate maintenance and cleaning. ☐

☐ 2.47 Other conditions: _____ ☐

J. SPECIAL DISTRICTS

☐ 2.48 File an application, together with an initial 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 four (4) months prior to final subdivision map approval, and the CFD shall be established prior to final subdivision map approval or issuance of building permits, whichever occurs first. The CFD shall be established upon the subject property to provide funding for various City services. An annual special tax shall be levied upon each parcel or lot in an amount to be determined. The special tax will be collected along with annual property taxes. The City shall be the sole lead agency in the formation of any CFD. Contact the Management Services Department at (909) 395-2353 to initiate the CFD application process. ☐

☐ 2.49 Other conditions: _____ ☐

K. FIBER OPTIC

☒ **2.50 Design and construct fiber optic system to provide access to the City's conduit and fiber optic system per the City's Fiber Optic Master Plan. Building entrance conduits shall start from the closest OntarioNet hand hole constructed along the project frontage in the ROW and shall terminate in the main telecommunications room for each building. Conduit infrastructure shall interconnect with the primary and/or secondary backbone fiber optic conduit system at the nearest OntarioNet hand hole. Generally located along Ontario Mills Parkway property frontage, see Fiber Optic Exhibit herein for reference.** ☐

☒ **2.51 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

☒ **2.52** **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

☒ **2.53** **Other conditions:** ☐

1. **The applicant/developer shall construct a new trash enclosure with a solid roof per the Refuse & Recycling Planning Manual.**
2. **The applicant/developer shall update the Conceptual Solid Waste Handling Plan and convert it into a Final Solid Waste Handling Plan Sheet, which shall be included with the Precise Grading Plan Submittal for review and approval by the City/OMUC. See "Solid Waste Handling Plan (SWHP) Requirements" document for details.**
3. **The applicant/developer shall submit an Integrated Waste Management Report for review and approval with the Precise Grading Plan. This report shall address the management of all integrated waste (Refuse, Recycling, Organics, etc.). The IWMR shall demonstrate compliance with the "Integrated Waste Management Report Requirements" document.**

3. PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY, APPLICANT SHALL:

☒ **3.01** **Set new monuments in place of any monuments that have been damaged or destroyed as a result of construction of the subject project. Monuments shall be set in accordance with City of Ontario standards and to the satisfaction of the City Engineer.** ☐

☐ 3.02 Complete all requirements for recycled water usage. ☐

☐ 1) Procure from the OMUC a copy of the letter of confirmation from the California Department of Public Health (CDPH) that the Engineering Report (ER) has been reviewed and the subject site is approved for the use of recycled water.

☐ 2) Obtain clearance from the OMUC confirming completion of recycled water improvements and passing of shutdown tests and cross connection inspection, upon availability/usage of recycled water.

☐ 3) Complete education training of on-site personnel in the use of recycled water, in accordance with the ER, upon availability/usage of recycled water.

☒ **3.03** **The applicant/developer shall submit all final survey documents prepared by a Licensed Surveyor registered in the State of California detailing all survey monuments that have been preserved, revised, adjusted or set along with any maps, corner records or Records of Survey needed to comply with these Conditions of Approvals and the latest edition of the California Professional Land Survey Act. These documents are to be reviewed and approved by the City Survey Office.** ☐

☐ 3.04 NMC Projects: For developments located at an intersection of any two collector or arterial streets, the applicant/developer shall set a monument if one does not already exist at that intersection. Contact the City Survey office for information on reference benchmarks, acceptable methodology and required submittals. ☐

☒ **3.05** **Confirm payment of all Development Impact Fees (DIF) to the Building Department.** ☐

☒ **3.06** **Submit electronic copies (PDF and Auto CAD format) of all approved improvement plans, studies and reports (i.e. hydrology, traffic, WQMP, etc.).** ☐

4. PRIOR TO FINAL ACCEPTANCE, APPLICANT SHALL:

☒ **4.01** **Complete all Conditions of Approval listed under Sections 1-3 above.** ☐

☒ **4.02** **Pay all outstanding fees pursuant to the City of Ontario Municipal Code, including but not limited to, plan check fees, inspection fees and Development Impact Fees.** ☐

☒ **4.03** **The applicant/developer shall submit a written request for the City's final acceptance of the project addressed to the City Project Engineer. The request shall state that all Conditions of Approval have been completed and shall be signed by the applicant/developer. Upon receipt of the request, review of the request shall be a minimum of 10 business days. Conditions of Approval that are deemed incomplete by the City will cause delays in the acceptance process.** ☐

EXHIBIT 'A'

ENGINEERING DEPARTMENT
First Plan Check Submittal Checklist

Project Number: PDEV19-070

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:**
    1. **Three (3) copies of the Easement Deed of Right-of-way Dedication Form (include all items in the Easement Deed of Right-of-way Dedication Application Checklist)**

FIBER OPTIC EXHIBIT
LAND FILE NO. PDEV19-070
NWC INLAND EMPIRE BL & ONTARIO MILLS PW

LEGEND:

PA — PLANTER AREA/LANDSCAPE (REFER TO LANDSCAPING PLANS FOR DETAILS)

PROPOSED CARWASH BUILDING (REFER TO ARCHITECTURAL PLANS FOR DETAILS)

TRUNCATED DOMES

- One (1) 7-way Micro Duct (Duraline) - 16mm Tubes or Equivalent
- One (1) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- Two (2) 2-inch HDPE SDR-11 Smoothwall Orange Conduit
- One (1) 13x24x18 Composite Polymer Concrete Hand Hole (HH1)
- One (1) 24x36x30 Composite Polymer Concrete Hand Hole (HH2A)
- One (1) 30x48x36 Composite Polymer Concrete Hand Hole (HH3)
- One (1) 36x60x36 Composite Polymer Concrete Hand Hole (HH4)

HH-1/*22 – PCA132418-90087 – Size 13" x 24" x 18"
HH-2/*22 – PCA173024-90116 – Size 17" x 30" x 24"
HH-2A/*22 – PCA243630-90064 – Size 24" x 36" x 30"
HH-3/*22 - PCA304836-90244 – Size 30" x 48" x 36"
HH-4/*22 – PCA366036-90146 – Size 36" x 60" x 36"

CONSTRUCT /INSTALL FIBER OPTIC CONDUIT AT A MINIMUM DEPTH OF 36", TRENCHING SHALL BE PER CITY STANDARD 1306. TWO (2)-2" HDPE SDR-11 (SMOOTHWALL) ROLL PIPE (1 ORANGE AND 1-ORANGE WITH BLACK STRIPE) OR EQUIVALENT. ALL UNUSED CONDUITS/DUCTS/MICRODUCTS SHALL BE PROTECTED WITH DUCTS PLUGS THAT PROVIDE A POSITIVE SEAL. DUCTS THAT ARE OCCUPIED SHALL BE PROTECTED WITH INDUSTRY ACCEPTED DUCT SEAL COMPOUND. CONDUIT BANK REQUIRES (1) 12AWG HIGH STRENGTH (MIN. BREAK LOAD 452#) COPPER-CLAD STEEL W/30MIL HDPE ORANGE INSULATION FOR LOCATE/TRACER WIRE.

INSTALL FIBER OPTIC HANDHOLE HH-3/22 (PCA304836-90244) NEWBASIS; LESS THAN OR EQUAL TO 432 STRANDS. PER CITY STANDARD 1316 CONDUITS SWEEPING INTO HANDHOLES SHALL ENTER IN FLUSH WITH THE CUT OUT MOUSE HOLES ALIGNED PARALLEL TO THE BOTTOM OF THE BOX AND COME IN PERPENDICULAR TO THE WALL OF THE BOX. CONDUITS SHALL NOT ENTER AT ANY ANGLE OTHER THAN PARALLEL PROVIDE 5' MIN CLEARANCE FROM EXISTING/PROPOSED UTILITIES. ALL HANDHOLES WILL HAVE 1/4 INCH GALVANIZED WIRE BETWEEN THE HANDHOLES AND THE GRAVEL ITS PLACED ON.

From the nearest handhole to the building entrance, 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.

Commercial properties shall terminate conduit in an electrical room adjacent to the wall no less than five inches above the finished floor. A 20" width X length 36" space shall be reserved on the plywood wall for OntarioNet equipment. This space shall labeled "OntarioNet Only". Ontario Conduit shall be labeled "OntarioNet"

LOCATION OF TELECOMMUNICATIONS ROOM IS CONCEPTUAL (1)

(1) 2-inch HDPE SDR11 smoothwall orange conduit. Placement is conceptual

Placement is conceptual. Conduit should always be placed in the ROW (in parkway whenever possible)

HH3 handhole

HH3 handhole

INLAND EMPIRE BLVD.

ONTARIO MILLS PKWY.

PROPERTY LINE

PRIMARY VEHICLE EXIT

(E)OVERHEAD ELECTRICAL LINES

ADA PARKING STALL

TUNNEL EXIT

TUNNEL ENTRANCE

ADA PATH OF TRAVEL

ADA RAMP

CURB RAMP

PROPOSED TRASH ENCLOSURE WITH REINFORCED CONCRETE BLOCK WALL HEIGHT=8'-10" MAX

(E)TS

(E)SL/TS

(E)SL

(E)FH

NEAREST CROSS STREET: INTERSECTION OF ONTARIO MILLS PARKWAY AND INLAND EMPIRE BLVD.

Operation Summary:

PARKING SUMMARY:

PROJECT DIRECTORY:

ERS
SUITE 600

SUITE 390
50

TAX: 949.640.9310
CONTACT: DON VOGEL

OWNER:
IVERGREEN
2390 E CAMELBACK ROAD, SUITE 410
PHOENIX AZ 85106
TEL. 602.567.7139
TEL. 602.567.7150
CONTACT: ALLISON REIS

CURVE	DELTA	RADIUS	ARC LENGTH
C1	11° 51' 55"	190.00	39.35
C2	2° 33' 50"	551.00	24.66
C3	8° 08' 04"	644.00	91.43
C4	9° 51' 45"	643.00	110.68
C5	14° 39' 17"	551.00	140.93
C6	21° 33' 20"	551.00	207.30
C7	40° 28' 35"	600.00	423.87
C8	40° 55' 32"	600.00	428.57

LEGEND:

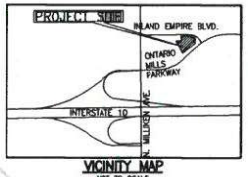
- LIMIT OF WORK
- CENTER LINE
- ACCESSIBLE PATH OF TRAVEL
- EXISTING CONTOURS
- CURB/BACK OF CURB/GUTTER
- SD — STORM DRAIN LINE
- CATCH BASIN
- CLEANOUT
- MANHOLE
- EXISTING TREE TO REMAIN
- EXISTING TREE TO BE REMOVED

SITE SUMMARY:

NET ACREAGE:	1.17 ACRES, (50,965 SQ. FT.)
LOT COVERAGE RATIO:	8.72%
FLOOR AREA RATIO:	8.72%

BUILDING AREA SUMMARY:

WASH TUNNEL AREA:	2,756 SQ. FT.
EQUIPMENT ROOM AREA:	1,125 SQ. FT.
ELECTRIC ROOM AREA:	244 SQ. FT.
OFFICE AREA:	112 SQ. FT.
PUBLIC RESTROOM AREA:	109 SQ. FT.
SALES OFFICE AREA:	100 SQ. FT.
TOTAL BUILDING AREA:	4,446 SQ. FT.



VICINITY MAP
NOT TO SCALE

TITLE MATTERS:

6 – ITEM 6 – AN EASEMENT FOR STREET, PUBLIC UTILITY AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1996 AS INSTRUMENT NO. 19960436677 OF OFFICIAL RECORDS. IN FAVOR OF: CITY OF ONTARIO, A MUNICIPAL CORPORATION. AFFECTS: ANY PORTION OF SAID LAND LYING WITHIN THE STREET LIMITS OF INLAND EMPIRE BLVD. (PLOTTED)

7 – ITEM 7 – AN EASEMENT FOR SIDEWALKS, LANDSCAPING, PUBLIC UTILITY EASEMENTS AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 25, 1996 AS INSTRUMENT NO. 19960436678, 19960436681, 19960436682 AND 19960436685, ALL OF OFFICIAL RECORDS. IN FAVOR OF: CITY OF ONTARIO, A MUNICIPAL CORPORATION. AFFECTS: AS DESCRIBED THEREIN (PLOTTED)

8 – ITEM 8 – AN EASEMENT FOR PUBLIC UTILITIES AND INCIDENTAL PURPOSES IN THE DOCUMENT RECORDED JANUARY 29, 1997 AS INSTRUMENT NO. 19970031857 OF OFFICIAL RECORDS. (PLOTTED)

10 – ITEM 10 – AN EASEMENT SHOWN OR DEDICATED ON THE MAP AS REFERRED TO IN THE LEGAL DESCRIPTION FOR: SIDEWALKS, LANDSCAPING, PUBLIC UTILITIES AND INCIDENTAL PURPOSES. (PLOTTED)

LEGAL DESCRIPTION:

THE LAND REFERRED TO IN THIS POLICY IS LOCATED IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

PARCEL 1:

PARCEL 4 OF PARCEL MAP NO. 14738-1, IN THE CITY OF ONTARIO, COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP ON FILE IN BOOK 186, PAGES 34 THROUGH 37, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, EXCEPTING THE FOLLOWING DESCRIBED PORTION OF SAID PARCEL 4:

BEGINNING AT A POINT ON THE WESTERLY BOUNDARY OF SAID PARCEL 4 THAT BEARS SOUTH 00° 25' 52" WEST, 83.00 FEET FROM THE NORTHWESTERLY CORNER OF SAID PARCEL 4;

THENCE SOUTH 89° 34' 08" EAST, PARALLEL WITH THE NORTHERLY BOUNDARY OF SAID PARCEL 4, A DISTANCE OF 7.22 FEET;

THENCE SOUTH 21° 56' 52" EAST 171.23 FEET TO AN INTERSECTION WITH SAID WESTERLY BOUNDARY;

THENCE NORTH 36° 14' 14" WEST ALONG SAID WESTERLY BOUNDARY, 46.67 FEET TO AN ANGLE POINT THEREIN;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 22° 11' 28" WEST, 115.80 FEET TO AN ANGLE POINT THEREIN;

THENCE CONTINUING ALONG SAID WESTERLY BOUNDARY, NORTH 00° 25' 52" EAST, 14.01 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH THE EAST 10.50 FEET OF THE NORTH 83.00 FEET OF PARCEL 3 OF SAID PARCEL MAP NO. 14738-1.

SAID LAND IS DESCRIBED ABOVE PURSUANT TO LOT LINE ADJUSTMENT NO. LL-99-22 RECORDED NOVEMBER 19, 1999 AS INSTRUMENT NO. 478585, OF OFFICIAL RECORDS.

APN: 0238-041-28

PARCEL II:

NON-EXCLUSIVE RECIPROCAL EASEMENTS FOR INGRESS, EGRESS, [illegible]SS BY AND FOR VEHICULAR AND PEDESTRIAN TRAFFIC, [illegible]NES AND DRAINAGE AS DEFINED AND CREATED IN THAT [illegible]XCLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS [illegible]PROCAL EASEMENTS RECORDED DECEMBER 2, 1998, AS [illegible]NT NO. 19980513450, OF OFFICIAL RECORDS.

[illegible]:

[illegible]XCLUSIVE RECIPROCAL EASEMENT FOR VEHICULAR AND [illegible]N ACCESS, INGRESS AND EGRESS, AS DEFINED AND [illegible]IN THAT CERTAIN RECIPROCAL EASEMENT AGREEMENT [illegible] DECEMBER 2, 1998 AS INSTRUMENT NO 19980513446, [illegible]AL RECORDS.

[illegible]:

[illegible] OF PARCEL MAP NO 14738-1 IN THE CITY OF [illegible] COUNTY OF SAN BERNARDINO, STATE OF CALIFORNIA, AS PER MAP ON FILE IN BOOK 186, PAGES 34 THROUGH 37, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 0238-041-022

NOTE: SITE PLAN SHALL MEET ALL ENGINEERING NPDES REQUIREMENTS

REVISIONS			
MARK	DATE	APPROVED/ RCE NO.	

DESIGNED BY: AM
DATE: 12/17/2019
DESIGNED BY:
DATE:
DESIGNED BY:
DATE:

CITY OF ONTARIO

RECOMMENDED BY: _____ DATE
(NAME) P.E., ASSISTANT CITY ENGINEER

DESIGNED BY: _____ DATE
(NAME) P.E., CITY ENGINEER

BENCH MARK No. K-30-1 ELEV. 972.526 FT NAVD88 YEAR 2018

LOCATION:
2.5 IN BRASS DISK STAMPED "CITY OF ONTARIO K-30-1" SET ON TOP OF HCR CURB @ NORTHWEST RETURN OF AIRPORT DRIVE AND MILLIKEN AVENUE

(SIGNATURE) P.E. NO. DATE

PRELIMINARY SITE PLAN
FAST 5 XPRESS CARWASH
ONTARIO MILLS PKWY + INLAND EMPIRE BLVD.
ONTARIO, CA

SHEET 1 OF 1
CONTRACT
ACCOUNT
DWG. NO.

CITY OF ONTARIO
MEMORANDUM

TO: **Alexis Vaughn, Assistant Planner**

FROM: **Emily Hernandez, Police Officer**

DATE: **January 21, 2020**

SUBJECT: **PDEV19-070 AND PCUP19-032: A DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT APPLICATION TO CONSTRUCT AN EXPRESS CAR WASH TOTALING 4,446 SQUARE FEET ON THE NORTHWEST CORNER OF INLAND EMPIRE BOUELARD AND ONTARIO MILLS PARKWAY.**

The "Standard Conditions of Approval" contained in Resolution No. 2017-027 apply. The applicant shall read and be thoroughly familiar with these conditions, including but not limited to, the requirements below.

- Required lighting for walkways, driveways, doorways, parking lots and other areas used by the public shall be provided. Lights shall operate via photosensor. Photometrics shall be provided to the Police Department and include the types of fixtures proposed and demonstrate that such fixtures meet the vandal-resistant requirement. Planned landscaping shall not obstruct lighting.
- Rooftop addresses shall be installed and maintained on the building as stated in the Standard Conditions.
- The Applicant shall comply with construction site security requirements as stated in the Standard Conditions.

In addition, the Ontario Police Department places the following conditions on the development:

- The business shall install and maintain a video surveillance system. Cameras shall be installed to cover, at a minimum, the car wash entrance, the car wash exit, all pedestrian doors leading into the business, all cash registers, and any coin payment boxes. Each camera shall record at a minimum resolution of 640x480 and a minimum of fifteen (15) frames per second. Recorded video shall be retained for a minimum of 30 days and made available to the Police Department upon request.
- The applicant will be responsible for keeping the grounds of the business clean from debris and litter.
- Graffiti abatement by the business owner/licensee, or management shall be immediate and on-going on the premises, but in no event shall graffiti be allowed unabated on the premises

for more than 72 hours. Abatement shall take the form of removal, or shall be covered/painted over with a color reasonably matching the color of the existing building, structure, or other surface being abated. Additionally, the business owner/licensee, or management shall notify the City within 24 hours at (909) 395-2626 (graffiti hotline) of any graffiti elsewhere on the property not under the business owner/licensee's or management control so that it may be abated by the property owner and/or the City's graffiti team.

The Applicant is invited to contact Officer Emily Hernandez at (909)408-1755 with any questions or concerns regarding these conditions.

CITY OF ONTARIO
MEMORANDUM

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

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

DATE: **January 15, 2020**

SUBJECT: **PDEV19-070 – A Development Plan to construct a 4,446-square foot carwash on 0.95-acre of land located at the northwest corner of Inland Empire Boulevard and Ontario Mills Parkway, within the Office/Commercial land use district of the Ontario Mills Specific Plan (APNs: 238-041-22 and 238-041-28). Related Files: PCUP19-032 and PVAR19-008.**

☒ The plan **does** adequately address Fire Department requirements at this time.

☒ Standard Conditions of Approval apply, as stated below.

SITE AND BUILDING FEATURES:

A. 2016 CBC Type of Construction: Type V

B. Type of Roof Materials: Ordinary

C. Ground Floor Area(s): 4,446 Sq. Ft.

D. Number of Stories: 1

E. Total Square Footage: 4,446 Sq. Ft.

F. 2016 CBC Occupancy Classification(s): B

CONDITIONS OF APPROVAL:

1.0 GENERAL

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

☒ 1.2 These Fire Department conditions of approval are to be included on any and all construction drawings.

2.0 FIRE DEPARTMENT ACCESS

☒ 2.1 Fire Department vehicle access roadways shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved. Roadways shall be paved with an all-weather surface and shall be a minimum of twenty-four (24) ft. wide. See Standard #B-004.

☒ 2.2 In order to allow for adequate turning radius for emergency fire apparatus, all turns shall be designed to meet the minimum twenty five feet (25') inside and forty-five feet (45') outside turning radius per Standard #B-005.

☒ 2.3 Fire Department access roadways that exceed one hundred and fifty feet (150') in length shall have an approved turn-around per Standard #B-002.

☒ 2.4 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.

☒ 2.7 Any time PRIOR to on-site combustible construction and/or storage, a minimum twenty-four (24) ft. wide circulating all weather access roads shall be provided to within 150 ft. of all portions of the exterior walls of the first story of any building, unless specifically approved by Fire Department and other emergency services.

3.0 WATER SUPPLY

☒ 3.1 The required fire flow per Fire Department standards, based on the 2016 California Fire Code, Appendix B, is 1500 gallons per minute (g.p.m.) for 2 hours at a minimum of 20 pounds per square inch (p.s.i.) residual operating pressure.

☒ 3.2 Off-site (public) fire hydrants are required to be installed on all frontage streets, at a minimum spacing of three hundred foot (300') apart, per Engineering Department specifications.

☒ 3.4 The 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

☒ 4.2 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.

☒ 4.7 Portable fire extinguishers are required to be installed prior to occupancy per Standard #C-001. Please contact the Fire Prevention Bureau to determine the exact number, type and placement required.

5.0 BUILDING CONSTRUCTION FEATURES

☒ 5.1 The developer/general contractor is to be responsible for reasonable periodic cleanup of the development during construction to avoid hazardous accumulations of combustible trash and debris both on and off the site.

☒ 5.2 Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Multi-tenant or building projects shall have addresses and/or suite numbers provided on the rear of the building. Address numbers shall contrast with their background. See Section 9-1 6.06 of the Ontario Municipal Code and Standards #H-003 and #H-002.

☒ 5.6 Knox ® brand key-box(es) shall be installed in location(s) acceptable to the Fire Department. All Knox boxes shall be monitored for tamper by the building fire alarm system. See Standard #H-001 for specific requirements.

☒ 5.7 Placards shall be installed in acceptable locations on buildings that store, use or handle hazardous materials in excess of the quantities specified in the CFC. Placards shall meet the requirements of National Fire Protection Association (NFPA) Standard 704.

6.0 OTHER SPECIAL USES

☒ 6.1 The storage, use, dispensing, or handling of any hazardous materials shall be approved by the Fire Department, and adequate fire protection features shall be required. If hazardous materials are proposed, a Fire Department Hazardous Materials Information Packet, including Disclosure Form and Information Worksheet, shall be completed and submitted with Material Safety Data Sheets to the Fire Department along with building construction plans.

☒ 6.2 Any High Piled Storage, or storage of combustible materials greater than twelve (12') feet in height for ordinary (Class I-IV) commodities or storage greater than six feet (6') in height of high hazard (Group A plastics, rubber tires, flammable liquids, etc.) shall be approved by the Fire Department, and adequate fire protection features shall be required. If High Piled Storage is proposed, a Fire Department High Piled Storage Worksheet shall be completed and detailed racking plans or floor plans submitted prior to occupancy of the building.

☒ 6.3 Underground fuel tanks, their associated piping and dispensers shall be reviewed, approved, and permitted by Ontario Building Department, Ontario Fire Department, and San Bernardino County Fire Department Hazardous Materials Division. In fueling facilities, an exterior emergency pump shut-off switch shall be provided.

7.0 PROJECT SPECIFIC CONDITIONS

☒ 7.1 NOTE: Although it appears the project may not meet turning radius standards, all Fire Department activities will most likely be performed from the street and not on the property, so this condition can be waived if need be.

<END.>

CITY OF ONTARIO
MEMORANDUM

TO: **PLANNING DEPARTMENT, Alexis Vaughn**

FROM: **BUILDING DEPARTMENT, Kevin Shear**

DATE: **January 06, 2020**

SUBJECT: **PDEV19-070**

☒ The plan **does** adequately address the departmental concerns at this time.

☐ No comments

☒ Report below.

Conditions of Approval

1. Standard Conditions of Approval apply.
2. The Site Address for the project will be 4392 E Ontario Mills Parkway.

KS:lr

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

CONDITIONS OF APPROVAL

Sign Off

Jamie Richardson, Sr. Landscape Planner	5/11/2020 Date

Reviewer's Name: **Jamie Richardson, Sr. Landscape Planner**	Phone: **(909) 395-2615**

D.A.B. File No.: PDEV19-070	Case Planner: Alexis Vaughn

Project Name and Location:

Xpress Carwash
NWC of Inland Empire Blvd & Ontario Mills Pkwy

Applicant/Representative:

Don Vogel – dvogel@fast5xpress.com
567 San Nicolas Dr., Suite 390
Newport Beach, CA 92660

☒	**A Preliminary Landscape Plan (dated 5/11/2020) 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.**
☐	**A Preliminary Landscape Plan (dated) has not been approved. Corrections noted below are required prior to Preliminary Landscape Plan approval.**

A RESPONSE SHEET IS REQUIRED WITH RESUBMITTAL OR PLANS WILL BE RETURNED AS INCOMPLETE.
Landscape construction plans with plan check number may be emailed to: landscapeplancheck@ontarioca.gov
DIGITAL SUBMITTALS MUST BE 10MB OR LESS.

Civil/ Site Plans

1. Show backflow devices set back 4' from paving all sides. Locate on level grade
2. Locate utilities including light standards, fire hydrants, water, drain and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans.
3. Provide a utility clear space 8' wide in parkways 30' apart for street trees. Move water meters, drain lines, light standards to the utility minimum spacing and show utility lines at the edges of the parkway to allow space for street trees.
4. Show corner ramp and sidewalk per city standard drawing 1213 with max 10' or 13' of ramp and sidewalk behind at corners. Show 5' sidewalk and 7' parkway within the right of way or as required by Engineering dept.
5. Note for compaction to be no greater than 85% at landscape areas. All finished grades at 1 ½" below finished surfaces. Slopes to be maximum 3:1.
6. Dimension all planters to have a minimum 5' wide inside dimension.
7. Dimension, show and call out for step-outs at parking spaces adjacent to planters; a 12" wide monolithic concrete curb, DG paving or pavers with edging.

Landscape Plans

8. Show backflow devices with 36" high strappy leaf shrub screening and trash enclosures and transformers, a 4'-5' high evergreen hedge screening. Do not encircle utility, show as masses and duplicate masses in other locations on regular intervals.
9. Locate light standards, fire hydrants, water and sewer lines to not conflict with required tree locations. Coordinate civil plans with landscape plans
10. Show all utilities on the landscape plans. Coordinate so utilities are clear of tree locations.

11. Show corner ramp and sidewalk per city standard drawing 1213.
12. Show appropriate parking lot shade trees with min 30' canopy at maturity. Replace 2 palms with broad canopy shade trees.
13. Show landscape hydrozones on plan or legend with plants per WUCOLS. Moderate water plants may be used for part shade north and east facing locations, low water plants everywhere else.
14. Overhead spray systems shall be designed for plant material less than the height of the spray head.
15. Provide a planting list of proposed water efficient plants. Use turfgrass for recreation areas only. Proposed water use must meet water budget.
16. Provide screening mounding shrubs (consider Grevillea, Cistus, Salvia) at landscape areas opposite of the car wash entry and exit to screen the wash bay.
17. Replace Syagrus (maintenance and messy) consider Washingtonia filifera; use succulents and Agaves in accent areas that are protected from frost.
18. Show 8' diameter of mulch only at new trees, 12' min. at existing trees. Detail irrigation dripline outside of mulched root zone.
19. Landscape construction plans shall meet the requirements of the Landscape Development Guidelines. See http://www.ontarioca.gov/landscape-planning/standards
20. 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. Fees are:

    Plan Check—less than 5 acres $1,301.00
    Inspection—Construction (up to 3 inspections per phase).....$278.00
    Total……$1,579.00
    Inspection—Field – any additional.....$83.00

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

AIRPORT LAND USE COMPATIBILITY PLANNING
CONSISTENCY DETERMINATION REPORT

ONTARIO AIRPORT PLANNING

Project File No.: PDEV19-070, PVAR19-008 & PCUP19-032

Address: NWC of Ontario Mills Pkwy & Inland Empire

APN: 23804128

Existing Land Use: Vacant

Proposed Land Use: 4,446 SF Stand-alone Carwash

Site Acreage: 1.15 acres

Proposed Structure Height: 26 ft

ONT-IAC Project Review: n/a

Airport Influence Area: ONT

Reviewed By: Lorena Mejia

Contact Info: 909-395-2276

Project Planner: Alexis Vaughn

Date: 7/15/2020

CD No.: 2019-090

PALU No.: n/a

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

Safety

- ☐ Zone 1
- ☐ Zone 1A
- ☐ Zone 2
- ☐ Zone 3
- ☐ Zone 4
- ☐ Zone 5

Noise Impact

- ☐ 75+ dB CNEL
- ☐ 70 - 75 dB CNEL
- ☐ 65 - 70 dB CNEL
- ☐ 60 - 65 dB CNEL

Airspace Protection

- ☐ High Terrain Zone
- ☑ FAA Notification Surfaces
- ☑ Airspace Obstruction Surfaces
- ☐ Airspace Avigation Easement Area

Allowable Height: 90 FT

Overflight Notification

- ☐ Avigation Easement Dedication
- ☐ Recorded Overflight Notification
- ☑ Real Estate Transaction Disclosure

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: Lorena Mejia

PLANNING COMMISSION STAFF REPORT

July 28, 2020

FILE NOS.: PGPA18-008 and PSP18-002

SUBJECT: A public hearing to consider certification of the Environmental Impact Report (SCH#2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, for the following: 1) A General Plan Amendment (File No. PGPA18-008) to modify the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) of The Ontario Plan to change the land use designations for 85.6 acres of land, from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park (0.6 FAR) and General Industrial (0.55 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 2) A Specific Plan (File No. PSP18-002 - Ontario Ranch Business Park) to establish the land use districts, development standards, design guidelines, and infrastructure improvements for the potential development of up to 1,905,027 square feet of General Industrial and Business Park land uses on 85.6 acres of land. The project site is generally bordered by Eucalyptus Avenue on the north, Merrill Avenue on the south, Sultana Avenue on the east, and Euclid Avenue on the west. **Submitted by REDA, OLV. City Council action is required.**

PROPERTY OWNER: Ronald Pietersma

RECOMMENDED ACTION: That the Planning Commission consider and recommend that the City Council: 1) certify an Environmental Impact Report (EIR) (SCH# 2019050018) including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration; 2) Approve the General Plan Amendment (File No. PGPA18-008); and 3) Approve the Ontario Ranch Business Park Specific Plan (File No. PSP18-002), 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 85.6 acres of land located within the Ontario Ranch area annexed into the City of Ontario on November 30, 1999. The project site is bounded by Eucalyptus Avenue on the north, Merrill Avenue on the south, Sultana Avenue on the east, and Euclid Avenue on the west, within the SP(AG) zoning district, and is depicted in Figure 1: Project Location. A portion of the project site is developed with active row-crop, dairy, and single-family residential uses. The remainder

Case Planner:	Alexis Vaughn
Planning Director Approval:	
Submittal Date:	10/15/18

Hearing Body	*Date*	*Decision*	*Action*
DAB			
PC	06/30/20		Recommend
CC			Final

of the site is vacant land that was previously used for agriculture. The site is moderately flat, sloping from north to south with approximately a 30-foot drop in elevation. There are no active Williamson Act Land Conservation Contracts located on the project site.

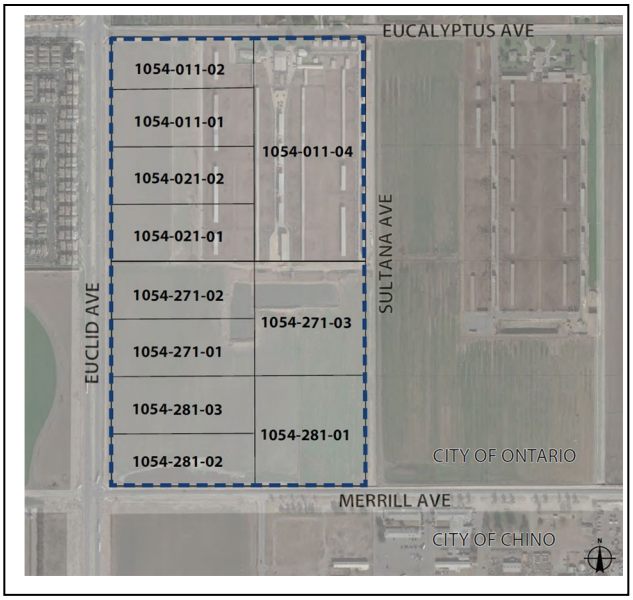


Figure 1: Project Location

PROJECT ANALYSIS:

[1] Background — The Ontario Plan (TOP) Policy Plan (General Plan) provides the basic framework for development within the 8,200-acre area commonly referred to as Ontario Ranch. The Policy Plan requires City Council approval of a Specific Plan for new developments within Ontario Ranch. A Specific Plan is required to ensure that sufficient land area is included to achieve cohesive, unified districts and neighborhoods. Additionally, a Specific Plan is required to incorporate a development framework for detailed land use, circulation, infrastructure improvements (such as drainage, sewer, and water facilities), provision for public services (including parks and schools), and urban design and landscape standards.

[2] General Plan Amendment – The Ontario Ranch Business Park Specific Plan serves to implement the City's Policy Plan for the project site and provides zoning regulations for development of the project site by establishing permitted land uses, development standards, infrastructure requirements, and implementation requirements for the development of approximately 85.6 acres within the Specific Plan boundaries. In order to implement the Specific Plan land use plan as shown in Figure 3: Land Use Plan, the project includes a General Plan Amendment (GPA) to change the land uses designated General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park (0.6 FAR) and General Industrial (0.55 FAR). The GPA will facilitate the potential development of up to 1,905,027 square feet of General Industrial and Business Park development. The amendment includes changes to The Ontario Plan – Policy Plan Exhibit: LU-01 Official Land Use Plan (Figure 2: General Plan Land Use Plan Amendment) and Exhibit: LU-03 Future Buildout to reflect the proposed land use designation changes (Exhibit A – Amended LU-03: Future Buildout Table).

The proposed GPA would change the land uses designations from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park (0.6 FAR) and General Industrial (0.55 FAR) to allow for a larger area for industrial development along the southern portion of the project

site, abutting Merrill Avenue, in response to current industrial market demands. The GPA land use changes will allow for a business park buffer along the northern portion of the site, along Eucalyptus Avenue and a portion of Euclid Avenue, to the west. The Business Park land use designation servs as a buffer of very light industrial, commercial, and office uses to transition between the existing residential uses to the west of the project site, located within the City of Chino, and the future commercial and residential uses north of project site, within the NMC West Mixed Use TOP land use designation.

The southwest portion of City, including the project site are impacted by Chino Airport. The City is currently working towards completing an Airport Land Use Compatibility Plan for portions of the City that are impacted by aircraft operations at Chino Airport. Public Utilities Code Section 21670.1(c) requires that local jurisdictions under the "alternative process" to "rely upon" the California Airport Land Use Planning Handbook (Handbook) published by the California Department of Transportation (Caltrans), Division of Aeronautics in October 2011 for preparing Compatibility Plans and utilize the Handbook's height, land use, noise, safety, and density criteria. The project site is located within Safety Zone 6, as shown in Figure 4: Chino Airport Safety Zones and Existing TOP Land Use Designations, which limits the concentration of people, land uses such as schools, day care centers, hospitals, nursing homes, indoor/outdoor stadiums/arenas and the storage of any hazardous materials. The project site is also impacted by aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the project site from (TGL) Touch-and-Go Landings (a maneuver where aircraft are landing on a runway and taking off again without coming to a full stop and the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time). The existing General Commercial, Office Commercial and Medium Density Residential are not considered compatible land uses with Chino Airport, per the City's draft ALUCP for Chino Airport and therefore staff is in support of the proposed GPA. In addition, the State Division of Aeronautics prohibits the development of new incompatible land uses surrounding existing airports, the proposed project would create land use consistency with Chino Airport and satisfy the criteria set forth in the Handbook.

The proposed Business Park and General Industrial land uses are consistent with other approved and proposed Specific Plans along the same corridor generally bound by Eucalyptus Avenue to the north and Merrill Avenue to the south, including the South Ontario Logistics Center, Merrill Commerce Center, and the West Ontario Commerce Center.

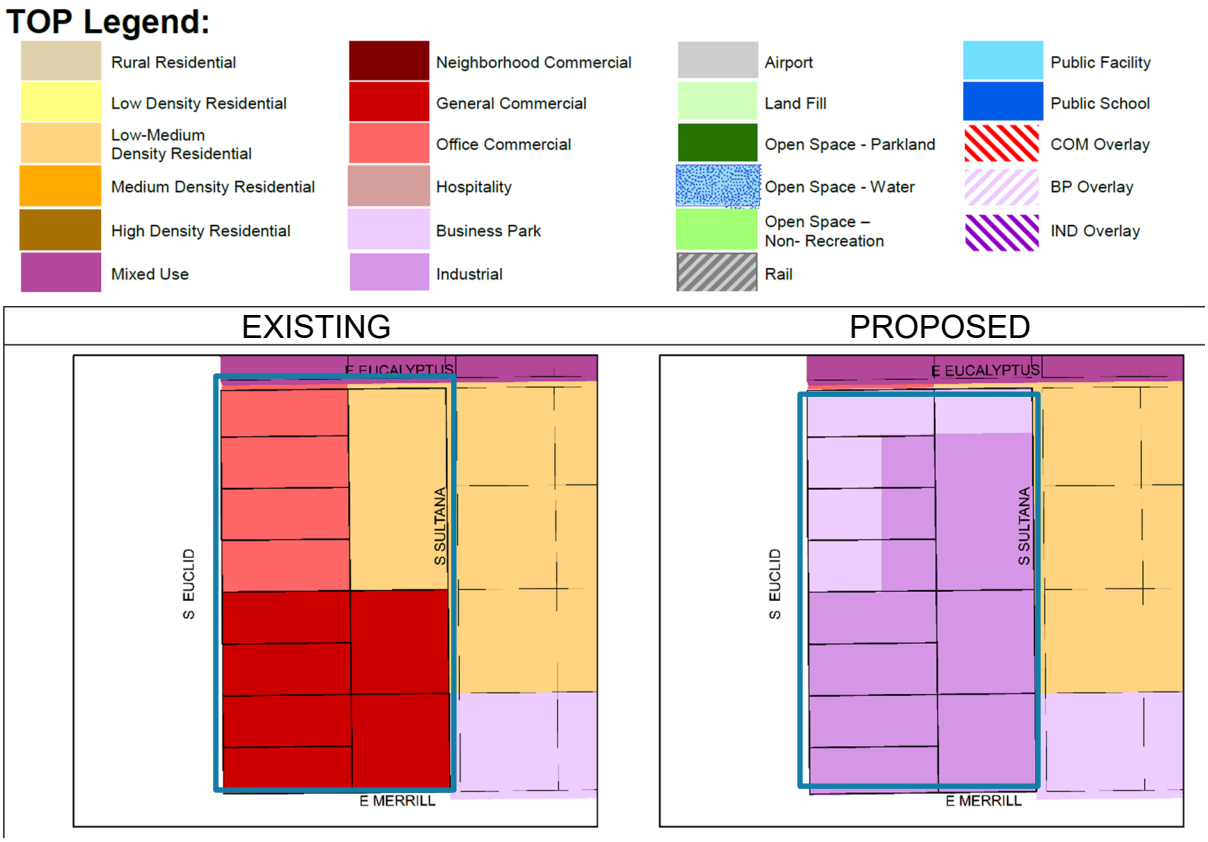


Figure 2: General Plan Land Use Plan Amendment

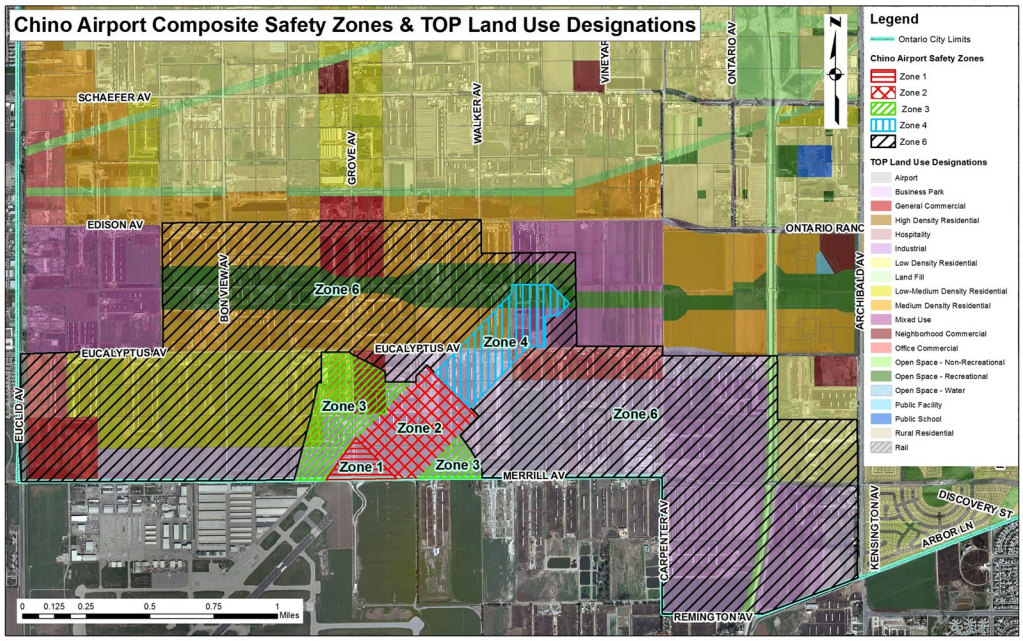


Figure 4: Chino Airport Safety Zones and Existing TOP Land Use Designations

[3] Specific Plan – The Ontario Ranch Business Park Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during project development. The Ontario Ranch Business Park Specific Plan establishes the procedures and requirements to approve new development within the project site to ensure that TOP Policy Plan goals and policies are achieved.

[4] Land Use Plan — The Ontario Ranch Business Park Specific Plan consists of two Planning Areas that will accommodate a variety of commercial, office, technology, light manufacturing, and warehouse/distribution uses. The Land Use Plan implements the vision of TOP by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.

The Specific Plan identifies the land use intensity anticipated in the two proposed planning areas (Figure 3: Land Use Plan). The Specific Plan is proposing a maximum 0.45 Floor Area Ratio (FAR) within the Business Park land use designation (Planning Area 1) and 0.54 FAR within the General Industrial land use designation (Planning Area 2). The proposed FARs for each of the Planning Areas is consistent with the Policy Plan Land Use designations for Business Park and Industrial. With review and approval of a Specific Plan Amendment and appropriate CEQA analysis, the Specific Plan will allow for an increase in the project FARs to match those in the Policy Plan Land Use designations to

0.60 and 0.55 for Business Park and Industrial, respectively. The project as currently proposed has analyzed a less intensive FAR for both land use designations.

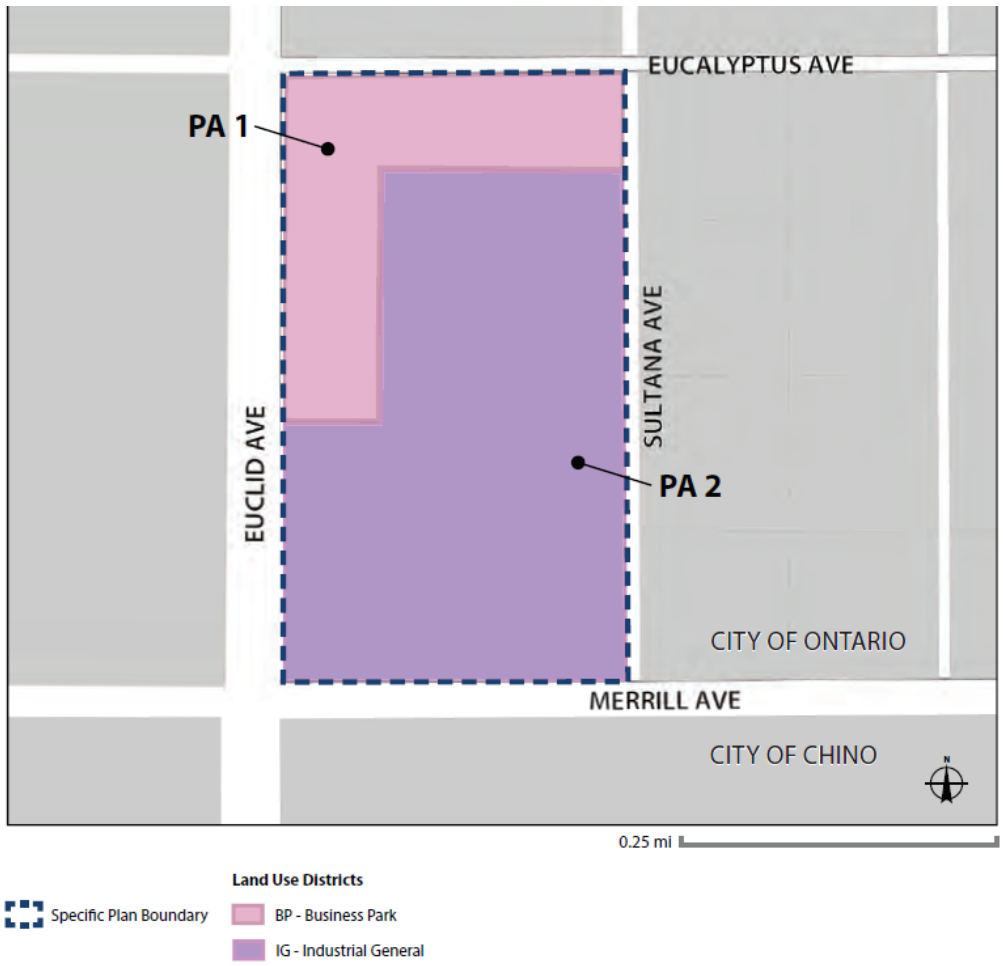


Figure 3: Land Use Plan

The Specific Plan proposes the potential development of up to 1,905,027 square feet of industrial and business park development. Planning area 1, located along the northern portion of the Specific Plan Area, is 23.8 acres in size and can potentially be developed with 457,905 square feet of business park development. In addition, buildings within the Business Park land use area that front onto a public right-of-way shall not exceed a building footprint of 125,000 square feet. Planning Area 2, located along the southern portion of the Specific Plan, is 61.8 acres in size and can potentially be developed with 1,447,123 square feet of industrial development (Figures 5 and 6: Land Use Summary Table and Conceptual Site Plan).

Planning Area	Maximum Floor Area Ratio[1,2]	Site Acreage	Maximum Building Square Footage
Planning Area 1: Business Park	0.45	23.8	457,904
Planning Area 2: Industrial - General	0.54	61.8	1,447,123
TOTAL		**85.6**	**1,905,027 SF**

Note:
1. Provided the General Plan Amendment application submitted in conjunction with this Specific Plan to designate PA 1 as Business Park and PA 2 as Industrial - General is approved.
2. The project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.

Figure 5: Land Use Summary Table

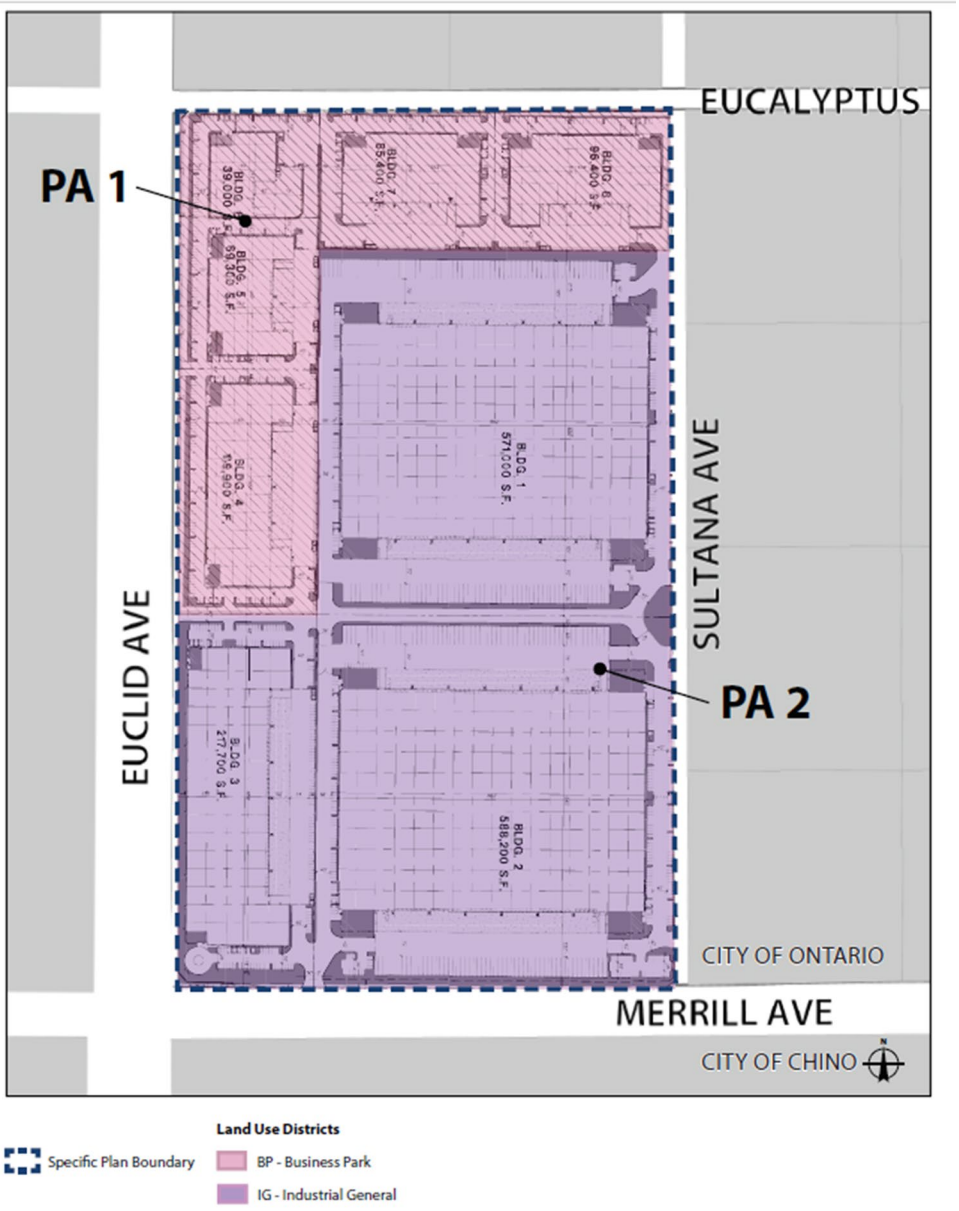


Figure 6: Conceptual Site Plan

[5] Design Guidelines — The design theme and concept for the Ontario Ranch Business Park Specific Plan was created to ensure a high-quality, attractive, and cohesive design structure for the Specific Plan. The guidelines provide the following objectives for all future development within the Specific Plan area:

- Demonstrates high-quality development that complements and integrates into the community and adds value to the City.

- Creates a functional and sustainable place that ensures Ontario Ranch Business Park is competitive regionally and appropriate in the Ontario Ranch community.
- Illustrates the distinctive characteristics of the two land use plan zoning districts: Business Park District (Planning Area 1) and Industrial – General District (Planning Area 2).
- Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
- Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the Ontario Ranch Business Park Specific Plan area.
- Incorporates construction and landscape design standards that promote energy and water conservation strategies.
- Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

The Planning Areas within the Ontario Ranch Business Park are designed to be architecturally consistent yet distinct through use and circulation. The Design Guidelines have been established to promote high-quality architecture as required by the Ontario Development Code and The Ontario Plan (TOP). The proposed architectural theme of the Specific Plan incorporates a Contemporary Architectural style, and the two planning areas shall be designed to be compatible with and complement one another. The design guidelines of the Specific Plan will require all buildings to provide a recognizable base, body, roofline and entry. The Specific Plan provides examples of the type of industrial and business park concepts that are envisioned to be constructed within the Specific Plan (Figures 7 and 8: Business Park and Industrial Design Examples).

All buildings shall be designed to highlight the primary entryways by incorporating special materials, visual relief, massing, and shading. Additionally, the facades that front onto a public street shall incorporate vertical and horizontal articulation and material changes that will assist in enhancing these elevations and providing visual interest from the public view.

Figure 7: Business Park Design Examples

Figure 8: Industrial Design Examples

[6] Circulation Concept — The circulation plan for the Specific Plan reinforces the objective of moving vehicles, pedestrians, cyclists, and public transit safety and efficiently through and around the project. The Specific Plan establishes the hierarchy and general location of roadways within the Ontario Ranch Business Park Specific Plan. Future traffic signals will be constructed or modified at the following four major intersections:

1. Euclid Avenue and Eucalyptus Avenue
2. Sultana Avenue and Eucalyptus Avenue
3. Sultana Avenue and Merrill Avenue
4. Euclid Avenue and Merrill Avenue

Additionally, primary access into the business park development will be provided along Eucalyptus Avenue to the north and Euclid Avenue to the west. Primary access into the industrial development will be provided along Merrill Avenue to the south and Sultana Avenue to the east (Figure 9: Circulation Plan).

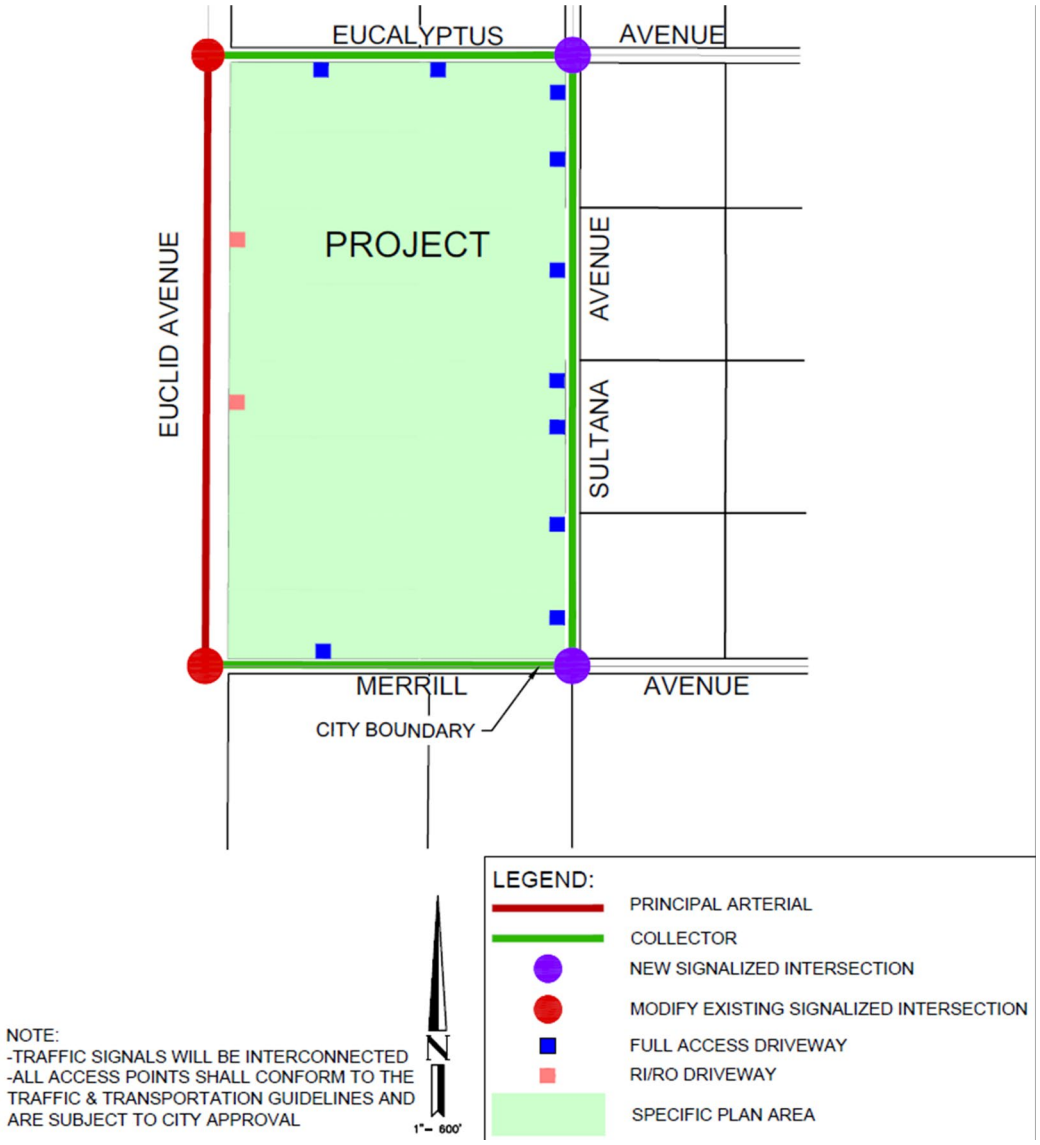


Figure 9: Circulation Plan

Merrill Avenue and Eucalyptus Avenue, which run east-to-west along the southern and northern portions of the project site, will be improved as four-lane collector streets with a 98-foot and 108-foot rights-of-way, respectively. Each street will include a parkway and a multipurpose trail, and Merrill Avenue will include a Class-II bike lane (Figure 10: Merrill and Eucalyptus Avenues Street Cross Sections).

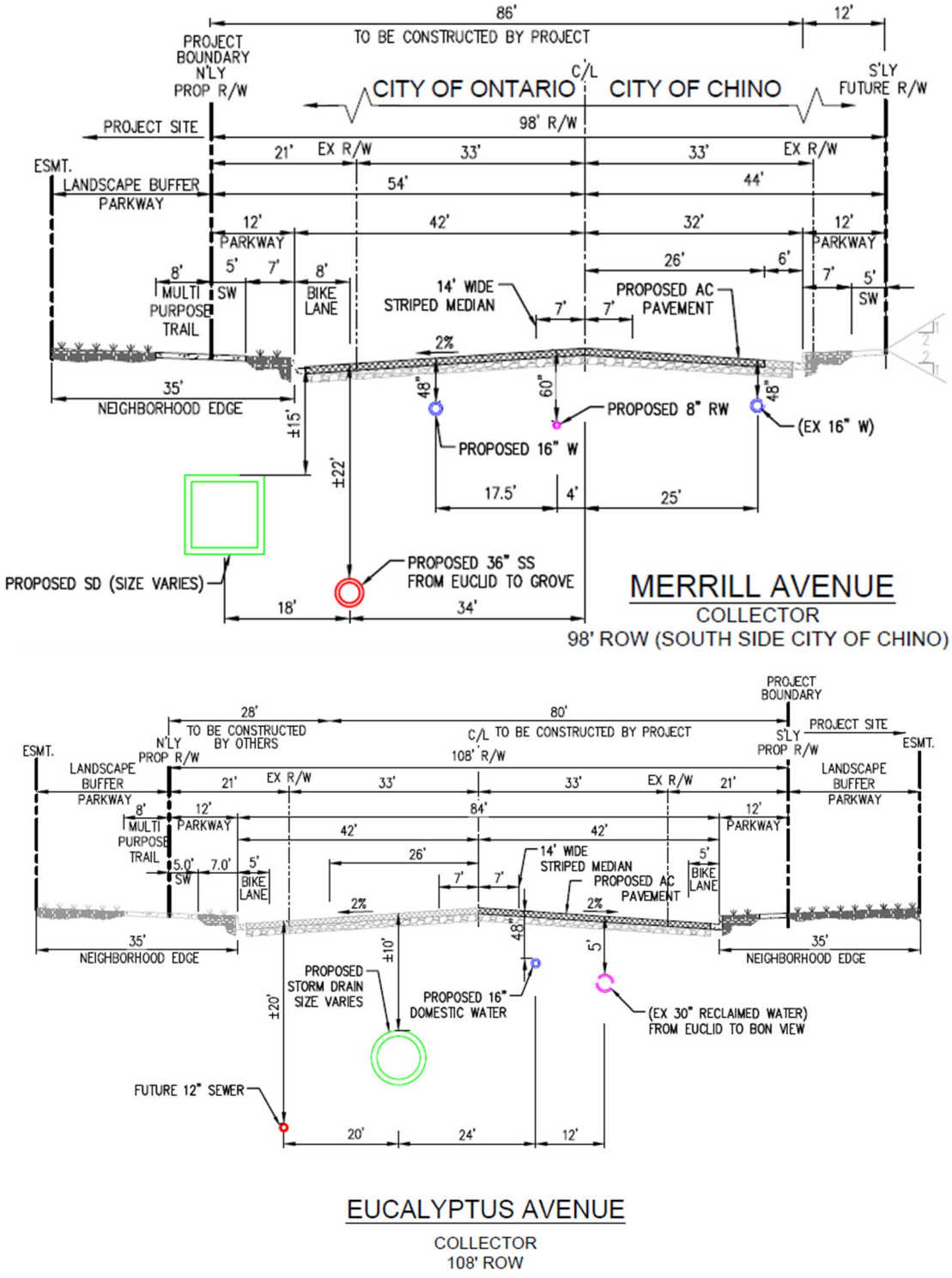


Figure 10: Merrill and Eucalyptus Avenues Street Cross Sections

Euclid Avenue, an eight-lane 200-foot wide Principal Arterial expressway under Caltrans' jurisdiction, which runs north-to-south along the western portion of the project site, will be improved with a parkway and a multipurpose trail within a 35-foot-wide landscape buffer. The ultimate neighborhood edge along Euclid Avenue will be 50 feet wide, as specified in the Ontario Ranch Colony Streetscape Master Plan. Sultana Avenue, designated as a 66-foot-wide Collector Street that runs north-to-south along the eastern portion of the project site, will be developed with a parkway and a sidewalk (Figure 11: Euclid and Sultana Avenues Street Cross Sections).

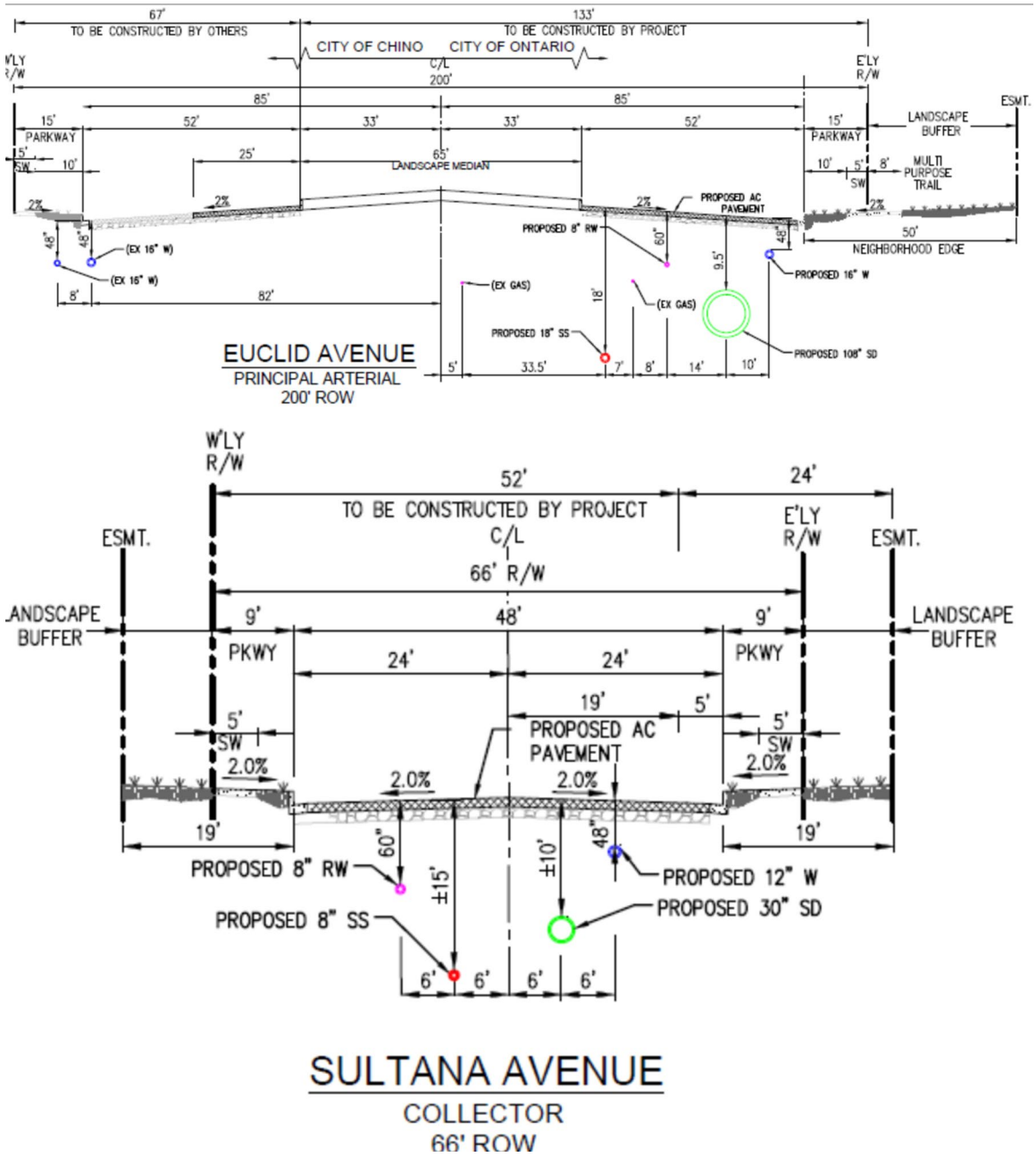


Figure 11: Euclid and Sultana Avenues Street Cross Sections

[7] Landscape Design — The landscape design theme for the Ontario Ranch Business Park Specific Plan encourages durable landscape materials and designs that enhance the aesthetics of the structure, create and define public and private spaces, and provide shade and environmental benefits. Table 5.1 of the Ontario Ranch Business Park

Specific Plan establishes a base palette for the Ontario Ranch Business Park and includes a variety of groundcovers, shrubs, ornamental grasses, and evergreen and deciduous trees. The selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region. Similar plant materials may be substituted for the species listed in Table 5.1 if the alternative plants are climate appropriate and enhance the thematic setting.

The minimum landscape coverage required for the business park development is 15% and the industrial development is required to provide a minimum of 10% landscape coverage. As illustrated above in the street sections, Eucalyptus Avenue and Merrill Avenue will be required to provide a 35-foot neighborhood edge. Euclid Avenue will be required to provide a 50-foot neighborhood edge. Sultana Avenue will be designed with a 4-foot wide curb adjacent landscape parkway and a 5-foot wide sidewalk, in addition to a 10-foot wide landscape buffer.

[8] Infrastructure and Services — The backbone infrastructure to serve all areas of the Specific Plan will be installed by the developers in accordance with the Ontario Ranch (New Model Colony) Master Plans for streets, water (including recycled water), sewer, storm drain, and fiber optic facilities. Natural gas will be provided by The Gas Company and electricity by SCE. Development of the project requires the installation by the developer of all infrastructure necessary to serve the project as a standalone development, with phasing and ultimate details to be reviewed and approved via a Development Agreement with the project site's final map.

[9] Specific Plan Phasing — Development phasing within the Specific Plan will be determined by the developers, based upon the real estate market conditions. The Specific Plan outlines development phase one as Planning Area 2, and development phase two as Planning Area 1 (Figure 5: Conceptual Site Plan). The phases may be developed as sub-phases and my occur either sequentially or concurrently with one another. Specific infrastructure, community facilities, and open space dedications will be provided/conditioned with future individual tract map(s) and/or development plan(s) that will be presented to the Planning Commission at a future date.

[10] Signage — The Ontario Ranch Business Park Specific Plan has required that a comprehensive sign program be submitted for the project site, to ensure quality and consistent signage throughout the whole site.

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

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 Ontario Ranch Business Park Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy analysis in Chapter 7.0 "General Plan Consistency" of the Specific Plan describes the manner in which the Ontario Ranch Business Park Specific Plan complies with the Policy Plan goals and policies. In addition, the goals and policies of TOP that are furthered by the proposed project are as follows:

[1] City Council Goals.

- Invest in the Growth and Evolution of the City's Economy
- Operate in a Businesslike Manner
- Invest in the City's Infrastructure (Water, Streets, Sewers, Parks, Storm Drains and Public Facilities)
- Ensure the Development of a Well Planned, Balanced, and Self-Sustaining Community in the Ontario Ranch Area

[2] Governance.

Decision Making:

- Goal G1: Sustained decision-making that consistently moves Ontario towards its Vision by using The Ontario Plan as a framework for assessing choices.

➢ G1-2 Long-term Benefit. We require decisions to demonstrate and document how they add value to the community and support the Ontario Vision

[3] Policy Plan (General Plan)

Land Use Element:

➢ LU1-1 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.

Community Economics Element:

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

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

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

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

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

Safety Element:

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

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

Community Design Element:

- Goal 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.

Senate Bill 330 – Housing Accountability Act (Govt. Code § 65589.5 et seq.) (SB 330) was passed by the California Legislature, signed by the Governor and became effective on January 1, 2020. The bill is the result of the Legislature's extensive findings regarding the California "housing supply crisis" with "housing demand far outstripping supply."

SB 330 amends Govt. Code Sections 65589.5, adds Govt. Code Sections 65940, 65943 and 65950, and repeals and readopts Sections 65906.5, 65913.10 and 65941.1. To summarize, no city may disapprove a residential housing development project for low- to moderate-income households (as defined therein) unless it makes a finding that the housing development project "would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households…" such as where the housing development project is proposed on land "which does not have adequate water or wastewater facilities to serve the project." (Govt. Code § 65589.5(d)(2), (4)).

In addition, the legislation adds Chapter 12 to Division 1 of Title 7 of the Government Code (Section 66300 et seq.) that applies to "affected cities," which are identified as cities in urbanized areas as determined by the most recent census. In accordance with SB 330, the Department of Community Development and Housing ("HCD") has prepared a list of affected cities and has determined that Ontario is an "affected city." Therefore, pursuant to Government Code section 66300(b)(1)(A) and (b):

> *(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an \ affected city shall not enact a development policy, standard, or condition that would have any of the following effects:*
>
> *(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018…"*

except when approved by HCD or when the following exception is set out in Govt. Code § 66300(i)(1) applies:

> *(i) (1) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.*

As discussed in Section 2 of this staff report, the General Plan Amendment (GPA) is proposed to change the site's land use designations from General Commercial, Office Commercial and Low-Medium Density Residential to approximately 23.8 acres of Business Park (0.6 FAR) and 61.8 acres of Industrial (0.55 FAR). The General Plan Amendment will allow development of up to 236,000 square feet of business park and 1,669,027 square feet of industrial, for a maximum development of 1,905,027 square feet. The GPA would therefore eliminate the low-moderate density housing designation, thereby theoretically eliminating 159 units (as determined by the City's density

determinations to be 8.5 dwelling units per acre [du/ac.]). In compliance with SB330, the EIR evaluated the elimination of 159 units and determined that based on SB 330 Exceptions for lack of water and sewer to serve a residential project and the no net loss of residential capacity, the project is consistent with HCD exception findings. The proposed project site does not have sufficient water or wastewater facilities to serve a residential project. As explained in Section 3.4.1.2, of the DEIR, at present there is no water or sewer infrastructure that could serve residential units because the land has been used for agricultural purposes with water provided by on-site wells and sewer provided by septic systems. The total estimated cost of the proposed water and sewer infrastructure is $13.1 million and $9.4 million, respectively (Murow 2020; Appendix N of this DEIR). This cost would be financially infeasible for the 159 units presently allowed under the current residential General Plan designation and therefore the cost of such improvements would make residential development on the site financially infeasible (see Govt. Code § 66589.5(d)(2) cited above).

To address the removal of 159 low-moderate residential units at a density of 8.5 dwelling units per acre and demonstrate a “No net loss”, the project is in compliance with provisions of Section 66300(i)(1) have been met and there is no net loss of residential capacity. On December 17, 2019, the City Council approved an Amendment to the Meredith International Centre Specific Plan (File No. PSPA19-002) to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. The Meredith International Centre Specific Plan is listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The Specific Plan allowed 800 dwelling units at a density of 37 dwelling units per acre, which have all been constructed. The Specific Plan amendment approved in December 2019 provides for an additional 925 residential units at a density of 41 dwelling units per acre, which will add 925 units to the Available Land Inventory Table. The Addendum to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020) certified by the City Council on April 7, 2015, approved on December 17, 2019, supports that change in the Specific Plan that results in 975 additional residential units within the City. On March 30, 2020, the City Council approved a General Plan Amendment to The Ontario Plan (“TOP”) Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the addition of 975 residential units, assumed density and intensity for the Mixed-Use/Meredith section of the Buildout Table. The loss of 159 units under the current Policy Plan designation will be directly offset by the addition of 975 units and therefore resulting in a no net loss.

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. The project site is located within the Chino Airport’s airport influence area (AIA) but outside the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The project site is within Safety Zone 6, Traffic Pattern Zone of the Chino Airport Overlay (Generic Safety Zones for

General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. In the San Bernardino County Chino Airport Comprehensive Land Use Plan, the site is within Safety Zone III, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within this zone, provided that they do not generate any visual, electronic or physical hazards to aircraft (Vidal 1991). The Airport Land Use Compatibility Plan (ALUCP) for Chino Airport completed by the County of Riverside in 2008 provides additional guidance for development around Chino Airport. The project site is not within an existing or current airport noise hazard zone and is in Zone D as designated in the ALUCP (Mead and Hunt 2004a).

ENVIRONMENTAL REVIEW: The Specific Plan is located in the City of Ontario in what was formally the approximate 8,200-acre to the City of Ontario Sphere of Influence (SOI). On January 7, 1998, the City of Ontario adopted the New Model Colony (NMC) General Plan Amendment (GPA) setting forth a comprehensive strategy for the future development of the SOI. The NMC is bound by Riverside Drive to the north, Milliken Avenue to the east, Euclid Avenue to the West and Merrell Avenue/Bellgrave to the south.

On January 27, 2010, the city adopted The Ontario Plan (TOP) and certified the accompanying EIR. TOP serves as the City's new General Plan for the entire City, including the NMC (Now referred to Ontario Ranch). TOP identified many areas that might have a potentially significant impact on the environment. These areas included: 1) Aesthetics; 2) Biological Resources; 3) Geology and Soils; 4) Hazards and Hazardous Materials; 5) Hydrology and Water Quality; 6) Land Use and Planning; 7) Mineral Resources; 8) Population and Housing; 9) Public Services; 10) Recreation; and 11) Utilities and Service Systems. Through the EIR process these potential impacts were analyzed, revisions were incorporated into the plan and/or mitigation measures were identified that reduced the potential environmental impacts to a level that was less than significant.

TOP also identified several potential impacts that, even with revisions and/or mitigation measures, could not be reduced to a level of less than significant. These areas included:

- *Agriculture Resources* –

  Impact 5.2-1 - Buildout of TOP would convert 3,269.3 acres of California Resource Agency designated Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to residential, commercial, mixed-use, and industrial land uses. Consequently, Impact 5.2-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

  Impact 5.2-2 – There are a number of Williamson Act contracts within the City that have yet to expire. Buildout of TOP would most likely require the cancellation or nonrenewal of these contracts. The current use of these contracts would slow the

rate of conversion from agricultural to nonagricultural land but it would not impede the conversion. Since there are some Williamson Act contracts still active in the Ontario Ranch, implementation of the proposed land use plan for The Ontario Plan would conflict with these contracts and cause a significant impact. Consequently, Impact 5.2-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.2-3. Development of the City in accordance with TOP would increase the amount of nonagricultural land uses. When nonagricultural land uses are placed near agricultural uses, the odors, noises, and other hazards related to agriculture conflict with the activities and the quality of life of the people living and working in the surrounding areas. Consequently, conversion of agricultural uses in the city may cause farms and agricultural land uses outside the City to be converted to nonagricultural uses because of the nuisances related to agriculture. Impact 5.2-3 would remain significant and unavoidable. Therefore, a Statement of Overriding Considerations would be required.

- *Air Quality* –

Impact 5.3-1. The project would not be consistent with the Air Quality Management Plan (AQMP) because air pollutant emissions associated with buildout of the City of Ontario would cumulatively contribute to the nonattainment designations in the South Coast Air Basin (SoCAB). Furthermore, buildout of the Proposed Land Use Plan would exceed current estimates of population, employment, and vehicle miles traveled for Ontario and therefore these emissions are not included in the current regional emissions inventory for the SoCAB. As both criteria must be met in order for a project to be considered consistent with the AQMP, the project would be considered inconsistent with the AQMP. Consequently, Impact 5.3-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-2. Construction activities associated with buildout of TOP would generate short-term emissions that exceed the South Coast Air Quality Management District's (SCAQMD) regional significance thresholds; cumulatively contribute to the SoCAB's nonattainment designations for O3, PM10, and PM2.5; and potentially elevate concentrations of air pollutants at sensitive receptors. Consequently, Impact 5.3-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-3. Buildout of TOP would generate long-term emissions that would exceed SCAQMD'S regional significance thresholds and cumulatively contribute to the SoCAB nonattainment designations for O3, PM10, and PM2.5. Consequently, Impact 5.3-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-5. Approval of residential and other sensitive land uses within 500 feet of I-10, I-15, or SR-60 would result in exposure of persons to substantial concentrations of diesel particulate matter. Consequently, Impact 5.3-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.3-6. Conversion of agricultural land to nonagricultural uses would temporarily expose residents to objectionable odors. Consequently, Impact 5.3-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Cultural Resources* –

  Impact 5.5-1. Although protective regulations are in place and preservation policies are included in TOP, implementation of the Proposed Land Use Plan, especially within growth focus areas, has the potential to impact Tier III historic resources. Mitigation Measure 5-1 would require a historical evaluation for properties within historic resources in the Focus Areas under the City's ordinance. However, the ordinance does not provide a high level of protection for Tier III resources. As a result, historical resources categorized under the Ordinance as Tier III could potentially be impacts with implementation of the Proposed Land Use Plan. Consequently, Impact 5.5-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Global Climate Change* –

  Impact 5.6-1. Buildout of the City of Ontario would generate greenhouse gas emissions that would significantly contribute to global climate change impacts in California. GHG emissions generated in the City would significantly contribute to climate change impacts in California as a result of the growth in population and employment in the City and scale of development activity associated with buildout of the Proposed Land Use Plan. Consequently, Impact 5.6-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Noise* –

  Impact 5.12-1. Buildout of the Proposed Land Use Plan would result in an increase in traffic on local roadways in the City of Ontario, which would substantially increase noise levels. Consequently, Impact 5.12-1 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.
  Impact 5.12-2. Noise-sensitive uses could be exposed to elevated noise levels from transportation sources. Any siting of new sensitive land uses within a noise environment that exceeds the normally acceptable land use compatibility criterion would result in a potentially significant impact and would require a separate noise

study through the development review process to determine the level of impacts and required mitigation. Consequently, Impact 5.12-2 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-3. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would expose sensitive uses to strong levels of groundborne vibration. Consequently, Impact 5.12-3 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-5. Construction activities associated with buildout of the individual land uses associated with the Proposed Land Use Plan would substantially elevate noise levels in the vicinity of sensitive land uses. Consequently, Impact 5.12-5 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

Impact 5.12-6. Noise-sensitive land uses within the 65 dBA CNEL contour of the Los Angeles/Ontario International Airport would be exposed to substantial levels of airport-related noise. Consequently, Impact 5.12-6 would remain significant and unavoidable and a Statement of Overriding Considerations would be required.

- *Transportation and Traffic* –

  Impact 5.15-1. Buildout of the Proposed Land Use Plan would result in additional traffic volume that would significantly cumulatively contribute to main-line freeway segment impacts. The City's development impact fees cannot be used for improvements to roadway facilities under Caltrans jurisdiction. Consequently, impacts to freeway segments within the City under Impact 5.16-1 would be significant and unavoidable and a Statement of Overriding Considerations would be required.

While these impacts will be significant and unavoidable, the City determined that the benefits of the Ontario Ranch development outweigh the potential unavoidable, adverse impacts of the plan. As a result, the City adopted a Statement of Overriding Considerations for those impacts that could not be fully mitigated to a level of less than significant.

Even though an EIR was prepared for TOP, the analyses focused on the program or "big picture" impacts associated with development. With the submittal of the Ontario Ranch Business Park Specific Plan, staff is charged with evaluating the potential impacts of development at the project level. Staff completed an Initial Study for the project and determined that an EIR should be prepared for the Colony Commerce Center East Specific Plan. Through the Initial Study preparation and scoping meeting discussion, an EIR was prepared for the Ontario Ranch Business Park Specific Plan addressing the following issues:

- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population/Housing
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

The Ontario Ranch Business Park Specific Plan EIR evaluates each of these various areas and identifies mitigation measures and/or revisions to the plan to lessen the level of significance. With the implementation of the various mitigation measures, many of the potential adverse impacts can be reduced to a level of less than significant. Of the 15 areas considered by the EIR, all but three of the impact areas were mitigated a level of less than significant. The four remaining impact areas, even with the mitigation measures, could not be reduced to less than significant, resulting in some impacts remaining potentially significant and unavoidable. These areas include:

- Air Quality - Impact 5.2-1: Construction activities associated with the proposed project would generate short-term VOC and NOX emissions in exceedance of SCAQMD's threshold criteria. Implementation of Mitigation Measure AQ-1 would require off-road construction equipment of 50 horsepower or greater used for Phase 1 rough grading activities to be fitted with engines that meet the EPA's Tier 4 Interim emissions standards. In addition, implementation of Mitigation Measures AQ-2 through AQ-4 would require use of low VOC interior and exterior paints for the proposed buildings and for the surface parking lots. As shown in Table 5.2-18 incorporation of Mitigations Measures AQ-1 through AQ-4 would reduce project related construction emissions of VOC and NOX to below their respective significance thresholds. Therefore, Impact 5.2-1 would be reduced to less than significant. However, because NOX emissions with mitigation measure would result in 99 pounds per day, which is close to the SCAQMD threshold of 100 pounds per day, this impact is conservatively considered significant and unavoidable.

  Impact 5.2-2: Long-term operation of the project would generate emissions in exceedance of SCAQMD's threshold criteria and would cumulatively contribute to

the nonattainment designations of the air basin. Implementation of Mitigation Measure AQ-5 would limit off-road equipment used in daily operations to be electric-powered only. As shown in Table 5.2-19, implementation of Mitigation Measures AQ-2 through AQ-10 would reduce emissions to the extent possible. However, project-related operation phase emissions would still exceed the VOC and NOX regional significance thresholds. Therefore, Impact 5.2-2 would remain significant and unavoidable.

Impact 5.2-7: The proposed project would be inconsistent with the applicable air quality plan. Compliance with PPP AIR-1 through PPP AIR-4 and incorporation of Mitigation Measures AQ-5 through AQ-10 would contribute in minimizing criteria air pollutant emissions from operation of the proposed project. However, as shown in Table 5.2-19, even with incorporation of mitigation, project related operation-phase activities would still result in VOC and NOX emissions exceeding the SCAQMD regional significance thresholds. Thus, the proposed project would continue to be inconsistent with the AQMP. Therefore, Impact 5.2-7 would remain significant and unavoidable.

- Agricultural Resources - Impact 5.1-1: The proposed project would convert Farmland to non-agricultural use. No feasible mitigation measures have been identified that would mitigate agricultural resources to below a level of significance. Impacts would remain significant and unavoidable.

- Transportation – Impact 5.14-1: The proposed project would have a significant impact on 7 intersections in the Existing plus Project scenario, 13 intersections in the Opening Year Cumulative with Project scenario, and 31 intersections in the Horizon Year with Project scenario. Additionally, the project would have a significant impact to 1 freeway segment in the Existing plus Project scenario, 6 freeway ramps/segments in the Opening Year Cumulative with Project scenario, and 9 freeway ramps/segments in the Horizon Year with Project scenario. With the implementation of mitigation measure TRAF-1, which requires contribution of fair-share fees. Table 5-4 in the TIA shows that the identified improvements would mitigate traffic impacts at the identified intersections. However, many intersections are under the jurisdiction of Caltrans or the City of Chino, and the City of Ontario cannot guarantee implementation of the improvements within these jurisdictions. Also, the improvements identified under TRAF-1 within the City of Ontario are not part of an adopted plan or program that will guarantee construction of the improvements within a specified period. As a result, traffic impacts would be significant and unavoidable.

  Impact 5.14-3: The proposed project would not reduce total VMT/SP by at least 15 percent compared to the citywide average. unmitigated project VMT/SP (Total VMT/SP) would exceed applicable thresholds. The project would implement TDM measures (Mitigation Measure TRAF-3) that could potentially reduce Automobile VMT/SP impacts to levels that would be less than significant. Even with

implementation of TDM measures, Total VMT/SP impacts could not be reduced to levels that would be less than significant. In any case, the efficacy of TDM measures and reduction of VMT impacts below thresholds cannot be assured at this concept stage of project development. The project VMT impact is therefore considered significant and unavoidable.

- Greenhouse Gas Emission – Impact 5.7-1: Operation of the proposed project would generate emissions from mobile and other sources that would exceed the bright-line significance threshold and would have a significant impact on the environment. Table 5.7-8 shows the project's emissions inventory with incorporation of mitigation. Specifically, incorporation of Mitigation Measure AQ-5, which would limit all off-road equipment used for daily operations to electric-powered equipment only, would reduce emissions by 285 MTCO2e/yr. Furthermore, implementation of Mitigation Measures AQ-6, GHG-1, and GHG-2 would reduce GHG emissions to the extent feasible. However, because the number of people who may utilize alternative modes of transportation and the number of trucks that would utilize electric-powered TRUs is uncertain, the total reductions that the services provided through these mitigation measures would provide cannot be quantified. Overall, incorporation of mitigation would reduce project-related emissions by about 1.1 percent (i.e., 285 MTCO2e/yr) from 26,906 MTCO2e/yr down to 26,621 MTCO2e/yr. However, neither the project applicant nor the lead agency (City of Ontario) can substantively or materially affect reductions in project mobile-source emissions beyond the regulatory requirements. Because the net change in emissions of 8,311 MTCO2e/yr would still exceed 3,000 MTCO2e/yr, Impact 5.7-1 would remain significant and unavoidable.

  Impact 5.7-2: Implementation of the proposed project would conflict with the City's Community Climate Action Plan. Implementation of Mitigation Measure GHG-3 would require future individual projects accommodated under the proposed project to be designed to achieve at least 100 points on the City's GHG Screening Threshold Table. This measure would ensure that future individual projects are consistent with the City's Community CAP and would reduce Impact 5.7-2 to less than significant. However, there is the potential for the project to generate GHG emissions that would result in significant impacts on the environment. Pending adoption of the City CAP update; a determination that the City CAP as updated is consistent with applicable State and regional GHG emissions reduction plans; and a determination that the proposed project is consistent with the CAP as updated, the potential for project GHG emissions to result in a significant impact on the environment is conservatively considered to be a significant and unavoidable impact.

While mitigation of all potential impacts to a level of less than significant is desirable, the fact that three areas will remain significant and unavoidable is not unexpected. The identification of these areas as significant and unavoidable validates the work previously

completed for TOP. Staff continues to believe that the benefits of the proposed development outweigh the potential impacts associated with it. Therefore, staff recommends the Planning Commission recommend certification of the EIR to the City Council and that a Statement of Overriding Considerations be adopted for the project.

CONDITIONS OF APPROVAL: See attached department reports.

TECHNICAL APPENDIX:

Surrounding Zoning and Land Use:

	Existing Land Use	*General Plan Designation*	*Zoning Designation*	*Specific Plan Land Use*
Site	Ag/Dairy and SFR	General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre)	Specific Plan / Agricultural Overlay	N/A
North	Plant Nursery/Dairy	Mixed-Use Area 10: NMC West	Specific Plan / Agricultural Overlay	N/A
South	Chino Airport	N/A	N/A	N/A
East	Dairy and SFR	Low-Medium Density Residential (5.1-11 dwelling units per acre) and Business Park (0.60 FAR)	Specific Plan / Agricultural Overlay	N/A
West	Residential and Vacant (City of Chino)	N/A	N/A	N/A

Exhibit A – Amended LU-03: Future Buildout Table

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density[6]	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium Density[6]	~~1,000~~ 981	8.5 du/ac	~~8,500~~ 8,339	~~33,976~~ 33,331		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	~~*10,865*~~ *10,845*		~~*84,758*~~ *84,597*	~~*315,713*~~ *315,068*		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.00 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.00 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area t 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.00 FAR retail • 50% of area at 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.00 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.80 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.50 FAR office	185	369	924,234	2,098
Subtotal	***1,668***		***15,129***	***30,257***	***34,922,836***	***72,383***

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	281	0.30 FAR			3,671,585	8,884
General Commercial	~~519~~ 476	0.30 FAR			~~6,788,695~~ 6,220,368	~~6,307~~ 5,799
Office/ Commercial	~~514~~ 490	0.75 FAR			~~16,805,775~~ 16,008,300	~~37,269~~ 35,497
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	~~*1,457*~~ *1,389*				~~*33,443,735*~~ *32,077,932*	~~*59,542*~~ *57,262*
Employment						
Business Park	~~1,507~~ 1,531	0.40 FAR			~~26,261,610~~ 26,676,144	~~46,075~~ 46,817
Industrial	~~6,384~~ 6,446	0.55 FAR			~~152,947,800~~ 154,433,268	~~134,383~~ 134,511
Subtotal	~~*7,891*~~ *7,977*				~~*179,209,410*~~ *181,109,412*	~~*180,459*~~ *181,328*
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	***9,906***					
Total	***31,786***		~~*99,887*~~ *99,726*	~~*345,971*~~ *345,325*	~~*247,575,980*~~ *248,110,180*	~~*312,383*~~ *310,973*

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

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL CERTIFY THE PROJECT ENVIRONMENTAL IMPACT REPORT (SCH# 2019050018) AND ADOPT FINDINGS OF OVERRIDING CONSIDERATIONS FOR THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (FILE NOS. PSP18-002/PGPA18-008), LOCATED WITHIN THE ONTARIO RANCH AND BOUNDED BY EUCALYPTUS AVENUE TO THE NORTH, MERRILL AVENUE TO THE SOUTH, EUCLID AVENUE TO THE WEST, AND UNIMPROVED RIGHT-OF-WAY OF SULTANA AVENUE TO THE EAST, AND MAKING FINDINGS IN SUPPORT THEREOF – APNS: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, AND 1054-281-03.

WHEREAS, the Project Environmental Impact Report (EIR) for the Ontario Ranch Business Park Specific Plan (File No. PSP18-002/PGPA18-008) (SCH# 2019050018) has been prepared in accord with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines for implementation of CEQA; and

WHEREAS, the EIR for File Nos. PSP18-002/PGPA18-008 consists of the Draft EIR and the comments and responses to comments made on the Draft EIR; and

WHEREAS, the EIR for File Nos. PSP18-002/PGPA18-008 was circulated for a 45-day public review period and a notice of its availability was published in a local newspaper and posted in the Office of the Clerk of the Board of Supervisors of San Bernardino County; and

WHEREAS, copies of the EIR were distributed to the Planning Commission, City departments, and federal, state, regional, local, and other agencies and individuals; and

WHEREAS, the EIR for File Nos. PSP18-002/PGPA18-008 has been prepared to address the environmental effects of a Specific Plan (Ontario Ranch Business Park) to establish land use designations, development standards, and design guidelines for approximately 85.6 acres of land within the Ontario Ranch, generally located north of Merrill Avenue, south of Eucalyptus Avenue, east of Euclid Avenue, and west of the unimproved right-of-way of Sultana Avenue; and

WHEREAS, on July 28, 2020, the Planning Commission of the City of Ontario conducted a duly noticed public hearing on the EIR at which time all persons wishing to testify were heard and the EIR was fully studied; and

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

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

SECTION 1: ***Environmental Determination and Findings.*** As the recommending body for the Project, the Planning Commission has reviewed and considered the information contained in the Environmental Impact Report (EIR) and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2019050018) and supporting documentation, the Planning Commission finds as follows:

(1) The EIR contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The EIR was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The EIR reflects the independent judgment of the Planning Commission; and

SECTION 2: ***Planning Commission Action.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing and upon the specific findings set forth in Section 1 above, the Planning Commission hereby concludes as follows:

(1) The Project EIR analyzed the environmental impacts-associated with the implementation of the Ontario Ranch Business Park Specific Plan, and finds that, if the Specific Plan is adopted and development occurs as proposed by this plan, and with implementation of proposed mitigation measures, the following impacts will still be significant and unavoidable:

(a) Air Quality **-** Impacts related to a net increase in criteria pollutants would remain significant and unavoidable with the implementation of recommended mitigation measures; and

(b) Agricultural Resources **-** Project-specific impacts and cumulative impacts would remain significant and unavoidable.

(c) Transportation – Impacts related to intersections are projected to be cumulatively significant and unavoidable.

(d) Greenhouse Gas Emissions - Project-specific impacts and cumulative impacts would remain significant and unavoidable.

SECTION 3: ***Recommendation.*** Based upon the findings and conclusions set forth in Sections 1 and 2 above, the Planning Commission hereby recommends that the City Council certify the Project EIR, adopt a Statement of Overriding Considerations, and that the associated Mitigation Monitoring Program also be approved by the City Council.

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 28th day of July, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. PC20-[insert #] was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, CALIFORNIA, RECOMMENDING THE CITY COUNCIL APPROVE FILE NO. PGPA18-008, AN AMENDMENT TO THE LAND USE ELEMENT OF THE POLICY PLAN (GENERAL PLAN), REVISING EXHIBIT LU-01 (OFFICIAL LAND USE PLAN) AND EXHIBIT LU-03 (FUTURE BUILDOUT), AFFECTING PROPERTIES BOUNDED BY EUCALYPTUS AVENUE ON THE NORTH, MERRILL AVENUE ON THE SOUTH, SULTANA AVENUE ON THE EAST, AND EUCLID AVENUE ON THE WEST, FROM GENERAL COMMERCIAL (0.4 FAR), OFFICE COMMERCIAL (0.75 FAR), AND LOW-MEDIUM DENSITY RESIDENTIAL (5.1-11 DWELLING UNITS PER ACRE) TO BUSINESS PARK (0.6 FAR) AND INDUSTRIAL (0.55 FAR), AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, AND 1054-281-03. (SEE ATTACHMENTS 1 AND 2) (PART OF CYCLE 2 FOR THE 2020 CALENDAR YEAR).

WHEREAS, REDA, OLV ("Applicant") has filed an Application for the approval of a General Plan Amendment, File No. PGPA18-008, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

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

WHEREAS, the proposed changes to Exhibit LU-01 Official Land Use Plan include changes to land use designations of certain properties shown on Exhibit A to make the land use designations of these properties consistent with the proposed Ontario Ranch Business Park Specific Plan (File No. PSP18-002); and

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

WHEREAS, the Project is located within the Airport Influence Area of Ontario International Airport, which encompasses lands within parts of San Bernardino, Riverside, and Los Angeles Counties, and is subject to, and must be consistent with, the policies and criteria set forth in the Ontario International Airport Land Use Compatibility Plan (“ALUCP”), which applies only to jurisdictions within San Bernardino County, and

addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

WHEREAS, 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 July 28, 2020, the Planning Commission recommended approval of a Resolution recommending City Council adopt the Ontario Ranch Business Park Specific Plan Environmental Impact Report (State Clearinghouse No. 2019050018) including the adoption of a Mitigation Monitoring and Reporting Plan and a Statement of Overriding Considerations; and

WHEREAS, on July 28, 2020 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 Ontario Ranch Business Park Specific Plan Environmental Impact Report (EIR) (SCH#: 2019050018), the Mitigation Monitoring and Reporting Program ("MMRP"), and a Statement of Overriding Considerations, prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR, the MMRP, the Statement of Overriding Considerations and supporting documentation, and the administrative record, including all written and oral evidence presented to the Planning Commission, the Planning Commission finds as follows:

(1) The Ontario Ranch Business Park Specific Plan EIR, MMRP, Statement of Overriding Considerations, and administrative record have been completed in compliance with CEQA, the State CEQA Guidelines and the City of Ontario Local CEQA Guidelines; and

(2) The Ontario Ranch Business Park Specific Plan EIR, MMRP, and Statement of Overriding Considerations contain a complete and accurate reporting of the environmental impacts associated with the Project and reflects the independent judgment of the Planning Commission; and

SECTION 2: ***Ontario International 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. The project site is located in the Chino Airport's airport influence area (AIA) but outside the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The project site is within Safety Zone 6, Traffic Pattern Zone of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. In the San Bernardino County Chino Airport Comprehensive Land Use Plan, the site is within Safety Zone III, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within this zone, provided that they do not generate any visual, electronic or physical hazards to aircraft (Vidal 1991). The Airport Land Use Compatibility Plan (ALUCP) for Chino Airport completed by the County of Riverside in 2008 provides additional guidance for development around Chino Airport. The project site is not within an existing or current airport noise hazard zone and is in Zone D as designated in the ALUCP (Mead and Hunt 2004a).

SECTION 3: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Sections 1 and 2, above, the Planning Commission hereby concludes as follows:

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

(a) **LU2-1 Land Use Decisions.** We minimize adverse impacts on adjacent properties when considering land use and zoning requests.

Compliance: The proposed General Plan Amendment closely coordinates with land use designations in the surrounding area which will not increase adverse impacts on adjacent properties. The project site is also impacted by aircraft traffic patterns from Runway 3-21, where aircraft fly directly over the project site from (TGL) Touch-and-Go Landings (a maneuver where aircraft are landing on a runway and taking off again without coming to a full stop and the pilot then circles the airport in a defined pattern to allow many landings to be practiced in a short time). The existing General Commercial, Office Commercial and Medium Density Residential are not considered compatible land uses with Chino Airport, per the City's draft ALUCP for Chino Airport and therefore staff is in support of the proposed GPA. In addition, the State Division of Aeronautics prohibits the development of new incompatible land uses surrounding existing airports, the proposed project would create land use consistency with Chino Airport and satisfy the criteria set forth in the Handbook.

(b) **LU4-1 Commitment to Vision.** We are committed to achieving our Vision but realize that it may take time and several interim steps to get there.

Compliance: The proposed land use designation change from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park and Industrial and will provide consistency between the TOP Policy Plan Land Use Plan and the proposed West Ontario Commerce Center Specific Plan and will result in a logical land use pattern in and around the affected areas.

(c) **LU5-7 ALUCP Consistency with Land Use Regulations**. We comply with state law that required general plans, specific plans and all new development by consistent with the policies and criteria set forth within an Airport Land Use Compatibility Plan for any public use airport.

Compliance: The proposed project is located within the Safety, Noise, Airspace Protection and Overflight Zones of the ALUCP. A consistency determination was completed and the proposed project is consistent with the policies and criteria of the ALUCP, subject to conditions. However, the project site is located within the Chino Airport's airport influence area (AIA) but outside the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The project site is within Safety Zone 6, Traffic Pattern Zone of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. In the San Bernardino County Chino Airport Comprehensive Land Use Plan, the site is within Safety Zone III, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within this zone, provided that they do not generate any visual, electronic or physical hazards to aircraft (Vidal 1991). The Airport Land Use Compatibility Plan (ALUCP) for Chino Airport completed by the County of Riverside in 2008 provides additional guidance for development around Chino Airport. The project site is not within an existing or current airport noise hazard zone and is in Zone D as designated in the ALUCP (Mead and Hunt 2004a).

(d) **S4-6 Airport Noise Compatibility.** We utilize information from Airport Land Use Compatibility Plans to prevent the construction of new noise sensitive land uses within airport noise impact zones.

Compliance: The project site is located entirely within the 70-75 dB CNEL Noise Impact Zone of the ALUCP. The proposed uses include warehouse, light manufacturing and ancillary office/commercial uses. These uses are consistent with ALUCP Table 2-3 (Noise Criteria); provided, the light manufacturing and office/commercial uses are able to meet

noise attenuating criteria of 50 dB interior noise levels. The proposed land use designations are compatible with the Noise Impact area

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

(3) The Land Use Element is a mandatory element allowed four general plan amendments per calendar year and this general plan amendment is the second amendment to the Land Use Element of the 2020 calendar year consistent with Government Code Section 65358;

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

Senate Bill 330 – Housing Accountability Act (Govt. Code § 65589.5 et seq.) (SB 330) was passed by the California Legislature, signed by the Governor and became effective on January 1, 2020. The bill is the result of the Legislature's extensive findings regarding the California "housing supply crisis" with "housing demand far outstripping supply."

SB 330 amends Govt. Code Sections 65589.5, adds Govt. Code Sections 65940, 65943 and 65950, and repeals and readopts Sections 65906.5, 65913.10 and 65941.1. To summarize, no city may disapprove a residential housing development project for low- to moderate-income households (as defined therein) unless it makes a finding that the housing development project "would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households…" such as where the housing development project is proposed on land "which does not have adequate water or wastewater facilities to serve the project." (Govt. Code § 65589.5(d)(2), (4)).

In addition, the legislation adds Chapter 12 to Division 1 of Title 7 of the Government Code (Section 66300 et seq.) that applies to "affected cities," which are identified as cities in urbanized areas as determined by the most recent census. In accordance with SB 330, the Department of Community Development and Housing ("HCD") has prepared a list of affected cities and has determined that Ontario is an "affected city." Therefore, pursuant to Government Code section 66300(b)(1)(A) and (b):

> *(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an \ affected city shall not enact a development policy, standard, or condition that would have any of the following effects:*

> *(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018…"*

except when approved by HCD or when the following exception is set out in Govt. Code § 66300(i)(1) applies:

> *(i) (1) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.*

As discussed in Section 2 of the staff report, the General Plan Amendment (GPA) is proposed to change the site's land use designations from General Commercial, Office Commercial and Low-Medium Density Residential to approximately 23.8 acres of Business Park (0.6 FAR) and 61.8 acres of Industrial (0.55 FAR). The General Plan Amendment will allow development of up to 236,000 square feet of business park and 1,669,027 square feet of industrial, for a maximum development of 1,905,027 square feet. The GPA would therefore eliminate the low-moderate density housing designation, thereby theoretically eliminating 159 units (as determined by the City's density determinations to be 8.5 dwelling units per acre [du/ac.]). In compliance with SB330, the EIR evaluated the elimination of 159 units and determined that based on SB 330 Exceptions for lack of water and sewer to serve a residential project and the no net loss of residential capacity, the project is consistent with HCD exception findings. The proposed project site does not have sufficient water or wastewater facilities to serve a residential project. As explained in Section 3.4.1.2, of the DEIR, at present there is no water or sewer infrastructure that could serve residential units because the land has been used for agricultural purposes with water provided by on-site wells and sewer provided by septic systems. The total estimated cost of the proposed water and sewer infrastructure is $13.1 million and $9.4 million, respectively (Murow 2020; Appendix N of this DEIR). This cost would be financially infeasible for the 159 units presently allowed under the current residential General Plan designation and therefore the cost of such improvements would make residential development on the site financially infeasible (see Govt. Code § 66589.5(d)(2) cited above).

To address the removal of 159 low-moderate residential units at a density of 8.5 dwelling units per acre and demonstrate a "No net loss", the project is in compliance with provisions of Section 66300(i)(1) have been met and there is no net loss of residential capacity. On December 17, 2019, the City Council approved an Amendment to the

Meredith International Centre Specific Plan (File No. PSPA19-002) to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. The Meredith International Centre Specific Plan is listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The Specific Plan allowed 800 dwelling units at a density of 37 dwelling units per acre, which have all been constructed. The Specific Plan amendment approved in December 2019 provides for an additional 925 residential units at a density of 41 dwelling units per acre, which will add 925 units to the Available Land Inventory Table. The Addendum to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020) certified by the City Council on April 7, 2015, approved on December 17, 2019, supports that change in the Specific Plan that results in 975 additional residential units within the City. On March 30, 2020, the City Council approved a General Plan Amendment to The Ontario Plan ("TOP") Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the addition of 975 residential units, assumed density and intensity for the Mixed-Use/Meredith section of the Buildout Table. The loss of 159 units under the current Policy Plan designation will be directly offset by the addition of 975 units and therefore resulting in a no net loss.

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

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the proposed General Plan Amendment, as depicted in Attachment 1 (Policy Plan Land Use Plan (Exhibit LU-01) Revision) and Attachment 2 (Future Buildout (Exhibit LU-03) Revision) of this Resolution.

SECTION 5: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

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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 28th day of July, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

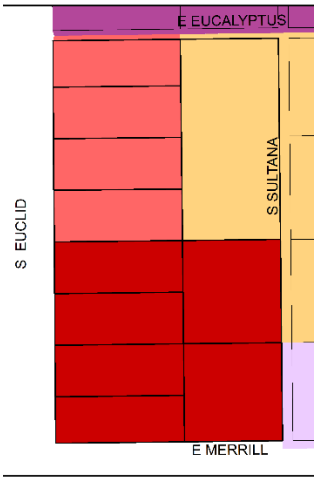
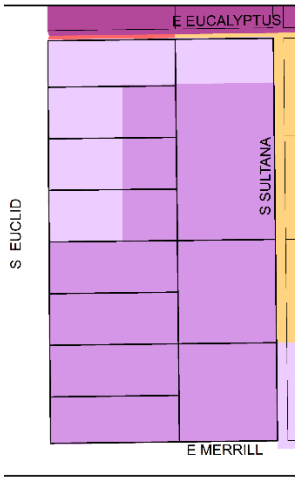
NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT 1: Policy Plan Land Use Plan (Exhibit LU-01) Revision

Existing Policy Plan Land Use	Assessor Parcel Numbers Involved	Proposed Policy Plan Land Use
 Office Commercial (0.75 FAR) General Commercial (0.4 FAR) Low-Medium Density Residential (5.1-11 du/ac)	105428101 105428103 105428102 105427102 105427102 105427101 105401102 105401102 105402101 105427103 105427102 105427101 105401101 105402101 105401104 105402102 Properties bound by Eucalyptus Avenue to the north, Sultana Avenue to the east, Merrill Avenue to the south, and Euclid Avenue to the west	 Business Park (0.60 FAR) Industrial (0.55 FAR)

ATTACHMENT 2: Future Buildout (Exhibit LU-03) Revision

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Residential						
Rural	529	2.0 du/ac	1,059	4,232		
Low Density[6]	7,255	4.0 du/ac (OMC) 4.5 du/ac (NMC)	30,584	122,244		
Low-Medium Density[6]	~~1,000~~ 981	8.5 du/ac	~~8,500~~ 8,339	~~33,976~~ 33,331		
Medium Density	1,897	18.0 du/ac (OMC) 22.0 du/ac (NMC)	38,200	133,791		
High Density	183	35.0 du/ac	6,415	21,470		
Subtotal	~~*10,865*~~ *10,845*		~~*84,758*~~ *84,597*	~~*315,713*~~ *315,068*		
Mixed Use						
• Downtown	113	• 60% of the area at 35 du/ac • 40% of the area at 0.80 FAR for office and retail	2,365	4,729	1,569,554	2,808
• East Holt Boulevard	57	• 25% of the area at 30 du/ac • 50% of the area at 1.00 FAR office • 25% of area at 0.80 FAR retail	428	856	1,740,483	3,913
• Meredith	93	• 23% of the area at 37.4 du/ac • 72% at 0.35 FAR for office and retail uses • 5% at 0.75 FAR for Lodging	800	1,600	1,172,788	1,462
• Transit Center	76	• 10% of the area at 60 du/ac • 90% of the area at 1.00 FAR office and retail	457	913	2,983,424	5,337
• Inland Empire Corridor	37	• 50% of the area at 20 du/ac • 30% of area at 0.50 FAR office • 20% of area t 0.35 FAR retail	368	736	352,662	768
• Guasti	77	• 20% of the area at 30 du/ac • 30% of area at 1.00 FAR retail • 50% of area at 0.70 FAR office	465	929	2,192,636	4,103
• Ontario Center	345	• 30% of area at 40 du/ac • 50% of area at 1.00 FAR office • 20% of area at 0.50 FAR retail	4,139	8,278	9,014,306	22,563
• Ontario Mills	240	• 5% of area at 40 du/ac • 20% of area at 0.75 FAR office • 75% of area at 0.50 FAR retail	479	958	5,477,126	7,285
• NMC West/South	315	• 30% of area at 35 du/ac • 70% of area at 0.70 FAR office and retail	3,311	6,621	6,729,889	17,188
• NMC East	264	• 30% of area at 25 du/ac • 30% of area at 0.35 FAR for office • 40% of area at 0.3 FAR for retail uses	1,978	3,956	2,584,524	4,439
• Euclid/Francis	10	• 50% of the area at 30 du/ac • 50% of area at 0.80 FAR retail	156	312	181,210	419
• SR-60/ Hamner Tuscana Village	41	• 18% of the area at 25 du/ac • 57% of the area at 0.25 FAR retail • 25% of the area at 1.50 FAR office	185	369	924,234	2,098
Subtotal	***1,668***		***15,129***	***30,257***	***34,922,836***	***72,383***

LU-03 Future Buildout[1]

Land Use	Acres[2]	Assumed Density/Intensity[3]	Units	Population[4]	Non-Residential Square Feet	Jobs[5]
Retail/Service						
Neighborhood Commercial[6]	281	0.30 FAR			3,671,585	8,884
General Commercial	~~519~~ 476	0.30 FAR			~~6,788,695~~ 6,220,368	~~6,307~~ 5,799
Office/ Commercial	~~514~~ 490	0.75 FAR			~~16,805,775~~ 16,008,300	~~37,269~~ 35,497
Hospitality	142	1.00 FAR			6,177,679	7,082
Subtotal	~~*1,457*~~ *1,389*				~~*33,443,735*~~ *32,077,932*	~~*59,542*~~ *57,262*
Employment						
Business Park	~~1,507~~ 1,531	0.40 FAR			~~26,261,610~~ 26,676,144	~~46,075~~ 46,817
Industrial	~~6,384~~ 6,446	0.55 FAR			~~152,947,800~~ 154,433,268	~~134,383~~ 134,511
Subtotal	~~*7,891*~~ *7,977*				~~*179,209,410*~~ *181,109,412*	~~*180,459*~~ *181,328*
Other						
Open Space–Non-Recreation	1,232	Not applicable				
Open Space–Parkland[6]	950	Not applicable				
Open Space-Water	59	Not applicable				
Public Facility	97	Not applicable				
Public School	632	Not applicable				
LA/Ontario International Airport	1,677	Not applicable				
Landfill	137	Not applicable				
Railroad	251	Not applicable				
Roadways	4,871	Not applicable				
Subtotal	***9,906***					
Total	***31,786***		~~*99,887*~~ *99,726*	~~*345,971*~~ *345,325*	~~*247,575,980*~~ *248,110,180*	~~*312,383*~~ *310,973*

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

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ONTARIO, RECOMMENDING THE CITY COUNCIL APPROVE THE ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN (FILE NO. PSP18-002), TO ESTABLISH LAND USE DISTRICTS, DEVELOPMENT STANDARDS, DESIGN GUIDELINES, AND INFRASTRUCTURE IMPROVEMENTS FOR THE POTENTIAL DEVELOPMENT OF UP TO 1,905,027 SQUARE FEET OF GENERAL INDUSTRIAL AND BUSINESS PARK LAND USES ON 85.6 ACRES OF LAND. THE PROJECT SITE IS GENERALLY BORDERED BY EUCALYPTUS AVENUE ON THE NORTH, MERRILL AVENUE ON THE SOUTH, SULTANA AVENUE ON THE EAST, AND EUCLID AVENUE ON THE WEST, AND MAKING FINDINGS IN SUPPORT THEREOF—APNS: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03.

WHEREAS, REDA, OLV (“Applicant”) has filed an Application for the approval of a Specific Plan, File No. PSP18-002, as described in the title of this Resolution (hereinafter referred to as "Application" or "Project"); and

WHEREAS, the Application applies to approximately 85.6 acres of land, bounded by Eucalyptus Avenue to the north, Merrill Avenue to the south, Sultana Avenue on the east, and Euclid Avenue on the west, within the Business Park and Industrial land use designations, and is presently improved with agriculture/dairy and single-family residential uses; and

WHEREAS, the property to the north of the project site is within the SP(AG) zoning district and is currently developed with a plant nursery and a dairy farm. The property to the east is within the SP(AG) zoning district and is currently developed with a dairy farm. The property to the south of the project site is located within the City of Chino and is developed with the Chino Airport. The properties to the west of the project site are located within the City of Chino and are developed with single-family residential homes or are vacant; and

WHEREAS, the Ontario Ranch Business Park Specific Plan establishes a comprehensive set of design guidelines and development regulations to guide and regulate site planning, landscape, and architectural character, and ensuring that excellence in community design is achieved during project development. In addition, the Specific Plan will establish the procedures and requirements to approve new development within the project site to ensure TOP goals and policies are achieved; and

WHEREAS, the Ontario Ranch Business Park Specific Plan consists of approximately 85.6 acres of land, which includes the potential development of up to 1,905,027 square feet of business park and industrial development; and

WHEREAS, a request for approval of a General Plan Amendment (File No. PGPA18-008) to change the land use designations shown on the Land Use Plan Map (EXHIBIT LU-1) for 85.6 acres of land from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park (0.6 FAR) and Industrial (0.55 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes has also been submitted as part of the proposed Ontario Ranch Business Park Specific Plan; and

WHEREAS, the land use intensity of the Ontario Ranch Business Park Specific Plan anticipated in the two planning areas is consistent with The Ontario Plan (TOP). The Specific Plan is proposing a maximum 0.45 Floor Area Ratio (FAR) within the Business Park land use designation (Planning Area 1) located along the northern portion of the Specific Plan area. Planning Area 1 is 23.8 acres in size and can be potentially developed with 457,904 square feet of business park development. In addition, buildings within the Business Park land use area that front onto a public right-of-way shall not exceed a 125,000 square-foot building footprint. The Specific Plan is proposing a maximum 0.54 Floor Area Ratio (FAR) within the Industrial land use designation (Planning Area 2) located along the southern portion of the Specific Plan. Planning Area 2 is 61.8 acres in size and can potentially be developed with 1,447,123 square feet of industrial development. The proposed FARs for each of the Planning Areas is consistent with the Policy Plan Land Use designations for Business Park and Industrial; and

WHEREAS, the Ontario Ranch Business Park Specific Plan allows for the potential increase in FAR for Planning Areas 1 and 2, not to exceed the maximum FAR as established in The Ontario Plan (0.6 FAR for Business Park and 0.55 for Industrial), provided a Specific Plan Amendment and appropriate CEQA analysis is reviewed and approved; and

WHEREAS, the Ontario Ranch Business Park Specific Plan has been prepared in conformance with the goals and policies of the City of Ontario Policy Plan (General Plan). The policy (General Plan) analysis in the Appendix “Policy Plan (General Plan) Consistency,” of the Specific Plan describes the manner in which the Ontario Ranch Business Park Specific Plan complies with the Policy Plan goals and policies applicable to the Colony Commerce East Specific Plan; and

WHEREAS, the Ontario Ranch Business Park Specific Plan does not conflict with the Land Use Policies of the General Plan (TOP) and will provide for development, in a manner consistent with the General Plan. The policy (General Plan) analysis in the Appendix “Policy Plan (General Plan) Consistency,” of the Specific Plan describes the manner in which the Ontario Ranch Business Park Specific Plan complies with the Policy Plan goals and policies applicable to the Ontario Ranch Business Park Specific Plan; and

WHEREAS, an Environmental Impact Report (EIR) (SCH# 2019050018) including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration have been prepared in accord with the California Environmental Quality (CEQA), the State CEQA Guidelines and the City of Ontario Guidelines to address the environmental effects of the Specific Plan (Ontario Ranch Business Park); and

WHEREAS, Ontario Development Code Table 2.02-1 (Review Matrix) grants the Planning Commission the responsibility and authority to review and make a recommendation on the subject Application; and

WHEREAS, the Project has been reviewed for consistency with the Housing Element of the Policy Plan component of The Ontario Plan, as State Housing Element law (as prescribed in Government Code Sections 65580 through 65589.8) requires that development projects must be consistent with the Housing Element, if upon consideration of all its aspects, it is found to further the purposes, principals, goals, and policies of the Housing Element; and

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

WHEREAS, the project site is also located within the Airport Influence of Chino Airport and must be consistent with policies and criteria set forth within the 2011 California Airport Land Use Planning Handbook published by the California Department of Transportation, Division of Aeronautics, which addresses the noise, safety, airspace protection, and overflight impacts of current and future airport activity; and

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

WHEREAS, on July 28, 2020, 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 Environmental Impact Report (EIR), Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration prepared for the project and supporting documentation. Based upon the facts and information contained in the EIR (SCH# 2019050018) and supporting documentation, the Planning Commission finds as follows:

(1) The Ontario Ranch Business Park Specific Plan EIR, Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration contains a complete and accurate reporting of the environmental impacts associated with the Project; and

(2) The Ontario Ranch Business Park Specific Plan EIR, Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration was completed in compliance with CEQA and the Guidelines promulgated thereunder; and

(3) The Ontario Ranch Business Park Specific Plan EIR, Mitigation Monitoring and Reporting Program and a Statement of Overriding Consideration reflects the independent judgment of the Planning Commission.

SECTION 2: ***Ontario International Airport Land Use Compatibility Plan ("ALUCP") Compliance and Chino Airport Influence Area.*** 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. The project site is located in the Chino Airport's airport influence area (AIA) but outside the Chino Airport zoning overlay. Land use compatibility assessments are part of the Chino Airport Master Plan. The project site is within Safety Zone 6, Traffic Pattern Zone of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people intensive uses such as stadiums, large day care centers, hospitals, and nursing homes. In the San Bernardino County Chino Airport Comprehensive Land Use Plan, the site is within Safety Zone III, Traffic Pattern/Overflight Zone. Light industrial and manufacturing uses are acceptable within this zone, provided that they do not generate any visual, electronic or physical hazards to aircraft (Vidal 1991). The Airport Land Use Compatibility Plan (ALUCP) for Chino Airport completed by the County of Riverside in 2008 provides additional guidance for development around Chino Airport. The project site is not within an existing or current airport noise hazard zone and is in Zone D as designated in the ALUCP (Mead and Hunt 2004a).

SECTION 3: ***Concluding Facts and Reasons.*** Based upon the substantial evidence presented to the Planning Commission during the above-referenced hearing, and upon the specific findings set forth in Section 1 and 2, above, the Planning Commission hereby concludes as follows:

(1) The approximately 85.6-acre Ontario Ranch Business Park Specific Plan is suitable for business park and industrial development and 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 land uses in the proposed districts will also be in harmony in terms of access, size, and compatibility with existing land use in the surrounding area; and

(2) The proposed Ontario Ranch Business Park Specific Plan is in conformance with the Land Use Policies and Goals of the Policy Plan and will provide standards and guidelines for the harmonious development within the districts, in a manner consistent with the Policy Plan. The Specific Plan is proposing business park and industrial type development for the approximately 85.6-acre site, which is what is mandated by the land use plan of the Policy Plan, therefore, the proposed industrial uses will be in conformance with the policies and goals of the Policy Plan; and

(3) During the Ontario Ranch Business Park Specific Plan review, opportunities for the involvement of citizens, California Native American Indian tribes (Government Code Section 65352.3.), public agencies, public utility companies, and civic, education, and other community groups, through public hearings or other means were implemented consistent with California Government Code Section 65351; and

(4) The 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.

Senate Bill 330 – Housing Accountability Act (Govt. Code § 65589.5 et seq.) (SB 330) was passed by the California Legislature, signed by the Governor and became effective on January 1, 2020. The bill is the result of the Legislature's extensive findings regarding the California "housing supply crisis" with "housing demand far outstripping supply."

SB 330 amends Govt. Code Sections 65589.5, adds Govt. Code Sections 65940, 65943 and 65950, and repeals and readopts Sections 65906.5, 65913.10 and 65941.1. To summarize, no city may disapprove a residential housing development project for low- to moderate-income households (as defined therein) unless it makes a finding that the housing development project "would have a specific, adverse impact upon the public health or safety, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households…" such as where the housing development project is proposed on land "which does not have adequate water or wastewater facilities to serve the project." (Govt. Code § 65589.5(d)(2), (4)).

In addition, the legislation adds Chapter 12 to Division 1 of Title 7 of the Government Code (Section 66300 et seq.) that applies to "affected cities," which are identified as cities in urbanized areas as determined by the most recent census. In accordance with SB 330, the Department of Community Development and Housing ("HCD") has prepared a list of affected cities and has

determined that Ontario is an "affected city." Therefore, pursuant to Government Code section 66300(b)(1)(A) and (b):

> *(b) (1) Notwithstanding any other law except as provided in subdivision (i), with respect to land where housing is an allowable use, an \ affected city shall not enact a development policy, standard, or condition that would have any of the following effects:*
>
> *(A) Changing the general plan land use designation, specific plan land use designation, or zoning of a parcel or parcels of property to a less intensive use or reducing the intensity of land use within an existing general plan land use designation, specific plan land use designation, or zoning district below what was allowed under the land use designation and zoning ordinances of the affected county or affected city, as applicable, as in effect on January 1, 2018…"*

except when approved by HCD or when the following exception is set out in Govt. Code § 66300(i)(1) applies:

> *(i) (1) This section does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.*

As discussed in Section 2 of the staff report, the General Plan Amendment (GPA) is proposed to change the site's land use designations from General Commercial, Office Commercial and Low-Medium Density Residential to approximately 23.8 acres of Business Park (0.6 FAR) and 61.8 acres of Industrial (0.55 FAR). The General Plan Amendment will allow development of up to 236,000 square feet of business park and 1,669,027 square feet of industrial, for a maximum development of 1,905,027 square feet. The GPA would therefore eliminate the low-moderate density housing designation, thereby theoretically eliminating 159 units (as determined by the City's density determinations to be 8.5 dwelling units per acre [du/ac.]). In compliance with SB330, the EIR evaluated the elimination of 159 units and determined that based on SB 330 Exceptions for lack of water and sewer to serve a residential project and the no net loss of residential capacity, the project is consistent with HCD exception findings. The proposed project site does not have sufficient water or wastewater facilities to serve a residential project. As explained in Section 3.4.1.2, of the DEIR, at present there is no water or sewer infrastructure that could serve residential units because the land has been used for agricultural purposes with water provided by on-site wells and sewer provided by septic systems. The total estimated cost of the proposed water and sewer infrastructure is $13.1 million and $9.4 million, respectively (Murow 2020; Appendix N of this DEIR). This cost would be financially infeasible for the 159 units presently allowed under the current residential General Plan designation and therefore the cost of such

improvements would make residential development on the site financially infeasible (see Govt. Code § 66589.5(d)(2) cited above).

To address the removal of 159 low-moderate residential units at a density of 8.5 dwelling units per acre and demonstrate a "No net loss", the project is in compliance with provisions of Section 66300(i)(1) have been met and there is no net loss of residential capacity. On December 17, 2019, the City Council approved an Amendment to the Meredith International Centre Specific Plan (File No. PSPA19-002) to establish a Mixed-Use Overlay district on 22.39 acres of land within a portion of Planning Area 2 (Urban Commercial) land use district, located at the southeast corner of Vineyard Avenue and Inland Empire Boulevard. The Meredith International Centre Specific Plan is listed in the Available Land Inventory contained in Table A-3 (Available Land by Planning Area) of the Housing Element Technical Report Appendix. The Specific Plan allowed 800 dwelling units at a density of 37 dwelling units per acre, which have all been constructed. The Specific Plan amendment approved in December 2019 provides for an additional 925 residential units at a density of 41 dwelling units per acre, which will add 925 units to the Available Land Inventory Table. The Addendum to the Meredith International Centre Specific Plan Amendment Environmental Impact Report (SCH# 2014051020) certified by the City Council on April 7, 2015, approved on December 17, 2019, supports that change in the Specific Plan that results in 975 additional residential units within the City. On March 30, 2020, the City Council approved a General Plan Amendment to The Ontario Plan ("TOP") Policy Plan Future Buildout Table (Exhibit LU-03) to reflect the addition of 975 residential units, assumed density and intensity for the Mixed-Use/Meredith section of the Buildout Table. The loss of 159 units under the current Policy Plan designation will be directly offset by the addition of 975 units and therefore resulting in a no net loss.

SECTION 4: ***Planning Commission Action.*** Based upon the findings and conclusions set forth in Sections 1 through 3, above, the Planning Commission hereby RECOMMENDS THE CITY COUNCIL APPROVES the herein described Application, subject to each and every condition set forth in the Department reports attached hereto as "Attachment A," and incorporated herein by this reference.

SECTION 5: ***Indemnification.*** The Applicant shall agree to defend, indemnify and hold harmless, the City of Ontario or its agents, officers, and employees from any claim, action or proceeding against the City of Ontario or its agents, officers or employees to attack, set aside, void, or annul this approval. The City of Ontario shall promptly notify the applicant of any such claim, action, or proceeding, and the City of Ontario shall cooperate fully in the defense.

SECTION 6: ***Custodian of Records.*** The documents and materials that constitute the record of proceedings on which these findings have been based are located at the City of Ontario City Hall, 303 East "B" Street, Ontario, California 91764. The custodian for these records is the City Clerk of the City of Ontario.

SECTION 7: ***Certification to Adoption.*** The Secretary shall certify to the adoption of the Resolution.

- - - - - - - - - - - - - -

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

I hereby certify that the foregoing Resolution was duly and regularly introduced, passed and adopted by the Planning Commission of the City of Ontario at a regular meeting thereof held on the 28th day of July, 2020, and the foregoing is a full, true and correct copy of said Resolution, and has not been amended or repealed.

Jim Willoughby
Planning Commission Chairman

ATTEST:

Cathy Wahlstrom
Planning Director and
Secretary to the Planning Commission

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

I, Gwen Berendsen, Secretary Pro Tempore of the Planning Commission of the City of Ontario, DO HEREBY CERTIFY that foregoing Resolution No. ____ was duly passed and adopted by the Planning Commission of the City of Ontario at their regular meeting held on July 28, 2020, by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gwen Berendsen
Secretary Pro Tempore

ATTACHMENT A:

File No. PSP18-002
Ontario Ranch Business Park Specific Plan

(Document to follow this page)

ONTARIO RANCH **BUSINESS PARK SPECIFIC PLAN**

July 2020

ONTARIO RANCH BUSINESS PARK
SPECIFIC PLAN
City of Ontario

Specific Plan

Developer
Real Estate Development Associates, LLC
4450 MacArthur Blvd., Suite 100
Newport Beach, CA 92660
(949) 216-7300

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ONTARIO RANCH BUSINESS PARK SPECIFIC PLAN

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1.0 INTRODUCTION

The Ontario Ranch Business Park Specific Plan (this "Specific Plan") is one of the initial industrial specific plans implementing the vision outlined by the City of Ontario for the Ontario Ranch area (formerly New Model Colony). The Ontario Ranch area covers 8,200 acres of the former 14,000-acre San Bernardino Agricultural Preserve, which was historically used for dairy or cattle farming by descendants of Dutch, French Basque, Portuguese, and Mexican families.

The Agricultural Preserve was divided in 1999, with portions incorporated into the three adjacent cities of Chino, Chino Hills, and Ontario. The City of Ontario named its portion the *New Model Colony* after the original *Model Colony of Ontario* established by the Chaffey Brothers, William and George Jr., in 1882. The original Model Colony was founded on innovative land development principles that included the distribution of water rights with land purchases (Mutual Water Company), a grand boulevard (Euclid Avenue), and an agricultural college (Chaffey College, established 1885).

Within Ontario Ranch the City of Ontario promotes innovative land development principles to continue the legacy of the Model Colony. The land use plan for Ontario Ranch provides for housing, commercial and industrial areas, parks, a lake, a golf course, and trail and bike links. Specific plans are required to guide development in Ontario Ranch to ensure the City objectives are achieved.

On January 26, 2010, the City of Ontario adopted The Ontario Plan, which serves as its new business plan and includes a long-term vision and principle-based policy plan, essentially functioning as the General Plan for the city, including Ontario Ranch.

1.1 Purpose and Intent of the Specific Plan

The Ontario Ranch Business Park Specific Plan provides zoning regulations for development of the project site by establishing permitted land use, development standards, infrastructure requirements, and implementation requirements for development. A comprehensive set of design guidelines and development regulations are included to guide and regulate site planning, architectural character, and landscape within the community, ensuring that excellence in community design is achieved during project development. The Specific Plan establishes the procedures and requirements to approve new development within the project site.

The purpose of the Specific Plan is to:

1. Provide a planning framework that responds to the physical and market driven aspects of future development opportunities;
2. Specify adequate and coordinated infrastructure, utilities, and public services for this area of the Ontario Ranch;
3. Promote compatible uses and interfaces with adjacent properties;

4. Ensure the appropriate location and intensity of uses through new development parameters; and
5. Conform with State laws and local ordinances and policies for the preparation of the Specific Plan.

The objectives of the Specific Plan are to:

1. Create a professional, well-maintained and attractive environment for the development of a multi-purpose business park, light industrial and warehousing/logistics complex that is compatible with nearby residential neighborhoods.
2. Provide the entitlements and framework for the development of approximately 1.9 million square feet (sf) of business park and light industrial uses.
3. Provide employment opportunities for community residents.
4. Facilitate the construction of utilities, roads, and other major infrastructure investments that will be sufficiently sized to adequately serve the Specific Plan area.
5. Expand Ontario's industrial uses in proximity to local airports and regional transportation networks.
6. Create an economic engine to drive future growth in Ontario Ranch, spur infrastructure improvements in the area and implement the Specific Plan vision.

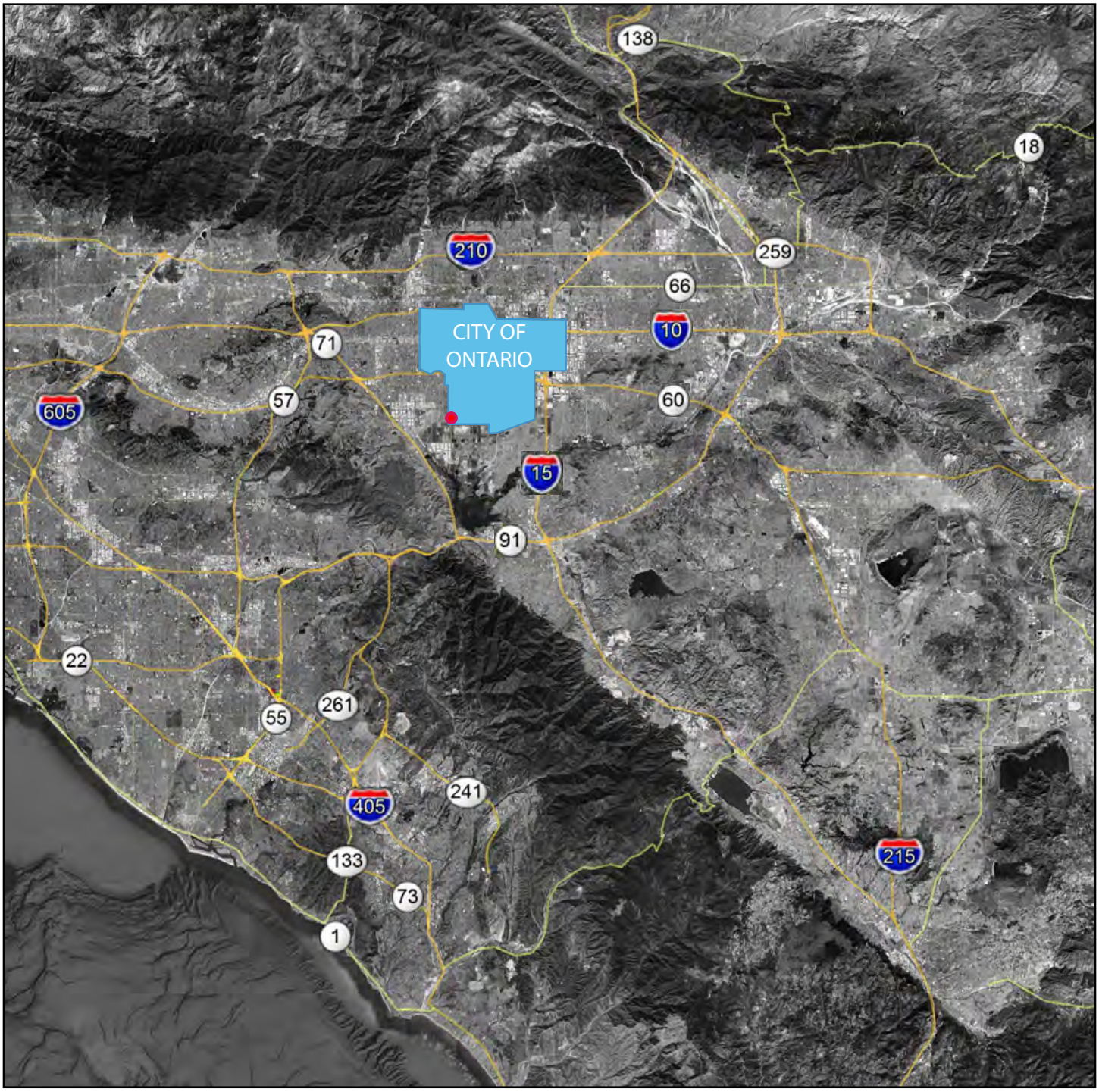
1.2 Project Description

This Specific Plan is the regulatory document for the Ontario Ranch Business Park, accommodating up to 1,905,027 square feet (sf) of business park and light industrial uses on approximately 85 acres of land. The Specific Plan addresses consistency with The Ontario Plan; provides a development plan identifying land uses, circulation, infrastructure, streetscape, and landscape plans; establishes allowable uses and development standards for reviewing individual projects; presents design guidelines to create a visually attractive environment; summarizes the development review process; and specifies provisions for administration and implementation of the Specific Plan.

Location and Specific Plan Boundary

The Specific Plan area is located along the western and southern boundaries of the city of Ontario, adjacent to the City of Chino (Figure 1.1), within Ontario Ranch (Figure 1.2). The Specific Plan area is bounded by Eucalyptus Avenue on the north, Sultana Avenue on the east, Merrill Avenue on the south, and Euclid Avenue on the west. Figure 1.3, Specific Plan Boundary, illustrates the limits of the Specific Plan area and identifies the eleven parcels that it encompasses.

FIGURE 1.1: **REGIONAL LOCATION**



SPECIFIC PLAN AREA

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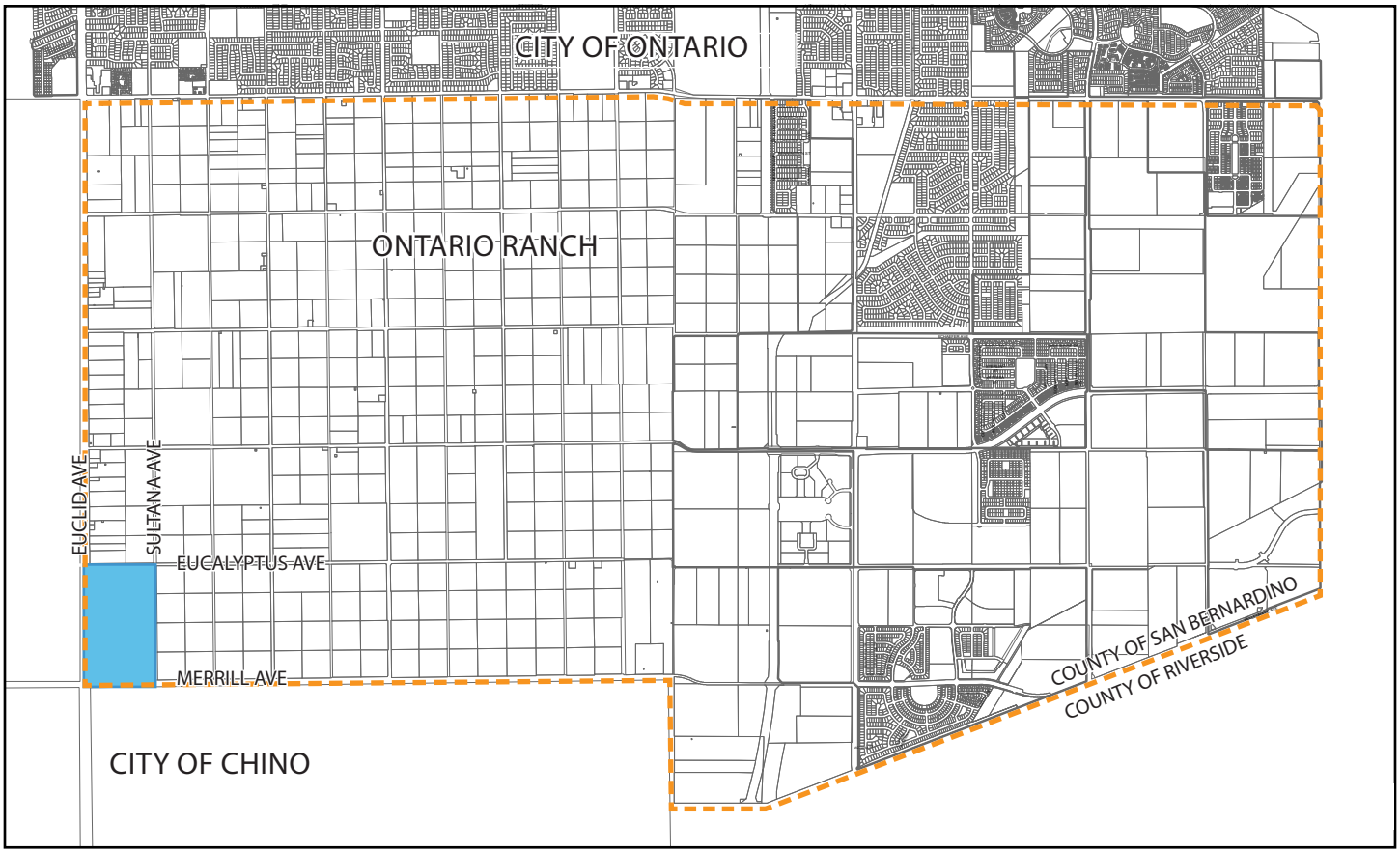
FIGURE 1.2: **ONTARIO RANCH**



SPECIFIC PLAN AREA

ONTARIO RANCH

EXISTING ASSESSOR PARCELS

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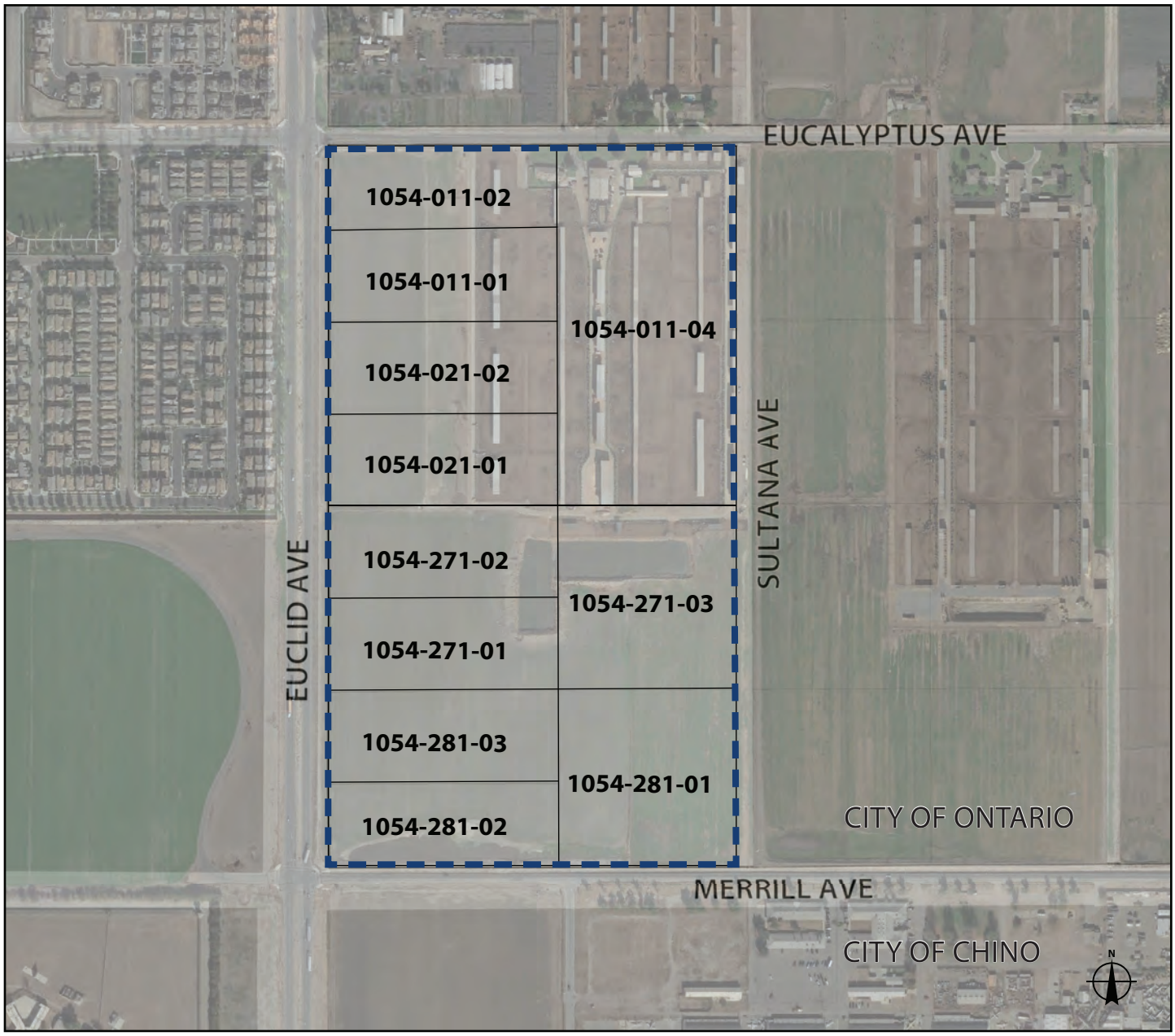
FIGURE 1.3: **SPECIFIC PLAN BOUNDARY**



Map data ©2018 Google, INEGI 0.25 mi

Specific Plan Boundary

Existing Assessor Parcels

Assessor Parcel Number (APN)

XXXX-XXX-XX

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Employment Generation

At build-out, the Ontario Ranch Business Park is anticipated to create hundreds of jobs in warehousing, logistics, light manufacturing, and administration. Actual job creation depends on the type of land uses ultimately developed, as a wide range of office, business park, and industrial uses are permitted. For example, e-commerce uses such as internet merchant fulfillment would yield more jobs than a distribution warehouse since many e-commerce companies employ labor-intensive picking and packing operations. Employment opportunities will range from entry level to highly skilled labor, adding to Ontario's competitive advantage in the region. Ontario Ranch Business Park will also provide expanded opportunities for start-up businesses.

Infrastructure Framework

In cooperation with adjacent property owners and developers, the Specific Plan will help establish the necessary framework to enable the continued growth and development of Ontario Ranch. The Specific Plan identifies master planned water, sewer, and storm drain infrastructure. The extent of infrastructure to be provided by Ontario Ranch Business Park will be established as part of the development agreement.

Community Compatibility

The Specific Plan is sensitive to the existing residential use located across the street on the west side of Euclid Avenue. Its land use plan designates the northern frontage and the western frontage across from the residential use as Business Park, which provides for smaller scale buildings with less intense uses. The Industrial designation is applied to the remainder of the Specific Plan area where there are no existing sensitive uses.

1.3 Specific Plan Requirements

The range of issues contained in a specific plan is left to the discretion of the decision-making body. However, all specific plans must, at a minimum, address the following:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the above identified items.

1.4 Authority and Scope

The Ontario Plan requires approval of a Specific Plan for development within Ontario Ranch to guide development of the project site, ensure unified districts and neighborhoods, and implement the City's goals and policies. The City of Ontario has zoned the project site SP (Specific Plan) Zoning District with an AG (Agriculture) Overlay District. This Specific Plan provides zoning regulations to govern development of the project site and shall take precedence over the City of Ontario Development Code. However, in instances where the Specific Plan is silent, the Development Code shall prevail.

The California Government Code (Title 7, Division 1, Chapter 3, Article 8, Sections 65450 through 65457) grants the City the authority to adopt a specific plan by ordinance (a regulatory plan) or resolution (a policy driven plan). This Specific Plan is a regulatory document, providing land use and design guidance adopted by ordinance.

As a regulatory plan, this document serves as zoning law for the land within the Specific Plan area. Development plans, site plans, and tentative tract and parcel maps must be consistent with this Specific Plan and The Ontario Plan. The topics covered in this Specific Plan include land use, infrastructure, development standards, design guidelines, and implementation measures. The minimum requirements of a specific plan are established by California Government Code Sections 65450 through 65457 and City of Ontario Code Sections 9-1.2100 to 9-1.2125.

No local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a specific plan unless it is consistent with the adopted specific plan (California Government Code Section 65455). The California Government Code also requires compatibility with local, regional and other planning measures. For example, the Specific Plan must be consistent with any applicable comprehensive airport land use plan (ALUP) (California Government Code Section 65302.3). After adoption, any identification of inconsistency must be followed by the amendment of either existing plans and regulations or the specific plan itself. Failure to correct inconsistencies can result in the inability to enforce specific plan regulations and policies.

1.5 California Environmental Quality Act Compliance

The Specific Plan is a discretionary project and is subject to the requirements of the California Environmental Quality Act (CEQA). Pursuant to State and local CEQA guidelines, an Environmental Impact Report addressing the impacts associated with the development of the project must be considered and certified by the City prior to approval of the Specific Plan.

To address potential environmental impacts, it is anticipated that an environmental impact report (EIR) will be prepared. The EIR will analyze the potential environmental impacts of the adoption and implementation of the Specific Plan and any concurrently processed permits. The EIR for the Specific Plan will be most helpful in dealing with

concurrently processed implementing projects (such as development within the Specific Plan and/or related infrastructure provision) and subsequent activities within the Specific Plan area. With a detailed analysis of the Specific Plan and development, many subsequent activities, such as grading permits or other development permits, could be found to be within the scope of the project described in the EIR, and no further environmental documents would be required.

1.6 Organization of this Specific Plan

The Specific Plan is organized by chapter as follows:

1. **Introduction.** This chapter states the purpose and intent of the Specific Plan, introduces the proposed project, summarizes specific plan requirements, and explains the scope and authority of the Specific Plan and its compliance with CEQA.

2. **Existing Conditions.** This chapter explains the baseline conditions for the project site including current and surrounding land uses, airport influence, circulation, utilities, and environmental conditions.

3. **Development Plan.** This chapter establishes the overall development concept for the Specific Plan including the land use plan, infrastructure plans for water, sewer, utilities, and circulation, and the provision of public services such as fire, police, and solid waste disposal.

4. **Land Use and Development Regulations.** This chapter establishes the land use designations and regulations for the Specific Plan. Upon adoption of this Specific Plan, the land use and development standards within this chapter serve as the legal zoning for the Specific Plan area.

5. **Design Guidelines.** This chapter identifies the conceptual themes for site planning, architecture, and landscape design in the Specific Plan area.

6. **Administration and Implementation.** This chapter provides requirements for the development review and administration of the Specific Plan including amendment procedures and implementation priorities.

7. **The Ontario Plan Consistency.** This chapter describes the Specific Plan's conformance with The Ontario Plan.

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2.0 EXISTING CONDITIONS

The following sections document the conditions prior to the adoption of this Specific Plan, including land uses, airport influence areas, Williamson Act contracts, land use designations, circulation, and environmental conditions.

2.1 Existing and Surrounding Land Uses

The Specific Plan area is occupied by agricultural uses, including a dairy farm, row crops, and vacant land. Dairy farming and agriculture have been the primary uses of the property since the 1930s or earlier.

Figure 2.1 shows the existing uses in the vicinity, which include:

- North across Eucalyptus Avenue: plant nursery, dairy farm
- South across Merrill Avenue (City of Chino): Chino Airport
- East: dairy farms, row crops, and vacant land
- West across Euclid Avenue (City of Chino): residential uses, vacant land, and the former Stark Youth Correctional Facility

The Ontario Plan designates the surrounding areas in Ontario Ranch for business park, industrial, and residential uses.

2.2 Airport Influence Areas

Ontario International Airport Influence Area

The Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) was adopted by the Ontario City Council on April 19, 2011. The intent of a compatibility plan is to avoid conflicts between airport operations and surrounding land uses. The Specific Plan area is not within the safety, noise impact, or airspace protection zones of the ONT ALUCP; however, it is within the Airport Influence Area, as is the entire City of Ontario. While a Real Estate Transaction Disclosure policy is not required for non-residential land, developers or tenants may purchase a Natural Hazard Disclosure report that would indicate that the property is in an Airport Influence Area.

Chino Airport Overlay Zone

The Specific Plan area is within Safety Zone 6 of the Chino Airport Overlay (Generic Safety Zones for General Aviation Airports from the Caltrans Division of Aeronautics – California Airport Land Use Planning Handbook). Zone 6 compatibility criteria prohibit people-intensive uses such as stadiums, large day care centers, hospitals, and nursing homes.

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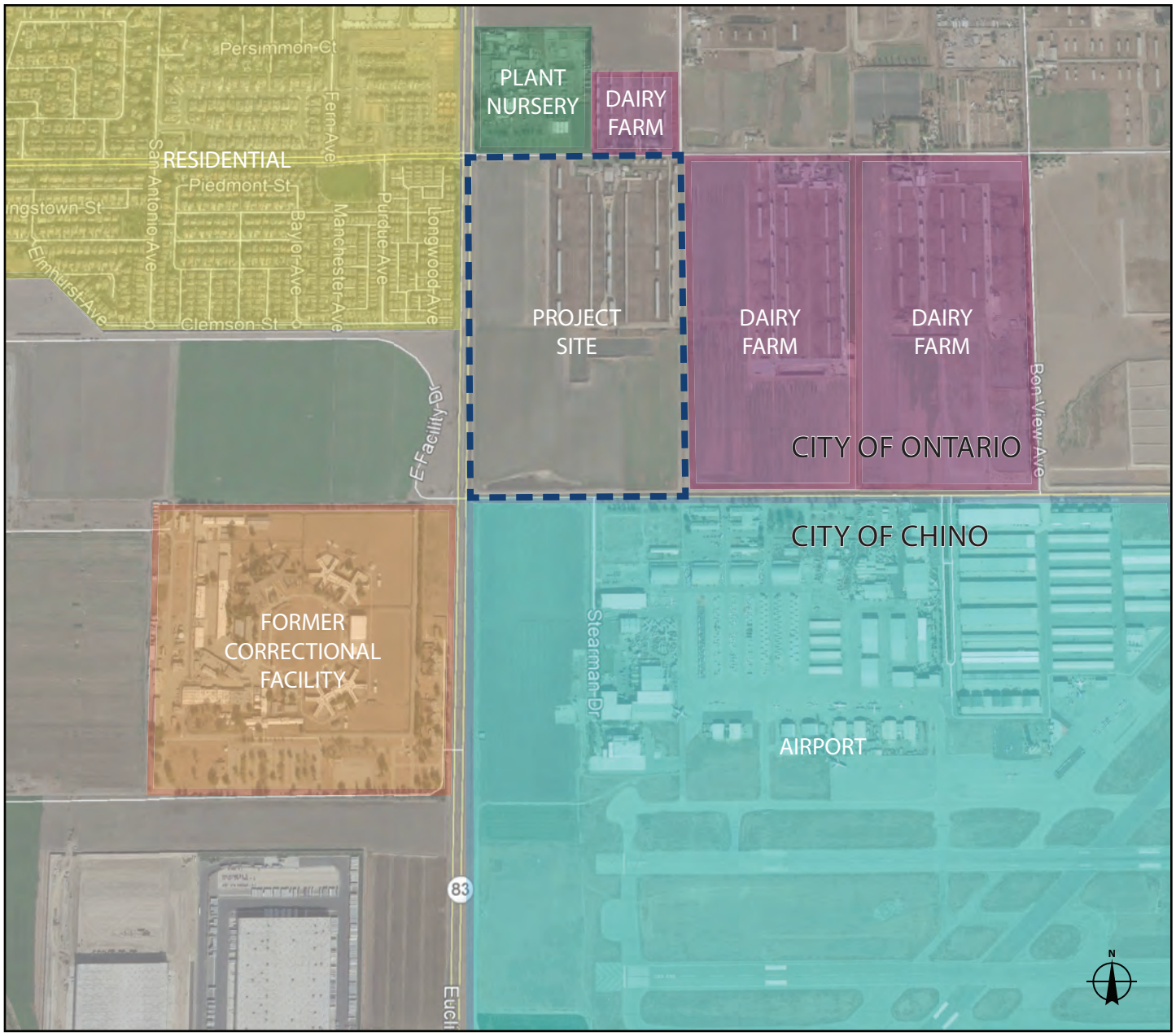
FIGURE 2.1: **SURROUNDING LAND USES**



Specific Plan Boundary

Map data ©2018 Google, INEGI 1,000 Feet

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The Specific Plan's land uses are compatible with these guidelines. The Handbook guidelines suggest the provision of approximately 10 percent usable open land in projects within Safety Zone 6. The Handbook further indicates that ideal emergency landing sites are ones that are long, level, free of obstacles and with minimum dimensions of 300 feet long by 75 feet wide, much like a runway. In the Specific Plan area, surrounding roads (Euclid, Eucalyptus, Sultana and Merrill Avenues), drive aisles, and truck parking lots can be considered as acceptable open lands in urbanized settings.

2.3 Williamson Act Contracts

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments that are much lower than normal because they are based upon farming and open space uses as opposed to full market value. The motivation for the Williamson Act is to promote voluntary land conservation, particularly farmland conservation. There are no active Williamson Act contracts located within the Specific Plan area.

2.4 Existing Ontario Plan and Zoning Designations

The Ontario Plan existing land use designations and existing zoning map designations for the Specific Plan area (prior to adoption of the Ontario Ranch Business Park Specific Plan) are shown in Figure 2.2.

The Ontario Plan existing land use designations are:

- General Commercial (0.4 Floor Area Ratio (FAR))
  Assessor Parcel Number (APN): 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02 and 1054-281-03
- Office Commercial (0.75 FAR)
  APN: 1054-011-01, 1054-011-02, 1054-021-01 and 1054-021-02
- Low-Medium Density Residential (5.1 – 11 dwelling units per acre)
  APN: 1054-011-04

The project includes an application for a General Plan Amendment to change the land use designations to Industrial and Business Park, as discussed in Chapter 3, Development Plan.

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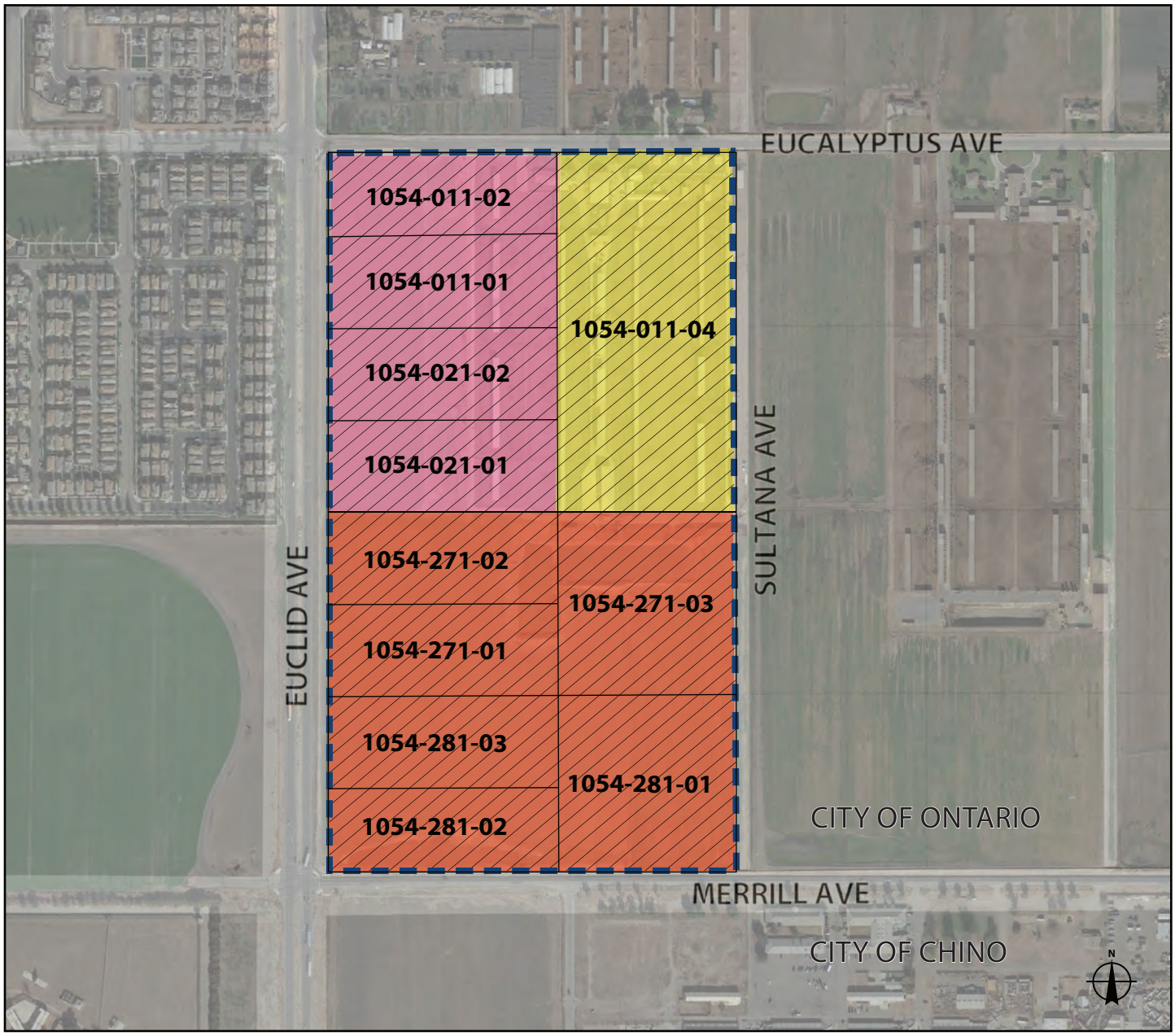
FIGURE 2.2: **EXISTING LAND USE AND ZONING**



Map data ©2018 Google, INEGI 0.25 mi

Specific Plan Boundary

Land Use Designation

- Low-Medium Density Residential
- Office Commercial
- General Commercial

Zoning Designation

- AG - Specific Plan

Assessor Parcel Number (APN)

XXXX-XXX-XX

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The existing zoning designation is SP (Specific Plan) Zoning District with an AG (Agriculture) Overlay District. The AG Overlay indicates that the land can continue to be used for agricultural uses, but the SP District designation requires approval of a specific plan by the City for urban development of the project site.

2.5 Existing Circulation

The Specific Plan area is located approximately three miles south of State Route 60 via State Route 83 (Euclid Avenue), which is located on the western boundary of the Specific Plan area, as shown in Figure 2.3.

Vehicular circulation in the Specific Plan area is provided by Eucalyptus Avenue on the north, Merrill Avenue on the south, and Euclid Avenue on the west.

Existing improvements for Euclid Avenue include interim pavement and an unimproved dirt center median. Euclid Avenue has a fully dedicated right-of-way as specified in The Ontario Plan.

Eucalyptus and Merrill Avenues are both substandard, requiring right-of-way dedication and major street and parkway improvements.

On the eastern boundary of the Specific Plan area, Sultana Avenue is a fully dedicated yet unimproved street that exists only on paper, requiring major street and parkway improvements.

Along Euclid Avenue traffic signals are located at the Eucalyptus Avenue and Merrill Avenue intersections.

Access to the site is currently provided via five driveway entrances located on Eucalyptus Avenue.

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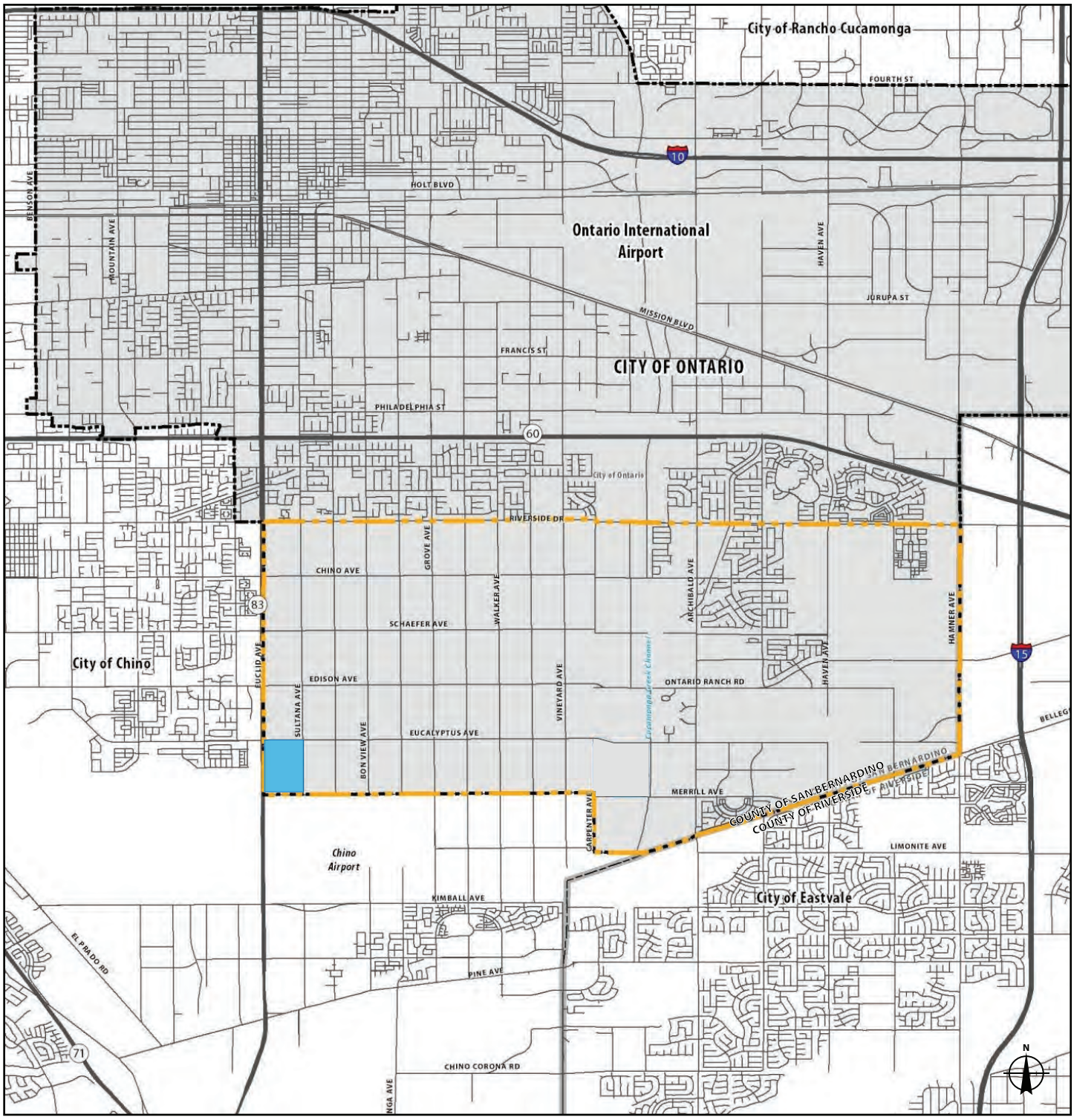
FIGURE 2.3: **REGIONAL CIRCULATION**



Ontario Ranch

Specific Plan Area

City of Ontario

Freeways/Highways

Roads

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2.6 Existing Environmental Conditions

Topography

The overall project site is moderately flat, sloping from north to south with approximately a 30-foot drop in elevation.

Geology, Soils, and Seismicity

The Phase I environmental site assessment (ESA) included boring to depths of 10 to 30± feet and trenching to depths of 4 to 12± feet. Soils encountered through boring and trenching consist of highly organic soils to depths of 1 to 1½± feet. The near-surface soils possess low to medium expansion potentials. Groundwater was not encountered in any of the soil borings conducted as part of the assessment

The near-surface soils are considered corrosive to ferrous metals, including ductile iron pipe. Additionally, the near surface soils encountered at a boring located in the cattle pen area possessed chloride concentrations that can be deleterious to steel in reinforced concrete. A methane gas survey determined on-site levels are below the threshold.

A geotechnical feasibility study on the Specific Plan site indicated that the proposed development is considered feasible from a geotechnical standpoint. The subject site is located in an area that is subject to strong ground motions due to earthquakes. Research of available maps indicates that the Plan area is not located within an Alquist-Priolo Earthquake Fault Zone. Furthermore, a geotechnical feasibility study did not identify any evidence of faulting during the geotechnical investigation. Therefore, the possibility of significant fault rupture on the site is considered low.

The potential for other geologic hazards such as seismically induced settlement, lateral spreading, tsunamis, inundation, seiches, flooding, and subsidence affecting the site is considered low. Research of the San Bernardino County Land Use Services website indicates that the subject site is not located within a zone of liquefaction susceptibility. Based on the mapping performed by San Bernardino County and the conditions encountered at the boring locations, liquefaction is not considered to be a design concern for development within the Specific Plan area.

Hydrology

Storm runoff from the project site generally drains from north to south. There are two detention areas onsite, one located in the center of the site and the other at the southerly portion of the site adjacent to Merrill Avenue.

The southeast portion of the Specific Plan area surface drains southerly to a dirt swale located adjacent to Merrill Avenue, then westerly to a set of four corrugated steel pipes, then southerly to an earthen channel adjacent to Euclid Avenue.

The remainder of the Specific Plan area surface drains southerly to an onsite detention basin, then southerly via a concrete spillway to the dirt swale adjacent to Merrill Avenue, the corrugated steel pipes, and finally the earthen channel adjacent to Euclid Avenue.

Areas north of the project site drain southerly towards Eucalyptus Avenue and then westerly towards Euclid Avenue. Eucalyptus Avenue is not fully improved, so it is possible that offsite flows from the north enter the project site.

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps, the project site is not located within a flood hazard zone.

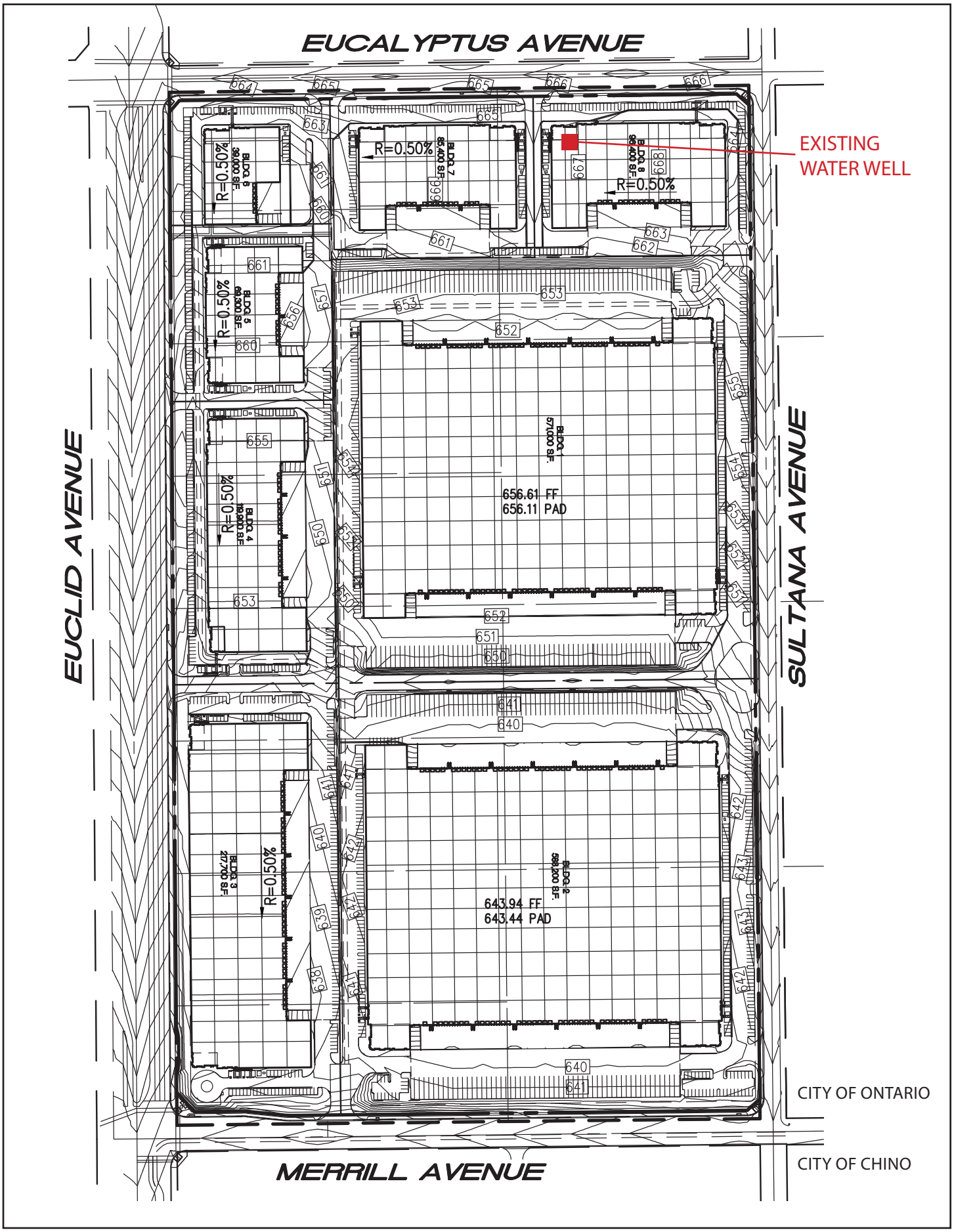
Biological Resources

The Specific Plan area generally represents low biological resource value due to highly disturbed site conditions and historic dairy/agricultural use, resulting in low biological diversity. There is limited vegetation on the majority of the site; the vegetation that exists is generally non-native grasses and weeds.

2.7 Existing Ground Water Wells

In compliance with the Chino Basin Water Master's Well Procedure for Developers, a well use/destruction plan and schedule for all existing private/agricultural wells shall be submitted to the City of Ontario for approval prior to the issuance of permits for any construction activity. If a private well is actively used for water supply, the Developer shall submit a plan to abandon such well and connect users to the City's water system (residential to the domestic water system and agricultural to the recycled water system) when available. Wells shall be destroyed/abandoned per the California Water Resource Guidelines and require permitting from County Health Department. The locations of existing wells are shown in Exhibit 2.4, "Existing Wells". A copy of such permit and Form DWR 188 Well Completion Form shall be provided to the Development Engineering Department and the Utilities Engineering Department prior to issuance of grading and/or building permits. If the Developer proposes temporary use of an existing agricultural well for purposes other than agriculture, such as grading, dust control, etc., the developer shall make a formal request to the City of Ontario for such use prior to issuance of permits for any construction activity. Upon approval, the Developer shall enter into an agreement with the City of Ontario and pay any applicable fees as set forth by the agreement.

FIGURE 2.4:**EXISTING GROUND WATER WELL**



3.0 DEVELOPMENT PLAN

This chapter provides the framework to guide development of the Ontario Ranch Business Park Specific Plan. The chapter presents the proposed planning areas, infrastructure plans, and public services to support the project.

3.1 Land Use Plan

The Specific Plan consists of two Planning Areas accommodating a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location within Safety Zone 3 of the Chino Airport. The Land Use Plan implements the vision of the Ontario Plan by providing opportunities for employment in manufacturing, distribution, and research and development at intensities designed to meet the demand of current and future market conditions. A list of allowable uses by Planning Area is presented in Chapter 4 (Land Use and Development Standards).

Figure 3.1 (Land Use Plan) identifies the location of the Planning Areas. The two Planning Areas are described below:

BP (Business Park) Zoning District: The BP zoning district accommodates industrial-serving commercial, low intensity office uses, and certain light industrial uses. Development within this district is typically multi-tenant in nature; however, single-tenant buildings are not precluded.

IG (Industrial - General) Zoning District: The IG zoning district accommodates storage and warehousing uses located in larger buildings on larger sites. Uses may include e-commerce, high cube warehouses, or distribution. A wide range of manufacturing and assembly uses are also permitted in this district.

Table 3.1 provides the maximum allowable gross building area for each Planning Area at its associated floor area ratio. Development standards (found in Chapter 4), such as setback requirements, parking, landscaping, infrastructure, and site design, may reduce the maximum gross square footage.

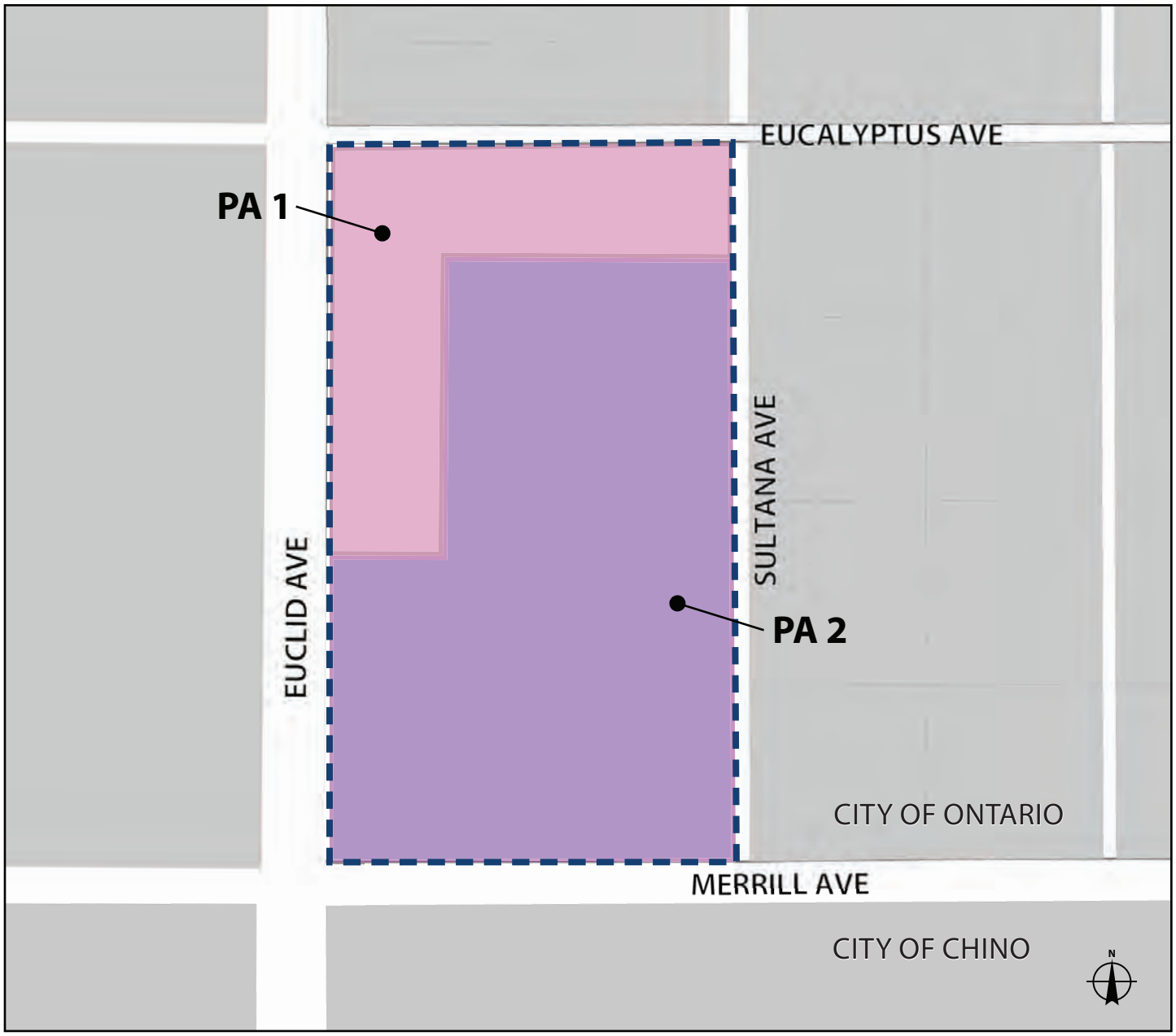
Table 3.1 Maximum Specific Plan Build-Out

Planning Area	Maximum Floor Area Ratio[1,2]	Site Acreage	Maximum Building Square Footage
Planning Area 1: Business Park	0.45	23.8	457,904
Planning Area 2: Industrial - General	0.54	61.8	1,447,123
TOTAL		**85.6**	**1,905,027 SF**

Note:

1. Provided the General Plan Amendment application submitted in conjunction with this Specific Plan to designate PA 1 as Business Park and PA 2 as Industrial - General is approved.
2. The project EIR as proposed is reviewing square footages below the maximum TOP thresholds. The FAR may be increased to the TOP max levels of 0.60 and 0.55 for BP and IG respectively with a Specific Plan Amendment and appropriate CEQA analysis.

FIGURE 3.1: **LAND USE PLAN**



Land Use Districts

Specific Plan Boundary

BP - Business Park

IG - Industrial General

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3.2 Conceptual Site Plan

The conceptual site plan for the Ontario Ranch Business Park Specific Plan is presented in Figure 3.2. Under this conceptual plan, Planning Area 1 (Business Park Zoning District) is developed with five buildings totaling 457,904 square feet (SF) and Planning Area 2 (Industrial – General Zoning District) is developed with three buildings totaling 1,447,123 SF (Table 3.2). Cumulatively, the eight buildings depicted in the conceptual site plan provide **1,905,027 SF** of development.

The conceptual site plan reflects current market trends, site conditions, and planned infrastructure. However, the conceptual site plan may be modified provided it does not exceed the maximum building area presented in Table 3.1 and complies with this Specific Plan and applicable provisions of the City of Ontario Development Code.

Table 3.2 Conceptual Site Plan

Planning Area	SP Zoning District	Site Acreage	Proposed Conceptual Building Square Footage
1	BP	23.8	457,904
2	IG	61.8	1,447,123
TOTAL		**85.6**	**1,905,027 SF**

3.3 Circulation Plan

The Circulation Plan (Figure 3.3) facilitates movement of vehicles, pedestrians and cyclists within the Specific Plan area, consistent with the City of Ontario's Roadway Classification System, shown in Figure 3.4.

Figure 3.5 presents typical street cross sections for Euclid, Eucalyptus, Sultana, and Merrill Avenues. Conceptual streetscape design is presented in Chapter 5 (Design Guidelines). Road surface, sidewalk, and trail improvements within the Specific Plan area must be approved by the City's Engineering Department.

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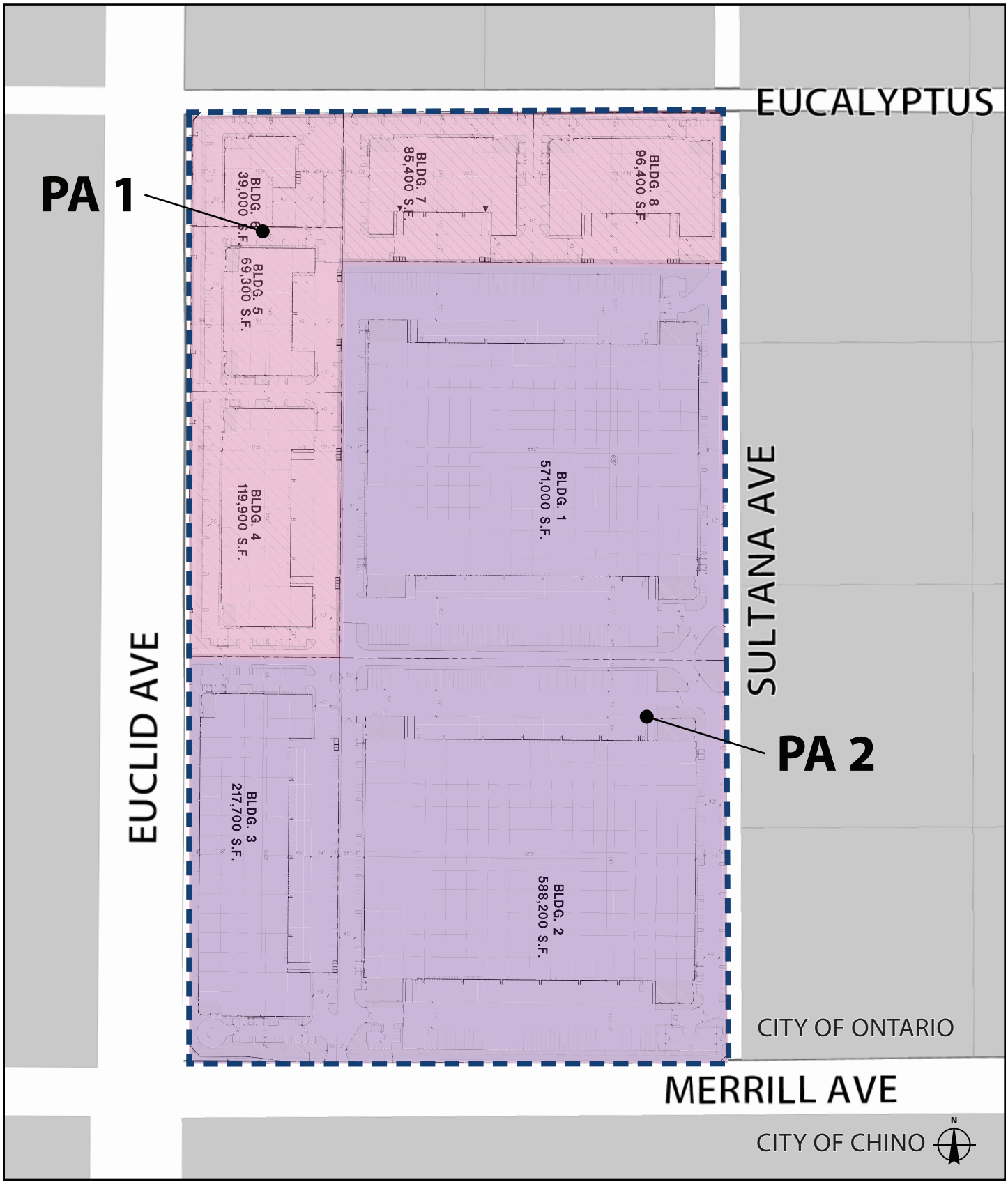
FIGURE 3.2: **CONCEPTUAL SITE PLAN**



Land Use Districts

Specific Plan Boundary

BP - Business Park

IG - Industrial General

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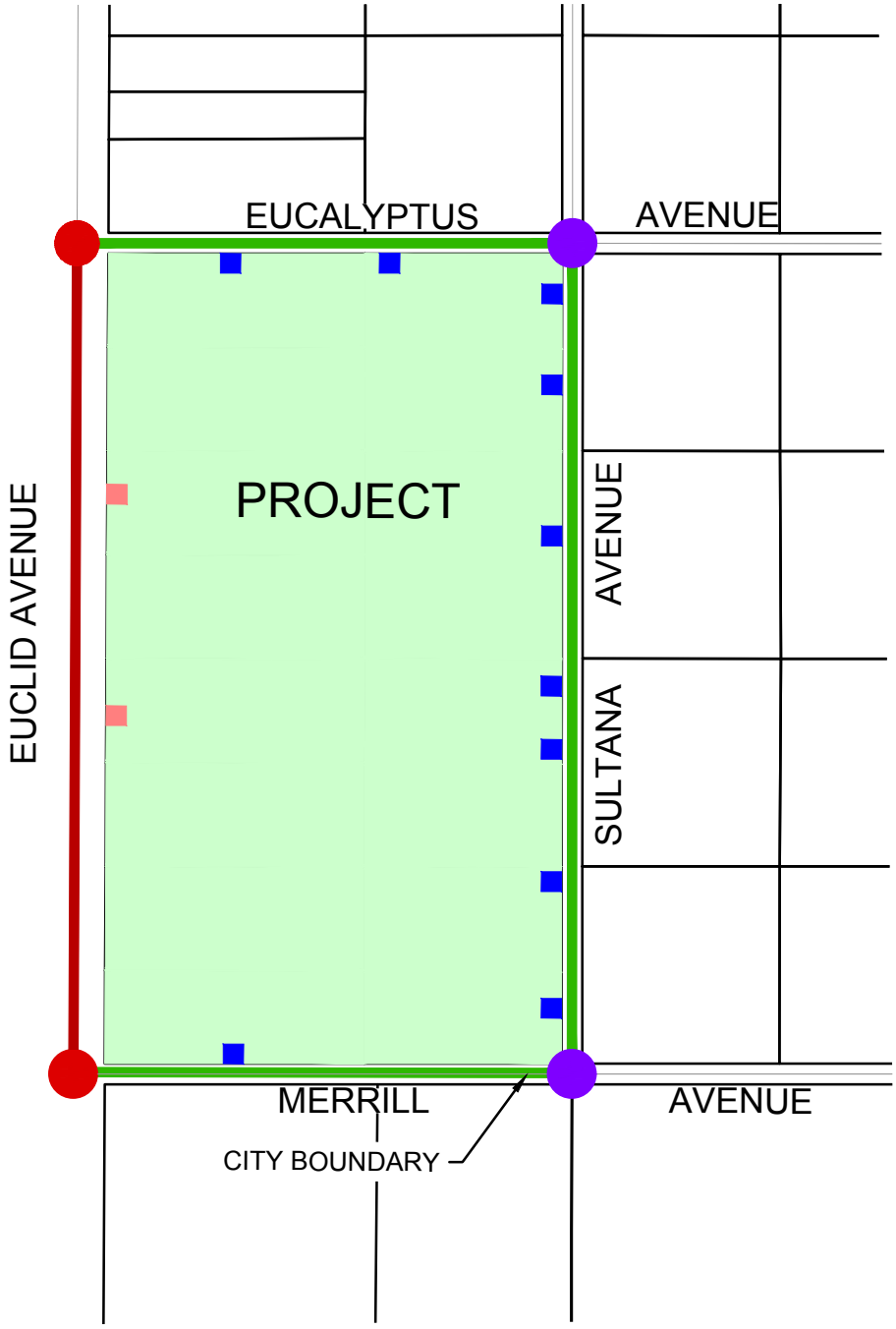
FIGURE 3.3: **STREET PLAN**



NOTE:
-TRAFFIC SIGNALS WILL BE INTERCONNECTED
-ALL ACCESS POINTS SHALL CONFORM TO THE TRAFFIC & TRANSPORTATION GUIDELINES AND ARE SUBJECT TO CITY APPROVAL
-EUCLID DRIVEWAYS TO BE REVIEWED AND APPROVED BY CALTRANS

N

1"= 600'

LEGEND:

- PRINCIPAL ARTERIAL
- COLLECTOR
- NEW SIGNALIZED INTERSECTION
- MODIFY EXISTING SIGNALIZED INTERSECTION
- FULL ACCESS DRIVEWAY
- RI/RO DRIVEWAY
- SPECIFIC PLAN AREA

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FIGURE 3.4: CITY OF ONTARIO ROAD CLASSIFICATION SYSTEM

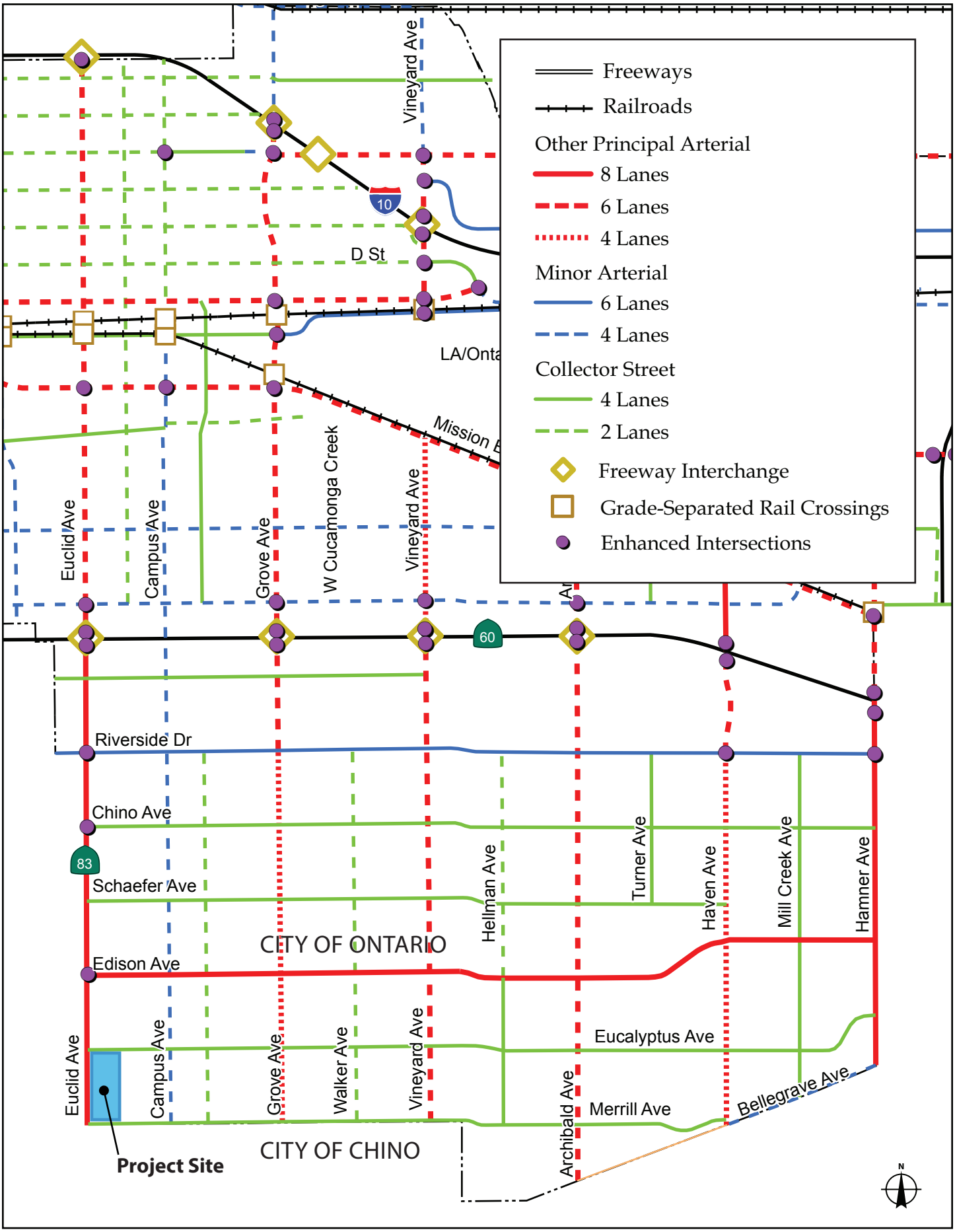

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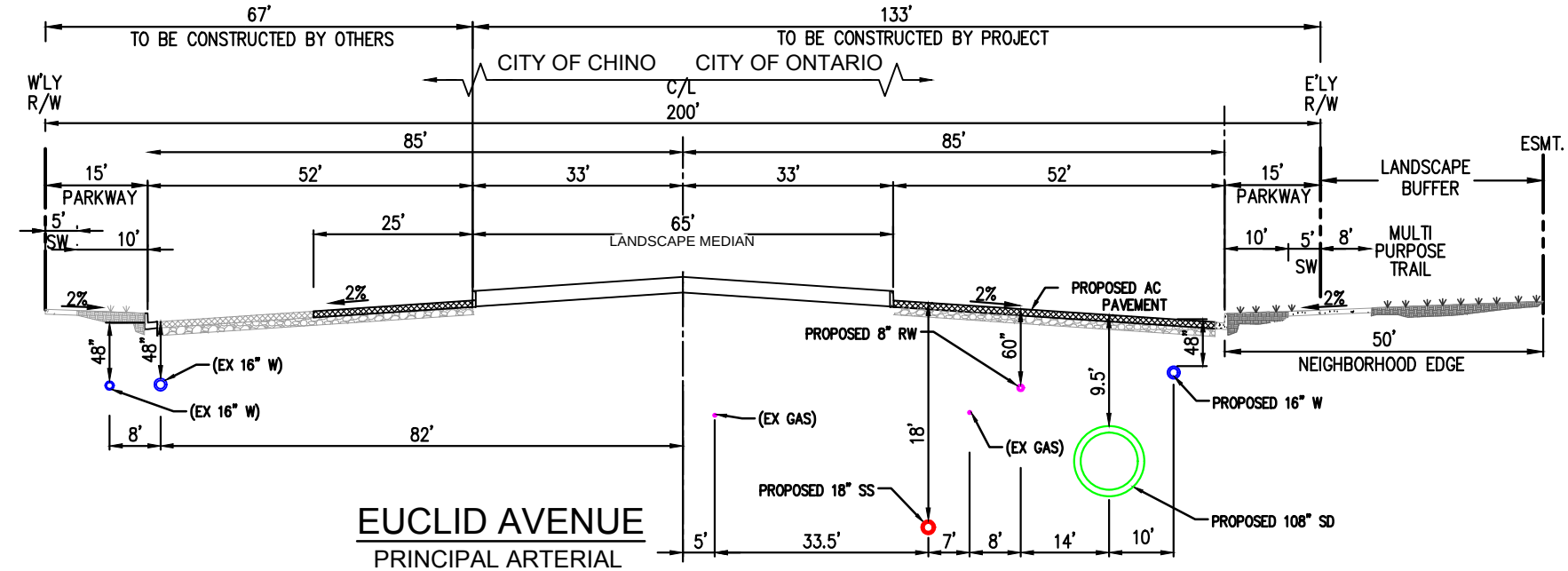
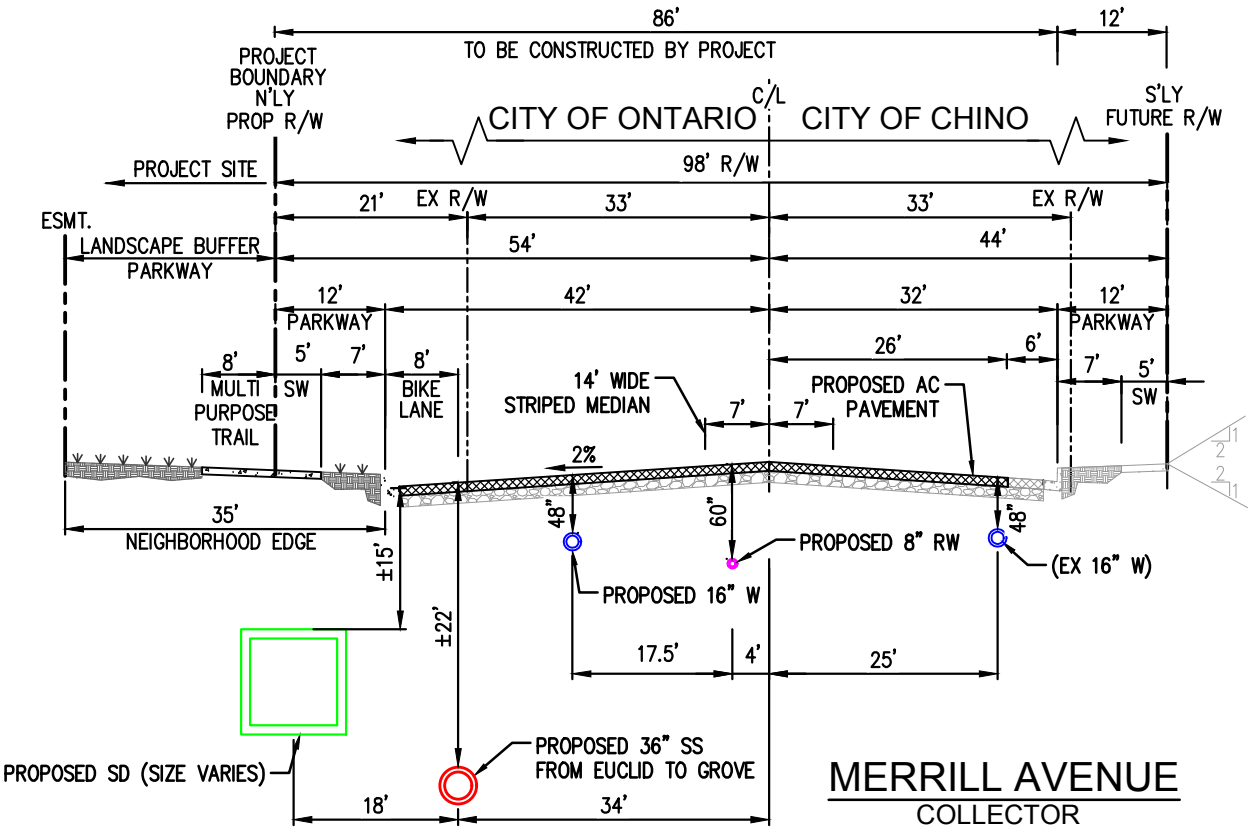
FIGURE 3.5: STREET SECTIONS



EUCLID AVENUE

PRINCIPAL ARTERIAL
200' ROW



MERRILL AVENUE

COLLECTOR
98' ROW (SOUTH SIDE CITY OF CHINO)

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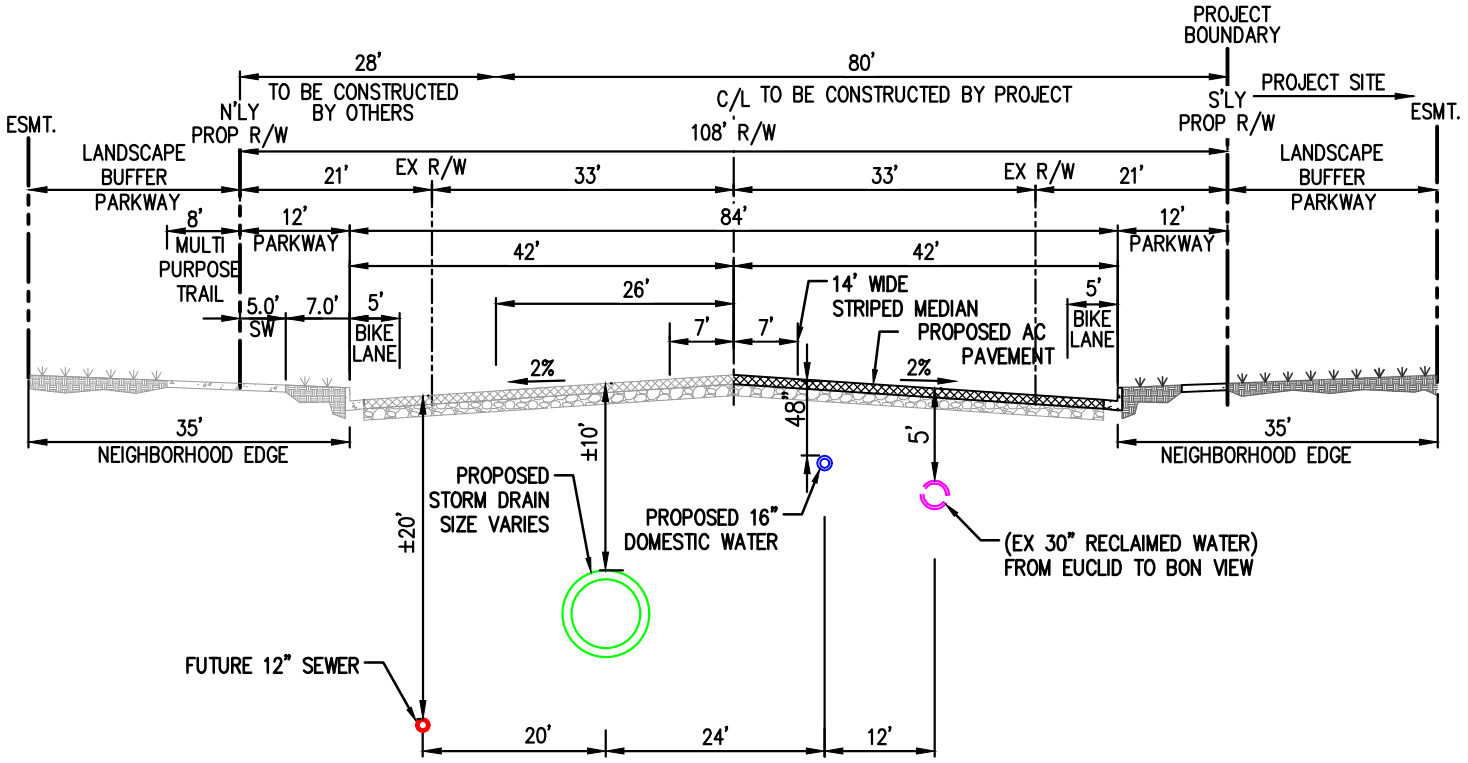
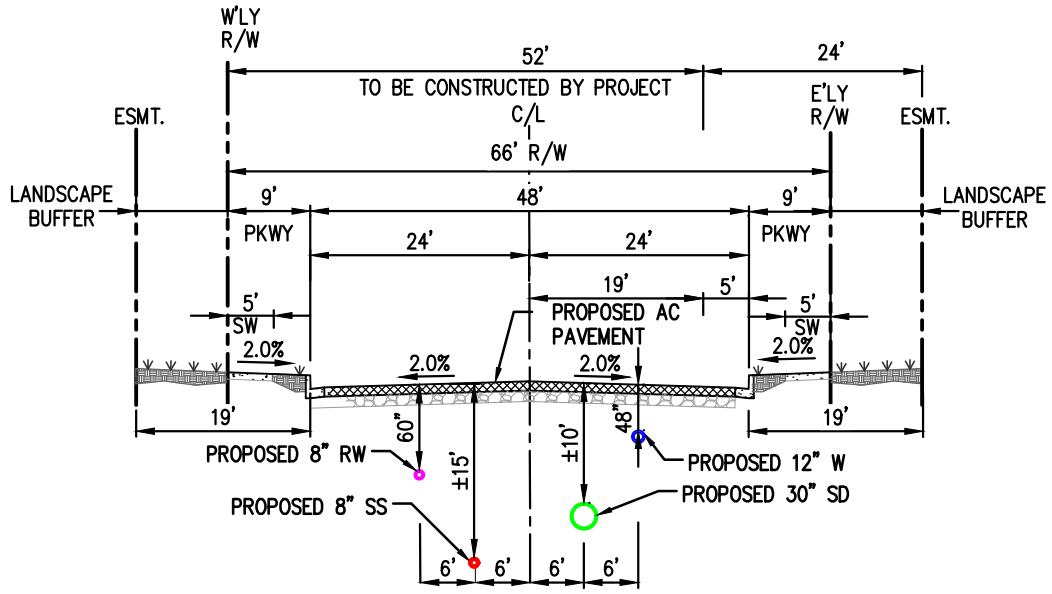
FIGURE 3.5: **STREET SECTIONS**



EUCALYPTUS AVENUE

COLLECTOR
108' ROW



SULTANA AVENUE

COLLECTOR
66' ROW

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3.3.1 Euclid Avenue (Route 83)

Euclid Avenue is an expressway under Caltrans' jurisdiction that is designated as an eight-lane Principal Arterial in The Ontario Plan's Functional Roadway Classification Plan. The centerline of this street forms the boundary between the City of Ontario to the east and the City of Chino to the west. Euclid Avenue is designed with a 200-foot wide right-of-way, a 66-foot wide center median, and 52-feet of pavement including curbs and gutter. The existing half-width street right-of-way is 100 feet; therefore, no dedication is required.

The Euclid Avenue streetscape design illustrated in Chapter 5, Design Guidelines, for the east side of the street adjacent to the project site specifies a 15-foot wide parkway including a five-foot wide sidewalk and an eight-foot wide on-site multipurpose trail within a 35-foot wide landscape buffer, creating a 50-foot wide neighborhood edge as specified in the *Ontario Ranch Colony Streetscape Master Plan*.

3.3.2 Eucalyptus Avenue

Eucalyptus Avenue is located along the northern boundary of the Specific Plan area, providing east/west access to the site. Eucalyptus Avenue is designated by the Functional Roadway Classification Plan as a four-lane Collector Street. The Specific Plan specifies an 108-foot wide right-of-way with 84 feet of pavement including curb/gutter.

The Eucalyptus Avenue streetscape design presented in Chapter 5, Design Guidelines, for the north side of the street adjacent to the project site specifies a 12-foot wide parkway including a seven-foot wide curb-adjacent landscaped area and a five-foot wide sidewalk. The north side also provides an eight-foot wide on-site multipurpose trail within a 23-foot wide landscape buffer setback. Together, the parkway and landscape buffer setback create a 35-foot wide neighborhood edge, as described in the *Ontario Ranch Colony Streetscape Master Plan*. A 21-foot dedication will be required for Eucalyptus Avenue.

3.3.3 Sultana Avenue

Sultana Avenue is designated as a Collector Street with a 66-foot wide right-of-way and 48 feet of pavement including curb and gutter. The Sultana Avenue streetscape presented in Chapter 5, Design Guidelines, specifies a 9-foot-wide parkway including a 4 foot landscape and a five-foot wide sidewalk. The west side of the street adjacent to the project site provides a 10-foot wide landscape buffer setback. Sultana Avenue is not yet developed adjacent to the Specific Plan area. However, the right-of-way exists, and no dedication is required.

3.3.4 Merrill Avenue

Merrill Avenue is designated as a four-lane Collector Street in the Functional Roadway Classification Plan and provides east-west access to the project's southern boundary. The centerline of this street forms the boundary between the City of Ontario to the north and

the City of Chino to the south. The Specific Plan specifies an 98-foot wide right-of-way and 74 feet of pavement including curb and gutter for Merrill Avenue.

The Merrill Avenue streetscape design presented in Chapter 5, Design Guidelines, for the north side of the street adjacent to the project site includes an eight-foot wide Class II on-street bike lane at the edge of the street, a seven-foot wide curb-adjacent landscaped area, and a five-foot wide sidewalk. An eight-foot wide multipurpose trail is located within a 23-foot wide landscape buffer setback. Together, these improvements establish a 35-foot wide neighborhood edge, as specified in the *Ontario Ranch Streetscape Master Plan*. A 21-foot street dedication will be required for Merrill Avenue.

3.3.5 Local Circulation

Final site planning and off-site design shall be subject to City approval. In addition to the typical street sections described and depicted, additional geometric enhancements, including but not limited to those at intersections, may be required to adequately mitigate impacts identified in the Traffic Impact Analysis/Specific Plan EIR. Local roadway circulation shall accommodate trucks with a double trailer combination wheelbase of 67 feet (known as the WB-67 design vehicle).

Driveways shall conform to access requirements of the Traffic and Transportation Design Guidelines. Driveway locations, specifically those that are in proximity to master-planned or future traffic signals, shall be located so as not to interfere with queues as projected in the Traffic Impact Analysis for the Specific Plan. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas).

Fair share responsibilities for street improvements will be addressed in a Development Agreement with the City.

3.3.6 Traffic Control Devices

All traffic signs regulating, warning, and/or guiding traffic on public roads will conform to the California Manual on Uniform Traffic Control Devices (MUTCD), latest edition. All traffic-control signs, whether on public or private property, shall conform to the California MUTCD.

3.3.7 Truck Routes

The City of Ontario designates and maintains a network of truck routes that provide for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses (Figure 3.6). Euclid Avenue, located at the western perimeter of the Specific Plan area, is a designated truck route. Merrill Avenue, which runs along the southern boundary of the Specific Plan area, is a designated truck route from Euclid Avenue to Archibald Avenue.

3.3.8 Pedestrian Circulation

To improve safety and the pedestrian experience, connect the various parts of the Specific Plan area, and expand access to nearby land uses, sidewalks will be provided along all streets abutting the Specific Plan area. Sidewalks will be five-feet wide, constructed of concrete, and installed in conjunction with adjacent roadway improvements.

3.3.9 Trails and Bike Paths

Trails and bicycle paths will provide an additional mode of circulation in and around the Specific Plan area. Multipurpose trails will be provided on the east side of Euclid Avenue, and the north side of Merrill Avenue (Figure 3.7).

The Ontario Plan Mobility Element specifies a Class II bikeway on the north and south side of Merrill Avenue. Class II bikeways are defined as dedicated (striped) lanes along streets, with no parking allowed in the bike lane. This bike lane provides linkages to the City's bike path system (Figure 3.8).

The trail and bikeway improvements will be installed along the project frontages in conjunction with street improvements. The city reserves the right to implement bike lanes on Eucalyptus at the discretion of the Traffic and Transportation Division.

3.3.10 Transit

Transit options provide an alternative mode of transportation for motorists and a primary mode for the transit dependent. The City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Specific Plan area.

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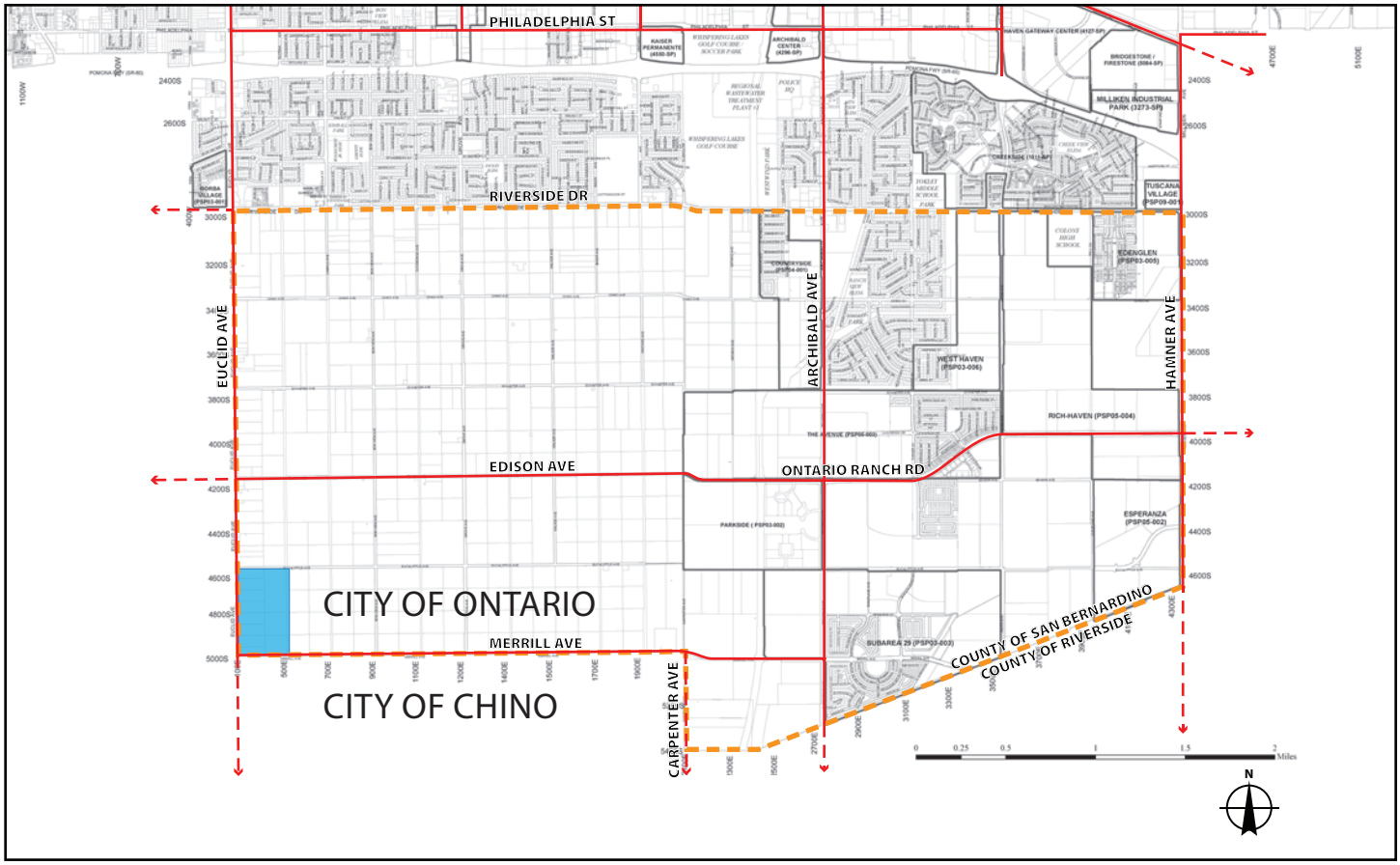
FIGURE 3.6: **TRUCK ROUTES**



Truck Routes

- Specific Plan Area
- Ontario Ranch
- City of Ontario Truck Routes
- Adjacent Agency Truck Routes

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FIGURE 3.7: **BICYCLE AND PEDESTRIAN PLAN**

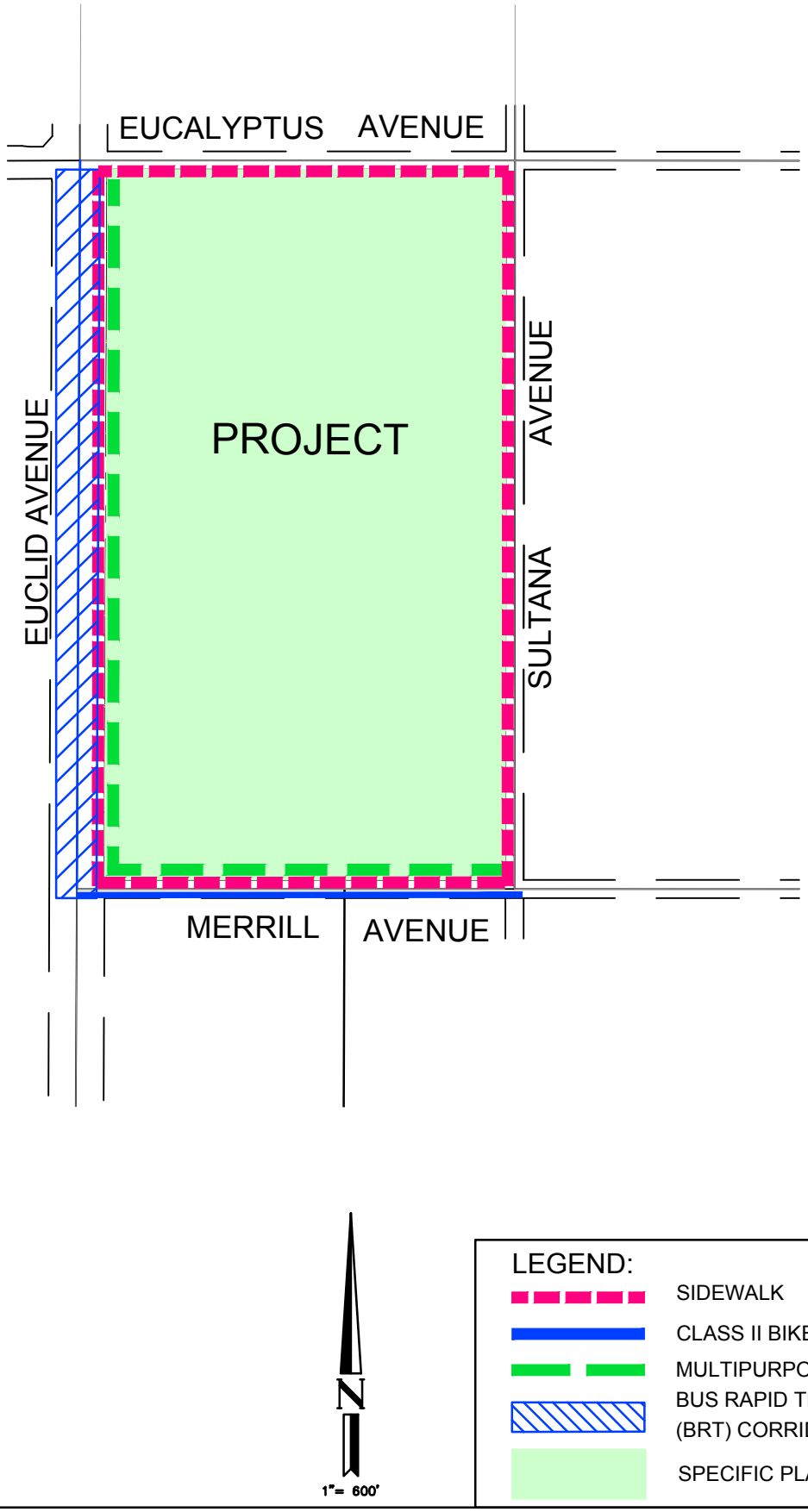

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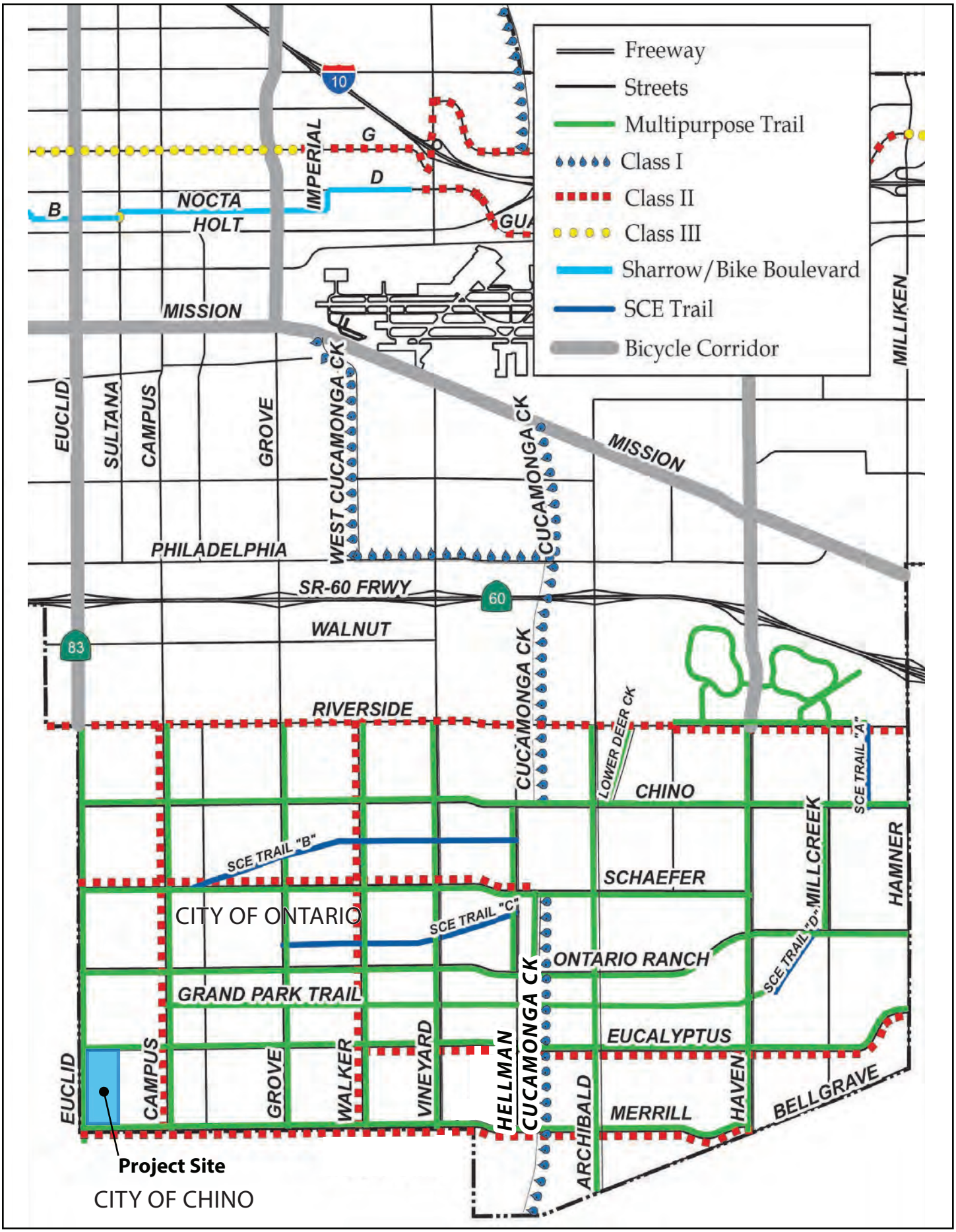
FIGURE 3.8: **CITY OF ONTARIO TRAIL AND BIKEWAYS PLAN**



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3.4 Potable Water Plan

Water service to the Specific Plan area will be provided by the City of Ontario. Potable water is provided by imported water from the Water Facilities Authority (WFA), Chino Basin Desalter Authority (CDA) and groundwater from the Chino Basin, extracted via the City's wells. The WFA was formed in 1980 as a Joint Powers Authority by the Cities of Chino, Chino Hills, Ontario and Upland, and the Monte Vista Water District. It was formed to construct and operate water treatment facilities that provide a supplemental supply of potable water to its member agencies.

Currently there are no City potable water mains or City potable water infrastructure in the vicinity of the Specific Plan Area. The project site lies within the 925 Pressure Zone (PZ) (Figure 3.10). Providing potable water service to the Specific Plan Area requires extending the Phase 2 West Backbone 24-inch potable water main in Eucalyptus Avenue from Carpenter Avenue to Grove Avenue; extending this potable water main in Eucalyptus Avenue with a 16-inch potable water main from Grove Avenue to Euclid Avenue; installing a 16-inch potable water main in Euclid Avenue from Eucalyptus Avenue to Merrill Avenue; installing a 16-inch potable water main in Merrill Avenue from Euclid Avenue to Walker Avenue; installing a 16-inch potable water main in Walker Avenue from Merrill Avenue to the 24-inch potable water main in Eucalyptus Avenue. This will provide the primary potable water loop for the Specific Plan Area (Figure 3.9).

In addition to extending the 925 Pressure Zone (PZ) Phase 2 West Backbone, the Specific Plan area requires a connection between the 925 Pressure Zone (PZ) Phase 2 West Backbone and the 1010 Pressure Zone (PZ). This will supply a second source of potable water to the Specific Plan Area. The connection to the 1010 Pressure Zone (PZ) will require extending the Phase 2 West Backbone at Eucalyptus Avenue and Grove Avenue by installing a 30-inch potable water main north on Grove Avenue to Chino Avenue. The connection to the 1010 Pressure Zone will require installing an 18-inch potable water main in Chino Avenue easterly to the existing 18-inch potable water main located on the west side of the Cucamonga Creek channel and installing a Pressure Reducing Station between the 1010 PZ and 925 PZ near the intersection of Grove Avenue and Chino Avenue. Other elements of the Phase 2 Water System are shown on Figure 3.9. The elements shown north of Chino Avenue will be constructed by others. The balance of Phase 2 Water System will be completed as required by future development of Ontario Ranch. The Project will be required to participate in the future Phase 2 Water System improvements, as detailed in the development agreement with the City.

The Specific Plan area also requires the planning, design, and construction of the Adjacent Potable Water System, which includes: installing a 12-inch potable water main in Sultana Avenue connecting to the 16- inch potable water main in Eucalyptus Avenue and extending to connect to the 16-inch potable water main in Merrill Avenue.

Water mains required to serve the project will need to be constructed prior to or concurrent with on-site water improvements. Within the project site, a private network of 2- to 4-inch water lines for domestic water service and 10- to 12-inch water lines for fire service water will be installed. The on-site water system includes connections to the

water main in Eucalyptus Avenue and Euclid Avenue to serve PA-1 and to the main in Merrill Avenue and Sultana Avenue to serve PA-2.

Until the ultimate pipeline network for Ontario Ranch has been completed, there may be instances where construction of improvements to serve a project may not meet the required fire flow demands. Therefore, projects within the Specific Plan area may be required to construct additional pipelines not indicated in the Master Plan or upsize master planned pipelines to meet Fire Department fire flow requirements and/or Water Master Plan criteria. The developer will submit a hydraulic analysis to the City for review and approval to demonstrate adequate fire flow and adherence to Potable Water Master Plan criteria.

The overall water infrastructure plan to serve the City of Ontario is shown on Figure 3.10. The City's ultimate domestic water system will consist of five pressure zones. Most of Ontario Ranch (including the Specific Plan area) is in the 925 Pressure Zone. The sizing and alignment of potable water lines will follow the most current approved City of Ontario water system plan. Required Potable Water Infrastructure is subject to change based upon findings of approved hydraulic study and master plan updates; and, Potable Water main locations are also subject to change based upon the developer conducted and City approved Conceptual Design Report.

FIGURE 3.9 - POTABLE WATER PLAN

925 PRESSURE ZONE

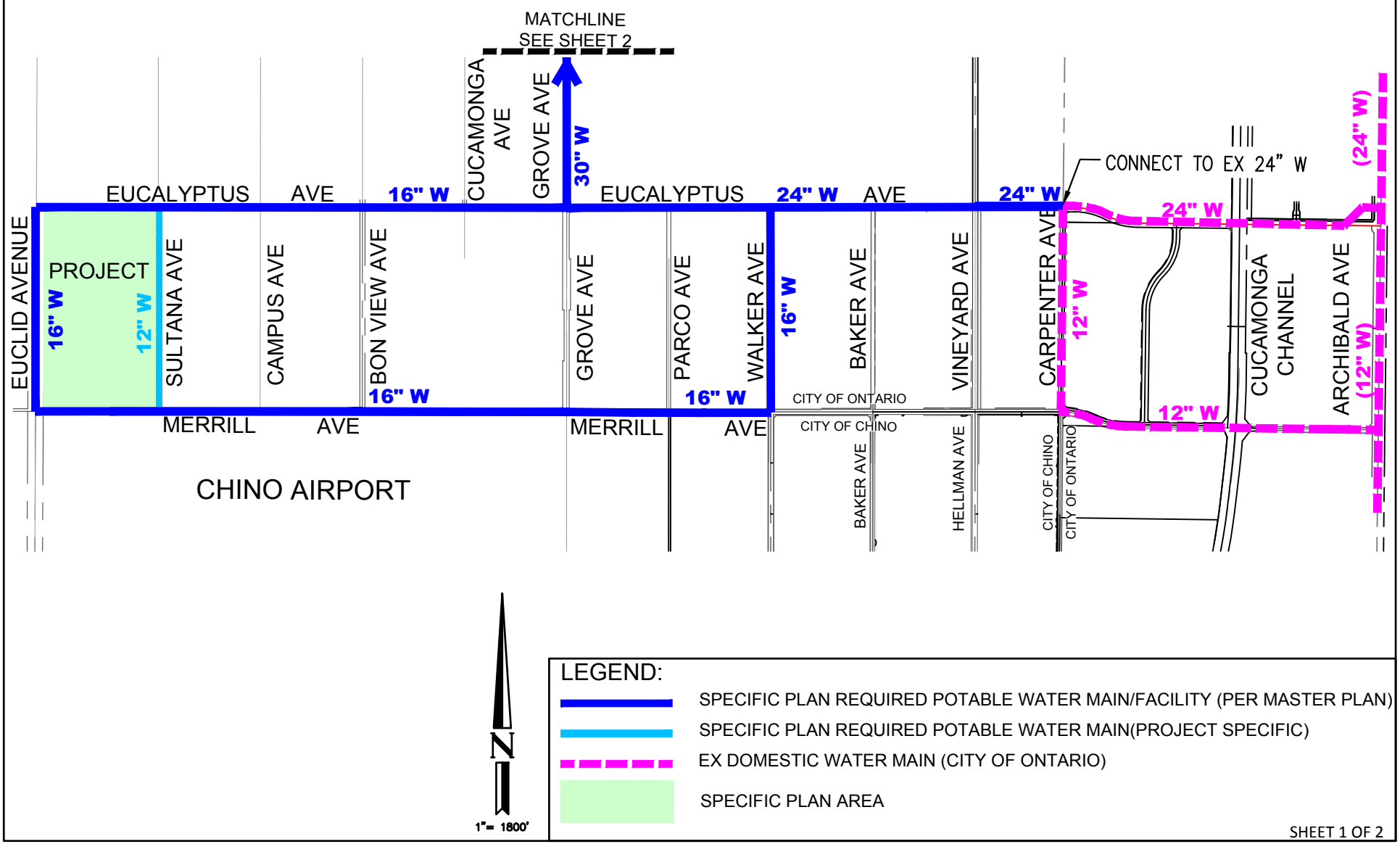

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FIGURE 3.9 - WATER PLAN CONTINUED

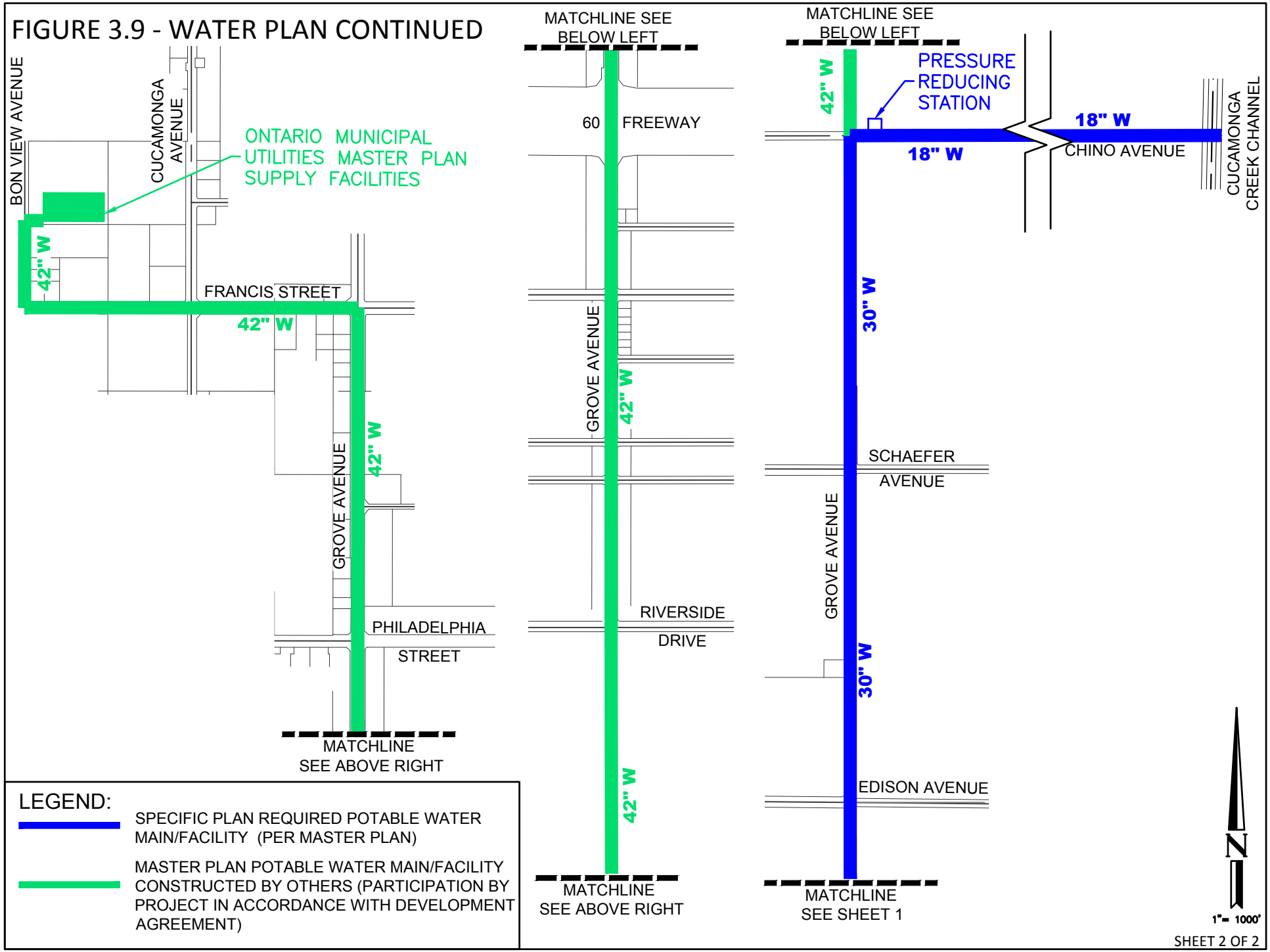

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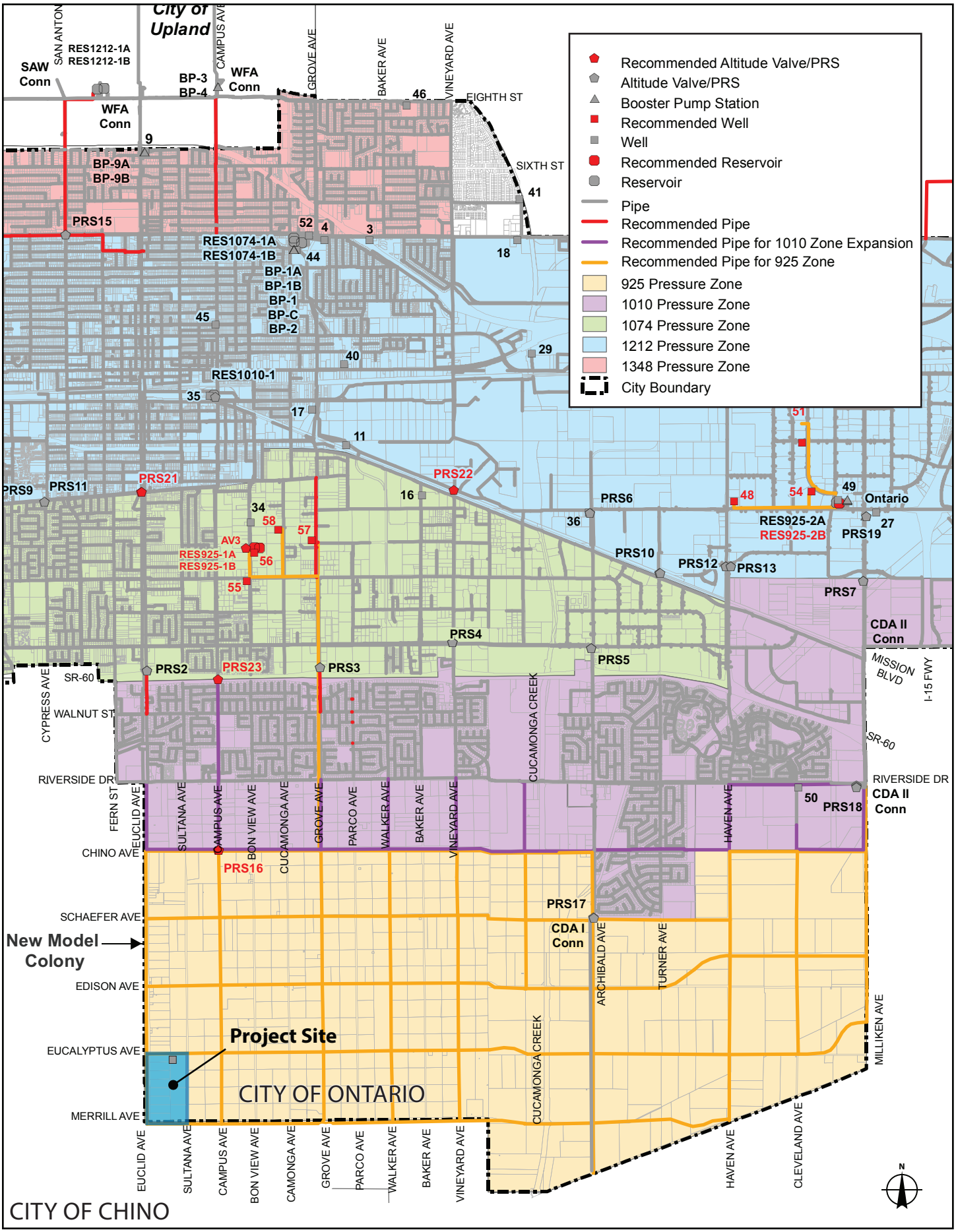
FIGURE 3.10: CITY OF ONTARIO ULTIMATE WATER SYSTEM



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3.5 Recycled Water Plan

The City of Ontario Ordinance 2689 requires all new development in Ontario Ranch to connect to and use recycled water for all approved uses, including but not limited to landscape irrigation. Prior to use of recycled water, approval from the City of Ontario and State Water Resources Control Board (SWRCB) is required. Interim connection to potable water is not allowed.

Currently there are no City owned recycled water mains or City recycled water infrastructure in the vicinity of the Specific Plan Area. There is an existing 30-inch Inland Empire Utility Agency (IEUA) recycled water main in Eucalyptus Avenue adjacent to the Specific Plan Area. Recycled Water is provided to the City of Ontario by the IEUA from its four wastewater reclamation plants. The entire Specific Plan area is within the City's master planned 930 Pressure Zone. Recycled water infrastructure improvements requiring the planning, design, and construction of new 930 Pressure Zone (PZ) Recycled Water Master Plan main lines area will be required (Figure 3.11). New recycled water infrastructure is planned to include installing an 8-inch recycled water main in Euclid Avenue connecting the existing IEUA 30-inch 930 Pressure Zone Recycled Water main in Eucalyptus Avenue to an 8-inch recycled water main in Merrill Avenue. The 8-inch recycled water main in Merrill Avenue will extend from Euclid Avenue easterly to Sultana Avenue. An 8-inch recycled water main will be installed in Sultana Avenue connecting the recycled water main in Merrill Avenue to the existing IEUA 30-inch recycled water main in Eucalyptus Avenue. The existing 30-inch IEUA recycled water main in Eucalyptus between Euclid and Bon View may need to be relocated as part of the infrastructure improvements in order to meet minimum Division of Drinking Water (DDW) separations and/or City of Ontario/IEUA standards & requirements.

Sizing and alignment of the recycled water lines will be consistent with the City of Ontario recycled water system plan and a City approved hydraulic analysis.

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FIGURE 3.11: **RECYCLED WATER PLAN**

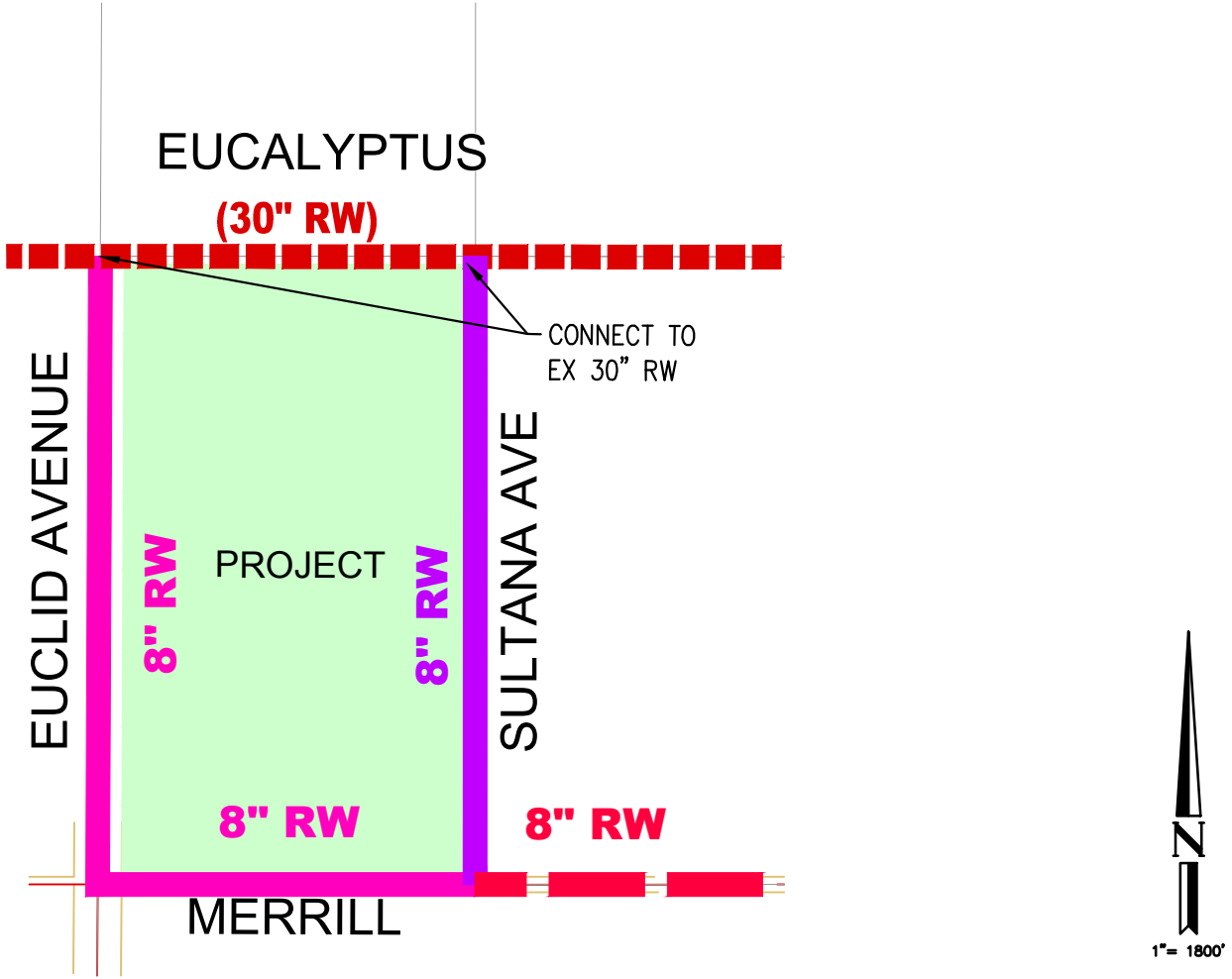

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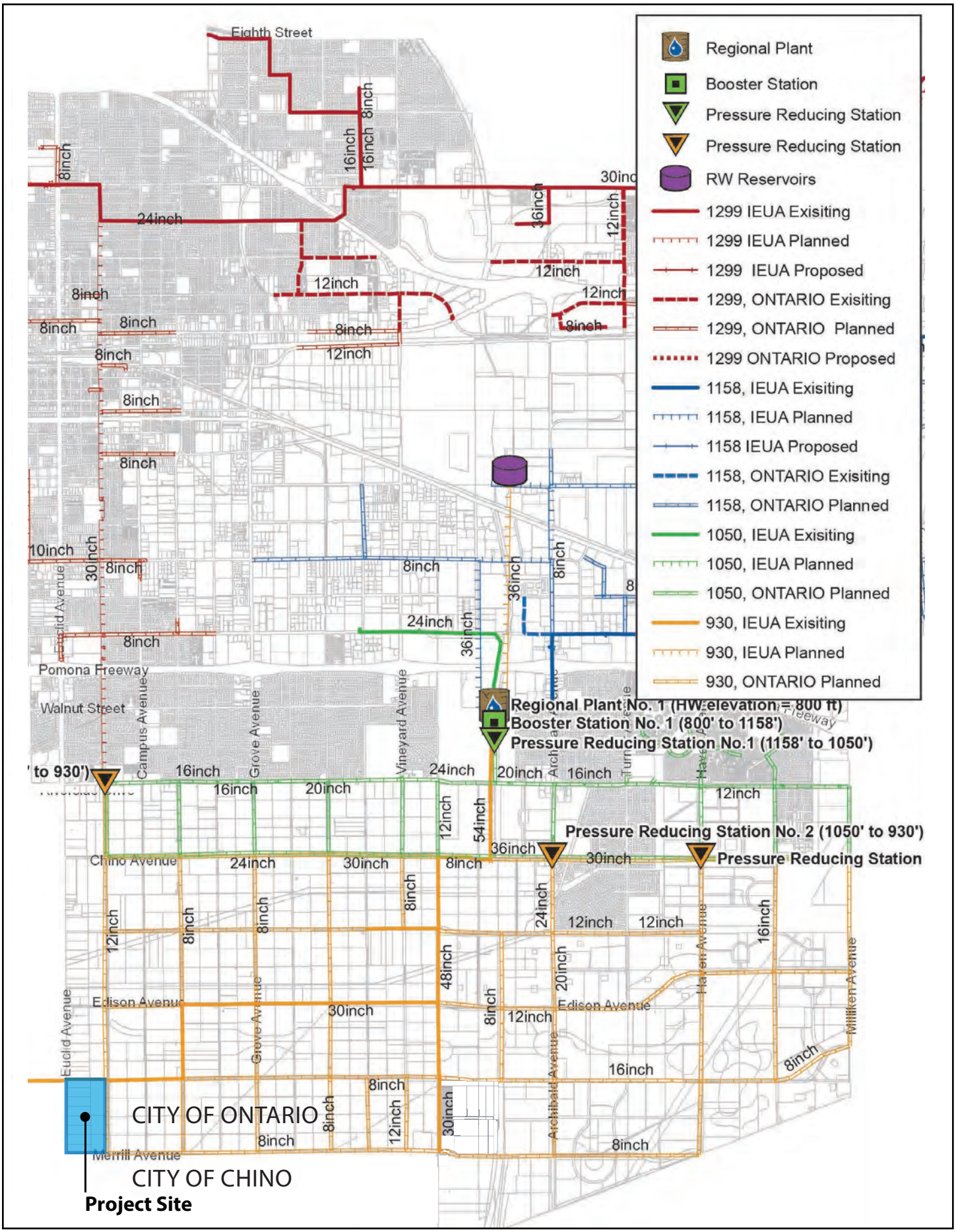
FIGURE 3.12: **CITY OF ONTARIO FUTURE RECYCLED WATER SYSTEM**



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3.6 Sewer Plan

Regional wastewater treatment services are provided to the City of Ontario and its neighboring agencies by the Inland Empire Utilities Agency (IEUA). Several regional trunk sewers collect sewage generated in the City and transport it to IEUA's Regional Plant No.1 and Regional Plant No.5 for treatment. The City of Ontario's sewer service area is divided into eight sewersheds, primarily based on the outlet points where the City's system ties into the IEUA downstream facility. Ontario Ranch is located in Sewershed 8.

There are no sewer mains located within the broader vicinity of the Specific Plan area; therefore, the Specific Plan includes a network of new public sewer mains (Figure 3.13), consistent with the City of Ontario's ultimate sewer system plan (Figure 3.14). A 36-inch sewer main will connect to an existing IEUA interceptor trunk main sewer located in Kimball Avenue to the south, run north in Euclid Avenue to Merrill Avenue, then reduces to a 30-inch sewer main east to Sultana Avenue. The IEUA interceptor trunk sewer main is 54-inches east of Euclid and 60-inches west of Euclid Avenue. The final point of connection to the existing IEUA interceptor trunk sewer at Euclid Avenue and Kimball Avenue will be determined at the time of final design subject to the approval of the City and IEUA. A 21-inch sewer main will run from Merrill Avenue north within Euclid Avenue to Eucalyptus Avenue. An eight-inch public sewer main will be located along Sultana Avenue. An eight-inch private main will also be installed in an on-site easement to provide for connections at the northeast portion of the site. Six-inch sewer laterals will connect buildings to sewer mains.

The ultimate sizing and alignment of the sewer shall be consistent with the City of Ontario ultimate sewer system plan and/or a City conducted and approved hydraulic analysis.

A Sewer Sub-Area Master Plan (SSAMP) shall be prepared for each Tract Map and Development within the Specific Plan

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FIGURE 3.13 - SEWER PLAN

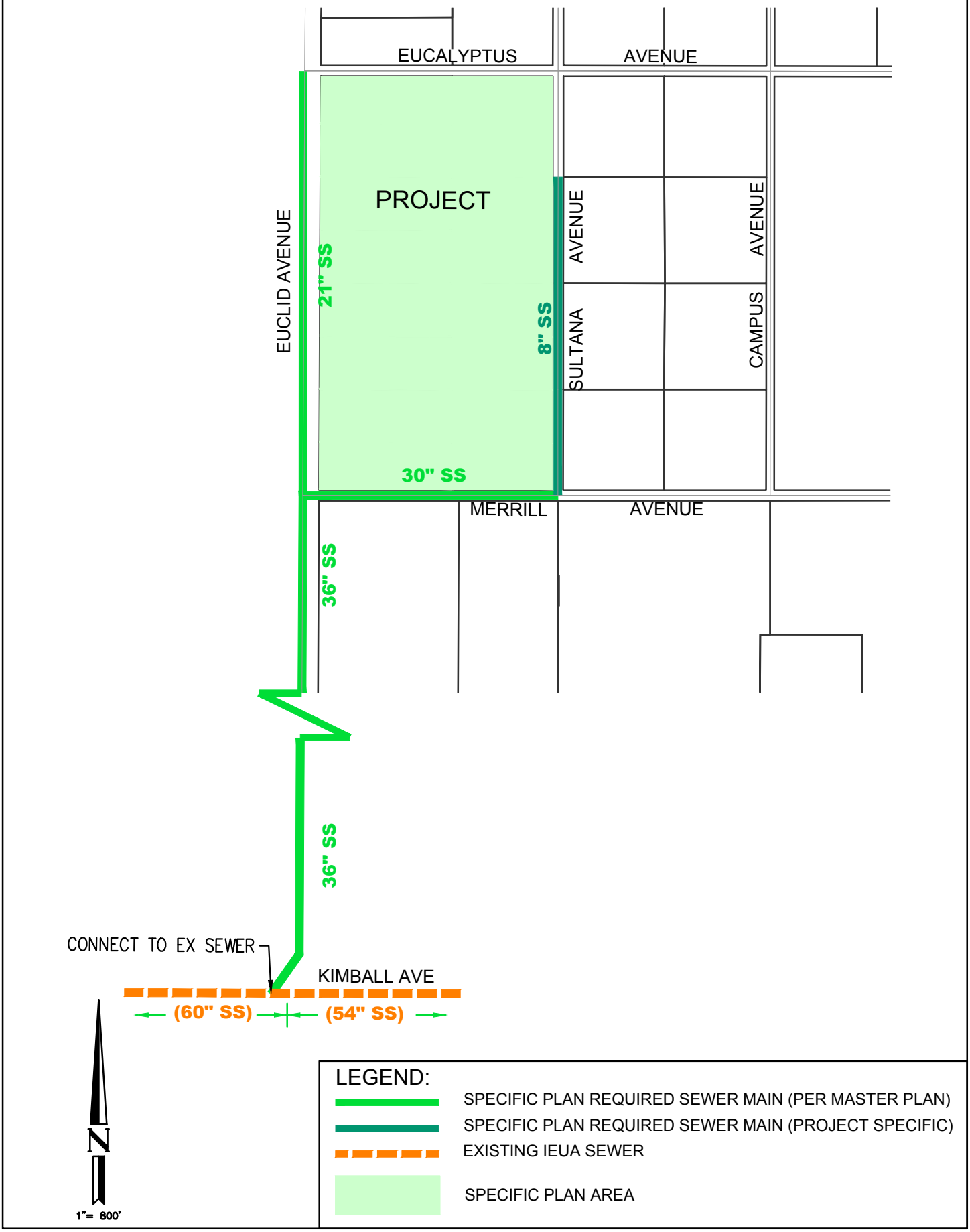

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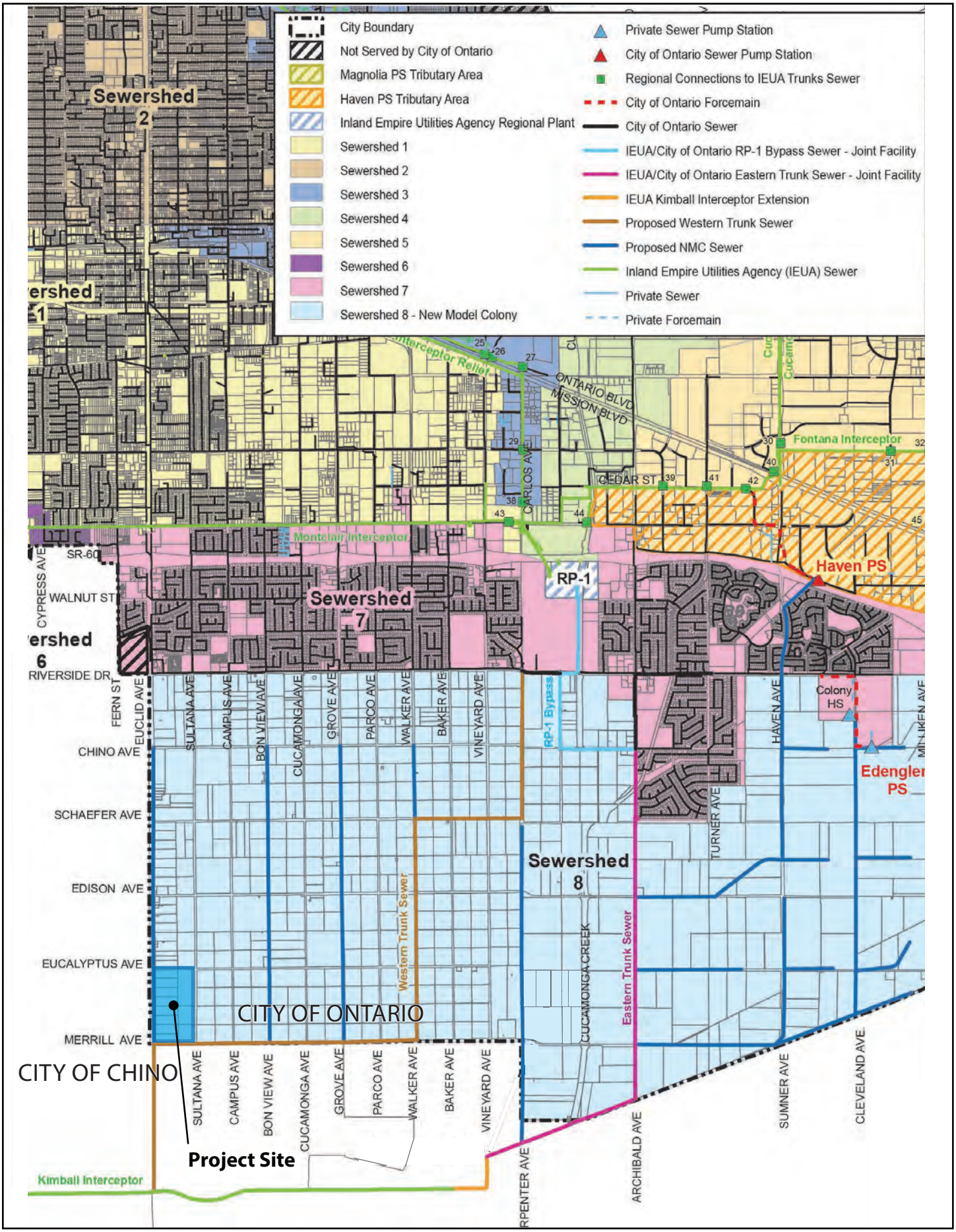
FIGURE 3.14: **CITY OF ONTARIO ULTIMATE SEWER SYSTEM**



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3.7 Conceptual Grading Plan

Site topography is moderately flat, sloping from the north to the south. There is an approximately 30-foot change in elevation across the Specific Plan area.

The grading activities for the Specific Plan area will generally consist of clearing and grubbing, demolition of existing structures, and moving surface soils to construct building pads, driveways and streets.

The Conceptual Grading Plan (Figure 3.15) provides a balance of cut and fill for the Specific Plan area. Grading and earthwork analysis indicate the project can balance without the use of retaining walls. Earthwork will include approximately 242,079 cubic yards (CY) of cut and 242,079 CY of fill with 292,457 CY of over-excavation. Geotechnical and/or environmental conditions encountered during grading operations may impact final earthwork calculations. Grading plans for each development project within the Specific Plan area will be reviewed and approved by the City of Ontario prior to the issuance of grading permits. Grading plans and activities will conform to the City's grading ordinance and dust and erosion control requirements.

All landscaped areas within the Specific Plan area shall be graded as shallow swales and designed to accept runoff water from impervious surfaces. Water quality retention basins, trenches, etc., (the exact location of which will be determined at the time of Water Quality Management Plan (WQMP) approval for individual implementing projects) will have a maximum side slope of 3:1.

3.8 Dry Utilities Plan

Utility services provided to the site will be installed underground in accordance with City of Ontario guidelines.

3.8.1 Communication System

Developments in Ontario Ranch are required to install and provide fiber conduit to all improved lots. Proposed on-site facilities will be placed underground within a duct and structure system that will be installed by the developer. Pursuant to the City of Ontario 2013 Fiber Optic Master Plan, the fiber optic network will be owned and operated by the City of Ontario and as such maintenance of the installed system will be the responsibility of the City and/or Special District fiber optic entity and not the developer. According to the City's Fiber Optic Master Plan, the proposed fiber optic infrastructure, including approximately 23 miles of backbone fiber south of Riverside Drive, is an investment into a long term capital asset using newly constructed and existing conduit to provide high speed communication links to key locations throughout the City. The Specific Plan area will be connected to the City's system as shown on Figure 3.16.

3.8.2 Natural Gas

The Gas Company will provide natural gas to the Specific Plan area. Gas mains will be installed to the individual development projects by the Gas Company, as necessary.

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FIGURE 3.15: **CONCEPTUAL GRADING PLAN**

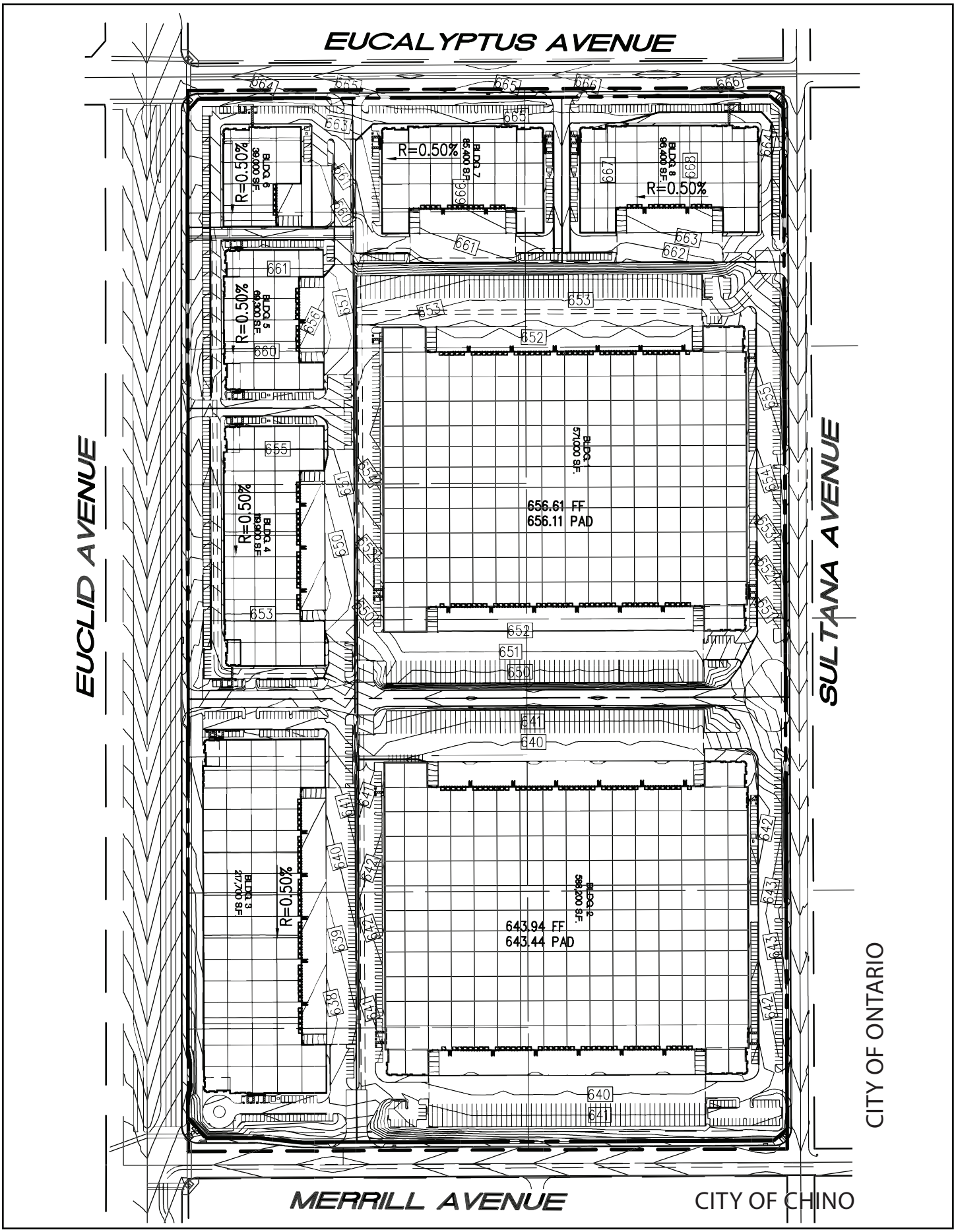

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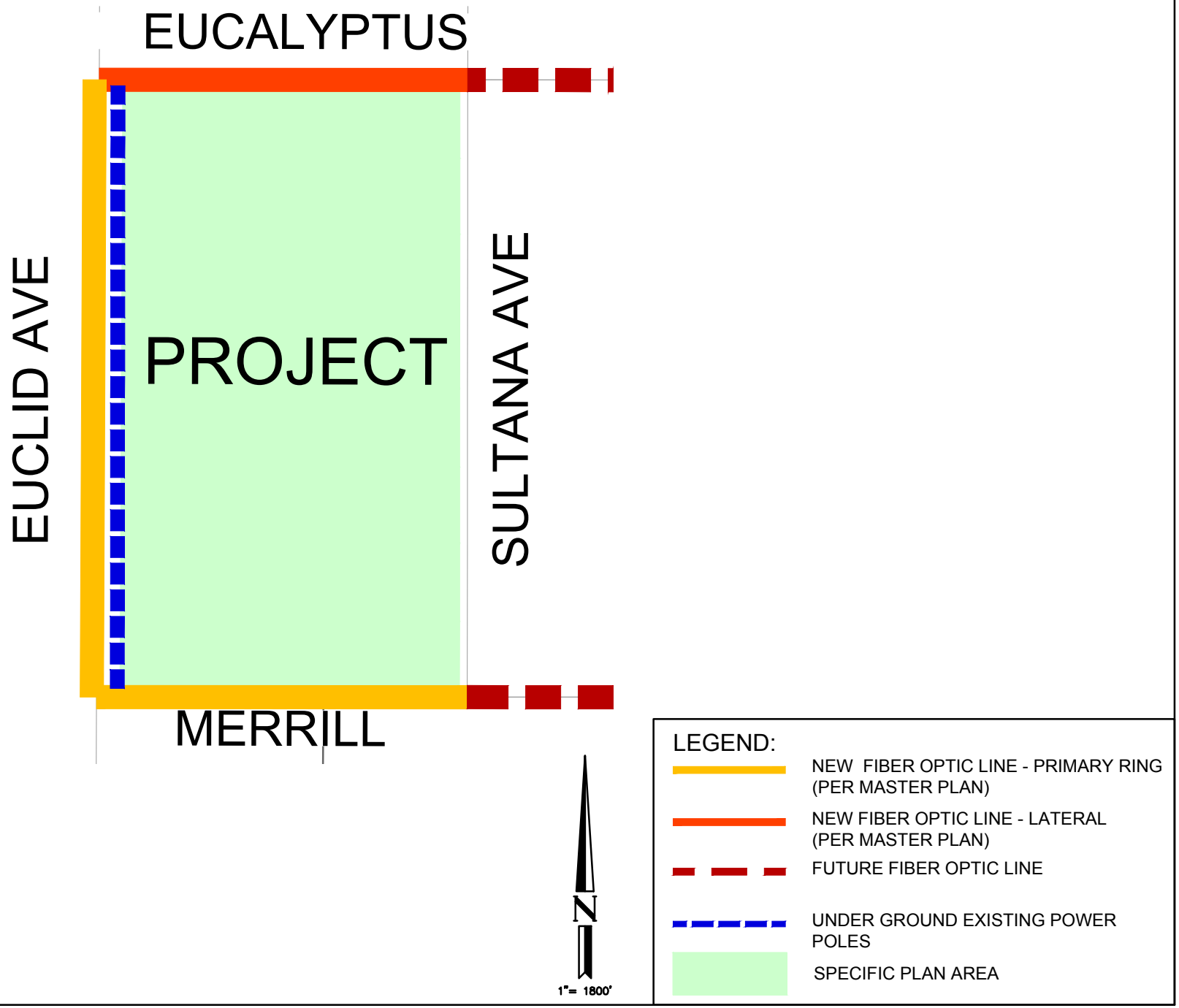
FIGURE 3.16: **FIBER OPTIC PLAN**



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3.8.3 Electricity

Southern California Edison will provide electricity to the Specific Plan area from existing facilities in the vicinity. All new lines within the Specific Plan area shall be installed according to City of Ontario requirements.

3.9 Storm Drainage Plan

The Specific Plan area storm drain improvements (Figure 3.17) are consistent with the facilities specified in Drainage Area XIV of the City of Ontario Storm Drain Master Plan (Figure 3.18).

Catch basins located throughout the site will collect runoff. On-site storm drain systems will convey runoff southerly to a reinforced concrete box facility in Merrill Avenue. Landscaped areas adjacent to Euclid Avenue will continue to drain to the street. The Specific Plan will also construct storm drains in Eucalyptus Avenue and Euclid Avenue north of Merrill Avenue. The reinforced concrete box facility in Merrill Avenue will end just north of the existing earthen channel, located between the paved portions of Euclid Avenue and the existing easterly right-of-way. The storm water will then bubble up in the structure and spill out into the existing channel where it will continue to flow south to eventually discharge south of Pine Avenue in the City of Chino.

Though the Specific Plan will construct several storm drains consistent with the Storm Drain Master Plan, the ultimate discharge location downstream, between Pine Avenue and Merrill Avenue in the City of Chino, is not fully improved at this time. Until this occurs, the project will utilize on-site storm water detention so that discharge from Specific Plan development remains less than peak flow rates prior to development.

Each storm drain in Euclid Avenue and Merrill Avenue will be equipped with a hydrodynamic separator or equivalent alternative approved devices to satisfy the statewide trash mandate. Each device will be approved by and listed on the Certified Full Capture System List of Trash Treatment Control Devices of the State Water Resources Control Board (SWRCB).

3.9.1 NPDES Compliance

The grading and drainage of the Specific Plan area will be designed to retain/infilter, harvest, and re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's Water Quality Management Plan (WQMP) for significant new development projects. The objective of the WQMP for this project is to minimize the detrimental effects of urbanization on the beneficial uses of receiving waters, including effects caused by increased pollutants and changes in hydrology. These effects may be minimized through the implementation of site designs that reduce runoff and pollutant transport by minimizing impervious surfaces and maximizing on-site infiltration, employing Source Control Best Management Practices (BMP's), or using on-site structural Treatment Control BMP's where the infeasibility of installing Low Impact Development BMP's is demonstrated.

New development within the Specific Plan area will utilize a variety of Low Impact Development site drainage designs to manage stormwater, including but not limited to retention/infiltration basins, trenches and swales, and above ground bio-treatment systems. Development projects within the Specific Plan area will comply with the latest Low Impact Development guidelines and incorporate features including but not limited to:

- Landscape designs that promote water retention and incorporation of water conservation elements such as use of native plants and drip irrigation systems;
- Permeable surface designs in areas with low traffic;
- Parking lots that drain to landscaped areas to provide retention and infiltration, or bio-treatment where infiltration is infeasible;
- Limit soil compaction during grading operations within landscaped storm water infiltration areas to no more than 80 percent compaction.

Prior to the issuance of a grading or construction permit, a Storm Water Pollution Prevention Plan (SWPPP), Erosion & Sediment Control Plan sheets, and a WQMP will be prepared and approved. The SWPPP and Erosion & Sediment Control Plan Sheets will identify and detail all appropriate BMP's to be implemented or installed during construction of the project, and the WQMP will describe all post-construction BMP's designed to address water quality and quantity of runoff for the life of the project.

3.10 Public Services

This sub-section addresses public services within the Specific Plan area, including police, fire and solid waste disposal services.

3.10.1 Police

The City of Ontario will provide police services to the Specific Plan area. The closest police station is located approximately five miles north of the Specific Plan area at 2500 S. Archibald Avenue, just south of SR-60. This station is also the City of Ontario Police Department headquarters.

3.10.2 Fire

The City of Ontario will provide fire protection services to the Specific Plan area. The Ontario Fire Department currently has eight stations, which are staffed with eight four-man paramedic engine companies and two four-man truck companies. The closest operational fire station, Station 2, is located at 544 W Francis Street, approximately four miles north of the Specific Plan area.

3.10.3 Solid Waste Disposal

The City of Ontario will provide solid waste services to the Specific Plan area. The City offers a full array of commercial and industrial services designed to meet the business community's needs. Solid waste facilities will follow the "Solid Waste Department Refuse and Recycling Planning Manual." The Manual establishes the City of Ontario's requirements for refuse and recycling storage and access for service, as well as addresses

the City's recycling goals. The Mid-Valley Landfill is the nearest County of San Bernardino landfill located at 2390 N. Alder Avenue in the City of Rialto, approximately 20 miles northeast of the Specific Plan area.

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FIGURE 3.17: **STORM DRAIN PLAN**

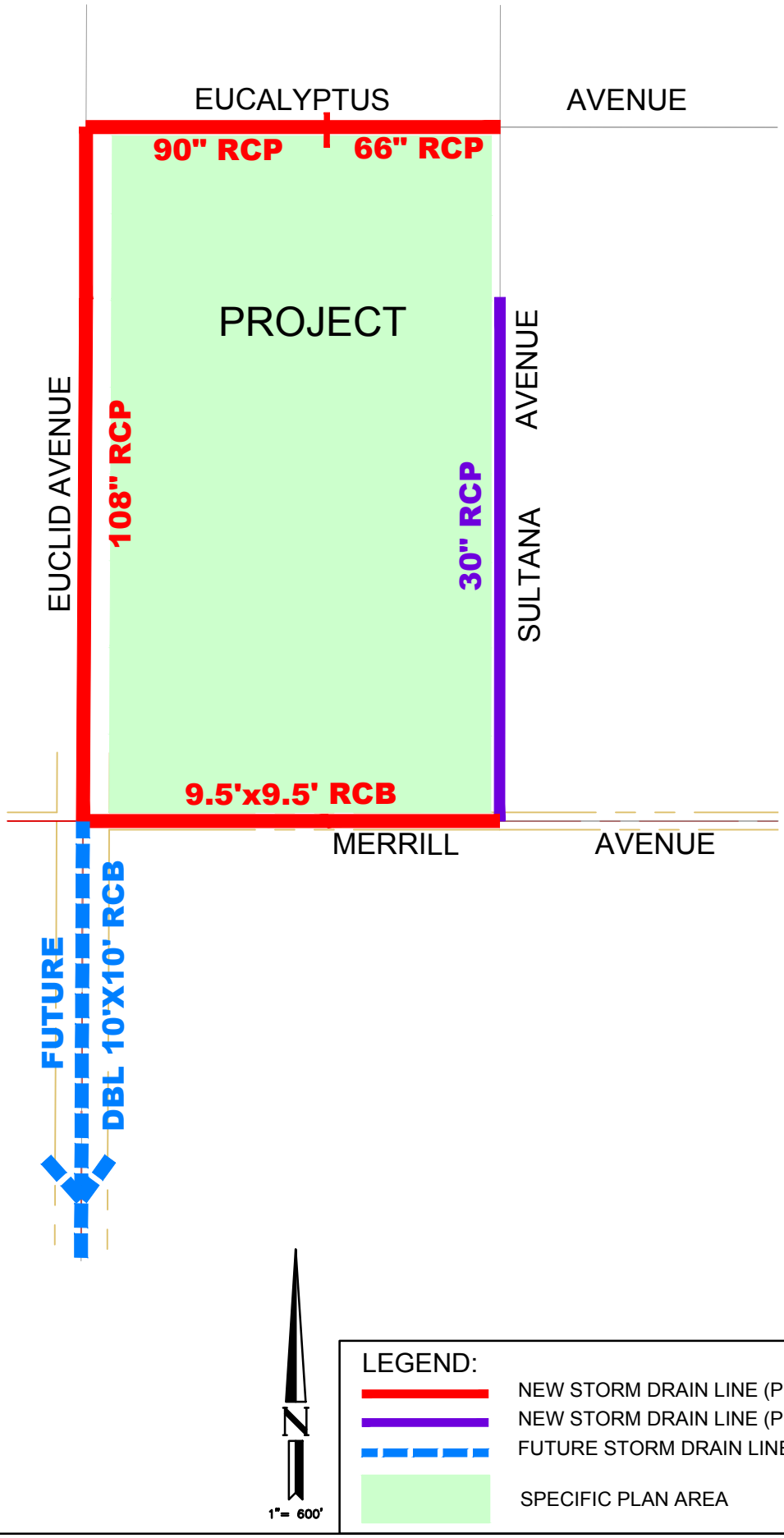

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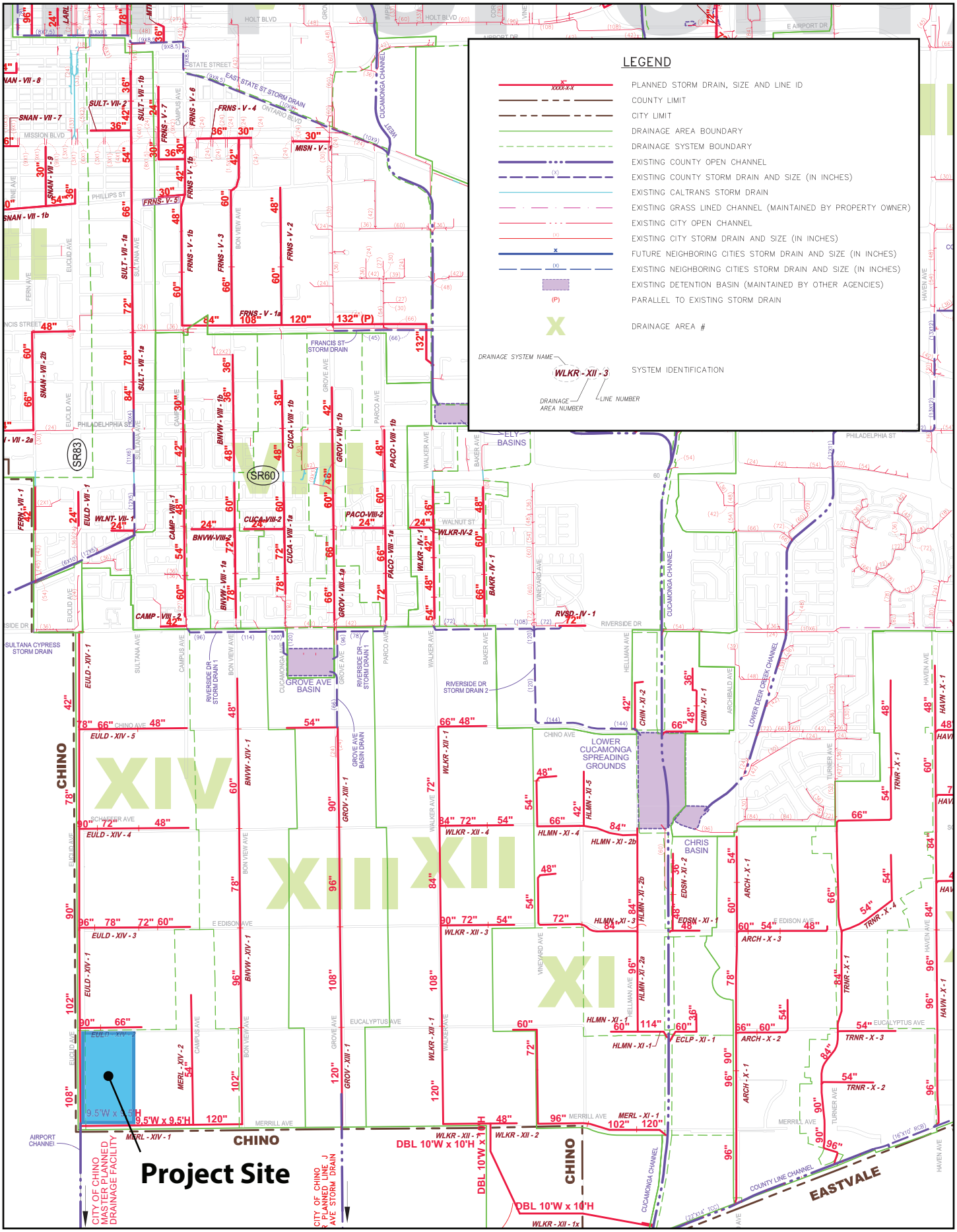
FIGURE 3.18: CITY OF ONTARIO PLANNED DRAINAGE FACILITIES



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3.11 Phasing Plan

Development phasing of the project site will be determined by the landowner and/or developer based upon real estate market conditions. Phasing will occur as appropriate levels of infrastructure are provided. Phasing sequencing is subject to change over time to respond to various market and local factors and as such, individual phases may overlap or develop concurrently. Infrastructure improvements, as required and approved by the City Engineer to support the development, will be installed by the developer. Figure 3.19, Conceptual Phasing Plan, describes two general phases of development for Ontario Ranch Business Park.

Specific Plan backbone infrastructure will be installed by the project developer, in accordance with the applicable City-adopted infrastructure plan for the area, as well as the provisions of this Specific Plan and an approved Development Agreement. Fair share responsibilities for improvements will be addressed in a Development Agreement with the City of Ontario. The timing for installation of infrastructure and utilities within the Specific Plan area will be determined as part of the City's approval of parcel maps. Infrastructure will be constructed and made available in a timely manner as development progresses. All of the Specific Plan required infrastructure can be found in Section 3.3 (Figures 3.3 and 3.5) for Streets, Section 3.4 (Figure 3.9) for Potable Water, Section 3.5 (Figure 3.11) for Recycled Water, Section 3.6 (Figure 3.13) for Sewer, Section 3.8 (Figure 3.16) for Fiber Optics, and Section 3.9 (Figure 3.17) for Storm Drain. Phasing will be determined per separate Development Agreement.

Phase 1: Phase 1 consists of the construction of the storage, warehousing, and industrial development in Planning Area 2. This phase may be developed in two or more sub-phases, based on development plans.

Phase 2: Phase 2 consists of the construction of the business park development in Planning Area 1. This phase may be developed in several sub-phases in response to market demands and according to the logical and orderly completion of infrastructure improvements. Final grading and infrastructure improvements will be completed in accordance with the approved Development Agreement and City Engineer approval.

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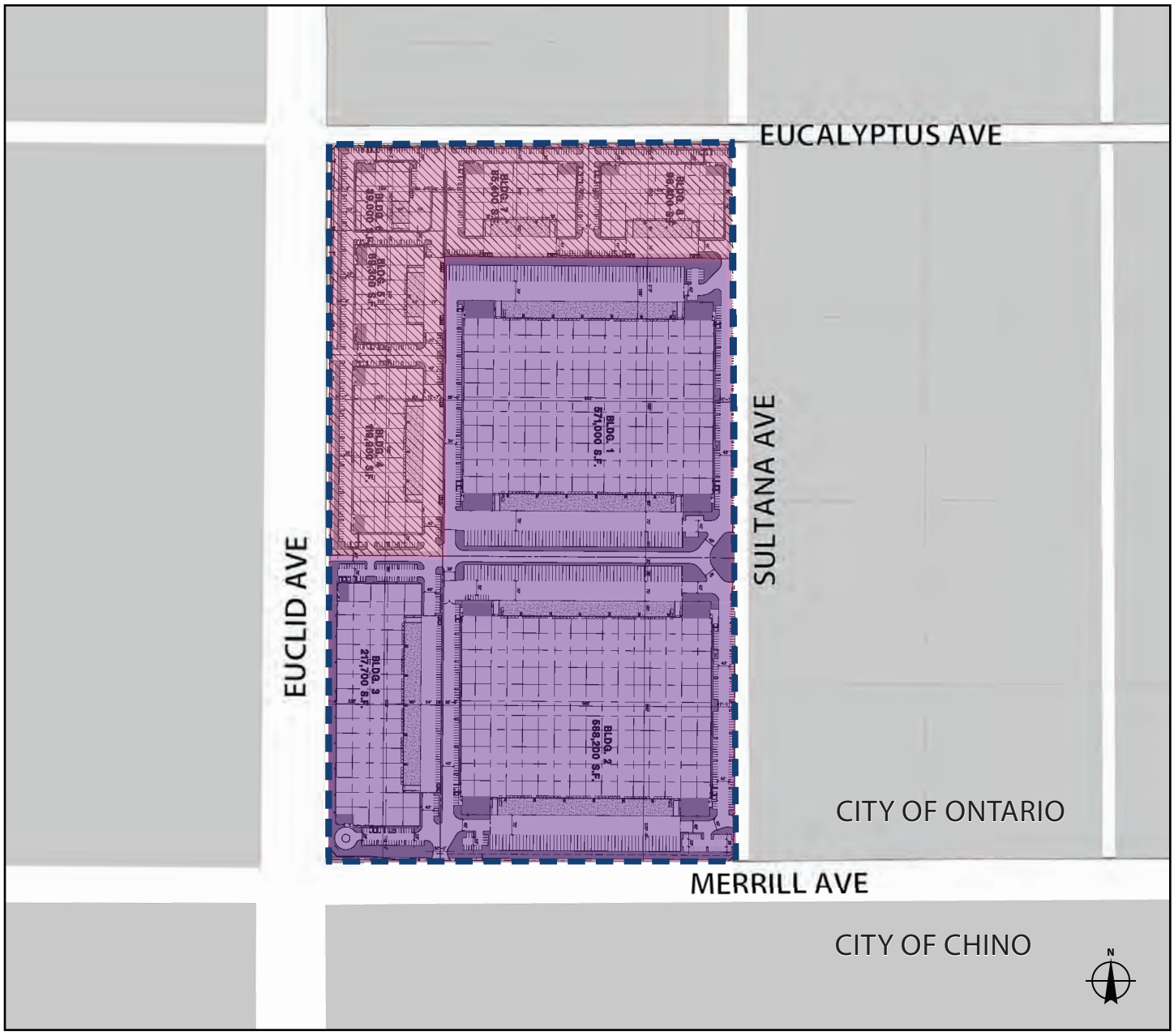
FIGURE 3.19: **CONCEPTUAL PHASING PLAN**



Conceptual Phasing Plam

Specific Plan Boundary

Phase 1

Phase 2

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4.0 LAND USE AND DEVELOPMENT STANDARDS

This chapter identifies the allowable uses and the standards for building heights, setbacks, parking, coverage, landscape, signage, and all other development standards within the Specific Plan area. The application of these regulations is intended to create a harmonious relationship within the Specific Plan area and with the surrounding land uses as well as to protect the health, safety, and general welfare of the community.

4.1 General Provisions

Upon adoption of the Specific Plan, the development standards and procedures established within the Specific Plan become the governing zoning standards for any new construction, addition, or remodel within the Specific Plan area. However, in reviewing individual projects requiring discretionary approval, additional conditions may be applied by the approving body to accomplish the goals and objectives of this Specific Plan.

4.2 Allowable Uses

Table 4.1 (Land Use Matrix) shows the allowable land use, activity, or facility permitted within the Specific Plan's BP (Business Park) and IG (Industrial - General) Zoning Districts, as discussed in Chapter 3. These uses include a variety of industrial-serving commercial, low-intensity office, technology, light manufacturing, and warehouse/distribution uses that are compatible with the site's location within Safety Zone 3 of the Chino Airport. The letters/symbols used in Table 4.1 shall have the following meanings:

"P" - Permitted Land Uses

A Permitted Use (P) is permitted by right and may be established as the primary use of a building without the need for discretionary approval. Permitted Uses are subject to the development standards and guidelines applicable to the zoning district in which the use is located.

"C" - Conditionally Permitted Land Uses

A Conditionally Permitted Use (C) is permitted upon issuance of a Conditional Use Permit (CUP) pursuant to Section 4.02.015 of the Ontario Development Code and City processing procedures.

"A" - Administratively Permitted Uses

An Administratively Permitted Use (A) is permitted upon issuance of an Administrative Use Permit (AUP) pursuant to Section 4.03.015 of the Ontario Development Code and City processing procedures.

"--" - Prohibited Land Uses

A land use indicated with a " --" symbol is prohibited within the zoning district.

Land Uses Not Listed

A land use not listed in Table 4.1 shall be considered a prohibited land use. For land uses similar to those listed in Table 4.1, but not expressly stated in this Specific Plan, the Planning Director or his/her designee has the authority to make a determination of the applicability of similar land uses.

Table 4.1: Allowable Uses

Land Use	BP District	IG District
AGRICULTURAL USES		
Commercial Crop Production and Farming (excluding marijuana)	C	P
Community Gardens, Urban Farms, and Related Uses	A	A
Kennels and Catteries	--	P
RESIDENTIAL USES		
Caretaker's Unit (not to exceed 1,000 square feet)	A	A
CONSTRUCTION		
Contractors (e.g., building construction, site preparation, capital improvement projects)		
• Completely within a building	P	P
• With outdoor storage	--	P
MANUFACTURING		
Apparel Manufacturing	P	P
Artisan Crafts (made by hand) such as glassworks, jewelry, and pottery	P	P
Beverage Manufacturing	--	C
Chemical Manufacturing (excludes pesticides and fertilizers)	--	C
Computer and Electronic Product Manufacturing	P	P
Electrical Equipment, Appliance and Component Manufacturing	P	P
Fabricated Metal Product Manufacturing	--	P
• Ammunition and Arms	C	C
Food Manufacturing, General (but excluding animal slaughtering and processing and seafood product preparation and packaging)	--	P
Food Manufacturing, Limited (bread, tortilla, snack foods, roasted nuts and peanut butter, coffee, tea, flavoring syrup, seasoning and dressing, spice extract)	C	C
Furniture and Related Product Manufacturing	P	P
Glass and Glass Product Manufacturing	--	C
Leather and Allied Product Manufacturing (excluding leather and hide tanning and finishing)	P	P
Machinery Manufacturing	--	P
Miscellaneous Manufacturing (medical equipment and supplies, jewelry, sporting goods, toys, office supplies, signs, etc.)	P	P
Paper Manufacturing	--	C
Pharmaceutical and Medicine Manufacturing (excludes biological product manufacturing)	C	C
Printing and Related Support Activities	P	P
Primary Metal Manufacturing	--	C

Table 4.1: Allowable Uses

Land Use	BP District	IG District
Petroleum and Coal Products Manufacturing	--	C
Plastics Product Manufacturing	--	P
Rubber Product Manufacturing	--	C
Textile Mills	--	C
Textile Product Mills	--	C
Transportation Equipment Manufacturing	--	P
Wood Product Manufacturing	--	C
WHOLESALE TRADE		
Merchant Wholesalers, Durable Goods - General (includes motor vehicles and parts, lumber and construction materials, metals and minerals other than petroleum, and machinery equipment and supplies)	--	P
Merchant Wholesalers, Durable Goods - Limited (includes furniture and home furnishings, professional and commercial equipment and supplies, hardware, plumbing, and heating equipment and supplies)	P	P
Merchant Wholesalers, Nondurable Goods (excludes industrial gases, petroleum bulk stations and terminals, and fireworks and explosives merchant wholesalers)	--	P
Wholesale Electronic Markets, Agents and Brokers (excludes automobile auctions)	P	--
HEALTH CARE AND SOCIAL ASSISTANCE		
Ambulatory Health Care Services	P	--
Child Day Care Services (Commercial Facilities)	--	--
Child Day Care Services (Employer Provided Services)	--	--
Medical Office	P	--
Vocational Rehabilitation Services	C	--
COMMERCIAL USES		
Information		
Broadcasting	P	P
Data Processing, Health, and Related Services	P	P
Publishing Industries	P	P
Motion Picture and Sound Recording Facilities (excludes movie theaters)	P	P
Recording and sound studios	P	--
Telecommunication Facilities	P	P
Eating and Drinking Places, and Food Services		
Alcoholic beverage sales for consumption on the premises (includes all retailer's on-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Food Bank or Meal Delivery Services	C	C
Restaurant		
• Without drive-thru	P	--
• With drive-thru	C	--
Motor Vehicle Mechanical and Electrical Repair and Maintenance		
Servicing Facilities (limited to retail-oriented services, such as emissions testing, battery replacement and other similar retail	P	--

Table 4.1: Allowable Uses

Land Use	BP District	IG District
activities that involves the limited use of pneumatic tools or equipment that create noise impacts)		
General Repair Facilities (includes general motor vehicle mechanical and electrical repair and maintenance of air conditioning, brake, cooling, electric, exhaust, fuel, suspension system, engine, transmission, and drive train)		
• General Repair Facilities - Automobile, Light Truck and Van Repair and Maintenance	C	C
• General Repair Facilities- Large Truck, Bus and Similarly Large Motor Vehicle Repair and Maintenance	--	C
Automotive Body, Paint, Interior and Glass Repair		
• Automobile, Light Truck and Van Body, Paint, and Interior Repair and Customization	C	C
• Minor Customization Work (limited to the "bolt-on" replacement or addition of parts only -- no body or paint work is allowed)	C	C
• Large Truck and Bus Body, Paint, and Interior Repair and Maintenance	--	C
Personal Services		
Couriers and Messengers	P	P
Commercial and Industrial Machinery and Equipment Repair and Maintenance (except automotive and electronic)	--	P
Electronic and Precision Equipment Repair and Maintenance	P	P
Fitness and Recreational Sports Center		
• Gross Floor Area less than 10,000 square feet	P	--
• Gross Floor Area 10,000 square feet or more	C	--
Industrial Laundry and Linen Supply	C	C
Personal and Household Goods Repair and Maintenance	P	P
Pet Boarding and Kennels		
• Day only (e.g. Doggie Daycare)	C	--
• Overnight Stays	C	--
Postal Services	P	P
Passenger Car Rental and Leasing	C	--
Truck, Utility Trailer, and Recreational Vehicle Rental and Leasing	C	P
Offices		
Administrative and Support Services	P	--
Finance and Insurance Offices	P	--
Management of Companies and Enterprises	P	--
Office Ancillary to a Primary Industrial Use (less than 10% of GFA)	P	P
Professional, Scientific, and Technical Services (e.g. accounting, tax preparation, architecture, bookkeeping, legal, engineering, consulting)	P	--
Real Estate Offices	P	--

Table 4.1: Allowable Uses

Land Use	BP District	IG District
Retail		
Alcoholic beverage sales for consumption off the premises (includes all retailer's off-sale licenses issued by the State of California Department of Alcoholic Beverage Control)	C	--
Auction Houses	C	--
Automotive Parts and Accessories (including tires)	P	--
Convenience stores (without alcoholic beverage sales)	P	--
Gasoline Fueling Station with or without Convenience Store (without alcoholic beverage sales)	C	--
Internet Fulfillment/Warehousing/Distribution (E-Commerce)	P	P
Industrial Retail Sales (retail sales of goods and/or products either manufactured, warehoused or wholesaled on-site)		
• Maximum 15% of building floor area or 8,000 square feet, whichever is less	A	A
• Over 15% of building floor area or 8,000 square feet	C	C
Non-Store Retailers (includes electronic shopping and mail-order houses, vending machine operators, and other direct selling establishments (excluding fuel/petroleum dealers)	P	P
WAREHOUSING		
Warehousing and Storage (General and Other)		
• Completely within a building	P	P
• Outdoor Storage Accessory to an Allowed Use	A	A
• Outdoor Storage as the Primary Use	--	C
Refrigerated Warehousing and Storage	P	P
OTHER		
Religious Assembly	C	--
Parking Facilities	P	--
Vocational/Trade Schools	C	C

Notes:
1. P=Permitted, C= Conditionally Permitted, A=Administratively Permitted, -- = Prohibited
2. Refer to the Specific Plan EIR and Ontario International Airport Land Use Compatibility Plan (ONT ALUCP) for additional development criteria and policies that may affect allowable land uses.

4.3 Development Standards

Table 4.2 (Development Standards) provides a summary of the development standards applicable to the land uses, structures, and related improvements located within the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.2.

Table 4.2 Development Standards

Development Standard	Zoning District	
	BP	IG
Minimum Lot Area	10,000 sq ft	20,000 sq ft
Minimum Lot Dimensions		
1. Lot Width	100 ft	100 ft
2. Lot Depth	100 ft	100 ft
Maximum Floor Area Ratio[1,2]	0.45	0.54
Maximum Building Footprint [3]	125,000 sq ft	N/A
Minimum Landscape Setback		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Interior Side	N/A	N/A
6. Interior Rear	N/A	N/A
Minimum Building Setback [4]		
1. Euclid Avenue	35 ft	35 ft
2. Eucalyptus Avenue	23 ft	N/A
3. Merrill Avenue	N/A	23 ft
4. Sultana Avenue	10 ft	10 ft
5. Interior Side	10 ft	10 ft
6. Interior Rear	10 ft	10 ft
Minimum Parking Space and Drive Aisle Separations[5,6,9]		
1. Parking Space or Drive Aisle to Street Property Line	20 ft	10 ft
2. Parking Space or Drive Aisle to Interior Property Line	5 ft	5 ft
3. Parking Space to Buildings, Walls, and Fences	Areas adjacent to public entries and office areas: 10 ft Areas adjacent to other building areas: 5 ft Within screened loading and storage yard areas: 0 ft	
4. Drive Aisles to Buildings, Walls, and Fences	5 ft	5ft
5. Drive Aisles within Screened Loading and Storage Yard Areas	0 ft	0 ft
Maximum Building Height [7,8]	45 ft	55 ft
Minimum Landscape Coverage	15%	10%

Table 4.2 Development Standards

Development Standard	Zoning District	
	BP	IG
Walls, Fences, and Hedges: Per Ontario Development Code Division 6.02 (Walls, Fences, and Obstructions) and Section 5.5 (Buffering and Screening) in the Design Guidelines.		
Notes: 1. The max Floor Area Ratio (FAR) for Planning Area 1, Business Park, may exceed an FAR of 0.45 up to an FAR of 0.60, provided that the total average FAR for the entire Planning Area 1 does not exceed 0.45 FAR and the total combined building square footage does not exceed 457,904 square feet. 2. The max Floor Area Ratio (FAR) for Planning Area 2, Industrial General, may exceed an FAR of 0.54 up to an FAR of 0.55, provided that the total average FAR for the entire Planning Area 2 does not exceed 0.54 FAR and the total combined building square footage does not exceed 1,447,123 square feet. 3. The maximum building footprint limit is applicable only to buildings that front onto a public right-of-way. All setback areas shall be measured from the property line and shall be landscaped. 4. Within yard areas fully screened by a decorative wall, there shall be no minimum drive aisle or parking space setback required, unless adjacent to residentially zoned properties. 5. The minimum separation area between a building, wall, or fence, and a parking space or drive aisle shall be fully landscaped. The separation area may include pedestrian walkways, as necessary; however, a minimum 5-foot wide planter area shall be maintained between a building wall and a pedestrian walkway. The minimum separation dimension does not include any area devoted to vehicle overhang. 6. Architectural projections, mechanical equipment, and focal elements may be allowed to exceed maximum height up to 25 percent above the prescribed height limit. 7. The maximum building height and floor area ratio may be restricted pursuant to the Ontario International Airport Land Use Compatibility Plan (ONT ALUCP). Refer to the ALUCP for properties affected by airport safety zones for additional development criteria and policies that may affect allowable land uses. 8. The use of surrounding roads, drive aisles and truck parking lots to address the open land requirement for the Chino Airport Overlay zone is discussed in Chapter 2 (Section 2.2: Airport Influence Areas).		

Table 4.3 (Off-Street Parking and Loading Design Standards) establishes the design standards for off-street parking in the Specific Plan area. Refer to the Ontario Development Code for any standard not addressed in Table 4.3.

Table 4.3: Off-Street Parking and Loading Design Standards

Development Standard	Requirement
Parking space dimensions	
1. Standard parking	9 feet wide by 18 feet long
2. Tractor trailer parking	12 feet wide by 45 feet long
3. At grade loading space	12 feet wide by 18 feet long
Minimum aisle width with 90-degree parking angle	24 feet
Maximum gradient at parking space	5 percent measured in any direction
Dock-high loading facilities	
1. Dock high loading door loading space	12 feet wide by 45 feet long with 14-foot minimum vertical clearance measured from finished surface of loading dock.
2. Truck maneuvering area	Designed to accommodate the minimum practical turning radius of a 53-foot semi-trailer and tractor combination.

Table 4.4 (Required Number of Parking and Loading Spaces) specifies the number of parking spaces that must be provided according to land use. For a use not specified in the table, refer to the Ontario Development Code, Table 6.03-1: Off-Street Parking Requirements.

Table 4.4: Required Number of Parking and Loading Spaces

Land Use	Number of Required Spaces
Multi-tenant business park	3 spaces per 1,000 square feet plus required parking for "general business offices" when exceeding 10 percent of gross floor area; plus one tractor trailer parking space per 4 dock-high loading doors
General office when office use exceeds 10 percent of building gross floor area	4 spaces per 1,000 square feet of gross floor area of office use
Industrial speculative buildings	Per 1,000 square feet of gross floor area: • Up to 50,000 sq ft: 1.85 spaces • 50,001 – 100,000 sq ft: 1 space • 100,001 sq ft and over: 0.5 space • One tractor trailer parking space per 4 dock-high loading doors. Plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Manufacturing	1.85 spaces per 1,000 square feet of gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors, plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.
Restaurants (includes outdoor seating area up to 25 percent of gross floor area)	• Under 2,000 square feet: 5 spaces per 1,000 square feet of gross floor area • More than 2,000 square feet:10 spaces per 1,000 square feet of gross floor area
Warehousing and distribution (includes office uses if less than 10 percent of building gross floor area)	1 space per 1,000 square feet of gross floor area for first 20,000 square feet; 0.5 space per 1,000 square feet of additional gross floor area, plus one tractor trailer parking space per 4 dock-high loading doors plus required parking for "general business offices" and other associated uses, when those uses exceed 10 percent of the building gross floor area.

Sufficient off-street loading and unloading spaces shall be provided on each development site, and adequate provisions and space shall be made for maneuvering freight vehicles and handling freight. Loading activity, including turnaround and maneuvering, shall be made on site. Buildings, structures, and loading facilities shall be designed and placed on the site so that vehicles, whether rear loading or side loading, may be loaded or unloaded at any loading dock, door, or area without extending beyond the property line.

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5.0 DESIGN GUIDELINES

This chapter identifies conceptual themes for site planning, architecture, and landscape design within the Specific Plan area. The guidelines are intended to ensure a cohesive and attractive development that meets the following objectives:

1. Demonstrates high quality development that complements and integrates into the community and adds value to the City.
2. Creates a functional and sustainable place that ensures Ontario Ranch Business Park is competitive regionally and appropriate in the Ontario Ranch community.
3. Illustrates the distinctive characteristics of the two land use plan zoning districts: Business Park District (Planning Area 1) and Industrial - General District (Planning Area 2).
4. Establishes criteria for building design and materials, landscape design, and site design that provide guidance to developers, builders, architects, landscape architects, and other professionals preparing plans for construction.
5. Provides guidance to City staff and the Planning Commission in the review and evaluation of future development projects in the Ontario Ranch Business Park Specific Plan area.
6. Incorporates construction and landscape design standards that promote energy and water conservation strategies.
7. Implements the goals and policies of The Ontario Plan and the intent of the Ontario Development Code.

5.1 Site Design

As discussed in Chapter 3, Planning Area 1 is sited along the northern portion of the site to buffer the existing residential uses located on the west side of Euclid Avenue within the City of Chino from the industrial and/or warehouse and distribution uses of Planning Area 2. Site design within Planning Area 1 (Business Park District) and Planning Area 2 (Industrial - General District) shall incorporate the following design features.

Key provisions include:

1. Provide a well-organized site plan that emphasizes pedestrian connectivity and attractive landscape areas for the public through the location and arrangement of buildings, circulation, and parking areas.
2. Orient buildings towards street frontages to create an inviting public perimeter. Enhanced elevations shall be provided for buildings that front Euclid Ave.
3. Provide visible pedestrian access to buildings from the street, parking areas, and perimeter sidewalks through signage, prominent architectural features, and landscape design.

4. Employ enhanced paving, accent trees, and other landscape features that highlight major building entries.
5. Design drive aisles to minimize impact to pedestrians, provide adequate stacking space, and prevent queuing of vehicles onto public streets.
6. Locate visitor and short-term parking areas at the front and sides of buildings near primary building entrances.
7. Organize landscaped areas, drive entrances, and/or buildings to create separate parking areas to prevent the parking lot from being the dominant visual element.
8. Locate loading and storage areas away from streets when feasible, ensure adequate space for vehicle backing and maneuvering on-site, and provide adequate parking for loading vehicles so normal traffic flow is not impeded.
9. Screen parking areas and loading docks facing the street using landscape buffers planted with screen trees and drought tolerant vegetation.
10. Orient and screen elements such as trash enclosures, loading bay doors, and service docks to minimize their visibility.
11. Locate service entrance to prevent conflict with front entry.
12. Place electrical rooms and transformers away from front entries and street views.

5.2 Architectural Design

The building design, materials, colors, and textures establish its theme and character. Architecture shall be compatible and complementary with other buildings within the Specific Plan area; however, design diversity is encouraged to provide visual interest. Although development within Planning Area 1 and Planning Area 2 differ in building height and scale, similar design concepts apply as follows.

Key provisions include:

1. Ensure scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Specific Plan area.
2. Avoid blank walls by providing articulation on building elevations visible from a public right-of-way through elements such as cornices, parapets, expression lines, and changes in materials and/or colors.
3. Provide the greatest level of articulation on the front facades that are visible from the public rights-of-way and at the main entrances.
4. Design entry features as a significant aspect of a building's overall composition through massing, detailing, architectural treatments, and/or special materials and colors.
5. Employ recessed or covered building entrances to provide shade and visual relief.
6. Design office buildings, business parks, and office areas of industrial or warehouse buildings with an emphasis on the use of windows, architectural details, and building articulation.
7. Integrate the design of industrial/warehouse office areas into the overall building composition so they create powerful architectural statements and not visually disjointed "add-ons".
8. Employ a minimum of four different colors, materials, and/or textures on each building.
9. Avoid terminating a change in material or color at a building edge; instead, select a logical termination point in relation to the architectural features or massing.
10. Paint exposed downspouts, service doors, and mechanical screens the same color as the adjacent wall. Exposed downspouts are not permitted on elevations that front onto a street.

Planning Area 1 Architectural Design Examples

Planning Area 2 Architectural Design Examples

5.3 Landscape Design

Conceptual landscape plans encourage durable landscape materials and designs that enhance the aesthetics of structures, create and define public and private spaces, and provide shade and environmental benefits. The following guidelines ensure that intersection sight lines and pedestrian safety are preserved. Landscaping plans within the Specific Plan area to comply with City of Ontario Landscape Development Guidelines and the Standard Drawings and Traffic and Transportation Guidelines for sight-distance.

Key provisions include:

1. Landscape and irrigate all areas of the site not covered by buildings, structures, paving, or impervious surfaces.
2. Design and grade projects to direct storm runoff from building roofs and paved areas into swaled landscape areas for retention/infiltration. Landscape areas may be used for storm water basins and swales at no greater than 50% of the available landscape area and may not obstruct the mature root zone of required tree locations
3. Provide shade for expanses of paving, building walls, roofs, and windows with irrigated shade trees located in appropriate areas where space permits to reduce the impacts of heat gain.
4. Design parking lot landscaping to reduce associated heat buildup, improve aesthetics, and integrate with on-site landscape and adjacent streetscape.
5. Use landscaping to aid in the screening and buffering of mechanical equipment, trash collection areas, loading docks and outside storage areas from public view.
6. Show utilities on plan and keep utilities clear of required tree locations. Coordinate with the landscape plans. Utilities such as backflow devices and transformers shall be screened using landscaping that provides at least 75 percent coverage. Backflow devices and transformers shall be located at least five feet from hardscape to ensure space for landscape screening.
7. Prepare landscape plans that meet the requirements of the Landscape Development Guidelines and provide for the efficient use of water. Plants shall be selected and planted based upon their adaptability to the climate and topographical conditions of the project site.
8. Select drought-tolerant plants such as colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate.
9. Incorporate water conservation features in landscape and irrigation plans.
10. Place a landscape planter island every ten parking spaces within parking lots. Planter islands shall be at least five feet in width exclusive of curbs and the length of the abutting parking space. Planter islands shall include at least one tree, appropriate shrubs, and groundcover. Parking areas located behind screen walls shall not be subject to this provision.

11. Provide a minimum dimension of five feet exclusive of curbs for all landscape areas, except for vine pockets.
12. Space living plant materials less than or equal to the mature plant diameter. Non-living ornamental landscape materials may comprise a maximum of five percent of the landscape area requirements and shall be permeable.

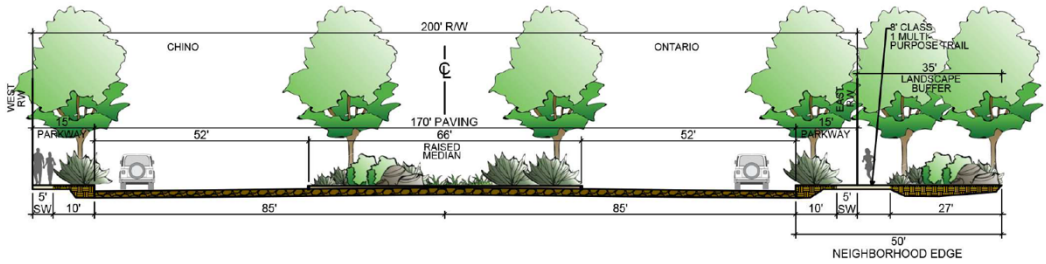
5.3.1 Streetscapes

Streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community. The streetscape designs presented are conceptual only; final grading, plantings, and tree locations will be determined on a project-by-project basis.

5.3.1.1 Euclid Avenue Streetscape

Euclid Avenue features a wide raised landscaped median planted with trees, a 15-foot wide parkway and a 35-foot wide landscape setback. The parkway will include a 10-foot wide curb-adjacent landscape strip generally planted with trees and groundcover and a five-foot wide sidewalk. Tree species along the perimeter of Euclid Avenue will include Grevillea robusta in the parkway, Cedrus deodara groups behind the sidewalk alternating with groups of Cercis canadensis 'Forest Pansy' and Schinus molle in the median. Combined, the parkway and landscape setback create a 50-foot "Neighborhood Edge" as established in the Ontario Ranch Streetscape Master Plan, which is intended to provide a buffer at the Specific Plan boundary as well as a pleasing visual statement along the major City thoroughfare (Figure 5.1).

FIGURE 5.1: **EUCLID AVENUE CONCEPTUAL STREETSCAPE**



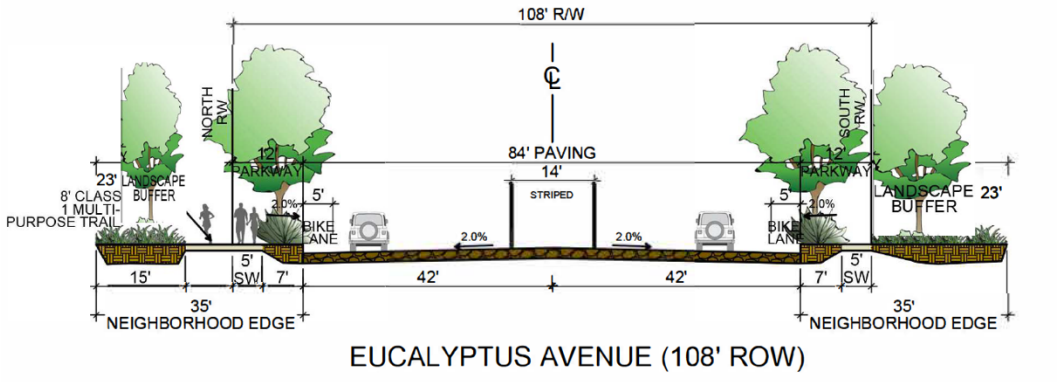
EUCLID AVENUE (200' ROW)

5.3.1.2 Eucalyptus Avenue Streetscape

The typical Eucalyptus Avenue section will feature a 12-foot wide parkway and 23-foot wide landscape setback to create a 35-foot Neighborhood Edge. The parkway will include a seven-foot wide curb-adjacent landscape strip generally planted with trees and groundcover and a five-foot wide sidewalk. Tree species along Eucalyptus Avenue will include Pistache trees in the parkway and behind the sidewalk alternating with groups of

Podocarpus gracilior trees. The Neighborhood Edge creates a buffer along the Specific Plan boundary as well as a visual statement (Figure 5.2).

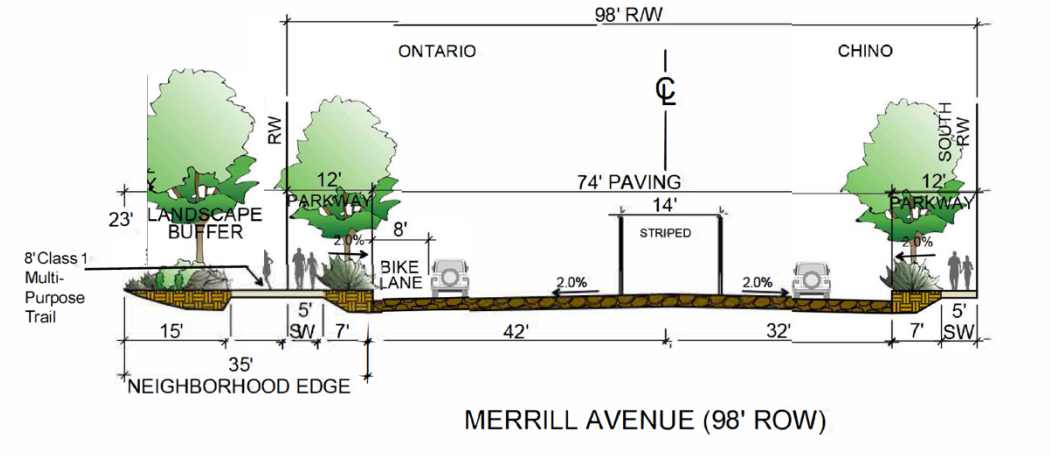
FIGURE 5.2: **EUCALYPTUS AVENUE CONCEPTUAL STREETSCAPE**



5.3.1.3 Merrill Avenue Streetscape

The typical Merrill Avenue section will feature an eight-foot wide on-street Class II bike lane, 12-foot wide parkway and 23-foot wide landscape setback. The parkway will include a seven-foot wide curb-adjacent landscape strip and a five-foot wide sidewalk. Tree species along Merrill Avenue will include Quercus agrifolia in the parkway and behind the sidewalk alternating with Cercis canadensis 'Forest Pansy.' The parkway and landscape setback will combine to form the 35-foot Neighborhood Edge buffer (Figure 5.3).

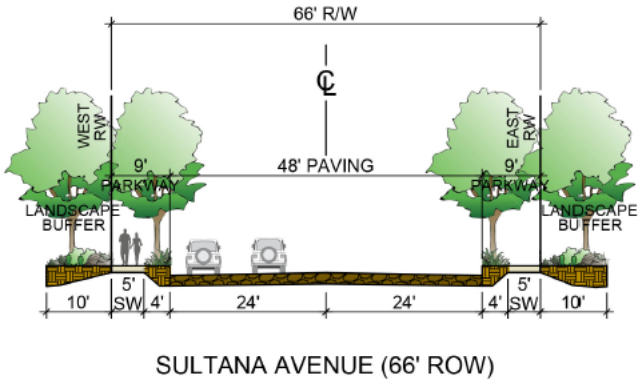
FIGURE 5.3: **MERRILL AVENUE CONCEPTUAL STREETSCAPE**



5.3.1.4 Sultana Avenue Streetscape

The typical Sultana Avenue section will feature a nine-foot wide parkway and 10-foot wide landscape setback. The parkway will include a four-foot wide curb-adjacent landscape strip and a five-foot wide sidewalk. Tree species along Sultana Avenue will include Koelreuteria paniculata and behind the sidewalk will include Quercus ilex (Figure 5.4).

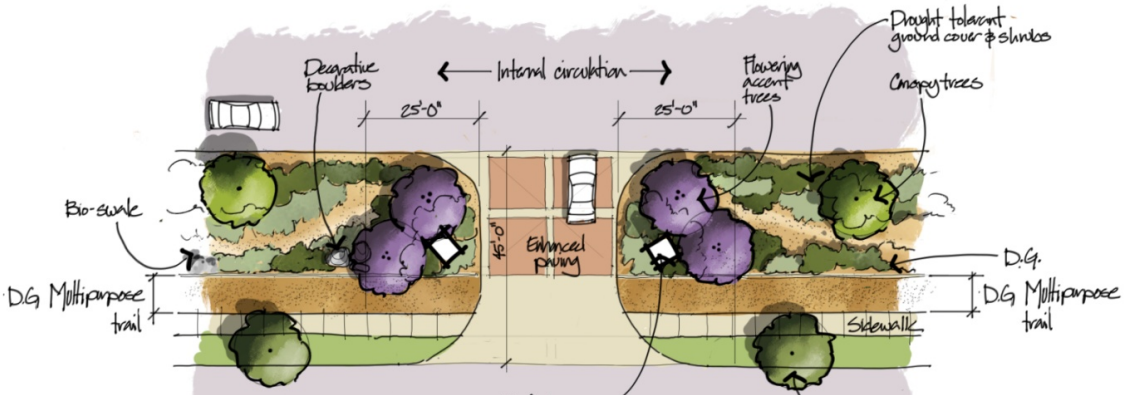
FIGURE 5.4: **SULTANA AVENUE CONCEPTUAL STREETSCAPE**



5.3.2 Project Entries

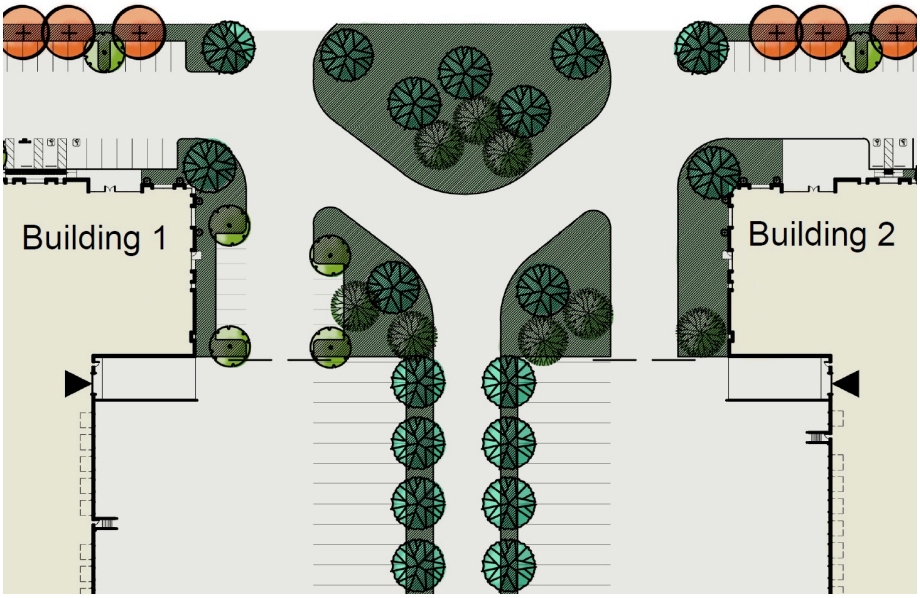
The Specific Plan area includes multiple shared vehicular driveways accessible from Euclid, Eucalyptus, and Merrill Avenues. Figure 5.5 presents a typical conceptual entry design featuring enhanced paving; a landscaped setback with flowering accent trees, canopy trees, and drought-tolerant landscaping; a multipurpose trail; sidewalk; and landscaped parkway with street trees.

FIGURE 5.5: **CONCEPTUAL VEHICULAR ENTRY**



The conceptual site plan provides truck access via Sultana Avenue. Figure 5.6 illustrates the conceptual design featuring dedicated entry and exit driveways separated by a landscaped island planted with Coast Live Oak and California Sycamore.

FIGURE 5.6: **CONCEPTUAL TRUCK ENTRY**



5.3.3 Plant Palette

The Plant Palette shown in Table 5.1 establishes a base palette for the Specific Plan area and includes a variety of groundcovers, shrubs, ornamental grasses, and evergreen and deciduous trees. The selection complements the design theme of the Specific Plan area and features water-efficient, drought-tolerant species native to the region. Similar plant materials may be substituted for the species listed in Table 5.1 if the alternative plants are climate appropriate and enhance the thematic setting.

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
Chilopsis linearis	Desert Willow	Tree
Chitalpa tashkentensis	Chitalpa	Tree
Cinnamomum camphora	Camphor Tree	Tree
Cupressus sempervirens	Italian Cypress	Tree
Heteromeles arbutifolia	Toyon	Tree
Juniperus s. 'Skyrocket'	Skyrocket Juniper	Tree
Koelreuteria bipinnata	Chinese Flame Tree	Tree
Lagerstroemia i 'Muskogee'	Crape Myrtle	Tree
Olea europaea	Olive	Tree
Pinus canariensis	Canary Island Pine	Tree
Pinus eldarica	Afghan Pine	Tree
Pistacia chinensis	Chinese Pistache	Tree
Platanus acerifolia	London Plane	Tree
Platanus racemosa	California Sycamore	Tree
Quercus agrifolia	Coast Live Oak	Tree
Schinus molle	California Pepper	Tree
Tristania conferta	Brisbane Box	Tree
Washingtonia filifera	California Fan Palm	Tree
Phoenix dactylifera	Date Palm	Tree
Acca sellowiana	Pineapple Guava	Shrub
Buxus j. 'Green Beauty'	Japanese Boxwood	Hedge
Callistemon 'Little John'	Dwarf Bottle Brush	Shrub
Carissa macrocarpa 'Tuttle'	Natal Plum	Shrub
Cistus 'Sunset Pink'	Sunset Pink Rockrose	Shrub
Dianella 'Little Rev'	Dwarf Dianella	Shrub
Dianella tasmanica	Dianella	Shrub
Dodonaea viscosa 'Purpurea'	Hopseed Bush	Shrub
Eleagnus pungens	Silverberry	Shrub
Leucophyllum f. 'Green Cloud'	Texas Ranger	Shrub
Ligustrum j. texanum	Texas Privet	Shrub
Pittosporum tobira 'Variegata'	Variegated Mock Orange	Hedge
Pittosporum t. 'Wheeleri'	Wheeler's Dwarf	Shrub
Rhaphiolepis i. 'Clara'	Indian Hawthorn	Hedge
Rhaphiolepis i. 'Springtime'	Indian Hawthorn	Hedge
Rhamnus californica	Coffeeberry	Shrub
Rhamnus c. 'Mound San Bruno'	Dwarf Coffeeberry	Shrub
Rosmarinus o. 'Tuscan Blue'	Rosemary	Shrub
Salvia c. 'Allen Chickering'	Allen Chickering Sage	Shrub
Salvia greggii	Autumn Sage	Shrub
Salvia leucantha	Mexican Sage	Shrub
Westringia fruticosa	Coast Rosemary	Shrub
Xylosma congestum	Shiny Xylosma	Hedge
Agave 'Blue Flame'	Blue Flame Agave	Accent
Aloe maculata	Soap Aloe	Accent
Aloe petricola	Stone Aloe	Accent
Aloe polyphylla	Spiral Aloe	Accent
Aloe striata	Coral Aloe	Accent

Table 5.1: Plant Palette

Botanical Name	Common Name	Use
Echeveria 'Ruffles'	Ruffles Echeveria	Accent
Hesperaloe parviflora	Red Yucca	Accent
Acacia redolens 'Low Boy'	Dwarf Acacia	Groundcover
Baccharis p. 'Pigeon Point'	Dwarf Coyote Bush	Groundcover
Baccharis p. 'Centenial'	Coyote Bush	Groundcover
Carex pansa	California Meadow Sedge	Grass
Carex tumulicola	Foothill Sedge	Grass
Festuca mairei	Altas Fescue	Grass
Festuca o. 'Glauca'	Blue Fescue	Grass
Lonicera j. 'Halliana'	Hall's Honeysuckle	Groundcover
Muhlenbergia capillaris	Pink Muhly	Grass
Myoporum parvifolium	Myoporum	Groundcover
Rosa 'Flower Carpet' - Red	Red Flower Carpet Rose	Groundcover
Rosmarinus o. 'Huntington Carpet'	Prostrate Rosemary	Groundcover
Salvia 'Bee's Bliss'	Bee's Bliss Sage	Groundcover
Senecio mandraliscae	Blue Fingers	Groundcover
Sesleria autumnali	Moor Gras	Grass
Trachelopspermum jasminiode	Star Jasmin	Groundcover
Distictus buccinatoria	Blood-red Trumpet Vine	Vine

5.4 Walls and Fences

Walls and fences are an important design feature intended to both complement building and landscape architecture and provide functional elements. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation and will be permitted only if approved.

Key provisions include:

1. Provide attractive, durable, and complementary wall and fencing materials consistent with the building design.
2. Offset and architecturally treat long expanses of wall surfaces every 100 feet with material changes, pilasters and posts, staggered walls, or landscape treatments to prevent visual monotony.
3. Soften the appearance of fencing with plants that reach the height of the wall or fence at maturity.
4. Construct sliding gates visible from a public street with tubular steel, vertical steel pickets, or high-density perforated metal screening painted to match or complement adjacent walls. Interior gates not visible to public view may be galvanized steel or chain link.
5. Prohibit chain link fencing visible to the public.

Wall and Fence Examples

5.5 Buffering and Screening

To alleviate the unsightly appearance of parking, loading and service areas, buffering and screening design features should be used to enhance the overall development. Any proposed entry gates shall be reviewed and approved by the City of Ontario Traffic and Transportation Division prior to installation.

5.5.1 Parking Lots

1. Buffer parking lots adjacent to and visible from public streets using a combination of architectural wing walls, buildings, decorative screen walls, evergreen hedges, and landscape buffers.
2. Use plants for screening that are a minimum of 3 feet tall at the time of installation.

Examples of Parking Lot Buffering

5.5.2 Loading and Service Areas (Truck Courts)

1. Screen loading docks and truck parking areas visible from Euclid Avenue, Eucalyptus Avenue, and Sultana Avenue. Screening may include portions of buildings and/or decorative walls. Landscaping and evergreen hedges shall be provided to soften screen walls.

2. Incorporate gated/screened entrances to loading areas into the overall architectural design of the development.
3. Design walls and fencing a minimum of eight-feet high and a maximum of 14-feet high, as measured from finished grade, to screen truck courts and hide views of the top of loading bays or trailers.
4. Utilize portions of a building, architectural wing walls, and/or landscaping to screen service areas.
5. Screen ground- and roof-mounted mechanical equipment from public view. Ground-mounted equipment shall be screened with decorative walls or landscaping. Building architecture shall be designed to screen roof-mounted equipment.
6. Ensure refuse containers are easily accessible by service vehicles yet screened from public view within the building's façade or within a walled enclosure.
7. Obtain a use permit for outdoor storage, which shall be limited to predefined areas. Storage areas shall be screened from public view by decorative walls or with a minimum height of eight feet and a maximum height of 14 feet. The height of outdoor storage shall not-exceed the height of screening.

Loading and Service Area Example

5.6 Lighting

Site lighting provides illumination for operations, safety, security, and ambiance in parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features.

Key provisions include:

1. Choose lighting fixtures that complement the building architecture and promote consistency throughout the Planning Areas.
2. Install ground or low mounted fixtures to provide safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features.
3. Allow building-mounted accent lighting for general illumination provided there is no light spill or distraction onto roadways or adjacent property. Plain shoebox or unshielded wall packs are not permitted.
4. Direct exterior lighting fixtures downward to avoid unnecessary light spill and glare.
5. Limit pole-mounted, building-mounted, or tree-mounted lighting fixtures to no more than 30 feet in height to minimize light spill and glare.
6. Shield and direct pole-mounted lights away from public streets.
7. Ensure exterior lighting is consistent with the Chino Airport Land Use Compatibility Plan.
8. Design parking lot lighting to avoid placing fixtures in required tree locations.

5.7 Signage

Approval of a comprehensive sign program shall be required for development within the Specific Plan area. A sign program facilitates integration of signs with the overall site and building design to create a unified visual statement and provide for flexible application of sign regulations in the design and display of multiple signs.

Key provisions include:

1. Install an entry monument at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park. Entry monuments shall be designed in accordance with City of Ontario Traffic and Transportation Guidelines for monument placement.
2. Employ signage to identify a center and tenants within a center, direct vehicular traffic, and provide on-site way-finding for pedestrians.
3. Employ signage within industrial sites to give direction to loading and receiving, visitor parking, and other special uses.
4. Provide a unifying sign theme in developments with multiple users.

5. Coordinate signage with the building design, materials, color, size, and placement.
6. Select signage with backlit or internally illuminated individual channel letters. Can-type box signs with translucent backlit panels are discouraged.
7. Avoid covering significant architectural elements with signage.
8. Position flush-mounted signs with respect to architectural features and align with signs on other buildings to maintain a pattern.
9. Place street address signs perpendicular to approaching vehicular traffic.
10. Ensure signage located within a landscaped planter is not blocked or damaged by plant materials.
11. Conserve energy by utilizing an automatic illumination shut-off mechanism when businesses are closed.
12. Construct signs from high quality materials and avoid exposed wiring, ballasts, conduits, fasteners, raceways, or similar hardware.

Signage Examples

Signage Examples Continued

5.8 Sustainable Design Strategies

Ontario Ranch Business Park is committed to sustainable design strategies that integrate principles of environmental stewardship into the design and construction process. Appropriate strategies will be determined for each project within the Specific Plan area. Strategies include, but are not limited to:

5.8.1 Sustainable Construction & Technology Concepts

1. Design and construct energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.
2. Employ passive design including skylights, building orientation, landscaping, and strategic colors to improve building energy performance.
3. Reduce the heat island effect by providing shade structures and trees that produce large canopies. In addition, choose roof and paving materials that possess a high level of solar reflectivity (cool roofs).
4. Use recycled and other environmentally friendly building materials wherever possible.
5. Incorporate skylights into at least two percent of warehouse/distribution building roof area to provide natural light and reduce electric lighting demand.
6. Use energy efficient LED (or similar) products.
7. Provide interior or exterior bicycle storage consistent with the California Green Building Standards Code.
8. Use drought tolerant landscaping with drip irrigation and include plantings such as trees, shrubs, groundcovers and/or vines. Optional amenities include benches, trellises, thematic fencing, and decorative walkways.
9. Employ high performance dual pane window glazing in office storefronts.

5.8.2 Water Quality

1. Utilize landscape areas including retention/infiltration swales and basins or bio-treatment when infiltration is infeasible, as required by the San Bernardino County MS4 Permit and Water Quality Management Plan.
2. Select native and drought tolerant plants to reduce water demand.
3. Integrate permeable pavement and perforated curbs throughout the project area as feasible to allow stormwater to enter planter areas, assist with filtration and control runoff.
4. Use captured runoff to augment irrigation systems whenever possible.
5. Employ irrigation systems that respond to changing weather conditions, irrigate by hydrozone, and use micro-irrigation techniques.

6. Use recycled water to irrigate landscape areas and for other appropriate uses. The use of recycled water for certain purposes is required by the City of Ontario Recycled Water Master Plan.

Sustainable Design Examples

6.0 IMPLEMENTATION

This chapter summarizes the development process for implementation of the Ontario Ranch Business Park Specific Plan and provides for the orderly development of the Specific Plan area.

6.1 Applicability

The provisions, guidelines, and regulations contained within this Specific Plan provide the standards for land uses and development within Ontario Ranch Business Park. The Specific Plan supersedes the development standards and regulations of the Ontario Development Code unless stated otherwise in this document. Whenever the provisions and development standards of the Specific Plan conflict with those of the Ontario Development Code, the Specific Plan shall take precedence. Where the Specific Plan is silent, the Ontario Development Code shall apply.

6.1.1 Definition of Terms

The terms used within the Specific Plan shall mean the same as defined in the Ontario Development Code, unless otherwise noted.

6.2 Severability

The Specific Plan serves as the implementation tool for the City's Policy Plan (General Plan). In the event that any provision of this Specific Plan or its application to any person or circumstance is held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct and independent, and shall not affect the validity of the remaining provisions of this Specific Plan or applications thereof, which can be implemented without the invalid provision or application.

6.3 Interpretation

If an issue, condition, or situation occurs that is not sufficiently covered or provided for in this Specific Plan, those that are applicable for the most similar issue, condition, or situation shall be used. Unless otherwise provided, any ambiguity concerning the content or application of the Specific Plan shall be resolved by the City Planning Director in a manner consistent with the goals, policies, objectives, and intent established in the Specific Plan.

6.4 Consistency with Other Plans and Regulations

This sub-section discusses consistency of the Specific Plan with The Ontario Plan, Airport Land Use Compatibility Plans, the California Building Code, and CEQA.

6.4.1 Consistency with The Ontario Plan

No land use, activity, or facility shall be permitted that is inconsistent with the objectives, policies, general land uses, and programs of The Ontario Plan, as amended.

The Ontario Ranch Business Park entitlement application includes a General Plan Amendment to change the site's land use designations to Business Park and General Industrial to be consistent with this Specific Plan.

6.4.2 Consistency with Airport Land Use Compatibility Plans

Projects located within the Specific Plan area are subject to the restrictions and provisions of the Airport Land Use Compatibility Plans prepared for Ontario International Airport and Chino Airport.

6.4.3 Consistency with California Building Code

Projects located within the Specific Plan area must comply with the State of California Building Code as adopted and implemented by the City of Ontario.

6.4.4 Consistency with CEQA

The City of Ontario is defined as the lead agency under the California Environmental Quality Act (CEQA) based upon its authority to approve this Specific Plan. Concurrent with approval of this Specific Plan, the City Council will be required to certify the associated Environmental Impact Report (EIR), including a Mitigation Monitoring and Reporting Program to ensure that all approved EIR mitigation measures are implemented. The Planning Director shall be responsible for confirming that mitigation measures have been implemented through each project's approved plans.

6.5 Specific Plan Revisions

It is recognized that modifications to the text or exhibits of this Specific Plan may be warranted in the future to accommodate unforeseen conditions or events. Revisions shall be processed in a manner prescribed by the City of Ontario Planning Department pursuant to the provisions in this section.

6.5.1 Minor Modifications to the Specific Plan

Minor modifications to the Specific Plan will be processed administratively without the submission of a formal Specific Plan Amendment application and will not require a public hearing or review by the Planning Commission. The Planning Director shall have the authority to review and make a determination of approval, approval with conditions, or denial of a request for minor modification to the Specific Plan. The Planning Director may, at his/her discretion, refer any such request to the Planning Commission or the City Council.

Minor modifications are defined as:

1. Expansions or reductions to a Planning Area boundary or acreage, provided that the total acreage within each affected Planning Area is not modified by more than 20 percent.

2. An increase in maximum building area for single- and multi-tenant buildings of up to 20 percent, provided that the maximum square footage for the Planning Area established by this Specific Plan is not exceeded.
3. A modification of up to 20 percent of a project's required minimum lot area, minimum lot dimensions, or setback if compatible with the surrounding land uses and consistent with the overall design character of the Ontario Ranch Business Park.
4. Additions, deletions, or modifications to Table 4.1, Allowable Uses, which lists the permitted and conditionally permitted uses in the Specific Plan area, provided the Planning Director determines the changes to be consistent with the objectives and intent of the Specific Plan.
5. Minor modification of conceptual design criteria for architectural features and materials, landscape treatments, lighting, signage, and sustainable design strategies.
6. Revisions to roadway alignment when the change results in centerline shift of less than 250 feet.
7. Revisions to infrastructure facility sizing and precise location for dry utilities, water, sewer, and storm drainage improvements subject to approval of the City Engineer.
8. Changes to the Phasing Plan, provided infrastructure is available to serve the phase as determined by the City Engineer.
9. Revisions to exhibits in the Specific Plan that do not substantially change its intent or character.
10. Modifications of a similar nature to those listed above, which are deemed minor by the Planning Director and conform to the purpose and intent of this Specific Plan and The Ontario Plan.

6.5.2 Specific Plan Amendments

Proposed changes to this Specific Plan that do not meet the criteria for a Minor Modification will be subject to a formal Specific Plan Amendment application process pursuant to Section 4.01.035 of the Ontario Development Code and California Government Code Section 65450, et seq.

If the proposed amendment requires supplemental environmental analysis pursuant to CEQA, the applicant will adhere to the City's adopted procedures and CEQA Guidelines.

6.6 Subdivision Maps

Development within the Specific Plan area may require the processing of tentative and final tract or parcel maps and/or lot line adjustments or mergers. Subdivision maps and lot changes shall be reviewed and approved pursuant to Section 4.02.085 of the Ontario Development Code and other applicable City codes and regulations, California

Government Code Section 66410 et seq. (Subdivision Map Act), as well as the provisions of this Specific Plan.

6.7 Development and Land Use Review Procedures

Review procedures for development and land use within the Specific Plan area shall be as provided in this Specific Plan and in accordance with the Ontario Development Code.

6.7.1 Development Plan Review

Development proposed within the Specific Plan area will be subject to Development Plan review pursuant to Section 4.02.025 of the Ontario Development Code. The review is intended to ensure compliance with the provisions of this Specific Plan, protect the integrity and character of the physical composition of the City, and encourage high quality development.

6.7.2 Conditional Use Permit

A Conditional Use Permit is required for uses deemed "conditionally permitted" in Table 4.1 (Allowable Uses). Applications for a Conditional Use Permit will be processed pursuant to Section 4.02.015 of the Ontario Development Code.

6.7.3 Administrative Use Permit

An Administrative Use Permit is required for uses deemed "administratively permitted" in Table 4.1 (Allowable Uses). Applications for an Administrative Use Permit will be processed pursuant to Section 4.03.015 of the Ontario Development Code.

6.7.4 Appeals

Appeals of decisions of the Development Advisory Board, Zoning Administrator, Planning Director or the Planning Commission regarding implementation of this Specific Plan may be made by the applicant or other aggrieved party pursuant to Division 2.04 of the Ontario Development Code.

6.8 Development Agreement

Approval of a statutory development agreement authorized pursuant to California Government Code Section 65864 et seq. is required by this Specific Plan. The Development Agreement shall include, but not be limited to, methods for financing, acquisition, and construction of necessary infrastructure. The Development Agreement shall be fully executed prior to recordation of the first Final Map.

6.9 Specific Plan Phasing

Implementation of this Specific Plan is anticipated to occur in two phases, as discussed in Chapter 3.11, Phasing Plan:

- Phase 1: Construction of the storage, warehousing, and/or industrial uses in Planning Area 2.

- Phase 2: Construction of the business park uses in Planning Area 1.

These phases may be developed as sub-phases and may occur either sequentially or concurrently with one another.

All of the Specific Plan required infrastructure by Section 3.4 (Figure 3.9) for Potable Water, Section 3.5 (Figure 3.11) for Recycled Water, and Section 3.6 (Figure 3.13) for Sewer phasing will be determined per separate Development Agreement.

6.9.1 Phasing Objectives

Development phasing shall meet the following objectives:

1. The orderly build-out of the project based upon market and economic conditions;
2. The provision of adequate parking, infrastructure, and public facilities concurrent with the development of each phase; and
3. The protection of the public health, safety, and welfare.

6.9.2 Findings for Modification of the Phasing Plan

The Planning Director shall have the authority to approve modification of the Phasing Plan, subject to the following findings:

1. The modification is consistent with the Policy Plan (General Plan);
2. The modification will not adversely affect the implementation of the Specific Plan;
3. The modification will not be detrimental to public health, safety, and general welfare; and
4. The modification will not delay the construction of infrastructure improvements necessary to serve the development.

6.10 Financing of Public Improvements

The financing of the construction, operation, and maintenance of public infrastructure improvements, facilities, and services within the Specific Plan area shall be provided through a combination of mechanisms. Final determination of the scope of improvements, maintenance responsibilities, and funding sources shall be specified in the approved Development Agreement, executed prior to recordation of the first Final Map.

Financing options may include, but are not limited to, the following:

1. Private capital investment by the project developer, the property owner(s), or a Property Owners Association.
2. Private capital investment by a consortium of property owners and/or developers of the project and/or surrounding area.

3. Community Facilities District (CFD) established pursuant to the Mello-Roos Community Facilities District Act of 1982, or other special district, to provide funding for the construction of public facilities or the provision of public services. City Council approval is a prerequisite for use of special district financing mechanisms.
4. Development Impact Fee (DIF) credits to be applied for infrastructure completed by the project developer. The City does not issue DIF credits unless the developer has entered into a separate DIF credit agreement after approval of the Development Agreement.
5. Enhanced Infrastructure Financing District to fund infrastructure development through tax increment financing pursuant to Senate Bill 628.
6. Community Revitalization and Investment Authorities (CRIA) to fund infrastructure development through tax increment financing pursuant to Assembly Bill 2.

6.11 Maintenance Plan

Final determination of maintenance responsibilities for the public and private improvements constructed in association with this Specific Plan shall be specified in the approved Development Agreement, which shall be executed prior to recordation of the first Final Map. However, it is anticipated that maintenance shall be generally shared by three entities as described below and outlined in Table 6.1, Maintenance Responsibilities.

6.11.1 City of Ontario, Community Facilities District & other Special District

The establishment of a community facilities district, landscape and lighting district, or other special district to fund the maintenance of public facilities shall be at the City's discretion. It is anticipated that public maintenance shall include the following:

1. Right-of-way for public streets within the Specific Plan area (Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue) shall be dedicated to the City of Ontario per the provisions of this Specific Plan (Chapter 3, Development Plan) and as approved by the City Engineer.
2. Landscape improvements and public streetlights within the public right-of-way and neighborhood edge shall be maintained through a landscape and lighting district or other special maintenance district established by the City.
3. The City shall maintain off-site infrastructure improvements, including water, recycled water, sewer, and storm drainage facilities after they are accepted by the City.
4. The City shall maintain NPDES facilities located within the curb-to-curb area of public streets after they are accepted by the City. Operation and maintenance requirements for NPDES stormwater runoff source control and treatment control Best Management Practices shall be identified in the approved Water Quality Management Plan for the project.

6.11.2 Property Owners Association

A Property Owners Association (POA) shall be established for the maintenance of common areas, including such improvements as on-site landscape areas and parking and drive aisles within Ontario Ranch Business Park. It is anticipated that improvements maintained by the POA will include the following:

1. Driveways;
2. On-site open spaces, on-site landscape areas, common areas, parking lots, and walkways;
3. Landscaping within setback/landscape buffer areas along Sultana Ave;
4. NPDES facilities within landscape setbacks and on-site common areas;
5. Property identification signage and architectural elements located within the landscaped buffer; and
6. Fencing and walls, including graffiti removal.
7. Water, sewer, recycled water facilities and storm drainage facilities located on-site shall be constructed by the developer are considered privately owned and maintained by property owners or Property Owners Association however the Property Owners Association shall maintain permanent on-site water quality basins, trenches, swales and biotreatment filters required by the San Bernardino County MS4 Permit and Water Quality Management Plan.

Table 6.1: Maintenance Responsibilities

Area of Responsibility	City or Special District	Property Owners Association	Utility
Master Planned Roadways: Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue			
Curb-to-curb improvements	♦		
Behind the curb improvements - landscaping within the public right-of-way (parkways), sidewalks and neighborhood edge	♦		
Other Improvements			
Traffic Signals and Traffic Control Signs on public streets	♦		
Streetlights in the public right-of-way	♦		
Drive aisles		♦	
On-site parking areas		♦	
Common open space		♦	
Landscaping within setback/landscape buffer areas (Sultana Ave)		♦	
Monument signage		♦	
Walls and fences		♦	
Stormwater drainage/water quality control facilities within the curb-to-curb area of public streets	♦		
Stormwater drainage/water quality control facilities behind the curb		♦	
Water, recycled water, and sewer infrastructure in the public right-of-way	♦		
Dry utilities: electricity, natural gas, communication systems			♦

6.12 Additional Entitlement Requirements

Currently, there are no existing City utilities, nor any improvement plans for City Utilities in the vicinity of the Specific Plan area. Several miles of new infrastructure are required to provide City utility services to the Specific Plan area. In order to ensure orderly expansion of the City Utility Systems and other City Infrastructure, the following Additional Entitlement Requirements are imposed upon all Subdivision Maps and Developments within the Specific Plan area.

6.12.1 Conceptual Design Report

Prior to approval of any entitlement application (subdivision maps, Development Plan Reviews, etc.), a conceptual design report shall be prepared and submitted to the Development Agency Engineering Department and the Utilities Engineering Department for review and approval for the established extent of all public improvements required for the project. The study shall identify existing and future rights-of-ways (ROW) and infrastructure improvements and establish all vertical and horizontal alignments for each utility. The report shall include cross-sections, profiles, and any supporting details

needed to demonstrate that utilities can be adequately accommodated in the public ROW. The study shall account for all utility conflicts, right-of-way variations, existing obstructions, and the timing of utility installation. Utilities cannot be located along an alignment that conflicts with existing conditions (e.g. electrical poles, private property, etc.) unless that applicant is accepting the responsibility of modifying the existing conditions (e.g. undergrounding, relocation, ROW acquisition, etc.).

Western Trunk Sewershed Scope: In order to assure that the Western Trunk Sewer (WTS) is designed to serve its entire Sewer Master Plan Tributary Area, all the Master Plan Trunk Sewers connecting to the WTS and the WTS shall be included in the Conceptual Design Report. This shall include: the Western Trunk Sewer from the Inland Empire Utility Agency's Kimball Interceptor to the Whispering Lakes Pump Station Riverside Drive and Carpenter Avenue; the Euclid Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Bon View Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Grove Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Walker Trunk Sewer from the Western Trunk Sewer in Schaeffer Avenue to Chino Avenue.

6.12.2 Preliminary Design Report

As a condition of entitlements (subdivision maps, Development Plan Reviews, etc.) within the Specific Plan and prior to submittal of Infrastructure Improvements Plans, a Preliminary Design Report (PDR) for all public infrastructure shall be submitted and approved by the Development Agency Engineering Department and the Utilities Engineering Department. The PDR shall include the following:

Conceptual Design Compliance: A discussion modifying or confirming the conceptual design established with the Project's Conceptual Design Report. The study shall confirm all rights-of-ways (ROW), infrastructure improvements, and vertical and horizontal alignments for each utility. Street Cross Sections and Profiles:

Street Cross Sections and Profiles shall be provided for each public street, private street and Public Utility Easement (PUE) containing a public utility and at any points along the alignments where the ROW varies. The cross sections shall show the location and size of each utility and shall annotate the property/ROW lines, the type of finished surface material, the distance of each utility from centerline, the depth from finished surface to top of pipe, and the distance between utilities (outside wall to outside wall).

Constructability Review: The report shall include a discussion of the constructability issues along the proposed alignment and identify the recommended construction methods that may be utilized. The study shall perform field investigation (field survey and potholing) in order to identify potential utility conflicts, right-of-way variations, existing obstructions, and constructability issues created by the timing of utility installation.

Supporting Details: The PDR shall include any supporting details needed to demonstrate that utilities can be adequately accommodated in the public ROW, including the placement of large appurtenances, clearance from existing obstructions, etc.

30% Design Drawings: The PDR findings shall be incorporated into a 30% design plan set and included in the PDR.

Western Trunk Sewershed Scope: In order to qualify for Development Impact Fees (DIF) and to assure that the Western Trunk Sewer (WTS) is designed to serve its entire Sewer Master Plan Tributary Area, the PDR shall include all the Master Plan Trunk Sewers connecting to the WTS and the WTS. The PDR shall include: the Western Trunk Sewer from the Kimball Interceptor to the Whispering Lakes Pump Station Riverside Drive and Carpenter Avenue; the Euclid Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; ; the Bon View Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; the Grove Trunk Sewer from the Western Trunk Sewer in Merrill Avenue to Chino Avenue; ; the Walker Trunk Sewer from the Western Trunk Sewer in Schaeffer Avenue to Chino Avenue. At minimum, the PDRs shall include:

Horizontal and vertical alignment studies assuring that the entire sewershed and subsewersheds can be sewered.

Sewer sizing hydraulic calculations assuring the Trunk Sewer, with the proposed designs, can accommodate the Master Plan Flows meeting Master Plan Design Criteria.

As it relates to Ontario Ranch Business Park, this requirement has already been completed by the developer and no additional reports are required.

7.0 GENERAL PLAN CONSISTENCY

California Government Code (Title 7, Division 1, Chapter 3, Article 8, Section 65440-65457) permits the adoption and administration of Specific Plans as an implementation tool for elements contained within a jurisdiction's local General Plan. Approval of this Specific Plan is based on the finding that the regulations, guidelines, and programs contained within this Specific Plan are consistent with The Ontario Plan. The Ontario Plan establishes the direction and vision for the City of Ontario and provides a single comprehensive document to shape its future. The Ontario Plan provides for policies to accommodate change over its 30-year lifespan. The Ontario Plan 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. The following sections demonstrate the Ontario Ranch Business Park Specific Plan implements the goals and policies of the City's Policy Plan (General Plan).

7.1 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 LU1-2 Sustainable Community Strategy

We integrate state, regional, and local Sustainable Community/Smart Growth principles into the development and entitlement process.

The Specific Plan encourages the efficient use of energy resources in design, product selection, and operational techniques. The Design Guidelines in Chapter 5 address lighting, bicycle parking, sustainable landscaping, and sustainable design strategies. Landscape provisions require the use of native drought-resistant vegetation and shade trees to conserve water and reduce heat islands. The sustainable design strategies include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. Protecting water quality, reducing runoff, and reducing water demand for landscaping are promoted in the Development Plan in Chapter 3 through the recycled water plan and storm drainage facilities source control and treatment practices.

Policy LU1-3 Adequate Capacity

We require adequate infrastructure and services for all development.

The Specific Plan establishes a Phasing Plan that has been coordinated with affected infrastructure providers and ensures that uses on the project site will be adequately served. The Specific Plan requires infrastructure development to occur in a timely manner. Potable and recycled water, sewer, fiber optic communications, and storm drain infrastructure improvements that will ultimately serve the Specific Plan area are addressed in Chapter 3, Development Plan. Infrastructure and services will be consistent with City of Ontario infrastructure master plans and the approved development agreement.

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

Policy LU2-3 Hazardous Uses

We regulate the development of industrial and similar uses that use, store, produce or transport toxic substances, air emissions, other pollutants or hazardous materials.

Uses within the Specific Plan are required to comply with federal, state, and local regulations pertaining to the use, storage, disposal, and transportation of hazardous materials, toxic substances, and other pollutants.

Policy LU2-5 Regulation of Uses

We regulate the location, concentration and operations of uses that have impacts on surrounding uses.

The Specific Plan land use plan contained in Chapter 3, Development Plan, utilizes the Business Park designation (Planning Area 1) to buffer the Industrial-General (IG) land use designation (Planning Area 2) from the existing residential uses located across Euclid Avenue within the City of Chino. Chapter 4, Land Use and Development Standards, restricts Planning Area 1 to less intense business park uses and requires the building height to be lower. Furthermore, the conceptual site design places truck traffic ingress and egress and visible loading docks away from the existing residential uses.

Policy LU2-6 Infrastructure Compatibility

We require infrastructure to be aesthetically pleasing and in context with the community character.

The Specific Plan design guidelines (Chapter 5) are intended to support high-quality development that complements the surrounding community. Landscaped areas and drive entrances will be planned to separate parking areas and keep the parking lot from being the dominant visual element of the site. The Specific Plan also establishes landscape setback requirements (Chapter 4, Land Use and Development Standards) and conceptual

streetscape design (Chapter 5, Design Guidelines) along all roadways within the Specific Plan area to create safe and attractive streets for pedestrians and motorists and ensure cohesive patterns of development.

Policy LU2-9 Methane Gas Sites

We require sensitive land uses and new uses on former dairy farms or other methane-producing sites to be designed to minimize health risks.

The Specific Plan incorporates into its Implementation Plan (Chapter 6) requirements for the project to comply with any mitigation measures identified in the project environmental impact report, including those for soil remediation and proper venting to address the potential existence of methane gases within the Specific Plan area.

GOAL LU5:	**Integrated airport systems and facilities that minimize negative impacts to the community and maximize economic benefits.**

Policy LU5-7 ALUCP Consistency with Land Use Regulations

We comply with state law that requires policy plan/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.

The Specific Plan area is within the Ontario International Airport Influence Area and the Chino Airport Influence Area. The Specific Plan discusses compliance with the ALUCP requirements for the Ontario Airport and the Chino Airport in Chapter 2, Section 2.2, Airport Influence Areas.

7.2 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 CD1-2 Growth Areas

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

The Specific Plan design guidelines (Chapter 5, Design Guidelines) and development standards (Chapter 4, Land Use and Development Standards) ensure high quality, cohesive, attractive, and appropriately-scaled development that complements and integrates into the Ontario Ranch community and adds value to the City.

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

The Specific Plan design guidelines (Chapter 5) ensure that: 1) scale, massing, fenestration, materials, and colors are consistent with the building's architectural style and compatible with the overall design in the Specific Plan area, 2) articulation is provided through elements such as cornices, parapets, expression lines, and changes in materials and/or colors, 3) use of a variety of colors, materials, and/or textures on each building is appropriate to the architectural features or massing.

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 identify through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.

Chapter 3.3, Circulation Plan, addresses connectivity, street improvements, pedestrian and bicycle plans, and transit. In Chapter 5.3, Landscape Design, the Specific Plan identifies street improvements and streetscape including parkways, street trees, sidewalks, landscape buffers, and street lighting for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue within the Specific Plan area, which are consistent with the Circulation Element of The Ontario Plan. The Specific Plan streetscape design creates an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and visually integrates the development into the surrounding Ontario Ranch community.

Policy CD2-6 Connectivity

We promote development of local street patterns and pedestrian networks that create and unify neighborhoods, rather than divide them, and create cohesive and continuous corridors, rather than independent "islands".

The Specific Plan creates an efficient street system by providing convenient connections with adjacent land uses in compliance with the vision of The Ontario Plan Circulation Element. Roads will be improved with sidewalks, trails and bikeways to supplement

vehicular transportation through the design of Specific Plan street sections (Chapter 3.3: Circulation Plan) and streetscape (Chapter 5.3, Landscape Design).

Policy 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.

The Specific Plan is committed to sustainable design strategies that integrate principles of environmental stewardship into the design, construction and operation process. The Specific Plan incorporates sustainability principles into its design guidelines (Chapter 5.8, Sustainable Design Strategies), such as drought tolerant landscaping, skylights in warehouse/distribution buildings to provide natural light and reduce lighting demand, high performance dual pane glazing in office storefronts, and LED products for energy efficient site lighting. Design strategies include the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption. The use of recycled water to irrigate landscape is required by the Specific Plan's Recycled Water Plan (Chapter 3.5), consistent with the City of Ontario Recycled Water Master Plan.

Policy CD2-9 Landscape Design

We encourage durable landscaping materials and designs that enhance the aesthetics of structure, create and define public and private spaces, and provide shade and environmental benefits.

Consistent with the vision for Ontario Ranch as outlined in the Ontario Ranch Streetscape Master Plan, the Specific Plan (Chapter 5.3, Landscape Design) provides for landscaped setbacks and landscaped parkways adjacent to bike lanes and sidewalks, defining these public spaces. The landscaped setbacks and parkways will include drought-tolerant plants featuring colorful shrubs and groundcovers, ornamental grasses and succulents, evergreen and deciduous trees, and species native to Southern California or naturalized to the arid Southern California climate to promote durable plant materials. The plant selection will complement the design theme of the Specific Plan area. Parking lot landscaping will reduce associated heat buildup, improve aesthetics, and integrate into onsite landscape design and adjacent streetscapes. Swaled landscape areas will retain/infiltrate stormwater run-off to improve water quality and promote groundwater recharge. Shade trees thoughtfully located near expanses of paving, building walls, roofs, and windows will reduce the impacts of heat gain.

Policy 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.

The Specific Plan establishes design guidelines to ensure high-quality development and a sense of place. As discussed in Chapter 5.3, Landscape Design, Euclid, Eucalyptus, Merrill and Sultana Avenues will feature landscaped setbacks adjacent to the Specific Plan area that will provide attractive entries to the site. An entry monument will be located at the northeast corner of Euclid and Merrill Avenues to identify the Ontario Ranch area and/or the Ontario Ranch Business Park.

Policy 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 structure.

The Specific Plan (Chapter 5.7, Signage) requires approval of a comprehensive sign program to address parcel identification, building identification and directional signage within the Specific Plan area. A comprehensive sign program will integrate project signage with the overall design of the site and structures to create a unified visual statement. A comprehensive sign program provides a means for flexible application of sign regulations to provide incentive and latitude in the design and display of multiple signs. Industrial uses on the site will also be appropriately signed to give direction to loading and receiving, visitor parking, and other special uses.

GOAL CD3:	**Vibrant urban environments that are organized around intense buildings, pedestrian and transit areas, public plazas, and linkages 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.

The Specific Plan (Chapter 3.3, Circulation Plan) coordinates street, trail, and bikeway designs to serve onsite land uses and extend access to the surrounding area in compliance with The Ontario Plan Mobility Element. The Specific Plan specifies street improvements for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue. The Specific Plan streetscape design (Chapter 5.3, Landscape Design) provides an aesthetically pleasing view for pedestrians and motorists, screens parking and loading areas from the public right-of-way, and integrates the development into the surrounding community.

Policy 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 places.

The Specific Plan development standards (Chapter 4, Land Use and Development Standards) require that design and materials for sidewalks and road surfaces within the Specific Plan area be approved by the City's Engineering Department. Specific Plan design guidelines (Chapter 5) encourage the use of enhanced paving to mark major building entries and paving materials that possesses a high level of solar reflectivity to reduce the heat island effect.

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 investment.**

Policy 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 consistency maintained.

The Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Privately owned buildings will be maintained as specified by the Property Owners Association (Chapter 6.10.2).

Policy CD5-2 Maintenance of Infrastructure

We require the continued maintenance of infrastructure.

The Specific Plan includes a Maintenance Responsibility Matrix in Chapter 6, Implementation, identifying the parties responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area.

7.3 Mobility Element

GOAL M1:	**A system of roadways that meets the mobility needs of a dynamic and prosperous Ontario.**

Policy 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.
- Endeavour to 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

The Specific Plan complies with the Functional Roadway Classification Plan of the Mobility Element and, therefore, aims to comply with federal, state, and local design and safety standards; meet the needs of multiple transportation modes and users; and maintain a Level of Service of E or better at all intersections addressed in the project environmental impact report. Specific Plan site design strives to minimize the effects of truck traffic on nearby residential uses by locating truck entries and loading docks away from residential use.

Policy M1-2 Mitigation of Impacts

We require development to mitigate its traffic impact.

The Specific Plan requires in Chapter 6.3.4, Compliance with CEQA, that projects within the Specific Plan area comply with all mitigation measures, conditions, and project design features identified in the project environmental impact report. Chapter 5.1, Site Design, provides guidelines to ensure buildings, structures, and loading facilities will be designed so loading and unloading activities occur on-site without extending beyond the property line.

GOAL M2: A system of trails and corridors that facilitate and encourage bicycling and walking.

Policy 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.

The Specific Plan includes a Circulation Plan in Chapter 3 to provide connectivity to the trails and bikeway corridors identified in the Ontario Multipurpose Trails and Bikeway Corridor Plan, including installation of a Class II Bikeway along Merrill Avenue and multipurpose trails along Euclid, Eucalyptus, and Merrill Avenues.

Policy 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.

The Specific Plan street sections and streetscape designs (Chapter 3.1, Circulation Plan and Chapter 5.3, Landscape Design) provide for construction of five-foot wide public pedestrian sidewalks for Euclid Avenue, Eucalyptus Avenue, Merrill Avenue, and Sultana Avenue to connect with adjacent existing and planned pedestrian circulation systems. Pedestrian sidewalks are separated from vehicular travel lanes by a landscaped parkway. Proposed improvements for the Specific Plan area streets are consistent with the City's Ontario Ranch Streetscape Master Plan.

GOAL M3:	**A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.**

Policy M3-2 Transit Facilities at New Development

We require new development to provide transit facilities, such as bus shelters, transit bays and turnouts, as needed.

The Specific Plan discusses in Chapter 3.3.10, Transit, that the City is coordinating with regional transit agencies to implement Bus Rapid Transit (BRT) service to target destinations and along corridors, including Euclid Avenue on the western boundary of the Specific Plan area.

GOAL M4:	**An efficient flow of goods through the City that maximizes economic benefits and minimizes negative impacts.**

Policy M4-1 Truck Routes

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 on the truck routes.

The Specific Plan is designed to enable easy vehicular access to the truck route network and to encourage its industrial users to implement effective goods movement strategies. The Land Use and Circulation Plans for the Specific Plan area (Chapter 3, Development Plan) are designed to direct truck traffic away from nearby residential use in the City of Chino and focus trucks on the designated Merrill Avenue truck route. Chapter 3.1, Site Design, of the Design Guidelines stipulates buildings, structures, and loading facilities will be designed to ensure that loading and unloading activities and maneuvering of freight vehicles occurs on-site without extending beyond the property line.

7.4 Environmental Resources Element

GOAL ER1:	**A reliable and cost effective system that permits the City to manage its diverse water resources and needs.**

Policy ER1-3 Conservation

We require conservation strategies that reduce water usage.

The Specific Plan incorporates water conservation strategies into its development plan and design guidelines. The use of recycled water to irrigate landscape areas is required consistent with the City of Ontario Recycled Water Master Plan (Chapter 3, Development Plan). Landscape and irrigation plans are encouraged to use water conservation features such as drought-tolerant plant species native to the region and drip irrigation (Chapter 5, Design Guidelines). The Specific Plan encourages the design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy 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.

In Chapter 3.7, Storm Drainage Plans, the Specific Plan stipulates that prior to issuance of grading or construction permits, a Storm Water Pollution Prevention Plan (SWPPP) be prepared and approved by the City. The SWPPP will identify and detail appropriate Best Management Practices (BMPs) to prevent pollutant discharge into storm drain systems and natural drainages and aquifers. In addition to the preparation of a SWPPP, a WQMP will be prepared and approved that will enforce long-term BMPs to prevent pollutant discharges into storm drain systems, for the life of the project. Chapter 5.8.2, Water Quality, requires the provision of on-site landscape swales to collect and treat stormwater run-off.

Policy 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.

The Specific Plan (Chapter 3.9, Storm Drainage Plan) incorporates low impact development strategies including landscape designs that promote water retention; permeable surface designs in parking lots and areas with low traffic; parking lots that drain to landscaped areas to provide treatment, retention, or infiltration; and limited soil compaction during grading.

Policy ER1-7 Urban Run-off Quality

We require the control and management of urban run-off, consistent with Regional Water Quality Control Board regulations.

In Chapter 3.9, Storm Drainage Plan, the Specific Plan states that prior to issuance of grading or construction permits, a Water Quality Management Plan (WQMP) is required

to minimize stormwater runoff and provide on-site opportunities for groundwater recharge integrated into project design and amenities. The grading and drainage of the Specific Plan area will be designed to retain/infilter, harvest & re-use or biotreat surface runoff to comply with the current requirements of the San Bernardino County NPDES Stormwater Program's WQMP for significant new development projects.

Policy ER1-8 Wastewater Management

We require the management of wastewater discharge and collection consistent with waste discharge requirements adopted by the Regional Water Quality Control Board.

In Chapter 3.6, Sewer Plan, the Specific Plan provides for design of a wastewater system consistent with City and Regional Water Quality Board requirements. The Specific Plan includes a network of new public sewer mains consistent with the City of Ontario's Ultimate Sewer System Plan.

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.**

Policy ER3-1 Conservation Strategy

We require conservation as the first strategy to be employed to meet applicable energy-saving standards.

The Specific Plan incorporates energy-saving conservation strategies into its design guidelines (Chapter 5) by addressing lighting, bicycle parking, sustainable landscaping, and energy efficiency. Sustainable design strategies (Chapter 5.8) include design and construction of energy efficient buildings to reduce air, water, and land pollution and environmental impacts from energy production and consumption.

Policy ER3-3 Building and Site Design

We require new construction to incorporate energy efficient building and site design strategies, which could include appropriate solar orientation, maximum use of natural daylight, passive solar and natural ventilation.

The Specific Plan's Sustainable Design Strategies (Chapter 5.8) include the use of passive design to improve building energy performance through skylights, building orientation, landscaping, and use of select colors.

GOAL ER4:	**Improved indoor and outdoor air quality and reduced locally generated pollutant emissions.**

Policy ER4-1 Indoor Air Quality

We comply with State Green Building Codes relative to indoor air quality.

The Specific Plan requires development projects in the Specific Plan area to comply with the State of California Building Code as adopted and implemented by the City. The Specific Plan's Sustainable Design Strategies (Chapter 5.8) include the design and construction of energy efficient buildings to reduce air, water, and land pollution.

GOAL ER5:	**Protected high value habitat and farming and mineral resources extraction activities that are compatible with adjacent development.**

Policy ER5-2 Entitlement and Permitting Process

We comply with state and federal regulations regarding protected species.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

7.5 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.**

Policy 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.

The Specific Plan requires all future development projects to comply with the State of California Building Code as adopted and implemented by the City.

Policy S1-2 Entitlement and Permitting Process

We follow state guidelines and the California Building Code to determine when development proposals must conduct geotechnical and geological investigations.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with state guidelines and the California Building Code. Research of available maps indicates that the Specific Plan site is not located within an Alquist-Priolo Earthquake Fault

Zone. Furthermore, there was no visible evidence of faulting during a geotechnical investigation conducted in 2015.

GOAL S2:	**Minimized risk of injury, loss of life, property damage and economic and social disruption caused by flooding and inundation hazards.**

Policy S2-1 Entitlement and Permitting Process

We follow state guidelines and the California 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.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all applicable mitigation measures of the project environmental impact report, state guidelines, and the California Building Code regarding flooding and inundation hazards.

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.**

Policy S3-8 Fire Prevention through Environmental Design

We require new development to incorporate fire prevention consideration in the design of streetscapes, sites, open spaces and buildings.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Fire Department and potential redesign to incorporate fire prevention design elements within streetscapes, sites, open spaces, and buildings.

GOAL S4:	**An environment where noise does not adversely affect the public's health, safety, and welfare.**

Policy S4-1 Noise Mitigation

We utilize the City's noise ordinance, building codes, and subdivision and development codes to mitigate noise impacts.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the City's noise ordinance, subdivision and development codes, and the California Building Code to mitigate noise impacts.

GOAL S5:	Reduced risk of injury, property damage and economic loss resulting from windstorms and wind-related hazards.

Policy S5-2 Dust Control Measures

We require the implementation of Best Management Practices for dust control at all excavation and grading projects.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report, the construction management plan, and any subdivision and development codes regarding dust control.

GOAL S6:	Reduced potential for hazardous materials exposure and contamination.

Policy S6-9 Remediation of Methane

We require development to assess and mitigate the presence of methane, per regulatory standards and guidelines.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with any and all mitigation measures of the project environmental impact report.

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.

Policy S7-4 Crime Prevention through Environmental Design (CPTED)

We require new development to incorporate CPTED in the design of streetscapes, sites, open spaces and buildings.

The Specific Plan acknowledges that all projects within the Specific Plan area shall comply with the City's development review process, which provides for review by the City's Police Department and potential redesign to incorporate crime prevention design elements in streetscapes, sites, open spaces, and buildings. Parcel lighting (Chapter 5.6, Lighting) addresses illumination of parking lots, loading dock areas, pedestrian walkways, building entrances, signage, and architectural and landscape features. A key provision includes the installation of ground or low mounted fixtures to provide for safety and convenience along pedestrian walkways, entrances, activity areas, steps, ramps, and special features. Chapter 5.1, Site Design, also encourages delineation of pedestrian access to on-site buildings from adjacent streets and parking areas by marking building entrances with signage, prominent architectural features, and/or landscaping features.

7.6 Community Economics Element

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

Policy 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-community.

The Specific Plan anticipates the creation of jobs in warehousing, logistics, light manufacturing, and administration within the Specific Plan area, which helps improve the region's jobs-housing balance. Actual job creation depends on the type of land uses ultimately developed on the site as a wide-range of commercial, office, and industrial uses are permitted in the Specific Plan. The Land Use Plan (Chapter 3.1) implements the vision of The Ontario Plan by providing opportunities for employment in manufacturing, distribution, research and development, service, and supporting retail at intensities designed to meet the demand of current and future market conditions.

Policy CE1-5 Business Attraction

We proactively attract new and expanding businesses to Ontario in order to increase the City's share of growing sector of regional and global economy.

In Chapter 3.1, Land Use Plan, the Specific Plan provides for the construction of over 1.3 million square feet of industrial development in compliance with City and regional planning goals and strategies that facilitate goods movement throughout the SCAG region.

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

Policy CE2-1 Development Projects

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

The Specific Plan contains design guidelines in Chapter 5 to guide future development, consistent with the vision for Ontario Ranch. The guidelines are intended to ensure high quality, cohesive and attractive development that complements and integrates into the community and adds value to the City. The Specific Plan also establishes landscape setbacks along all roadways within the Specific Plan area to create safe and attractive streets for pedestrians and motorists.

Policy 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.

The Specific Plan establishes a land use plan (Chapter 3.1) and design guidelines (Chapter 5) addressing site design, building design, and landscape design that ensure high-quality, functional and sustainable development that is regionally competitive and appropriate for the Ontario Ranch community.

Policy CE2-5 Private Maintenance

We require adequate maintenance, upkeep, and investment in private property because proper maintenance on private property protects property values.

The Specific Plan includes a Maintenance Responsibility Matrix (Chapter 6.10) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. A Property Owners Association will be established for the maintenance of on-site common areas, including such improvements as landscape areas and drive aisles.

Policy 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.

The Specific Plan includes a Maintenance Responsibility Matrix (Chapter 6.10) identifying the public, private, or utility providers responsible for maintenance of roadways, parkways, trails, sidewalks, common areas, walls and monuments, infrastructure, and utilities within the Specific Plan area. Right-of-way for public streets within the Specific Plan area and infrastructure improvements shall be dedicated to the City of Ontario for maintenance purposes. Landscape improvements and public streetlights within the public right-of-way shall be maintained through a landscape and lighting district or other special maintenance district established by the City. Dry utilities such as electricity, natural gas, and communication systems will be maintained by the appropriate utility company.

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: July 28, 2020

File No: PSP18-002

Related Files: PGPA18-008

Project Description: A public hearing to consider certification of the Environmental Impact Report (SCH#2019050018), including the adoption of a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, for the following: 1) A General Plan Amendment (File No. PGPA18-008) to modify the Land Use Plan (Exhibit LU-01) of the Policy Plan (General Plan) of The Ontario Plan to change the land use designations for 85.6 acres of land, from General Commercial (0.4 FAR), Office Commercial (0.75 FAR), and Low-Medium Density Residential (5.1-11 dwelling units per acre) to Business Park (0.6 FAR) and General Industrial (0.55 FAR), and modify the Future Buildout Table (Exhibit LU-03) to be consistent with the land use designation changes; and 2) A Specific Plan (File No. PSP18-002 - Ontario Ranch Business Park) to establish the land use districts, development standards, design guidelines, and infrastructure improvements for the potential development of up to 1,905,027 square feet of General Industrial and Business Park land uses on 85.6 acres of land. The project site is generally bordered by Eucalyptus Avenue on the north, Merrill Avenue on the south, Sultana Avenue on the east, and Euclid Avenue on the west. (APNs: 1054-011-01, 1054-011-02, 1054-011-04; 1054-021-01, 1054-021-02; 1054-271-01, 1054-271-02, 1054-271-03, 1054-281-01, 1054-281-02, and 1054-281-03) **submitted by REDA, OLV**

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

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

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

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

2.1 Specific Plan. The following shall be submitted to the Planning Department within 30 days following City Council approval of the Specific Plan/Specific Plan Amendment:

(a) Ten copies of the final Specific Plan document;

(b) One complete, unbound copy of the final Specific Plan document;

(c) One CD containing a complete Microsoft Word copy of the final Specific Plan document, including all required revisions;

(d) Five CDs, each containing a complete PDF copy of the final Specific Plan document, including all required revisions; and

(e) One CD containing a complete electronic website version of the final Specific Plan document, including all required revisions.

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

2.3 Additional Fees.

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

CITY OF ONTARIO
MEMORANDUM

TO: **Chairman and Members of the Planning Commission**

FROM: **Cathy Wahlstrom, Planning Director** RZ FOR CW

DATE: **July 28, 2020**

SUBJECT: **MONTHLY PLANNING DEPARTMENT ACTIVITY REPORT; MONTH OF JUNE 2020**

Attached, you will find the Planning Department Monthly Activity Report for the month of June 2020. 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.

DEVELOPMENT ADVISORY BOARD MEETING
June 1, 2020

Meeting Cancelled

ZONING ADMINISTRATOR MEETING
June 1, 2020

Meeting Cancelled

CITY COUNCIL/HOUSING AUTHORITY MEETING
June 2, 2020

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA19-004: An Amendment to the 95.35-acre Toyota Ontario Business Park Specific Plan, revising the current land use district covering Planning Area 1, from Office/Research and Development ("Office/R&D") to Industrial Mixed Use, allowing for warehouse, distribution, and manufacturing land uses on the site in conjunction with the currently allowed Office/R&D land uses. Additionally, the Amendment will update the Specific Plan's landscape palette to conform to current California friendly landscape practices. The Specific Plan area is generally located south of Jurupa Street, east of Milliken Avenue, north of Francis Street, and west of the I-15 freeway. The environmental impacts of this project were analyzed in an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140), which was certified by the City Council on January 27, 2010, in conjunction with File No. PGPA06-001. This Application introduces no new significant environmental impacts and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan; (APNs: 0238-121-75) **submitted by MIG. City Council action is required. The Planning Commission recommended approval of this item on April 28, 2020, with a vote of 7 to 0.**

Action: The City Council adopted a resolution approving an Addendum to The Ontario Plan Environmental Impact Report (SCH# 2008101140) and adopted a resolution approving the Specific Plan Amendment.

ENVIRONMENTAL ASSESSMENT AND SPECIFIC PLAN AMENDMENT REVIEW FOR FILE NO. PSPA19-009: An Amendment to the Piemonte Overlay of the Ontario Center Specific Plan, to modify the Minimum Parking Requirements (Section 3.3.5.1) to allow tandem parking up to a

maximum of 50percent of the required parking for properties located within the Residential zone. The Ontario Center Specific Plan-Piemonte Overlay encompasses 84.43 acres of land, generally located north of Concours Street, south of Fourth Street, west of Via Alba, and east of Haven Avenue. The environmental impacts of this project were previously reviewed in conjunction with File No. PSPA16-003, for which a Mitigated Negative Declaration was adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-204-26, 0210-204-37, 0210-204-40, 0210-531-15, 0210-531-16) **submitted by LCD Residential at Ontario, LLC. The Planning Commission recommended approval of this item on April 28, 2020, with a vote of 7 to 0.**

Action: The City Council adopted a resolution approving the Specific Plan Amendment.

DEVELOPMENT ADVISORY BOARD MEETING
June 15, 2020

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV17-016: A Development Plan to construct an 85,583 square-foot neighborhood commercial shopping center that includes the following: [1] a 45,000 square-foot market with an attached 10,500 square-foot multi-tenant commercial building; [2] 3 stand-alone multi-tenant commercial buildings totaling 17,945 square-feet; [3] one stand-alone multi-tenant commercial building with drive-thru facility totaling 4,500 square-feet; [4] a gasoline fueling station with a 4,088 square-foot convenience store (7-Eleven); and [5] one restaurant pad with a drive-thru facility totaling 3,500 square-feet on 13.4 acres of land located at the southeast corner of Haven Avenue and Fourth Street, within the Commercial land use district of the Piemonte Overlay Area- Ontario Center Specific Plan. The environmental impacts of this project were previously reviewed in conjunction with PSPA16-003, for which a Mitigated Negative Declaration was adopted by the City Council on May 16, 2017. This application introduces no new significant environmental impacts, and all previously adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-531-06, 0210-531-07, 0210-531-08, 0210-531-09, 0210-531-10, 0210-531-11, 0210-531-12, 0210-531-13, 0210-531-14).) **submitted by Lewis Retail Centers.**

Action: Approved, subject to conditions.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT PLAN REVIEW FOR FILE NO. PDEV19-029: A Development Plan to construct a 44,436-square foot industrial building on 2.29 acres of land located at 1485 and 1493 East Spruce Street, 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 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-462-10 and 0113-462-19) **submitted by KCT Investment LLC.**
Action: Approved, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-026 AND PCUP19-010: A Development Plan (File No. PDEV19-026) to construct a 6,000 square foot convenience store in conjunction with fuel sales, and a Conditional Use Permit (File No. PCUP19-010) to establish retail commercial land uses and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. 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 State 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: 0113-361-54) **submitted by Virender Jain. Planning Commission action is required.**
Action: The Development Advisory Board recommended the Planning Commission approve the Project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-005 AND PDEV19-034: A Variance (File No. PVAR19-005) to deviate from certain minimum Development Code standards, including a reduction in the minimum building and drive-aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive-thru lane setback from a street (G Street) side property line, from 20 feet to 15 feet, in conjunction with a Development Plan (File No. PDEV19-034) to raze an existing In-N-Out Burger drive-thru restaurant and construct of a new and expanded 2,291 square foot In-N-Out Burger drive-thru restaurant on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use

Compatibility Plan (ALUCP); (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the Project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-036 AND PCUP19-015: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 6,800 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land located north of the intersection of Magnolia Avenue and Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines**.** The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-111-08) **submitted by Gracepoint Brethren in Christ Church. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the Project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-014 AND PDEV19-055: A Tentative Parcel Map (File No. PMTT19-014 / TPM 20170) to merge 12 lots into one parcel in conjunction with a Development Plan (File No. PDEV19-055) to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55) **submitted by Duke Realty. Planning Commission action is required.**

Action: The Development Advisory Board recommended the Planning Commission approve the Project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-067 AND PCUP19-028: A Development Plan (File No. PDEV19-067) to construct a 157,370-square foot dual hotel (Hyatt Place and Hyatt House) and a 5,000

square-foot restaurant pad in conjunction with a Conditional Use Permit (File No. PCUP19-028) to establish a 265-room full-service hotel with alcoholic beverage sales for a Type 70 ABC License (On-Sale General Restrictive Service) on 4.94 acres of land, located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **submitted by Ontario H Hotel LLC. Planning Commission and City Council action is required.**
Action: The Development Advisory Board recommended the Planning Commission approve the Project, subject to conditions.

ZONING ADMINISTRATOR MEETING
June 15, 2020

ENVIRONMENTAL ASSESSMENT AND CONDITIONAL USE PERMIT REVIEW FOR FILE NO. PCUP20-006: A Conditional Use Permit to establish alcoholic beverage sales, including beer, wine, and distilled spirits, for off-premises consumption (Type 21 ABC license) in conjunction with a previously approved 45,700 square foot Stater Bros. market (File No. PDEV17-051) on 10.06 acres of land located at 3460 East Ontario Ranch Road, within the Retail land use district of the Avenue Specific Plan. 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 and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0218-412-02) **submitted by Mike Reed, Stater Bros. Development.**
Action: The Zoning Administrator approved the project, subject to conditions.

CITY COUNCIL/HOUSING AUTHORITY MEETING
June 16, 2020

TWENTIETH ANNUAL MODEL COLONY AWARDS FILE NO. PHP20-004: Twentieth Annual Model Colony Awards; **submitted by City of Ontario.**
Action: The City Council presented the Awards.

ENVIRONMENTAL ASSESSMENT AND DEVELOPMENT AGREEMENT AMENDMENT REVIEW FOR FILE NO. PDA05-002: A Fourth Amendment to the Development Agreement (File No. PDA05-002) to modify the commencement of certain specific infrastructure associated with the development of Tentative Tract Map 20316 (File No. PMTT19-020), and conform to the revised development standards established by the Parkside Specific Plan Amendment (File No. PSPA19-007), located at the northwest corner of Eucalyptus Avenue and Archibald Avenue, within Planning Areas 1 through 4 of the Parkside Specific Plan. The environmental impacts of this project were analyzed in an Addendum to the Parkside Specific Plan (File No. PSP03-002) Environmental Impact Report (SCH# 2004011008), certified by the City Council on September 5, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN(s): 0218-231-06, 0218-231-08, 0218-231-09, 0218-231-10, 0218-231-11, 0218-231-12, 0218-231-13, 0218-231-14, 0218-231-15, 0218-231-16, 0218-231-17, 0218-231-18, 0218-231-19, 0218-231-20, 0218-231-21, 0218-231-22, 0218-231-28, 0218-231-30, 0218-231-31, 0218-231-39, 0218-221-09, and 0218-221-10); **submitted by SC Ontario Development Company, LLC. The Planning Commission recommended approval of this item on May 26, 2020 with a vote of 6 to 0.**

Action: The City Council introduce and waive further reading of an ordinance approving the Fourth Amendment to the Development Agreement.

ENVIRONMENTAL ASSESSMENT AND REVIEW FOR FILE NO. PSPA19-007: An Amendment to the Parkside Specific Plan (File No. PSPA19-007) to: [1] Reconfigure the residential Planning Areas 1 through 4, and 17 through 19; [2] Reconfigure the Great Park Planning Area 22 (east of the Cucamonga Creek Channel); [3] Revise internal circulation to improve access into the neighborhood commercial Planning Area 19; [4] Update and revise Residential Design Guidelines (Sections 7.1 through 7.6) to introduce new housing types and architectural styles; and [5] Update and revise Landscape Standards (Section 7.7). The project site is bounded by Ontario Ranch Road to the north, Eucalyptus Avenue to south, Archibald Avenue to the east and Carpenter Avenue. The environmental impacts of this project were analyzed in an Addendum to the Parkside Specific Plan (File No. PSP03-002) Environmental Impact Report (SCH# 2004011008) certified by the City Council on September 5, 2006. This application is consistent with the previously adopted EIR and introduces no new significant environmental impacts. All previously adopted mitigation measures shall be a condition of project approval and are incorporated herein by reference. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP). (APN(s): 0218-231-06, 0218-231-08, 0218-231-09, 0218-231-10, 0218-231-11, 0218-231-12, 0218-231-13, 0218-231-14, 0218-231-15, 0218-231-16, 0218-231-17, 0218-231-18, 0218-231-19, 0218-231-20, 0218-231-21,

0218-231-22, 0218-231-28, 0218-231-30, 0218-231-31, 0218-231-39, 0218-221-09, and 0218-221-10); **submitted by SC Ontario Development Company, LLC. The Planning Commission recommended approval of this item on May 26, 2020 with a vote of 6 to 0.**
Action: The City Council adopted a resolution approving an Addendum to the Parkside Specific Plan Environmental Impact Report (SCH# 2004011008) and adopted a resolution approving an Amendment to the Parkside Specific Plan.

PLANNING/HISTORIC PRESERVATION COMMISSION MEETING
June 23, 2020

Meeting Cancelled

PLANNING/HISTORIC PRESERVATION COMMISSION SPECIAL MEETING
June 30, 2020

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-036 AND PCUP19-015: A Development Plan (File No. PDEV19-036) and Conditional Use Permit (File No. PCUP19-015) to construct and establish a 7,531 square foot religious assembly use (Gracepoint Brethren in Christ Church) on 1.87 acres of land generally located on the west side of Magnolia Avenue, approximately 85 feet north of Jacaranda Street, within the AR-2 (Residential – Agricultural - 0 to 2.0 DU/Acre) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15532 (Class 32, In-Fill Development Projects) of the CEQA Guidelines**.** The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APN: 1014-111-08) **submitted by Gracepoint Brethren in Christ Church.**
Action: Continued to the next regular meeting on July 28, 2020.

ENVIRONMENTAL ASSESSMENT, TENTATIVE PARCEL MAP AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PMTT19-014 AND PDEV19-055: A Tentative Parcel Map (File No. PMTT19-014 / TPM 20170) to merge 12 lots into one parcel in conjunction with a Development Plan (File No. PDEV19-055) to construct a 200,966 square-foot industrial warehouse building, on 8.6 acres of land, located on the southwest corner of Elm Street and Vineyard Avenue, within the IG (General Industrial) zoning district. The environmental impacts of this project were previously reviewed in conjunction with The Ontario Plan (File No. PGPA06-001) Environmental Impact Report (SCH# 2008101140) certified by City Council on January 27, 2010. This application introduces no new

significant environmental impacts, and all previously-adopted mitigation measures are a condition of project approval. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0113-415-42, 0113-415-43, 0113-415-44, 0113-415-45, 0113-415-46, 0113-415-47, 0113-415-48, 0113-415-49, 0113-415-50, 0113-415-53, 0113-415-54 and 0113-415-55) **submitted by Duke Realty.**

Action: The Planning Commission adopted resolutions approving the project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, VARIANCE, AND DEVELOPMENT PLAN REVIEW FOR FILE NOS. PVAR19-005 AND PDEV19-034: A Variance (File No. PVAR19-005) to deviate from certain minimum Development Code standards, including a reduction in the minimum building and drive-aisle setback from an arterial street (Vineyard Avenue) property line, from 25 feet to 15 feet, and for a reduction in the minimum drive-thru lane setback from a street (G Street) side property line, from 20 feet to 15 feet, in conjunction with a Development Plan (File No. PDEV19-034) to raze an existing In-N-Out Burger drive-thru restaurant and construct of a new and expanded 2,291 square foot In-N-Out Burger drive-thru restaurant on 1.57 acres of land located at the northwest corner of G Street and Vineyard Avenue, at 1891 East G Street, within the CCS (Convention Center Support Commercial) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15302 (Class 2, Replacement or Reconstruction) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0110-241-50 and 0110-241-54) **submitted by In-N-Out Burger.**

Action: The Planning Commission adopted resolutions approving the project, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-067 AND PCUP19-028: A Development Plan (File No. PDEV19-067) to construct a 265-room, 157,370 square foot dual branded hotel (Hyatt Place and Hyatt House) and a 5,000 square-foot restaurant pad in conjunction with a Conditional Use Permit (File No. PCUP19-028) to establish and operate the hotel and to conduct alcoholic beverage sales for consumption on the premises, including beer, wine, and distilled spirits (Type 70 ABC License) to the establishment's overnight guests or their invitees, on 4.94 acres of land located at the southeast corner of Inland Empire Boulevard and Archibald Avenue, within the OH (Heavy Office) zoning district. The project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15332 (Class 32, In-Fill Development Projects) of the CEQA Guidelines. The proposed project is located within the Airport Influence Area of Ontario International Airport and was evaluated and found to be consistent with the

policies and criteria of the Ontario International Airport Land Use Compatibility Plan (ALUCP); (APNs: 0210-191-29, 0210-191-30, 0210-191-31, 0210-191-32) **submitted by Ontario H Hotel LLC. City Council action is required.**

Action: The Planning Commission adopted a resolution approving the Development Plan, subject to conditions and adopted a resolution recommending the City Council approve the Conditional Use Permit, subject to conditions.

ENVIRONMENTAL ASSESSMENT, DEVELOPMENT PLAN, AND CONDITIONAL USE PERMIT REVIEW FOR FILE NOS. PDEV19-026 AND PCUP19-010: A Development Plan (File No. PDEV19-026) to construct a 6,000 square foot convenience store in conjunction with fuel sales, and a Conditional Use Permit (File No. PCUP19-010) to establish retail commercial land uses and alcoholic beverage sales for consumption off the premises, limited to beer and wine (Type 20 ABC License), on one-acre of land located at 1401 South Grove Avenue, within the Business Park land use district of the Grove Avenue Specific Plan. 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 State 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: 0113-361-54) **submitted by Virender Jain.**

Action: The Planning Commission adopted resolutions approving the project, subject to conditions.

Monthly Activity Report—New Applications

Month of June 2020

PCUP20-010: Submitted by Crown Castle Towers

A Conditional Use Permit to establish an 81-foot tall monopine wireless communications facility with ancillary equipment and equipment shelter (T-Mobile and Verizon) on 0.176 acres of land located at 617 East Park Street, within ALUCP Safety Zone 3 and the IL (Light Industrial) zoning district (APN: 1049-233-13). Related File: PVAR20-002 and PDEV20-016. **Planning Commission action required.**

PDCA20-002: Submitted by Jose Chavez

A Development Code Amendment revising Section 5.02.010 to expand upon the list of land uses allowed within the CS (Corner Store) zoning district. **City Council action required.**

PDEV20-013: Submitted by Orbis

A Development Plan to construct a commercial building totaling 2,490 square feet on 1.16 acres of land located on the west side of Milliken Avenue, approximately 600 feet north of Riverside Drive, within the Commercial land use district of the Tuscana Village Specific Plan (APNs: 1083-361-01). Related Files: PSPA2019-010 and PMTT19-018. **Planning Commission action required.**

PDEV20-014: Submitted by Fred Herzog

A Development Plan to construct 3 single-family dwellings and relocate a historic single-family dwelling on approximately 1.09 acres of land located at 730 West Fourth Street, within the LDR-5 (Low Density Residential zoning district (APN: 1047-594-52). Related Files: PMTT20-004 and PHP-20-008. **Planning Commission action required.**

PDEV20-015: Submitted by Ontario Land Ventures

A Development Plan to construct a 217,360 square foot addition to an existing 1,038,359 square foot industrial building on 64.1 acres of land located at the southeast corner of Eucalyptus and Carpenter Avenues, within the Business Park and General Industrial land use districts of the West Ontario Commerce Center Specific Plan (APNs: 0218-261-40, 41, 42, 43, 44, and 47). **Development Advisory Board action required.**

PDEV20-016: Submitted by Crown Castle Towers

A Development Plan to construct an 81-foot tall monopine wireless communications facility with ancillary equipment and equipment shelter (T-Mobile and Verizon) on 0.176 acres of land located at 617 East Park Street, within ALUCP Safety Zone 3 and the IL (Light Industrial) zoning district (APN: 1049-233-13). Related File: PVAR20-002 and PCUP20-010. **Planning Commission action required.**

PDFR20-001: Submitted by Pulte Home Company, LLC

A DIF Deferral Agreement with Pulte Home Company, LLC, to defer the City DIF associated with Tract Map No. 18027 (File No. PMTT11-002), for 91 units located at the northwest corner of

Haven and Schaefer Avenues, within the West-Haven Specific Plan (APN: 0218-151-38). **City Council action required.**

PDFR20-002: Submitted by GDC/CDG Esperanza PA 10 Venture L.P.

A DIF Deferral Agreement with GDC/CDG Esperanza PA 10 Venture L.P., to defer the City DIF associated with Tract Map 17931 (File No. PMTT06-007), for 82 units located at the northeast corner of Mill Creek Avenue and Eucalyptus Avenue, within the Esperanza Specific Plan (APN: 0218-722-02). **City Council action required.**

PHP-20-008: Submitted by Fred Herzog

A Certificate of Appropriateness to subdivide 1.09 acres of land into four parcels and relocate an eligible historic 1,699 square foot single-family dwelling on property located at 730 West Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district (APN: 1047-594-52). Related Files: PMTT20-004 and PHP-20-008. **Historic Preservation Commission action required**.

PHP-20-009: Submitted by Jingmih Feng

A request to raze a single-family residence located at 111 North Monterey Avenue, within the CN (Neighborhood Commercial) zoning district, an Eligible historic resource (APN: 1048-523-15). **Historic Preservation Subcommittee action required**.

PHP-20-010: Submitted by JOHN E DYE

A request for a bronze plaque for 230 East Rosewood Court, a Contributor to the Rosewood Court Historic District (APN: 1048-062-11). **Staff action required.**

PMTT20-004: Submitted by Fred Herzog

A Parcel Map to subdivide 1.09 acres of land into 4 parcels located at 730 West Fourth Street, within the LDR-5 (Low Density Residential – 2.1 to 5.0 DUs/acre) zoning district (APN: 1047-594-52). Related Files: PDEV20-014 and PHP-20-008. **Planning/Historic Preservation Commission action required.**

PMTT20-005: Submitted by Sares Regis Group

A Tentative Parcel Map to subdivide 54.13 acres of land into 29 lots bordered by Guasti Road to the north, Southern Pacific Railroad to the south, Turner Avenue to the East, and Archibald Avenue to the west, within the Commercial/Office land use district of the Guasti Plaza Specific Plan (APNs: 0210-192-11 and 0211-201-15). **Planning Commission action required.**

PSGN20-048: **Submitted by The Konsult Group**

A Sign Plan for the installation of a nonilluminated wall sign for COMPOSITION HOSPITALITY, located at 2233 East Philadelphia Street, within the IG (General Industrial) zoning district (APN: 0113-491-71). **Staff action required.**

PSGN20-049: **Submitted by Sign Industries**

A Sign Plan for the installation of a nonilluminated wall sign for OLTMANS CONSTRUCTION CO., located at 3491 Concourse Street, within the Ontario Center Specific Plan (APN: 0210-182-70). **Staff action required.**

PSGN20-050: **Submitted by SIGN INDUSTRIES, INC**

A Sign Plan for the installation of 3 interior illuminated wall signs (48" logo with 21" high drive-thru sign), directional signs, clearance bar and menu canopy, pre-menu, and menu-boards for STARBUCKS COFFEE, located at 2195 South Grove Avenue, within the Grove Avenue Specific Plan (APN: 0113-641-15). **Staff action required.**

PSGN20-051: **Submitted by Image Services Inc.**

A Sign Plan for the installation of 5 replacement wall signs for QUALITY INN, located at 514 North Vineyard Avenue, within the CCS (Civic Center Support Commercial) zoning district (APN: 0110-321-42). **Staff action required.**

PSGN20-052: **Submitted by Flyers Energy**

A Temporary Sign Permit for a FLYERS ENERGY banner on property located at 3901 Guasti Road, within the IL (Light Industrial) zoning district (APN: 0210-212-24). 6/19/2020 to 7/19/2020. **Staff action required.**

PSGN20-053: **Submitted by Machan Sign Company**

A Sign Plan for the installation of 3 new illuminated wall signs for FEDEX, located at 1801 East Airport Drive, within the ONT (Ontario International Airport) zoning district. **Staff action required.**

PSGN20-054: **Submitted by SIGN-NET SIGNS & GRAPHICS**

A Sign Plan for the installation of a monument sign and logo for PHELAN PLAZA, located at 2195 South Grove Avenue, within the Grove Avenue Specific Plan (APN: 0113-641-15). **Staff action required.**

PSGN20-055: **Submitted by Martinez Electric**

A Sign Plan for the installation of a wall sign for EGREENTRANS, located at 1383 South Cucamonga Avenue, within the IG (General Industrial) zoning district (APN: 1049-411-01). **Staff action required.**

PSGN20-056: **Submitted by Martinez Electric**

A Sign Plan for the installation of a wall sign for GUN LEI, located at 1383 South Cucamonga Avenue, within the IG (General Industrial) zoning district (APN:1049-411-01). **Staff action required.**

PSGN20-057: **Submitted by Pac Neon**

A Sign Plan for the installation of an illuminated wall sign placed on the second floor of the south elevation, for EASTER SEALS, located at 4688 East Ontario Mills Parkway, within the Ontario Mills Specific Plan (APN: 0238-271-28). **Staff action required.**

PSGN20-058: **Submitted by Steve Lode**

A Sign Plan for the installation of for one wall mounted non-illuminated sign for NATIONAL READY MIXED CONCRETE, located at 1830 South Milliken Avenue, Building G, within the California Commerce Center Specific Plan (APN: 0211-321-21). **Staff action required.**

PSGN20-059: **Submitted by Steven Lee**

A Sign Plan for the installation of a nonilluminated wall sign for SPOTLIGHT UNLIMITED STUDIO, located at 3700 Inland Empire Boulevard, Suites 150 and 175, within the Ontario Center Specific Plan (APN: 0210-211-48). **Staff action required.**

PSGN20-060: **Submitted by sunset Signs**

A Sign Plan for the installation of one illuminated wall sign for COMPUTER ANNEX USA (on the north elevation), located at 910 North Mountain Avenue, within the CN (Neighborhood Commercial) zoning district (APN: 1010-141-03). **Staff action required.**

PSGN20-061: **Submitted by Pac Neon**

A Sign Plan for the installation of 13 new wall-mounted signs and one ground-mounted directory sign for AIRPORT COMMERCE CENTER SOUTH, located at 1900 South Proforma Avenue, within the California Commerce Center Specific Plan (APN: 0211-242-31). **Staff action required.**

PSGN20-062: **Submitted by The Poke Co**

A Sign Plan for the installation of two wall signs for POKE CO., located at 990 East Ontario Mills Drive, Unit C, within the Ontario Mills Specific Plan (APN: 0238-014-03). **Staff action required.**

PSGN20-063: **Submitted by All California Signs**

A Sign Plan for the installation of a flush-mounted wall sign for NEXIUS, located at 1690 South Milliken Avenue, within the California Commerce Center Specific Plan (APN: 0211-281-61). **Staff action required.**

PTUP20-026: Submitted by Crown Castle Towers 06-2 LLC

A Temporary Use Permit for a temporary wireless telecommunications facility with two non-stealth cell towers having a maximum antenna height of 55 feet on property located at 617 East Park Street, within the IG (General Industrial) zoning district (APN: 1049-233-13). **Staff action required.**

PTUP20-027: Submitted by Ben Spell

A Temporary Use Permit for a charitable fundraising event within the Ontario Mills parking lot, located at 1 Mills Circle, within the Regional Commercial land use district of the Ontario Mills Specific Plan (APN: 0238-014-36). **Staff action required.**

PTUP20-028: Submitted by Rolling Green Inc

A Temporary Use Permit to establish a temporary interim landscaping staging\storage area located at 4800 Motor Lane, within the SCE Unity Corridor (APN: 0238-121-70). **Staff action required.**

PVAR20-002: Submitted by Crown Castle Towers

A Minor Variance to deviate from the Development Code maximum height for wireless telecommunications antennas, from 75 feet to 81 feet, in conjunction with the construction of an 81-foot tall monopine wireless communications facility (T-Mobile and Verizon) on 0.176 acres of land located at 617 East Park Street, within the IL (Light Industrial) zoning district (APN: 1049-233-13). Related File: PDEV20-016. **Planning Commission action required.**

PVER20-027: Submitted by Zoning Info

A Zoning Verification for property located at 3655 East Airport Drive, within the Rail Industrial District of the California Commerce Center Specific Plan (APN: 0211-222-65). **Staff action required.**

PVER20-028: Submitted by Pamela Brown

A Zoning Verification for property located at 1855 East Riverside Drive, within the MHP (Mobile Home Park) zoning district (APN: 0216-124-05). **Staff action required.**

PVER20-029: Submitted by Sergey Vershinin

A Zoning Verification for property located at 1440 East Fourth Street, within the CN (Neighborhood Commercial) zoning district (APN: 1102-02-46). **Staff action required.**

PVER20-030: Submitted by Ontario Land Ventures, LLC

A Zoning Verification for property located at 4815 South Hellman Avenue, within the General Industrial land use district of the West Ontario Commerce Center Specific Plan (APN: 0218-261-39). **Staff action required.**